

**MINUTES OF MEETING  
CREEKSIDE AT TWIN CREEKS  
COMMUNITY DEVELOPMENT DISTRICT**

Public Hearings and a Regular Meeting of the Creekside at Twin Creeks Community Development District were held on **Thursday, October 15, 2015 at 10:00 a.m.**, at the **offices of Rogers Towers, P.A., 100 Whetstone Place, Suite 200, St. Augustine, Florida 32086.**

**Present at the meeting were:**

John Kinsey	Chair
Jared Bouskila	Vice Chair
Bryan Kinsey ( <i>via telephone</i> )	Assistant Secretary
Robert Furlong	Assistant Secretary

**Also present were:**

Craig Wrathell	District Manager
Mark Watts	Cobb Cole
Neal Brockmeier	Prosser, Inc.

**FIRST ORDER OF BUSINESS**

**Call to Order/Roll Call**

Mr. Wrathell called the meeting to order at 10:11 a.m., and noted, for the record, that Supervisors John Kinsey, Bouskila and Furlong were present, in person. Supervisor Bryan Kinsey was attending via telephone. Supervisor DiFiore was not present at roll call.

**SECOND ORDER OF BUSINESS**

**Public Comments**

There being no public comments, the next item followed.

**THIRD ORDER OF BUSINESS**

**Engineer's Report**

Mr. Wrathell stated that the primary purpose of today's meeting was to hold Public Hearings regarding the assessment process. He recalled that the preliminary Engineer's Report and Assessment Methodology Report were approved approximately 45 days ago; however, a brief overview of the reports will be provided prior to opening the Public Hearings.

Mr. Wrathell explained that the Board Members will serve as the Board of Equalization to consider adjustments to the assessments proposed in the Methodology Report. Once the

hearings are concluded, the assessments will be finalized. Mr. Watts is filing for validation and the resolutions will be part of the Complaint. Mr. Wrathell indicated that, once the bonds are validated, there is a 30-day appeal period, prior to issuance. The pre-closing on the Bond Anticipation Notes (BANs) is scheduled for tomorrow.

Mr. Brockmeier reviewed the Engineer's Report. He indicated that the CDD is a conventional neighborhood development located on approximately 256 acres consisting of 591 single-family units. The infrastructure proposed for the District includes onsite and offsite improvements, which include utilities, drainage and roadway improvements. The Engineer's Report lists the costs for the infrastructure improvements, which are divided into two categories; master infrastructure improvements and neighborhood infrastructure improvements. Those categories are stormwater management facilities, utilities, roadway and design and engineering consulting services, for a cost estimate of \$21 million. Master infrastructure improvements are estimated at \$12.59 million and neighborhood improvements are estimated at \$8.66 million. Mr. Brockmeier advised that the improvements will require permitting through local agencies and did not foresee any issues with obtaining the permits.

**FOURTH ORDER OF BUSINESS****Master Assessment Methodology Report**

Mr. Wrathell stated that the purpose of the Master Assessment Methodology Report is to develop a financial modeling for financing 100% of improvements, via bonds. The Methodology places a lien over the property so that, when the debt is issued, the maximum amount of annual debt assessment and par amount of bonds that may be assigned to the property are established.

Mr. Wrathell referred to Page 4, Section 4.1, and stated that the purpose of this report is to, ultimately, allocate the benefit of the Capital Improvement Plan (CIP) to all of the properties within the District. He explained that, initially, the benefit allocation is on a gross acre basis; once platting occurs, the debt moves from a gross acre basis to individual platted lots. After all 591 lots are platted and the infrastructure is available to serve those lots, the debt will be allocated among each of the 591 lots and no longer remain on any other District property.

On Page 7, Mr. Wrathell reiterated that the debt is initially applied on a gross acre basis, pro-rata, across the entire 255.42 +/- acres in the District, which equates to \$107,528.78 per acre.

