

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, April 19, 2017 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
Paul Armstrong	Supervisor
Steve Sharpe	Supervisor
Shawn Murray	Supervisor
Tom Hudson	Supervisor

Also present were:

Jim Oliver	District Manager
Wes Haber	District Counsel
Louis Cowling	Riverside Management
Alexis Moeller	Amenities and Recreation Manager
Mike Lucas	Basham & Lucas
Kelli Gibson	Basham & Lucas
Dan Zimmer	Billy Casper Golf
Ryan Roberts	Billy Casper Golf

*The following is a summary of the actions taken at the April 19, 2017 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 22, 2017 Meeting**

On MOTION by Mr. Armstrong seconded by Mr. Hudson with all in favor the Minutes of the March 22, 2017 meeting were approved.

**FOURTH ORDER OF BUSINESS**

**Discussion of Draft CDD Code of Conduct**

Mr. Murray stated this document is located in the agenda package.

Mr. Hudson stated I think it is a good reminder of decorum. He would like to add somewhere that when an audience member speaks, they identify themselves and state where they live.

Mr. Haber stated we have an entirely separate policy related to audience participation, and that may be the better place to address it. It is appropriate to ask the question, but if a member refuses to answer, that is okay. This document is substantially similar to a prior document, and it is a good document.

On MOTION by Mr. Murray seconded by Mr. Hudson with all in favor CDD Code of Conduct document was approved.

**FIFTH ORDER OF BUSINESS**

**Presentation Regarding Splash Pad Concepts and Options**

Mr. Hayes stated representatives from Aqua Works, Duane Atkinson, and Water Play, Gerry Moffa, are here to give a presentation about their respective companies and splash pad products, construction, operations, maintenance and warranty. At the March 22, 2017 meeting, a representative from Vortex gave their presentation. These companies were given a budget in the amount of \$150,000 on which to base their presentation.

Mr. Duane Atkinson from Aqua Works presented handouts to the board members and gave his presentation first. They are a local company, and everything brought to the job site is made in St. Petersburg. Standard warranty is 20 years for the steel features, but that does not include the finish. There is a 2-year warranty on the filtration and pumping system, but that can be extended to five years.

Mr. Gerry Moffa, a representative for Waterplay, made a slide presentation to the board and audience members. There is a 20-year warranty on the steel against rust and corrosion. VakPak does the filtration equipment, and they are located in Jacksonville. The manufacturing is done in British Columbia, Canada. There is a 2-year warranty on the electronics.

Tom Karst of Vak Pak (a consulting service) provided input regarding splash pad systems, vendors, and selection considerations.

*At this point, Chairman Hayes went off agenda to have Deputy Greg Suchy address the board.*

Mr. Hayes stated Greg Suchy handles our off-duty patrols.

Deputy Suchy discussed problems occurring at certain off-road secluded locations in the community including the tower site. There is a growing social teen-age population in the community. A lot of golf carts are going back into the area, and eight marijuana plants were found. There is evidence of drug use and other illicit activity. There have been a lot of calls from citizens informing the SJSO of all the activity on the golf course at night.

Mr. Cowling received some verbal quotes stating it will cost between \$15,000 and \$20,000 to clear the lot, trim it, and remove the underbrush. American Tower wants to put up No Trespassing signs as a possible solution and does not want to help pay for clearing the area.

CDD chair/staff to draft letter to American Tower outlining requested action items to assist with making site less suitable for meet-ups. There was discussion regarding the spike in nighttime activity on golf course and paths. Billy Casper Golf will submit updated trespass letter, which authorizes SJSO to enforce trespass laws on private property. Also, the SJSO will provide a message on letterhead outlining recent incidents described for an e-blast to residents.

