

MINUTES OF MEETING
SAMPSON CREEK COMMUNITY DEVELOPMENT DISTRICT

The regular meeting of the Board of Supervisors of the Sampson Creek Community Development District was held on Wednesday, January 16, 2019 at 6:00 p.m. at the St. Johns Golf & Country Club, Swim Club Meeting Room, 219 St. Johns Golf Drive, St. Augustine, Florida.

Present and constituting a quorum were:

Tom Hudson	Chairman
Kim Kalke	Vice Chairperson
Tracy Hayes	Supervisor
Jill Flores	Supervisor
William Hohmann	Supervisor

Also present were:

Ernesto Torres	District Manager
Wes Haber	District Counsel
Alex Acree	District Engineer
Leah Tincher	Amenities Manager
Brian Stephens	Riverside Management
A.J. McCaffrey	Central Security Agency
Michael Johnson	Duval Landscape Maintenance
Dan Fagen	Vesta Property Services
Residents	

The following is a summary of the actions taken at the January 16, 2019 meeting. A copy of the proceedings can be obtained by contacting the District Manager.

FIRST ORDER OF BUSINESS

Roll Call

Mr. Torres called the meeting to order at 6:00 p.m.

SECOND ORDER OF BUSINESS

Pledge of Allegiance

The Pledge of Allegiance was recited by all who attended the meeting.

THIRD ORDER OF BUSINESS

Public Comment

Mr. Hudson requested residents identify themselves and speak on agenda items only for three minutes, address non-agenda items later in the meeting and Board Members not respond to public comments. He requested moving the road resurfacing project update to the middle of the public comment section.

Resident Alice Broadbent thanked Duval Landscaping for the islands, which looked better and on behalf of Resident Dave Weitz, suggested tree thinning and adding pine straw at the front entrance for aesthetic purposes and allocating the savings for the road resurfacing. Mr. Weitz voiced concern about the quality of the repair of the cracks on the splash pad as there was a dip, which could remain when the new surface was placed onto the pad.

- **Update of Road Resurface Project** *(Sixth Order of Business)*

Mr. Acree provided a Preliminary Investigation Report on the roads and plans identifying issues with the roads. This was not the final report. He and his staff were reviewing the report, adding notes and details to the plans to submit to contractors for bidding purposes and drafting an overall plan to identify areas of immediate concern and deferring minor repairs three to five years. The main issue was roots from large oaks causing pavement, curb and drainage issues. Mr. Acree contacted the county about whether or not the trees could be removed. Today, Mr. Acree consulted with a certified arborist and distributed their report, confirming root issues with sidewalks, curbs and pavements and recommended evaluating the trees on a case-by-case basis. No underground drainage issues were noted. Discussion ensued and the Board addressed the following:

- Mr. Hayes believed a major cause of the water issues was due to the improper formation of the original road surface as much of the road surface was below the lip of the curb. *Mr. Acree concurred as there are many of these issues throughout the development.*
- Mr. Hudson questioned the timeline. *Mr. Acree hoped to have the final set of plans at the February meeting and going out for bids.* Mr. Hudson asked if the road resurfacing would be completed at one time or in phases. *Mr. Acree stated the project would be phased from a cost perspective, as initial estimates were \$1.2 to \$1.3 million for the entire project.*

- Mr. Hayes proposed the Board discuss a reasonable and cost-effective solution, such as completing the work at one time, because mobilization costs are not economically feasible and completing in six phases is costly.
- Mr. Hudson voiced concern about the future growth of the oak trees. Ms. Kalke suggested engaging an arborist to evaluate the trees and provide an estimate.

