

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 Thursday, September 21, 2023 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:

Laura Webb	Vice Chairperson
Mike Yuro	Supervisor
Graham Leary	Supervisor

Also present were:

Daniel Laughlin	District Manager
Wes Haber	District Counsel
Tyler Smith	District Engineer
Marc Rousseau	Riverside Management Services
Leah Tincer	Riverside Management Services
Daniel Bauman	Brightview
Rodney Hicks	Brightview
Mark Seymore	Lake Doctors
Mike Larkin	Lake Doctors
Ben Pasquith	St. Johns Golf & Country Club
Dana Harden	Vesta Property Services
Dan Fagen	Vesta Property Services
Jay King	Vesta Property Services
Roy Deary	Vesta Property Services
Sean Smith	Vesta Property Services
Jim Masters	Vesta Property Services
Robert Koncar	Inframark
Janice Davis	Inframark
Residents	

The following is a summary of the actions taken at the September 21, 2023 Board of Supervisors of the Sampson Creek Community Development District meeting.

FIRST ORDER OF BUSINESS

Roll Call

Mr. Laughlin called the meeting to order at 6:00 p.m. A quorum was present.

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SECOND ORDER OF BUSINESS

Public Comment (*regarding agenda items listed below*)

There being no comments, the next item followed.

THIRD ORDER OF BUSINESS

Brightview Landscape Update

- A. Quality Site Assessment**
- B. Proposals for Tree Removal and Sod at Tennis Courts**
- C. Reports**
- D. Proposals for Irrigation on Leo Maguire**

Mr. Daniel Bauman of Brightview reported the following:

1. Recommended re-sodding declined areas around the front of the tennis courts. A proposal was submitted in the amount of \$1,733.16.
2. There were some low and high spots on the privacy hedge around the pool. They were trying to grow it to one consistent height.
3. A proposal was submitted to remove a Ligustrum tree by the basketball court in order to install a camera.
4. Flowers would be changed out on Tuesday of next week for the Fall rotation.
5. There were dead hedges. It was possible that something was spilt on them as there were no signs of diseases or bugs.
6. A proposal in the amount of \$705 was submitted to remove and stump grind a declining Holly tree by the tennis court.
7. The Palm tree pruning was scheduled to be completed during September.
8. There were street signs that were blocked by hanging branches. It would be taken care of.
9. Some grasses on the sidewalk were pruned.

Ms. Webb questioned who instructed Mr. Bauman to remove the Ligustrum tree and install a security camera. Mr. Bauman received a request from Mr. Rousseau. Mr. Yuro noted two proposals in the amount of \$30,000 for irrigation upgrades, which he wanted to hold off on due to pressure issues with the sprinklers on Leo Maguire and asked if it was a result of an irrigation inspection. Mr. Bauman recalled that an inspection audit was completed last October when they took over the property and an additional audit was performed because some heads were out of place. Mr. Leary requested that a Board Member review these areas with Brightview

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before the next meeting. Mr. Yuro volunteered and questioned the need for the tree removal. Mr. Bauman confirmed that they were being proactive, the camera was on back order and he was obtaining a proposal from Beacon Electric to install the camera on a light pole and energize it 24/7. Mr. Yuro wanted to look at the Holly tree before it was removed and asked if the sod was declining due to the lack of irrigation. Mr. Bauman explained the irrigation was never in place in several areas. *There was Board consensus to table the Brightview proposals for tree removal, sod and irrigation repairs as discussed.*

- **Soccer Field Maintenance (Item 8E3)**

Mr. Bauman sent his crew out multiple times to find the problem with the sod on the soccer field and discovered pressure issues with the irrigation. Of the seven times that they turned it on, there was low pressure three times. They found a leak on the golf course due to a pressure regulator being full of debris. However, the pressure regulator was not the right size to run the system. Mr. Leary thanked Mr. Bauman for fixing the problem and requested that the \$7,000 for new heads, be returned to the District, due to their misdiagnosis. Mr. Yuro agreed. Mr. Bauman noted that they did not install the regulator but rectified the problem.

Regarding the golf course parking lot renovation, Mr. Ben Pasquith of the St. Johns Golf & Country Club reported that several months ago, they obtained proposals to upgrade the landscaping in the parking lot and selected Prestige Landscaping, who also installed the plant material around the front and back of the Clubhouse. They were trying to make the landscaping aesthetically pleasing, maintenance friendly and durable and were hoping to complete the renovations this year. Mr. Yuro questioned the cost. Mr. Pasquith confirmed there was a 60/40 split, according to an agreement, with the CDD paying \$35,000 and the golf course paying \$55,000. Ms. Webb asked if there were plans to repave the parking lot. Mr. Pasquith noted no plans to repave the parking lot. Ms. Webb questioned whether the CDD would be responsible for paying if they chose to repave it. Mr. Haber recalled that the maintenance obligation was on the golf course, but if there were potholes, the CDD could repave it and force the golf course to pay 60%. If the CDD did not believe that the landscaping was necessary, they could speak to the golf course. Mr. Yuro requested renderings. Mr. Pasquith offered to meet with the Board.

