

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, April 26, 2023 at 2:00 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
Wendy Hartley	Vice Chairperson
Darren Glynn	Supervisor
Barbara Bland	Supervisor
Michelle Sutton	Supervisor

Also, present were:

Jim Oliver	District Manager
Wes Haber <i>by phone</i>	District Counsel
Zach Brecht	District Engineer
Alex Boyer	Property Operations Manager
Stephanie Douglas	Lifestyles Coordinator
Howard McGaffney	Governmental Management Services
Kevin Anderson	Dream Finders Homes

The following is a summary of the actions taken at the April 26, 2023 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 2:00 p.m. Five Supervisors were in attendance at the meeting constituting a quorum. He reviewed several protocols for the meeting. He noted security discussion later in the meeting was for staff and Board members only.

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SECOND ORDER OF BUSINESS

Audience Comments

Mr. Oliver explained the comment protocol for audience comments and opened the floor to audience members. He asked that audience members step to the microphone for comments and noted the 3-minute comments.

Audience member commented on the amenity center, access to lodge and tavern, and requested to have longer hours to enjoy the amenities.

Another comment was made on the fence and green space to solve parking issues. He reminded the Board of right of way to consider.

THIRD ORDER OF BUSINESS

Approval of Minutes of the March 15, 2023 Meeting

Mr. Oliver asked for any comments or changes to the March 15, 2023 regular meeting minutes and the continued meeting minutes. The Board had no changes to the minutes.

On MOTION by Mr. Kern, seconded by Ms. Hartley, with all in favor, the Minutes of the March 15, 2023 Board of Supervisors Meeting, were approved.

FOURTH ORDER OF BUSINESS

Ratification of Construction Agreement with Carlton Construction

Mr. Haber reviewed the construction agreement. He noted this is for the amenity center expansion and the Board had approved the RFP and scope at a prior meeting. He noted changes were made and there were several requests for reports the contractor would provide.

On MOTION by Mr. Kern, seconded by Ms. Hartley, with all in favor, the Construction Agreement for Amenity Center Expansion with Carlton Construction, was ratified.

FIFTH ORDER OF BUSINESS

Consideration of Project Management Agreement for Capital Improvement Projects

Mr. Haber stated that there are a number of construction contracts for the CDD. He discussed the Board members that are residents and moving to a full resident Board, and the overseeing of a manager of these contracts. He added this is used in other CDDs. He noted this

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would be approved in substantial form and delegate authority to a Board member to finalize. Ms. Sutton asked what the various contract were. Mr. Haber replied this was the Amenity Center expansion and other contracts are for neighborhood infrastructure expansion. Mr. Kern noted it was no fee for the District. Another question was asked if this was considered the freedom to sign off on anything the District is doing development wise. Mr. Haber replied it was not. He further explained that all agreements had to be run by the Board, but this allows the Chair to approve changes that will not impact the functionality or purpose of the improvement.

On MOTION by Mr. Kern, seconded by Ms. Hartley, with all in favor, the Project Management Agreement for Capital Improvement Projects and Authorization for the Chairman to Finalize, was approved in substantial form.

SIXTH ORDER OF BUSINESS

Consideration of Easement (Comcast)

Mr. Haber stated this was for roads within Reverie. This is an additional easement that allows Comcast to enter the gate at Reverie to enter the community. It was asked about clarification of the roadways and right of ways. Mr. Kern provided an explanation and noted it was typical.

On MOTION by Mr. Kern, seconded by Ms. Bland, with all in favor, the Easement for Comcast, was approved.

SEVENTH ORDER OF BUSINESS

Discussion of Delegation of Authority to Address Requests for Use of CDD Properties and Easements

Mr. Haber stated this is a request for the delegation of authority to address issues in regards the use of the CDD properties easements. He noted this is not uncommon for residents to make requests for different construction events such as fences, pools, and other various projects. He added there are forms to address issues and releases the CDD for any responsibility. This allows a Board member to work with staff on approval of these issues and sign agreements.

There was a question regarding homeowners' properties and Mr. Haber noted this would be between homeowners. He stated this agreement is for CDD property only. Another comment was made about realtors making this clear as they are selling the property or home. Discussion ensued on the HOA, realtors, and homeowner easements.

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Another question was made on a specific situation with sidewalk installation, sprinkler system, and easements. Mr. Kern stated they are working on this with adjacent homeowners, and he will follow-up. He added this prevents homeowners from waiting on approval. Ms. Sutton agreed to work with staff.

On MOTION by Ms. Sutton, seconded by Mr. Kern, with all in favor, the, Delegation of Authority to Ms. Sutton to Address Request for Use of CDD Property and Easements, was approved.

