

***CROSS CREEK
COMMUNITY DEVELOPMENT DISTRICT***

Advanced Board Package

***Board of Supervisors
Regular Meeting***

***Wednesday
November 2, 2016***

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

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 **Wednesday, November 2, 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 and Time: November 2, 2016
Location: Medallion Home
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. Organizational Matters	
A. Oath of Office of Newly Elected Supervisors	
B. Consideration of Resolution 2017-1, Canvassing & Certifying Election Results	1
C. Compensation of Supervisors	
D. Consideration of Resolution 2017-2 Elections of Officers	2
IV. Administrative Matters	
A. Approval of Minutes of June 6, 2016 Meeting	3
B. Approval of Minutes of June 23, 2016 Meeting	4
C. Approval of Minutes of June 29, 2016 Meeting	5
D. Approval of Minutes of July 6, 2016 Meeting	6
E. Approval of Minutes of October 5, 2016 Meeting	7
V. Business Matters	
Additional Business Matters	
VI. Staff Reports	
Manager	

Attorney

Engineer

VII. Public Comments

VIII. Supervisor Requests

IX. Adjournment

EXHIBIT 1

RESOLUTION 2017-01

A RESOLUTION CANVASSING AND CERTIFYING THE RESULTS OF THE LANDOWNERS ELECTION OF SUPERVISORS HELD PURSUANT TO SECTION 190.006(2), FLORIDA STATUTES

WHEREAS, the Cross Creek Community Development District (“District”) is a local unit of special purposed government duly organized and existing under Chapter 190, Florida Statutes, located entirely within Manatee County, Florida.

WHEREAS, pursuant to Section 190.006(2), Florida Statute, a landowners meeting is required to be held within 90 days of the District's creation and every two years following the creation of a Community Development District for the purpose of electing three Supervisors of the District; and

WHEREAS, following proper publication of notice thereof, such landowners meeting was held November 2, 2016, at which the below recited persons were duly elected by virtue of the votes cast in their respective favor; and

WHEREAS, the Board of Supervisors by means of this Resolution desire to canvas the votes and declare and certify the results of said election;

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

1. 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, to wit:

_____	Votes
_____	Votes
_____	Votes

2. In accordance with said statute, and by virtue of the number of votes cast for the respective Supervisors, they are declared to have been elected for the following terms of office:

_____	four (4) year term
_____	four (4) year term
_____	two (2) year term

3. Said terms of office shall commence immediately upon the adoption of this Resolution.

PASSED AND ADOPTED THIS 2nd DAY OF NOVEMBER, 2016.

Chairman

Secretary Bruce St. Denis

EXHIBIT 2

RESOLUTION 2017-2
A RESOLUTION DESIGNATING OFFICERS OF THE CROSS
CREEK COMMUNITY DEVELOPMENT DISTRICT

WHEREAS, the Board of Supervisors of the Cross Creek Community Development District at the business meeting held on November 2, 2016 desires to appoint the below recited persons to the offices specified.

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

1. The following persons were appointed to the offices shown, to wit:

_____	Chairman
_____	Vice Chairman
<u>Bruce St. Denis</u>	Secretary
<u>Patricia Comings-Thibault</u>	Treasurer
<u>Maik Aagaard & Bruce St. Denis</u>	Assistant Treasurer
<u>Carolyn Stewart & Janet Johns</u>	Assistant Secretary
_____	Assistant Secretary
_____	Assistant Secretary
_____	Assistant Secretary

2. That this resolution supersedes all previous resolutions and motions designating, electing or appointing officers adopted by the Board of Supervisors of the Cross Creek Community Development District and are hereby declared null and void.

Adopted this 2nd day of November, 2016.

Chairman

Secretary Bruce St. Denis

EXHIBIT 3

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

5 A Meeting of the Board of Supervisors of the Cross Creek Community Development District was
6 held on Friday, June 6, 2016, at 9:00 a.m. at 1651 Whitfield, Suite 200, Sarasota, Florida.

7 **FIRST ORDER OF BUSINESS – Roll Call**
8

9 Mr. St. Denis called the meeting to order.

10 Present and constituting a quorum were:
11

12 Carlos Beruff	Board Supervisor, Chairman
13 Margo Holeman	Board Supervisor, Assistant Secretary
14 Tom Dell	Board Supervisor, Assistant Secretary

15 Also present were:

16 Bruce St. Denis	District Manager
17 Tracy Robin	District Counsel (via phone)
18 David Ivin	WCI
19 Mike Campbell	WCI
20 Nichole Swartz	WCI
21 Leigh Fletcher	Fletcher Fischer
22 Warren Bloom	Greenberg Traurig

23

24 **SECOND ORDER OF BUSINESS – Audience Comments**
25

26 There being none, the next item followed.
27

28 **THIRD ORDER OF BUSINESS – Administrative Matters**
29

30 **A. Approval of Minutes of April 24, 2016 Meeting**
31

32 Mr. St. Denis presented the Minutes of the April 24, 2016 Meeting and asked for comments,
33 questions or corrections.
34

35
36 On a MOTION by Mr. Beruff, SECONDED by Ms. Holeman, WITH ALL IN FAVOR, the Board
37 approved the minutes of the April 24, 2016 Meeting, for the Cross Creek Community Development
38 District.