Residents addressed the following:

- A Resident questioned when the report would be ready. *Mr. Acree anticipated two months. Mr. Hudson requested staff post it on www.stjohnsgcc.org under the CDD section in the next 24 to 48 hours. Mr. Hayes concurred.*
- Resident Richard Tyde suggested three options to finance the project and preferred each resident paying \$1,500 to complete the entire project at one time. *Mr. Hudson confirmed there was \$530,000 in the Capital Reserve Fund, if the requisition for reimbursing the Capital Reserve Fund was approved.*
- Resident Micki Tyde questioned whether trees were impacting the roads. *Mr. Hudson stated there were areas on St. Johns Golf Drive where there was obvious tree root damage.*
- Resident Pat O'Neill received an email from Kim Kendall identifying three scenarios and questioned how she obtained residents' email addresses. Resident Kim Kendall confirmed she had over 8,000 email addresses and occasionally sends out emails with her opinion. If Mr. O'Neill did not want to be on her email list, she would remove it. Resident Shawn Murray felt the emails were informative.
- Resident Charles Gardner stated the tree canopy in Sampson Creek attracted him to the community and proposed each household pay \$1,875, as repaving the roads would provide more value to the community.
- Resident Matt Haney felt planting trees on a roadway was not a good idea and requested the Board budget for tree maintenance in the future.
- Resident Kelly Kendall suggested moving the roads 6 or 8 inches to save the trees. Mr. Acree noted the minimum width was 20 feet and the CDD roads were 24 feet.

Mr. Acree left the meeting.

FOURTH ORDER OF BUSINESS

Contractor Updates

A. Landscape Update

Mr. Johnson presented the landscaping update, which was in the agenda package as part of the Operations Report. The color of the flowers was changed.

Mr. Johnson left the meeting.

B. Security Update

Major A.J. McCaffrey, of Central Security Agency (CSA), presented the security update. There were no major incidents since the last meeting, except for isolated incidences, due to the cold weather keeping everyone indoors. There is a more direct line of communication with the local Sheriff's Office. There was one suspicious person's call, but it turned out to be the son of a homeowner. With the decrease in coverage, CSA was using creative scheduling to provide the illusion of around the clock security.

C. Matthew Design Group Presentation Regarding Amenity Center Landscape Design Plan

Mr. Torres presented a proposal from Bold City Outdoors, which Matthews Design Group provided in response to the Board's request at the last meeting for a list of plants and prices based on the renderings from Mr. Journey, the Landscape Architect. Prices range from \$54,000 to \$154,000. At this time, there has been no commitment from the District to proceed so this was for informational purposes for the Board to consider when budgeting the landscape contingency during the Fiscal Year 2020 budget process. In response to Mr. Hohmann's query, Mr. Torres explained Bold City Outdoors was the preferred vendor of Matthews Design Group and this was not a proposal, but an idea of the cost of new landscaping. Ms. Kalke felt landscaping was a luxury item, not a necessity and preferred handling the roads first. Mr. Hudson agreed.

FIFTH ORDER OF BUSINESS

Approval of Minutes of the December 19, 2018 Meeting

On MOTION by Mr. Hohmann seconded by Mr. Hayes with all in favor the Minutes of the December 19, 2018 Meeting was approved as presented.

SIXTH ORDER OF BUSINESS

Update of Road Resurface Project

This item was discussed.

SEVENTH ORDER OF BUSINESS

Discussion of Operations and Maintenance Budget Potential Cost Savings

Mr. Torres recalled this item was requested by Resident Kim Kendall at the last meeting. Each Board Member presented reductions based on their areas of responsibility.

