

MINUTES OF MEETING

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

**TWO CREEKS
COMMUNITY DEVELOPMENT DISTRICT**

The special meeting of the Board of Supervisors of Two Creeks Community Development District was held on **Wednesday, January 25, 2017 at 6:00p.m.** at the Courtyard by Marriott, located at 610 Wells Road (I-295 and US 17), Orange Park, Florida 32073.

Present and constituting a quorum:

Kenny Johns	Board Supervisor, Chairman
Carl McMichael	Board Supervisor, Assistant Secretary
Michael Jones	Board Supervisor, Assistant Secretary
Lan Nguyen	Board Supervisor, Assistant Secretary
Karen Burt	Board Supervisor, Assistant Secretary

Also present were:

Lesley Gallagher	District Manager, Rizzetta & Company, Inc.
Wes Haber	District Counsel, Hopping Green & Sams
Brian Parks	Vesta
Dan Fagen	Vesta
Kyle Kubik	Yellowstone, Landscape

Audience present

FIRST ORDER OF BUSINESS

Call to Order

Mr. Johns called the meeting to order at 6:04 p.m. and read roll call.

SECOND ORDER OF BUSINESS

Audience Comments on Agenda Items

There were no comments on agenda items.

THIRD ORDER OF BUSINESS

**Consideration of Appointment of Board
Members, to fill vacancies in Seat #1, #2
and #3**

Mr. Haber reviewed the appointment process. Ms. Burt and Ms. Nguyen abstained from voting on seats they were seeking to be appointed to and completed form 8B (exhibit A). Edward Leffler addressed the Board as he was present. Brian Wigal was not present but had provided a written statement which Ms. Gallagher read to the Board (exhibit B).

Supervisors Jones, Johns and McMichael voted, with all in favor, Karen Burt was appointed to Seat #2. Ms. Burt was given oath of Office.

Mr. Johns was presented with a plaque from the District in appreciation of his more than ten years of service before leaving the meeting.

Supervisors Jones, McMichael and Burt voted, with all in favor, Lan Nguyen was appointed to Seat #1. Ms. Nguyen was given Oath of Office.

Supervisors Jones, McMichael, Burt and Nguyen voted, with all in favor, Brian Wigal was appointed to Seat #3.

i.) Oath of Office

Ms. Burt and Ms. Nguyen took their Oaths when appointed.

FOURTH ORDER OF BUSINESS

**Consideration of Resolution 2017-05,
Designating Officers**

Ms. Gallagher reviewed Resolution 2017-05, Designating Officers.

Michael Jones was nominated for Chairman.

On a motion by Ms. Burt, seconded by Ms. Nguyen, with all in favor, the Board approved Michael Jones as Chairman for Two Creeks Community Development District.

Carl McMichael was nominated for Vice Chairman.

On a motion by Mr. McMichael, seconded by Mr. Jones, with all in favor, the Board approved Carl McMichael as Vice Chairman for Two Creeks Community Development District.

Resolution 2017-05 was adopted as follows: Chairman – Michael Jones; Vice Chairman – Carl McMichael; Assistant Secretaries – Lan Nguyen, Karen Burt, Brian Wigal, Lesley Gallagher and Melissa Dobbins.

On a motion by Mr. Jones, seconded by Ms. Burt, with all in favor, the Board adopted Resolution 2017-05, Designating Officers for Two Creeks Community Development District.

FIFTH ORDER OF BUSINESS

**Consideration of the Minutes of the Board
of Supervisors' Regular Meeting held
November 16, 2016**

On a motion by Ms. Burt, seconded by Mr. McMichael, with all in favor, the Board approved the minutes of the Board of Supervisors' regular meeting held November 16, 2016 for Two Creeks Community Development District.

SIXTH ORDER OF BUSINESS

**Ratification of the Operation and
Maintenance Expenditures for October
2016 and November 2016**

On a motion by Mr. McMichael, seconded by Mr. Jones, with all in favor, the Board ratified the Operation and Maintenance Expenditures for October 2016 in the amount of \$28,903.14 for Two Creeks Community Development District.

On a motion by Mr. McMichael, seconded by Mr. Jones, with all in favor, the Board ratified the Operation and Maintenance Expenditures for November 2016 in the amount of \$24,900.28 for Two Creeks Community Development District.

SEVENTH ORDER OF BUSINESS

Staff Reports

- A. District Counsel
Mr. Haber provided an update on the Drees Homes land use matter and that this was no longer being pursued for the next three years.

