

**CREEK PRESERVE
COMMUNITY DEVELOPMENT DISTRICT
BOARD OF SUPERVISORS
LANDOWNERS ELECTION, PUBLIC HEARING
& REGULAR MEETING
DECEMBER 6, 2018**

**CREEK PRESERVE
COMMUNITY DEVELOPMENT DISTRICT AGENDA
THURSDAY, DECEMBER 6, 2018
1:45 P.M.**

The Offices of Meritus
Located at 2005 Pan Am Circle Suite 120, Tampa FL 33607

District Board of Supervisors

Jeff Hills
Ryan Motko
Nick Dister
Albert Viera
Steve Luce

District Manager

Meritus

Brian Lamb
Debby Nussel

District Attorney

Straley, Robin, Vericker

John Vericker

District Engineer

All cellular phones and pagers must be turned off while in the meeting room

The District Agenda is comprised of four different sections:

The meeting will begin at **1:45 p.m.** with the seventh section called **Business Matters**. The business matters section contains items for approval by the District Board of Supervisors that may require discussion, motion and votes on an item-by-item basis. If any member of the audience would like to speak on one of the business items, they will need to register with the District Administrator prior to the presentation of that agenda item. Agendas can be reviewed by contacting the Manager's office at (813) 397-5120 at least seven days in advance of the scheduled meeting. Requests to place items on the agenda must be submitted in writing with an explanation to the District Manager at least fourteen (14) days prior to the date of the meeting. The ninth section is called **Administrative Matters**. The Administrative Matters section contains items that require the review and approval of the District Board of Supervisors as a normal course of business. The tenth section is called **Staff Reports**. This section allows the District Administrator, Engineer, and Attorney to update the Board of Supervisors on any pending issues that are being researched for Board action. The final sections are called **Board Members Comments and Public Comments**. This is the section in which the Supervisors may request Staff to prepare certain items in an effort to meet residential needs. The Audience Comment portion of the agenda is where individuals may comment on matters that concern the District. Each individual is limited to **three (3) minutes** for such comment. The Board of Supervisors or Staff is not obligated to provide a response until sufficient time for research or action is warranted. **IF THE COMMENT CONCERNS A MAINTENANCE RELATED ITEM, THE ITEM WILL NEED TO BE ADDRESSED BY THE DISTRICT ADMINSTRATOR OUTSIDE THE CONTEXT OF THIS MEETING.**

Public workshops sessions may be advertised and held in an effort to provide informational services. These sessions allow staff or consultants to discuss a policy or business matter in a more informal manner and allow for lengthy presentations prior to scheduling the item for approval. Typically, no motions or votes are made during these sessions.

Pursuant to provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this meeting is asked to advise the District Office at (813) 397-5120, at least 48 hours before the meeting. If you are hearing or speech impaired, please contact the Florida Relay Service at 1 (800) 955-8770, who can aid you in contacting the District Office.

Any person who decides to appeal any decision made by the Board with respect to any matter considered at the meeting is advised that this same person will need a record of the proceedings and that accordingly, the person may need to ensure that a verbatim record of the proceedings is made, including the testimony and evidence upon which the appeal is to be based.

December 6, 2018
Board of Supervisors
Creek Preserve Community Development District

Dear Board Members:

The Landowners Election, Public Hearing & Regular Meeting Creek Preserve Community Development District will be held on **December 6, 2018 at 1:45 p.m.** at the Offices of Meritus located at 2005 Pan Am Circle Suite 120 Tampa, FL 33607. Following is the Agenda for the Meeting:

Call In Number: 1-866-906-9330

Access Code: 4863181

LANDOWNERS MEETING/ELECTION

- 1. CALL TO ORDER**
- 2. APPOINTMENT OF MEETING CHAIRMAN**
- 3. ANNOUNCEMENT OF CANDIDATES/CALL FOR NOMINATIONS**
- 4. ELECTION OF SUPERVISORS**
- 5. OWNERS' REQUESTS**
- 6. ADJOURNMENT**

REGULAR MEETING & PUBLIC HEARING OF THE BOARD OF SUPERVISORS

- 1. CALL TO ORDER/ROLL CALL**
- 2. OATH OF OFFICE**
- 3. PUBLIC COMMENT ON AGENDA ITEMS**
- 4. RECESS TO PUBLIC HEARING**
- 5. PUBLIC HEARING ON LEVYING SPECIAL ASSESSMENTS**
 - A. Open the Public Hearing on Levying Special Assessments
 - B. Staff Presentation
 - C. Public Comment
 - D. Open the Public Hearing on Levying Special Assessments
 - E. Consideration of Resolution 2019-26; Levying Special Assessments.....Tab 01
- 6. RETURN AND PROCEED TO REGULAR MEETING**
- 7. BUSINESS ITEMS**
 - A. Consideration of Resolution 2019-27; Canvassing & Certifying the Results of the Landowners Election.....Tab 02
 - B. Consideration of Resolution 2019-28; Designating OfficersTab 03
 - C. General Matters of the District
- 8. CONSENT AGENDA**
 - A. Consideration of Minutes of the Special Organizational Meeting October 18, 2018.....Tab 04
 - B. Consideration of Minutes of the Regular Meeting November 01, 2018.....Tab 05
- 9. VENDOR/STAFF REPORTS**
 - A. District Counsel
 - B. District Engineer
 - C. District Manager
- 10. SUPERVISORS REQUESTS**
- 11. AUDIENCE QUESTIONS, COMMENTS AND DISCUSSION FORUM**
- 12. ADJOURNMENT**

