MINUTES OF MEETING

CROSS CREEK COMMUNITY DEVELOPMENT DISTRICT
CONTINUED BOARD OF SUPERVISORS' MEETING
Tuesday, June 6, 2023, at 10:00 a.m.
4000 Creekside Park Drive, Parrish, FL 34219

Board Members Present were:

Charlie Tokarz	Chairperson
Connor Chambers	Vice Chairperson
Kathy Beccia	Assistant Secretary
Lianna Litwin	Assistant Secretary
Bruce Stolarz	Assistant Secretary

Also present were:

Venessa Ripoll	District Manager - PFM Group Consulting LLC	
Kwame Jackson	PFM Group Consulting LLC	(via phone)
Andy Cohen	District Counsel- Persson Cohen & Mooney, P.A.	
Charlie McKinnies	Medallion Home	
Chris Chavez	Medallion Home	
Chris Berry	LMP	

FIRST ORDER OF BUSINESS **Organizational Matters**

Call to Order and Roll Call

Ms. Ripoll called the meeting to order at 10:01 a.m. and confirmed quorum.

Public Comment Period

No Public Comments.

Consideration of the Minutes of the January 24, 2023, Board of Supervisors' Meeting

The Board reviewed the minutes.

> On MOTION by Mr. Tokarz, seconded by Mr. Chambers, with all in favor, the Board approved the minutes of the January 24, 2023, Board of Supervisors' meeting with edits and corrections.

SECOND ORDER OF BUSINESS | **Business Matters**

Consideration of Resolution 2023-04, Approving a Preliminary Budget for Fiscal Year 2024 and Setting a Public Hearing Date

Ms. Ripoll requested a motion to approve Resolution 2023-04, Approving a Preliminary Budget for Fiscal year 2024 and setting a Public Hearing date for August 22, 2023 at the Holiday Inn Sarasota- Airport with the increase that the board discussed.

> On MOTION by Ms. Litwin, seconded by Mr. Chambers, with all in favor, the Board approved Resolution 2023-04, Approving a Preliminary Budget for Fiscal Year 2024 and Setting a Public Hearing date with an increase of $220,000.00 and the public hearing for August 22, 2023, at 11:00 AM, at the Holiday Inn Sarasota-Airport 8009 15th Street East, Sarasota, FL 34243.

Discussion if the Irrigation, Pump System and Landscaping

Mr. Stolarz passed out a map to the Board and members that were present in the room.

He went over descriptions and parameters of the map with the Board. Discussion ensued regarding what areas on the map that LMP is maintaining.

Ms. Litwin discussed her concern of a road going through CDD property and through the gazebo. Mr. Chavez stated that the road would have to be acquired.

Ms. Litwin noted that the Pond that is half owned by Medallion Home and Cross Creek, its understood that Cross Creek takes care of that pond because Cross Creek uses it for drainage but the grass on the side is still being cut by LMP and that's Medallion Homes property.

Mr. Tokarz noted that Medallion Home just builds houses, but there are other entities that also develop.

Ms. Litwin stated from the meeting minutes from July 26, 2022 there was an agreement for the piece of property referenced the District was approached by Medallion Home and it was memorialized that the maintenance would be the responsibility of the HOA of the Willows and Laurels, and on page two in the second paragraph, it said that Mr. Bosarge mentioned that the total cost of the proposed landscaping and infrastructure is on the developer and that the HOA will be responsible for maintaining it in perpetuity, creating no additional burden or responsibility for the District.

Ms. Litwin continued on referencing the meeting minutes from July 26, 2022, that speaks to the piece of property.

Mr. Stolarz stated that he has two proposed invoices to give to the Medallions, the Laurels and the Willows, one is for an estimated $500.00 a month for the water usage, November 1st to April 30th. That's $3,000.00 and also all legal fees incurred by the CDD should be paid by or be reimbursed by Medallion Home through February 28th which is $2,870.00.

Ms. Litwin stated that everything has been laid out and she feels that the Board should have a discussion on how to remedy the items brought to the Boards attention for the benefit of Cross Creek.

Mr. Stolarz asked that the Board make a vote on the reimbursement cost that he mentioned.

Mr. Tokarz stated the Board has not had a chance to look at the documents in detail, but he can assure the Board that those documents will be presented to Medallion Home.

Ms. Ripoll stated this will be added to the next agenda and have answers at the next meeting.