EIGHTH ORDER OF BUSINESS

Discussion of Fiscal Year 2024 Budget Process

Mr. Oliver presented discussion of the fiscal year 2024 budget process. He noted the requirements of adoption by the end of August. He added the proposed budget is required to be approved by June 15th of each year. He stated they will bring the proposed budget to the next meeting for discussion, approval, and to set a public hearing. He added the public hearing will be in conjunction with the August meeting. Mr. Kern explained how the budget could be adjusted during this time.

NINTH ORDER OF BUSINESS

Consideration of Janitorial Proposals

Mr. Boyer noted this proposal was a result of the current vendor no longer being able to fulfill the agreement. He added they had three proposals and reviewed the options. JaniKing was for \$2,826, Keen On Klean was for \$1,985, Ultra Pristine for \$4,500. He noted some specifics on the proposals to help compare prices. Mr. Kern asked for final date of current vendor. Mr. Boyer replied they would be out by the end of the month but would help out until they secure a vendor. Another question was asked on the current payment. Mr. Boyer replied in the ballpark of \$1,780. Mr. Kern noted the budget was \$18,500 and supplies were separate. It was asked to outline the scope of services. Discussion ensued on comparison on prices, scope of services, the facilities that are included, lack of cleaning job from current vendor. The Board agreed a consolidated scope of services was needed, a contract agreement, and process for selection. Discussion ensued on if any of the vendors were used in other communities, contract with a 30 day opt out, staffing, and hourly work, and other concerns.

Mr. Oliver suggested the Board rank each proposal and then they will go with the top ranked vendor. The top vendor was Keen on Klean for \$1,985. The agreement will be finalized

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after confirming the proposal meets requirements established in the scope of services issued to vendors by the CDD. Other ranked proposals were from JaniKing at \$2,826 and Ultra Pristine at \$4,500.

On MOTION by Ms. Bland, seconded by Ms. Hartley, the Proposal from Keen On Klean for \$1,985, was approved.

TENTH ORDER OF BUSINESS

Discussion of Sound System for Future Meetings

Mr. Oliver stated at the last meeting this item was discussed. Discussion was about larger audiences, larger rooms, and a sound system for future meetings.

ELEVENTH ORDER OF BUSINESS

Consideration of Fencing Proposals with Hardwick Fence

Mr. Boyer presented the proposal that was originated from the HOA manager on issues regarding enforcing parking in common areas. He noted there is a lot of parking on the island and enforcement is a challenge. He presented several options for addressing the issue. He reviewed several problems with the area and possibly restricting the area with landscape improvements. He noted there is a need for parking in this area. Discussion ensued on the fence and parking issues, just using signs for no parking, targeting offenders, partial fencing in two areas, parallel parking, and other solutions discussed in the past. Board members had several different suggestions for all three areas.

Mr. Kern summarized options and offered to give time for staff and Board members to meet with the Community Manager and other staff and come back with other options. After discussion the Board agreed to fencing two areas of Black Creek Drive and the Amenity Center locations, and then continue to work on the Split Oak area.

On MOTION by Mr. Kern, seconded by Ms. Sutton, the Proposal From Hardwick Fence For a Fence in Two Areas Listed, was approved.

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TWELFTH ORDER OF BUSINESS

**Consideration of Resolution 2023-05,
Regarding Records Retention Policy**

Mr. Haber noted there is a current policy for the District to retain all records. This resolution will address two issues. The first one concerns a record and serves no useful purpose after a period of time. The other is regarding the law allowing the District to defer hard copy documents to electronic documents and then destroy the hard copy. Mr. Haber noted the memo allows for two options which is Resolution #1 which is a review of records and then destroying records which is more work. Resolution #2, which GMS prefers, allows for direction from the Board. He recommended the Board select option #2.

On MOTION by Mr. Kern, seconded by Ms. Bland, with all in favor, the Resolution 2023-05, Regarding Records Retention with Option #2, was approved.
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THIRTEENTH ORDER OF BUSINESS

**Discussion of Age Restrictions for Use of
TrailMark Recreational Facilities**

Mr. Oliver stated the copy of the policies are provided for the Board. He added at the last meeting a resident voiced concerns regarding age restrictions of the TrailMark Recreational Facilities. He noted there is no hard and fast rule of what the age restriction needs to be and varies from each District.

An audience member commented about her 15-year-old son and gym use and the inconsistencies. She added concerns about equipment usage. She noted that other sports courts have various age restrictions and would like consistency.

Another audience member commented on the age recommendations, and other issues.