Sincerely,



Brian Lamb, CEO
Meritus

RESOLUTION 2019 -26

A RESOLUTION OF THE BOARD OF SUPERVISORS (THE "BOARD") OF THE CREEK PRESERVE 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.

BE IT RESOLVED BY THE BOARD OF SUPERVISORS OF THE CREEK PRESERVE COMMUNITY DEVELOPMENT DISTRICT (the "**BOARD**") AS FOLLOWS:

SECTION 1. AUTHORITY FOR THIS RESOLUTION. This Resolution is adopted pursuant to Chapters 170, 190 and 197, Florida Statutes, including specifically, Section 170.08, Florida Statutes.

SECTION 2. FINDINGS. The Board hereby finds and determines as follows:

(a) The Creek Preserve Community Development District (the "**District**") is a local unit of special purpose government organized and existing under and pursuant to Chapter 190, Florida Statutes, as amended.

(b) The District is authorized under Chapter 190, Florida Statutes, to construct certain capital improvements as described in the District Engineer's Report, dated October 23, 2018 (the "**2018 Project**").

(c) The District is authorized by Chapters 170, 190 and 197, Florida Statutes, to levy special assessments to pay all or any part of the cost of community development improvements such as the 2018 Project and to issue revenue bonds payable from special assessments as provided in Chapters 170, 190 and 197, Florida Statutes.

(d) It is desirable for the public safety and welfare that the District make the 2018 Project on certain lands within the District, the nature and location of which are described in Resolution 2019-24 and more specifically described in the plans and specifications on file at the registered office of the District; that the cost of such 2018 Project be assessed against the lands specially benefited thereby, and that the District issue its special assessment revenue bonds, in one or more series (herein, the “**Bonds**”), to provide funds for such purpose pending the receipt of such special assessments.

(e) The implementation of the 2018 Project, the levying of such special assessments and the sale and issuance of the Bonds serves a proper, essential, and valid public purpose.

(f) In order to provide funds with which to pay the cost of constructing a portion of the 2018 Project which are to be assessed against the benefited properties pending the collection of such special assessments, it is necessary for the District to issue and sell the Bonds.

(g) By Resolution 2019-24, the Board determined to implement the 2018 Project and to defray the cost thereof by levying special assessments on benefited property and expressed an intention to issue the Bonds to provide the funds needed therefor prior to the collection of such special assessments. Resolution 2019-24 was adopted in compliance with the requirements of Section 190.016, Florida Statutes and with the requirements of Section 170.03, Florida Statutes, and prior to the time the same was adopted, the requirements of Section 170.04, Florida Statutes had been complied with.

(h) Resolution 2019-24, was published as required by Section 170.05, Florida Statutes, and a copy of the publisher's affidavit of publication is on file with the Chairman of the Board of Supervisors of the District.

(i) A preliminary assessment roll has been prepared and filed with the Board as required by Section 170.06, Florida Statutes.

(j) As required by Section 170.07, Florida Statutes, upon completion of the preliminary assessment roll, the Board adopted Resolution 2019-25 fixing the time and place of a public hearing at which owners of the property to be assessed and other persons interested therein may appear before the Board and be heard as to (i) the propriety and advisability of implementing the 2018 Project, (ii) the cost thereof, (iii) the manner of payment therefor, and (iv) the amount thereof to be assessed against each specially benefited property.

(k) At the time and place specified in the resolution and notice referred to in paragraph (j) above, the Board met as an equalization board, conducted such public hearing and heard and considered all comments and complaints as to the matters described in paragraph (j) above, and based thereon, has made such modifications in the preliminary assessment roll as it deems desirable in the making of the final assessment roll.

(l) Having considered revised estimates of the construction costs of the 2018 Project, revised estimates of financing costs, and all complaints and evidence presented at such public hearing, the Board finds and determines:

(i) that the estimated costs of the 2018 Project is as specified in the Report (as defined below) and as attached as **Exhibit "A"** and the amount of such costs is reasonable and proper;

(ii) it is reasonable, proper, just and right to assess the cost of such 2018 Project against the properties specially benefited thereby using the methods determined by the Board, which results in the special assessments set forth on the final assessment roll which is part

of the Master Special Assessment Methodology Report dated October 18, 2018, a copy of which is attached as **Exhibit “A”** to this Resolution;

(iii) it is hereby declared that the 2018 Project will constitute a special benefit to all parcels of real property listed on the final assessment roll set forth in the Report and that the benefit, in the case of each such parcel, will be equal to or in excess of the special assessments thereon; and

(iv) it is desirable that the Assessments be paid and collected as herein provided.

