

MINUTES OF MEETING  
SIX MILE CREEK  
COMMUNITY DEVELOPMENT DISTRICT

The regular meeting of the Board of Supervisors of the Six Mile Creek Community Development District was held on Wednesday, November 16, 2022 at 2:10 p.m. at the Renaissance World Golf Village Resort, 500 South Legacy Trail, St. Augustine, Florida.

Present and constituting a quorum were:

Gregg Kern	Chairman
Mike Taylor <i>by phone</i>	Vice Chairman
Darrin Glynn <i>by phone</i>	Supervisor
Wendy Hartley	Supervisor
Blake Weatherly	Supervisor

Also, present were:

Jim Oliver	District Manager
Wes Haber	District Counsel
Zach Brecht	District Engineer
Alex Boyer	Operations Manager
Kevin Anderson	Dream Finder Homes

*The following is a summary of the actions taken at the November 16, 2022 Six Mile Creek Community Development District's regular Board of Supervisor's Meeting.*

**FIRST ORDER OF BUSINESS**

**Roll Call**

Mr. Oliver called the meeting to order at 2:10 p.m. Three Supervisors were in attendance at the meeting constituting a quorum. Two Supervisors participated by phone.

**SECOND ORDER OF BUSINESS**

**Audience Comments**

Mr. Oliver explained the comment protocol for audience comments and opened the floor to audience members. There were no audience comments.

November 16, 2022

Six Mile Creek CDD

Mr. Oliver stated they will seat two residents to the Board that will make four residents total to the Board. They will be seated at the next meeting. The two residents elected through the general election process are Barbara Bland and Michelle Sutton.

**THIRD ORDER OF BUSINESS**

**Affidavit of Publication**

Mr. Oliver noted the meeting was published in the St. Augustine Record on October 20, 2022 and October 27, 2022.

**FOURTH ORDER OF BUSINESS**

**Approval of Minutes of the October 19, 2022 Meeting**

Mr. Oliver asked for any comments or changes to the October 19, 2022 meeting minutes. The Board had no changes to the minutes.

On MOTION by Mr. Kern, seconded by Mr. Weatherly, with all in favor, the Minutes of the October 19, 2022 Meeting, were approved.

**FIFTH ORDER OF BUSINESS**

**Matters Related to Series 2022 Bonds and Assessment Hearing**

Mr. Oliver noted the assessment hearing was also advertised in the St. Augustine Record and sent mailed notice to the landowners for that undeveloped land. He added no one in the meeting will be assessed. Mr. Haber noted at a prior meeting the process was started by adopting two resolutions containing the Engineer's Report that identified improvements for Assessment Area 2 Phase 3C, and Assessment Area 3 Phases 3 &4. The Assessment Methodology identified the maximum level of assessments that could be levied on the property. He reviewed the resolutions and the process for the hearing. He noted the resolution is levying a master lien at the highest amount possible that the District could possibly levy. He noted the Engineer's Report and Assessment Methodology is the same the Board saw at the last meeting and there were no changes to report. He noted that the assessments as set forth in the methodology are fairly and reasonably allocated and the benefit derived for the improvements described in the Engineer's report are equal to or in excess of the debt that will be allocated to the property.

Mr. Oliver stated in the Executive Summary in the report does show that the lands benefiting from the assessments will have the special benefit with the infrastructure improvements

November 16, 2022

Six Mile Creek CDD

that are made with the construction. He added that they think the assessments are fairly and reasonably allocated to those lands and that the benefit received from those improvements is greater than the assessments to be collected. He reviewed the tables contained within the report that reflected that all of the land is for residential lots contemplated at 580 lots for the three assessment areas. They are 43-foot, 53-foot, and 63-foot lots. The bonds that will be issued is at the highest level for a total of \$43,000,000 combined for the three areas. He added these numbers are likely to come down. The table reflects the maturity of the bonds expected to mature in 2054 and these assessments and improvements are not funded by anyone in the room and are for future homeowners. It was noted the assessment roll is owned by Six Mile Creek Investment Group. The benefit derived from each one of these lots is greater than the assessments levied on the lots.

Mr. Oliver ask for a motion to open the public hearing.

On MOTION by Mr. Kern, seconded by Ms. Weatherly, with all in favor, to Open the Public Hearing, was approved.

