

**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 **Tuesday, November 3, 2015 at 3:00 p.m.** at the offices of Freehold Capital Management located at 322 Paseo Reyes Drive, St. Augustine, FL. 32095.

Present and constituting a quorum:

Andy Smith	<b>Board Supervisor, Chairman</b>
Doug Davis	<b>Board Supervisor, Assistant Secretary</b>
Michael Gruber	<b>Board Supervisor, Assistant Secretary</b>
Henry Green	<b>Board Supervisor, Assistant Secretary</b>

Also present were:

Melissa Dobbins	<b>District Manager, Rizzetta &amp; Company, Inc.</b>
Katie Buchanan	<b>District Counsel, Hopping Green &amp; Sams</b> (via speaker phone)
Michael McCollum	<b>Freehold Capital Management</b>

**FIRST ORDER OF BUSINESS**

**Call to Order**

Ms. Dobbins called the meeting to order at 3:16 p.m.

**SECOND ORDER OF BUSINESS**

**Audience Comments on Agenda Items**

There was no audience present.

**THIRD ORDER OF BUSINESS**

**Consideration of the Minutes of the Board  
of Supervisors' Regular Meeting held  
October 6, 2015**

On a motion by Mr. Gruber, seconded by Mr. Smith, with all in favor, the Board of Supervisors approved the minutes of the Board of Supervisors' regular meeting held October 6, 2015 for Trout Creek Community Development District.

**FOURTH ORDER OF BUSINESS**

**Ratification of Operations and  
Maintenance Expenditures for  
September 2015**

On a motion by Mr. Doug Davis, seconded by Mr. Gruber, with all in favor, the Board of Supervisors ratified the Operations and Maintenance Expenditures for September 2015 in the amount of \$8,845.15 for Trout Creek Community Development District.

**FIFTH ORDER OF BUSINESS**

**Ratification of Capital Improvement  
Revenue Bonds, Series 2015, Requisitions  
#41, #42 - #48**

REQUISITION NO.	PAYEE	AMOUNT
41	Vallencourt Construction, Inc.	\$806,344.30
42	Adkins Electric, Inc.	\$275,643.54
43	Hopping Green & Sams	\$2,382.06
44	O.R. Dicky Smith & Co. Inc.	\$562,201.00
45	O.R. Dicky Smith & Co. Inc.	\$294,233.00
46	Prosser, Inc.	\$7,388.75
47	Sundancer Sign Graphics	\$17,181.50
48	Sun State Nursery and Landscaping, Inc.	\$32,630.80

On a motion by Mr. Doug Davis, seconded by Mr. Smith, with all in favor, the Board of Supervisors ratified the Capital Improvement Revenue Bonds, Series 2015 Requisitions #41, #42 - #48 for Trout Creek Community Development District.

**SIXTH ORDER OF BUSINESS**

**Staff Reports**

- A. District Counsel  
No Report.
  
- B. District Engineer  
Not Present.

C. Construction Administrator

Mr. McCollum presented Dicky Smith and Adkins Contract Change Orders for ratification and additional items for approval to the Board (Exhibit A).

On a motion by Mr. Smith, seconded by Mr. Green, with all in favor, the Board of Supervisors ratified Dicky Smith; Monuments and Hardscape; Change Order #3 in the amount of \$6,155.00, Dicky Smith; Amenity; Change Order #4 in the amount of \$135,688.00 and Adkins Change Order #1 in the amount of \$27,350.00 for Trout Creek Community Development District.

On a motion by Mr. Doug Davis, seconded by Mr. Gruber, with all in favor, the Board approved additional items to be confirmed by contractors for Dicky Smith; Amenity; totaling \$315,912.00 and authorized the Chair to work within the pre-approved change order limits to finalize these additional items' official change orders for Trout Creek Community Development District.

D. District Manager

Ms. Dobbins stated the next CDD meeting will be held on December 1, 2015 at 3:00 p.m. at the Offices of Freehold Capital Management located at 322 Paseo Reyes Drive, St. Augustine, FL 32095.