- B. District Engineer
Not present.

- C. Amenity Manager
 - i.) Discussion of Special Events
Brian Parks updated the Board that Preston was no longer providing field services at Two Creeks and that Ryan would be handling this going forward. He also updated the Board that the pool pump repairs that had been approved at the last meeting actually came in higher than he expected so he was continuing to seek proposals

Special Events Discussion was tabled at this time.

- i.) Update on Grill Replacement Proposals
The Board approved proposal form Tank Swamp Taxi for a 48” grill in the amount of \$4,299.00 to be installed at the end of March 2017.

On a motion by Mr. Jones, seconded by Ms. Burt, with all in favor, the Board approved the proposal from Tank Swamp Taxi for a 48” grill in the amount of \$4,299.00 to be installed at the end of March 2017 for Two Creeks Community Development District.

- D. Landscape Report
Mr Kubik reviewed his report under Tab 8.
- E. District Manager
Ms. Gallagher noted the next meeting will be held on May 17, 2017 at 6:00 p.m.

EIGHTH ORDER OF BUSINESS

Consideration of Irrigation Upgrade Proposal

This item was tabled.

NINTH ORDER OF BUSINESS

Consideration of Playground Mulch Proposals

The Board reviewed three proposals. Mulch Masters Proposal was approved in the amount of \$4,950.00

On a motion by Mr. Jones, seconded by Mr. McMichael, with all in favor, the Board approved Mulch Masters Proposal in the amount of \$4,950.00 for Two Creeks Community Development District.

TENTH ORDER OF BUSINESS

Consideration of Paver Repair/ Sealing Proposals

This item was tabled.

ELEVENTH ORDER OF BUSINESS

Consideration of Park Bench Proposals

The Board reviewed proposals from Southern Recreation and Korkat.

On a motion by Mr. Jones, seconded by Ms. Burt, with all in favor, the Board approved Southern Recreation Proposal in the amount of \$5,735.00 Two Creeks Community Development District.

TWELFTH ORDER OF BUSINESS

Audience Comments and Supervisor Requests

Audience Comments:

An audience member had a comment regarding motorbikes along Raindrop.
An audience member had a question about events in community parks.

There were no Supervisor Requests.

THIRTEENTH ORDER OF BUSINESS

Adjournment

On a motion by Mr. Jones, seconded by Mr. McMichael, with all in favor, the Board adjourned the meeting at 7:50 p.m. for Two Creeks Community Development District.



Secretary/Assistant Secretary



Chairman/Vice Chairman

Exhibit A

FORM 8B MEMORANDUM OF VOTING CONFLICT FOR COUNTY, MUNICIPAL, AND OTHER LOCAL PUBLIC OFFICERS

LAST NAME—FIRST NAME—MIDDLE NAME Burt, Karen	NAME OF BOARD, COUNCIL, COMMISSION, AUTHORITY, OR COMMITTEE Two Creeks Community Development District Board of Supervisors
MAILING ADDRESS 3900 Pipit Pt	THE BOARD, COUNCIL, COMMISSION, AUTHORITY OR COMMITTEE ON WHICH I SERVE IS A UNIT OF: <input type="checkbox"/> CITY <input type="checkbox"/> COUNTY <input checked="" type="checkbox"/> OTHER LOCAL AGENCY
CITY COUNTY Middleburg Fl 32068 Clay	NAME OF POLITICAL SUBDIVISION: Two Creeks Community Development District
DATE ON WHICH VOTE OCCURRED	MY POSITION IS: <input checked="" type="checkbox"/> ELECTIVE <input type="checkbox"/> APPOINTIVE

WHO MUST FILE FORM 8B

This form is for use by any person serving at the county, city, or other local level of government on an appointed or elected board, council, commission, authority, or committee. It applies equally to members of advisory and non-advisory bodies who are presented with a voting conflict of interest under Section 112.3143, Florida Statutes.

Your responsibilities under the law when faced with voting on a measure in which you have a conflict of interest will vary greatly depending on whether you hold an elective or appointive position. For this reason, please pay close attention to the instructions on this form before completing the reverse side and filing the form.