Mr. Wrathell referred to the Preliminary Assessment Roll, on Page 10, and indicated that the lien currently sits on one strap number; however, as platting occurs, additional folios will be

added. On Page 11, he advised that Table 1 reflects the contemplated product mix. Market conditions and the product mix may change but Equivalent Residential Units (ERUs) must remain the same.

Mr. Wrathell stated that Table 2 outlines the CIP, with \$21,250,000 in costs. Table 3, on Page 12, reflects the prospective financing program, assuming that 100% of the improvements are financed. He noted that Table 4, on Page 13, shows the ERU weightings for various product types. Table 5 reflects the par amount of debt, total assessment, assessment per unit and the maximum annual debt service assessment per unit. Mr. Wrathell indicated that the assessments are higher than what may be approved for A bonds, or long-term bonds, and there was discussion of potentially issuing long and short-term bonds on a segment of the 591 units. When the community is platted, assessments must be at or below the amounts in Table 5 for the various product types.

**FIFTH ORDER OF BUSINESS**

**Proofs of Publication**

Mr. Wrathell presented the proofs of publication for today’s Public Hearings, advising of the District’s intent to place assessments on the tax bill. He explained that, under Chapter 170, the District must prove that the benefit to property owners is equal to or greater than the assessment levied. Mr. Wrathell pointed out that the resolution declaring special assessments and setting today’s Public Hearing was published in full and the property owner received a mailed notice, advising of the Public Hearings.

**SIXTH ORDER OF BUSINESS**

**Public Hearing to Consider Resolution 2016-1, 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**

Mr. Wrathell presented Resolution 2016-1 for the Board’s consideration and read the title into the record:

“A RESOLUTION OF THE BOARD OF SUPERVISORS OF THE CREEKSIDE AT TWIN CREEKS COMMUNITY DEVELOPMENT DISTRICT 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”

Mr. Wrathell explained that the resolution allows the District to place assessments on the county tax bill.

**\*\*\*Mr. Wrathell opened the Public Hearing.\*\*\***

There were no members of the public present.

**\*\*\*Mr. Wrathell closed the Public Hearing.\*\*\***

**On MOTION by Mr. John Kinsey and seconded by Mr. Bouskila, with all in favor, Resolution 2016-1, 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, 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**

- *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.*
- A. **Consideration of Resolution 2016-2, Authorizing the Construction and Acquisition of Certain Capital Improvements; Equalizing, Approving, Confirming, and Levying Special Assessments on the Property Specially Benefited by Such Improvements to Pay the Cost Thereof; Providing a Method for Allocating the Total Assessments Among the Benefited Parcels Within the District; Confirming the District's Intention to Issue Its Special Assessment Bonds; Providing for Severability, Conflicts and an Effective Date**

Mr. Wrathell presented Resolution 2016-2 for the Board's consideration and read the title into the record:

“A RESOLUTION OF THE BOARD OF SUPERVISORS (THE "BOARD") OF THE CREEKSIDE AT TWIN CREEKS COMMUNITY DEVELOPMENT DISTRICT (THE "DISTRICT") AUTHORIZING THE CONSTRUCTION AND ACQUISITION OF CERTAIN CAPITAL IMPROVEMENTS; EQUALIZING, APPROVING, CONFIRMING, AND LEVYING SPECIAL ASSESSMENTS ON THE PROPERTY SPECIALLY BENEFITED BY SUCH IMPROVEMENTS TO PAY THE COST THEREOF; PROVIDING A METHOD FOR ALLOCATING THE TOTAL ASSESSMENTS AMONG THE BENEFITED PARCELS WITHIN THE DISTRICT; CONFIRMING THE DISTRICT'S INTENTION TO ISSUE ITS SPECIAL ASSESSMENT BONDS; PROVIDING FOR SEVERABILITY, CONFLICTS AND AN EFFECTIVE DATE”

Mr. Wrathell pointed out that the Engineer's Report and Master Special Assessment Methodology Report were exhibits to the resolution.