39
40 **B. Approval of Minutes of May 7, 2016 Meeting**
41

42 Mr. St. Denis presented the Minutes of the May 7, 2016 Meeting and asked for comments,
43 questions, or corrections.
44

45
46 On a MOTION by Mr. Beruff, SECONDED by Ms. Holeman, WITH ALL IN FAVOR, the Board
47 approved the Minutes of the May 7, 2016 Meeting for the Cross Creek Community Development District.
48

49 **C. Appointment of Board Members**

50 Mr. St. Denis commented that there were two seats available for appointment: Seat #2 ending
51
52 November 2016, and Seat #4 also ending 2016.

53
54 Mr. Beruff entertained a motion to appoint Pete Logan to Seat #2, ending November 2016.
55

56 On a MOTION by Ms. Holeman, SECONDED by Mr. Dell, WITH ALL IN FAVOR, the Board
57 appointed Pete Logan to Seat #2 for the Cross Creek Community Development District.

58
59 Mr. Logan read and signed the Oath of Office.
60

61 **D. Acceptance of Resignation of Supervisor Holeman, Seat #1**
62

63 On a MOTION by Mr. Logan, SECONDED by Mr. Dell, WITH ALL IN FAVOR, the Board accepted
64 the resignation of Supervisor Holeman, Seat #1, for the Cross Creek Community Development District.

65
66 **E. Appointment of Ms. Holeman to Seat #4**

67 On a MOTION by Mr. Logan, SECONDED by Mr. Dell, WITH ALL IN FAVOR, the Board appointed
68 Ms. Holeman to Seat #4, for the Cross Creek Community Development District.

69
70 **F. Acceptance of Resignation of Supervisor Logan, Seat #2**
71

72 On a MOTION by Mr. Logan, SECONDED by Ms. Holeman, WITH ALL IN FAVOR, the Board
73 accepted the resignation of Supervisor Chambers, Seat #3, for the Cross Creek Community Development
74 District.

75
76 **G. Appointment of Pete Logan to Seat #1 ending in November 2018**
77

78 On a MOTION by Ms. Holeman, SECONDED by Mr. Dell, WITH ALL IN FAVOR, the Board
79 appointed Pete Logan to Seat #1, for the Cross Creek Community Development District.

80
81 **H. Oath of Office**
82

83 Mr. Logan and Ms. Holeman read and signed the Oath of Office.
84

85 **I. Acceptance of Financial Statements**
86

87 Mr. St. Denis presented the Financial Statements and asked for comments or questions.
88

89 On a MOTION by Mr. Logan, SECONDED by Mr. Dell, WITH ALL IN FAVOR, the Board agreed to
90 table this acceptance of the Financial Statements, for the Cross Creek Community Development District.

91
92 **J. Consideration of Resolution 2016-01 Officers**
93

94 Mr. St. Denis presented Resolution 2016-01 Officers and asked for comments or questions.
95

96 On a MOTION by Ms. Holeman, SECONDED by Mr. Dell, WITH ALL IN FAVOR, the Board adopted
97 Resolution **2016-01** Officers and agreed to nominate Pete Logan as Vice Chairman, with the current slate
98 remaining the same, for the Cross Creek Community Development District.
99

100 **FOURTH ORDER OR BUSINESS – Business Items**

101

102 **A. Consideration of Payments on Outstanding Payables**

103

104 Mr. St. Denis gave an overview of the Outstanding Payables and asked for comments or

105

106 questions.

107

1. Unpaid Invoices Report

108

109

2. Balance Sheet

110

111 On a MOTION by Mr. Logan, SECONDED by Mr. Dell, WITH ALL IN FAVOR, the Board authorized
112 the Vice Chair to review post expenses from DPF and Straley Robin to resolve as quickly as possible,
113 for the Cross Creek Community Development District.

114

115 **B. Presentation of the 2015-2016 Budget**

116

117 Mr. St. Denis presented the 2015-2016 Budget and asked for comments or questions.

118

119

1. 2014-2015 Proposed Budget

120

121 On a MOTION by Ms. Holeman, SECONDED by Mr. Dell, WITH ALL IN FAVOR, the Board
122 authorized the Vice Chair to finalize the budget as quickly as possible, for the Cross Creek Community
123 Development District.

