MINUTES OF MEETING

CROSS CREEK COMMUNITY DEVELOPMENT DISTRICT
BOARD OF SUPERVISORS' MEETING
Wednesday, May 22, 2024, at 9:00 a.m.
1651 Whitfield Avenue, Suite 200
Sarasota, FL, 34243

Board Members Present were:

Charlie Tokarz	Chairperson	
Connor Chambers	Vice Chairperson	(via Webex)
Kathy Beccia	Assistant Secretary	
Bruce Stolarz	Assistant Secretary	
Lianna Litwin	Assistant Secretary	

Also present were:

Venessa Ripoll	District Manager - PFM Group Consulting LLC	
Kwame Jackson	PFM Group Consulting LLC	(via Webex)
Jennifer Glasgow	PFM Group Consulting LLC	(via Webex)
Verona Griffith	PFM Group Consulting LLC	(via Webex)
Andy Cohen	District Counsel- Persson Cohen & Mooney, P.A.	
Chris Chavez	Medallion Homes	
Jura Zibas	Medallion Homes	
Charlie McKinnies	Medallion Homes	
Chris Berry	LMP	
Devin Lemke	Respec	
Alan Stolarz	Resident	
Joann Glass	Resident	
Kathy Domer	Resident	
Brittney	Resident	
Charlotte Meyerer	Resident	
Frank Sacca	Resident	
Harold Francis	Resident	
Lalee Shaberts	Resident	
Marc Finlen	Resident	
Rodriguez	Resident	

FIRST ORDER OF BUSINESS **Organizational Matters**

Call to Order and Roll Call

Ms. Ripoll called the meeting to order at 9:05 a.m. and confirmed quorum.

Mr. Cohen updated the Board on Mr. Chambers. He noted Mr. Chambers is able to vote via Webex because there is quorum in the meeting room.

Public Comment Period

Consideration of the Minutes of the January 23, 2024, Board of Supervisors' Meeting

The Board reviewed the minutes of the January 23, 2024, Board of Supervisors' Meeting.

On MOTION by Ms. Litwin, seconded by Mr. Tokarz, with all in favor, the Board accepted the minutes of the January 23, 2024, Board of Supervisors' meeting.

Review of Letter from the Supervisor of Elections – Manatee County

Ms. Ripoll stated as of April 15, 2024, there are 641 registered voters that live within the Cross Creek Community Development District.

SECOND ORDER OF BUSINESS **Business Matters**

Consideration of Resolution 2024-03, Approving a Preliminary Budget for Fiscal Year 2025 and Setting a Public Hearing Date

Ms. Ripoll stated the recommended date for the Public Hearing is August 27, 2024, at the Double Tree by Hilton Sarasota Bradenton Airport, 8009 15th Street East, Sarasota, FL 34243. Ms. Ripoll noted the budget is not increasing.

Mr. Cohen stated this is the not-to-exceed budget that the Board will be approving. This budget can be refined before it is approved but it may not go over the preliminary approved amount.

Mr. Stolarz stated the $41,000.00 line item for the residual balance on the HOA was already received so that will not be coming in for the 2024-2025 budget. He noted the Board will need to trim down to the budget.

The Board reviewed the budget and proposals that are upcoming for Fiscal Year 2025.

Mr. Tokarz asked is there a projected carry forward for this Fiscal Year.

Ms. Griffith answered the carry forward is estimated at $3,000.00.

Ms. Litwin stated the District should look into rather or not to keep Inframark as the vendor for Field management due to the lack of services received.

There was a brief discussion regarding the contract with Inframark.

Mr. Cohen stated District staff can look at the Contract and the cancellation provisions.

Ms. Domer stated she has informed Inframark that they will not be paid.

The Board agreed to make the Field management line item zero.

Ms. Litwin stated she has done some research on the electricity expenses and has discovered that a resident's address is included in what the District has been paying for. She noted for that address there are two accounts, one in which the residents do pay, but there is another account for a metered lighting. Ms. Litwin also mentioned that there are two other addresses listed that the CDD is paying the electric bills for that are not a part of the District. She noted one of the properties belongs to the Developer and the account is in Cross Creek Community Development District's name and the bill has been covered by the District, and the other address seems to be for the irrigation at the entrance of the Willows and Laurels.

There was a brief discussion on how the Bill can be transferred over to the HOA and how the CDD can be refunded for the bills that have been paid.

The Board reviewed the major repairs and replacements line item.

Ms. Litwin went over the proposals she received for resurfacing of the pool.

On MOTION by Mr. Tokarz, seconded by Ms. Beccia, with all in favor, the Board approved Ms. Litwin to execute a not-to-exceed amount of $78,000.00 contract with Sterling Built Pools subject to contract review.