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On MOTION by Mr. Yuro seconded by Mr. Leary with all in favor appointing Supervisor Webb to work with staff and the golf course on the parking lot renovation was approved.

- **Lake Doctors Report** (*Item 8E2*)

Mr. Mike Larkin, Branch Manager and Mr. Mark Seymour, Sales Manager on behalf of Lake Doctors were in attendance at the Board's request. Mr. Yuro requested that they attend to discuss the condition of the ponds and their schedule. They treated for algae blooms in Zone 2, but Mr. Yuro complained to Mr. Rousseau about Pond 8 several times, as it was the worst looking pond. Mr. Larkin confirmed that they were treating this pond more than the others as recently as Monday. Pond 8 was so shallow that it needed to be treated from the shore, due to the exposed bank. The nutrients were concentrated in a small amount of water, causing the algae, which had nowhere to go because the pond was shallow. They needed significant rain to bring the water level up. Mr. Rousseau was good about informing them when a pond needed to be looked at and they responded in 24 to 48 hours. Mr. Yuro asked if they treated all ponds once a month. Mr. Larkin explained that three technicians come out once a month and each one was responsible for a group of ponds. Yuro requested the report note the pond numbers versus zones and what was done to the pond. *Mr. Larkin and Mr. Seymore left the meeting.*

FOURTH ORDER OF BUSINESS

Consideration of Amenity and Operations Management RFP

Mr. Haber reminded the Board that under the Sunshine Law, Board Members did not have the ability to request or show preference for whether proposers remain in the room. *Mr. Koncar and Ms. Davis voluntarily left the meeting room during Vesta's presentation.* Mr. Yuro asked if there was a conflict of interest because as an engineer, he worked with a number of management companies, one of which was Inframark. Mr. Haber advised there was no conflict of interest, since the Board and not Inframark was making the decision.

- **Presenter #1 Vesta**

Mr. Jay King (Regional Vice President), Ms. Dana Harden (Regional General Manager), Mr. Dan Fagen (Director of Amenity Operations), Ms. Patti Brown (Director of Business Development), Mr. Roy Deary (Business Development), Mr. Sean Smith (Regional Aquatics Director) and Mr. Jim Masters (Account Manager) of Vesta Property Services Inc. (Vesta),

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presented their qualifications. Mr. Fagen would serve as offsite liaison and Mr. Masters would be responsible for the onsite training, performing audits and inspections. He handled an account of similar size in Johns Creek. They offered the following options:

- Option #1 - Per the RFP, \$190,526 for FY 2024 (\$40,000 increase from current budget).
- Option #2 – Combined management role with RFP scope, \$174,128 for FY 2024 (least expensive option).
- Option #3 – Combined management role with Pool & Janitorial, \$245,429 for FY 2024 (\$50,000 increase from current budget).
- Option #4 Pool maintenance services with pool chemicals. (\$27,000 increase from current budget).

Mr. Yuro questioned the difference between an Amenity Manager (AM) and General Manager (GM). Mr. King explained that The GM would serve as Board liaison, managing the vendor, Board reporting and resident engagement. They recommended having one manager and augmenting with a Facility Attendant (FA) and Maintenance Tech (MT) to have different skill sets. In Option #2, the FA would provide customer service to residents and the GM would handle higher level tasks. Mr. Leary questioned the difference between the Field Manager (FM) and MT. Mr. King explained that the FM handled vendor management, inspections, capital planning and Board reporting and the MT handled janitorial services and minor repairs. They could perform tasks in-house and offer online services to residents. Mr. Leary questioned whether residents would be charged a fee. Mr. King stated the goal was not to increase fees. Mr. Leary questioned the \$22,000 for pool chemicals. Mr. King noted it was an estimation and the pool cost of \$35,000 included pool chemicals. Mr. Laughlin confirmed that \$10,000 was spent to date on pool chemicals, which was not included in the current \$35,000 contract with the pool vendor. Mr. Leary questioned the candidate for AM. Mr. Fagen interviewed a candidate with golf course, turf management and customer service experience.

