

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, December 4, 2019 at 6:00 p.m. at the St. Johns Golf & Country 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
Kyle Williams	Supervisor
Robert Sevestre	Supervisor

Also present were:

Ernesto Torres	District Manager
Wes Haber	District Counsel
Alex Acree	District Engineer
Dan Zimmer	Billy Casper Golf
Brian Stephens	Riverside Management
Lt. Derick Holmes	Central Security Agency
Dr. Erick Aguilar	Congressional Candidate
Graham Gilson	Resident
Residents	

The following is a summary of the actions taken at the December 4, 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. All Supervisors were present.

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 welcomed Dr. Erick Aguilar, a Republican candidate running for congress in the upcoming primary for the Fourth District U.S. House of Representatives.

Resident Graham Gilson (Forest Glen Way) asked whether the public hearing for imposing special assessments was tonight. Mr. Hudson stated there were two public hearings at tonight’s meeting; one for the imposition for the assessments and the other for the Rules of Procedure.

- **Amenities & Recreation Manager (Item 8D)**

The Amenities and Recreation Manager Report was presented, which was included in the agenda package. The renovation project was delayed, due to the contractor changing. Construction was expected to commence before the end of the year and be completed in mid-2020. Mr. Hudson requested the contractors abiding by the speed limit. Mr. Zimmer did not anticipate any disruption to residents. Mr. Hudson appreciated Vesta contributing on the cost of the holiday decorations.

- **Security Update (Item 6B)**

Lt. Derek Holmes of Central Security Agency (CSA) reported six habitual parking violations since the last meeting, primarily cars parked on curbs, parked side-by-side and on the grass. Letters were being sent to residents. Thanksgiving was quiet. Non-residents were congregating on roadways.

Lt. Derek Holmes left the meeting.

FOURTH ORDER OF BUSINESS

Affidavits of Publication

The affidavit for publication confirms that the required notices for the public hearing for the Rules of Procedure were published in the St. Augustine Record on October 31st and November 1st and on November 6th and November 13th for the public hearing on imposing special assessments.

FIFTH ORDER OF BUSINESS

Approval of Consent Agenda

A. Approval of Minutes of the October 16, 2019 Meeting

On MOTION by Ms. Kalke seconded by Mr. Williams with all in favor the Minutes of the October 16, 2019 Meeting were approved as amended.

B. Balance Sheet as of October 31, 2019 and Statement of Revenues & Expenditures for the Period Ending October 31, 2019

On MOTION by Ms. Kalke seconded by Mr. Williams with all in favor the Balance Sheet as of October 31, 2019 and Statement of Revenues & Expenditures for the Period Ending October 31, 2019 were approved.

C. Check Register

On MOTION by Ms. Kalke seconded by Mr. Williams with all in favor the December Check Run Summary was approved.

SIXTH ORDER OF BUSINESS

Security Update

A. St. Johns Sheriff's Office

There being none, the next item followed.

B. Central Security

This item was discussed.

SEVENTH ORDER OF BUSINESS

Ratification of Resolution 2020-03, Resetting the Public Hearing Date to Adopt the Revised Rules of Procedure

Mr. Hudson stated the public hearing for the rules was changed to this meeting

On MOTION by Ms. Kalke seconded by Mr. Williams with all in favor Resolution 2020-03 Setting the Public Hearing for December 4, 2019 at 6:00 p.m. at this location was ratified.

EIGHTH ORDER OF BUSINESS

Consideration of Resolution 2020-04, Public Hearing Adopting the Revised Rules of Procedure

Mr. Hudson stated every four or five years, the CDD updates their Rules of Procedure to be in compliance with Florida Statutes. By the Board's adoption of the Resolution, the Rules of Procedure would be up to date. Mr. Haber presented a memorandum summarizing the changes to the Rules of Procedure, which cover the procurement procedure for contracts, public records laws and Code of Ethics.

On MOTION by Mr. Williams seconded by Ms. Kalke with all in favor the public hearing to adopt the revised Rules of Procedure was opened.

There were no public comments.

On MOTION by Ms. Kalke seconded by Mr. Sevestre with all in favor the public hearing to adopt the revised Rules of Procedure was closed.

On MOTION by Ms. Kalke seconded by Mr. Williams with all in favor Resolution 2020-04, Public Hearing Adopting the Revised Rules of Procedure was adopted.

NINTH ORDER OF BUSINESS

**Public Hearing for the Purpose of
Imposing Special Assessments, Resolution
2020-05**

Mr. Hudson stated the purpose of imposing the assessments was to resurface the roads. Any remaining funds would be used to enhance CDD facilities, such as recreation areas and improving the drainage on Pond 25A.

