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15310 Amberly Drive

Suite 175

Tampa, Florida 33647

813-374-9105

***CROSS CREEK
COMMUNITY DEVELOPMENT DISTRICT***

***Advanced Board Package
Regular Meeting & Budget Public Hearing
Wednesday
September 7, 2016***

2:00 p.m.

***At the Offices of: Medallion Home
 1651 Whitfield
 Sarasota, Florida***

Note: The Advanced Meeting Package is a working document and thus all materials are considered DRAFTS prior to presentation and Board acceptance, approval or adoption.

Cross Creek Community Development District

Development Planning and Financing Group
15310 Amberly Drive, Suite 175, Tampa, Florida 33647
Phone: 813-374-9105

Board of Supervisors
**Cross Creek
Community Development District**

Dear Board Members:

The Regular Meeting and Budget Public Hearing of the Board of Supervisors of the Cross Creek CDD is scheduled for **Wednesday September 7, 2016 at 2:00 p.m. at 1651 Whitfield, Sarasota, Florida.**

The advanced copy of the agenda for the meeting is attached, along with associated documentation for your consideration. Any additional support material will be forwarded to you under separate cover or distributed at the meeting.

The balance of the agenda is routine in nature and staff will present their reports at the meeting. If you have any questions, please contact me.

Sincerely,

Bruce St. Denis

Bruce St. Denis
District Manager

CROSS CREEK COMMUNITY DEVELOPMENT DISTRICT

Date of Meeting: Wednesday September 7, 2016
Time: 2:00 p.m.
Location: 1651 Whitfield Avenue
Sarasota, Fl.
Conference Call No: 712.432.1500
Code: 434537#

Business Meeting Agenda

	Exhibit(s)
I. Roll Call	
II. Audience Comments	
III. Consent Agenda	
1. Approval of Meeting Minutes August 3, 2016	1
IV. Business Matters	
a. 2015-2016 Budget Public Hearing	2
1. Open Public Hearing	
2. Review and Discussion of the 2015-2016 Budget	
3. Public Comment & Testimony	
4. Close Public Hearing	
b. Consideration and Adoption of Resolution 2016- 03 Annual Appropriation Resolution Adopting Fiscal Year 2015/2016 Budget	3
c. Consideration and Approval of Resolution 2016-04 Imposing Assessments to Fund Fiscal Year 2015/2016 Budget	4
d. 2016-2017 Budget Public Hearing	5
1. Open Public Hearing	
2. Review and Discussion of the 2016-2017 Budget	

Exhibit(s)

3. Public Comment & Testimony

4. Close Public Hearing

e. Consideration and Adoption of Resolution 2016- 05 Annual Appropriation Resolution Adopting Fiscal Year 2016/2017 Budget **6**

f. Consideration and Approval of Resolution 2016- 06 Imposing Assessments to Fund Fiscal Year 2016/2017 Budget **7**

g. Ratification of the Addendum to the Contract for Sale

h. Review of District Engineer Proposals & Appointment of a District Engineer (Proposals will be under separate cover)

i. Review and Approval of the 2016-2017 Meeting Schedule **8**

V. Staff Reports

a. Manager

b. Attorney

VI. Public Comments

VII. Supervisor Requests

VIII. Adjournment

EXHIBIT 1

1
2
3 **MINUTES OF MEETING**
4 **CROSS CREEK**
5 **COMMUNITY DEVELOPMENT DISTRICT**

6 A Meeting of the Board of Supervisors of the Cross Creek Community Development District was
7
8 held on Wednesday, August 3, 2016 at 2:00 p.m. at 1651 Whitfield, Suite 200, Sarasota, Florida.
9

10 **FIRST ORDER OF BUSINESS – Roll Call**

11
12 Mr. St. Denis called the meeting to order.

13 Present and constituting a quorum were:

14 Peter Logan	Board Supervisor, Vice Chairman
15 Margo Holeman	Board Supervisor, Assistant Secretary
16 Tom Dell	Board Supervisor, Assistant Secretary

17 Also present were:

18 Bruce St. Denis	District Manager
19 Tracy Robin	District Counsel

20
21 **SECOND ORDER OF BUSINESS – Audience Comments**

22
23 There being none, the next item followed.
24

25 **THIRD ORDER OF BUSINESS – Business Matters**

26
27 **A. Consideration and Ratification of Real Property Purchase and Bond Restructuring**
28 **Agreement (for sale of the property to Foxtenn, LLC)**

29
30 Mr. St. Denis presented Consideration and Ratification of the Real Property Purchase and Bond
31
32 Restructuring Agreement (for sale of the property to Foxtenn, LLC) and asked for comments or questions.
33

34 Mr. Robin gave an overview of the agreement.
35

36 On a MOTION by Mr. Logan, SECONDED by Ms. Holeman, WITH ALL IN FAVOR, the Board ratified
37 the Real Property Purchase and Bond Restructuring Agreement (for sale of the property to Foxtenn, LLC)
38 for the Cross Creek Community Development District.

