

**MINUTES OF MEETING
CREEKVIEW
COMMUNITY DEVELOPMENT DISTRICT**

The Board of Supervisors of the the Creekview Community Development District held Multiple Public Hearings and a Regular Meeting on October 26, 2021, at 9:30 a.m., at the offices of Carlton Construction, Inc., 4615 U.S. Highway 17, Suite 1, Fleming Island, Florida 32003.

Present at the meeting were:

Liam O'Reilly	Chair
Allen Skinner	Vice Chair
Gregg Kern	Assistant Secretary

Also present were:

Craig Wrathell	District Manager
Kristen Suit	Wrathell, Hunt and Associates, LLC (WHA)
Jennifer Kilinski (via telephone)	District Counsel
Lauren Gentry (via telephone)	KE Law Group, PLLC
Scott Wild (via telephone)	District Engineer

FIRST ORDER OF BUSINESS

Call to Order/Roll Call

Mr. Wrathell called the meeting to order at 9:48 a.m.

Mr. Wrathell reported the following Landowners' Election results and term lengths:

Allen Skinner	Seat 1	600 Votes	4-year Term
Liam O'Reilly	Seat 5	600 Votes	4-year Term
Richard Skinner	Seat 2	500 Votes	2-year Term
Blake Weatherly	Seat 3	500 Votes	2-year Term
Gregg Kern	Seat 4	500 Votes	2-year Term

Mr. O'Reilly, Mr. Kern and Mr. Allen Skinner were present. Mr. Richard Skinner and Mr. Weatherly were not present.

SECOND ORDER OF BUSINESS

Public Comments

There were no public comments.

THIRD ORDER OF BUSINESS

Administration of Oath of Office to Elected Board of Supervisors *(the following will be provided in a separate package)*

Mr. Wrathell, a Notary of the State of Florida and duly authorized, administered the Oath of Office to Mr. O’Reilly, Mr. Kern and Mr. Allen Skinner. The Oath of Office would be administered to Mr. Richard Skinner and Mr. Weatherly at the next meeting. The Board Members were already familiar with the following items:

- A. Guide to Sunshine Amendment and Code of Ethics for Public Officers and Employees**
- B. Membership, Obligations and Responsibilities**
- C. Chapter 190, Florida Statutes**
- D. Financial Disclosure Forms**
 - I. Form 1: Statement of Financial Interests**
 - II. Form 1X: Amendment to Form 1, Statement of Financial Interests**
 - III. Form 1F: Final Statement of Financial Interests**
- E. Form 8B: Memorandum of Voting Conflict**

FOURTH ORDER OF BUSINESS

Consideration of Resolution 2022-01, Canvassing and Certifying the Results of the Landowners’ Election of Supervisors Held Pursuant to Section 190.006(2), Florida Statutes, and Providing for an Effective Date

Mr. Wrathell presented Resolution 2022-01.

On MOTION by Mr. Allen Skinner and seconded by Mr. O’Reilly, with all in favor, Resolution 2022-01, Canvassing and Certifying the Results of the Landowners’ Election of Supervisors Held Pursuant to Section 190.006(2), Florida Statute, and Providing for an Effective Date, was adopted.

FIFTH ORDER OF BUSINESS

Consideration of Resolution 2022-02, Designating a Chair, a Vice Chair, a Secretary and Assistant Secretaries of the Creekview Community Development District, and Providing for an Effective Date

Mr. Wrathell presented Resolution 2022-02. It was noted that a Treasurer and Assistant Treasurer would also be appointed with this Resolution. Mr. O’Reilly nominated the following slate of officers:

Liam O’Reilly	Chair
Allen Skinner	Vice Chair
Craig Wrathell	Secretary
Gregg Kern	Assistant Secretary
Richard Skinner	Assistant Secretary
Blake Weatherly	Assistant Secretary
Cindy Cerbone	Assistant Secretary
Kristen Suit	Assistant Secretary
Craig Wrathell	Treasurer
Jeff Pinder	Assistant Treasurer

No other nominations were made.