Since their facility was open on the weekend, Mr. Yuro preferred to have a GM Wednesday through Sunday and asked if Vesta was open to it. Mr. Fagen stated they would customize and adapt based on the needs of the community. In some communities, they had hourly staff and customer service staff on weekends. Mr. King provided a transition plan to the Board. If selected, he would speak with one Supervisor starting tomorrow to make the transition for residents as seamless as possible. Ms. Webb liked the concept of the GM and questioned how they would provide events and activities. Mr. King stated they had a Lifestyle Director. Ms.

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Webb questioned whether they worked with resident committees. Mr. Haber advised that committees were subject to the Sunshine Law. *The Vesta representatives left the meeting and representative of Inframark entered the room.*

- **Presenter #2 Inframark**

Mr. Robert Koncar, Regional Manager and, Ms. Janice Davis, Senior District Manager of Inframark Infrastructure Management Services (Inframark), presented their qualifications. They provided District Management Services in the State of Florida for the last 40 years. They were a full-service company, providing maintenance, water and sewer, property management, lifestyle and field services, focusing primarily on customer service and other services that the Board wanted and needed versus using a cookie cutter approach. Regarding their approach on staffing, in the RFP, the Board requested one full-time and two part-time positions, but they recommended two full-time positions. They did not specify the number of personnel and preferred to provide a scope of service. Their price included a staffing proposal and alternative hourly rate for maintenance. They provided amenity center services and events for communities, such as Fleming Island. They also had technology-based systems in order to pay invoices and a human resource team to provide the best personnel and work through any personnel issues.

Mr. Yuro questioned the roles of the two full-time employees. Mr. Koncar explained that they would provide maintenance and serve as AM, covering tasks that the GM would not provide to provide stability. Mr. Yuro asked if they would be working Monday through Friday. Mr. Koncar confirmed one employee would work Monday through Friday and the other would work Tuesday through Saturday. Mr. Yuro preferred having staff on the weekends. Mr. Koncar was willing to work with the Board on the schedule. Ms. Webb questioned the staffing at St. Johns Forest. Ms. Davis explained that they only served as District Manager as the POA owned their Amenity Center. Mr. Leary asked if there was a candidate for the AM's position. Mr. Koncar had candidates for both positions. Ms. Webb asked if they only managed one community in St. Johns County. Ms. Davis stated they were the District Manager for Marshall Creek, but Vesta managed the onsite amenities. Fleming Island was the closest in size to this CDD, as they had two amenity facilities, clay tennis courts, basketball courts and two pools. *Mr. Koncar and Ms. Davis left the meeting.*

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Ms. Webb did not want to be rushed into making a decision and asked if they needed to make a decision tonight or if there were other companies to consider. Mr. Laughlin submitted to seven companies and received no response from three, one did not have the staff and First Services just took on two new Districts. Riverside Management Services (RMS) resigned with 30 days' notice, which was up as of last week and offered to speak to them to see if they could stay. Mr. Haber pointed out that the Board could continue this meeting for a week to two weeks for the purpose of this item. Ms. Tinchler announced that she would be out for a month due to surgery. Mr. Leary reviewed the proposals thoroughly and based on cost, both companies were equivalent. For process, track record and helping support, maintain and implement the community's policies, Mr. Leary preferred Vesta's Option #2. Regarding and employees training programs, customer service, interaction with residents, communication and events, Vesta was stronger and had the manpower, even though they could not reduce lifeguard costs. Mr. Leary favored Vesta's Option #2, although they could explore transitioning into Option #3. Ms. Webb impressed with Vesta and liked their experience, staff and transition team.

Mr. Yuro came to the same conclusion for Option #2 and did not recommend Option #3 as they were not dissatisfied with their current pool and janitorial vendors. Their current MT received \$22,000 to \$24,000 per year, which was close to the current budget. Mr. Yuro asked if the contract could be written so that existing providers, whether tennis, yoga or fitness, could use their facilities and not pay a fee. Mr. Haber recalled that Vesta had an agreement with Heritage Landing to be the exclusive provider for tennis, yoga or fitness instructors. Mr. King agreed to amend the contract to remove that exclusive right. Mr. Haber advised if the Board was dissatisfied with the service and could not successfully negotiate an amendment, as a last resort, the agreement could be terminated with 30- or 60-days' notice.

On MOTION by Mr. Leary seconded by Mr. Yuro with all in favor selecting the proposal with Vesta Property Services to provide for Amenity and Operations Management Services was approved.

