

**MINUTES OF MEETING
RYALS CREEK
COMMUNITY DEVELOPMENT DISTRICT**

The Board of Supervisors of the Ryals Creek Community Development District held a Regular Meeting on May 3, 2022 at 9:30 a.m., at the office of England-Thims & Miller, Inc., located at 14775 Old St. Augustine Road, Jacksonville, Florida 32258.

Present were:

A. Chester (Chip) Skinner, III	Chair
J. Malcolm Jones, III	Vice Chair
Clayton (Riley) Skinner	Assistant Secretary
David (Davis) Godfrey Skinner, Jr.	Assistant Secretary

Also present, were:

Craig Wrathell	District Manager
Ernesto Torres	Wrathell Hunt and Associates LLC
Katie Buchanan (via telephone)	District Counsel
Jason Crews	Project Engineer
Jason Hall	District Engineer

FIRST ORDER OF BUSINESS

Call to Order/Roll Call

Mr. Wrathell called the meeting to order at 9:33 a.m. Supervisors Jones, Chip Skinner, Riley Skinner and Davis Skinner were present, in person. Supervisor Eyrick was not present.

SECOND ORDER OF BUSINESS

Public Comments

No members of the public spoke.

THIRD ORDER OF BUSINESS

Ratification of Interlocal Agreement by and Among Duval County Property Appraiser, Duval County Tax Collector, and Ryals Creek Community Development District for Uniform Collection and Enforcement of Non-Ad Valorem Assessment

Mr. Wrathell presented the Interlocal Agreement, which was executed between meetings. He called attention to the Tax Collector and Property Appraiser fees on Page 3, in Section 3 of the Agreement.

Mr. Wrathell responded to questions regarding the tax collection process, who pays the fees, Parcels 9 and 10. An inquiry was made about including a labeled map in the agenda packet as a recurring exhibit.

On MOTION by Mr. Riley Skinner and seconded by Mr. Jones, with all in favor, the Interlocal Agreement by and Among Duval County Property Appraiser, Duval County Tax Collector, and Ryals Creek Community Development District for Uniform Collection and Enforcement of Non-Ad Valorem Assessment, was ratified.

FOURTH ORDER OF BUSINESS

Consideration of Work Authorization No. 3 for Storm Water Needs Analysis (20 years)

Mr. Wrathell presented the England-Thims & Miller (ETM) Work Authorization No. 3, in a not-to-exceed amount of \$10,000, for preparation of the Stormwater Needs Analysis Report, which is due by June 30, 2022.

Mr. Hall distributed and reviewed a revised Storm Water Management Plan handout. He responded to questions regarding conservation easements, dead tree removal, stormwater management facilities (SMFs) and permits.

Mr. Wrathell stated that it might be necessary to meet in June to review revised landscape proposals.

On MOTION by Mr. Davis Skinner and seconded by Mr. Jones, with all in favor, England-Thims & Miller Work Authorization No. 3 for preparation of the Stormwater Management Needs Analysis Report, in a not-to-exceed amount of \$10,000, was approved.

On MOTION by Mr. Jones and seconded by Mr. Riley Skinner, with all in favor, the Revised Ryals Creek CDD Storm Water Management Plan dated May 2, 2022, was approved.

In response to Mr. Hall's question, Mr. Wrathell confirmed that the District Engineer should coordinate with Management regarding the finance portions of the Report.

FIFTH ORDER OF BUSINESS**Consideration of Mobility Fee Credit Agreement/Resolution**

Mr. Wrathell stated that Management has been collecting and tracking mobility fees for auditing purposes and Ms. Buchanan prepared two documents for the Board's consideration.

Mr. Chip Skinner pointed out that Section 10 lists "mobility fees", "Lot/Parcels 9 and 10 closing" and "sale of trips" and stated, for consistency purposes, the same terminology should be used. Mr. Wrathell stated, going forward, whenever "sale of trips" is referenced, "mobility fees" would be placed in parentheses, since they mean the same thing.

Ms. Buchanan presented the Second Amendment to the Funding Agreement between Ryals Creek CDD and Sawmill Timber, LLC, Relating to Construction of the Phase One Joint Master Infrastructure and the Memorandum of Understanding [Closing Proceeds].

Regarding the first document, Ms. Buchanan stated that Vallencourt Construction was contracted to complete the Phase One improvements and there was a First Amendment to the Agreement to make changes that were requested by the Landowner, which is immaterial to today's discussion. The point of the Second Amendment is to make sure that the parties understand that the money is coming in, where it is coming from and how the CDD should apply the funds going forward.

Mr. Chip Skinner asked for an explanation of the last sentence of the Agreement. Ms. Buchanan stated the last sentence of Section 3A, which relates to a reduction of the repayment amount, was deleted from the draft that is being presented. She recommended approval of the Agreement in substantial form.

Regarding the second document, Ms. Buchanan stated her understanding that there are occasions in which closing results and proceeds are intended to be directed to the CDD and the Memorandum of Understanding is a very high-level Agreement that relates to how the CDD is going to distribute and allocate any funds received as a result of the closing between the Landowner and a buyer.

Mr. Chip Skinner stated, when Sawmill Timber sold parcels to Baptist and to Spectrum, it was established in the sales contract that the buyer required a portion of their funds from the sale to go directly to the CDD to assure completion of the Stillwood Pines roadway and Ms. Buchanan is documenting here that the monies that the buyer directs to go into the CDD would be used only for construction and not for operation and maintenance (O&M) expenses.