On MOTION by Mr. Williams seconded by Ms. Kalke with all in favor the public hearing to impose special assessments was opened.

Resident Graham Gilson (Forest Glen Way) asked if the Pond 25A drainage issues were caused by the last hurricane. Mr. Torres indicated the pond did not function as designed. It was one foot higher than it should be.

Discussion ensued and the following was addressed by residents:

- The need for a special assessment for road improvements.
- No Capital Improvement Fund.
- The need for a reconciliation showing the net differential and future assessments.

Mr. Hudson recalled the Board discussed resurfacing the roadways in phases. There was no increase in assessments since 2009. The assessment increase would place \$49,000 into the Capital Reserve Fund.

- The CDD’s ability to issue future debt was discussed. Mr. Haber explained when the District was first created in 2000, the District was required to go through a bond validation where \$30 million in bonds were validated. There is approximately \$2.5 million remaining under the prior validation. If the District wanted to issue future bonds in excess of \$2.5 million, it could, but it would need to go through the validation process.
- Spending a small amount to fix what was broken and transferring bond funds into the Capital Reserve Fund is not an option. Mr. Hudson stated the Board could not transfer bond funds, as the funds must be designated for a particular purpose. Mr. Haber advised Federal Law requires the money be used and the Board must use the money for the intended purpose within three years of issuance.

Resident Brian Clark appreciated the Board’s due diligence and asked if the Board considered other ways to save money. Discussion ensued. Mr. Hudson indicated there was a surplus in the last Fiscal Year of \$11,000, which would be transferred into the Capital Reserve Fund. The objective of the Board was to maintain existing facilities and enhance the facilities over time to be more usable.

On MOTION by Ms. Kalke seconded by Mr. Williams with all in favor the public hearing to impose special assessments was closed.

Mr. Haber presented Resolution 2020-05, levying assessments that ultimately secure the bond; approves the project in the Engineer’s Report, mainly roadway and stormwater improvements, using any remaining funds for recreation improvements and making certain findings relating to the assessments as reflected in the Assessment Methodology Report. The assessments must be fairly and reasonably allocated and the burden on each lot must be less than or equal to the benefit received from the improvements to be funded. Mr. Torres confirmed the assessments met the legal qualifications, that there was an affidavit of publication for this public hearing and a mailed notice was sent to all residents. Mr. Haber stated the Board was setting a maximum assessment amount; however, there must be another meeting between today and late January to approve certain bond documents to market the bonds and suggested changing the January 15, 2019 meeting to January 7, 2020.

On MOTION by Ms. Kalke seconded by Mr. Williams with all in favor Resolution 2020-05, Imposing Special Assessments was adopted.

A Resident understood no resident would receive a bill until the 2020 tax bills were sent. Mr. Hudson confirmed part of the bond proceeds would be used to capitalize the first year's interest and would not show on resident's tax bills until November 2020.

TENTH ORDER OF BUSINESS

Update Regarding Roadway Resurfacing Project

Mr. Acree reported the public notice for the bid was issued in October, but there were no responses, so he sent it to four companies; two paving companies and two site contractors. One bid was received from Duval Asphalt; however, it was higher than expected, due to miscommunication with the specifications. Specifically, the bid was based on Florida Department of Transportation (FDOT) standards, but it was not an FDOT road. In the next couple of weeks, staff would deal directly with Duval Asphalt to obtain updated numbers. Mr. Hudson asked whether the District met the legal requirements based on the rules. Mr. Haber confirmed the District was compliant with Florida Law and had the right to privately negotiate with contractors to complete the project. Mr. Torres would work with Mr. Acree and Mr. Haber to negotiate with Duval Asphalt for the updated cost and report back to the Board.

ELEVENTH ORDER OF BUSINESS

Ratification of First Amendment to Temporary Construction and Access Easement Agreement

Mr. Hudson reported the First Amendment to Temporary Construction and Access Easement Agreement was for Pond 25A, which was effective on November 7, 2019.

On MOTION by Mr. Sevestre seconded by Mr. Williams with all in favor the First Amendment to Temporary Construction and Access Easement Agreement was ratified.

TWELFTH ORDER OF BUSINESS

Consideration of Resolution 2020-06, Amending the Fiscal Year 2019 Budget

Mr. Hudson stated the purpose of Resolution 2020-06 was to transfer \$22,932 of excess bond money into the Capital Reserve Fund, which increases the Capital Reserve Fund to \$391,000.

