

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, May 19, 2016 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:

Tracy Hayes	Chairman
Pam Watt	Vice Chairperson
Shawn Murray	Supervisor
Paul Armstrong	Supervisor
Steve Sharpe	Supervisor

Also present were:

Jim Oliver	District Manager
Wes Haber	District Counsel (by phone)
Thomas Inman	District Engineer
Leah Tincher	Amenities and Recreation Director
Louis Cowling	Operations Manager
Paul Basham	Basham and Lucas Design Group
Deputy Sheriff Greg Suchy	St. Johns County Sheriff's Office

The following is a summary of the actions taken at the May 19, 2016 meeting. A copy of the proceedings can be obtained by contacting the District Manager.

FIRST ORDER OF BUSINESS

Roll Call

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

SECOND ORDER OF BUSINESS

Public Comment

There being none, the next item followed.

THIRD ORDER OF BUSINESS

Approval of Minutes of the March 31, 2016 Meeting and the April 21, 2016 meeting.

On MOTION by Mr. Armstrong seconded by Mr. Murray with all in favor the Minutes of the March 31, 2016 Meeting and the April 21, 2016 meeting were approved.

FOURTH ORDER OF BUSINESS

Discussion of SJSO Enforcement of Traffic Laws (speeding and improper golf cart use)

Deputy Sheriff Greg Suchy was present. There was discussion regarding enforcement of speeding and golf cart violations, particularly underage cart drivers, in the neighborhood. Mr. Suchy stated he will move some deputy hours to the afternoon after school. When the kids have been stopped, the parents have been called and are required to come and get the cart or the deputy follows them back home and talks to the parents at that time. The office does keep track of written warnings. He will research the statute more regarding the penalty for parents that are allowing the underage children to drive the carts. There will be a greater presence from the Sheriff's office, and if multiple violations have been noted, citations will be issued. Florida law allows persons aged 14 and above to drive a golf cart, but County ordinance says a person must be 16 and have a driver's license. The issue is if the County ordinance overrides the State handbook. Mr. Suchy will check with his general counsel. Mr. Suchy then went on to update the board regarding the amount of criminal activity in the neighborhood, and there have been very few issues.

FIFTH ORDER OF BUSINESS

Discussion of Pool Renovation

Mr. Hayes stated he would like to see all the wires and cables necessary for electronic equipment that is used for swim meets be put in the ground when the renovations are done.

Mr. Basham stated the timeline for the pool renovation project is related to scope. The more items you can bundle, the better the price will be. Once a package has been established, the scope can move forward, and the timeline can be determined. A water park component is part of the improvements and doing the restroom will have to be at the same time. That can be done when the pool closes in September. If other components need to be added, that would be the time to do it. Mr. Basham would like to get a list of everything the CDD wants to do so he can refine the site plans and get to a point to reassess the budget. Items high on the priority list

are two family bathrooms, pool leveled to one deck, new pool furniture, shade structure, pavers, and installing plumbing and piping.

Mr. Basham stated he needs a current as-built survey, which is a snapshot of everything that exists within the area of work. Mr. Inman stated the as-built survey needs to be received by Mr. Basham before he can begin his final design. We need to go ahead and start preparing for that by soliciting proposals for that work. From the time of the advertisement for a proposal until an as-built survey is received could be two months. Mr. Inman can check with the County and the previous engineering groups to see if suitable as-builts exists. If those are unable to be acquired, the CDD can issue RFP for survey services to prepare as-builts.

On MOTION by Mr. Armstrong seconded by Mr. Murray with all in favor to direct staff to issue an RFP for as-built surveys was approved.

Mr. Inman stated while the scope is being established for the Amenity Center, he would recommend that we avoid crossing any thresholds for any civil permitting. The county is busy, and permit applications are taking about two months for them to be reviewed and approved. If civil permitting can be avoided, it will save the community money and time.

An update was given regarding the umbrellas. The bases we currently have are not the right type and the fabric is upholstery grade instead of awning grade. Approval has been given to spend \$4,500 for 12, but that is not a sufficient amount of money for 12 umbrellas and bases. The quotes received amounted to \$6,000, and they have 5-year commercial warranty.

On MOTION by Ms. Watt seconded by Mr. Armstrong with all in favor the revised proposal for purchase of 12 pool deck umbrellas and bases NTE \$6,000 was approved.

SIXTH ORDER OF BUSINESS

**Consideration of Resolution 2016-12
Ratifying Actions Taken in Regards to the
Series 2016 Bonds**

Mr. Haber stated at the last meeting, the Supplemental Assessment Resolution was approved, and the board was advised that there was a pre-closing. The bonds have closed, and

the construction account is funded. This resolution ratifies the actions taken by staff and chairperson in connection with the closing.