**SIXTH ORDER OF BUSINESS**

**Consideration of Negotiations with the Golf Course Regarding:**

- A. Amendment to Easement for Club House Expansion**
- B. Fence Easement**
- C. Parking Lot Landscaping and Maintenance**

Mr. Haber stated we have representatives from the golf course with us – Dan Zimmer and Ryan Roberts. At the last meeting the board considered the most recent version of the fence

easement, and there was also a discussion about the approval the board previously gave with respect to an amendment to a water maintenance easement. The board agreed to amend to allow the expansion of the clubhouse, and there was a decision to withdraw the approval of that amendment. I communicated that, along with the reason why, to the golf course in connection with sending them my comments to the fence easement agreement. The golf course representative met with Supervisor Sharpe and Mr. Cowling to discuss the landscaping and other aspects of the parking lot. It was decided to come back to the board in the hopes of reaching a global solution on all these matters and get something in writing that would obligate the golf course to take certain actions, and it would obligate the District to take certain actions. The District would agree to amend that easement to allow the expansion of the golf club and whatever additional obligations we agree to in connection with the fence easement. On the golf course's part, it would be on the fence easement whatever they are agreeing to, and on the parking lot maintenance it would be to undertake whatever improvements they have discussed with Mr. Cowling regarding landscaping and the parking lot itself. Once we know what the golf course wants to do, and once we know what the board is agreeable to doing, I think it would be a pretty straightforward agreement to prepare.

Mr. Haber stated even though he doesn't have an agreement for the board to review, the board could give Mr. Haber some direction if all the substantive terms of that agreement are set forth. The board can approve an agreement and direct Counsel to draft the agreement and give a board member the authority to execute that agreement if all the substantive terms are met.

Mr. Zimmer addressed the board. He and Mr. Cowling have worked together outlining what the landscape plan looks like. Bids are being prepared.

Mr. Cowling stated after we reviewed the plan we put together a scope. With a visual handout, he reviewed the landscaping plan. He has contacted four bidders, and three have submitted proposals. The prices range from \$13,400 to \$16,500. They were basically within my estimates.

Mr. Hudson stated in the past we have asked the golf course if there was a possibility of swapping some land so we could potentially consider another tennis court. Are you able to comment on that.

Mr. Zimmer responded in terms of the location of that tennis court, I don't believe that would be in the best interest of the golf course. It is in an area where right now there is a clean

view up to the driving range and the first tee. We use that area for a lot of ceremonies and weddings and events, and it is not something we would be willing to do.

Board members asked questions of Mr. Zimmer regarding the landscaping and parking lot.

Mr. Haber stated we need to allow the amendment to the easement, which will allow for the expansion of the golf club. We have gone over the fence easement, and we can add a provision that the parties will agree to enter into the fence easement in substantial form that will be attached as Exhibit A. Regarding the plant installation, there is a new area that will be included, and it will have a NTE \$18,000 total. The cost will be split in accordance with the percentages in the existing agreement, which is 60% golf course and 40% CDD.

Mr. Zimmer stated the golf course will present a maintenance plan for the CDD to review, and that plan will dictate the level of maintenance. If we don't live up to the level outlined in the maintenance plan, then you have recourse. Mr. Cowling will work with Mr. Zimmer to come up with a plan.

Mr. Haber stated regarding resurfacing of the parking lot, language can be included that recognizes that the golf course is doing construction, and it doesn't make sense to do that work before the expansion takes place. There will be a goal of completing the resurfacing by the end of 2018. Regarding plant installation, the agreement can call for plants to be installed within 45 days. In summary, the agreement will have a maintenance plan approved by Mr. Cowling, parking lot asphalt by the end of 2018, plant installation within 45 days and NTE \$18,000, the fence easement will be attached as an exhibit, and CDD will agree to amend the easement.

On MOTION by Mr. Sharpe seconded by Mr. Armstrong with all in favor to approve in substantial form the elements of the agreement with the golf course regarding amending the easement, parking lot landscaping and maintenance, and fence easement was approved.

Counsel will draft the agreement for review and approval by Supervisor Sharpe.

**SEVENTH ORDER OF BUSINESS**

**Update Regarding Pool Renovation Project**

The discussion is centering on the splash pad, which was addressed under Agenda Item V. The board had not come to a decision regarding which vendor to choose.

Mr. Hayes stated the two vendors being seriously considered are Vortex and Waterplay. He suggested giving those vendors a number and ask them to say what can be done for that amount of money.

