

**MINUTES OF MEETING
CREEKVIEW
COMMUNITY DEVELOPMENT DISTRICT**

The Board of Supervisors of the Creekview Community Development District held a Continued Special Meeting on February 4, 2022, 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
Gregg Kern (via telephone)	Vice Chair
Blake Weatherly	Assistant Secretary
Rose Bock	Assistant Secretary

Also present were:

Kristen Suit (via telephone)	District Manager
Jennifer Kilinski	District Counsel
Glenn Taylor	District Engineer
Peter Dame (via telephone)	Bond Counsel
Zack Brecht	ETM
Mike Taylor	GreenPointe
Tim Clay	Member of the public

FIRST ORDER OF BUSINESS

Call to Order/Roll Call

Ms. Suit called the meeting to order at 9:39 a.m. Supervisors O'Reilly, Weatherly and Bock were present, in person. Supervisor Kern was attending via telephone. One seat was vacant.

SECOND ORDER OF BUSINESS

Public Comments

There were no public comments.

THIRD ORDER OF BUSINESS

**Review of Qualifications for Construction
Manager at Risk Services for District
Capital Improvement Plan**

A. Scoring Criteria for Submittals

Ms. Suit presented the Scoring Criteria for Submittals. Ms. Kilinski recapped the Request for Qualifications (RFQ) process that was conducted for the Construction Manager At Risk (CMAR) Services contract related to the Capital Improvement Plan (CIP).

Mr. Kern stated the proposed scoring and ranking for the Board’s consideration was previously circulated. He discussed ranking criteria, evaluation categories, deductions and the fee structures. The proposed evaluation criteria total scores were as follows:

<u>Respondent</u>	<u>Total Points</u>
P&J	94 points
JUM	99 points
VCC	88 points

According to the scoring, the ranking proposed places JUM as the #1 ranked firm, P&J as #2 and VCC as #3.

B. Consideration of Resolution 2022-11, Regarding the Intent to Award a Contract for Construction Manager at Risk Services; Providing a Severability Clause; and Providing an Effective Date

Resolution 2022-11 would be revised to reflect the proposed awarded points and rankings and all other appropriate information.

On MOTION by Mr. O’Reilly and seconded by Ms. Bock, with all in favor, Resolution 2022-11, as revised, Regarding the Intent to Award a Contract for Construction Manager at Risk Services to JUM, the #1 ranked firm; Providing a Severability Clause; and Providing an Effective Date, was adopted.

FOURTH ORDER OF BUSINESS

Presentation of First Supplemental Engineer’s Report to the Capital Improvement Plan (Phase 1 Project and Master Infrastructure Project)

Ms. Kilinski explained that the primary purpose of today’s meeting is to approve the Delegation Resolution, which would authorize Staff to commence the bond process, if approved. She stated that, although the Engineer’s Report and the Methodology Report will definitely change, she recommended approval of the maximum amount to facilitate the beginning of the bond process.

Mr. Taylor presented the January 31, 2022 First Supplemental Engineer’s Report to the CIP for the Phase 1 Project and the Master Infrastructure Project.

Asked if this Report should be approved in substantial form, Ms. Kilinski stated it is not necessary because Resolution 2022-12 will approve and adopt the Engineer’s and Methodology Reports, in substantial form.

FIFTH ORDER OF BUSINESS

Presentation of First Supplemental Special Assessment Methodology Report

Ms. Suit recalled that Mr. Wrathell reviewed the Methodology Report at the last meeting but she would give a brief overview.

Ms. Suit presented the January 28, 2022 First Supplemental Special Assessment Methodology Report and highlighted Project Areas 1, 2 and 5, the Series 2022 Note Assessments and the Appendix Tables on Pages 13 through 18. It was noted that the three Appendix Tables on Page 18 would be revised and updated.