39
40 **B. Consideration of Proposed Addendum to the Real Property Purchase and Bond**
41 **Restructuring Agreement (for sale of the property to Foxtenn, LLC)**

42
43 Mr. Robin gave an explanation of the proposed addendum and stated that the addendum was not
44
45 available at meeting time.
46
47

48 On a MOTION by Mr. Logan, SECONDED by Ms. Holeman, WITH ALL IN FAVOR, the Board
49 authorized the Chairman to execute the proposed addendum, subject to there being no changes to the
50 CDD obligations, and will bring back to Board for ratification, for the Cross Creek Community
51 Development District.

52

53 **C. Consideration of Retention of Greenberg Traurig as Special Tax Counsel**

54

55 Mr. Robin gave an overview of the Retention of Greenberg Traurig as Special Tax Counsel.

56

57 Discussion ensued.

58

59 On a MOTION by Mr. Logan, SECONDED by Ms. Holeman, WITH ALL IN FAVOR, the Board
60 approved the retention of Greenberg Traurig as Special Counsel for the Cross Creek Community
61 Development District.

62

63 **D. Approval of DPFG Assessment Consultant Agreement**

64

65 Mr. St. Denis presented the DPFG Assessment Consultant Agreement and asked for comments or
66 questions.

67

68
69 On a MOTION by Mr. Logan, SECONDED by Ms. Holeman, WITH ALL IN FAVOR, the Board
70 approved the DPFG Assessment Consultant Agreement for the Cross Creek Community Development
71 District.

72

73 **E. Authorize Board to Seek Proposals for District Engineer**

74

75 Mr. St. Denis presented Authorize Board to Seek Proposals for District Engineer, and asked for
76 comments or questions.

77

78
79 On a MOTION by Mr. Logan, SECONDED by Ms. Holeman, WITH ALL IN FAVOR, the Board
80 authorized the Board and Staff to seek Proposals for District Engineer, and that a proposal from Heidt
81 Design be included, for the Cross Creek Community Development District.

82

83 **F. Additional Business Matters**

84

85 There being none, next item followed.

86

87 **FOURTH ORDER OF BUSINESS – Staff Reports**

88

89 **A. Manager**

90

91 Mr. St. Denis made a comment about the unpaid invoices that were discussed in a previous
92 meeting.

93

94 Mr. Logan stated he received the invoices approximately 30 days later on July 11, 2016,

95

96

97 he subsequently left for vacation, and will review them as soon as possible.

98

99 **B. Attorney**

100

101 There being none, next item followed.

102

103 **FIFTH ORDER OF BUSINESS – Public Comments**

104

105 There being none, the next item followed.

106

107 **SIXTH ORDER OF BUSINESS – Supervisor Requests**

108

109 There being none, next item followed.

110

111 **SEVENTH ORDER OF BUSINESS – Adjournment**

112

113 On a MOTION by Ms. Holeman, SECONDED by Mr. Dell, WITH ALL IN FAVOR, the Board
114 adjourned the meeting of the Board of Supervisors for the Cross Creek Community Development District.
115

116

117

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

121

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

124

125 _____
126 **Signature**

125 _____
126 **Signature**

127

128 _____
129 **Printed Name**

128 _____
129 **Printed Name**

130 **Title:** Secretary Assistant Secretary

130 **Title:** Chairman Vice Chairman

131

132

133

EXHIBIT 2

EXHIBIT 3

RESOLUTION 2016-03

**THE ANNUAL APPROPRIATION RESOLUTION OF THE
CROSSCREEK COMMUNITY DEVELOPMENT DISTRICT RELATING
TO THE ANNUAL APPROPRIATIONS AND ADOPTING THE BUDGET
FOR THE FISCAL YEAR BEGINNING OCTOBER 1, 2015, AND ENDING
SEPTEMBER 30, 2016.**

WHEREAS, the District Manager has submitted to the Board of Supervisors (the “Board”) a proposed budget for the Fiscal Year 2015/2016 with an explanatory and complete financial plan for each fund of the CrossCreek Community Development District (the “District”); and

WHEREAS, at least sixty (60) days prior to the adoption of the proposed annual budget (the “Proposed Budget”), the District filed a copy of the Proposed Budget with the local governing authorities having jurisdiction over the area included in the District pursuant to the provisions of Section 190.008(2)(b), Florida Statutes; and

WHEREAS, the Board set September 7, 2016, as the date for a public hearing thereon and caused notice of such public hearing to be given by publication pursuant to Section 190.008(2)(a), Florida Statutes; and

WHEREAS, the District Manager posted the Proposed Budget on the District’s website at least two days before the public hearing; and

WHEREAS, the District Manager has prepared a Proposed Budget, whereby the budget shall project the cash receipts and disbursements anticipated during a given time period, including reserves for contingencies for emergency or other unanticipated expenditures during the fiscal year.