Mr. Wrathell stated that he would open the Public Hearing to hear testimony from affected property owners as to the propriety and advisability of making the improvements and funding them with special assessments.

**\*\*\*Mr. Wrathell opened the Public Hearing.\*\*\***

No members of the public were present.

Mr. Wrathell asked Mr. John Kinsey for comments, as a landowner.

Mr. John Kinsey stated “we are fine with this methodology”.

Mr. Wrathell indicated that the Board now sits as the Board of Equalization and asked if adjustments to the methodology should be considered. No adjustments were made.

**\*\*\*Mr. Wrathell closed the Public Hearing.\*\*\***

**On MOTION by Mr. John Kinsey and seconded by Mr. Bouskila, with all in favor, Resolution 2016-2, Authorizing the Construction and Acquisition of Certain Capital Improvements; Equalizing, Approving, Confirming, and Levying Special Assessments on the Property Specially Benefited by Such Improvements to Pay the Cost Thereof; Providing a Method for Allocating the Total Assessments Among the Benefited Parcels Within the District; Confirming the District's Intention to Issue Its Special Assessment Bonds; Providing for Severability, Conflicts and an Effective Date, was adopted.**

**EIGHTH ORDER OF BUSINESS**

**Other Business**

Mr. Watts provided draft Acquisition and Completion Agreements for the Board’s consideration. He explained that the agreements allow the Board to implement the flow of requisitions and certifications from the District Engineer for infrastructure, as it is completed, and permits draws from the bond accounts. Mr. Watts asked for approval, in substantial form, subject to final comments and approval of the Chair, for signature.

**On MOTION by Mr. John Kinsey and seconded by Mr. Bouskila, with all in favor, the draft Acquisition Agreement, in substantial form, subject to final comments, and authorization for the Chair to approve and execute, were approved.**

**On MOTION by Mr. John Kinsey and seconded by Mr. Bouskila, with all in favor, the draft Completion Agreement, in substantial form, subject to final comments, and authorization for the Chair to approve and execute, were approved.**

**NINTH ORDER OF BUSINESS**

**Staff Reports**

**A. District Counsel**

Mr. Watts stated that, once he obtains certified copies of Resolutions 2016-1 and 2016-2, the validation will be submitted. It will take about six weeks to schedule the final hearing and bonds should be issued about 30 days later.

**B. District Engineer**

There being nothing additional to report, the next item followed.

**C. District Manager**

- i. NEXT MEETING DATE: November 6, 2015 at 10:00 A.M.**
  - **Landowners' Meeting**
  - **Public Hearing to Consider the Adoption of the Fiscal Year 2014/2015 Budget**
  - **Public Hearing to Consider the Adoption of the Fiscal Year 2015/2016 Budget**
  - **Public Hearing to Adopt Rules of Procedure**

Mr. Wrathell advised that the Public Hearings to adopt the Fiscal Year 2015 and 2016 budgets and the District's Rules of Procedure will be held at the November 6, 2015 meeting.

**TENTH ORDER OF BUSINESS**

**Board Members' Comments/Requests**

There being no Board Members' comments or requests, the next item followed.

**ELEVENTH ORDER OF BUSINESS**

**Public Comments**

There being no public comments, the next item followed.

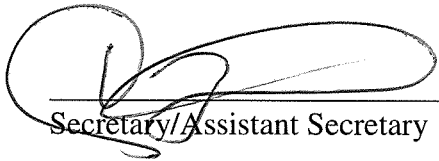
**TWELFTH ORDER OF BUSINESS**

**Adjournment**

There being nothing further to discuss, the meeting adjourned.

**On MOTION by Mr. John Kinsey and seconded by Mr. Bouskila, with all in favor, the meeting adjourned at 10:29 a.m.**

[SIGNATURES APPEAR ON THE FOLLOWING PAGE]



Secretary/Assistant Secretary



Chair/Vice Chair