On MOTION by Mr. Armstrong seconded by Mr. Hayes with all in favor to adopt Resolution 2016-12 ratifying actions taken in regards to Series 2016 Bond was approved.

SEVENTH ORDER OF BUSINESS

Consideration of Agreement for Engineering Services

Mr. Oliver stated several months ago, the board issued an RFQ for engineering services. At the last meeting you approved engaging Matthews Design Group. A contract has been sent to MDG, and the board was asked to approve the agreement. A copy of the agreement is located in the agenda package.

On MOTION by Mr. Hayes seconded by Mr. Murray with all in favor the agreement with Matthews Design Group for engineering services was approved.

Mr. Inman addressed the board stating he is a Civil Engineer and has 15 years engineering experience in designing residential communities in St. John's County.

EIGHTH ORDER OF BUSINESS

Consideration of Resolution 2016-13, Approving the Proposal Budget for Fiscal Year 2017 and Setting a Public Hearing Date for Adoption

Mr. Oliver anticipates the Public Hearing date to be August 18, 2016 at 6:00 p.m. The process is to approve a proposed budget, provide the proposed budget to St. John's County by June 15, and then set a Public Hearing date no sooner than 60 days after approving the budget. Mr. Oliver provided board members with a copy of the budget and briefly reviewed various line items. Assessments are slated to stay the same. There will be several chances to refine the budget before the Public Hearing in August.

On MOTION by Mr. Armstrong seconded by Mr. Murray with all in favor to adopt Resolution 2016-13 approving a proposed budget for FY17 was approved, and a Public Hearing was set for August 18, 2016 at 6:00 p.m.

NINTH ORDER OF BUSINESS

Update Regarding Landscape Issues at Front Entrance

Mr. Oliver stated at the last meeting, there was discussion regarding communications with the county and the contractor to come to some resolution. On May 6, Mike Yuro, Louis Cowling, and Mr. Oliver met with county staff and engineering people involved with the CR 210 project. They discussed the disagreements for the various components of the damage to the landscaping that was incurred during the CR 210 widening project. An agreement was reached with the contractor, Petticoat-Schmitt for them to pay the District \$30,000. Mr. Oliver and Mr. Haber reviewed the release provided and Petticoat-Schmitt and submitted a revised release back to Petticoat-Schmitt. They have agreed to sign the District's revised release. Mr. Oliver stated Mike Yuro performed a lot of work on this and did a great job.

On MOTION by Ms. Watt, seconded by Mr. Armstrong with all in favor the settlement with Petticoat-Schmitt regarding landscape deficiencies related to CR210 widening project was approved and authorization was given to execute the release.

TENTH ORDER OF BUSINESS

Discussion of Maintenance of Street Trees

Mr. Hayes stated he felt it was in the community's best interest to have the trees trimmed in a uniform manner and at the same time as opposed to waiting on individual homeowners to do it. Mr. Cowling was asked to get three bids to trim the common area trees as well as some of the oak trees on the roadway. There was discussion on whether the tree trimming was an HOA responsibility. Mr. Oliver stated the board should focus on CDD-owned trees that are not fronting residences. The board can decide if they want the CDD to be part of the solution regarding street trees other than those in front of common areas. Regarding the trees that are not CDD-owned, the District was trying to comply with the county because of the height

requirement. After discussion, the board decided to have the 10 trees trimmed at the front entrance and 15 trees in the common areas not to exceed \$3,250.

On MOTION by Mr. Hayes, seconded by Mr. Armstrong with all in favor the Bold City Tree Service proposal to trim certain oak trees on CDD common areas NTE \$3,250 was approved.

ELEVENTH ORDER OF BUSINESS

Discussion of Street Parking

Mr. Haber stated in the past legislative session, Chapter 190 was amended to specify that CDDs have the authority to tow, as long as they comply with the Florida statutes on towing, which requires certain notices and things along those lines to tow off CDD owned property. Prior to that, the interpretation was that towing was part of traffic enforcement, and that a CDD does not have the authority to enforce. The Sheriff at the beginning of this meeting discussed passing out tickets for speeding, golf cart use, etc. In light of the legislative change, it appears that the District would have the authority to tow from roadways it owns, but there are a number of procedures that the District would need to follow in order to do that. It would need to adopt the rules specifying what the conditions are as it relates to parking on the CDD-owned streets, and then it would need to determine how it is going to enforce those. If it puts those rules into effect, it is going to need to enforce them consistently and make sure everyone is being treated the same under the rules that are adopted for the parking.

Mr. Armstrong asked if we are opening Pandora's Box and mentioned several scenarios regarding length of time parked.

