



Rizzetta & Company

Trout Creek Community Development District

**Board of Supervisors' Meeting
November 16, 2022**

**District Office:
2806 N. Fifth Street
Unit 403
St. Augustine, FL 32084**

www.troutcreekcdd.org

TROUT CREEK COMMUNITY DEVELOPMENT DISTRICT

District Office · St. Augustine, Florida · (904) 436-6270
Mailing Address – 3434 Colwell Avenue, Suite 200, Tampa, Florida 33614
www.troutcreekcdd.org

District Board of Supervisors	Mike McCollum David Roane Michael Gruber Frank Murphy Ryan Stone	Chairman Vice Chairman Assistant Secretary Assistant Secretary Assistant Secretary
District Manager	Melissa Dobbins	Rizzetta & Company, Inc.
District Counsel	Katie Buchanan	Kutak Rock LLP
District Engineer	Brad Davis Matt Melchiori	Prosser Inc.

**All Cellular phones and pagers must be silenced while in the meeting room.
The District Agenda is comprised of five different sections:**

The meeting will begin promptly at with the first section which is called **Audience Comments on Agenda Items**. The Audience Comment portion of the agenda is where individuals may comment on matters that concern the District. Each individual is limited to three (3) minutes for such comment. The Board of Supervisors or Staff is not obligated to provide a response until sufficient time for research or action is warranted. **IF THE COMMENT CONCERNS A MAINTENANCE RELATED ITEM, THE ITEM WILL NEED TO BE ADDRESSED BY THE DISTRICT MANAGER OUTSIDE THE CONTEXT OF THIS MEETING.** The second section is called **Business Administration**. The Business Administration section contains items that require the review and approval of the District Board of Supervisors as a normal course of business. The third section is called **Staff Reports**. This section allows the District Manager, Engineer, and Attorney to update the Board of Supervisors on any pending issues that are being researched for Board action. The fourth section is called **Business Items**. The business items section contains items for approval by the District Board of Supervisors that may require discussion, motion and votes on an item-by-item basis. If any member of the audience would like to speak on one of the business items, they will need to register with the District Manager prior to the presentation of that agenda item. Occasionally, certain items for decision within this section are required by Florida Statute to be held as a Public Hearing. During the Public Hearing portion of the agenda item, each member of the public will be permitted to provide one comment on the issue, prior to the Board of Supervisors' discussion, motion and vote. Agendas can be reviewed by contacting the Manager's office at (904) 436-6270 at least seven days in advance of the scheduled meeting. Requests to place items on the agenda must be submitted in writing with an explanation to the District Manager at least fourteen (14) days prior to the date of the meeting. The final section is called **Supervisor Requests and Audience Comments**. This is the section in which the Supervisors may request Staff to prepare certain items in an effort to meet residential needs and provides members of the audience the opportunity to comment on matters of concern to them that were not addressed during the meeting.

Public workshops sessions may be advertised and held in an effort to provide informational services. These sessions allow staff or consultants to discuss a policy or business matter in a more informal manner and allow for lengthy presentations prior to scheduling the item for approval. Typically no motions or votes are made during these sessions.

Pursuant to provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this meeting is asked to advise the District Office at (904) 436-6270, at least 48 hours before the meeting. If you are hearing or speech impaired, please contact the Florida Relay Service at 7-1-1, who can aid you in contacting the District Office.

Any person who decides to appeal any decision made by the Board with respect to any matter considered at the meeting is advised that this same person will need a record of the proceedings and that accordingly, the person may need to ensure that a verbatim record of the proceedings is made, including the testimony and evidence upon which the appeal is to be based.

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**Board of Supervisors
Trout Creek Community
Development District**

November 9, 2022

AGENDA

Dear Board Members:

The **regular** meeting of the Board of Supervisors of the Trout Creek Community Development District will be held on **November 16, 2022 at 3:00 p.m.** located at the Kayak Club, 100 Kayak Way, St. Augustine, FL 32092.

- 1. CALL TO ORDER / ROLL CALL**
- 2. AUDIENCE COMMENTS ON AGENDA ITEMS**
- 3. BUSINESS ADMINISTRATION**
 - A. Consideration of the Minutes of the Board of Supervisors' Meeting held on October 19, 2022.....Tab 1
 - B. Ratification of the Operation and Maintenance Expenditures for August and September 2022.....Tab 2
- 4. STAFF REPORTS**
 - A. District Counsel
 - B. District Engineer
 1. Update on Tree Remediation
 - C. Construction Administrator
 - D. Landscape Manager
 1. VerdeGo Landscape Report.....Tab 3
 2. Landscape Inspection Update.....Tab 4
 - E. Community Director
 1. Charles Aquatics Service Report.....Tab 5
 - F. District Manager
- 5. BUSINESS ITEMS**
 - A. Consideration of Resolution 2023-01; Amending the Records Retention Policy.....Tab 6
 - B. Poolsure (Pool Chemical) Pricing Adjustment Update
- 6. AUDIENCE COMMENTS AND SUPERVISOR REQUESTS**
- 7. ADJOURNMENT**

We look forward to seeing you at the meeting. In the meantime, if you have any questions, please do not hesitate to call us at 904-436-6270.

Yours kindly,
Melissa Dobbins
Melissa Dobbins

Tab 1

MINUTES OF MEETING

Each person who decides to appeal any decision made by the Board with respect to any matter considered at the meeting is advised that the person may need to ensure that a verbatim record of the proceedings is made, including the testimony and evidence upon which such appeal is to be based.

**TROUT CREEK
COMMUNITY DEVELOPMENT DISTRICT**

The **regular** meeting of the Board of Supervisors of Trout Creek Community Development District was held on **October 19, 2022, at 3:00 p.m.** at The Kayak Club, 100 Kayak Club Way, St. Augustine, FL 32092.