SIXTH ORDER OF BUSINESS

Consideration of Resolution 2022-12, Supplementing its Resolution 2021-31 by Authorizing the Issuance of its Special Assessment Revenue Bonds, Series 2022 (Areas 1, 2 and 5 Projects) and Special Assessment Revenue Notes, Series 2022 (Master Infrastructure Project) in an Aggregate Principal Amount of Not Exceeding \$37,000,000 for the Principal Purpose of Acquiring and Constructing Assessable Improvements; Delegating to the Chair or Vice Chair of the Board of Supervisors of the District, Subject to Compliance with the Applicable Provisions Hereof, the Authority to Award the Sale of Such Series 2022 Obligations to FMSbonds, Inc. by Executing and Delivering to Such Underwriter a Bond Purchase Contract and Approving the Form Thereof; Approving the Form of and Authorizing the Execution of First and Second Supplemental Trust Indentures; Appointing U.S. Bank Trust Company, National Association as the Trustee, Bond Registrar and Paying Agent

for Such Series 2022 Obligations; Making Certain Findings; Approving Forms of Said Series 2022 Obligations; Approving the Form of the Preliminary Limited Offering Memorandum and Authorizing the Use by the Underwriter of the Preliminary Limited Offering Memorandum and the Limited Offering Memorandum and the Execution of the Limited Offering Memorandum; Approving the Form of the Continuing Disclosure Agreement and Authorizing the Execution Thereof; Authorizing Certain Officials of the District and Others to Take All Actions Required in Connection with the Issuance, Sale and Delivery of Said Series 2022 Obligations; Providing Certain Other Details with Respect to Said Series 2022 Obligations; and Providing an Effective Date

Mr. Dame presented Resolution 2022-12, also known as the Delegation Resolution, which accomplishes the following:

- Authorizes the issuance of the Series 2022 Bonds and Series 2022 Notes to finance the projects discussed earlier in the meeting.
- Delegates authority to Staff to enter into the Bond Purchase Contract with the Underwriter for the actual sale of the bonds.
- Authorizes the Chair to determine the actual principal amount of the bonds to be issued, not to exceed \$37 million, such that the interest rate not exceed the rates set forth in Section 5.
- Broadly authorizes Staff and Consultants to take all actions necessary to issue the bonds.

Mr. Dame voiced his understanding that changes are being made to the Engineer's Report and to the amount that might actually be financed. He stated that the Resolution stated that the bonds would be in a principal amount not to exceed \$25 million and the notes would be in a not to exceed amount of \$12 million. He asked the Board to authorize a change to that so that the aggregate amount of debt to be issued does not to exceed \$37 million, in the event there is a different mix of bonds and notes or if a decision is made not to issue notes at all.

Mr. Dame stated that the bonds were designated as Series 2022, Areas 1, 2 and 5 Projects; however, if master infrastructure is moved, whole or in part, into the bonds and away

from the notes, the name and designation of the bonds might need to be adjusted, so he asked that the Chair and District Staff be authorized to revise the name and bond designations to reflect the final portions of the project that are to be financed.

Mr. Dame reviewed Sections 5 and 6 of the Resolution.

On MOTION by Mr. O’Reilly and seconded by Mr. Weatherly, with all in favor, authorizing Resolution 2022-12 to be amended to permit the aggregate amount not to exceed \$37 million and authorizing a modification to the name of the bonds and bond designations to reflect the actual project financed, was approved.

