

**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 19, 2018 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
A.J. McCaffrey	Central Security Agency
Shawn Saunders	Central Security Agency
Jesse Harrigan	Central Security Agency
Sergeant James Robinson	St. Johns County Sheriff's Office
Corporal Greg Suchy	St. Johns County Sheriff's Office
Deputy Casey Romein	St. Johns County Sheriff's Office
Matthew Journey	Matthews Design Group
Residents	

The following is a summary of the actions taken at the December 19, 2018 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

The following residents addressed the board:

- Resident Rose Bock recalled the Code of Conduct was adopted when she was Chair of the board and was happy it was being reconsidered. She supported the board signing the pledge in the Code of Conduct.
- Resident Kim Kendall read a letter to the board, proposing CSA's hours be decreased from eight hours to six hours per day, from 6:00 p.m. to Midnight and using St. Johns County Sheriff's Office (SJCSO) as needed. Residents Shawn Murray and Mike Larson agreed.
- Residents who were members of the HOA board noted confusion between the roles of the HOA and CDD, personal misconduct in the gym, errors in the Code of Conduct and minutes and late fees on bills.
- Mr. Murray was disappointed with comments made and actions taken by the board at the last meeting. He expected Mr. Hudson to act like a Chairman and allow equality between the board. Residents Mike Larson and Patti Ernst agreed.

Mr. Torres and Mr. Haber explained the roles of Chairman and Vice Chairman. Discussion ensued.

FOURTH ORDER OF BUSINESS

Contractor Report

A. Landscape Update

There being none, the next item followed.

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

Mr. Journey presented a draft rendering of the Amenity Center landscape design, proposing more color and plant specimen trees as focal points in front of the Amenity Center and removing three large oak trees to provide more sunlight, allowing for a larger variety of plants.

Discussion ensued and the board addressed the following:

- Ms. Kalke offered to work with Mr. Journey to provide the "*Disney standard*" the board desired and asked if the landscaping would be paid out of the landscape budget or bond funds and if removing the oaks would have an impact on possible mitigation by the county. *Mr. Torres noted a portion of unassigned funds and remaining capital project funds were available. Mr. Journey had preliminary*

discussions with the county and there was no problem mitigating the oaks as there were many trees on the property and the county allowed credits for existing trees.

- Mr. Wohmann questioned the purpose of sprucing up the landscaping at the Amenity Center. *Mr. Hudson requested the landscaping at a "Disney standard" on the premise of deteriorating landscaping by Duval Landscaping and his desire for neatness and cleanliness. Mr. Journey estimated \$12 for a 3-gallon plant and \$6 for a 1-gallon plant with installation depending on the nursery. He would include tree removal in the estimate.*
- Mr. Hayes asked about the removal of trees at the basketball court and the problem with the growth of the Bermuda grass because there was too much shade. *Mr. Journey did not propose removing any trees from the basketball court and recommended planting ground cover that thrived in the shade and specimen Camillas to provide winter cover.*

C. Security & St. Johns Sheriff Office Update

Mr. Saunders of Central Security Agency (CSA) provided the following update:

1. There were no major incidents; although there was some increase in vehicle and pedestrian traffic due to the holidays. An officer having to extinguish a couple of fires at the luminary event.
2. There were eight calls for service since the last meeting; six before and after hours, five referred to the Sheriff's Office, one about an Amazon driver driving around the community that looked suspicious, a kid on a golf cart tearing up some ground and a complaint about loud music.

Corporal Suchy of the St. Johns County Sheriff's Office (SJCSO) presented incident and traffic enforcement stats for the neighborhood from September through December 19th. Mr. Hudson questioned the number of hours for enforcement. Corporal Suchy noted 24/7 enforcement. Mr. Hayes asked how the incidents in Sampson Creek compared with other communities. Corporal Suchy explained the majority of incidents were in Ponte Vedra and Nocatee regarding unlocked vehicle burglaries. The District's license plate reader (LPR) was beneficial in locating stolen vehicles entering the community. Ms. Kalke noted a huge drop with the number of calls, from 52 in 2017 to 23 year-to-date.

Discussion ensued regarding specific functions performed by security versus law enforcement. Corporal Suchy recommended the board speak with district counsel about the limitations of the security company versus law enforcement. Typically, the security company was responsible for the Amenity Center and civil rights issues were handled by SJCSO.