- Ground and Lake Maintenance: Ms. Kalke met with Mr. Stephens and Duval Landscaping and recommended cutting \$21,000 from the total budget of \$213,000. She recommended cutting an additional \$15,399 from “*Supplies,*” “*Postage,*” “*Printing and Binding,*” and “*Supervisor’s Fees*” by meeting every other month and going digital. Ms. Kalke wants more time to review before reporting to the Board for consideration.
 - Mr. Hudson noted three budget items in the budget for landscaping; “*Landscape Maintenance (Duval Landscape),*” “*Landscape Maintenance (St Johns Golf),*” and “*Landscape Maintenance Contingency*”. There was \$30,000 in the “*Landscape Maintenance Contingency*”.
- Roads: Mr. Hohmann was meeting with roadway maintenance contractors for a better understanding of the road resurfacing and with Mr. Torres to review the budget.
- Amenity Center, Activities and Communications: Ms. Flores recommended cutting \$77,000, using the \$20,000 reduction in “*Security*” for future projects and the part-time Amenities Director position, reducing “*Supervisor Fees*” by \$12,500 by meeting every other month, “*Printing and Binding*” by \$4,000 by having digital agenda packages, reducing lake maintenance in January, February and March, due to less algae and reviewing the repair and maintenance costs.
 - Mr. Hayes agreed with the digital agenda packages and leaving landscaping services at \$140,000, as it was unrealistic to expect to pay \$100,000. With the amount of work in the community, it was hard to find landscaping companies. Reducing the budget should not affect quality of life.
- Security and Fitness Room: Mr. Hayes recommended trimming no frill items such as lifeguards. The decrease in security was appropriate because of the

decrease in crime and CSA doing a great job. In the Fitness Center, between the original construction, purchasing new equipment and repairs over time, \$600,000 was spent from the Capital Reserve Budget. Recommended the budget include funds for repairing/replacing machines over time due to wear and tear.

Mr. Hudson advised against individual Board Members making decisions, as any decisions should be made by the entire Board. It was a balancing act with what funds were used for, such as for the pool.

- Budget and Finance: Mr. Hudson would research why \$29,000 budgeted for street lights on Leo Maguire Parkway, as it was mentioned that the District does not pay for the lights.
 - Mr. Hudson indicated there was \$525,000 in the Capital Reserve Fund and the Board was discussing how to properly utilize those funds. The amount of funds necessary to resurface the roads was unknown until Mr. Acree completed his evaluation of the roads.

Discussion ensued. Mr. Hudson requested residents contact him via email or telephone regarding questions or concerns. Ms. Kalke believed it was the Board's responsibility to spend the budget wisely, look at ways to reduce the budget without impacting quality of life and build capital reserves to handle unforeseen expenditures. Mr. Hudson asked if Ms. Flores wanted to build reserves or reduce assessments. Ms. Kalke wanted to poll residents. Mr. Torres will meet with each Board Member individually in March and April to prepare a draft budget that would be presented to the Board in June and adopted in August.

EIGHTH ORDER OF BUSINESS

Discussion of Consent Agenda

Mr. Torres stated the Board discussed having a consent agenda at the last meeting to shorten the meetings. Mr. Haber explained the consent agenda would be within the regular agenda to group routine business items such as minutes, check registers and vendor reports for approval in one motion to save time. Board members could remove items from the consent agenda for open discussion. Mr. Hudson would work with Mr. Torres on the consent agenda for the next meeting.

NINTH ORDER OF BUSINESS

Discussion of District Golf Cart Policy and Cart Registration

Mr. Torres noted this past year, the St. Johns County County Golf Cart Policy changed and asked if the Board wanted to revise the District's policy to coincide with it. Mr. Hohmann, Ms. Flores, Mr. Hayes and Mr. Hudson were in favor of rescinding the District's policy as it was not feasible for golf course staff to follow, no enforcement mechanism and a decrease in complaints. Ms. Kalke was disappointed in the Board as she worked hard to pass this policy and align it with the County's policy. Mr. Hudson thanked Ms. Kalke for her hard work.

On MOTION by Mr. Hudson seconded by Ms. Flores with Mr. Hohmann, Mr. Hayes, Ms. Flores and Mr. Hudson in favor and Ms. Kalke dissenting, rescinding the District Golf Cart Policy and Cart Registration was approved. (Motion Passed 4-1)

TENTH ORDER OF BUSINESS

Discussion of Results of FDOH and St. Johns County Splash Pad Inspection

Mr. Torres reported the Florida Department of Health (FDOH) inspection was scheduled on December 17 and December 26 and was now scheduled for next Thursday, due to an issue with the splash pad electrical panel. Crown Pools and its electrical subcontractor was onsite to remedy the problem. Mr. Stephens noted the pump was working, but a sensor on the diverter valve was not, causing the water to dump back into the tank instead of into the feature. Mr. Torres stated as long as water pumping through the tank system and filtrated, it would pass the FDOH inspection.