On MOTION by Mr. O’Reilly and seconded by Mr. Allen Skinner, with all in favor, Resolution 2022-02, as amended, Designating a Chair, a Vice Chair, a Secretary and Assistant Secretaries of the Creekview Community Development District, as amended to also designate a Treasurer and Assistant Treasurer, as nominated, and Providing for an Effective Date, was adopted.

SIXTH ORDER OF BUSINESS

Public Hearing Confirming the Intent of the District to Use the Uniform Method of Levy, Collection and Enforcement of Non-Ad Valorem Assessments as Authorized and Permitted by Section 197.3632, Florida Statutes; Expressing the Need for the Levy of Non-Ad Valorem Assessments and Setting Forth the Legal Description of the Real Property Within the District’s Jurisdictional Boundaries that May or Shall Be Subject to the Levy of District Non-Ad Valorem Assessments; Providing for Severability; Providing for Conflict and Providing for an Effective Date

A. Affidavit/Proof of Publication

The affidavit of publication was included for informational purposes.

B. Consideration of Resolution 2022-03, Expressing its Intent to Utilize the Uniform Method of Levying, Collecting, and Enforcing Non-Ad Valorem Assessments Which May Be Levied by Creekview Community Development District in Accordance with Section 197.3632, Florida Statutes; Providing a Severability Clause; and Providing an Effective Date

Mr. Wrathell stated this enables the CDD to levy assessments via the County Property Appraiser and Tax Collector; assessments would not be on the tax bill until November 2022.

On MOTION by Mr. O'Reilly and seconded by Mr. Allen Skinner, with all in favor, the Public Hearing was opened.

No members of the public spoke.

On MOTION by Mr. O'Reilly and seconded by Mr. Allen Skinner, with all in favor, the Public Hearing was closed.

Mr. Wrathell presented Resolution 2022-03 and read the title. Assessments would not be levied at this time. This Resolution only outlines the CDD's ability to levy assessments in the future, when bonds are issued.

On MOTION by Mr. O'Reilly and seconded by Mr. Allen Skinner, with all in favor, Resolution 2022-03, Expressing its Intent to Utilize the Uniform Method of Levying, Collecting, and Enforcing Non-Ad Valorem Assessments Which May Be Levied by the Creekview Community Development District in Accordance with Section 197.3632, Florida Statutes; Providing a Severability Clause; and Providing an Effective Date, was adopted.

SEVENTH ORDER OF BUSINESS

Public Hearing to Consider the Adoption of an Assessment Roll and the Imposition of Special Assessments Relating to the Financing and Securing of Certain Public Improvements

Mr. Wrathell stated that this Resolution puts the lien structure in place but the lien is not effectuated until the CDD issues bonds.

- *Hear testimony from the affected property owners as to the propriety and advisability of making the improvements and funding them with special assessments on the property.*
- *Thereafter, the governing authority shall meet as an equalizing board to hear any and all complaints as to the special assessments on a basis of justice and right.*

These items were addressed below.

A. Affidavit/Proof of Publication

B. Mailed Notice to Property Owner(s)

These items were included for informational purposes.

C. Capital Improvement Plan *(for informational purposes)*

Mr. Wild highlighted portions of the Capital Improvement Plan (CIP) and noted the following:

- The development is comprised of 1,480 units within the CDD.
- Improvements were broken down into phases.
- The Master Infrastructure costs total \$90,549,000.
- Of the roadway improvements, \$9,199,000 was for the APF Road, which is subject to an impact fee credit agreement.

Ms. Gentry asked Mr. Wild if, based on his experience, were those cost estimates in his Report reasonable and proper. Mr. Wild replied affirmatively.

Ms. Gentry asked Mr. Wild if he had any reason to believe the CIP could not be carried out by the CDD. Mr. Wild replied no.

D. Master Special Assessment Methodology Report *(for informational purposes)*

Mr. Wrathell presented pertinent data in the Master Special Assessment Methodology Report dated August 27, 2021 and noted the following:

- The estimated Master Infrastructure Improvement costs total \$90,549,000, therefore the maximum par amount of bonds to issue would be \$115,325,000.
- The Development Plan and costs, in Tables 1 and 2, were consistent with the District Engineer's CIP.