FIFTH ORDER OF BUSINESS

Discussion of Central Security Contract

Mr. Torres reported Staff reviewed CSA's contract, after being told it was expiring. It was not expiring, but the board requested this item on the agenda to address security questions and concerns. Mr. Haber noted the contract did not have a set expiration term and was ongoing, with both parties having the right to terminate at any time. If the board wanted any changes, the agreement must be amended; otherwise the agreement remained under the current terms. Mr. Saunders stated CSA agreed to have an ongoing agreement with a 30-day termination. Discussion ensued and the board addressed the following:

- Ms. Flores voiced concern about residents not knowing who to call in an emergency, resulting in the delay for response and recommended streamlining the security budget, using tax dollars and SJCSO supplementing security costs, having SJCSO protect the community, having CSA responsible to protect District assets and the HOA responsible for parking violations and performing inspections, educating residents about unlocked car doors and securing additional security with the county.
- Since under Florida Statute 190.012, the security company did not have police powers, Ms. Flores asked if the District was open to litigation if the perception was the CDD guards had police powers. *Mr. Haber advised the CDD did not have the authority to exercise police powers. He also noted that St. Johns County has granted the CDD "security powers," and, as a result, the CDD's security provider can be responsible for CDD owned facilities as well as roaming the neighborhood. Officer Harrigan stated CSA guards were directed to follow duties outlined by the CDD board and not to engage in police activities; however, CSA would assist law enforcement if support was necessary.*
- Ms. Kalke voiced concern about lines being crossed between CSA and SJCSO. *Corporal Suchy noted no issues as long as everyone understood their roles. Mr.*

Saunders confirmed CSA was bound by state laws and in comparison, with communities along Old County Road 210, the CDD security hours were adjusted to prevent car burglaries. The primary deterrent was people seeing police cars driving around the community.

- Ms. Kalke questioned why there was security from 3:00 p.m. to 11:00 p.m. and concern about the hours being posted on Facebook because the element of surprise was a huge deterrent. *Mr. Haber advised CSA was currently contracted for a time certain and recommended the contract say "such hours be determined by the District Manager," to have direct coordination between the District Manager and CSA.*

At the request of the board, Mr. Saunders provided new contracts for different hours, removing a set time period and simplifying the current lengthy contract. The current contract provided for eight hours of coverage per day, but not a set time and suggested a floating eight hours at the discretion of the District Manager, which would be GPS logged or two four hour shifts. The peak time was 3:00 p.m. to 11:00 p.m., when more people were in the pool and gym. Mr. Haber would review the new agreement to ensure there were adequate insurance, indemnification and termination provisions. Mr. Hudson recalled that the hours were changed to accommodate school buses; however, school buses were not the responsibility of the CDD and questioned the board's role to the neighborhood. Ms. Flores pointed out under Section 3A of the contract, the District had the right to reduce the hours to 40 hours. Discussion ensued.

Ms. Flores MOVED to amend the contracted hours of Central Security Agency to cover six hours per day, but not performing non-CDD activities such as taking pictures of illegally parked cars on public streets, writing traffic warnings on non-CDD property and utilizing the St. Johns County Sheriff's Office as needed for crime activity during off-duty hours, effective January 6, 2019. There being no second to the motion, the motion died.

Mr. Saunders asked if CSA patrolling of the community would cease. Ms. Flores replied affirmatively. Ms. Kalke agreed with portions of the motion. Mr. Hudson proposed tabling this matter to the next meeting, as there was a current contract and a lot of information for the board to digest. Mr. Hayes agreed and felt CSA was doing their job, but if the community did not want

CSA to take pictures of illegally parked cars, Code Enforcement should be contacted. Ms. Flores was satisfied with CSA, but felt the amount spent for security was excessive. Ms. Kalke agreed with reducing the budget based on the community having less crime in 2018 versus 2017 and amending the contracted hours of Central Security Agency to cover six hours per day. Mr. Saunders pointed out the number of car thefts in the CDD decreased from 18 to 2, due to CSA's presence and recommended evaluating other communities so the board could make an educated decision. Lieutenant McCaffrey stated the district would have limited services.

Mr. Hudson proposed the board consider this matter further, drive through the community with CSA and discuss at the next meeting. Deputy Romein, a SJCSO Traffic Deputy recommended SJCSO traffic enforcement from 5:00 a.m. to 9:00 p.m., having CSA provide night roving, but not reducing the hours any less than four hours per week. Split shifts of four was more cost effective. Discussion ensued regarding the areas Deputy Romein patrolled and the tasks the board wanted CSA to perform from a procedural standpoint and the hours.