INSTRUCTIONS FOR COMPLIANCE WITH SECTION 112.3143, FLORIDA STATUTES

A person holding elective or appointive county, municipal, or other local public office **MUST ABSTAIN** from voting on a measure which inures to his or her special private gain or loss. Each elected or appointed local officer also is prohibited from knowingly voting on a measure which inures to the special gain or loss of a principal (other than a government agency) by whom he or she is retained (including the parent organization or subsidiary of a corporate principal by which he or she is retained); to the special private gain or loss of a relative; or to the special private gain or loss of a business associate. Commissioners of community redevelopment agencies under Sec. 163.356 or 163.357, F.S., and officers of independent special tax districts elected on a one-acre, one-vote basis are not prohibited from voting in that capacity.

For purposes of this law, a "relative" includes only the officer's father, mother, son, daughter, husband, wife, brother, sister, father-in-law, mother-in-law, son-in-law, and daughter-in-law. A "business associate" means any person or entity engaged in or carrying on a business enterprise with the officer as a partner, joint venturer, coowner of property, or corporate shareholder (where the shares of the corporation are not listed on any national or regional stock exchange).

* * * * *

ELECTED OFFICERS:

In addition to abstaining from voting in the situations described above, you must disclose the conflict:

PRIOR TO THE VOTE BEING TAKEN by publicly stating to the assembly the nature of your interest in the measure on which you are abstaining from voting; *and*

WITHIN 15 DAYS AFTER THE VOTE OCCURS by completing and filing this form with the person responsible for recording the minutes of the meeting, who should incorporate the form in the minutes.

* * * * *

APPOINTED OFFICERS:

Although you must abstain from voting in the situations described above, you otherwise may participate in these matters. However, you must disclose the nature of the conflict before making any attempt to influence the decision, whether orally or in writing and whether made by you or at your direction.

IF YOU INTEND TO MAKE ANY ATTEMPT TO INFLUENCE THE DECISION PRIOR TO THE MEETING AT WHICH THE VOTE WILL BE TAKEN:

- You must complete and file this form (before making any attempt to influence the decision) with the person responsible for recording the minutes of the meeting, who will incorporate the form in the minutes. (Continued on other side)

APPOINTED OFFICERS (continued)

- A copy of the form must be provided immediately to the other members of the agency.
- The form must be read publicly at the next meeting after the form is filed.

IF YOU MAKE NO ATTEMPT TO INFLUENCE THE DECISION EXCEPT BY DISCUSSION AT THE MEETING:

- You must disclose orally the nature of your conflict in the measure before participating.
- You must complete the form and file it within 15 days after the vote occurs with the person responsible for recording the minutes of the meeting, who must incorporate the form in the minutes. A copy of the form must be provided immediately to the other members of the agency, and the form must be read publicly at the next meeting after the form is filed.

DISCLOSURE OF LOCAL OFFICER'S INTEREST

I, Karen Burt, hereby disclose that on January 25, 20 17:

(a) A measure came or will come before my agency which (check one)

- inured to my special private gain or loss;
- inured to the special gain or loss of my business associate, _____;
- inured to the special gain or loss of my relative, _____;
- inured to the special gain or loss of _____, by whom I am retained; or
- inured to the special gain or loss of _____, which is the parent organization or subsidiary of a principal which has retained me.

(b) The measure before my agency and the nature of my conflicting interest in the measure is as follows:

at its January 25, 2017 board meeting, the Two Creeks CDD Board of Supervisors voted to appoint individuals to fill vacancies on the board. I was one of the individuals seeking to be appointed to one of the vacancies and, as a result, chose to declare a conflict and not participate in the vote to fill the vacancies.

Jan 25, 2017
Date Filed

Karen Burt
Signature

NOTICE: UNDER PROVISIONS OF FLORIDA STATUTES §112.317, A FAILURE TO MAKE ANY REQUIRED DISCLOSURE CONSTITUTES GROUNDS FOR AND MAY BE PUNISHED BY ONE OR MORE OF THE FOLLOWING: IMPEACHMENT, REMOVAL OR SUSPENSION FROM OFFICE OR EMPLOYMENT, DEMOTION, REDUCTION IN SALARY, REPRIMAND, OR A CIVIL PENALTY NOT TO EXCEED \$10,000.