**SEVENTH ORDER OF BUSINESS**

**Consideration of FPL Street Light Agreement**

On a motion by Mr. Doug Davis, seconded by Mr. Smith, with all in favor, the Board of Supervisors approved FPL Street Light Agreement in substantial form for 22 street lights to be installed for Trout Creek Community Development District.

**EIGHTH ORDER OF BUSINESS**

**Consideration of Resolution 2016-01, Amending Resolution 2015-40 to Revise Assessment Collection Schedule**

On a motion by Mr. Smith, seconded by Mr. Gruber, with all in favor, the Board of Supervisors adopted Resolution 2016-01, Amending Resolution 2015-40 to Revise Assessment Collection Schedule (Exhibit B) for Trout Creek Community Development District.

**NINTH ORDER OF BUSINESS**

**Audience Comments and  
Supervisor Requests**

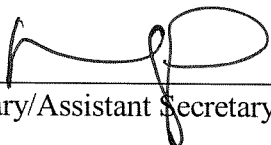
There was no audience present.

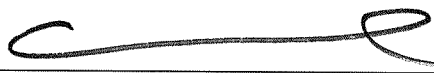
There were no supervisor comments.

**TENTH ORDER OF BUSINESS**

**Adjournment**

On a motion by Mr. Smith, seconded by Mr. Doug Davis, with all in favor, the Board adjourned the Board of Supervisors' Meeting at 4:00 p.m. at for Trout Creek Community Development District.

  
\_\_\_\_\_  
Secretary/Assistant Secretary

  
\_\_\_\_\_  
Chairman/Vice Chairman

# EXHIBIT A

SHEARWATER	
DESCRIPTION	AMOUNT
<b>DSC MONUMENTS AND HARDSCAPE CO#3</b>	
Credit - Signage Material	\$ (4,804)
Roundabout Walls and Column Modification	\$ 10,959
Total	\$ 6,155
<b>ADDITIONAL ITEMS TO BE CONFIRMED BY CONTRACTORS AND COMMITTED</b>	
Add Plaques @ Amenity Entry Columns	\$ 1,500
Add plaques at Village Entry Features	\$ 2,400
Boardwalk to Scenic Overlook	\$ 40,000
<b>SUM</b>	<b>\$ 43,900</b>

SHEARWATER		AMOUNT
DESCRIPTION		
DSC AMENITY CO #4		
REV: Modified Lazy River Water Feature		\$ 14,398
Site Drainage Revised		\$ 88,020
Structural Coordination & Modifications		\$ 11,861
Lazy River Intake Grates		\$ 7,494
Extended Generator Power & Temp Water II (Oct. 2015)		\$ 13,915
Total		\$ 135,688
<b>ADDITIONAL ITEMS TO BE CONFIRMED BY CONTRACTORS AND COMMITTED</b>		
CMU Furring Connections		\$ 13,832
Trellis Party Pavilion		\$ 20,000
Amenity Site Hardscape per final design		\$ 18,499
Concrete Termination at Brick Rowlock Sills		\$ 5,091
Interior Design Mods (Elect., Millwork, Doors, Etc.) #1 & #2		\$ 20,000
Add Plaques @ Amenity Entry Columns		\$ 1,500
Pool Coping Expansion Joints		\$ 5,000
Hardscape Revision #2 (VE Wire Size)		\$ 40,000
Lazy River Intigation Sleeves Per EIM Directive		\$ 5,000
Extended Generator Power & Temp Water II (Nov. 2015)		\$ 12,000
Climbing Sculpture		\$ 10,000
Swings at Amenity Entrance		\$ 15,000
Amenity Landscape Enhancement		\$ 150,000
SUM		\$ 315,912

**ADKINS - TROUT CREEK GDD SHEARWATER PHASE 1 ELECTRICAL  
CHANGE ORDER #1**

PROPOSED CHANGE ORDER	DESCRIPTION	TOTAL COST	NOTES
1	LED FIXTURE FROSTED GLASS	\$ 3,000	
2	RECEPTACLES AT EACH METER CENTER	\$ 5,895	
3	METER CENTER #1 RELOCATION TO BACK OF ENTRY WALL	\$ 2,250	
4	AT&T CONDUIT	\$ 16,200	
<b>TOTAL</b>		<b>\$ 27,350</b>	