Mr. Haber would prepare an agreement, request a detailed proposal for Option #2 and recommended that the Board approve Option #2 in substantial form and delegate authority to a Board Member to negotiate the agreement. The Board appointed Mr. Leary to work with Vesta

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and staff on the transition. Mr. Rousseau's last day would be on September 29th and Ms. Tincher's last day would be on September 25th. Vesta would start on September 25th.

On MOTION by Mr. Yuro seconded by Ms. Webb with all in favor selecting Option #2 with Vesta Property Services and delegating Mr. Leary to work with Vesta and staff on the transition was approved.

FIFTH ORDER OF BUSINESS

Letter from the Fixel Law Firm with Update Regarding FPL Easement Request

Mr. Haber presented a letter from the Fixel Law Firm (Fixel), indicating that Florida Power & Light (FPL) placed this matter on hold and that Fixel would continue to request updates from FPL and forward any information to the Board.

SIXTH ORDER OF BUSINESS

Discussion of Pickleball Courts

Mr. Smith updated the Board on a meeting that Mr. Acree had with the county yesterday on the proposed improvements, which would include three new pickleball courts along Cemetery Road. The county required parking spaces and there would be two spaces per court. Mr. Yuro recalled that the sketch he prepared had 20 parking spaces. Mr. Smith suggested scaling it back to save on costs. The county also required bike racks and lighting, but recommended including some spaces for golf cart parking, since it was a golf cart community. In response to Mr. Yuro's question, Mr. Smith explained that the lighting that was required was for the sidewalk and pedestrian access to the Amenity Center. Since there was an existing sidewalk that goes to the cul-de-sac, there would only need to be a small sidewalk addition to the pickleball courts. Bathrooms were not required by the county; however, they did require a tree survey as well as mitigation. Mr. Yuro asked if the engineer considered this location to be a viable option. Mr. Smith confirmed that it was feasible. Mr. Leary questioned the next step. Mr. Smith recommended having a Sound Study performed before spending money on a Tree Survey. Ms. Webb suggested surveying the community and obtaining proposals on the preliminary design. Mr. Yuro proposed authorizing a not-to-exceed amount of \$2,000 for the Sound Study, obtaining proposals from the District Engineer between now and the next meeting for the Tree Survey and preliminary design and providing to the Board at the next meeting.

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On MOTION by Mr. Yuro seconded by Mr. Leary with all in favor authorizing a not-to-exceed amount of \$2,000 for a Sound Study for the pickleball court was approved.

Mr. Yuro thanked Mr. Smith for meeting with the county and presenting it to the Board.

SEVENTH ORDER OF BUSINESS

Ratification of Requisition No. 141

Mr. Laughlin presented Requisition #141 with Matthews Design Firm for the Phase 2 aquatic plans in the amount of \$3,634.44. There was currently \$650,000 in the bond funds, which they could either use for the Aquatic Center or pickleball courts or both.

On MOTION by Ms. Webb seconded by Mr. Leary with all in favor Requisition #141 as stated above was ratified.

EIGHTH ORDER OF BUSINESS

Staff Reports

A. Attorney

There being none, the next item followed.

B. Engineer

There being none, the next item followed.

C. Manager

There being none, the next item followed.

D. Amenities & Recreation Manager

Ms. Tincher presented the Amenities & Recreation Manager Report. Ms. Webb noted that some events were scheduled and asked if the vendors were booked. Mr. Laughlin pointed out that Vesta would work with RMS.

E. Operations Manager

1. Report & Updates on Approved Projects

Mr. Rousseau presented the Operations Manager Report. Ms. Webb noted an empty pole in front of one of flashing signs. Mr. Rousseau pointed out when the vendor installed the speed

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limit sign further down Leo Maguire, they would remove both posts. Mr. Yuro reported that the fountain keeps tripping the breaker. Mr. Rousseau stated that at least once a week or twice a week, Solitude flipped the breaker. On Monday they hit the main breaker and it tripped four times. They were supposed to be sending someone out to take a look at it. Mr. Yuro recalled when the fountain was replaced, they were informed that the breaker or motor was not the right size. Mr. Rousseau recalled when they ran a wire from the main breaker box to the splice box, they found that the wire was the right size and would call them tomorrow.

Mr. Yuro noted that a replacement camera was installed at the Splash Pad and asked if they were getting an additional camera. Mr. Rousseau explained that the camera was hit by lightning and was now working. The camera that was installed provided great angles and the one for the basketball court was on back order. Tree Co would be coming on October 6th and working until the 13th. They would provide Mr. Laughlin with the scope of work and where they were going to be. They were hoping to install a skywalk over the crosswalk sign to provide additional light. Mr. Yuro requested that an email be sent to residents to remind them to keep their cars away from the trees. Mr. Leary asked if anyone was working on the path that the truck for the pool chemicals broke through. Mr. Laughlin was contacting the pool vendor.