Present and constituting a quorum:

Mike McCollum	Board Supervisor, Chairman
Michael Gruber	Board Supervisor, Assistant Secretary
Frank Murphy	Board Supervisor, Assistant Secretary
Ryan Stone	Board Supervisor, Assistant Secretary

Also present were:

Melissa Dobbins	District Manager, Rizzetta & Co., Inc.
Katie Buchanan	District Counsel, Kutak Rock, LLP <i>(via speaker phone)</i>
Matt Melchiori	District Engineer, Prosser Inc.
Scott Settlemires	VerdeGo Landscape
Barry Jeskewich	Community Director, CCMC

Members of the public present.

FIRST ORDER OF BUSINESS

Call to Order

Ms. Dobbins called the meeting to order at 3:03 p.m.

SECOND ORDER OF BUSINESS

**Audience Comments
Agenda Items**

Audience had comments on the pond report.

THIRD ORDER OF BUSINESS

**Consideration of the Minutes of
the Board of Supervisors'
Meeting held September 21,
2022**

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On a motion by Mr. McCollum, seconded by Mr. Murphy, with all in favor, the Board approved the minutes of the Board of Supervisors' Meeting held September 21, 2022, for Trout Creek Community Development District.

FOURTH ORDER OF BUSINESS

Staff Reports

- A. District Counsel
There was no report.

Board moved to agenda item 4C(1)

FIFTH ORDER OF BUSINESS

Consideration of Besch & Smith Change Order (under separate cover)

- C. Construction Administrator
Mr. McCollum reviewed the change order and presented the Final Waiver and Release (Exhibit A).

On a motion by Mr. McCollum, seconded by Mr. Stone, with all in favor, the Board approved Besch & Smith CO #3 and Final Waiver and Release, for Trout Creek Community Development District.

- D. Landscape Manager
Mr. Settlemires reviewed his report and noted sod replacement areas that VerdeGo will provide at no cost. Mr. Murphy inquired about the audit that was performed when VerdeGo started and what plant material they should then be responsible for afterwards.
Mr. Settlemires provided a proposal for the District to test organic top dressing for areas that the St. Augustine turn is struggling. The Board noted it was not in the budget and took no further action.

- E. Community Director
Mr. Jeskewich reviewed his report. (exhibit B)

- 1. Charles Aquatics Service Report
Mr. Jeskewich stated he will try to bring out his vendor to further explain his reports and conditions for the ponds.

- F. District Manager
Ms. Dobbins stated that her firm is still in transition with the transferring data to the new accounting software and will provide O&M packets hopefully by next month again. She also noted that the Jani-King agreement has been executed for additional services.

Board moved back to agenda item 4B.

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SIXTH ORDER OF BUSINESS

Update on Tree Remediation

Mr. Melchiori updated the Board that his firm was requested to review landscape plans developed by the landscape architect, specifications for PH levels, and soil testing. Prosser’s Landscape Architect reviewed 47 live oaks along Shearwater Parkway which were not thriving. Prosser’s recommendation is for oil augmentation and to monitor. Mr. McCollum stated that it was indicated that most of the smaller trees are doing fine, but the larger trees that were planted most likely developed a shock to the root system once transferred and then installed. Mr. McCollum also confirmed that the original installer, SunState, for Phases 1 and 2 did provide soil testing results that indicated PH levels were as required, which the District Engineer reviewed.

Mr. Melchiori also noted that Phase 3 trees have some PH level concerns and were currently being reviewed by the contractor which will be then reviewed buy the District Engineer for options to remedy. Discussion ensued.

Now knowing there are most larger trees that need the remediation, and the original proposal will now be able to treat 50 trees, Mr. McCollum recommended to stay at the cost that was approved at the September meeting and to augment as many trees as possible with that price and then see how it goes.

On a motion by Mr. Stone, seconded by Mr. Gruber, with all in favor, the Board confirmed they would still move forward with VerdeGo’s proposed fee of \$12,629.00 as a not to exceed and to remediate as many trees as possible, for Trout Creek Community Development District.

The Board also requested Prosser to bring back a proposal for them to inspect all District trees in phases and to review PH levels and nutrients of the trees.

The Board also authorized either Mr. Murphy or Mr. Stone to join Prosser when they inspect trees on District property.

SEVENTH ORDER OF BUSINESS

AUDIENCE COMMENTS AND SUPERVISOR REQUESTS

Supervisor Requests:

Mr. Murphy requested to get an update on the contractors response regarding tree PH levels in Phase 3 and would like to understand the warrant on trees installed.

Audience Comments:

Audience had comments on Landscape Portal and Resident Club, areas that do not have mulch yet, back entrance update, potholes along Shearwater Parkway, tennis court light repairs needed, review of golf cart policy, and recommendation for the amenity center to have a safety inspection done.

EIGHTH ORDER OF BUSINESS

Adjournment

On a motion by Mr. Stone, seconded by Mr. McCollum, with all in favor, the Board adjourned the Board of Supervisors' Meeting at 4:26 PM, for Trout Creek Community Development District.

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Secretary /Assistant Secretary

Chairman / Vice Chairman

DRAFT

Exhibit A

Change Order No. 3

Date of Issuance: October 17, 2022

Effective Date: October 17, 2022

Project: Trout Creek Community Development District – Phase 3 Civil Site Construction	Owner: Trout Creek Community Development District	Owner's Contract No.: NA
Contract: Standard Form of Agreement between Owner and Contractor for Construction Contract (Stipulated Price)		Date of Contract: _____
Contractor: Besch and Smith Civil Group, Inc.		Engineer's Project No.: NA

The Contract Documents are modified as follows upon execution of this Change Order:

Description of work to be added or removed: **See attached Exhibit A.**

CHANGE IN CONTRACT PRICE:

Original Contract Price:

\$4,302,655.54

[Increase] [Decrease] from previously approved Change Orders No. 1 to No. 3

\$392,290.39

Contract Price prior to this Change Order:

4,694,945.93

[Increase] [Decrease] of this Change Order:

\$22,073.10

Contract Price incorporating this Change Order:

4,672,872.83

CHANGE IN CONTRACT TIMES:

Original Contract Working days Calendar days

Substantial completion (days or date): 405

Ready for final payment (days or date): 465

[Increase] [Decrease] from previously approved Change Orders No. _____ to No. _____:

Substantial completion (days): _____

Ready for final payment (days): _____

Contract Times prior to this Change Order:

Substantial completion (days or date): 426

Ready for final payment (days or date): 486

[Increase] [Decrease] of this Change Order:

Substantial completion (days or date): 5

Ready for final payment (days or date): 5

Contract Times with all approved Change Orders:

Substantial completion (days or date): 431

Ready for final payment (days or date): 491

RECOMMENDED:

By: _____
Engineer (Authorized Signature)

Date: _____

ACCEPTED:

By: _____
Owner (Authorized Signature)

Date: _____

ACCEPTED:

By: _____
Contractor (Authorized Signature)

Date: _____

EXHIBIT A

RCO #5-\$2,653.74 Accepted, OK to process. Added drain.

RCO #6-(\$34,994.10) Accepted, OK to process. Removal of pavers from contract that were not installed – note, this line item was already billed and paid in error.

RCO #7-\$3,184.62 Accepted, OK to process. Switch specified 48" HDPE to RCP.

RCO #8-(6,814.42) Accepted, OK to process. Removed pond sod along portion of pond 23B from contract and modify storm boxes.

RCO #9-\$5,094.00 Revise to \$1,260. These additional requested conduits were not installed. Contractor installed 70 LF. See email dated 11/05/21. Owner ok paying \$1260 based on quantity of conduit installed. See email from Roane to Besch 11/05/2021.

RCO #10-\$5,516.76 Accepted, OK to process. Lift station additional concrete and fencing.

RCO #11-\$43,426.60 Not accepted. See email from Melchiori 10/11/2021.

RCO #13-\$867.00 Accepted, OK to process. Stop bar added at request of County.

RCO #14-\$6,253.30 Accepted, OK to process. Owner to pay as concession. Damaged water boxes from builder activity.

CONTRACTOR FINAL WAIVER AND RELEASE

Upon receipt of payment of \$457,999.51 in connection with the satisfaction of Payment Applications 20 and 21, the undersigned hereby acknowledges that it has been fully compensated for its services and work performed in connection with the *Standard Form of Agreement between Owner and Contractor for Construction Contract (Stipulated Price) for Phase 3 Civil Site Construction* between the Contractor and Trout Creek Community Development District. Upon receipt of payment of \$457,999.51, Contractor hereby waives, relinquishes and releases forever, all rights to a claim for payment for all work done or material furnished in connection with the Construction Contract.

Contractor further certifies that, except as set forth herein, no outstanding requests for payment exist related to the Construction Contract, including any payments to subcontractors, materialmen, suppliers or otherwise, and that there is no disagreement as to the appropriateness of payment made for the work done or material furnished. Except as set forth herein, this document shall constitute a final waiver and release of lien for any payments due to Contractor by the District for the work done or material furnished in connection with the Construction Contract.

Executed this ___ day of _____, 2022.

**BESCH AND SMITH
CIVIL GROUP, INC.**

By: _____
Its: _____

STATE OF FLORIDA
COUNTY OF _____

The foregoing instrument was acknowledged before me by means of physical presence or online notarization, this ___ day of _____, 2022, by _____, as _____ of _____, on its behalf. S/He [___] is personally known to me or [___] produced _____ as identification.

Notary Public, State of Florida

Exhibit B



SHEARWATER®

Trout Creek Community Development District
Board of Supervisor Meeting
October 19, 2022
CCMC Management Report

- **Administrative/Operations:**
 - Through a program we discovered, we're collectively working with ATT to reduce the cost of our phone bills from \$1,359 per month to \$200.
 - Recruitment for a Community Ambassador & Maintenance Technician continues.
- **Landscaping:**
 - More than 15 residents took time out of their week to participate in the Community Garden Clean-Up. This community effort resulted in 18/22 garden beds spoken for by residents eager to grow things.
 - A resident-organized Green Thumb Garden Club has been established.
 - Crews responded in clean-up from Hurricane Ian.
 - Trees identified for consideration of remediation.
 - Pine Bark installation continues.
 - Sod replacement on Pond 7A is underway.
- **Maintenance:**
 - Shearwater Parkway surface patching is complete.
 - Structural integrity of the trellis on Trail 2 is being assessed.
 - For safety and compliance, our playgrounds need to be inspected. Prior to this, a colleague in the industry will be making a courtesy visit to advise.
 - Resolution of pool entrapment certification has yet to be identified.
 - Another street sign was demolished by a vehicle and will be replaced.
 - Replaced and adjusted sprinkler heads on tennis courts.
 - Repaired and replaced outdoor furniture.
 - The exterior of the water slide was waxed and polished.
- **Safety & Security**
 - Existing camera system was down for two weeks due to faulty switch networking; now functioning
 - Atlantic Security alarm system functionality and response/support continue to plague us - considering options to propose to the board.
 - Wayne Automatic was on-site to reprogram the communication system for our alarm notification system.

Tab 2

TROUT CREEK COMMUNITY DEVELOPMENT DISTRICT

District Office - St. Augustine, Florida - (904)-436-6270
Mailing Address - 3434 Colwell Avenue, Suite 200, Tampa, Florida 33614
troutcreekcdd.org

Operation and Maintenance Expenditures Presented For Board Approval August 2022

Attached please find the check register listing the Operation and Maintenance expenditures paid from August 1, 2022 through August 31, 2022. This does not include expenditures previously approved by the Board.

