

***CROSS CREEK
COMMUNITY DEVELOPMENT DISTRICT***

Advanced Board Package

***Board of Supervisors
Meeting***

***Thursday
March 5, 2015***

2:00 p.m.

At the Offices of:

***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

March 1, 2015

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

Dear Board Members:

The Regular Meeting of the Board of Supervisors of the Cross Creek CDD is scheduled for **Thursday, March 5, 2015 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

Cc: Attorney
Engineer
District Records.

District: CROSS CREEK COMMUNITY DEVELOPMENT DISTRICT

Date of Meeting: **Thursday, March 5, 2015**

Time: 2:00 p.m.

Location: 1651 Whitfield
Sarasota, Florida
[Manatee County]

Conference Call In No.: 712.432.1500

Code: 434537#

Agenda

- I.** Roll Call
- II.** Audience Comments on Agenda Items
- III.** Administrative Matters
 - A. Approval of Minutes of Meeting February 5, 2015 Exhibit 1
- IV.** Business Matters:
 - A. Resolution 2015- 4 Removing Jean Rugg as Assistant Secretary Exhibit 2
 - B. Resolution 2015-5 Removing Jean Rugg as District Records Officer Exhibit 3
 - C. Status of 2012 and 2013 Audits
 - D. Report on District Counsel's Discussion with Trustee's Counsel
 - E. Discussion of Motion and Notice for Failure to Prosecute Under F.R.C.P. 1.420 (e) and Show of Good Cause Exhibit 4
 - F. Status and Board Direction Regarding Foreclosure
 - G. Additional Matters
- V.** Staff Reports
 - A. Manager
 - B. Attorney
 - C. Engineer
- VI.** Audience Comments
- VII.** Supervisors' Request
- VIII.** Adjournment

EXHIBIT 1.

1 MINUTES OF MEETING
2 CROSS CREEK COMMUNITY DEVELOPMENT DISTRICT
3

4 The Regular Meeting of the Board of Supervisors of the Cross Creek Community Development
5 District was held on Thursday, February 5, 2015 at 2:00 p.m. at 1651 Whitfield, Sarasota, Florida.

6 **FIRST ORDER OF BUSINESS - Call to Order**

7 Mr. St. Denis called the meeting to order.
8

9 Present and constituting a quorum were:

10 Peter Logan	District Supervisor, Vice Chairman
11 Charlie Tokarz	District Supervisor, Assistant Secretary
12 Margo Holeman	District Supervisor, Assistant Secretary

13 Also present were:

14 Bruce St. Denis	District Manager
15 Patricia Comings-Thibault	District Account (via telephone)
16 Tracy Robin	District Counsel

17

18 **SECOND ORDER OF BUSINESS – Audience Comments on Agenda Items**

19 There being none, the next item followed.
20

21 **THIRD ORDER OF BUSINESS – Administrative Matters**

22 **A. Approval of minutes.**

23 Mr. St. Denis presented the minutes for November 20, 2014 and December 4, 2014, asking for
24 comments or questions

25 **1. November 20, 2014**
26

27 On a MOTION by Mr. Logan, SECONDED by Mr. Tokarz, WITH ALL IN FAVOR, the Board approved
28 the minutes of the Board of Supervisors' meeting held on November 20, 2014 for the Cross Creek
29 Community Development District.

30
31 **2. December 4, 2014**
32

33 On a MOTION by Mr. Logan, SECONDED by Mr. Tokarz, WITH ALL IN FAVOR, the Board approved
34 the minutes of the Board of Supervisors' meeting held on December 4, 2014 for the Cross Creek
35 Community Development District.

36
37 **B. Acceptance of December Bank Reconciliation and Check Registers**

38 Ms. Comings-Thibault presented the December Bank Reconciliation and Check Register and
39 asked for comments or questions.

40 On a MOTION by Mr. Logan, SECONDED by Mr. Tokarz, WITH ALL IN FAVOR, the Board accepted
41 the December Bank Reconciliation and Check Register for Cross Creek Community Development
42 District.
43

44 **FOURTH ORDER OF BUSINESS-Business Matters:**

45 **A. Status of Audits for FY 2012-2013**

46 Ms. Comings-Thibault reported that the Audits for FY 2012-2013 are a combined audit
47 statement. Questions from the auditor have been answered immediately which would indicate they are
48 finishing FY 2012 and into FY 2013.