Ms. Gentry asked Mr. Wrathell if, in his professional opinion, the land subject to the assessment receives special benefits from the CIP. Mr. Wrathell replied affirmatively.

Ms. Gentry asked Mr. Wrathell if, in his professional opinion, the Master Special Assessment is reasonably apportioned among the land subject to this special assessment. Mr. Wrathell replied affirmatively.

Ms. Gentry asked Mr. Wrathell if it is reasonable, proper and just to assess the cost of the CIP as a system of those improvements, against the land from the District, in accordance with the Methodology. Mr. Wrathell replied affirmatively.

Ms. Gentry asked Mr. Wrathell, if it was his opinion that the special benefit the land overseen will be equal to or in excess of the maximum master assessments thereon, when allocated as set forth in the Methodology. Mr. Wrathell replied affirmatively.

Ms. Gentry asked Mr. Wrathell if, in his opinion, it is in the best interest of the District that the master assessments be paid and collected in accordance with the Methodology and the Assessment Resolution. Mr. Wrathell replied affirmatively.

A Board Member asked if the District Manager’s fees were imbedded into the bond issuance. Mr. Wrathell replied affirmatively and explained that Management’s rates are included in the Administrative component of the budget and the costs of issuance costs are comprised of the District Manager, Underwriter, Bond Counsel, District Counsel and District Engineer fees. He expected that the CDD could have two to three bond issuances. Once they are close to issuing bonds, a Supplemental Assessment Methodology Report would be prepared to include the parameters of the bonds, which is provided by the Underwriter.

- ***Hear testimony from the affected property owners as to the propriety and advisability of making the improvements and funding them with special assessments on the property.***

On MOTION by Mr. O’Reilly and seconded by Mr. Allen Skinner, with all in favor, the Public Hearing was opened.

No members of the public spoke.

On MOTION by Mr. O’Reilly and seconded by Mr. Allen Skinner, with all in favor, the Public Hearing was closed.

- *Thereafter, the governing authority shall meet as an equalizing board to hear any and all complaints as to the special assessments on a basis of justice and right.*

The Board of Supervisors, convened as the Equalizing Board, made no adjustments to the assessments being proposed in the Master Methodology

- E. Consideration of Resolution 2022-04, Making Certain Findings; Authorizing an Improvement Plan for the Master Assessment Area; Adopting a Capital Improvement Plan; Providing an Estimated Cost of Improvements; Adopting an Assessment Report; Equalizing, Approving, Confirming and Levying Debt Assessments on the Master Assessment Area; Addressing the Finalization of Special Assessments; Addressing the Payment of Debt Assessments and the Method of Collection; Providing for the Allocation of Debt Assessments and True-Up Payments; Addressing Government Property and Transfers of Property to Units of Local, State and Federal Government; Authorizing an Assessment Notice; and Providing for Severability, Conflicts and an Effective Date**

Mr. Wrathell presented Resolution 2022-04 and read the title.

Ms. Gentry stated that Resolution 2022-04 accomplishes the following:

- Section 2 makes a number of findings related to the testimony of Mr. Wild and Mr. Wrathell during certain agenda items.
- Authorizes the Project set forth in the CIP and adopts the Master Assessment Report, etc., and relies heavily on the Reports for the details of the CDD's Assessments and CIP.

On MOTION by Mr. O'Reilly and seconded by Mr. Kern, with all in favor, Resolution 2022-04, Making Certain Findings; Authorizing an Improvement Plan for the Master Assessment Area; Adopting a Capital Improvement Plan; Providing an Estimated Cost of Improvements; Adopting an Assessment Report; Equalizing, Approving, Confirming and Levying Debt Assessments on the Master Assessment Area; Addressing the Finalization of Special Assessments; Addressing the Payment of Debt Assessments and the Method of Collection; Providing for the Allocation of Debt Assessments and True-Up Payments; Addressing Government Property and Transfers of Property to Units of Local, State and Federal Government; Authorizing an Assessment Notice; and Providing for Severability, Conflicts and an Effective Date, was adopted.