The total items being presented: **\$75,041.93**

Approval of Expenditures:

_____ Chairperson

_____ Vice Chairperson

_____ Assistant Secretary

Trout Creek Community Development District

Paid Operation & Maintenance Expenditures

August 1, 2022 Through August 31, 2022

<u>Vendor Name</u>	<u>Check Number</u>	<u>Invoice Number</u>	<u>Invoice Description</u>	<u>Invoice Amount</u>
AMTEC	100001	7/22/6420	Capital Improvement Revenue Bonds	\$ 450.00
AT&T	100014	0904 230-0008 001 0564 07/22	Telephone Services 07/22	\$ 619.51
AT&T	ACH	904 230-0054 001 0562 07/22	Cable & Internet Services 07/22	\$ 489.34
Atlantic Companies, Inc.	100015	255509	Fire Phone Line Monitoring 07/22	\$ 360.00
Atlantic Companies, Inc.	100015	255999	Fire Phone Line Monitoring 07/22	\$ 459.00
	100016	SJSO22CAD85389	Deputy Services 08/22	\$ 330.00
Charles Aquatics, Inc.	100002	45924	Aquatic Management 08/22	\$ 1,561.00
Charles David Roane	100017	CDR081722	BOS 081722	\$ 200.00
Dante M Smalls	100003	Photo Booth Rental 0722	Photo Booth Rental 0722	\$ 600.00
First Coast Franchising (Jani-King)	100018	JAK08220420	Cleaning Services 08/22	\$ 4,275.72
Florida Department of Revenue	100019	65-8017062725-9 06/22	Sales & Use Tax 06/22	\$ 721.36
Frank Murphy	100020	FM081722	BOS 081722	\$ 200.00
Gary Joshway Sr.	100021	Poolside Entertainment 07/22	Poolside Entertainment 07/23/22	\$ 700.00

Trout Creek Community Development District

Paid Operation & Maintenance Expenditures


August 1, 2022 Through August 31, 2022

<u>Vendor Name</u>	<u>Check Number</u>	<u>Invoice Number</u>	<u>Invoice Description</u>	<u>Invoice Amount</u>
Greenway Lawn & Landscape	100022	20023	Landscape Maintenance 07/22	\$ 15,840.00
Howard Services, Inc.	100023	S-14262	Drinking Fountain Repairs 08/22	\$ 437.50
Kutak Rock, LLP	100004	3082873	Legal Services 07/22	\$ 3,819.93
Michael T. Gruber	100024	MTG081722	BOS 081722	\$ 200.00
██████████	100005	SJSO22CAD168192	Deputy Services 07/22	\$ 240.00
██████████	100005	SJSO22CAD179567	Deputy Services 08/22	\$ 330.00
Poolsure	100006	1.31296E+11	Pool Services 08/22	\$ 2,741.04
Prestige Landscapes of North Florida, Inc.	100007	15407	Landscape Services 08/22	\$ 1,750.00
Prestige Landscapes of North Florida, Inc.	100007	2539	Landscape Services 08/22	\$ 1,896.00
Prosser, Inc.	100008	48457	Engineering Services 07/22	\$ 637.50
Republic Services	ACH	0687-001243196 07/22	Waste Services 07/22	\$ 582.17
Rizzetta & Company, Inc.	100000	INV0000070142	Administrative Services 08/22	\$ 4,306.59
██████████	100025	SJSO22CAD173704	Deputy Patrol 08/22	\$ 330.00

Trout Creek Community Development District

Paid Operation & Maintenance Expenditures

August 1, 2022 Through August 31, 2022

<u>Vendor Name</u>	<u>Check Number</u>	<u>Invoice Number</u>	<u>Invoice Description</u>	<u>Invoice Amount</u>
Ryan Scott Stone	100026	RSS081722	BOS 081722	\$ 200.00
TECO Peoples Gas	100009	211011457499 4/11	Natural Gas Services 08/22	\$ 33.49
VerdeGo, LLC	100010	8559	Irrigation Repair Services 07/22	\$ 1,300.00
VerdeGo, LLC	100010	8958B	Landscape Maintenance 08/22	\$ 25,329.08
VerdeGo, LLC	100010	8958C	Landscape Maintenance 08/22	\$ 3,128.70
Vexacor Supply Group, LLC	100011	B-641890	Coffee Bar Rental 08/22	\$ 165.00
VGlobal Tech	100012	4153	Website Maintenance 08/22	\$ 300.00
	100027	SJSO22CAD162584	Deputy Patrol 07/22	\$ 240.00
Wayne Automatic Fire Sprinklers, Inc.	100013	979001	Panel Beeping 07/22	\$ 269.00
Report Total				<u>\$ 75,041.93</u>

TROUT CREEK COMMUNITY DEVELOPMENT DISTRICT

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Mailing Address - 3434 Colwell Avenue, Suite 200, Tampa, Florida 33614
troutcreekcdd.org

Operation and Maintenance Expenditures Presented For Board Approval September 2022

Attached please find the check register listing the Operation and Maintenance expenditures paid from September 1, 2022 through September 30, 2022. This does not include expenditures previously approved by the Board.

The total items being presented: **\$93,217.08**

Approval of Expenditures:

_____ Chairperson

_____ Vice Chairperson

_____ Assistant Secretary

Trout Creek Community Development District

Paid Operation & Maintenance Expenditures

September 1, 2022 Through September 30, 2022

<u>Vendor Name</u>	<u>Check Number</u>	<u>Invoice Number</u>	<u>Invoice Description</u>	<u>Invoice Amount</u>
Arrow Exterminators Inc.	100028	48266431	Pest Control Services 08/22	\$ 110.00
Arrow Exterminators Inc.	100028	48291785	Pest Control Services 08/22	\$ 55.00
Arrow Exterminators Inc.	100028	48291788	Pest Control Services 08/22	\$ 33.00
Atlantic Companies, Inc.	100040	257475	Service Call 08/22	\$ 185.00
Atlantic Companies, Inc.	100040	257581	Key Fob 08/22	\$ 1,500.00
Big Z Pools, LLC	100041	11237	Lap Pool Main Drain Cover 09/22	\$ 1,102.50
Big Z Pools, LLC	100048	11249	Pool Maintenance 09/22	\$ 2,350.00
Charles Aquatics, Inc.	100059	46157	Aquatic Management 09/22	\$ 1,561.00
Charles David Roane	100060	CR092122	Board of Supervisors Meeting 09/22	\$ 200.00
Coastal Sash & Door, Inc.	100061	18455	Deliver, Inspection, Service 09/22	\$ 300.00
Colden Company, Inc.	100034	15688	Service Call 08/22	\$ 930.14
Colden Company, Inc.	100042	15827	Service Call 08/22	\$ 20.00
First Coast Franchising	100049	1	Exterior Trash Cans 07/22	\$ 360.00