Mr. Sharpe stated he would like to give all three bidders a chance to do a drawing and put together a line item estimate with a budget of \$150,000. The board can pick two or three water features that they would definitely want to see in the estimate. The board would also like to see stained concrete instead of a rubber pad. Mr. Armstrong would like to know how many items can be added after we spend \$150,000. Mr. Hayes stated we need expandability, and we need to know the true square footage we are working with. Mr. Karst stated you also need to look at warranties, and find out how many follow-ups you get after installation.

After discussion, the board decided the vendors will be offered an opportunity to provide a concise presentation of the plan at the 5/17 meeting. Based on those submittals and presentations, the board will select a firm for contracting for design/build of splash pad.

#### **EIGHTH ORDER OF BUSINESS**

#### **Discussion of Construction RFP Process**

Mr. Oliver stated at the January meeting, we circulated this draft project manual that will be issued once finalized so you can begin the RFP process.

The board discussed the project manual and timeline for RFP. At next meeting, will consider adoption of resolution approving project manual in substantial form, authorizing a designated supervisor to review and approval final product and issue RFP. The missing link right now is the splash pad. When the decision is made at the next meeting, it will be incorporated into the scope. RFP to be open for 30 days from date of publication. Expect to review proposals at early July meeting.

#### **NINTH ORDER OF BUSINESS**

#### **Engineer's Report**

Mr. Oliver provided the updates from the Engineer.

For pool improvement plans, received minor comments for the site work permit and are working through those revisions. Will be coordinating any changes with Basham and Lucas by the end of the week.

Regarding 1035 Eagle Point driveway repair, prepared design plan in accordance with the completed survey and geotechnical findings. Still awaiting a cost estimate from AJ Johns and hopes to have to bend of the week.

**TENTH ORDER OF BUSINESS**

**Consideration/Ratification of Series 2016 Requisitions**

Requisition #23 is located in the agenda package. It is for Matthews Design Group in the amount of \$3,273.75.

On MOTION by Mr. Hudson seconded by Mr. Hayes with all in favor Requisition #23 for Matthews Design Group in the amount of \$3,273.75 was approved.

**ELEVENTH ORDER OF BUSINESS**

**Consideration of Security Camera Proposals**

Security proposals are located in the agenda package under Section XI, and one was circulated that Mr. Sharpe received a few years ago. There are a total of five proposals.

Mr. Sharpe stated he did not want to make a decision tonight. I want to see if the board is in favor of moving forward with security cameras, and if they feel there is a need for security cameras at entry points.

Mr. Hudson was in favor of moving forward. He felt the issue that Deputy Suchy brought up earlier was important, and he feels like security cameras can be a deterrent.

Mr. Armstrong was against moving forward. He feels like security cameras are not going to capture kids running around planting pot in the woods. It is a license plate capture, and he feels there is not enough outside traffic coming in causing problems to warrant the expense of the cameras.

The board discussed the five proposals for security cameras and tag readers at entry points to community and neighborhoods. To allow for better comparison of equipment and services, Louis Cowling and Supervisor Sharpe will develop scope for board review at next

meeting. Once scope is finalized and approved, the board will seek proposals for consideration. Vendors may be invited to present their proposals at June 15 meeting.

**TWELFTH ORDER OF BUSINESS                      Consideration of Proposals to Replace Picnic Area Shade Cover**

Mr. Hayes stated there is a hole in the shade structure in one of the corners that seems to be growing. Mr. Cowling received a cost to repair for \$750. To replace it would cost over \$2,100. A new structure would have a 10-year warranty. The current structure is seven years old.

Mr. Cowling stated the rest of the shade structure is in pretty decent shape, and his recommendation is to repair the structure.

All board members agreed to repair the structure.

**THIRTEENTH ORDER OF BUSINESS                      Other Business**

There being none, the next item followed.

**FOURTEENTH ORDER OF BUSINESS                      Staff Reports**

**A. Attorney**

Mr. Haber stated there is one clarification to the golf course agreement. We discussed a cost sharing amount on the installation of landscaping. That cost sharing may also extend to the resurfacing. To the extent that it does, that agreement will also provide for the 60/40 split on the cost of resurfacing.