EIGHTH ORDER OF BUSINESS

**Public Hearing on Adoption of Fiscal Year
2020/2021 Budget**

A. Affidavit of Publication

The affidavit of publication was included for informational purposes.

B. Consideration of Resolution 2022-05, Relating to the Annual Appropriations and Adopting the Budget for the Remainder of the Fiscal Year Beginning October 1, 2020 and Ending September 30, 2021; Authorizing Budget Amendments; and Providing an Effective Date

On MOTION by Mr. O'Reilly and seconded by Mr. Allen Skinner, with all in favor, the Public Hearing was opened.

No members of the public spoke.

On MOTION by Mr. O'Reilly and seconded by Mr. Allen Skinner, with all in favor, the Public Hearing was closed.

Mr. Wrathell presented Resolution 2022-05.

On MOTION by Mr. O'Reilly and seconded by Mr. Allen Skinner, with all in favor, Resolution 2022-05, Relating to the Annual Appropriations and Adopting the Budget for the Remainder of the Fiscal Year Beginning October 1, 2020 and Ending September 30, 2021; Authorizing Budget Amendments; and Providing an Effective Date, was adopted.

NINTH ORDER OF BUSINESS

**Public Hearing on Adoption of Fiscal Year
2021/2022 Budget**

A. Affidavit of Publication

The affidavit of publication was included for informational purposes.

B. Consideration of Resolution 2022-06, Relating to the Annual Appropriations and Adopting the Budget for the Fiscal Year Beginning October 1, 2021, and Ending

September 30, 2022; Authorizing Budget Amendments; and Providing an Effective Date

On MOTION by Mr. O'Reilly and seconded by Mr. Allen Skinner, with all in favor, the Public Hearing was opened.

No members of the public spoke.

On MOTION by Mr. O'Reilly and seconded by Mr. Allen Skinner, with all in favor, the Public Hearing was closed.

Mr. Wrathell presented Resolution 2022-06.

On MOTION by Mr. O'Reilly and seconded by Mr. Allen Skinner, with all in favor, Resolution 2022-06, Relating to the Annual Appropriations and Adopting the Budget for the Fiscal Year Beginning October 1, 2021, and Ending September 30, 2022; Authorizing Budget Amendments; and Providing an Effective Date

TENTH ORDER OF BUSINESS

Consideration of Resolution 2022-07, Authorizing an Individual Designated by the Board of Supervisors to Act as the District's Purchasing Agent for the Purpose of Procuring, Accepting, and Maintaining Any and All Construction Materials Necessary for the Construction, Installation, Maintenance or Completion of the District's Infrastructure Improvements as Provided in the District's Adopted Improvement Plan; Providing for the Approval of a Work Authorization; Providing for Procedural Requirements for the Purchase of Materials; Approving the Form of a Purchase Requisition Request; Approving the Form of a Purchase Order; Approving the Form of a Certificate of Entitlement; Authorizing the Purchase of Insurance; Providing a Severability Clause; and Providing an Effective Date

Mr. Wrathell presented Resolution 2022-07. He referred to Section 6 and asked if the Board wanted to purchase Builders All Risk Insurance. Most of District Management's CDDs typically do not do this. He was not sure if the Master Site Contractor already includes this in their process. The Board chose to wait to decide on this until a contractor is selected.

Ms. Gentry stated that the direct purchase procedures were outlined in Exhibit B, in sample form, and were considered standard. Exhibit A is the Draft Work Authorization for the District Engineer to serve in that capacity after hourly rates. Once the Resolution is approved, an approval to enter into a Work Authorization for the District Engineer to serve in that capacity would be necessary.