Trout Creek Community Development District

Paid Operation & Maintenance Expenditures

September 1, 2022 Through September 30, 2022

<u>Vendor Name</u>	<u>Check Number</u>	<u>Invoice Number</u>	<u>Invoice Description</u>	<u>Invoice Amount</u>
First Coast Franchising	100049	JAK08220625	Liners 08/22	\$ 116.56
First Coast Franchising	100049	JAK08220626	Trash Cans 08/22	\$ 360.00
First Coast Franchising	100049	JAK08220627	Trash Cans 08/22	\$ 180.00
First Coast Franchising	100049	JAK09220420	Cleaning Services 09/22	\$ 4,275.72
Florida Department of Revenue	100029	65-8077062725-9 07/22	Sales & Use Tax 07/22	\$ 333.86
Frank Murphy	100062	FM092122	Board of Supervisors Meeting 09/22	\$ 200.00
Hardscape Construction, Inc.	100043	3451	Repair Pavers 08/22	\$ 2,000.00
Howard Services, Inc.	100050	S-14294	Drinking Fountain Repairs 09/22	\$ 1,278.98
Howard Services, Inc.	100050	S-14394	HVAC Repairs 09/22	\$ 250.00
Howard Services, Inc.	100050	S-14456	Repairs 09/22	\$ 2,135.14
IPFS Corporation	100039	GAA-B75447 Pymt 11 of 11	GAA-B75447 Pymt 11 of 11	\$ 4,592.10
Kutak Rock, LLP	100035	3097047	Legal Services 07/22	\$ 1,306.50
Kutak Rock, LLP	100063	3110612	Legal Services 09/22	\$ 5,949.01

Trout Creek Community Development District

Paid Operation & Maintenance Expenditures


September 1, 2022 Through September 30, 2022

<u>Vendor Name</u>	<u>Check Number</u>	<u>Invoice Number</u>	<u>Invoice Description</u>	<u>Invoice Amount</u>
Michael T. Gruber	100064	MC092122	Board of Supervisors Meeting 09/22	\$ 200.00
██████████	100051	SJSO22CAD202275	Deputy Services 09/22	\$ 330.00
██████████	100057	SJSO22CAD208611	Deputy Services 09/22	\$ 165.00
Poolsure	100036	1.31296E+11	Pool Chemicals 09/22	\$ 2,741.04
Prestige Landscapes of North Florida, Inc.	100044	2560	Landscape Services 09/22	\$ 1,896.00
Rizzetta & Company, Inc.	100037	INV0000071159	Administrative Services 09/22	\$ 4,306.59
████████████████████	100058	SJSO22CAD207767	Deputy Patrol 09/22	\$ 165.00
Roy Green	100030	DJ/Host/Emcee for Community Market 08/22	DJ/Host/Emcee for Community Market 08/22	\$ 500.00
Roy Green	100065	DJ/Host/Emcee 08/22	DJ/Host/Emcee 08/22	\$ 250.00
Ryan Scott Stone	100066	RS092122	Board of Supervisors Meeting 09/22	\$ 200.00
St. Johns County Alarm Program	100052	45268	Alarm System Annual Registration 07/22	\$ 25.00
TECO Peoples Gas	100045	211011457499 9/22	Natural Gas Services 09/22	\$ 34.65
The Ledger / News Chief/ CA Florida Holdings, LLC	100031	4771428	Legal Advertising 07/22	\$ 802.66

Trout Creek Community Development District

Paid Operation & Maintenance Expenditures

September 1, 2022 Through September 30, 2022

<u>Vendor Name</u>	<u>Check Number</u>	<u>Invoice Number</u>	<u>Invoice Description</u>	<u>Invoice Amount</u>
Vak Pak Inc. Manufacturing	100046	600090	Quarterly Inspection 09/22	\$ 700.00
Vak Pak Inc. Manufacturing	100067	600123	Replace Cartridge Filters, Armature Tubes on Manifold, & 18 Lift Jacks	\$ 3,921.15
VerdeGo, LLC	100068	9212B	Landscape Maintenance 09/22	\$ 25,329.08
VerdeGo, LLC	100068	9212C	Landscape Maintenance 09/22	\$ 3,128.70
Vesta Property Services, Inc.	100053	402509	Lifeguard and Supervisor Hours 08/22	\$ 13,507.75
Vexacor Supply Group, LLC	100038	M495872	Coffee Bar Rental 09/22	\$ 165.00
Vexacor Supply Group, LLC	100054	M518569	Coffee Bar Rental 09/22	\$ 622.70
VGlobal Tech	100055	4231	Website Maintenance 09/22	\$ 300.00
VGlobal Tech	100055	4232	Website Maintenance 09/22	\$ 400.00
	100047	SJSO22CAD196586	Deputy Patrol 09/22	\$ 330.00
Wayne Automatic Fire Sprinklers, Inc.	100032	984494	Annul Sprinkler Inspection 08/22	\$ 516.25
Wellbeats, Inc.	100033	EPIV00000060253	WBC-PLUS Content Period 05/01/22	\$ 249.00
Wellbeats, Inc.	100033	EPIV00000061611	WBC-PLUS Content Period 06/01/22	\$ 249.00

Trout Creek Community Development District

Paid Operation & Maintenance Expenditures

September 1, 2022 Through September 30, 2022

<u>Vendor Name</u>	<u>Check Number</u>	<u>Invoice Number</u>	<u>Invoice Description</u>	<u>Invoice Amount</u>
Wellbeats, Inc.	100033	EPIV00000062965	WBC-PLUS Content Period 07/01/22	\$ 249.00
Wellbeats, Inc.	100056	EPIV00000065641	WBC-PLUS Content Period 09/01/22	\$ 249.00
Report Total				<u>\$ 93,217.08</u>