124

125

2. DPF 2014-2015 Proposed Budget

126

127 **C. Approval of Resolution 2016-2 Approving the Proposed 2015-2016 Budget and**
128 **Setting the Public Hearing**

129

130

No action taken.

131

132 **D. Approval of Resolution 2016-3 Approving the Proposed 2016-2017 Budget and**
133 **Setting the Public Hearing**

134

135

No action taken.

136

137 **E. Consideration of Contract for Sale and Joinder by the District to Restructure Bond**
138 **Debt, Authorization and Ratification for the Chair to Execute a Contract**

139

140 On a MOTION by Mr. Logan, SECONDED by Ms. Holeman, WITH ALL IN FAVOR, the Board
141 approved the Contract for Sale and Joinder by the District to Restructure Bond Debt, Authorization and
142 Ratification for the Chair to Execute a Contract for the Cross Creek Community Development District.

143

144

Mr. Robin gave an overview of this Item and suggested the motion be amended to ratify the

145

146

Chairman's signature effective April 17, 2016.

147

148 On a MOTION by Mr. Logan, SECONDED by Ms. Holeman, WITH ALL IN FAVOR, the Board
149 approved the Contract for Sale and Joinder by the District to Restructure Bond Debt, Authorization and

150 Ratification for the Chair to Execute a Contract, AMENDED to include: to ratify the Chairman's
151 signature effective April 17, 2016, for the Cross Creek Community Development District.

152
153 Mr. Robin noted that an addendum is being created.

155 On a MOTION by Mr. Logan, SECONDED by Mr. Dell, WITH ALL IN FAVOR, the Board authorized
156 the Chairman to approve in substantial form subject to final review by Counsel for the Cross Creek
157 Community Development District.

158
159 **F. Appointment of Engineer**

160 This item was deferred to next scheduled meeting.

162
163 **G. Appointment of Underwriter (under separate cover)**

164
165 Mr. Robin recommended FMS Bonds as an Underwriter and Mr. Kessler of FMS Bonds
166
167 estimated cost would be \$25,000.

169 On a MOTION by Mr. Logan, SECONDED by Ms. Holeman, WITH ALL IN FAVOR, the Board
170 approved FMS Bonds as the Underwriter for the Cross Creek Community Development District.

171
172 **H. Appointment of Assessment Consultant (under separate cover)**

173
174 Mr. St. Denis provided the Board with an engagement letter and asked for comments or
175
176 questions.

177
178 Discussion ensued.

180 On a MOTION by Mr. Logan, SECONDED by Ms. Holeman, WITH ALL IN FAVOR, the Board
181 approved requesting an hourly rate be established, not to exceed \$14,000 for the Cross Creek Community
182 Development District.

183
184 This item will be discussed at the next scheduled meeting.

185
186 **I. Consideration of Special Tax Counsel**

187
188 Mr. Robin recommended Greenberg Traurig for Special Tax Counsel.

189
190 On a MOTION by Mr. Logan, SECONDED by Ms. Holeman, WITH ALL IN FAVOR, the Board
191 approved deferring the Appointment of a Special Tax Counsel until next scheduled meeting for the Cross
192 Creek Community Development District.

193
194 **J. Consideration of Property Insurance on Amenity Improvements**

195
196 Mr. St. Denis gave an overview of the Property Insurance on Amenity Improvements and asked
197
198 for comments or questions.

199
200 Mr. Logan directed Staff to obtain proposals for property insurance and bring back to next

201 scheduled meeting.

202

203 **K. Supervisor of Elections Voter Count – 4**

204

205 Mr. St. Denis presented Supervisor of Elections Voter Count – 4 and asked for comments or

206

207 questions.

208

209 **FIFTH ORDER OF BUSINESS – Staff Reports**

210 **A. Manager**

211

212 There being none, next item followed.

213

214 **B. Attorney**

215

216 There being none, the next item followed.

217

218 **C. Engineer**

219

220 There being none, the next item followed.

221

222 **SIXTH ORDER OF BUSINESS – Public Comments**

223

224 Mr. Ivin commented about putting resignations in escrow.

225

226 **SEVENTH ORDER OF BUSINESS – Supervisor Requests**

227

228 There being none, next item followed.

229

230 **EIGHTH ORDER OF BUSINESS – Continuation**

231

232 On a MOTION by Mr. Logan, SECONDED by Ms. Holeman, WITH ALL IN FAVOR, the Board
233 CONTINUED the Meeting to June 23, 2016 at 9:00 am at 1651 Whitfield Avenue, Sarasota, Florida, with
234 the following items for discussion: Acceptance of Financial Statements, Consideration of Proposed
235 Budget, Further Review of Amendment of Contract, if Necessary, Consideration of District Engineer
236 Proposals, Consideration of Special Tax Counsel, Appointment of Assessment Consultant, and
237 Consideration of Property Insurance for the Cross Creek Community Development District.

