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 meeting of the Board of Supervisors of Trout Creek Community Development District was held on **October 16, 2024, at 3:00 p.m.** at The Kayak Club, 100 Kayak Way, St. Augustine, FL 32092.

Present and constituting a quorum:

Mike McCollum	**Board Supervisor, Chairman**
Vincent Sajkowski	**Board Supervisor, Vice Chairman**
Frank Murphy	**Board Supervisor, Assistant Secretary**
Ryan Stone	**Board Supervisor, Assistant Secretary**
Clint Wright	**Board Supervisor, Assistant Secretary**

Also present were:

Melissa Dobbins	**District Manager, Rizzetta & Co., Inc.**
Katie Buchanan	**District Counsel, Kutak Rock, LLP**
Matt Melchiori	**District Engineer, Prosser Inc.** ***(speakerphone)***
Belynda Tharpe	**General Manager, First Service Residential**
Jessica Knutelsky	**Assistant Manager, First Service Residential**
Chris Kenny	**Representative, Prestige Landscaping**
Kyle Carasea	**Account Manager, Tree Amigos**

Members of the public present.

FIRST ORDER OF BUSINESS **Call to Order**

Mr. McCollum called the meeting to order at 3:04 p.m.

SECOND ORDER OF BUSINESS **Audience Comments on Agenda Items**

Comments and questions were heard regarding reserve study proposals, compliance concerns on agenda items being posted and developer conflict of interest, request for a non-resident tennis membership fee and request for an update regarding roadway groundwater testing on Goodhope Court.

THIRD ORDER OF BUSINESS Consent Agenda

1.) Consideration of the Minutes of the Board of Supervisors' Meeting held on September 18, 2024
2.) Ratification of the Operation and Maintenance Expenditures for September 2024

> On a motion by Mr. Murphy, seconded by Mr. McCollum, with all in favor, the Board approved the minutes of the Board of Supervisors' meeting held on September 18, 2024, and ratified the operation and maintenance expenditures for September 2024, in the amount of $279,948.52, for Trout Creek Community Development District.

The Board moved to agenda item 4D.

FOURTH ORDER OF BUSINESS Staff Reports

A. District Counsel

Ms. Buchanan reminded the Board that three (3) seats are up for election and will be on the ballot on November 5th. She stated that the new Board Members will take oaths of office and officers will be selected at the next meeting. The Board can also discuss any agenda modifications at that time.

B. District Engineer

1.) Update Regarding Stormwater Outfall Repair

Mr. Melchiori updated the Board that there was a failure with the Stormwater Outfall Repair and reached out to Counsel for guidance. Discussion ensued. Mr. Wright requested that staff work with Mr. Roane to review area for any other possible dangers to the property. Mr. Wright and Mr. Murphy recommended that the Board look at retaining an attorney that handles construction litigation. The Board directed Counsel to send a letter to the contractor to put them on notice that the District is dissatisfied, and they have 14 days to respond or legal action will be taken.

2.) Update Regarding Roadway Repairs

The Board noted that after reviewing Cal-Tech's report that they should review patching the roadway this year and looking at collecting bids for re resurfacing next year. Counsel updated the Board that the District's investment banker is reviewing re-financing options with their 2015 bonds and plans to attend the December meeting to discuss. Mr. McCollum also noted that there should be some bond debt reserve funds released from the construction account that will go into a custody account that can be used for capital projects.

The Board reviewed a proposal from ECS (Exhibit A), to install groundwater monitoring piezometers along Goodhope Court. After discussion the board approved ECS proposal in the amount of $3K.

On a motion by Mr. Wright, seconded by Mr. Murphy, with all in favor, the Board approved ECS proposal in the amount of $3,000.00, for Trout Creek Community Development District.

3.) Consideration of Traffic Intersection Study Proposal

After discussion, Mr. Stone stated he would reach out to the county to review the possibility of getting more crossing guards since in his experience is that the county and the School District do not talk to each other. The Board tabled further review of the proposal until the new District Engineer can review and provide recommendations.

C. Construction Administrator

Mr. McCollum stated the FPL pole is still on schedule to be removed no later than February 2025, but FPL has not been that responsive due to storms.

D. Landscape Reports

1.) Phase 1 – The Greenery

2.) Phase 2 – Tree Amigos

3.) Phase 3 – Prestige

E. Charles Aquatics Service Report

F. General Manager

Ms. Tharpe noted that the seesaws were replaced at no charge and the tot lot boulders are being moved to Timberwolf Trail. Also trees are being re-strapped from the storm.

G. District Manager

Ms. Dobbins reviewed changing the District's operating funds out of Truist Bank to Bank United.

On a motion by Mr. Sajkowski, seconded by Mr. Murphy, with all in favor, the Board adopted Resolution 2025-01, Redesignating Public Depository Banking Options, for Trout Creek Community Development District.

FIFTH ORDER OF BUSINESS **Further Discussion Regarding Additional Pond Mowing**

The Board discussed the community survey results and challenges that the District would face maintaining the additional ponds due to irrigation owned by homeowners on ponds they are required to mow per their HOA documents.