SECTION 3. DEFINITIONS. Capitalized words and phrases used herein but not defined herein shall have the meaning given to them in the Report. In addition, the following words and phrases shall have the following meanings:

“**Assessable Unit**” means a building lot in the product type or lot size as set forth in the Report.

"**Assessment**" or "**Assessments**" means the special assessments imposed to repay the Bonds which are being issued to finance the construction of the 2018 Project as described in the Report.

"**Developer**" means **Creek Preserve Development, LLC**, a Florida limited liability company, and its successors and assigns.

SECTION 4. AUTHORIZATION OF THE PUBLIC 2018 PROJECT. The 2018 Project described in Resolution 2019-24, as more specifically described by the plans and specifications therefor on file in the registered office of the District, is hereby authorized and approved and the proper officers, employees and agents of the District are hereby authorized and

directed to take such further action as may be necessary or desirable to cause the same to be constructed following the issuance of Bonds referred to herein.

SECTION 5. ESTIMATED COST OF THE 2018 PROJECT. The total estimated costs of the 2018 Project, and the costs to be paid by the Assessments on all specially benefited property is set forth in the Report.

SECTION 6. EQUALIZATION, APPROVAL, CONFIRMATION AND LEVY OF ASSESSMENTS. The Assessments on the benefited parcels, all as specified in the final assessment roll contained within the Report attached as **Exhibit "A"** to this Resolution, are hereby equalized, approved, confirmed and levied. Promptly following the adoption of this resolution, those Assessments shall be recorded by the Secretary of the Board of the District in a special book, to be known as the "**Improvement Lien Book.**" The Assessment or Assessments against the benefited parcels shown on such final assessment roll and interest and penalties thereon, as hereafter provided, shall be and shall remain a legal, valid and binding first lien on such benefited parcels until paid; such lien shall be coequal with the lien of all state, county, district and municipal taxes and special assessments, and superior in dignity to all other liens, titles, and claims.

SECTION 7. FINALIZATION OF ASSESSMENTS. When the 2018 Project has been constructed to the satisfaction of the Board, the Board shall adopt a resolution accepting the same and determining the actual costs to the District thereof, as required by Sections 170.08 and 170.09, Florida Statutes. In the event that the actual costs to the District for the 2018 Project is less than the amount assessed therefor, the District shall credit to each Assessment for the 2018 Project the proportionate difference between the Assessment as hereby made, approved and confirmed and the actual costs of the 2018 Project, as finally determined upon completion thereof. In no event, however, shall the final amount of any such Assessment exceed the amount originally assessed

hereunder. In making such credits, no discount shall be granted or credit given for any part of the payee's proportionate share of any actual bond financing costs, such as capitalized interest, funded reserves or bond discount included in the estimated cost of the 2018 Project. Such credits shall be entered in the Improvement Lien Book. Once the final amount of the Assessments for all of the 2018 Project has been determined, the term "**Assessment**" shall mean the sum of the actual costs of the 2018 Project benefiting the benefited parcels plus financing costs.

SECTION 8. ALLOCATION OF ASSESSMENTS WITHIN THE BENEFITED PARCELS. Because it is contemplated that the land will be subdivided into lots to be used for the construction of residential units, and that such individual lots will be sold to numerous purchasers, the Board deems it desirable to establish a method for allocating the total Assessment among the various lots that will exist so that the amount so allocated to each lot will constitute an assessment against, and a lien upon, each such lot without further action by the Board.

The Board has been informed by the Developer that each lot of a particular product type as identified in the Report will be of approximately the same size as each other lot of the same product type. While it would be possible to allocate the Assessments among each lot of a particular product type on the basis of the square footage of each such lot, the Board does not believe that the special benefits afforded by the 2018 Project to each lot vary to any material degree due to comparatively minor variations in the square footage of each lot. Instead, the Board believes, and hereby finds, that based upon the Developer's present development plans, each lot of the same product type will be benefited equally by the 2018 Project, regardless of minor variations in the square footage of the lots.

If the Developer's plans change and the size of the Assessable Units vary to a degree such that it would be inequitable to levy Assessments in equal amounts against each Assessable Unit of

the same product type, then the Board may, by a supplemental resolution, reallocate the Assessments against the Assessable Units on a more equitable basis and in doing so the Board may ignore minor variations among lots of substantially equal square footage; provided, however, that before adoption of any resolution the Board shall have obtained and filed with the Trustee: (i) an opinion of counsel acceptable to the District to the effect that the Assessments as reallocated were duly levied in accordance with applicable law, that the Assessments as reallocated, together with the interest and penalties, if any, thereon, will constitute a legal, valid and binding first lien on the Assessable Units as to which such Assessments were reallocated until paid in full, and that such lien is coequal with the lien of all state, county, district and municipal taxes and special assessments, and superior in dignity to all other liens, titles, and claims, whether then existing or thereafter created; and (ii) a certificate from the District's Methodology Consultant together with supporting schedule confirming that the aggregate cash flow from the reallocated Assessments is not less than the aggregate cash flow from the original Assessments.