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

Section 1. Budget

- a. That the Board has reviewed the District Manager’s Proposed Budget, a copy of which is on file with the office of the District Manager and at the District’s Records Office, and hereby approves certain amendments thereto, as shown in Section 2 below.
- b. That the Proposed Budget, attached hereto as **Exhibit “A,”** as amended by the Board, is hereby adopted in accordance with the provisions of Section 190.008(2)(a), Florida Statutes, and incorporated herein by reference; provided, however, that the comparative figures contained in the adopted budget may be subsequently revised as

deemed necessary by the District Manager to reflect actual revenues and expenditures for fiscal year 2014/2015 and/or revised projections for fiscal year 2015/2016.

- c. That the adopted budget, as amended, shall be maintained in the office of the District Manager and at the District's Records Office and identified as The Budget for the CrossCreek Community Development District for the Fiscal Year Beginning October 1, 2015, and Ending September 30, 2016, as adopted by the Board of Supervisors on September 7, 2016.
- d. The final adopted budget shall be posted by the District Manager on the District's official website within thirty (30) days after adoption.

Section 2. Appropriations

There is hereby appropriated out of the revenues of the District, for the fiscal year beginning October 1, 2015, and ending September 30, 2016, the sum of \$_____*

to be raised by the levy of assessments and otherwise, which sum is deemed by the Board to be necessary to defray all expenditures of the District during said budget year, to be divided and appropriated in the following fashion:

TOTAL GENERAL FUND	\$ _____
TOTAL DEBT SERVICE FUNDS	\$ _____

*Not inclusive of any collection costs.

Section 3. Supplemental Appropriations

The Board may authorize by resolution, supplemental appropriations or revenue changes for any lawful purpose from funds on hand or estimated to be received within the fiscal year as follows:

- a. The Board may authorize a transfer of the unexpended balance or portion thereof of any appropriation item.
- b. The Board may authorize an appropriation from the unappropriated balance of any fund.
- c. The Board may increase any revenue or income budget amount to reflect receipt of any additional unbudgeted monies and make the corresponding change to appropriations or the unappropriated balance.

The District Manager and Treasurer shall have the power within a given fund to authorize the transfer of any unexpended balance of any appropriation item or any portion thereof, provided such transfers do not exceed Ten Thousand (\$10,000) Dollars or have the effect of causing more than 10% of the total appropriation of a given program or project to be transferred previously

approved transfers included. Such transfer shall not have the effect of causing a more than \$10,000 or 10% increase, previously approved transfers included, to the original budget appropriation for the receiving program. Other transfers may be approved by the Board. The District Manager or Treasurer must establish administrative procedures which require information on the request forms proving that such transfer requests comply with this section.

Introduced, considered favorably, and adopted this 7th day of September, 2016.

ATTEST:

**CROSSCREEK COMMUNITY
DEVELOPMENT DISTRICT**

Signature

Signature

Printed Name

Printed Name

Title:

- Secretary
- Assistant Secretary

Title:

- Chairman
- Vice Chairman

Exhibit A: 2015/2016 Budget

EXHIBIT 4

RESOLUTION 2016-04

A RESOLUTION OF THE BOARD OF SUPERVISORS OF THE CROSSCREEK COMMUNITY DEVELOPMENT DISTRICT MAKING A DETERMINATION OF BENEFIT; IMPOSING SPECIAL ASSESSMENTS; PROVIDING FOR THE COLLECTION AND ENFORCEMENT OF SPECIAL ASSESSMENTS, INCLUDING BUT NOT LIMITED TO PENALTIES AND INTEREST THEREON; CERTIFYING AN ASSESSMENT ROLL; PROVIDING FOR AMENDMENTS TO THE ASSESSMENT ROLL; PROVIDING A SEVERABILITY CLAUSE; AND PROVIDING AN EFFECTIVE DATE.