Mr. Haber responded the CDD is going to have to determine what is a violation as it relates to parking on its streets. Once it adopts that, it will need to be consistent with the enforcement of that. Who will be going around the neighborhood and determining if everyone is complying and then enforcing it? It is something to be seriously considered. Statutory section 190.012 references another statutory section that has the guidelines one must follow to tow. That section may reference signage and things along those lines. If the CDD wishes to proceed, more research will be done by Mr. Haber.

There was lengthy discussion between board members and residents regarding what would be a violation, general feelings about the situation, and enforcement of the rules.

Members of the HOA in attendance expressed their desires to work with the CDD to come up with a solution. The HOA will come up with a list of problems and send to all the board members, and the items on the list will be addressed as a group.

TWELFTH ORDER OF BUSINESS Other Business

There being none, the next item followed.

THIRTEENTH ORDER OF BUSINESS Staff Reports

A. Attorney

Mr. Haber had no report.

B. Engineer

Mr. Inman had no report.

There was discussion regarding who is required to maintain the bulkheads – the District versus the resident who may have installed the bulkhead. Mr. Haber stated there are homes in the community that have bulkheads in their yards. A number of years ago the District adopted a resolution accepting responsibility for the operation and maintenance of the water management system. It is safe to conclude that to the extent that the bulkhead was constructed as part of the permitted water management system, it falls within the District's responsibility for operation and maintenance. If the bulkhead was not part of the permitted system and was installed by a lot owner because they wanted it for preservation of their lot, then that is not part of the permitted stormwater system and not something that is the District's responsibility. Rather than having the District Manager or District Counsel or District Engineer make that determination for the particular lot owner, if the board agrees with that analysis, they can ask the Engineer to make the determination as to whether the particular bulkhead is part of the permitted system or something that was put in by a lot owner.

Mr. Inman stated if the District does have water management district's approved engineering plan available for review, he is confident he can make the proper determination.

On MOTION by Mr. Armstrong, seconded by Ms. Watt to authorize staff to determine bulkhead maintenance responsibilities (CDD or resident) based on the plans for the permitted stormwater system was approved.

C. Manager

1. Report on the Number of Registered Voters

A letter was received from the Supervisor of Elections stating the District has 1,787 registered voters.

2. General Election

Seats 2 and 4 are up election. They expire in November. The qualification period for those seats is June 20 at noon through June 24 at noon. For more information, contact Supervisor of Elections or go to votesjc.com website.

D. Operations Manager

Mr. Cowling referenced his report located in the agenda package. Under the section, Other Projects, there is a project for the asphalt on Stonehedge. Two proposals have been received. One was received from All Pro, and another one was received from Duval. The Engineer would like to review the proposals for asphalt repairs at the cul-de-sac and is not prepared to make a recommendation at this time. He will be able to make a recommendation at the next meeting.

There was discussion regarding the landscaping improvements at the front entrance. Supervisor Sharpe will review final plans and approve project start up cost NTE \$50,000.

On MOTION by Mr. Armstrong, seconded by Ms. Watt with all in favor to designate Supervisor Sharpe to approve landscaping improvements at front entrance NTE \$50,000 was approved.

E. Amenities & Recreation Manager

Ms. Tincer stated Summer Camp is planned and organized. She has also been working on Sports Camps in basketball, tennis and soccer.

FOURTEENTH ORDER OF BUSINESS Supervisors' Request

Mr. Murray suggested sending out a Chairman's Letter to community to convey what the board members have been doing regarding the CDD. Mr. Oliver stated he will put together a draft and send it to Mr. Murray.

Ms. Watt pointed out that the District is \$50,000 under budget this year.

FIFTEENTH ORDER OF BUSINESS Audience Comments

A resident asked about the number of lifeguards and summer camp. Ms. Tincher assured the resident that summer camp is totally different. The resident asked about getting food delivery to the pool. The Club has a pool menu, but no one from the Club would ever walk over and deliver the food. The resident feels like that is a missed opportunity for Amenity revenue. Ms. Tincher stated she will work on that situation. Lake policies will be posted to the website.

SIXTEENTH ORDER OF BUSINESS Financial Reports

A. Balance Sheet and Statement of Revenues & Expenditures

Mr. Oliver stated you have the unaudited financials through April 30, 2016 in the agenda package.

B. Check Run Summary

On MOTION by Mr. Armstrong seconded by Mr. Sharpe with all in favor the Check Run Summary was approved.

C. Special Assessment Receipts

Mr. Oliver stated you are 99% collected.

SEVENTEENTH ORDER OF BUSINESS Next Scheduled Meeting

The next regular meeting will be June 16, 2016 at 6:00 p.m. at this location.

EIGHTEENTH ORDER OF BUSINESS Adjournment

On MOTION by Mr. Armstrong seconded by Mr. Sharpe with all in favor the meeting was adjourned.



Secretary/Assistant Secretary



Chairman/Vice Chairman