If the Board reallocates Assessments as provided in the preceding paragraph, a certified copy of the supplemental resolution approving such reallocation shall be filed with the trustee for the Bonds (herein, the "Trustee") within 30 days after its adoption and a revised Assessment roll shall be prepared and shall be recorded in the Improvement Lien Book created pursuant hereto.

SECTION 9. PAYMENT OF ASSESSMENTS. At the end of the capitalized interest period referenced in the Report (if any), the Assessments for the Bonds shall be payable in substantially equal annual installments of principal and interest over a period of 30 years, in the principal amounts set forth in the Report attached hereto as **Exhibit "A"**, together with interest at the applicable coupon rate of the Bonds, such interest to be calculated on the basis of a three hundred sixty (360) day year consisting of twelve (12) months of thirty (30) days each, plus the

District's costs of collection and assumed discounts for Assessments paid in November; provided, however, that any owner of land (unless waived in writing) against which an Assessment has been levied may pay the entire principal balance of such Assessment without interest at time within thirty days after the 2018 Project has been completed and the Board has adopted a resolution accepting the 2018 Project as provided by section 170.09, Florida Statutes. Any owner of land against which an Assessment has been levied may pay the principal balance of such Assessment, in whole at any time or in part one time, if there is also paid an amount equal to the interest that would otherwise be due on such balance to the earlier of the next succeeding November 1 or May 1, which is at least 45 days after the date of payment.

SECTION 10. PAYMENT OF BONDS; REFUNDS FOR OVERPAYMENT. Upon payment of all of the principal and interest on the Bonds secured by the Assessments, the Assessments theretofore securing the Bonds shall no longer be levied by the District. If, for any reason, Assessments are overpaid or excess Assessments are collected, or if, after repayment of the Bonds the Trustee makes payment to the District of excess amounts held by it for payment of the Bonds, such overpayment or excess amount or amounts shall be refunded to the person or entity who paid the Assessment.

SECTION 11. PENALTIES, CHARGES, DISCOUNTS, AND COLLECTION PROCEDURES. The Assessments shall be subject to a penalty at a rate of one percent (1%) per month if not paid when due under the provisions of Florida Statutes, Chapter 170 or the corresponding provisions of subsequent law. However, the District anticipates using the "uniform method for the levy, collection and enforcement of non-ad valorem assessment" as provided by Florida Statutes, Chapter 197 for the collection of the Assessments for the Bonds. Accordingly, the Assessments for the Bonds, shall be subject to all collection provisions to which non-ad

valorem assessments must be subject in order to qualify for collection pursuant to Florida Statutes, Chapter 197, as such provisions now exist and as they may exist from time to time hereafter in Chapter 197 or in the corresponding provision of subsequent laws. Without limiting the foregoing, at the present time such collection provisions include provisions relating to discount for early payment, prepayment by installment method, deferred payment, penalty for delinquent payment, and issuance and sale of tax certificates and tax deeds for non-payment. With respect to the Assessments levied against any parcels owned by the Developer, the District may invoice and collect such Assessments directly from the Developer and not pursuant to Chapter 197. Any Assessments that are directly collected by the District shall be due and payable to the District on April 1 and October 1 of each year.

SECTION 12. CONFIRMATION OF INTENTION TO ISSUE CAPITAL IMPROVEMENT REVENUE BONDS. The Board hereby confirms its intention to issue the Bonds, to provide funds, pending receipt of the Assessments, to pay all or a portion of the cost of the 2018 Project assessed against the specially benefited property.

SECTION 13. SEVERABILITY. If any Section or part of a Section of this resolution be declared invalid or unconstitutional, the validity, force and effect of any other Section or part of a Section of this resolution shall not thereby be affected or impaired unless it clearly appears that such other Section or part of a Section of this resolution is wholly or necessarily dependent upon the Section or part of a Section so held to be invalid or unconstitutional.

SECTION 14. CONFLICTS. All resolutions or parts thereof in conflict herewith are, to the extent of such conflict, superseded and repealed.

EFFECTIVE DATE. This resolution shall become effective upon its adoption, this 6th day of December, 2018.

Attest:

**Creek Preserve
Community Development District**

By: _____

By: _____

Name: _____

Name: _____

Assistant Secretary

Chair of the Board of Supervisors

Exhibit A: Master Assessment Methodology Report dated October 18, 2018

RESOLUTION 2019-27

A RESOLUTION OF THE BOARD OF SUPERVISORS OF CREEK PRESERVE COMMUNITY DEVELOPMENT DISTRICT CANVASSING AND CERTIFYING THE RESULTS OF THE LANDOWNERS ELECTION OF SUPERVISORS HELD PURSUANT TO SECTION 190.006(2), FLORIDA STATUTES, ADDRESSING SEAT NUMBER DESIGNATIONS ON THE BOARD OF SUPERVISORS, AND PROVIDING AN EFFECTIVE DATE.