Mr. Oliver added across other Districts the Amenity Policies are not the same age for the components. Discussion continued on 15-year old teens using the gym, policies, current usage, and equipment training.

Mr. Kern added he did not think it should isolate just for the fitness center, but should extend to other areas. He recommended amending the current policy for age restrictions to be consistent with the current pool of 15 years or younger to be accompanied by an adult for all areas.

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On MOTION by Mr. Glynn, seconded by Ms. Bland, with all in favor, the Changes in the TrailMark Amenity Policies to a Minimum Age for Use of All Facilities Without Being Accompanied by an Adult, was approved.

FOURTEENTH ORDER OF BUSINESS**Discussion of Age Restrictions for Use of Reverie Recreational Facilities**

Mr. Haber provided an overview of age restrictions and the law requirements and equal access. He added there is no clear answer but is determined by the level of risk. He added the present policies provide age restrictions for the three pools. He discussed the difference is the communities and the preference for age restrictions in each. Various public comments and Board comments were made regarding preferences. Questions regarding how the age was selected, the hours allowed,

Mr. Kern explained the background on how these were selected and became a part of policy, but changes could be made. He noted Reverie had different types of pools and explained the age restrictions of each. Mr. Haber made comments regarding the purpose of these restrictions have a clear purpose then it is okay to have the restrictions. Mr. Kern asked about the risk of lawsuits and Mr. Haber explained the possibilities of risk.

The meeting was opened for public comments regarding this topic. Various concerns and comments were made on the topic. It was noted in comments that Reverie is an older 55+ community and that's why there should be age restrictions. Other comments were lack of parental guidance in pools, enforcement of restrictions, wish to extend pool hours, pool equipment, adding benches to the shower room, monitoring of children, no AED at the pools, lack of security, Reverie access without card, gate security, and other concerns with construction sign.

Mr. Kern asked for Board discussion on the age restrictions. He added he agreed on the need to maintain the Reverie 55+ environment. He asked for proposals for additional staffing, pool monitors, costs, and other added services. He noted that enforcement and security were a problem. Further Board discussion ensued on hours and living age requirements of Reverie. Mr. Kern proposed staff work on revisions to use of facilities, adding facility attendants, and time for further Board review on the topic. He noted he would authorize Mr. Boyer to determine the location for the sign and install.

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After a lengthy discussion the Board directed staff to prepare a survey to solicit feedback from Reverie residents regarding policy preferences related to access to recreational facilities for their guests under the age of 18.

FIFTEENTH ORDER OF BUSINESS Other Business

There being no comments, the next item followed.

SIXTEENTH ORDER OF BUSINESS Staff Reports

A. Attorney

Mr. Haber stated that he had nothing further to report to the Board at this time.

B. Engineer

Requisitions for Consideration

- 1. Consideration of Requisition 168 2020 Assessment Area 2, Phase 3A (East Parcel Phase 1)**
- 2. Consideration of Requisitions 49 – 50 2021 Capital Improvement Review Bonds, Assessment Area 3, Phase 1 (Phases 9 & 11)**
- 3. Consideration of Requisitions 117 – 121 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. These are related to construction activities that are on-going in the community. He noted he had discussion with the Chairman on all of these. He was asking for an increase on each and explained the reason for the increase.

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

Work Authorizations

- 4. Ratification of Work Authorization No. 51, Amendment No. 1 Master Site Planning**

Mr. Brecht reviewed the work authorization No. 51 and No. 1 on Master Site Planning. He noted these have been approved by the Chairman. He noted the amount of \$25,000.

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5. Ratification of Work Authorization No. 74, CDD Tax Exempt Purchase Administration (East Parcel Phase 3)

Mr. Brecht reviewed the work authorization No. 74, on Tax Exempt Purchase Administration for Parcel Phase 3.

Mr. Brecht reviewed work authorization No. 63, 61, and 66.

On MOTION by Mr. Kern, seconded by Ms. Sutton, with all in favor, Work Authorizations No 51 Amendment No. 1, No. 74, No. 63, No. 61, and No. 66, were ratified.

Change Orders

6. Ratification of TrailMark East Parcel 3 – Jax Utilities Management, Inc. Change Order No. 1

Mr. Brecht reviewed the Change orders and noted they have been reviewed and approved by the Chairman. This one is for Jax Utilities for \$397,600.

On MOTION by Mr. Kern, seconded by Ms. Hartley, with all in favor, the Change Order No. 1 for Jax Utilities, was ratified.

7. Ratification of TrailMark East Parcel 3 – Jax Utilities Management, Inc. Change Order No. 2

Mr. Brecht reviewed change order is a credit in the amount of \$142,000 for use of different material.