Mr. Hayes wanted to speak about the Bartram Trail High School football practice. As background, Mr. Hayes talked to Coach Sutherland, and we thought it would be good to have the team come on May 5 and practice on the field. The coach wants the team to mentor younger kids. They will practice, and then the kids will be brought out to hang out with the players.

Mr. Haber stated in the past, Bartram Trail used our pool. We had an agreement with the school board that provided for insurance and indemnification. My recommendation is to get approval and get that same level of agreement from the school board.

On MOTION by Mr. Hayes seconded by Mr. Sharpe with all in favor to allow Bartram Trail High School to use the athletic field for practice on May 5, subject to agreements being signed by the SJC school board, was approved.

**B. Manager**

Mr. Oliver stated the agenda lists supervisors' areas of additional responsibilities, which staff relies upon to work on issues between meetings. Due to the board accepting this, each of the supervisors has a certain level of decision making authority in those areas.

In response to comments made by Chairman Hayes, Mr. Oliver will update future agendas with the following supervisor assignments: Chairman Hayes will have Activities added to his list of responsibilities. Supervisor Murray will be changed to Amenity Center Complex Maintenance.

**C. Amenities and Recreation Manager**

This report is located in the agenda package under Section XIV-D as part of the Operations Manager Report. Summer camp registration is Friday. There are a lot of people interested in Kidz Camp.

There was discussion regarding residents asking questions on the Next Door web site. A brief statement will be posted to that site stating for questions or comments regarding the SCCDD including Board of Supervisors and Staff contact information, to visit Stjohnsgcc.org or call the help line.

**D. Operations Manager - Report**

Mr. Cowling reviewed his report that is located in the agenda package under Section XIV-D. Overall, everything is in good shape regarding landscaping. The bench area at Hampton Crossing is a big congregation point for kids. At some point the turf around that bench will need to be replaced. The lighting plan has been finalized. He is working with FPL on requisitioning material.

Regarding landscape improvements for Eagle Point entry, Mr. Cowling presented pictures to the board and made suggestions for more year-round plants instead of what is currently in place. He also had proposals for those landscape improvements and distributed them to the board members for discussion.

On MOTION by Mr. Hayes seconded by Mr. Sharpe with all in favor the landscape improvements to Eagle Point entry in the amount of \$4,396 were approved.

Mr. Murray stated the ceiling light in the men's bathroom needs to be repaired. Mr. Cowling will follow-up on this item.

**FIFTEENTH ORDER OF BUSINESS      Supervisors' Request**

Mr. Hudson gave his observation about the length of the meetings and wondered if the agenda can be shortened or if meetings can be continued so legitimate decisions can be made.

Mr. Oliver stated that having a 4-hour meeting is very unusual. He noted that the presentations made by the vendors are lengthy and suggested they be given a timeline to make their presentations. Also, there will be times when meetings need to be continued.

**SIXTEENTH ORDER OF BUSINESS      Audience Comments**

There were no audience comments.

**SEVENTEENTH ORDER OF BUSINESS      Financial Reports**

**A. Balance Sheet and Statement of Revenues & Expenditures**

Mr. Oliver stated you have the unaudited financials through March 31, 2017 in the agenda package. The Capital Reserve fund is roughly \$500,000. There are no unusual variances.

**A. Special Assessment Receipts**

Mr. Oliver stated you are 99.30% collected.

**B. Check run Summary**

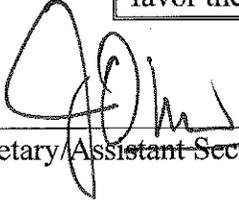
On MOTION by Mr. Hudson seconded by Mr. Murray with all in favor the Check Run Summary was approved.

**EIGHTEENTH ORDER OF BUSINESS      Next Scheduled Meeting**

The next scheduled meeting is Wednesday, May 17, 2017 at 6:00 p.m.

**NINETEENTH ORDER OF BUSINESS      Adjournment**

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

  
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Secretary/Assistant Secretary

  
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Chairman/Vice Chairman