WHEREAS, Creek Preserve Community Development District (the “District”) is a local unit of special-purpose government created and existing pursuant to Chapter 190, Florida Statutes; and

WHEREAS, pursuant to Section 190.006(2), Florida Statutes, a landowners meeting is required to be held within 90 days of the District’s creation and every two years following the creation of the District for the purpose of electing supervisors of the District; and

WHEREAS, following proper publication and notice thereof, on December 6, 2018, the owners of land within the District held a meeting for the purpose of electing supervisors to the District’s Board of Supervisors (“Board”); and

WHEREAS, at the December 6, 2018 meeting, the below recited persons were duly elected by virtue of the votes cast in their respective favor; and

WHEREAS, the Board, by means of this Resolution, desires to canvas the votes, declare and certify the results of the landowner’s election, and announce the Board Members, seat number designations on the Board.

NOW THEREFORE BE IT RESOLVED BY THE BOARD OF SUPERVISORS OF CREEK PRESERVE COMMUNITY DEVELOPMENT DISTRICT:

SECTION 1. The recitals as stated above are true and correct and by this reference are incorporated into and form a material part of this Resolution.

SECTION 2. The following persons are found, certified, and declared to have been duly elected as Supervisors of and for the District, having been elected by the votes cast in their favor as shown below:

_____	_____	Votes	(4 year term)	Seat # 1
_____	_____	Votes	(4 year term)	Seat # 2
_____	_____	Votes	(4 year term)	Seat # 3
_____	_____	Votes	(2 year term)	Seat # 4

_____ Votes (2 year term) Seat # 5

SECTION 3. Said terms of office commence on December 6, 2018.

SECTION 4. If any provision of this Resolution is held to be illegal or invalid, the other provisions shall remain in full force and effect. To the extent the provisions of this Resolution conflict with the provisions of any other resolution of the District, the provisions of this Resolution shall prevail.

PASSED AND ADOPTED this 6th day of December, 2018.

ATTEST:

**CREEK PRESERVE COMMUNITY
DEVELOPMENT DISTRICT**

Secretary/ Assistant Secretary

Print Name: _____

Chair/ Vice Chair

Print Name: _____

RESOLUTION 2019-28

**A RESOLUTION OF THE BOARD OF SUPERVISORS
DESIGNATING THE OFFICERS OF CREEK PRESERVE
COMMUNITY DEVELOPMENT DISTRICT, AND
PROVIDING FOR AN EFFECTIVE DATE.**

WHEREAS, Creek Preserve Community Development District (the “District”), is a local unit of special-purpose government created and existing pursuant to Chapter 190, Florida Statutes, being situated entirely within the County of Hillsborough; and

WHEREAS, the Board of Supervisors (hereinafter the “Board”) now desires to designate the Officers of the District per F.S. 190.006(6).

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

- 1. The following persons are elected to the offices shown, to wit:

_____	Chairman
_____	Vice-Chairman
<u>Brian Lamb</u>	Secretary
<u>Eric Davidson</u>	Treasurer
<u>Debby Nussel</u>	Assistant Secretary
_____	Assistant Secretary
_____	Assistant Secretary
_____	Assistant Secretary

- 2. This Resolution shall become effective immediately upon its adoption.

PASSED AND ADOPTED THIS 6TH DAY OF DECEMBER, 2018.

ATTEST:

**CREEK PRESERVE COMMUNITY
DEVELOPMENT DISTRICT**

Secretary/ Assistant Secretary
Print Name: _____

Chair/ Vice Chair
Print Name: _____

**CREEK PRESERVE
COMMUNITY DEVELOPMENT DISTRICT**

October 18, 2018 Minutes of Special Organizational Meeting

Minutes of the Special Organizational Meeting

The Special Organizational Meeting of the Board of Supervisors for the Creek Preserve Community Development District was held on **Thursday, October 18, 2018 at 9:00 a.m.** at the Offices of Meritus located at 2005 Pan Am Circle, Suite 120, Tampa, FL 33607.

1. CALL TO ORDER

Brian Lamb called the Special Organizational Meeting of the Board of Supervisors of the Creek Preserve Community Development District to order on **Thursday, October 18, 2018 at 9:00 a.m.**

Board Members Present and Constituting a Quorum:

Jeff Hills	Supervisor	<i>via speakerphone</i>
Ryan Motko	Supervisor	
Nick Dister	Supervisor	
Albert Viera	Supervisor	

Staff Members Present:

Brian Lamb	Meritus
Debby Nussel	Meritus
John Vericker	Straley Robin Vericker
Kristen Schalter	Straley Robin Vericker
Michelle Campbell	Eisenhower Property Group

There were no members of the general public in attendance.

2. PUBLIC COMMENT PERIOD

There were no public comments.

3. ADMINISTER OATHS OF OFFICE TO BOARD ASSIGNED IN PETITION

Mr. Lamb stated that Ryan Motko, Nick Dister, and Albert Viera had been sworn in before the meeting. Jeff Hills will not be voting at this meeting since he has not been sworn in.