Discussion ensued regarding the areas mentioned on the map that are not a part of Cross Creek. Mr. Chavez stated that he will discuss the areas with Davis and Medallion.

Mr. Chavez will look into the street that is going into the gazebo.

Mr. Chavez stated that in regard to the grass around the lake area, he will walk that area with LMP to see that area.

Mr. Cohen stated once there is a resolution it needs to be memorialized in some manner and have a maintenance agreement.

Mr. Cohen explained how license agreements typically work.

Mr. Stolarz asked LMP to explain the quotes provided at the last meeting. LMP provided an update.

Mr. Cohen noted this would be a good time to discuss irrigation.

Mr. Chavez stated he now has three proposals for the new pump. He noted these are different philosophies and theories of how to irrigate the communities. The first is pump proposal is from LMP for $202,000.00, next is from Juniper for $136,000 and the third proposal is from IDA, who is proposing a Hoover system for $200,000.00, and IDA was also sending a fourth proposal which is not completed yet. IDA stated the fourth proposal would be less than $202,000.00 but more than $136,000.00.

Ms. Litwin asked was it determined why it is a variance in the pricing?

Mr. Chavez stated LMP id proposing a 2-pump system at 700 gallons per minute to irrigate phase 1A. If anything goes down, there will still be a pump that's working.

Juniper is proposing one single pump so it's there's less of an expense.

A resident asked does these proposals offer a warranty?

Mr. Chavez stated they come with a one-year warranty, none of the proposers had a maintenance plan offered.

Mr. Cohen noted that if the District is going to purchase any goods, supplies or materials greater than $195,000.00, the District will need to do a competitive RFP process, something more than just soliciting bids.

Discussion ensued regarding needing an electrician for hookup.

Mr. Barry explained the difference between having a single pump and a dual pump.

Discussion ensued regarding how the District is going to pay for the pump. Ms. Litwin stated that if the District can use the money out of the HOA account and we would save $41,000.

Mr. Cohen stated the safest course of action would be to put $200,000.00 in the budget now hopefully be able to pull some when the District does its final budget in August. He noted the budget can always go down but not up.

Discussion ensued regarding assessments. Ms. Litwin suggested we add $220,000 in the budget.

Ms. Ripoll stated to Ms. Champagne that the consensus is to put an additional $220,000.00 under the contingency property improvements line item.

Ms. Cohen noted to the Board that assessments are most certainly going up so District staff will have mail notice to everybody as well as an advertisement in the paper. Everyone will have the opportunity to come to the public hearing.

Mr. Tokarz stated that he is still not happy with the proposals and asked that Mr. Chavez to continue working on the quotes.

Discussion ensued regarding the new pump only being used for the CDD.

Discussion ensued regarding the valves, and the usage of water from other entities.

Mr. Chambers explained the Southwest Florida Water Management District water calculation.

Mr. Chavez stated the Board still has to make a decision on the nodes. The three proposals were received, one from LMP for $22,283.50, another proposal from Juniper for $24,000.00 and a proposal from IDA for approximately $22,000.00.

On MOTION by Mr. Tokarz, seconded by Mr. Chambers, with all in favor, the Board accepted the proposal for the nodes from LMP for $22,283.50.

Discussion ensued regarding the finances to be able to afford the pump. The Board agreed to have District staff look in a bank loan for the pump.

The Board agreed to have an emergency meeting when all data is received regarding the pump so that the Board can decide or if the data is ready by the next Board meeting the Board can decide then.

Discussion of Perimeters of Willow/ Laurel Responsibility under License Agreement

This item was tabled.

<u>THIRD ORDER OF BUSINESS</u> **Other Business**

Staff Reports

District Counsel- No report.

District Engineer- Not present.

District Manager- Ms. Ripoll stated the next Board meeting is scheduled for June 27, 2023.

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<u>FOURTH ORDER OF BUSINESS</u> **Supervisor Requests and Audience Comments**

Discussion ensued regarding the time of the Board meeting and can that be changed.

Discussion ensued regarding payment of the O&M expenses from 2017 and 2018.

<u>FIFTH ORDER OF BUSINESS</u> **Adjourned**

Mr. Tokarz requested a motion to adjourn the meeting.

On MOTION by Mr. Tokarz, seconded by Mr. Chambers, with all in favor, the Board adjourned the June 6, 2023, Board of Supervisors' Meeting for Cross Creek Community Development District.

Secretary/Assistant Secretary

Chairperson/ Vice Chairperson