# Exhibit B

RESOLUTION 2016-01

**A RESOLUTION OF THE BOARD OF SUPERVISORS OF THE TROUT CREEK COMMUNITY DEVELOPMENT DISTRICT AMENDING RESOLUTION 2015-40 TO REVISE THE SCHEDULE FOR THE DIRECT COLLECTION OF OPERATION AND MAINTENANCE ASSESSMENTS AND DEBT SERVICE ASSESSMENTS; ADDRESSING CONFLICTS; PROVIDING A SEVERABILITY CLAUSE; AND PROVIDING AN EFFECTIVE DATE.**

**WHEREAS**, the Trout Creek Community Development District (the "District") is a local unit of special-purpose government established pursuant to Chapter 190, *Florida Statutes*, for the purpose of providing, operating and maintaining infrastructure improvements, facilities and services to the lands within the District; and

**WHEREAS**, on August 4, 2015, the District adopted Resolution 2015-40 addressing, among other things, the collection of operation and maintenance and debt service assessments ("Assessments") for the fiscal year beginning October 1, 2015; and

**WHEREAS**, upon request by a landowner, the District desires to amend Resolution 2015-40 to provide for an alternative collection schedule for directly billed Assessments.

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

**SECTION 1. AMENDMENT TO SECTION 3.A. OF RESOLUTION 2015-40.** Section 3.A. of Resolution 2015-40 is hereby amended as follows, with underlining indicating new text:

- A. **Direct Bill Assessments.** The operations and maintenance special assessments and previously levied debt service special assessments imposed on the Direct Collect Property shall be collected directly by the District in accordance with Florida law, as set forth in Exhibits "A" and "B." Assessments directly collected by the District are due in full on December 1, 2015; provided, however, that, to the extent permitted by law, the assessments due may be paid in several partial, deferred payments and according to the following schedule: ~~50% due no later than December 1, 2015, 25% due no later than February 1, 2016 and 25% due no later than May 1, 2016~~
- i. **Operation and Maintenance Assessments:** 10% due no later than December 1, 2015, 10% due no later than January 1, 2016, 10% due no later than March 1, 2016 and the balance due no later than June 1, 2016.
  - ii. **Debt Service Assessments:** 65% due no later than April 1, 2016 and 35% due no later than August 1, 2016.

In the event that an assessment payment is not received by the due dates set forth above, the whole assessment – including any remaining partial, deferred payments for Fiscal Year 2015, as well as any future installments of special assessments securing

debt service – shall immediately become due and payable; shall accrue interest, penalties in the amount of one percent (1%) per month, and all costs of collection and enforcement; and shall either be enforced pursuant to a foreclosure action, or, at the District's sole discretion, collected pursuant to the Uniform Method on a future tax bill, which amount may include penalties, interest, and costs of collection and enforcement. Any prejudgment interest on delinquent assessments shall accrue at the applicable rate of any bonds or other debt instruments secured by the special assessments, or, in the case of operations and maintenance assessments, at the applicable statutory prejudgment interest rate. In the event an assessment subject to direct collection by the District shall be delinquent, the District Manager and District Counsel, without further authorization by the Board, may initiate foreclosure proceedings pursuant to Chapter 170 of the Florida Statutes or other applicable law to collect and enforce the whole assessment, as set forth herein.

**SECTION 2. CONFLICTS.** Except as expressly provided herein, all other provisions of Resolution 2015-40 shall be unchanged by this Resolution, and shall remain in full force and effect.

**SECTION 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.

**SECTION 4. EFFECTIVE DATE.** This Resolution shall take effect upon the passage and adoption of this Resolution by the Board of Supervisors of the Trout Creek Community Development District.

**PASSED AND ADOPTED** this \_\_\_\_ day of \_\_\_\_\_, 2015.

ATTEST:

**TROUT CREEK COMMUNITY  
DEVELOPMENT DISTRICT**

\_\_\_\_\_  
Secretary / Assistant Secretary

By: \_\_\_\_\_

Its: \_\_\_\_\_