

MINUTES OF MEETING

CROSS CREEK COMMUNITY DEVELOPMENT DISTRICT SPECIAL BOARD OF SUPERVISORS MEETING

Friday, August 12, 2022

9:00 A.M.

Holiday Inn Sarasota-Airport 8009 15th Street East, Sarasota, FL 34243

Board Members Present were:

Charlie Tokarz	Chairperson
Connor Chambers	Vice Chairperson
Kathy Beccia	Assistant Secretary

Also present were:

Vivian Carvalho	PFM Group Consulting LLC (via phone)
Venessa Ripoll	District Manager - PFM Group Consulting LLC (via phone)
Jorge Orsini	Assistant District Manager- PFM Group Consulting LLC (via phone)
Amy Champagne	PFM Group Consulting LLC (via phone)
Andy Cohen	District Counsel- Persson Cohen & Mooney, P.A.
Charlie McKinnies	Medallion Home
Rob Bosarge	Medallion Home

FIRST ORDER OF BUSINESS

Organizational Matters

Call to Order and Roll Call

Ms. Carvalho called the meeting to order at 9:13 a.m. and confirmed quorum.

Public Comment Period

Ms. Peterson questioned since this parcel of land is currently maintained by CDD funds, now that the land is sold how will these expenses be taken care of.

Mr. Jones questioned how the Board came up with the evaluation that .0661 acres is value at \$10.00. He also asked how many people on the Board are employed by Medallion Home. It was confirmed by Ms. Carvalho that two Board members are employed by Medallion Home.

Mr. Ivy stated he thinks it would be beneficial if the Board would recommend the Developer and Davis Construction pay retail value for the property to offset the current homeowner CDD increase, which would be feasible for everyone in the community. He also stated that it would only be fair for Davis Construction to pay retail, or they can help beautify the subdivision and bring it up to the neighborhood standards.

Ms. Myers recommended that Davis Construction pay market value. She stated that an acre is going for around \$150,000.00, so she isn't sure how the Board came up with \$10

per acre. She also mentioned if Davis Construction would pay market value that the money could go toward making a better community.

Mr. Starlz questioned was what the current number of properties in the CDD at is this point in time. He stated that he agrees Davis Construction should pay market value or it should be in the vicinity of \$5,000 or \$10,000 minimum.

Mr. Cohen stated the CDD is not conveying any property. He explained the District is retaining ownership of the property, and simply granting an easement for this owner to access the property but not giving up ownership to any property. He further explained that the \$10.00 amount is something that attorneys use when they draw up documents as a marker for consideration to make a valid transaction. He stated the property will not be sold for \$10.00.

Ms. Litwin stated she is very confused, and she doesn't understand where decisions are made when they are supposed to be made in open Board meetings. She stated granting this easement access doesn't benefit the residents of Cross Creek. She also stated there has to be some kind of monetary value on this easement. She also questioned did the residents of the CDD pay the meeting rental for this meeting as well as the cost of the advertising for this special meeting.

Ms. Carvalho stated all of the public comments have been taken into consideration. She also stated a list of questions will be answered now or at the end of the meeting by the Developer and District Staff.

Ms. Burleson commented she didn't hear anyone answer Ms. Litwin's questions. She asked could those questions be answered. Mr. Bosarge stated he will be answering questions during the presentation.

SECOND ORDER OF BUSINESS

Business Matters

Consideration of Access Easement Agreement

Mr. Cohen stated this document was proposed to the CDD and requires signature from the CDD Board representative. He explained the document was sent by the developer's counsel and prepared accordingly. Mr. Cohen mentioned after getting the first version he gave his comment, and concerns that he wanted to address on behalf of the CDD. He explained that the concerns were that, all of the work was going to be at the total cost of Davis, and indemnification provision added to the CDD sustained any damages for granting this easement, an attorney fee provision added to the easement to the extent that the parties did not perform as required by the CDD that action would cover the attorney fees, also a provision that would be responsible for any damages done to the CDD property and that no liens would be placed, and lastly there would be no waiver of any sovereign immunity protections that the CDD as a public entity enjoyed. He stated the

version presented before the Board has the provisions that he was comfortable with, and it's the Board's decision to decide whether to grant this easement or not. He also mentioned for the record the property will have apartment units built on it and he made a note that the next thing he will be doing is getting in touch with the District Assessment Consultants to make sure that they pay their fair share into the CDD.

Mr. Bosarge stated he has worked very closely with Davis Construction to provide an adequate landscape buffer that will be on their property. He explained that the purpose of this easement is the curb cut that is in the median of Cross Creek Blvd. Mr. Chambers pointed out that there was already an easement, but it did not align properly for the entrances. This easement will correct the alignment.

On MOTION by Mr. Tokarz, seconded by Ms. Beccia, with all in favor, the Board approved the Consideration of Access Easement Agreement.

THIRD ORDER OF BUSINESS

Other Business

Staff Reports

- District Counsel-** Mr. Cohen stated the document was in legal form and he thought that it would be appropriate to protect the District, but the decision is up to the Board.
- District Engineer-** Not present.
- District Manager-** Ms. Carvalho noted that the next meeting will be held on August 30, 2022.

FOURTH ORDER OF BUSINESS

Supervisor Requests and Audience Comments

There were comments made from Ms. Lianna Litwin that discussed her displeasure with how the community looks, especially with Brightview's service concerning the landscaping.

Ms. Kathy Domnerz had some comments made about preventative maintenance and security cameras. She also suggested updating the website concerning COVID listings.

Ms. Terri Peterson spoke and wanted to bring attention to the dead trees along the Creekside and was hoping they could be removed within the next 2-3 weeks.

FIFTH ORDER OF BUSINESS

Adjournment

There was no other business to discuss. Ms. Carvalho requested a motion to adjourn the meeting.

On MOTION by Ms. Beccia, seconded by Mr. Chambers, with all in favor, the Board adjourned the August 12, 2022, Special Board of Supervisors Meeting for Cross Creek Community Development District at 9:51 a.m.


Secretary/Assistant Secretary


Chairperson Vice Chairperson