WHEREAS, the CrossCreek Community Development District (the “District”) is a local unit of special-purpose government established pursuant to Chapter 190, Florida Statutes for the purpose of providing, operating and maintaining infrastructure improvements, facilities and services to the lands within the District; and

WHEREAS, the District is located in Manatee County, Florida (the “County”); and

WHEREAS, the District has constructed or acquired various infrastructure improvements and provides certain services in accordance with the District’s adopted capital improvement plan and Chapter 190, Florida Statutes; and

WHEREAS, the Board of Supervisors (“Board”) of the District hereby determines to undertake various operations and maintenance activities described in the District’s budgets for Fiscal Year 2015/2016 (“Budget”), attached hereto as Exhibit “A” and incorporated by reference herein; and

WHEREAS, the District must obtain sufficient funds to provide for the operation and maintenance of the services and facilities provided by the District as described in the District’s Budget; and

WHEREAS, the provision of such services, facilities, and operations is a benefit to lands within the District; and

WHEREAS, Chapter 190, Florida Statutes, provides that the District may impose special assessments on benefitted lands within the District; and

WHEREAS, Chapter 197, Florida Statutes, provides a mechanism pursuant to which such special assessments may be placed on the County Tax Roll and collected by the County Tax Collector (“Uniform Method”); and

WHEREAS, the District has, by resolution and public notice, previously evidenced its intention to utilize the Uniform Method; and

WHEREAS, the District has approved an agreement with the County Property Appraiser and County Tax Collector to provide for the collection of special assessments under the Uniform Method; and

WHEREAS, it is in the best interests of the District to proceed with the imposition of the special assessments for operations and maintenance in the amount set forth in the Budget; and

WHEREAS, the District desires to levy and collect special assessments reflecting each parcel's portion of the District's Operations and Maintenance Budget; and

WHEREAS, it is in the best interests of the District to adopt the Assessment Roll of the District (the "Assessment Roll") attached to this Resolution as **Exhibit "B"** and incorporated as a material part of this Resolution by this reference, and to certify a portion of the Assessment Roll on the parcels designated in Exhibit "B" to the County Tax Collector pursuant to the Uniform Method, or at the direction of the Board, to directly collect a portion of the Assessment Roll, whether platted or unplatted property designated in Exhibit "B" through the direct collection method pursuant to Chapter 190, Florida Statutes; and

WHEREAS, it is in the best interests of the District to permit the District Manager to amend the Assessment Roll adopted herein, including that portion certified to the County Tax Collector by this Resolution, as the County Property Appraiser updates the property roll for the County, for such time as authorized by Florida law.

NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF SUPERVISORS OF THE CROSSCREEK COMMUNITY DEVELOPMENT DISTRICT:

SECTION 1. BENEFIT. The provision of the services, facilities, and operations as described in Exhibit "A" confers a special and peculiar benefit to the lands within the District, which benefit exceeds or equals the costs of the assessments. The allocation of the costs to the specially benefitted lands is shown in Exhibits "A" and "B" and is hereby found to be fair and reasonable.

SECTION 2. ASSESSMENT IMPOSITION. Pursuant to Chapter 190 of the Florida Statutes, and using the procedures authorized by Florida law for the levy and collection of special assessments, a special assessment for operation and maintenance is hereby imposed and levied on benefitted lands within the District, and in accordance with Exhibits "A" and "B." The lien of the special assessments for operations and maintenance imposed and levied by this Resolution shall be effective upon passage of this Resolution.

SECTION 3. COLLECTION, DUE DATE AND ENFORCEMENT; PENALTIES; INTEREST

A. **Uniform Method Assessments.** The collection of the previously levied debt service assessments and operation and maintenance special assessments on a portion of the platted lots and developed lands shall be at the same time and in the same manner as County taxes in accordance with the Uniform Method, as set

forth in Exhibits “A” and “B;” except as provided for Subsection B in this Section.

- B. **Direct Bill Assessments.** The annual installment for (i) the previously levied debt service assessments, and (ii) the annual operations and maintenance assessments, on undeveloped and unplatted lands, and on platted lots owned by the developer and/or which are the subject of the District’s pending foreclosure action may, at the direction of the Board, be collected directly by the District in accordance with Florida law, and as set forth in Exhibits “A” and “B.” Assessments directly collected by the District are due in full on November 1, 2016; provided, however, that, to the extent permitted by law, the assessments due may be paid in several partial, deferred payments and according to the following schedule:

50% due no later than November 1, 2016,
25% due no later than February 1, 2017 and
25% due no later than May 1, 2017.