Tab 3

VerdeGo

PO Box 789, Bunnell, FL 32110
386-437-3122 - Bunnell
904-797-7474 – St. Augustine



LANDSCAPE STATUS REPORT

REPORT SUMMARY

REPORT DATE	PROPERTY NAME	PREPARED BY	MONTH OF SERVICE
10/31/2022	Shearwater	Scott Settlemires	October

SERVICES SUMMARY

COMPLETED IN {{MAIN.SERVICEMONTH}}

- Full-Service Maintenance (Mowing/Edging/String Trimming/ Blowing)
- Detail Work (Weeding/Pruning)
- Irrigation Inspection Wet Check
- Spot Treatment Turf Weeds

ANTICIPATED FOR NEXT MONTH

- Full-Service Maintenance (Mowing/Edging/String Trimming/ Blowing)
- Detail Work (Weeding/Pruning)
- Irrigation Inspection Wet Check
- Chem/Fert Application Turf
- Fertilization of Trees & Shrubs

COMMENTS

TURF

Turf is in beginning stages of dormancy, switching to biweekly mowing and less watering in November

TREES & SHRUBS

Trees and Shrubs are scheduled for fertilization in November

PLANT BEDS

Plant beds are still missing mulch from recent application from Green Way Landscaping

OTHER



Spray Report

Customer: Verdego

Property: Shearwater

Date: 7/11/2022

Area treated +/- 30 acres

Total gallons used- N/A

Product:

20-20-20 @ 8lbs per 100 gals

8-10-10 granular

Pageant + Safari + Imidacloprid + Bifen

Target for this application was to increase growth and blooms of the ornamental material along with various trees such as palms, Oaks, ect.



Spray Report

Customer: Verdego

Property: Shearwater

Date: 3/30/2022

Area treated +/- 28 acres

Total gallons used- N/A

Product:

20-20-20 @ 8lbs per 100 gal

8-10-10 granular

Pageant + Safari + Imidacloprid

Target for this application was to increase growth and blooms of the ornamental material along with various trees such as palms, Oaks, ect.



Spray Report

Customer: Verdego

Property: Shearwater

Date: 12/13/21

Area treated +/- 30 acres

Total gallons used- N/A

Product:

20-20-20 @ 8lbs per 100 gals

8-10-10 granular

Pageant + Safari + Imidacloprid

Target for this application was to increase growth and blooms of the ornamental material along with various trees such as palms, Oaks, ect.



Spray Report

Customer: Verdego

Property: Shearwater

Date: 9/17/2021

Area treated +/- 28 acres

Total gallons used- N/A

Product:

20-20-20 @ 8lbs per 100 gals

8-10-10 granular

Pageant + Safari + Imidacloprid + Bifen

Target for this application was to increase growth and blooms of the ornamental material along with various trees such as palms, Oaks, ect.



Spray Report

Customer: Verdego

Property: Shearwater

Date: 7/20/2021

Area treated +/- 28 acres

Total gallons used- N/A

Product:

20-20-20 @ 8lbs per 100 gals

8-10-10 granular

Pageant + Safari + Imidacloprid

Target for this application was to increase growth and blooms of the ornamental material along with various trees such as palms, Oaks, ect.



Spray Report

Customer: Verdego

Property: Shearwater

Date: 4/20/2021

Area treated +/- 30 acres

Total gallons used- N/A

Product:

20-20-20 @ 8lbs per 100 gals

8-10-10 granular

Pageant + Safari + Imidacloprid + Bifen

Target for this application was to increase growth and blooms of the ornamental material along with various trees such as palms, Oaks, ect.



Spray Report

Customer: Verdego

Property: Shearwater

Date: 10/17/2020

Area treated +/- 28 acres

Total gallons used- N/A

Product:

20-20-20 @ 8lbs per 100 gals

8-10-10 granular

Pageant + Safari + Imidacloprid + Bifen

Target for this application was to increase growth and blooms of the ornamental material along with various trees such as palms, Oaks, ect.

Tab 4

Barry and Melissa,

Since the 10/19/22 BOS meeting, I conducted a comprehensive walking inspection of all of the District's landscaped areas to determine, firsthand, the actual condition of this consistently criticized Shearwater issue. The results of this inspection, which was conducted over eight days, which took more than 11 hours to complete and covered 20 miles, is detailed in the attached report. I will provide Barry with an enlarged map to better identify the Areas referenced in the report. As my report indicates, our District landscaping is in desperate need of improvement. It is not my intent to criticize or point blame for current conditions, but rather present my findings and recommendations to correct the landscaping problem as it relates to planting beds (bushes), weeding and turf. I will address in a separate report to Prosser, District Engineer, the remediation plan for the trees.

On 10/26, I participated in a walkthrough of Falls Park with Barry, Scott Settlemyres, Production Manager of VerdeGo, and Chris and Renee of the Shearwater Residents Landscape Group. I had already inspected Falls Park prior to our walkthrough and wished to validate with Scott the assessment criteria I had applied. He confirmed that my criteria were reasonable.

A. Findings

1. Though tree remediation will be addressed outside this report, I identified 277 distressed trees, in addition to the 46 trees already tagged for remediation, bringing the total number of trees requiring remediation to 323.

2. There is an extensive presence of dead (771) and distressed (1,682) bushes throughout the District.

3. In most cases, the presence of weeds in planting beds was extensive resulting in an overall Poor rating.

4. For the most part, turf conditions were in Fair condition, although there is a need to improve overall turf health and appearance.

5. Throughout the District, certain varieties of bushes do not do well, with most dead or distressed.

6. There are also several varieties of bushes that thrive under current maintenance/watering conditions.

7. Overall, the rose bushes are struggling and in need of regular feeding and pruning.

8. There is an extraordinary amount of planting beds throughout the District, each of which require extensive maintenance including, weeding, pruning, fertilizing and mulching.