2. Lake Doctors Report

This item was discussed.

3. Soccer Field Maintenance

This item was discussed.

NINTH ORDER OF BUSINESS

Supervisors' Request

There being no comments, the next item followed.

TENTH ORDER OF BUSINESS

Public Comments

Resident Milford Rathjen of 813 Hampton Crossing Way thanked Ms. Tincher for serving the community and agreed with Mr. Yuro and Mr. Leary about the necessity to make it clear in Vesta's contract about retaining their current vendors. Mr. King pointed out that they would not make any changes. Mr. Rathjen questioned why pictures were being taken of the Board. Ms. Webb did not know why, but recalled it was a resident that attended their meetings

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often. Mr. Haber advised that their meetings were open to the public and people had the right to take pictures. Ms. Lori Weitzel of 1560 Drury Court heard that residents would be charged a fee to attend events such as the Winter Festival. Mr. Yuro confirmed that it was just a rumor. Mr. Leary stated in other communities, Vesta charged \$10 to \$15 for events. Mr. Laughlin pointed out that the District could fund events. Ms. Weitzel requested that the Board send out a survey for pickleball. Resident Matt Delomolier had an incident with a St. Johns County off-duty deputy and requested that the deputy not be allowed to patrol the community. Mr. Laughlin pointed out that they were powerless in who was assigned to their community. The same deputy was patrolling since Mr. Laughlin was involved with the District. Mr. Haber felt that it was worth a call to the Sheriff's Office to inform them about the complaint. Mr. Leary asked if there was an investigation. Mr. Delomolier confirmed that an investigation was ongoing. Mr. Leary agreed with Mr. Laughlin speaking to the Sheriff's Office.

Resident Mike McCormick of 604 Remington Court stated that the HOA management company was sponsoring a National Night Out on October 21st from 10:00 a.m. to 1:00 p.m. Mr. Laughlin would contact the HOA because they could not just have an event on their field. Mr. McCormick recalled that there were issues with where bounce houses were being placed. Mr. Laughlin understood that bounce houses were no longer being placed on the soccer field, due to the damage it caused. Mr. McCormick asked if there was any conversation with the golf course as a pickleball court would abut the 9th Hole. Mr. Laughlin would contact them since it was a viable location. Resident Mike Davis of 250 Eagle Point Drive encouraged the Board to take a long-term view of the pickleball courts and get as much information as possible and commended the Board on their selection of the new vendor. Resident (Frank) asked if employees were vetted to be around children and if sexual predators were prohibited from entering their facilities. Mr. King confirmed that anyone running summer camp would receive an in-depth background check. Resident (Rachael) asked if residents could attend meetings by Zoom. Mr. Laughlin stated there was a phone, but it was only for staff and Board Members; however, he would look into establishing a Zoom account. Discussion ensued regarding the Board allowing the HOA to have National Night Out on October 21st on CDD property.

On MOTION by Ms. Webb seconded by Mr. Yuro with all in favor allowing the HOA to have National Night Out on CDD property on October 21, 2023 were approved.

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ELEVENTH ORDER OF BUSINESS

Approval of Consent Agenda

- A. Approval of Minutes of the August 17, 2023 Meeting**
- B. Balance Sheet as of August 31, 2023 and Statement of Revenues & Expenditures for the Period Ending August 31, 2023**
- C. Check Register**

Mr. Laughlin presented the minutes of the August 17, 2023 meeting, Balance Sheet and Statement of Revenues and Expenditures for the Period Ending as of August 31, 2023 and Check Register from September 21, 2023 in the amount of \$122,261.27.

On MOTION by Ms. Webb seconded by Mr. Leary with all in favor the consent agenda items as stated above were approved.

TWELFTH ORDER OF BUSINESS

Next Scheduled Meeting – October 19, 2023 @ 6:00 p.m. @ St. Johns Golf & Country Club Meeting Room

Mr. Laughlin stated that the next meeting was scheduled for October 19, 2023 at 6:00 p.m. at this location. Mr. Leary thanked RMS, especially Ms. Tincher and Mr. Rousseau, for serving the community.

THIRTEENTH ORDER OF BUSINESS

Adjournment

On MOTION by Mr. Yuro seconded by Mr. Leary with all in favor the meeting was adjourned.

DocuSigned by:

 9A989FE97A6A46D
 Secretary/Assistant Secretary

DocuSigned by:

 55BAA275475417
 Chairman/Vice Chairman