238

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

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

244

245 _____
246 **Signature**

247

248 _____
249 **Printed Name**

250 **Title:** Secretary Assistant Secretary

245 _____
246 **Signature**

247

248 _____
249 **Printed Name**

250 **Title:** Chairman Vice Chairman

EXHIBIT 4

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

A Meeting of the Board of Supervisors of the Cross Creek Community Development District was scheduled for Thursday, June 23, 2016, at 9:00 a.m. at 1651 Whitfield, Sarasota, Florida.

FIRST ORDER OF BUSINESS – Roll Call

While waiting for a quorum to be established, the Vice Chairman and District Manager made the decision to continue the meeting of June 23rd to June 29th.

**Each person who decides to appeal any decision made by the Board with respect to any matter considered at the meeting is advised that 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.*

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

Signature

Signature

Printed Name

Printed Name

EXHIBIT 5

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

A Meeting of the Board of Supervisors of the Cross Creek Community Development District was held on Wednesday, June 29, 2016, at 9:00 a.m. at 1651 Whitfield, Sarasota, Florida.

FIRST ORDER OF BUSINESS – Roll Call

Mr. St. Denis District manager noted that it was not possible to muster a quorum and cancelled the 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 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.*

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

Signature

Signature

Printed Name

Printed Name

Exhibit 6

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**MINUTES OF MEETING
CROSS CREEK OF HILLSBOROUGH COUNTY
COMMUNITY DEVELOPMENT DISTRICT**

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A Meeting of the Board of Supervisors of the Cross Creek of Hillsborough County Community Development District was held on Wednesday, October 5, 2016 at 2:00 p.m. at 1651 Whitfield, Suite 200, Sarasota, Florida.

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FIRST ORDER OF BUSINESS – Roll Call

Mr. St. Denis called the meeting to order.

Present and constituting a quorum were:

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

Also present were:

Bruce St. Denis	District Manager
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SECOND ORDER OF BUSINESS – Audience Comments

There being none, next item followed.

THIRD ORDER OF BUSINESS – Administrative Matters

A. Approval of the Minutes of September 6, 2016 Meeting

Mr. St. Denis presented the Minutes of the September 6, 2016 Meeting and asked for comments, questions, or corrections.

On a MOTION by Mr. Logan, SECONDED by Ms. Holeman, WITH ALL IN FAVOR, the Board approved the Minutes of the September 6, 2016 Meeting for the Cross Creek Community Development District.

B. Approval of the Minutes of the September 14, 2016 Continued Meeting

Mr. St. Denis presented the Minutes of the September 14, 2016 Continued Meeting and asked for comments, questions or corrections.

On a MOTION by Mr. Logan, SECONDED by Ms. Holeman, WITH ALL IN FAVOR, the Board approved the Minutes of the September 14, 2016 Continued Meeting for the Cross Creek Community Development District.

49 **FOURTH ORDER OF BUSINESS – Business Matters**

50

51 **A. Ratification of Contract Amendment #3**

52

53 Mr. St. Denis presented Contract Amendment #3 and asked for comments or questions.

54

55 On a MOTION by Mr. Logan, SECONDED by Ms. Holeman, WITH ALL IN FAVOR, the Board ratified
56 Contract Amendment #3 for the Cross Creek Community Development District.

57

58 **B. Ratification of Contract Amendment #2 (*under separate cover*)**

59

60 Mr. St. Denis presented Contract Amendment #2 and asked for comments or questions.

61

62 On a MOTION by Mr. Logan, SECONDED by Ms. Holeman, WITH ALL IN FAVOR, the Board ratified
63 Contract Amendment #2 for the Cross Creek Community Development District.

64

65 **C. Additional Matters**

66

67 There being none, next item followed.

68

69 **FIFTH ORDER OF BUSINESS – Staff Reports**

70

71 **A. Manager**

72

73 There being none, next item followed.

74

75 **B. Attorney**

76

77 There being none, next item followed.

78

79 **C. Engineer**

80

81 There being none, next item followed.

82

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

84

85 There being none, the next item followed.

86

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

88

89 There being none, next item followed.

90

91 **SEVENTH ORDER OF BUSINESS – Adjournment**

92

93 On a MOTION by Ms. Holeman, SECONDED by Mr. Dell, WITH ALL IN FAVOR, the Board
94 adjourned the meeting for the Cross Creek Community Development District.

95

96

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98

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

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

104

105

106 **Signature** _____

107

108

109 **Printed Name** _____

110 **Title:** **Secretary** **Assistant Secretary**

Signature

Printed Name

Title: **Chairman** **Vice Chairman**



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