Mr. Oliver noted the hearing was open and ask if there were questions regarding the bond issue that will likely occur in 2023. Clarification was made this was for the last phase of Reverie and two more phases in the remaining portions of undeveloped land. It was added the assessments are only levied on those lands.

Mr. Oliver ask for a motion to close the public hearing.

On MOTION by Mr. Kern, seconded by Ms. Weatherly, with all in favor, to Close the Public Hearing, was approved.

**SIXTH ORDER OF BUSINESS**

**Consideration of Resolution 2023-02,  
Levying Master Assessment Lien for 2022  
Bonds**

Mr. Haber reviewed the resolution and the specifics of the levying and payments on the land. He explained the true up agreement and he noted the methodology report referred to a date of September 9<sup>th</sup>. He added this is a typo and the correct date is September 21<sup>st</sup>. He asked for any questions. Hearing none,

November 16, 2022

Six Mile Creek CDD

On MOTION by Mr. Kern, seconded by Ms. Weatherly, with all in favor, Resolution 2023-02 Levying Master Assessment Lien for 2022 Bonds, was approved.

**SEVENTH ORDER OF BUSINESS**

**Ratification Engagement Letter with Grau & Associates for Fiscal Year 2022 Audit**

Mr. Oliver stated the engagement letter with Grau & Associates for the Fiscal Year 2022 audit was in the packet. This is an annual requirement to be completed by an independent CPA firm. The Board has selected Grau & Associates through the appropriate process. He added he had previously executed this so the audit could begin.

On MOTION by Mr. Kern, seconded by Mr. Weatherly, with all in favor, the Engagement Letter with Grau & Associates for Fiscal Year 2022 Audit, was ratified.

**EIGHTH ORDER OF BUSINESS**

**Ratification of Fitness Lease (Trailmark Center)**

Mr. Oliver stated this is to replace the aging fitness equipment and this lease expired over a year ago. The Vice Chairman worked with the staff to select equipment and enter into a lease.

On MOTION by Mr. Kern, seconded by Mr. Weatherly, with all in favor, the Fitness Center Lease for the Trailmark Center, was ratified.

**NINTH ORDER OF BUSINESS**

**Consideration of Deed Conveying Common Area Parcels**

Mr. Haber noted the copy of the deed provided to the Board had been amended. He provided background on the parcels noting when areas are platted there are areas that are not owned by the CDD and owned by the Developer. These areas are identified on the plat for their intended purpose. He added that the plat has dedication language that says the property will remain with the Developer with the expectation that at a future date it will be conveyed to the CDD for ownership. This does not convert into simple ownership. Once the improvements are complete the real property will be conveyed to the CDD. The Deed provided to the Board includes TrailMark East Parcel Phase 2 Unit A, TrailMark East Parcel Phase 2 Unit B, TrailMark East Parcel Phase 2 Unit C. He added all of these will be removed from the Deed as well as Westberg Creek Phase 9 Unit B. He stated the Deed itself will not be changing, with exception of the real property described in

November 16, 2022

Six Mile Creek CDD

the Deed. This includes Sections where the plats have been identified as Whisper Creek Phase 1 Units A&B, Whisper Creek Phase 3 Unit A, TrailMark East Phase 1, Whisper Creek Phase 9 Unit A, and Whisper Creek Phase 9 Unit C. Mr. Haber provided the updated information to the Board on the deed and plats. Mr. Haber noted the Board could approve the Deed as amended on the record to remove the plats noted.

On MOTION by Mr. Kern, seconded by Mr. Weatherly, with all in favor, the Deed Conveying Common Area Parcels, was approved as amended.

*\*This item was taken out of order.*

Mr. Taylor added comments about the new lease for existing equipment and disposal. Discussion ensued on costs of this disposal, credits of around \$6000, timing of the new equipment, surplus property process. Mr. Kern stated he supported the recommendation to have the current supplier credit the amount back. A motion was made to authorize the equipment to be provided back to the new provider and authorize the Chair to finalize the terms.

On MOTION by Mr. Kern, seconded by Mr. Weatherly, with all in favor, To Authorize the Equipment to be Provided Back to the New Provider and Authorize the Chair to Finalize the Terms, was approved.