9. VerdeGo had the opportunity to take an audit of the Districts landscape conditions prior to assuming its contractual responsibilities. This audit would advise the District of unacceptable conditions that would require services outside the contract terms, thus relieving VerdeGo of having to remedy existing problems at its expense. To date, neither VerdeGo, the District Manager or the Community Director have found a copy of this audit. If an audit was not performed, the District will look to VerdeGo to remedy all landscaping deficiencies, exclusive of tree and mulch remediations.

B. Recommendations

1. There are several options to consider when developing an Area's planting beds remediation plan, including:

a. Planting beds with poor drainage should be converted to sod.

b. Remove all dead and distressed bushes and not replace them.

c. Replace bush varieties which do not perform well with more durable plants, which require less maintenance.

d. Replace additional planting beds with sod.

I would look to VerdeGo to provide to the Community Director its recommendations on which options to apply in each Area.

2. VerdeGo should approach landscaping remediation one Area at a time. The attached report identifies the Areas. I recommend we begin with Area A - Falls Park. Once VerdeGo's Area option recommendations are approved by the Community Director, VerdeGo must prepare a schedule for remediation including completion dates. VerdeGo will present a plan to the board at the 11/16 BOS meeting detailing their remediation plan for Falls Park. **If we are finally going to resolve the landscaping problem, we must have a controlled, measurable process.**

3. I would look to Chris and Renee and the Shearwater Residents Landscape Group to monitor progress and provide the Community Director the necessary support to ensure timely success.

4. VerdeGo must establish an aggressive and maintainable weeding and pruning schedule.

4. We must learn from our mistakes and not repeat similar errors in Phase 3.

Melissa, I would like this report, including the attachments to be included on the agenda for our 11/16/22 BOS meeting in order to receive board feedback.

I welcome any feedback from those included in this message. I do not think I've totally figured out the fix to our landscaping woes, but hopefully, I've provided a direction.

Frank

Landscape Inspection
10/20/22 - 10/31/22

Area	Distressed Trees	Dead Bushes	Distressed Bushes	Turf	Mulch	Weeds
A	54	97	210	F	F-	P
B	23	0	29	P	G	P
C	23	0	77	F-	P	P
D	7	0	65	P	F-	P
E	21	107	58	F-	P	P
F	8	0	1	F-	P	P
G	4	116	220	F	P	P
H	7	26	114	F	F	P
I	7	33	132	P	F	P
J	2	18	64	P	F	P
K	10	27	75	F	F	P
L*	32	145	243	F	F	P
M*	31	3	0	F	F	P
N	10	27	22	F	F	P
O	9	4	15	F	F	P
P	18	32	72	G	F	F
Q	11	80	123	G	G	F
R	0	56	162	-	G	F
Total	277	771	1,682	F	F	P

Ratings

P=Poor

F=Fair

G=Good

* Does not include trees already tagged with Orange Bands (total of 46)

Note: Please see attached list of Area Descriptions

Area Descriptions

Area A - Falls Park (3 ponds, 3 fields) - Windley to Windley

Area B - Falls Drive - Windley North to Shearwater Parkway

Area C - Shearwater Parkway and Falls Drive- South to North side of Pond 7B,
East to Beale, North to Ashbury & Bleeker

Area D - Shearwater Parkway South of pond 7B to Luke, east to Cobalt,
Cobalt North to Bowery

Area E - Field Dr South to Shearwater Parkway, Shearwater Pkwy North to Luke,
Luke East to Cobalt, Cobalt South via connecting path to Ridewind, Ridgewind South to Field Dr

Area F - Windley and Magdelano North to Falls Dr

Area G - Cart Path from East of SW Pkwy Amenities roundabout to Playground by North Creek

Area H - North on East side of Cart Path to Sandgrass and East on Sandgrass to Bluffton

Area I - Shearwater Pkwy - East of Cart Path from Sandgrass North to Southside of Pond 1B incl. JEA substation

Area J- Shearwater Pkwy - East of Cart Path North from Southside of Pond 1B to Northside of Pond

Area K - Shearwater Pkwy & Pine Tree Lane South to path entering the Springs at Atlas Dr
Atlas Dr South including Cart Path that connects to North Creek

Area L - Shearwater Pkwy North from Amenities Traffic Circle to CR-210

Area M - Shearwater Pkwy South from Amenities Traffic Circle to Outpost Traffic Circle

Area N - Timberline - Luna West to Longtail, Longtail North to Appleton, Appleton East to Shearwater Pkwy

Area O - The Hammocks - Shearwater Pkwy South from Appleton to Ladson

Area P - Amenities Center - Tennis Courts area and Maintenance Shed area

Area Q - Amenities Center - Parking Lot, Event Field, Perimeter of building outside secured areas

LANDSCAPING



Area R - Amenities Center - Pools, Lazy River, all areas within gated secured area

LANDSCAPING



Tab 5

Service Report

Date: October 31, 2022

Techs: Clayton Wilford/ Shayne Wilford

Client: Trout Creek CDD

The Fountain Towers in Pond 1 were cleaned. We lightly pressure washed the Towers.

Fountain Towers Before Cleaning:



Fountain Towers After Cleaning:



**Please contact our office with any further questions or comments.
Charles Aquatics 904-997-0044**

Tab 6

MEMORANDUM

TO: Trout Creek Community Development District

FROM: Katie S. Buchanan

DATE: November 16, 2022

RE: Retention Requirements for Transitory Messages and Electronic Records Updates

On November 4, 2014, the District approved Resolution 2015-13, adopting a policy relating to the retention and disposition of its public records. The District's Record Retention Policy currently remains in full force and effect. In order to ensure the District's record retention practices remain economically feasible and technologically practical, we are offering some clarification regarding the retention period for records of short-term value. Additionally, we propose modifications to designate the electronic record as the official record of the district and allow for disposal of paper duplicate copies unless prohibited by any law, rule or ordinance.