Mr. Haber drafted a demand letter to Crown Pools indicating that Crown remained in default under the agreement based on, among other defaults, the cancellations of the FDOH inspections. The letter also referenced that the Board is losing confidence in Crown's ability to complete the project and the liquidated damages. Mr. Haber requested a written explanation of Crown's plan to bring the project to completion with a warning that failure to do so would result in the District taking further action. Mr. Hudson proposed Crown Pools having until January 31st to pass the inspection or the District would engage another contractor. Mr. Haber noted the following options:

- Terminating Crown Pools for its failure to perform and withholding any remaining monies owed, which was around \$80,000. If the new contract was in excess of \$80,000, a claim could be made against Crown Pools.
- Choosing a substantial completion date for the project, but some punchlist items remained.
- Choosing a final completion date where all punchlist items were completed and final retainage was released.

Mr. Hudson preferred to have a substantial completion date of February 14th, due to another vendor applying Tuff Coat to the splash pad surface and installing the landscaping. Mr. Hohmann agreed, but voiced concern about the equipment warranty period. Mr. Haber would verify, but typically the warranty started when the project was complete. Ms. Flores agreed with February 14th, but Ms. Kalke and Mr. Hayes preferred January 31st.

On MOTION by Mr. Hudson seconded by Ms. Kalke with all in favor sending a demand letter to Crown Pools for substantial completion of the splash pad project no later than January 31, 2019 or the contract would be terminated was approved.

Ms. Flores asked how the District would be protected under the new contract for future issues. Mr. Haber advised it could be subject to negotiations with the new contractor.

ELEVENTH ORDER OF BUSINESS

Consideration of Lifeguard Proposals for 2019 Season

Mr. Haber sent emails to five companies to request lifeguard proposals at the direction of Ms. Flores and received responses from Vesta Property Services (Vesta) and Riverside Management (Riverside). Discussion ensued.

Mr. Hudson preferred Vesta based on cost, which was under budget, opening one-hour later and due to past issues with Riverside. On Page 4, the Spring Break times should be 12:00 p.m. to 6:00 p.m. versus 12:00 a.m. to 6:00 p.m. Mr. Hayes asked if the District was billed for lifeguards released during rainy days. Mr. Fagen stated the District was only charged for hours worked. Mr. Hayes did not know if opening one-hour later during the summer was a viable option, as the Board had months to consider it and questioned the teaching of the lifeguards. Mr. Fagen stated Vesta works through different types of scenarios and held lifeguards accountable.

Mr. Hayes asked how the lifeguards handled thunder as there were complaints from parents. Mr. Fagen suggested the Amenities Manager handle it, so it could be documented. Ms. Tincher stated if a resident refused to leave the pool deck during a thunderstorm, the lifeguards went inside to protect themselves and had the resident swim at their own risk. Mr. Torres asked if Vesta would absorb training costs. Mr. Fagen replied training was included and provided in-house. Mr. Hayes asked if qualified teens in the community could be used as lifeguards. Ms. Tincher typically used residents that had up to date Red Cross certification. Discussion ensued.

On MOTION by Ms. Kale seconded by Mr. Hudson with all in favor the proposal from Vesta Property Services for lifeguard services was approved.

Mr. Hudson questioned the schedule attached to the proposal. Mr. Fagen proposed reducing the hours beginning on March 29th. Mr. Hayes requested tabling discussion of the hours until the next meeting so residents could provide input. Mr. Fagen agreed.

Mr. Fagen left the meeting.