On MOTION by Mr. O’Reilly and seconded by Mr. Weatherly, with all in favor, Resolution 2022-12, as amended to reflect Bond Counsel’s recommendations, Supplementing its Resolution 2021-31 by Authorizing the Issuance of its Special Assessment Revenue Bonds, Series 2022 (Areas 1, 2 and 5 Projects) and Special Assessment Revenue Notes, Series 2022 (Master Infrastructure Project) in an Aggregate Principal Amount of Not Exceeding \$37,000,000 for the Principal Purpose of Acquiring and Constructing Assessable Improvements; Delegating to the Chair or Vice Chair of the Board of Supervisors of the District, Subject to Compliance with the Applicable Provisions Hereof, the Authority to Award the Sale of Such Series 2022 Obligations to FMSbonds, Inc. by Executing and Delivering to Such Underwriter a Bond Purchase Contract and Approving the Form Thereof; Approving the Form of and Authorizing the Execution of First and Second Supplemental Trust Indentures; Appointing U.S. Bank Trust Company, National Association as the Trustee, Bond Registrar and Paying Agent for Such Series 2022 Obligations; Making Certain Findings; Approving Forms of Said Series 2022 Obligations; Approving the Form of the Preliminary Limited Offering Memorandum and Authorizing the Use by the Underwriter of the Preliminary Limited Offering Memorandum and the Limited Offering Memorandum and the Execution of the Limited Offering Memorandum; Approving the Form of the Continuing Disclosure Agreement and Authorizing the Execution Thereof; Authorizing Certain Officials of the District and Others to Take All Actions Required in Connection with the Issuance, Sale and Delivery of Said Series 2022 Obligations; Providing Certain Other Details with Respect to Said Series 2022 Obligations; and Providing an Effective Date, was adopted.

SEVENTH ORDER OF BUSINESS

Consideration of Ancillary Financing Documents

- A. Agreement Regarding the Completion of District Improvements**
- B. Agreement Regarding the True-Up and Payment of Assessments**

- C. Collateral Assignment and Assumption of Development Rights
- D. Agreement Regarding Acquisition of Work Product Improvement

Item 7D was an addition to the agenda.

Ms. Kilinski stated that Item 7D was an addition to the agenda, as this Agreement was forwarded after the agenda was prepared.

Ms. Kilinski reviewed the Ancillary Financing Documents and recommended approval of the documents in substantial form.

On MOTION by Ms. Bock and seconded by Mr. O’Reilly, with all in favor, the Ancillary Financing Documents, including the Agreement Regarding the Completion of District Improvements, Agreement Regarding the True-Up and Payment of Assessments, the Collateral Assignment and Assumption of Development Rights and the Agreement Regarding Acquisition of Work Product Improvement, in substantial form, were approved.

EIGHTH ORDER OF BUSINESS

Consideration of England-Thims & Miller, Inc., Work Authorization No. 1 - State Mandated - Storm Water Need Analysis (20 Years)

Ms. Suit presented ETM Work Authorization No. 1 to prepare the 20-Year Storm Water Needs Analysis Report, in a not to exceed amount of \$10,000.

On MOTION by Mr. O’Reilly and seconded by Mr. Weatherly, with all in favor, the England-Thims & Miller, Inc., Work Authorization No. 1 to prepare the 20 Year Storm Water Need Analysis Report, in a not to exceed amount of \$10,000, was approved.

NINTH ORDER OF BUSINESS

NEXT MEETING DATE: February 22, 2022 at 9:30 A.M.

- **QUORUM CHECK**

The next meeting would be held on February 22, 2022, unless canceled.

The following items were additions to the agenda.

- **Consideration of Appointment to Fill Seat 2**

Ms. Kilinski asked if the Board wished to appoint a new Supervisor.

Mr. O'Reilly nominated Mr. Mike Taylor to fill Seat 2. No other nominations were made.

On MOTION by Mr. O'Reilly and seconded by Ms. Bock, with all in favor, the appointment of Mr. Mike Taylor to Seat 2, was approved.

Ms. Kilinski stated that the Oath of Office could be administered to Mr. Taylor after the meeting.

- **Board Members' Comments/Requests**

There were no Board Members' comments or requests.

- **Public Comments**

No members of the public spoke.

- **Adjournment**

On MOTION by Mr. O'Reilly and seconded by Ms. Bock, with all in favor, the meeting adjourned at 10:05 a.m.

[SIGNATURES APPEAR ON THE FOLLOWING PAGE]



Secretary/Assistant Secretary



Chair/Vice Chair