According to the *General Records Schedule for State and Local Government Agencies* ("GS1-SL")¹ with which all community development districts must comply, records retention requirements "apply to records regardless of the format in which they reside."² This means that electronic communications, which include emails, instant messages, text messages, multimedia messages, chat messages, social networking, voicemail/ voice messaging, or other communications via electronic messaging technology or device, must be retained in accordance with the applicable section of the GS1-SL. Retention periods for electronic communications "are determined by the content, nature, and purpose of records, and are set based on their legal, fiscal, administrative, and historical values, regardless of the format in which they reside or the method by which they are transmitted."³

Electronic communications "created primarily to communicate information of short-term value" may fall under the Transitory Messages schedule set forth in GS1-SL.⁴ Transitory Messages do not "formalize or perpetuate knowledge and do not set policy, establish guidelines or

¹ Incorporated by reference in Rule 1B-24.003(1)(a), F.A.C.

² *General Records Schedule for State and Local Government Agencies*, Section V, Electronic Records.

³ *Id.* at Records Retention Schedules, Electronic Communications.

⁴ *Id.* at Records Retention Schedules, Transitory Messages, Item #146.

procedures, certify a transaction, or become a receipt.” Examples of Transitory Messages include, but are not limited to:

- reminder messages (“don’t forget the upcoming meeting”);
- email messages with short-lived or no administrative value (“thank you”)
- telephone messages lacking content (“Ms. Smith called – please return her call”);
- recipient copies of announcements of District sponsored events (“daily events email”); and,
- news releases received by the District strictly for informational purposes and unrelated to District programs or activities.

The retention requirement for Transitory Messages is “[r]etain until obsolete, superseded or administrative value is lost.”⁵ For example, an email message notifying employees of an upcoming meeting would only have value until the meeting has been attended or the employee receiving the message has marked the date and time in the calendar, at which time the message could be disposed of. In other words, an electronic communication intended for short-term value does not need to be retained once it is no longer needed. Unlike most other public records, the District may dispose of a transitory message once it is obsolete, superseded, or has lost its administrative value without having to document the disposition of the record, unless the record has been microfilmed or scanned and will serve as the record copy.⁶

⁵ *Id.*

⁶ *See* Rule 1B-24.003(9)(d), F.A.C.

RESOLUTION 2023-01

A RESOLUTION OF THE BOARD OF SUPERVISORS OF TROUT CREEK COMMUNITY DEVELOPMENT DISTRICT ADOPTING CERTAIN AMENDMENTS TO THE DISTRICT'S RECORD RETENTION POLICY; ADDRESSING CONFLICTS AND SEVERABILITY; AND PROVIDING FOR SEVERABILITY AND AN EFFECTIVE DATE.

WHEREAS, Chapter 190, Florida Statutes, authorizes the Trout Creek Community Development District ("**District**") to adopt rules to govern the administration of the District and to adopt resolutions as may be necessary for the conduct of district business; and

WHEREAS, on November 4, 2014, the Board of Supervisors of the Trout Creek Community Development District ("**Board**"), adopted Resolution 2015-13 providing for the adoption of the District's Record Retention Policy ("**Policy**"); and

WHEREAS, the Policy requires the District "retain all public records relating to District business until the Board of Supervisors amends the Records Retention Policy to address the disposition of the same"; and

WHEREAS, the Board finds that it is in the best interest of the District to amend the Record Retention Policy as described in more detail in paragraph 2 below; and

NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF SUPERVISORS OF TROUT CREEK COMMUNITY DEVELOPMENT DISTRICT:

1. CONFLICTS. This Resolution is intended to amend, in part, Resolution 2015-13, which remains in full force and effect except as otherwise provided herein. All terms of Resolution 2015-13 that are not amended by this Resolution apply as if those terms were fully set forth herein. All District resolutions or parts thereof in actual conflict with this Resolution are, to the extent of such conflict, superseded and repealed.

2. AMENDMENT. The Records Retention Policy is hereby amended by inserting the language indicated in single underlined text (indicated textually in the same manner as the following example: underlined text) and by deleting the language indicated by strikethrough text (indicated textually in the same manner as the following example: ~~stricken text~~) as set forth herein:

The District hereby adopts as its Records Retention Policy the applicable provisions of Section 257.36(5), Florida Statutes, the rules adopted by the Division of Library and Information Services of the Department of State ("Division") pursuant to Section 257.36, Florida Statutes, and the General Records Schedules established by the Division. However, the District hereby extends the minimum retention

guidelines contained in the General Records Schedules so that the District will retain all public records relating to District business until the Board of Supervisors amends the Records Retention Policy to address the disposition of the same. Notwithstanding the foregoing, the District shall retain Transitory Messages until the Transitory Message is obsolete, superseded or administrative value is lost in accordance with the General Records Schedule for State and Local Government Agencies, Item #146, as incorporated by reference in Rule 1B-24.003(1)(a), Florida Administrative Code. The District hereby determines the electronic record shall be considered the official record of all public records relating to District business and any paper originals are designated as duplicates which may be disposed of unless prohibited by any law, rule or ordinance. To the extent the above statute, rules, or schedules are amended or supplemented in the future, the District's Records Retention Policy shall automatically incorporate such amendment or supplement provided that such automatic amendment does not permit the disposition of District records without further action of the Board. The Records Retention Policy shall remain in full force and effect until such time as the Board amends the Policy.

3. SEVERABILITY. The invalidity or unenforceability of any one or more provisions of this Resolution shall not affect the validity or enforceability of the remaining portions of this Resolution, or any part thereof.

4. EFFECTIVE DATE. This Resolution shall take effect as of November 16, 2022.

Introduced, considered favorably, and adopted this 16th day of November 2022.

ATTEST:

**TROUT CREEK COMMUNITY
DEVELOPMENT DISTRICT**

Secretary / Assistant Secretary

Chairperson, Board of Supervisors