45 **4. SEAT NEW BOARD MEMBERS**

46 **A. Overview of Forms, Sunshine Amendment, Code of Ethics, Supervisor**
47 **Responsibilities**

48
49 Mr. Lamb stated that these Board members are aware of the Code of Ethics, Sunshine Laws, and
50 Supervisor responsibilities since they are already on several CDDs. Mr. Lamb reminded the
51 Board that if they ever have any questions to please let District Counsel know. Mr. Lamb stated
52 he will place the Oaths of Office in the Records of Proceeding.

53
54
55 **5. APPOINTMENT OF OFFICERS – Resolution 2019-01**

- 56 **A. Chairman**
57 **B. Vice Chairman**
58 **C. Secretary**
59 **D. Treasurer**
60 **E. Assistant Secretaries**

61
62 Mr. Lamb went over resolution. Supervisor Hills will serve as Chairman, Supervisor Dister will
63 serve as Vice Chair, Mr. Lamb will serve as Secretary, Eric Davidson from Meritus will serve as
64 Treasurer, and the rest of the Board will serve as Assistant Secretaries.

65
66 MOTION TO: Approve Resolution 2019-01 as stated.
67 MADE BY: Supervisor Motko
68 SECONDED BY: Supervisor Viera
69 DISCUSSION: None further
70 RESULT: Called to Vote: Motion PASSED
71 3/0 - Motion Passed Unanimously

72
73
74 **6. APPOINTMENT OF CONSULTANTS**

75 **A. Consider Appointment of District Manager/Assessment Consultant– Resolution**
76 **2019-02**

77
78 Mr. Lamb went over the resolution for the appointment of District Manager and Assessment
79 Consultant.

80
81 **B. Designation of Registered Agent/Office – Resolution 2019-03**

82
83 Mr. Lamb went over the resolution which names Brian Lamb as Registered Agent.

84
85 **C. Consider Appointment of District General Counsel – Resolution 2019-04**

86
87 Mr. Lamb went over the resolution for District Counsel.

88
89

90 **D. Consider Appointment of Interim District Engineer – By Motion**
91 **i. Authorize RFQ for District Engineer**

92
93 Mr. Lamb went over the appointment of interim District Engineer and RFQ for District Engineer.
94

95 **E. Consider Appointment of Bond Counsel – Akerman LLP**

96
97 Mr. Lamb went over the appointment of Bound Counsel.
98

99 **F. Consider Appointment of Investment Banker – FMS Bonds**

100
101 Mr. Lamb went over the appointment of Investment Banker.
102

103 **G. Consider Appointment of Trustee – US Bank**

104
105 Mr. Lamb went over the appointment of Trustee.
106

107	MOTION TO:	Approve Section 6 as reviewed in substantial form
108		with review by the Chair.
109	MADE BY:	Supervisor Dister
110	SECONDED BY:	Supervisor Motko
111	DISCUSSION:	None further
112	RESULT:	Called to Vote: Motion PASSED
113		3/0 - Motion Passed Unanimously

114
115
116 **7. BUSINESS MATTERS**

117 **A. Approve Notice of Establishment – Resolution 2019-05**

118
119 Mr. Lamb went over the resolution and will have Counsel file it for public record.
120

121 **B. Consider Policy of Compensation for Board Members – Resolution 2019-06**

122
123 Mr. Lamb went over the resolution. The Board agreed that they will not receive compensation.
124

125 **C. Consider Policy of Reimbursement of District Travel Expenses – Resolution**
126 **2019-07**

127
128 Mr. Lamb went over the resolution with the Board.
129

130 **D. Consider Designation of Local Records Officer – Resolution 2019-08**

131
132 Mr. Lamb went over the resolution, naming the Meritus office as the local records office.
133
134

135 **E. Consider District Records Retention Schedule – Resolution 2019-09**

136
137 Mr. Lamb went over the resolution with the Board.

138
139 **F. Consider Fiscal Year 2019 Regular Meeting Schedule and Location – Resolution**
140 **2019-10**

141
142 Mr. Lamb went over the resolution and meeting dates with the Board.

143
144 **G. Consider Landowners' Meeting Date, Time, and Location – Resolution 2019-11**

145
146 Mr. Lamb went over the resolution. He stated that the Landowners Election will be on December
147 6, 2018 at 1:45 p.m.

148
149 **H. Consider Proposed FY 2019 Annual Budget & Set Public Hearing – Resolution**
150 **2019-12**

151
152 Mr. Lamb went over the resolution. The Public Hearing will be held on January 3, 2019.

153
154 **I. Consider FY 2019 Developer Funding Agreement**

155
156 Mr. Lamb went over the Developer Funding Agreement.

157
158 **J. Set Public Hearing for Uniform Method of Collections – Resolution 2019-13**

159
160 Mr. Lamb went over the resolution. The public hearing will be held on January 3, 2019.

161
162 **K. Consider Rules of Procedure & Setting Public Hearing – Resolution 2019-14**

163
164 Mr. Lamb went over the resolution. The public hearing will be held on January 3, 2019.