In the event that an assessment payment is not made in accordance with the schedule stated above, the whole assessment – including any remaining partial, deferred payments for Fiscal Year 2015/2016, as well as any future installments of special assessments securing debt service – shall immediately become due and payable; shall accrue interest, statutory penalties in the amount of one percent (1%) per month, and all costs of collection and enforcement; and shall either be enforced pursuant to a foreclosure action, or, at the District’s sole discretion, collected pursuant to the Uniform Method on a future tax bill, which amount may include penalties, interest, and costs of collection and enforcement. Any prejudgment interest on delinquent assessments shall accrue at the applicable rate of any bonds or other debt instruments secured by the special assessments, or, in the case of operations and maintenance assessments, at the applicable statutory prejudgment interest rate. In the event an assessment subject to direct collection by the District shall be delinquent, the District Manager and District Counsel, without further authorization by the Board, may initiate foreclosure proceedings pursuant to Chapter 170, *Florida Statutes*, or other applicable law to collect and enforce the whole assessment, as set forth herein.

- C. **Future Collection Methods.** The decision to collect special assessments by any particular method – e.g., on the tax roll or by direct bill – does not mean that such method will be used to collect special assessments in future years, and the District reserves the right in its sole discretion to select collection methods in any given year, regardless of past practices.

SECTION 4. ASSESSMENT ROLL. The District's Assessment Roll, attached to this Resolution as Exhibit “B,” is hereby certified to the County Tax Collector and shall be collected by the County Tax Collector in the same manner and time as County taxes. The proceeds therefrom shall be paid to the District.

SECTION 5. ASSESSMENT ROLL AMENDMENT. The District Manager shall keep apprised of all updates made to the County property roll by the County Property Appraiser after the date of this Resolution, and shall amend the District's Assessment Roll in accordance with any such updates, for such time as authorized by Florida law, to the County property roll. After any amendment of the Assessment Roll, the District Manager shall file the updates in the District records.

SECTION 6. SEVERABILITY. The invalidity or unenforceability of any one or more provisions of this Resolution shall not affect the validity or enforceability of the remaining portions of this Resolution, or any part thereof.

SECTION 7. EFFECTIVE DATE. This Resolution shall take effect upon the passage and adoption of this Resolution by the.

PASSED AND ADOPTED this 7th day of September, 2016.

ATTEST:

**CROSSCREEK COMMUNITY
DEVELOPMENT DISTRICT**

Signature

Signature

Printed Name

Printed Name

Title:

- Secretary
- Assistant Secretary

Title:

- Chairman
- Vice Chairman

- Exhibit A:** FY 2015/2016 Budget
- Exhibit B:** FY 2015/2016 Assessment Roll (Uniform Method)
FY 2015/2016 Assessment Roll (Direct Collect)

EXHIBIT 5

Exhibit 6

RESOLUTION 2016-05

**THE ANNUAL APPROPRIATION RESOLUTION OF THE
CROSSCREEK COMMUNITY DEVELOPMENT DISTRICT RELATING
TO THE ANNUAL APPROPRIATIONS AND ADOPTING THE BUDGET
FOR THE FISCAL YEAR BEGINNING OCTOBER 1, 2016, AND ENDING
SEPTEMBER 30, 2017.**

WHEREAS, the District Manager has, prior to the fifteenth (15th) day in June, 2016, submitted to the Board of Supervisors (the “Board”) a proposed budget for the next ensuing budget year along with an explanatory and complete financial plan for each fund of the CrossCreek Community Development District (the “District”), pursuant to the provisions of Section 190.008(2)(a), Florida Statutes; and

WHEREAS, at least sixty (60) days prior to the adoption of the proposed annual budget (the “Proposed Budget”), the District filed a copy of the Proposed Budget with the local governing authorities having jurisdiction over the area included in the District pursuant to the provisions of Section 190.008(2)(b), Florida Statutes; and

WHEREAS, the Board set September 7, 2016, as the date for a public hearing thereon and caused notice of such public hearing to be given by publication pursuant to Section 190.008(2)(a), Florida Statutes; and

WHEREAS, the District Manager posted the Proposed Budget on the District’s website at least two days before the public hearing; and

WHEREAS, Section 190.008(2)(a), Florida Statutes, requires that, prior to October 1, of each year, the District Board by passage of the Annual Appropriation Resolution shall adopt a budget for the ensuing fiscal year and appropriate such sums of money as the Board deems necessary to defray all expenditures of the District during the ensuing fiscal year; and

WHEREAS, the District Manager has prepared a Proposed Budget, whereby the budget shall project the cash receipts and disbursements anticipated during a given time period, including reserves for contingencies for emergency or other unanticipated expenditures during the fiscal year.

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

Section 1. Budget

- a. That the Board has reviewed the District Manager’s Proposed Budget, a copy of which is on file with the office of the District Manager and at the District’s Records

Office, and hereby approves certain amendments thereto, as shown in Section 2 below.