On MOTION by Mr. O'Reilly and seconded by Mr. Allen Skinner, with all in favor, Resolution 2022-07, Authorizing an Individual Designated by the Board of Supervisors to Act as the District's Purchasing Agent for the Purpose of Procuring, Accepting, and Maintaining Any and All Construction Materials Necessary for the Construction, Installation, Maintenance or Completion of the District's Infrastructure Improvements as Provided in the District's Adopted Improvement Plan; Providing for the Approval of a Work Authorization; Providing for Procedural Requirements for the Purchase of Materials; Approving the Form of a Purchase Requisition Request; Approving the Form of a Purchase Order; Approving the Form of a Certificate of Entitlement; Authorizing the Purchase of Insurance; Providing a Severability Clause; and Providing an Effective Date, was adopted.

ELEVENTH ORDER OF BUSINESS

Public Hearing to Hear Public Comments and Objections to the Adoption of the Rules of Procedure, Pursuant to Sections 120.54 and 190.035, Florida Statutes

A. Affidavits of Publication

The affidavit of publication was included for informational purposes.

B. Consideration of Resolution 2022-08, Adopting Rules of Procedure; Providing a Severability Clause; and Providing an Effective Date

On MOTION by Mr. O'Reilly and seconded by Mr. Allen Skinner, with all in favor, the Public Hearing was opened.

No members of the public spoke.

On MOTION by Mr. O'Reilly and seconded by Mr. Allen Skinner, with all in favor, the Public Hearing was closed.

Mr. Wrathell presented Resolution 2022-08.

On MOTION by Mr. O'Reilly and seconded by Mr. Allen Skinner, with all in favor, Resolution 2022-08, Adopting Rules of Procedure; Providing a Severability Clause; and Providing an Effective Date, was adopted.

TWELFTH ORDER OF BUSINESS

Consideration of Response to Request for Qualifications (RFQ) for Engineering Services

Mr. Wrathell stated that England-Thims & Miller, Inc. (ETM) was previously engaged to serve as the Interim Engineer.

A. Affidavit of Publication

B. RFQ Package

These items were included for informational purposes.

C. Respondents

I. England-Thims & Miller, Inc.

II. JBrown Professional Group, Inc.

Mr. Wrathell stated his opinion that England-Thims & Miller, Inc. (ETM) is the #1 engineering firm in Northeast Florida, if not one of the best in Florida. He was not quite as familiar with JBrown Professional Group, Inc. (JBPG); however, Mr. Chris Potts is involved in a couple of Management's other CDDs, although they had not worked directly in the capacity of Engineering.

D. Competitive Selection Criteria/Ranking

Mr. Wrathell noted for ranking purposes that as both firms are not Certified Minority Business Enterprises, each would receive a zero score in that category. The Board was given the option to adopt one slate of scores, by consensus, instead of submitting individual ranking forms.

Mr. O'Reilly presented the Competitive Selection Criteria/Ranking Form he completed and discussed the reason for how each respondent was scored in each category.

The Board accepted Mr. O'Reilly's scores and rankings, as follows:

- #1 England-Thims & Miller, Inc. 95 Points
- #2 JBrown Professional Group, Inc 91 Points

On MOTION by Mr. O'Reilly and seconded by Mr. Allen Skinner, with all in favor, accepting the ranking and scoring as provided and recommended by the Board Chair, Mr. O'Reilly, ranking England-Thims & Miller, Inc., as the #1 ranked respondent, was approved.

E. Award of Contract

On MOTION by Mr. Kern and seconded by Mr. O'Reilly, with all in favor, awarding the Contract for District Engineering Services to England-Thims & Miller, Inc., authorizing District Counsel and Staff to prepare a Form of Continuing Service Agreement with England-Thims & Miller, Inc., to serve as District Engineer and authorizing the Chair to negotiate the Fee Schedule with Mr. Wild and to execute the Agreement, was approved.

THIRTEENTH ORDER OF BUSINESS

Consideration of Responses to Request for Proposals (RFP) for Annual Audits Services

A. Affidavit of Publication

B. RFQ Package

These items were included for informational purposes.

C. Respondents

I. Berger, Toombs, Elam, Gaines & Frank

II. Carr, Riggs & Ingram, LLC

Mr. O'Reilly left the meeting at 10:30 a.m., and returned at 10:31 a.m.