165
166 **L. Consider Policy Re: Support & Legal Defense for Board & Staff – Resolution**
167 **2019-15**

168
169 Mr. Lamb went over the resolution with the Board.

170
171 **M. Authorization to Obtain General Liability and Public Officers Insurance – By**
172 **Motion**

173
174 Mr. Lamb went over the cost to obtain general liability and public officers insurance.

175
176 **N. Consider Designation of a Qualified Public Depository – Resolution 2019-16**

177
178 Mr. Lamb went over the resolution, naming SunTrust as the Qualified Public Depository.

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O. Authorization of Signatories – Resolution 2019-17

Mr. Lamb went over the resolution.

P. Authorization to Disburse Funds for Expenses – Resolution 2019-18

Mr. Lamb went over the resolution.

Q. Consideration Adoption of Investment Policy – Resolution 2019-19

Mr. Lamb went over the resolution.

R. Consider Approval of Florida Statewide Mutual Aid Agreement – Resolution 2019-20

Mr. Lamb went over the resolution.

S. Consider Provisions for Public Comments – Resolution 2019-21

Mr. Lamb went over the resolution.

T. Consider Plat Approval – By Motion

Mr. Lamb went over the Plat Approval with the Board.

MOTION TO:	Approve Section 7 as reviewed and suggested.
MADE BY:	Supervisor Dister
SECONDED BY:	Supervisor Viera
DISCUSSION:	None further
RESULT:	Called to Vote: Motion PASSED 3/0 - Motion Passed Unanimously

8. PRELIMINARY REPORT PRESENTATION – ASSESSMENT BONDS
A. Preliminary Validation Report of Engineer

Mr. Lamb went over the Engineer Report dated October 8, 2018. He went over the cost in the report.

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MOTION TO:	Approve the Preliminary Validation Report of Engineer in substantial form.
MADE BY:	Supervisor Dister
SECONDED BY:	Supervisor Viera
DISCUSSION:	None further
RESULT:	Called to Vote: Motion PASSED 3/0 - Motion Passed Unanimously

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B. Preliminary Assessment Bond Validation Report

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Mr. Lamb went over the report and cost.

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MOTION TO:	Approve the Preliminary Assessment Bond Validation Report in substantial form.
MADE BY:	Supervisor Dister
SECONDED BY:	Supervisor Motko
DISCUSSION:	None further
RESULT:	Called to Vote: Motion PASSED 3/0 - Motion Passed Unanimously

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C. Authorizing Issuance of Bonds/Filing of Validation Complaint – Resolution 2019-22

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i. Master Trust Indenture

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Mr. Babbar went over the resolution.

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MOTION TO:	Approve Resolution 2019-22.
MADE BY:	Supervisor Dister
SECONDED BY:	Supervisor Viera
DISCUSSION:	None further
RESULT:	Called to Vote: Motion PASSED 3/0 - Motion Passed Unanimously

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D. Consider Authorization of Chairman to Accept or Execute Certain Documents – Resolution 2019-23

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Mr. Babbar went over the resolution.

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MOTION TO:	Approve Resolution 2019-23.
MADE BY:	Supervisor Dister
SECONDED BY:	Supervisor Viera
DISCUSSION:	None further
RESULT:	Called to Vote: Motion PASSED 3/0 - Motion Passed Unanimously

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E. Other Matters Related to Financing

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9. ADMINISTRATIVE MATTERS

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A. Request for Working Capital – By Motion

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Mr. Lamb stated that Alex Wolfe with Meritus is working with Michelle Campbell with Eisenhower Property to set everything up.

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10. STAFF REPORTS

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A. District Counsel

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B. District Engineer

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C. District Manager

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Mr. Lamb stated that he will get the assessment process going as soon as possible.

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11. BOARD MEMBERS' COMMENTS

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There were no Board member comments.

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12. PUBLIC COMMENTS

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There were no public comments.

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297 **13. ADJOURNMENT**
298

299	MOTION TO:	Adjourn.
300	MADE BY:	Supervisor Dister
301	SECONDED BY:	Supervisor Viera
302	DISCUSSION:	None further
303	RESULT:	Called to Vote: Motion PASSED
304		3/0 - Motion Passed Unanimously

305
306 **Please note the entire meeting is available on disc.*
307

308 **These minutes were done in summary format.*
309

310 **Each person who decides to appeal any decision made by the Board with respect to any matter*
311 *considered at the meeting is advised that person may need to ensure that a verbatim record of*
312 *the proceedings is made, including the testimony and evidence upon which such appeal is to be*
313 *based.*
314

315 **Meeting minutes were approved at a meeting by vote of the Board of Supervisors at a publicly**
316 **noticed meeting held on _____.**
317