Mr. Hayes proposed amending CSA's contract from 56 hours to 40 hours per week, with CSA choosing the most effective days and hours, having SJCSO perform traffic enforcement, re-evaluating in 90 days and tabling consideration of SJCSO enforcement. Ms. Kalke suggested a Supervisor be assigned to work with CSA to streamline the scheduling. Discussion ensued.

Ms. Kalke MOVED to amend the Central Security Agency contract from 56 to 40 hours or five 8 hour shifts, utilize Deputy Romein of the St. Johns County Sheriff's Office for one 4-hour shift per week of traffic enforcement, effective January 6, 2019 and authorize a CDD Supervisor to work with CSA and Mr. Hayes seconded the motion.

Mr. Hudson questioned the intent of SJCSO. Ms. Kalke noted Deputy Romein was providing security when he was in the community. After further discussion, Mr. Haber noted the CSA agreement entitled the District, in its sole discretion, to decrease the hours to a minimum of 40 hours without impacting the hourly charge of \$23, since the CDD had the right to reduce the hours under the current agreement. After further discussion, Mr. Hohmann suggested the board proceed with the amendment to the CSA contract and consider SJCSO at a later date. Ms. Kalke withdrew her motion.

On MOTION by Mr. Hohmann seconded by Mr. Hayes with all in favor reducing the number of hours performed pursuant to the Central Security Agency contract from 56 to 40 hours, effective January 6, 2019 and authorize a CDD Supervisor to work with CSA was approved.

SIXTH ORDER OF BUSINESS

Discussion of Code of Conduct

Mr. Hudson wanted to discuss the Code of Conduct, since it was adopted when Ms. Bock was on the CDD board and there was a new board. Ms. Flores suggested running meetings in a consent agenda format. Mr. Hudson suggested the board consider this matter for 30 days and placing on the next agenda. All Supervisors signed the Code of Conduct.

SEVENTH ORDER OF BUSINESS

Discussion of Community Interest

Mr. Torres stated on the bottom of the agenda, Supervisor duties were listed under “Community Interest”, to have a direct point of contact for the Supervisors to work with staff in between meetings. Discussion ensued and the following tasks were assigned:

- Ms. Kalke – *Ground and Lake Maintenance*
- Ms. Flores – *Amenity Center, Activities and Communications*
- Mr. Hohmann - *Roads*
- Mr. Hudson – *Budget and Finance*
- Mr. Hayes – *Security and Fitness Room*

Mr. Hudson eliminated technology and swim team. The board agreed. Mr. Hudson was meeting with Unicorn on Friday regarding the website.

EIGHTH ORDER OF BUSINESS

Approval of Minutes of the November 14, 2018 Special Meeting and the November 28, 2018 Meeting

Mr. Torres noted on Pages 2 and 3 of the minutes of the November 14, 2018 special meeting, “FDOT” should be “FDOH”. Mr. Hudson indicated the minutes were accurate.

On MOTION by Mr. Hudson seconded by Mr. Hohmann with all in favor the Minutes of the November 14, 2018 Special Meeting was approved as amended.

On MOTION by Ms. Kalke seconded by Mr. Hohmann with all in favor the Minutes of the November 28, 2018 meeting were approved as presented.

NINTH ORDER OF BUSINESS

Update Results of FPL LED Street Lighting *(resident inquiry)*

Mr. Torres recalled at the last meeting, Mr. Sevestre, the HOA President presented the Florida, Power & Light (FPL) Street Lighting Plan and the board directed sending an e-blast to the community for resident input. After evaluating communities that had 3000 or 4000 Kelvin (K) LED lights, 36 residents preferred 3000K lights, 36 residents preferred 4000K lights and 3 residents wanted no change.

Mr. Hudson preferred the 3000K lights, as it provided sufficient light in Beacon Lakes, had shields projecting light downward and were recommended by the American Medical Association (AMA). The 4000K lights in Murabella provided a blue light that affected sleep. Ms. Kalke agreed, based on verbal feedback d from residents that 3000K lights were warm and inviting and young drivers having problems with the brighter lights. Corporal Suchy preferred the 3000K lights and suggested staff speak to JEA about how the lights deter crime prevention (Did he say the light deter crime prevention, or deter crime?).