## **TENTH ORDER OF BUSINESS**

### **Easement Regarding Traffic Signal**

Mr. Haber stated there were 2 easements, the traffic signal at the entry of the community and the District needs to work with the property owner across the street. He added that negotiations had begun, and the owner has agreed to grant 2 easements, 2 to the CDD, which will be a temporary construction easement that would grant the CDD and contractors the right to access his property to make any improvements that are necessary to install the traffic signal. Once installed the CDD will own it. He noted the other easement is to the county which is a permanent easement to allow the county to operate, maintain, repair, and replace. He referred to the 2 documents drafted by the CDD and will need to be provided and reviewed by the property owner and the county. Both parties have seen the documents, provided preliminary comments and we anticipate a few changes will need to be made. Therefore, the motion will need approval in substantial form. He noted the

November 16, 2022

Six Mile Creek CDD

property owner is not granting the easements for free and the costs will be paid for by the Developer or the bonds and will be \$125,000. Ms. Hartley asked about taking the old ones back and Mr. Kern noted that portions will be salvaged, and others will be updated to meet the new standards.

On MOTION by Mr. Kern, seconded by Mr. Weatherly, with all in favor, To Authorize the Payment of a Not to Exceed \$125,000 for the Easements as well as the Form of Easements and Authorize the Chair to Execute on Behalf of the District, was approved in substantial form.

**ELEVENTH ORDER OF BUSINESS**

**Discussion of Disposal of Exiting Fitness Equipment**

Mr. Oliver stated this was covered. Mr. Taylor added comments about the new lease for existing equipment and disposal. Discussion ensued on costs of this disposal, credits of around \$6000, timing of the new equipment, surplus property process. Mr. Kern stated he supported the recommendation to have the current supplier credit the amount back. A motion was made to authorize the equipment to be provided back to the new provider and authorize the Chair to finalize the terms.

On MOTION by Mr. Kern, seconded by Mr. Weatherly, with all in favor, To Authorize the Equipment to be Provided Back to the New Provider and Authorize the Chair to Finalize the Terms, was approved.

**TWELFTH ORDER OF BUSINESS**

**Other Business**

There being none, the next item followed.

**THIRTEENTH ORDER OF BUSINESS**

**Staff Reports**

**A. Attorney**

Mr. Haber noted there were no further reports.

November 16, 2022

Six Mile Creek CDD

**B. Engineer**

- 1. Consideration of Requisitions 163 2020 Assessment Area 2, Phase 3A (East Parcel Phase 1)**
- 2. Consideration of Requisitions 163 – 167 2021 Capital Improvement Review Bonds, Assessment Area 3, Phase 1 (Phases 9 & 11)**
- 3. Consideration of Requisitions 35 – 36 2021 Capital Improvement Revenue Bonds, Assessment Area 3, Phase 2 (Phase 10)**
- 4. Consideration of Requisitions 83 – 90 2021 Capital Improvement and Refunding Revenue Bonds (AA2, Phase 3B) (East Parcel Phase 2)**

Mr. Brecht reviewed the requisitions to be considered by the Board. He added the total is \$2,453,645. 60. Mr. Kern noted this was in the revised summary.

On MOTION by Mr. Kern, seconded by Mr. Weatherly, with all in favor, the Requisition Summary, was approved as presented.

**5. Ratification of Carter Environmental Services Proposal Pacetti Road Buffer Protected Tree Inventory**

Mr. Brecht reviewed the proposal for preserving and maintaining some of the buffer. He added the total is not to exceed \$1500.

On MOTION by Mr. Kern, seconded by Mr. Weatherly, with all in favor, the Proposal for Carter Environmental Services for Pacetti Road Buffer Protected Tree Inventory, was ratified.

Mr. Brecht reviewed the contract agreement between Jax Utility Management and the CDD to perform the work on sidewalk connections on TrailMark Drive. The not to exceed amount was exceeded due to material costs and other items. The timeline was discussed, and the item had been approved by the chair.

On MOTION by Mr. Kern, seconded by Mr. Weatherly, with all in favor, the Proposal from JUM Agreement for Sidewalk Installation, was ratified.

Mr. Brecht reviewed the Change Orders to the contracts. He noted the first 2 are #7 and #8. He noted the Change Order #7 is for some additional retaining wall that needed to be added for a total of \$41,865.64.