318
319 _____
320 **Signature**

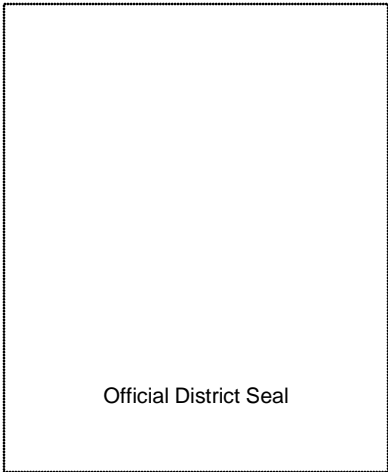
318
319 _____
320 **Signature**

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322 _____
323 **Printed Name**

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322 _____
323 **Printed Name**

324
325 **Title:**
326 **Secretary**
327 **Assistant Secretary**

324
325 **Title:**
326 **Chairman**
327 **Vice Chairman**



Recorded by Records Administrator

Signature

Date

**CREEK PRESERVE
COMMUNITY DEVELOPMENT DISTRICT**

November 1, 2018 Minutes of Regular Meeting

Minutes of the Regular Meeting

The Regular Meeting of the Board of Supervisors for the Creek Preserve Community Development District was held on **Thursday, November 1, 2018 at 1:45 p.m.** at The Offices of Meritus located at 2005 Pan Am Circle, Suite 120, Tampa, FL 33607.

1. CALL TO ORDER

Debby Nussel called the Regular Meeting of the Board of Supervisors of the Creek Preserve Community Development District to order on **Thursday, November 1, 2018 at 1:45 p.m.**

Board Members Present and Constituting a Quorum:

Jeff Hills	Chair
Nick Dister	Vice Chair
Ryan Motko	Supervisor
Albert Viera	Supervisor
Steve Luce	Supervisor

Staff Members Present:

Brian Lamb	Meritus	<i>via speakerphone</i>
Debby Nussel	Meritus	
Gene Roberts	Meritus	
Vivek Babbar	Straley Robin Vericker	<i>via speakerphone</i>
Kristen Schalter	Straley Robin Vericker	<i>via speakerphone</i>
Michelle Campbell	Eisenhower Property Group	

There were no members of the general public in attendance.

2. PUBLIC COMMENT PERIOD

There were no public comments.

3. VENDOR/STAFF REPORTS

- A. District Counsel**
- B. District Engineer**
- C. District Manager**

4. BUSINESS ITEMS

- A. Consideration of District Engineer's Report**

The Board reviewed the District Engineer's report.

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MOTION TO:	Approve the District Engineer's Report.
MADE BY:	Supervisor Motko
SECONDED BY:	Supervisor Dister
DISCUSSION:	None further
RESULT:	Called to Vote: Motion PASSED 5/0 - Motion Passed Unanimously

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B. Consideration of Master Assessment Methodology Report

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The Board reviewed the Master Assessment Methodology Report.

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MOTION TO:	Approve the Master Assessment Methodology Report.
MADE BY:	Supervisor Motko
SECONDED BY:	Supervisor Dister
DISCUSSION:	None further
RESULT:	Called to Vote: Motion PASSED 5/0 - Motion Passed Unanimously

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C. Consideration of Resolution 2019-24; Declaring Special Assessments

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Mr. Babbar went over the resolution with the Board.

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MOTION TO:	Approve Resolution 2019-24.
MADE BY:	Supervisor Dister
SECONDED BY:	Supervisor Viera
DISCUSSION:	None further
RESULT:	Called to Vote: Motion PASSED 5/0 - Motion Passed Unanimously

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D. Consideration of Resolution 2019-25; Set Public Hearing for Declaring Special Assessments

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Mr. Babbar reviewed the resolution with the Board. The public hearing will be on December 6, 2018.

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MOTION TO:	Approve Resolution 2019-25.
MADE BY:	Supervisor Viera
SECONDED BY:	Supervisor Motko
DISCUSSION:	None further
RESULT:	Called to Vote: Motion PASSED 5/0 - Motion Passed Unanimously

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E. General Matters of the District

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5. SUPERVISOR REQUESTS AND AUDIENCE COMMENTS

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There were no supervisor requests or audience comments.

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6. ADJOURNMENT

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MOTION TO:	Adjourn.
MADE BY:	Supervisor Motko
SECONDED BY:	Supervisor Dister
DISCUSSION:	None further
RESULT:	Called to Vote: Motion PASSED 5/0 - Motion Passed Unanimously

110

111

112 **Please note the entire meeting is available on disc.*

113

114 **These minutes were done in summary format.*

115

116 **Each person who decides to appeal any decision made by the Board with respect to any matter*
117 *considered at the meeting is advised that person may need to ensure that a verbatim record of*
118 *the proceedings is made, including the testimony and evidence upon which such appeal is to be*
119 *based.*

120

121 **Meeting minutes were approved at a meeting by vote of the Board of Supervisors at a publicly**
122 **noticed meeting held on _____.**

123

124

125

126 _____
Signature

127

128

129 _____
Printed Name

130

131 **Title:**

132 **Secretary**

133 **Assistant Secretary**

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Signature

Printed Name

Title:

Chairman

Vice Chairman

Recorded by Records Administrator

Signature

Date