TWELFTH ORDER OF BUSINESS

Discussion of Additional Street Lights

Mr. Stephens and Ms. Kalke toured the neighborhood, noting 14 locations for additional light poles. A map was presented to the Board, which would be forwarded to Florida, Power & Light (FPL). Ms. Kalke indicated most of the input for the locations was from emails sent by residents. Mr. Hudson asked if Stonehedge needed lights. Mr. Stephens stated Stonehedge was well lit, but would recommend FPL move some lights out to the curb line that were in the middle of a large Oak tree. Ms. Kalke stated two lights at the entrance to Stonehedge were recommended versus one. Mr. Hayes noted the District may incur costs to run conduits to some lights and Mr. Stephens would ask FPL to propose lights that were free and lights with costs. Mr. Hayes noted two lights on Drury Court and asked Mr. Stephens to evaluate the lights as only one light pole was necessary. Discussion ensued.

THIRTEENTH ORDER OF BUSINESS

Consideration/Ratification of Series 2016 Requisitions

On MOTION by Ms. Kalke seconded by Mr. Hudson with all in favor the ratification of Requisition #84 to Hopping, Green & Sams in the amount of \$946.50 was approved.

Mr. Torres explained Requisition #88 was a reimbursement to the Capital Reserve Fund from the Capital Projects Fund, as requested by the Board. Mr. Haber explained the reimbursement process.

On MOTION by Mr. Hayes seconded by Ms. Kalke with all in favor the ratification of Requisition #88 to reimburse the Capital Reserve Fund in the amount of \$320,347.00 was approved.

FOURTEENTH ORDER OF BUSINESS

Staff Reports

A. Attorney

Mr. Haber suggested continuing the meeting to January 30th, in response to Mr. Hudson's question about Crown Pools. There was Board consensus.

B. Engineer – Update of Road Resurface Inspection

This item was discussed.

C. Manager

There being none, the next item followed.

D. Amenities & Recreation Manager

Mr. Torres thanked Ms. Flores and Ms. Tincher for being part of the selection process for the Amenities and Recreation Manager. Jessica Maiher, a resident of the community, would replace Ms. Tincher. Ms. Tincher submitted an invoice for Jacksonville Sound; however, taxes were included and a refund was presented as the District was tax exempt.

E. Operations Manager - Report

Mr. Stephens presented the Operations Manager Report, which was in the agenda package. LED streetlights were also installed at St. Johns Golf Drive and Leo Maguire Parkway, Eagle Point Drive and Leo Maguire Parkway and Cross Point Way and Leo Maguire Parkway to illuminate the entrances. Mulch and sand would be installed on Thursday and Friday. The basketball resurfacing was scheduled for February 18th, but could start earlier if there was good weather. Materials were ordered. The sidewalk concrete replacement was scheduled for next

Monday and Mr. Stephens was meeting with a representative of the contractor tomorrow to mark the worst areas. For sections of concrete that were too severe to replace, Alpha Foundations could use a high-density foam injection for \$100 per section. There was a minimum of \$2,500, which would replace 25 joints. If the cost was over \$2,500, three joints were free. There was no downtime, as it was safe to walk on immediately. Mr. Hayes explained the foam lifted the concrete to match existing concrete.

Ms. Kalke questioned the status of the Drury Court fountain. Mr. Stephens stated a seal in one of the LED lights was bad causing water intrusion. The lights were pulled out and sent out for repair under the warranty. In response to Ms. Kalke's questions, Mr. Stephens indicated the warranty was three years, there was no timeframe for repair until the factory received it and no root the cause of the seal failing. It could have been a faulty piece of rubber or improper installation. He did not recall the exact date of installation, but it was within the past year. Ms. Kalke questioned the status of Pond 25A. Mr. Torres indicated the District recently applied for the permit and sent a check to Matthews Design Group for \$245.

FIFTEENTH ORDER OF BUSINESS

Supervisors' Request

Ms. Kalke reported logistical problems with the St. Johns Sheriff's Office (SJSO), due to action taken by the Board at the last meeting for Deputy Casey Romein of SJSO to provide one 4-hour shift per week of traffic enforcement. Ms. Kalke directed Deputy Romein to submit his timesheets directly to management and provide her a copy. Mr. Torres clarified the Board reduced CSAs contract from 56 to 40 hours, effective January 6, 2019 and authorized a CDD Supervisor to work with CSA, but during the discussion Mr. Hohmann suggested the Board proceed with the amendment to the CSA contract and consider SJSO at a later date. Mr. Hudson asked why SJSO was having scheduling problems. Ms. Kalke noted confusion by SJSO, due to a motion to approve four SJSO hours failed and would clarify this with SJSO. After further discussion, the SJSO off-duty patrol hours would be placed on the February 20, 2019 agenda.