November 16, 2022

Six Mile Creek CDD

On MOTION by Mr. Kern, seconded by Mr. Weatherly, with all in favor, the Change Order #7 to Add Additional Retaining Wall for \$41,866.64, was approved.

Mr. Brecht noted that Change Order #8 was for the same contract and for a credit of \$1,972.40 for pipes.

On MOTION by Mr. Kern, seconded by Mr. Weatherly, with all in favor, the Change Order #8 for a Credit, was approved.

Mr. Brecht noted that Change Order #11 was to Jax Utility Management.

On MOTION by Mr. Kern, seconded by Mr. Weatherly, with all in favor, the Change Order #11, was approved.

**C. Manager**

Mr. Oliver had nothing further to report.

**D. Operations / Amenity Manager – Report**

The Operation Manager reviewed the monthly report to include the planters, additional sod work, backwashing, and other items. He added the fireplace had to have electrical replacements, and replacement landscaping. Irrigation and pond algae problems with potential erosion on ponds were discussed. He added a need for a cost of \$2,600 for electrical housing unit. He noted pine straw will be added in January. Ms. Hartley had a question on the entryway lighting. It was noted they will be up same as last year. Further discussion was held on updates on ponds, parking lot area clean-up to be done, dumpster area clean up, and Reverie lake conditions and aquatic treatments. Mr. Kern asked for possible evaluating of that area for algae blooms, and erosion areas. Mr. Kern added they could provide access as needed.

**FOURTEENTH ORDER OF BUSINESS**

**Supervisor’s Requests and Audience Comments**

Mr. Taylor had a question for Mr. Boyer about the rails off the fence and asked about scheduled repairs. Mr. Glynn had concerns about TrailMark parking signs that are missing or damaged. Ms. Hartley noted there were 3 signs damaged on the canal. Mr. Taylor added a comment



November 16, 2022

Six Mile Creek CDD

on limiting parking near the trees by the Welcome Center and how to handle this. Ms. Hartley added a comment from a resident and golf carts that come through cul'd sac around the mailboxes and electrical area. Mr. Kern noted there will be landscaping in that area and they are looking at drainage in the area.

**Audience Comments:**

An audience member commented on progress of several projects in the community. Mr. Kern noted several have not been awarded. He discussed resurfacing of pickle ball courts and the delay of amenity center that are being considered. He added comments on pool progress.

Another comment was made on mailboxes, new location and lighting. Further discussion ensued on lighting concerns.

Resident commented on TrailMark grass and replacement timeline. Mr. Boyer noted it had just been approved. She added comments on trash near Sales office. Other comments were made on the lake algae, emails, evaluation of progress, irrigation concerns, ponds, amenity center progress, rules and regulations, and gates at Reverie. Mr. Kerns answered questions to include the Board making rules and regulations and updates on progress and monitoring issues. Other location for pond issues, sodding, curbs, concrete issues, taxes, assessments, environmental areas, and irrigation needs were further discussed.

**FIFTEENTH ORDER OF BUSINESS**

**Financial Reports**

**A. Balance Sheet as of October 31, 2022 and Statement of Revenues and Expenses for the Period Ending October 31, 2022**

Mr. Oliver presented the financials through October 31, 2022 to the Board. This is the first of the fiscal year.

**B. Assessment Receipt Schedule**

Mr. Oliver noted that they were fully collected at this time.

**C. Check Register**

Mr. Oliver presented the check register and asked for a motion to approve.

On MOTION by Mr. Kern, seconded by Mr. Weatherly, with all in favor, the Check Register, was approved.

November 16, 2022

Six Mile Creek CDD

**SIXTEENTH ORDER OF BUSINESS**

**Next Scheduled Meeting – December 21,  
2022 at 2:00 p.m.**

Mr. Oliver noted that the next regular meeting date will be December 21, 2022, at 2:00 p.m. at their current location.

**SEVENTEENTH ORDER OF BUSINESS**

**Adjournment**

On MOTION by Mr. Kern, seconded by Mr. Weatherly, with all in favor, the meeting was adjourned.

DocuSigned by:

*Jim Oliver*

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Secretary/Assistant Secretary

DocuSigned by:

*Gregg Kern*

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Chairman/Vice Chairman