- b. That the Proposed Budget, attached hereto as **Exhibit “A,”** as amended by the Board, is hereby adopted in accordance with the provisions of Section 190.008(2)(a), Florida Statutes, and incorporated herein by reference; provided, however, that the comparative figures contained in the adopted budget may be subsequently revised as deemed necessary by the District Manager to reflect actual revenues and expenditures for fiscal year 2015/2016 and/or revised projections for fiscal year 2016/2017.
- c. That the adopted budget, as amended, shall be maintained in the office of the District Manager and at the District’s Records Office and identified as The Budget for the CrossCreek Community Development District for the Fiscal Year Beginning October 1, 2016, and Ending September 30, 2017, as adopted by the Board of Supervisors on September 7, 2016.
- d. The final adopted budget shall be posted by the District Manager on the District’s official website within thirty (30) days after adoption.

Section 2. Appropriations

There is hereby appropriated out of the revenues of the District, for the fiscal year beginning October 1, 2016, and ending September 30, 2017, the sum of \$_____*

to be raised by the levy of assessments and otherwise, which sum is deemed by the Board to be necessary to defray all expenditures of the District during said budget year, to be divided and appropriated in the following fashion:

TOTAL GENERAL FUND	\$ _____
TOTAL DEBT SERVICE FUNDS	\$ _____

***Not inclusive of any collection costs.**

Section 3. Supplemental Appropriations

The Board may authorize by resolution, supplemental appropriations or revenue changes for any lawful purpose from funds on hand or estimated to be received within the fiscal year as follows:

- a. The Board may authorize a transfer of the unexpended balance or portion thereof of any appropriation item.
- b. The Board may authorize an appropriation from the unappropriated balance of any fund.

- c. The Board may increase any revenue or income budget amount to reflect receipt of any additional unbudgeted monies and make the corresponding change to appropriations or the unappropriated balance.

The District Manager and Treasurer shall have the power within a given fund to authorize the transfer of any unexpected balance of any appropriation item or any portion thereof, provided such transfers do not exceed Ten Thousand (\$10,000) Dollars or have the effect of causing more than 10% of the total appropriation of a given program or project to be transferred previously approved transfers included. Such transfer shall not have the effect of causing a more than \$10,000 or 10% increase, previously approved transfers included, to the original budget appropriation for the receiving program. Other transfers may be approved by the Board. The District Manager or Treasurer must establish administrative procedures which require information on the request forms proving that such transfer requests comply with this section.

Introduced, considered favorably, and adopted this 7th day of September, 2016.

ATTEST:

**CROSSCREEK COMMUNITY
DEVELOPMENT DISTRICT**

Signature

Signature

Printed Name

Printed Name

Title:

- Secretary**
- Assistant Secretary**

Title:

- Chairman**
- Vice Chairman**

Exhibit A: 2016/2017 Budget

EXHIBIT 7

RESOLUTION 2016-06

A RESOLUTION OF THE BOARD OF SUPERVISORS OF THE CROSSCREEK COMMUNITY DEVELOPMENT DISTRICT MAKING A DETERMINATION OF BENEFIT; IMPOSING SPECIAL ASSESSMENTS; PROVIDING FOR THE COLLECTION AND ENFORCEMENT OF SPECIAL ASSESSMENTS, INCLUDING BUT NOT LIMITED TO PENALTIES AND INTEREST THEREON; CERTIFYING AN ASSESSMENT ROLL; PROVIDING FOR AMENDMENTS TO THE ASSESSMENT ROLL; PROVIDING A SEVERABILITY CLAUSE; AND PROVIDING AN EFFECTIVE DATE.

WHEREAS, the CrossCreek Community Development District (the “District”) is a local unit of special-purpose government established pursuant to Chapter 190, Florida Statutes for the purpose of providing, operating and maintaining infrastructure improvements, facilities and services to the lands within the District; and

WHEREAS, the District is located in Manatee County, Florida (the “County”); and

WHEREAS, the District has constructed or acquired various infrastructure improvements and provides certain services in accordance with the District’s adopted capital improvement plan and Chapter 190, Florida Statutes; and

WHEREAS, the Board of Supervisors (“Board”) of the District hereby determines to undertake various operations and maintenance activities described in the District’s budgets for Fiscal Year 2016/2017 (“Budget”), attached hereto as Exhibit “A” and incorporated by reference herein; and

WHEREAS, the District must obtain sufficient funds to provide for the operation and maintenance of the services and facilities provided by the District as described in the District’s Budget; and

WHEREAS, the provision of such services, facilities, and operations is a benefit to lands within the District; and

WHEREAS, Chapter 190, Florida Statutes, provides that the District may impose special assessments on benefitted lands within the District; and

WHEREAS, Chapter 197, Florida Statutes, provides a mechanism pursuant to which such special assessments may be placed on the County Tax Roll and collected by the County Tax Collector (“Uniform Method”); and