Mr. Hayes suggested Mr. Stephens evaluate areas that did not have lights. Ms. Kalke drove around the property with Mr. Stephens to locate areas that did not have lights, particularly a stretch of Eagle Point Drive between Forest Glen Way and the bench, the entrance to Stonehedge and many intersections. There was also a problem where trees were growing around light poles, which Mr. Stephens listed. Mr. Hudson supported the installation of the 3000K LED lights and requested Mr. Stephens provide recommendations for additional street lights and a cost estimate for power at the next meeting.

On MOTION by Mr. Hudson seconded by Ms. Kalke with all in favor the conversion to 3000 Kelvin LED lights and directing staff to provide recommended areas for additional street lights and a cost estimate for power at the next meeting was approved.

TENTH ORDER OF BUSINESS

Discussion of District Golf Cart Policy and Cart Registration

Mr. Hudson thanked Mr. Torres for bringing this item before the board and requested delaying enforcement of the policy from January 1, 2019 to April 1, 2019, due to not having the decals and to allow further consideration by the board.

On MOTION by Mr. Hudson seconded by Ms. Kalke with all in favor changing the effective date of the Golf Cart Policy from January 1, 2019 to April 1, 2019 and placement of this item on the next agenda for consideration was approved.

ELEVENTH ORDER OF BUSINESS

Consideration/Ratification of Series 2016 Requisitions

Mr. Torres stated Requisition #87 paid \$53,938.85 to Crown Pools for the Florida Department of Health (FDOH) modifications to the tank and repair cracks, as discussed at the November 14, 2018 special meeting. On December 26th at 11:00 a.m., FDOH and county inspectors will be onsite.

On MOTION by Mr. Hudson seconded by Ms. Kalke with all in favor the ratification of Requisition #87 with Crown Pools in the amount of \$53,938.85 was approved.

Mr. Hudson asked if a board member should be present on December 26th. Mr. Torres encouraged one to be present. Ms. Kalke volunteered.

TWELFTH ORDER OF BUSINESS

Staff Reports

A. Attorney

Mr. Haber provided an easement to the Glen St. Johns CDD, granting authority to the District to go onto Glen St. Johns CDD property to complete the Pond 25A project. The Glen St. Johns CDD board accepted the form of the easement and were executing it. Ms. Kalke asked Mr. Haber to meet with the attorney representing the neighborhood behind Sampson Creek to discuss damages to repair the drainage problems. Mr. Haber would speak to the attorney.

B. Engineer

Mr. Acree reported evaluation of the roads was commencing for the road resurfacing project and the preliminary construction plans were prepared. Ms. Kalke questioned the start

date for putting cameras into the pipes. Mr. Acree stated it would be after the inspection of the roads. Ms. Kalke asked if there was a cause to the flooding in Eagle Point. Mr. Acree stated the problem was identified a year-and-a-half ago. According to a resident, the rut on St. Johns Golf Drive past the first cul-de-sac started when the roadway was built. The area would be viewed by a camera to determine any base issues.

C. Manager

There being none, the next item followed.

D. Amenities & Recreation Manager

There being none, the next item followed.

E. Operations Manager - Report

Mr. Torres noted, according to Mr. Stephens, the volleyball sand and playground mulch would be delivered on January 7, 2019. The front entrance lights were 5000K and were a prototype. Duval Landscape completed the paver and plant installation along Leo Maguire Parkway and new annual flowers would be installed this week. Ms. Kalke reported the dead tree was removed from the front pond and the bench project on Eagle Point Drive would start in two weeks.

THIRTEENTH ORDER OF BUSINESS

Supervisors' Request

Ms. Flores requested three proposals for lifeguard services for the 2019 season so there would be lifeguards in March. Mr. Hudson discussed the following:

- The board had a lot of work to do to maintain the quality of the neighborhood, which in his opinion, was a prime community on the 210 corridor, due to their amenities and being associated with the SJGCC and did not want to spend more money than necessary.
- Out of the \$315 per quarter that each resident paid in assessments, \$285 was for Comcast under a bulk contract the HOA signed for seven years, which allowed for a 5% increase per year.
- Assessments had not increased in nine years and the board spent money according to the Capital Reserve Report. Since the board just allocated less money for CSA, the budget would not be changed, but would be underspent.

- Roads would be repaved in phases, according to the Capital Reserve Report and the board was waiting for the District Engineer to confirm if the work could be completed in phases and how to pay for it.
- He did not intend to serve as Chairman for a long period of time, but will serve and continue to serve. Consideration for Chairman and Vice be considered in November 2019 during designation of officers.
- He felt his comments were taken out of context regarding 24/7 security and clarified did not want security 24/7, 365 days and his comment about the “*Disney standard*” during the Matthews Design Group discussion had to do with a comment he made to Duval at a prior meeting about the deterioration of the landscaping and holding them accountable.