1 Mr. Robin stressed the urgency for both audits to be submitted to the State by mid-February.

2
3 **B. Foreclosure and Delivery Process**

4 Mr. Robin updated the Board on the Foreclosure process. With a lack of response from Bond
5 Holders, he requested direction from the Board to proceed with the Foreclosure, activating it, and
6 consequently lessening the risk of it being dismissed for lack of prosecution. Discussion ensued.

7 The Board directed Counsel to resend a letter to Bond Holders requesting direction on the
8 pending Foreclosure and if again, no response is received, to bring further action up in the next Board
9 meeting authorizing Counsel to pursue with the Foreclosure.

10 **C. Additional Matters**

11 Mr. Robin reported that he received a letter from the Inspector General's office recognizing the
12 District's possible state of emergency and asked whether the District would be in need of financial
13 assistance. He responded to them in a letter dated January 19th, 2015 declining assistance.

14 **FIFTH ORDER OF BUSINESS- Staff Reports**

15 **A. Manager**

16 There being none, the next item followed.

17 **B. Attorney**

18 There being none, the next item followed.

19 **C. Engineer**

20 There being none, the next item followed.

21 **SIXTH ORDER OF BUSINESS – Audience Comments**

22 There being none, the next item followed.

23 **SEVENTH ORDER OF BUSINESS-Supervisors' Requests**

24 There being none, the next item followed.

25 **EIGHTH ORDER OF BUSINESS – Adjournment**

26
27 On a MOTION by Mr. Logan, SECONDED by Mr. Tokarz, WITH ALL IN FAVOR, the Board
28 adjourned the meeting for the Cross Creek Community Development District.

29
30 **Each person who decides to appeal any decision made by the Board with respect to any matter*
31 *considered at the meeting is advised that person may need to ensure that a verbatim record of the*
32 *proceedings is made, including the testimony and evidence upon which such appeal is to be based.*

33
34 Meeting minutes were approved at a meeting by vote of the Board of Supervisors at a publicly noticed
35 meeting held on _____.

36
37
38
39 _____
Signature

40
41
42 _____
Printed Name

43 Title: Secretary Assistant Secretary

Title: Chairman Vice Chairman

EXHIBIT 2.

RESOLUTION 2015-4

A RESOLUTION AMENDING RESOLUTION 2015-2
AND REMOVING JEAN RUGG AS ASSISTANT
SECRETARY OF THE CROSS CREEK COMMUNITY
DEVELOPMENT DISTRICT

WHEREAS, the Board of Supervisors of the Cross Creek Community Development District ("District") has previously adopted Resolution 2015-2 at its Board Meeting held on November 20, 2014 designating the Officers of the District; and

WHEREAS, it is the desire of the Board of Supervisors of the District to amend Resolution 2015-2 and to remove Jean Rugg as Assistant Secretary;

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

1. Jean Rugg is removed as Assistant Secretary.

ADOPTED THIS 5th DAY OF MARCH, 2015.

Signature

Signature

Printed Name

Printed Name

Title:

- Secretary
- Assistant Secretary

Title:

- Chairperson
- Vice Chairperson

EXHIBIT 3.

RESOLUTION 2015-5

A RESOLUTION OF THE BOARD OF SUPERVISORS OF
THE CROSS CREEK COMMUNITY DEVELOPMENT
DISTRICT DESIGNATING CAROLYN STEWART AS
THE DISTRICT'S RECORDS OFFICER AND JANET
KATO AS THE RECORDS MANAGEMENT LIAISON
OFFICER

WHEREAS, CROSS CREEK COMMUNITY DEVELOPMENT DISTRICT from time to time is responsible for filing certain forms with various Departments of State Florida including but not limited to the Records and Information Management of the District and the Commission on Ethics;

WHEREAS, it is in the best interest of CROSS CREEK COMMUNITY DEVELOPMENT DISTRICT and its inhabitants to follow the guidelines of the State relating to Records and Information Management, Records Retention Schedules and Disposition of Records, as outlined in the State of Florida General Records Schedule GS1-SL for Local Government Agencies, and

WHEREAS, it is necessary to designate certain individuals as the Records Officer, and a Records Management Liaison Officer to execute any necessary documents and to manage the District's Records and Retention Schedules.