On MOTION by Mr. Sevestre seconded by Ms. Kalke with all in favor Resolution 2020-06, Amending the Fiscal Year 2019 Budget was adopted.

THIRTEENTH ORDER OF BUSINESS

Staff Reports

A. Attorney

Mr. Hudson welcomed back Mr. Haber and appreciated all of Mr. Walters hard work.

B. Engineer

There being none, the next item followed.

C. Manager – Consideration of Change to Fiscal Year 2020 Meeting Schedule

Mr. Torres recalled at the last meeting, the Board wanted to revise the Fiscal Year 2020 meeting schedule, designating January, April and July as 8:00 a.m. meetings.

On MOTION by Ms. Kalke seconded by Mr. Williams with all in favor the revised Fiscal Year 2020 meeting schedule as stated was approved.

D. Amenities & Recreation Manager

This item was discussed.

E. Operations Manager - Report

Mr. Stephens presented the Operations Manager Report, which was included in the agenda package. Mr. Hudson questioned the cost of the soccer goals. Mr. Stephens believed it was \$5,647.50. Mr. Hudson proposed paying it out of capital projects. *There was Board consensus.* Mr. Stephens reported red and white snap dragons would be planted on Friday. Ms. Kalke asked whether the damage from lightning at the front entrance was repaired. Mr. Stephens confirmed everything was fixed.

Mr. Stephens received comments from residents requesting prices for additional mulch throughout the year as well as additional pine straw application. An additional 250 bales of pine straw cost \$2,500. Instead of replacing it every six months, Mr. Stephens recommended every four months so it would be fresh for the holiday season. Additional mulch per year costs \$11,400, which Mr. Stephens did not recommend as the bottom mulch would cause fungus issues and suffocate plant material. Mr. Hudson requested recommendations at the next meeting for pine straw locations. Mr. Stephens stated pine straw would be placed in common areas, tree rings and in natural areas throughout the community. Ms. Kalke received many requests for pine straw, especially in common areas and landscaping beds. After discussion ensued, there was Board consensus for additional pine straw.

On MOTION by Ms. Kalke seconded by Mr. Hayes with all in favor the purchase of an additional 250 bales of pine straw in the amount of \$2,500 was approved.

FOURTEENTH ORDER OF BUSINESS

Election of Officers, Resolution 2019-01

Mr. Hudson asked if the Board wanted a new Chairman. Ms. Kalke requested Mr. Hudson continue serving as Chairman.

On MOTION by Ms. Kalke seconded by Ms. Hayes with all in favor Tom Hudson was re-elected Chair.

On MOTION by Mr. Hayes seconded by Mr. Hudson with all in favor Kim Kalke was re-elected Vice Chair.

FIFTEENTH ORDER OF BUSINESS

Supervisors' Request

Mr. Hayes questioned the status of the parking lot repaving. Mr. Hudson stated it was separately included in the resurfacing proposal. There was a written agreement in place, which addresses certain repairs to the parking lot.

Ms. Kalke questioned the winter camp schedule and the timeframe for the broken Smith Machine for the Gym. Ms. Trivelpiece will advise when she returns on Friday and notify Ms. Kalke. Ms. Kalke proposed revisiting the range of rates for CSA. They provided the District with

a discounted rate; however, their responsibilities increased. This item would be placed on the next agenda and a proposal would be provided to the Board prior to the next meeting.

SIXTEENTH ORDER OF BUSINESS

Audience Comments

A Resident asked if the Splash Pad was repaired. Mr. Hudson reported the Splash Pad was closed in November and would be closed in December, due to the cold weather. Crown Pools sanded down cracks and re-caulked. Mr. Torres was in the process of working with Tuff Coat to re-apply the coating, but the temperature has to be optimal. The Splash Pad was scheduled to re-open in January, weather permitting.

SEVENTEENTH ORDER OF BUSINESS

Next Scheduled Meeting – 01/15/20 @ 8:00 a.m.

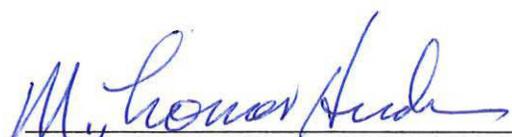
Mr. Hudson preferred to meet at 6:00 p.m. on January 7, 2020. There was Board consensus. Mr. Torres would incorporate this change into the revised meeting schedule.

EIGHTEENTH ORDER OF BUSINESS

Adjournment

On MOTION by Ms. Kalke seconded by Mr. Williams with all in favor the meeting was adjourned.


Secretary/Assistant Secretary


Chairman/Vice Chairman