Mr. Hayes proposed surveying residents through the *Constant Contact*[®] email system regarding the two options offered by Vesta for the pool hours. Ms. Flores would work with Ms. Tincher on the survey.

SIXTEENTH ORDER OF BUSINESS

Audience Comments

The following residents addressed the Board:

- A resident noticed kids in golf carts making donuts on the golf course, which tore up the turf and asked if CSA could enforce it. *Ms. Kalke stated CSA enforces as a courtesy. The Board directed staff to work with the golf course.* The resident asked why Brad Correia of Crown Pools was not invited to the meeting. *Ms. Kalke noted Mr. Correia did not respond to invitations from the District.*
- Resident Kim Kendall thanked the Board for reviewing the budget for potential savings and suggested a goal of \$77,000 for the operation and maintenance (O&M) budget by reducing security, saving \$20,000 utilizing part-time staff in the summer months, saving \$12,500 by meeting every other month, saving \$2,000 in printing and binding costs by going digital and saving \$3,150 by doing lake maintenance one time per month in January, February and March. The total savings of \$43,000 would increase the O&M to \$133,000 per year. In 2023, the District could potentially save \$660,000 and another \$660,000 in 2028, which would create \$1.3 million for the road resurfacing. She asked the Board to consider meeting every other month by the next meeting.
- A Resident wanted the Board to be fiscally responsible, as they moved into a luxury community and the Board should have the mindset of representing a luxury community.
- Resident Greg Kern suggested the Board look into financing options such as issuing bonds and extending the maturity date by one to three years to 2031, while taking the improvements into account. He applauded the Board for researching costs so the Board could plan accordingly. Mr. Hudson agreed that the Board had several options to consider, but the bonds matured in 2034 because of the recent bond issue.
- Dan Fagen offered to provide a proposal for Vesta to provide pool maintenance services at a lesser cost than the current pool contractor. Ms. Kalke asked if it should be bid out. Mr. Haber stated it was below the bidding threshold. The Board could consider one proposal and award the contract. Mr. Torres stated the pool maintenance budget was \$40,000 plus chemical costs, but there were cost

savings for pool maintenance and lifeguards last year because pool operations started in July. This item would be placed on the next agenda for discussion.

SEVENTEENTH ORDER OF BUSINESS Financial Reports

- A. Balance Sheet and Statement of Revenues & Expenditures**
- B. Special Assessment Receipts**
- C. Check Run Summary**

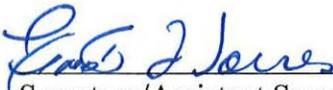
On MOTION by Mr. Hudson seconded by Mr. Hayes with all in favor, the check run summary was approved.

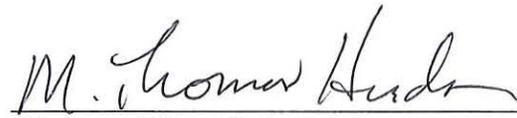
EIGHTEENTH ORDER OF BUSINESS Next Scheduled Meeting – 02/20/19 @ 6:00 p.m.

Mr. Torres stated the meeting would be continued to January 30, 2019 at 6:00 p.m. and the next regular meeting was scheduled on February 20, 2019 at 6:00 p.m. The SJSO off-duty officer, discussion of the lifeguard schedule and consent agenda items would be on the agenda.

NINETEENTH ORDER OF BUSINESS Continuation

Ms. Kalke thanked the residents for attending and participating. With no further business, the meeting was continued to January 30, 2019 at 6:00 p.m. at this location for the purpose of discussing the status of the contract default with Crown Pools.


Secretary/Assistant Secretary


Chairman/Vice Chairman