WHEREAS, the District has, by resolution and public notice, previously evidenced its intention to utilize the Uniform Method; and

WHEREAS, the District has approved an agreement with the County Property Appraiser and County Tax Collector to provide for the collection of special assessments under the Uniform Method; and

WHEREAS, it is in the best interests of the District to proceed with the imposition of the special assessments for operations and maintenance in the amount set forth in the Budget; and

WHEREAS, the District desires to levy and collect special assessments reflecting each parcel's portion of the District's Operations and Maintenance Budget; and

WHEREAS, it is in the best interests of the District to adopt the Assessment Roll of the District (the "Assessment Roll") attached to this Resolution as **Exhibit "B"** and incorporated as a material part of this Resolution by this reference, and to certify a portion of the Assessment Roll on the parcels designated in Exhibit "B" to the County Tax Collector pursuant to the Uniform Method, or at the direction of the Board, to directly collect a portion of the Assessment Roll, whether platted or unplatted property designated in Exhibit "B" through the direct collection method pursuant to Chapter 190, Florida Statutes; and

WHEREAS, it is in the best interests of the District to permit the District Manager to amend the Assessment Roll adopted herein, including that portion certified to the County Tax Collector by this Resolution, as the County Property Appraiser updates the property roll for the County, for such time as authorized by Florida law.

NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF SUPERVISORS OF THE CROSSCREEK COMMUNITY DEVELOPMENT DISTRICT:

SECTION 1. BENEFIT. The provision of the services, facilities, and operations as described in Exhibit "A" confers a special and peculiar benefit to the lands within the District, which benefit exceeds or equals the costs of the assessments. The allocation of the costs to the specially benefitted lands is shown in Exhibits "A" and "B" and is hereby found to be fair and reasonable.

SECTION 2. ASSESSMENT IMPOSITION. Pursuant to Chapter 190 of the Florida Statutes, and using the procedures authorized by Florida law for the levy and collection of special assessments, a special assessment for operation and maintenance is hereby imposed and levied on benefitted lands within the District, and in accordance with Exhibits "A" and "B." The lien of the special assessments for operations and maintenance imposed and levied by this Resolution shall be effective upon passage of this Resolution.

SECTION 3. COLLECTION, DUE DATE AND ENFORCEMENT; PENALTIES; INTEREST

A. **Uniform Method Assessments.** The collection of the previously levied debt service assessments and operation and maintenance special assessments on a portion of the platted lots and developed lands shall be at the same time and in the same manner as County taxes in accordance with the Uniform Method, as set

forth in Exhibits “A” and “B;” except as provided for Subsection B in this Section.

- B. **Direct Bill Assessments.** The annual installment for (i) the previously levied debt service assessments, and (ii) the annual operations and maintenance assessments, on undeveloped and unplatted lands, and on platted lots owned by the developer and/or which are the subject of the District’s pending foreclosure action may, at the direction of the Board, be collected directly by the District in accordance with Florida law, and as set forth in Exhibits “A” and “B.” Assessments directly collected by the District are due in full on November 1, 2016; provided, however, that, to the extent permitted by law, the assessments due may be paid in several partial, deferred payments and according to the following schedule:

50% due no later than November 1, 2016,
25% due no later than February 1, 2017 and
25% due no later than May 1, 2017.

In the event that an assessment payment is not made in accordance with the schedule stated above, the whole assessment – including any remaining partial, deferred payments for Fiscal Year 2016/2017, as well as any future installments of special assessments securing debt service – shall immediately become due and payable; shall accrue interest, statutory penalties in the amount of one percent (1%) per month, and all costs of collection and enforcement; and shall either be enforced pursuant to a foreclosure action, or, at the District’s sole discretion, collected pursuant to the Uniform Method on a future tax bill, which amount may include penalties, interest, and costs of collection and enforcement. Any prejudgment interest on delinquent assessments shall accrue at the applicable rate of any bonds or other debt instruments secured by the special assessments, or, in the case of operations and maintenance assessments, at the applicable statutory prejudgment interest rate. In the event an assessment subject to direct collection by the District shall be delinquent, the District Manager and District Counsel, without further authorization by the Board, may initiate foreclosure proceedings pursuant to Chapter 170, *Florida Statutes*, or other applicable law to collect and enforce the whole assessment, as set forth herein.

- C. **Future Collection Methods.** The decision to collect special assessments by any particular method – e.g., on the tax roll or by direct bill – does not mean that such method will be used to collect special assessments in future years, and the District reserves the right in its sole discretion to select collection methods in any given year, regardless of past practices.