On MOTION by Mr. Kern, seconded by Ms. Hartley, with all in favor, the Change Order No. 2 TrailMark East Parcel #3, was ratified.

Mr. Brecht added comments about standing water in the Reverie community and noted this is standing water within the land not owned by the CDD. He referred to the email on how the problem was addressed. He explained flood zones, evacuation zones, and improvements made. He recommended the next steps to have additional information through a survey and get proposals for surveys. He added the requirement for the District to coordinate with the adjacent landowner agreeing to work and construction on their property.

Mr. Kern asked the Board if they would agree to direct Mr. Brecht to solicit proposals and pursuing correcting the low spot on the adjacent property.

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Audience commented on the flooding behind her home. She noted she was told it was CDD property. She requested a copy of the reports. She stated she wanted a solution and could get attorney. From looking at the engineering design the county will not allow them to drain the lots on the adjacent property. He stated the only action from the CDD is coordinate with the adjacent landowner in getting authorization to do the project. Further discussion ensued on specifics of the job. Mr. Kern stated he did not support spending District money.

C. Manager

Mr. Oliver stated there was nothing to report.

D. Operations / Amenity Manager

1. Report

Mr. McGaffney presented the Operations report and reviewed the pool issues, and noted preventive measures are being taken on security, and traps were installed. He noted ratifications for pond maintenance agreements for Reverie. He noted it had been approved but not signed. He also had a ratification \$4,740 for Phase 1 pond in Reverie for Sitex.

On MOTION by Mr. Glynn, seconded by Ms. Hartley, with all in favor, the Sitex Agreement for the Pond in Reverie, was ratified.

The 2nd is an addendum ratification to the TrailMark pond maintenance. He noted this added Phase 9 and 11 to the contract. It is also for Sitex.

On MOTION by Ms. Sutton, seconded by Ms. Hartley, with all in favor, the Sitex Agreement for the addendum for TrailMark Pond Maintenance Adding Phase 9 and 11, was approved.

Extended discussion of a resident's drainage concerns along Pacetti Road to east of Reverie, not on CDD property. The District engineer provided a detailed explanation of the matter and shared flood zone data indicating that the resident's home is not in danger of flooding, unless all other surrounding areas flooded first. Staff was directed to work with the landowner of the area east and outside of CDD boundary to seek permission to evaluate and modify any drainage issues within that area that may contribute to appearance of standing water.

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Mr. McGaffney reviewed additional information to the Board on the facilities upkeep in replacing screens, looking for industrial solutions, and other issues for operation.

Ms. Douglas reviewed upcoming events to include the celebration for life, fundraisers, community yard sale, and high school graduation celebration.

SEVENTEENTH ORDER OF BUSINESS Supervisor's Requests and Audience Comments

Supervisor Requests:

- Supervisor Kern mentioned donated money for a palm in the lake area.

Audience Comments:

- Resident discussions included topics on cleaning, construction traffic, Reverie gates open from 7:00 a.m. to 7:00 p.m., request for a second Bocce Ball Court, benches, shade structures, future repairs, request for different meeting times, amounts of bond portions, Reverie Amenity hours, hiring process for fitness instructor, overgrown shrubs, pool monitor needed, budgets for communities, request for additional pool skimmer at Reverie, and children access to Reverie.
- Mr. Oliver commented on assessments and upcoming Reserve study.
- Updates were given on Reverie work on key fobs, security, additional item requested and associated costs.

EIGHTEENTH ORDER OF BUSINESS Financial Reports

A. Balance Sheet as of March 31, 2023 and Statement of Revenues and Expenses for the Period Ending March 31, 2023

Mr. Oliver presented the financials through March 31, 2023 to the Board.

B. Assessment Receipt Schedule

Mr. Oliver noted the District is 98% collected.

C. Check Register

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

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On MOTION by Ms. Sutton, seconded by Ms. Hartley, with all in favor, the Check Register, was approved.

Mr. Oliver stated the Board and staff would have a closed meeting to discuss security matters following a brief recess. No action was taken during the closed meeting.

NINETEENTH ORDER OF BUSINESS

Next Scheduled Meeting – May 17, 2023 at 2:00 p.m.

The next regular meeting date will be May 17, 2023, at 2:00 p.m. at their current location.

TEWENTH ORDER OF BUSINESS

Adjournment

Mr. Oliver stated the Board and staff will have a closed meeting regarding security.

On MOTION by Mr. Glynn seconded by Ms. Sutton with all in favor, the meeting adjourned.

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Jim Oliver
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Secretary/Assistant Secretary

DocuSigned by:
Gregg Kern
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Chairman/Vice Chairman