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

1. Carolyn Stewart is designated as the District's Records Officer and is authorized to execute and transmit documentation to various Departments of the State Florida;
2. Janet Kato is designated as the District's Records Management Liaison Officer and is authorized to execute and transmit documents to the Departments of the State of Florida.
3. The Records Officer and Records Management Liaison Officer are authorized to follow the guidelines as set forth by the State of Florida, General Records Schedule GS1-SL for Local Government Agencies for the District's Records and Information Program.
4. That this authorization shall be continuing in nature until revoked by Cross Creek Community Development District.

THIS RESOLUTION INTRODUCED and ADOPTED by the BOARD OF
SUPERVISORS at their regular meeting this 5th day of March, 2014.

Signature

Signature

Printed Name

Printed Name

Title:

- Secretary
- Assistant Secretary

Title:

- Chairperson
- Vice Chairperson

EXHIBIT 4.

**IN THE CIRCUIT COURT OF THE TWELFTH JUDICIAL CIRCUIT
IN AND FOR MANATEE COUNTY, FLORIDA
CIRCUIT CIVIL DIVISION B**

CROSSCREEK COMMUNITY DEVELOPMENT
DISTRICT, a local unit of special purpose government,
Plaintiff,

vs

Case No. 2012-CA-001210

CC PARRISH, LLC, a Florida limited liability
company; IBERIABANK, a Louisiana banking
corporation; and THE RESIDENCES AT
CROSSCREEK HOMEOWNERS ASSOCIATION
INC., a Florida non-profit corporation; and
SAVI INVESTMENTS, LLC, a Florida limited
liability company,
Defendants.

**MOTION and NOTICE OF DISMISSAL
FOR FAILURE TO PROSECUTE UNDER FLA.R.CIV.P. 1.420(e)**

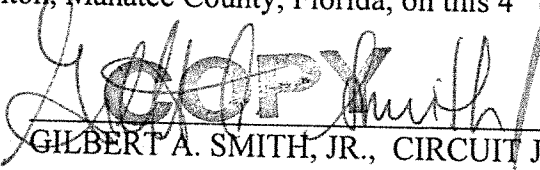
THE COURT FINDS from the face of the record in this action that no activity by filing of pleadings, order of court, or otherwise has occurred for a period of **10 months**, and no order staying this action has been issued nor stipulation for stay approved by the court. Accordingly,

IT IS ORDERED as follows:

1. The service of this motion and notice, and if no stay is issued or approved prior to the expiration of such 60-day period, this action shall be dismissed at a hearing on **FRIDAY, MAY 1, 2015 AT 9:00 A.M.**, at the Manatee County Judicial Center, 1051 Manatee Avenue West, Courtroom 5E, Bradenton, Florida, unless good cause is shown in accordance with paragraph 2.

2. A party may file with the Clerk and copy to the Judge's office a showing of good cause why this action should remain pending at least five (5) days prior to the hearing set forth above. If a showing of good cause is filed, the Court will review and make a determination to keep the case open at the hearing set forth above.

DONE AND ORDERED in Bradenton, Manatee County, Florida, on this 4th day of February, 2015.


GILBERT A. SMITH, JR., CIRCUIT JUDGE

"If you are a person with a disability who needs any accommodation in order to participate in this proceeding, you are entitled, at no cost to you, to the provision of certain assistance. Please contact the Manatee County Jury Office, P.O. Box 25400, Bradenton, Florida 34206, (941)741-4062, at least seven (7) days before your scheduled court appearance, or immediately upon receiving this notification if the time before the scheduled appearance is less than seven (7) days; if you are hearing or voice impaired, call 711."

FEB 09 2015

cc:

Straley & Robin
1510 W. Cleveland Street
Tampa, FL 33606

Mackey Law Group
1402 Third Avenue West
Bradenton, FL 34205

Savi Investments, LLC
Suresh Gupta, Registered Agent
5200 Vineland Road
Suite 250
Orlando, FL 32811

The Residences at Crosscreek
Homeowners Association, Inc.
Charles Tokarz, Registered Agent
2218 58th Avenue East
Bradenton, FL 34203

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