SECTION 4. ASSESSMENT ROLL. The District's Assessment Roll, attached to this Resolution as Exhibit “B,” is hereby certified to the County Tax Collector and shall be collected by the County Tax Collector in the same manner and time as County taxes. The proceeds therefrom shall be paid to the District.

SECTION 5. ASSESSMENT ROLL AMENDMENT. The District Manager shall keep apprised of all updates made to the County property roll by the County Property Appraiser after the date of this Resolution, and shall amend the District's Assessment Roll in accordance with any such updates, for such time as authorized by Florida law, to the County property roll. After any amendment of the Assessment Roll, the District Manager shall file the updates in the District records.

SECTION 6. SEVERABILITY. The invalidity or unenforceability of any one or more provisions of this Resolution shall not affect the validity or enforceability of the remaining portions of this Resolution, or any part thereof.

SECTION 7. EFFECTIVE DATE. This Resolution shall take effect upon the passage and adoption of this Resolution by the.

PASSED AND ADOPTED this 7th day of September, 2016.

ATTEST:

**CROSSCREEK COMMUNITY
DEVELOPMENT DISTRICT**

Signature

Signature

Printed Name

Printed Name

Title:

- Secretary
- Assistant Secretary

Title:

- Chairman
- Vice Chairman

Exhibit A: FY 2016/2017 Budget

Exhibit B: FY 2016/2017 Assessment Roll (Uniform Method)

FY 2016/2017 Assessment Roll (Direct Collect)

EXHIBIT 8

REVISED NOTICE OF MEETINGS
FISCAL YEAR 2017
CROSS CREEK COMMUNITY
DEVELOPMENT DISTRICT

As required by Chapters 189 and 190 of Florida Statutes, notice is hereby given that the Fiscal Year 2017 regular meetings of the Board of Supervisors of the Cross Creek Community Development District are scheduled to be held on the first Wednesday of every month at 2:00 p.m. at Medallion Home 1651 Whitfield Avenue, Sarasota, Florida 34243. The meeting dates are as follows (exceptions noted below):

October 5, 2016
November 2, 2016
December 7, 2016
January 4, 2017
February 1, 2017
March 1, 2017
April 5, 2017
May 3, 2017
June 7, 2017
July 5, 2017
August 2, 2017
September 6, 2017

The meetings will be open to the public and will be conducted in accordance with the provisions of Florida Law for Community Development Districts. Any meeting may be continued with no additional notice to a date, time and place to be specified on the record at a meeting. A copy of the agenda for the meetings listed above, may be obtained from Development Planning and Financing Group [DPFG], 15310 Amberly Drive, Suite 175, Tampa, Florida 33647 at (813) 374-9105, one week prior to the meeting.

There may be occasions when one or more supervisors will participate by telephone.

In accordance with the provisions of the Americans with Disabilities Act, any person requiring special accommodations at this meeting because of a disability or physical impairment should contact DPFG at (813) 374-9105. If you are hearing or speech impaired, please contact the Florida Relay Service at (800) 955-8770 for aid in contacting the District Office at least forty-eight (48) hours prior to the date of the hearing and meeting.

Each person who decides to appeal any action taken at the meetings is advised that the person will need a record of 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 such appeal is to be based.

DPFG, District Management



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www.dpf.com

Orange County, CA

27127 Calle Arroyo, Suite 1910
San Juan Capistrano, CA 92675
P: (949) 388-9269
F: (949) 388-9272

Sacramento, CA

4380 Auburn Blvd.
Sacramento, CA 95841
P: (916) 480-0305
F: (916) 480-0499

Las Vegas, NV

3277 E. Warm Springs Road,
Suite 100
Las Vegas, NV 89120
P: (702) 478-9277
F: (702) 629-5497

Boise, ID

950 West Bannock, 11th Floor
Boise, ID 83702
P: (208) 319-3576
F: (208) 439-7339

Phoenix, AZ

3302 East Indian School Road
Phoenix, AZ 85018
P: (602) 381-3226
F: (602) 381-1203

Austin, TX

8140 Exchange Drive
Austin, TX 78754
P: (512) 732-0295
F: (512) 732-0297

Orlando, FL

1060 Maitland Center Commons,
Suite 340
Maitland, FL 32751
P: (321) 263-0132
F: (321) 263-0136

Tampa, FL

15310 Amberly Drive, Suite 175
Tampa, FL 33647
P: (813) 374-9104
F: (813) 374-9106

Research Triangle, NC

1340 Environ Way, Suite 328
Chapel Hill, NC 27517
P: (919) 321-0232
F: (919) 869-2508

Charleston, SC

4000 S. Faber Place Drive, Suite 300
N. Charleston, SC 29405
P: (843) 277-0021
F: (919) 869-2508