On MOTION by Mr. Riley Skinner and seconded by Mr. Jones, with all in favor, the Second Amendment to the Funding Agreement between Ryals Creek CDD and Sawmill Timber, LLC, Relating to Construction of the Phase One Joint Master Infrastructure and the Memorandum of Understanding [Closing Proceeds], as described by District Counsel, in substantial form, were approved.

DUE TO AUDIO DIFFICULTIES, THE REMAINDER OF THE MINUTES WERE TRANSCRIBED FROM THE MEETING NOTES

SIXTH ORDER OF BUSINESS

Consideration of Resolution 2022-08, Approving a Proposed Budget for Fiscal Year 2022/2023 and Setting a Public Hearing Thereon Pursuant to Florida Law; Addressing Transmittal, Posting and Publication Requirements; Addressing Severability; and Providing an Effective Date

Mr. Wrathell presented Resolution 2022-08. He reviewed the proposed Fiscal Year 2023 budget, highlighting any line item increases, decreases and adjustments, compared to the Fiscal Year 2022 budget, and explained the reasons for any adjustments.

On MOTION by Mr. Davis Skinner and seconded by Mr. Jones, with all in favor, Resolution 2022-08, Approving a Proposed Budget for Fiscal Year 2022/2023 and Setting a Public Hearing Thereon Pursuant to Florida Law on August 2, 2022 at 9:30 a.m., at the office of England-Thims & Miller, Inc., located at 14775 Old St. Augustine Road, Jacksonville, Florida 32258; Addressing Transmittal, Posting and Publication Requirements; Addressing Severability; and Providing an Effective Date, was adopted.

SEVENTH ORDER OF BUSINESS

Consideration of Proposals for Landscape Maintenance and Stormwater Maintenance

Mr. Wrathell presented the Sun State Nursery & Landscaping Inc., proposal for annual landscape and irrigation maintenance in the amount of \$148,638 per year and two Aquagenix proposals totaling \$7,004.96 per year for stormwater maintenance of Pond D and Lake Mary. Staff would obtain additional proposals for the Chair to review. Mr. Crews would create a scope of services and forward it to CSS and to Curb Appeal.

On MOTION by Mr. Riley Skinner and seconded by Mr. Davis Skinner, with all in favor, tabling consideration of the Sun State Nursery & Landscaping Inc., proposal, authorizing Staff to obtain additional proposals and granting the Board Chair authorization to review and accept, was approved.

On MOTION by Mr. Riley Skinner and seconded by Mr. Jones, with all in favor, the Aquagenix proposals for stormwater maintenance of Pond D and Lake Mary, in a total not-to-exceed amount of \$7,004.96 per year, were approved.

EIGHTH ORDER OF BUSINESS

Update: Status of Addition of Village Center to the CDD

A brief update was provided.

NINTH ORDER OF BUSINESS

Consideration of Resolution 2022-09, Designating Ernesto Torres as Assistant Secretary of the District, and Providing for an Effective Date

Mr. Wrathell presented Resolution 2022-09.

On MOTION by Mr. Chip Skinner and seconded by Mr. Riley Skinner, with all in favor, Resolution 2022-09, Designating Ernesto Torres as Assistant Secretary of the District, and Providing for an Effective Date, was adopted.

TENTH ORDER OF BUSINESS

Update: Construction Account Activity

A brief update was provided.

ELEVENTH ORDER OF BUSINESS

Acceptance of Unaudited Financial Statements as of March 31, 2022

Mr. Wrathell presented the Unaudited Financial Statements as of March 31, 2022.

On MOTION by Mr. Chip Skinner and seconded by Mr. Riley Skinner, with all in favor, the Unaudited Financial Statements as of March 31, 2022, were accepted.

TWELFTH ORDER OF BUSINESS

Approval of February 1, 2022 Public Hearing and Regular Meeting Minutes

Mr. Wrathell presented the February 1, 2022 Public Hearing and Regular Meeting Minutes.

On MOTION by Mr. Jones and seconded by Mr. Davis Skinner, with all in favor, the February 1, 2022 Public Hearing and Regular Meeting Minutes, as presented, were approved.

THIRTEENTH ORDER OF BUSINESS

Staff Reports

A. District Counsel: *Kutak Rock, LLP*

There was no report.

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

There was no report

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

Staff to adjust the proposed Fiscal Year 2023 budget to consider the cost of landscape and stormwater maintenance.

- **NEXT MEETING DATE: June 7, 2022 at 9:30 a.m.**
 - **QUORUM CHECK**

The next meeting would be held on June 7, 2022.

FOURTEENTH ORDER OF BUSINESS

Board Members' Comments/Requests

There were no Board Members' comments or requests.

FIFTEENTH ORDER OF BUSINESS

Public Comments

No members of the public spoke.

SIXTEENTH ORDER OF BUSINESS

Adjournment

**On MOTION by Mr. Jones and seconded by Mr. Riley Skinner, with all in favor,
the meeting adjourned at 11:06 a.m.**

[SIGNATURES APPEAR ON THE FOLLOWING PAGE]



Secretary/Assistant Secretary



Chair/Vice Chair