FORM 8B MEMORANDUM OF VOTING CONFLICT FOR COUNTY, MUNICIPAL, AND OTHER LOCAL PUBLIC OFFICERS

LAST NAME—FIRST NAME—MIDDLE NAME <i>Quyen Lan</i>	NAME OF BOARD, COUNCIL, COMMISSION, AUTHORITY, OR COMMITTEE <i>Two Creeks Community Dev. Dist</i>
MAILING ADDRESS <i>1410 COOPERS HAWK WAY</i>	THE BOARD, COUNCIL, COMMISSION, AUTHORITY OR COMMITTEE ON WHICH I SERVE IS A UNIT OF: <input type="checkbox"/> CITY <input type="checkbox"/> COUNTY <input checked="" type="checkbox"/> OTHER LOCAL AGENCY
CITY COUNTY <i>MIDDLEBURG FL 32068</i>	NAME OF POLITICAL SUBDIVISION: <i>Two Creeks Comm. Dev. Dist</i>
DATE ON WHICH VOTE OCCURRED <i>1/25/17</i>	MY POSITION IS: <input checked="" type="checkbox"/> ELECTIVE <input type="checkbox"/> APPOINTIVE

WHO MUST FILE FORM 8B

This form is for use by any person serving at the county, city, or other local level of government on an appointed or elected board, council, commission, authority, or committee. It applies equally to members of advisory and non-advisory bodies who are presented with a voting conflict of interest under Section 112.3143, Florida Statutes.

Your responsibilities under the law when faced with voting on a measure in which you have a conflict of interest will vary greatly depending on whether you hold an elective or appointive position. For this reason, please pay close attention to the instructions on this form before completing the reverse side and filing the form.

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For purposes of this law, a "relative" includes only the officer's father, mother, son, daughter, husband, wife, brother, sister, father-in-law, mother-in-law, son-in-law, and daughter-in-law. A "business associate" means any person or entity engaged in or carrying on a business enterprise with the officer as a partner, joint venturer, coowner of property, or corporate shareholder (where the shares of the corporation are not listed on any national or regional stock exchange).

* * * * *

ELECTED OFFICERS:

In addition to abstaining from voting in the situations described above, you must disclose the conflict:

PRIOR TO THE VOTE BEING TAKEN by publicly stating to the assembly the nature of your interest in the measure on which you are abstaining from voting; *and*

WITHIN 15 DAYS AFTER THE VOTE OCCURS by completing and filing this form with the person responsible for recording the minutes of the meeting, who should incorporate the form in the minutes.

* * * * *

APPOINTED OFFICERS:

Although you must abstain from voting in the situations described above, you otherwise may participate in these matters. However, you must disclose the nature of the conflict before making any attempt to influence the decision, whether orally or in writing and whether made by you or at your direction.

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APPOINTED OFFICERS (continued)

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DISCLOSURE OF LOCAL OFFICER'S INTEREST

I, LAN NGUYEN, hereby disclose that on January 25, 20 17:

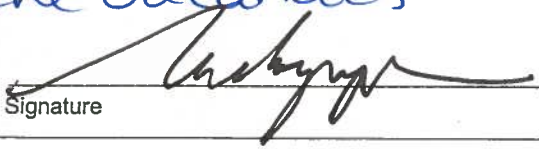
(a) A measure came or will come before my agency which (check one)

- inured to my special private gain or loss;
- inured to the special gain or loss of my business associate, _____;
- inured to the special gain or loss of my relative, _____;
- inured to the special gain or loss of _____, by whom I am retained; or
- inured to the special gain or loss of _____, which is the parent organization or subsidiary of a principal which has retained me.

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Date Filed 1/25/17

Signature 

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Exhibit B

Exhibit "B"

I am interested in serving on the board, because I have a true desire to protect our community and assets, while trying to meet the legitimate requests of the homeowners. The majority of the board members know who I am, and how I would side on decisions being made. I am straight forward in my opinions, but never speak or make decisions without researching and knowing the facts first. While serving as the Preserve HOA President over the past couple years I have made it a point to become knowledgeable in Statutes and Regulations that pertain to functions in our community. Some examples are: Title XIII - Chapter 190, Title X - Chapter 112, Title XXVIII - Chapter 380, Title XL - Chapter 720, as well as Articles I thru XII of the Clay County Land Development Regulations. Additionally, I am familiar with the Two Creeks Community Development District- Rules of Procedure (Amended May of 2014).

I apologize for not attending the meeting, as I am completing an Active Shooter training course with the Orange Park Police Department this evening. This is the first CDD meeting I have missed in the 3 years living in Two Creeks, and I assure you that I will play an active part if appointed to the board.

Thank you,

Brian Wigal, OHST

Health & Safety Manager