Ms. Kalke confirmed she was not leaving the neighborhood.

Mr. Hayes asked about the TVs in the Fitness Center. Mr. Torres reported the TVs were removed, but it was a challenge to find TVs that were made with volume and channel buttons on the bottom. Mr. Hayes requested TVs with buttons on the bottom so they would not have lost remotes and requested the existing TVs be readjusted. Mr. Torres would look at the TVs after the meeting.

FOURTEENTH ORDER OF BUSINESS

Audience Comments

The following residents addressed the board:

- Resident Kim Kendall recommended the board report next month on where cuts could be made in the budget based on their areas of responsibility, resulting in a 10% decrease in budget costs, which would be used for the road resurfacing, versus raising assessments. She felt cutting the budget by 10%, would create \$155,000 per year, \$620,000 in four years and \$1.2 million in eight years. The Road Resurfacing Study estimated \$2 million or an assessment to each homeowner of \$2,500, starting in four years or an assessment of \$1,500 per homeowner if the board accepted the Duval Asphalt bid of \$1.2 million. Raising assessments would affect property values compared to new construction of 40,000 new homes, which would be paying similar HOA dues and CDD assessments or less. South Hampton had similar HOA dues, but no CDD dues. She appreciated

the board looking at their money as good stewards and consider needs before wants.

- Mr. Hudson asked why South Hampton did not have CDD fees. Mr. Haber did not know whether South Hampton was a CDD because a CDD must have some level of assessment to issue bonds. Ms. Flores confirmed South Hampton was not a CDD, but their HOA fees were significantly higher, \$1,600 annually, compared to the \$1,260 Sampson Creek paid for HOA fees. Mr. Hudson stated their HOA fees included Comcast and internet and wanted to compare apples to apples.
- Resident Alice Broadbent agreed with Ms. Kendall, but was against spending excessive money for the entrance of fitness center. It should be spruced up, but the three trees should not be removed. She recommended a board member speak to Billy Casper Golf about maintenance of the interior and exterior of the clubhouse. Mr. Hudson stated it must be a business decision. Other residents suggested the golf course thin trees, plant shade tolerable plants and maintain it as well as the existing landscaping and overgrown grass from the gym down the walkway.
- A Resident suggested using the money saved from landscaping for security, as the low crime was due to the LPR and CSA. Ms. Broadbent agreed as the proximity of I-95 provided easy access to the community. The resident felt the board made a bad decision to reduce CSA's security hours, due to the intangibles CSA offered to the community and their great rapport with residents, especially kids.
- An Eagle Point resident did not receive email notifications about the meeting since August. Ms. Flores requested residents contact staff if they did not receive emails, as there was a glitch in the *Constant Contact* email system. The resident asked about power washing the Eagle Point entrance landscape island. Ms. Kalke would follow up with Mr. Stephens.
- Mr. Murray thanked the board for taking Ms. Kendall's recommendations into consideration and felt the service SJSO provided to the District was excellent. . Mr. Hayes disagreed as the 210 entrance should be as bright as possible. Mr.

Murray was happy with the board’s conduct and professionalism at this meeting, especially the performance of the Chairman and expected this at future meetings.

FIFTEENTH ORDER OF BUSINESS

Financial Reports

A. Balance Sheet and Statement of Revenues & Expenditures

B. Special Assessment Receipts

Mr. Torres recommended the board consider the \$30,000 remaining for future landscaping improvements and being over budget on “Holiday Decorations”. Ms. Flores suggested the District purchase the lights. Mr. Hudson questioned whether the vendor was paid twice. Mr. Torres confirmed the vendor received two payments of \$4,900, which included storage of the lights. Ms. Kalke suggested looking into storage. Mr. Torres stated there would be discussion in January with the vendor on what lights were used, what lights worked and what credits the District could receive for lights not used in December 2019.

C. Check Run Summary

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

SIXTEENTH ORDER OF BUSINESS

Next Scheduled Meeting – 01/16/19 @ 6:00 p.m.

Mr. Torres noted that the next scheduled meeting was on January 16, 2019 at 6:00 p.m.

SEVENTEENTH ORDER OF BUSINESS

Adjournment

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


Secretary/Assistant Secretary


Chairman/Vice Chairperson