Mr. Wrathell stated that Berger, Toombs, Elam, Gaines & Frank (BTEGF) typically does a great job and is usually the least expensive; however, some audits were submitted at the last minute last year due to staffing issues. He noted that BTEGF was advised that other firms would be considered if audits are not received in sufficient time. He considered Carr, Riggs &

Ingram, LLC (CRI) a fantastic firm and personally considered them the best; however, the only caveat is CRI’s price, once bond issuance costs are added.

D. Auditor Evaluation Matrix/Ranking

Mr. Wrathell presented the Auditor Evaluation Matrix/Ranking Form he completed and discussed the reason for how each respondent was scored in each category.

The Board accepted Mr. Wrathell’s scoring and rankings, which were as follows:

#1	Berger, Toombs, Elam, Gaines & Frank	97 Points
#2	Carr, Riggs & Ingram, LLC	95 Points

On MOTION by Mr. O’Reilly and seconded by Mr. Kern, with all in favor, accepting the ranking and scoring as provided and recommended by Mr. Wrathell ranking Berger, Toombs, Elam, Gaines & Frank, as the #1 ranked respondent, was approved.

E. Award of Contract

On MOTION by Mr. O’Reilly and seconded by Mr. Kern, with all in favor, to awarding the Annual Audit Services Contract to Berger, Toombs, Elam, Gaines & Frank, the #1 ranked respondent, was approved.

FOURTEENTH ORDER OF BUSINESS

Consideration of Resolution 2022-09, Designating the Primary Administrative Office and Principal Headquarters of The District and Providing an Effective Date

This item was deferred to the next meeting. Ms. Suit would research who the Sandridge CDD selected, if any, for its local office in Clay County.

FIFTEENTH ORDER OF BUSINESS

Acceptance of Unaudited Financial Statements as of September 30, 2021

Mr. Wrathell presented the Unaudited Financial Statements as of September 30, 2021.

On MOTION by Mr. O'Reilly and seconded by Mr. Allen Skinner, with all in favor, the Unaudited Financial Statements as of September 30, 2021, were accepted.

SIXTEENTH ORDER OF BUSINESS**Approval of Minutes**

Mr. Wrathell presented the following:

- A. August 27, 2021 Organizational Meeting**
- B. September 28, 2021 Landowners' Meeting**

On MOTION by Mr. O'Reilly and seconded by Mr. Allen Skinner, with all in favor, the August 27, 2021 Organizational Meeting and the September 28, 2021 Landowners' Meeting Minutes, as presented, were approved.

SEVENTEENTH ORDER OF BUSINESS**Staff Reports****A. District Counsel: *KE Law Group, PLLC***

- **Update: Stormwater Reporting Requirements**

Ms. Gentry stated that the Stormwater Reporting memorandum and requirements were sent to Mr. Wild and Mr. Wrathell; a Work Authorization from Mr. Wild would be included on a future agenda.

Ms. Gentry stated that the bond validation was successful; the Judge validated the full amount and, once the appeal period expires, she would request a Certificate of No Appeal and, upon receipt, the CDD would be able to issue bonds when ready to do so.

B. District Engineer (Interim): *England-Thims & Miller, Inc.*

Mr. Wild reported that permitting for Areas One, Two and Five was ongoing. They are currently working on the draft for the Supplemental Engineer's Report for each of those areas.

"Interim" would be removed from future agendas.

C. District Manager: *Wrathell, Hunt and Associates, LLC*

- **NEXT MEETING DATE: November 30, 2021 at 9:30 A.M.**
 - **QUORUM CHECK**

The next meeting would be held on November 30, 2021., unless cancelled.

- **Public Comments**

This item was an addition to the agenda.

There were no public comments.

- **Adjournment**

This item was an addition to the agenda.

<p>On MOTION by Mr. O'Reilly and seconded by Mr. Allen Skinner, with all in favor, the meeting adjourned at 10:41 a.m.</p>

[SIGNATURES APPEAR ON THE FOLLOWING PAGE]



Secretary/Assistant Secretary



Chair/Vice Chair