> On a motion by Mr. Stone, seconded by Mr. Wright, 4-1, Mr. Sajkowski opposed, the Board rescinded their previous approval to add all pond banks to the District's landscape maintenance scope of service, for Trout Creek Community Development District.

SIXTH ORDER OF BUSINESS **Review of Landscape Maintenance Phase 1 Bids**

Mr. Stone updated the Board that he has a conflict of interest due to working for one of the bidders and can't vote on this matter. (Form 8-B is attached as Exhibit B to these minutes.)

The Board received four landscape maintenance bids: The Greenery, Prestige, Tree Amigos and Core Outdoors. After the Board reviewed the recommended scoring sheet provided by staff, Mr. Murphy recommended adjustments to the categories of experience, qualifications and manpower to rank The Greenery last. After the Board confirmed these changes, Prestige was ranked first.

> On a motion by Mr. Murphy, seconded by Mr. Wright, with all in favor, the Board approved the final ranking scores, and will start a new agreement with Prestige for Phase 1 effective December 1, 2024, for Trout Creek Community Development District.

> On a motion by Mr. Wright, seconded by Mr. Murphy, with all in favor, the Board approved sending The Greenery a termination notice to end services November 30, 2024, for Trout Creek Community Development District.

SEVENTH ORDER OF BUSINESS **Consideration of RFQ Proposals for District Engineer Services**

The Board received two proposals: Yuro and Associates, LLC and Alliant. The Board reviewed the proposals ranking Yuro and Associates first with the most points. District staff noted that an agreement with Yuro will be brought back to the next meeting with their fees for the Board to review to accept.

> On a motion by Mr. Wright, seconded by Mr. Stone, with all in favor, the Board approved the ranking tabulation and directed staff to request Prosser to stay on retainer with the District to help with closing out construction related items, for Trout Creek Community Development District.

EIGHTH ORDER OF BUSINESS **Review Residence Variance Request**

Mr. and Mrs. Norkike at 207 Glenneyre Circle reviewed their variance request with the Board to be allowed to keep their fence on the drainage easement on their property. Discussions ensued regarding a gate being available for access, concerns regarding setting a precedent and the need to have a recorded license agreement so any future homeowner would be made aware of requirements. It was noted this location is not on a pond but access to a drainage pipe that goes to a specific location to the preserves behind this home and their neighbor's home.

> On a motion by Mr. Stone, seconded by Mr. Murphy, with Mr. McCollum opposed, the Board approved variance at 207 Glenneyre Circle, subject to a recorded license agreement being executed, for Trout Creek Community Development District.

NINTH ORDER OF BUSINESS **Consideration of Consent to Assignment of Landscape Maintenance Agreement PH-2**

Ms. Buchanan stated that Tree Amigos was bought out by Ruppert Landscaping, and this will transfer their agreement under that name.

> On a motion by Mr. Stone, seconded by Mr. Wright, with all in favor, the Board approved Consent to Assignment of Landscape Maintenance Agreement by Tree Amigos being bought out by Ruppert Landscaping, for Trout Creek Community Development District.

TENTH ORDER OF BUSINESS **Discussion Regarding Miller Tennis Management "904 Tennis"**

Ms. Tharpe updated the Board that as discussed during the budget process, she wants to hold 904 Tennis accountable for holding camps and programs which was the original intent of them being a service provider. It was noted that the vendor is requesting a $2,000.00 payment to help get these programs off the ground, but that will be reimbursed through the revenue share requirement.

> On a motion by Mr. Stone, seconded by Mr. Murphy, with all in favor, the Board approved the agreement in substantial form, subject to Mr. Wright's final review, for Trout Creek Community Development District.

ELEVENTH ORDER OF BUSINESS **Discussion Regarding Café Operations**

Tabled.

TWELFTH ORDER OF BUSINESS **Consideration of Reserve Study Proposals**

The Board discussed the three (3) proposals behind Tab 14. After discussion, the Board approved Reserve Advisors in the amount of $8,300.00.

> On a motion by Mr. Murphy, seconded by Mr. Stone, with Mr. Sajkowski opposed, the Board approved Reserve Advisors in the amount of $8,300.00, for Trout Creek Community Development District.

THIRTEENTH ORDER OF BUSINESS **Consideration of Resolution 2025-02; Recognizing Contribution (Series 2022 Assessments)**

Tabled.

FOURTEENTH ORDER OF BUSINESS **Consideration of Resolution 2025-03; Accepting Dedication of Property (Phases 3A-3C 3G)**

Tabled.

FIFTEENTH ORDER OF BUSINESS **SUPERVISOR REQUESTS & AUDIENCE COMMENTS**

AUDIENCE

No audience comments.

SUPERVISORS

It was acknowledged this would be the last Board meeting for Mr. McCollum, Mr. Murphy and Mr. Stone. The Board and staff thanked them for their service.

SIXTEENTH ORDER OF BUSINESS **Adjournment**

On a motion by Mr. Stone, seconded by Mr. Murphy, with all in favor, the Board adjourned the meeting at 6:14 p.m., for Trout Creek Community Development District.

Secretary /Assistant Secretary

Chairman / Vice Chairman