Discussion ensued regarding the Janitorial line item. This line item was lowered by $2,000.00.

Mr. McKinnies presented a proposal for the front entrance, Track S and Track T. He stated there was $26,000.00 worth of sod and the Developer will contribute $13,000.00.

Mr. Stolarz stated it was his understanding that the Developer would be paying for the Sod in full.

Ms. Litwin stated she received a different offer for the property, which is over what the Developer is paying.

Mr. Cohen stated the District has to be cognizant as to who will own this property, due to that property being an entrance way to other parcels as well as CDD property it will need to be maintained.

There was a brief discussion regarding the responsibility of owning the entrance. Mr. Cohen explained that whoever does own the property is responsible for liability issues.

Mr. Tokarz asked that the information stating the CDD would not pay for the new sod and irrigation be sent to him.

Ms. Litwin stated a vote can not be made on the selling of the entrance without more information being provided to the Board.

Mr. Cohen noted if the Board wants to sell the property it has to be of value.

Ms. Litwin stated when the other piece of property was conveyed the CDD did not include the Gazebo in the contract. She noted that the District was told the Gazebo would be moved to CDD land and was not conveyed in that contract.

Mr. Cohen stated if the Gazebo was transferred to someone else the CDD should have received some value.

Discussion ensued regarding the breakdown of the property to know what is being sold.

Ms. Domner expressed concern with handing the property over to Medallion Homes and the goals Medallion has for that project. She also made a cash offer for the property in the amount of $40,000.00.

Mr. Cohen stated he was presented with a quit claim deed for the monument parcel. He noted if the sale goes forward there should be legal documents presented to him.

On MOTION by Mr. Tokarz, seconded by Mr. Chambers, with three in favor (Tokarz, Chambers and Beccia) and two against (Litwin and Stolarz), the Board approved the proposal from the Developer in the amount of $20,324.00 for the entranceway.

Ms. Ripoll stated District staff will work through the budget, it will not be increasing, funds will be moved from the repair and replacement line item.

Mr. Cohen recapped the Budget revisions, $41,000.00 will be removed from the revenue, the field management line will be reduced from $7,200.00 to 0, electric will be reduced by $20,000.00, $2,000.00 will be reduced from Janitorial.

On MOTION by Ms. Litwin, seconded by Mr. Tokarz, with all in favor, the Board approved Resolution 2024-03, Approving a Preliminary Budget for Fiscal Year 2025 and Setting a Public Hearing Date on August 27, 2024, at 11:30 a.m. at the Double Tree by Hilton Sarasota Bradenton Airport, 8009 15th Street East, Sarasota, FL 34243.

Consideration of Resolution 2024-04, Designating Board Member Seats for the Upcoming General Election

Mr. Cohen stated the District is going into the General Election, the Seats that are up for Election are Seat three held by Connor Chambers and Seat four held by Kathy Beccia. He noted the election will be conducted by the Supervisor of Elections.

> On MOTION by Ms. Litwin, seconded by Mr. Tokarz, with all in favor, the Board approved Resolution 2024-04, Designating Board Member Seats for the Upcoming General Election with Seat three held by Connor Chambers and Seat four held by Kathy Beccia.

Review and Consideration of Persson, Cohen & Mooney, P.A., CPI Attorney Fees

Mr. Cohen stated the engagement letter has a CPI built into it, and this year the increase will be 3.2% for this Fiscal Year effective October 1, 2024.

> On MOTION by Ms. Litwin, seconded by Mr. Tokarz, with all in favor, the Board accepted the Persson, Cohen & Mooney, P.A., CPI Attorney Fees.

Review and Acceptance of the FY 2023 Audit Report

This item was tabled.

Review and Consideration of Janitorial Services Proposals

Ms. Ripoll stated a proposal was received from 3rd Generation Spray Foam in the amount of $600.00 a month. Ms. Ripoll noted the District is wanting to terminate the current vendor and proceed with 3rd Generation Foam Spray.

On MOTION by Mr. Tokarz, seconded by Mr. Chambers, with all in favor, the Board authorized formal termination of the current contractual agreement and authorized Ms. Litwin to execute an agreement with 3rd Generation Spray Foam subject to District staff approval.

Review and Consideration of Proposals to Resurface the Basketball Court and Add Pickleball Lines

Ms. Ripoll stated the proposal is included in the agenda. The total cost of the project is $7,000.00.

On MOTION by Mr. Tokarz, seconded by Ms. Beccia, with all in favor, the Board approved the proposal from Barber Tennis, LLC not to exceed $7,000.00 subject to preparation of a contract with authorization for Ms. Litwin to execute.

Consideration of Proposal to Replace the Pool Gate Access Control Panel

The Board reviewed the proposal.

On MOTION by Ms. Litwin, seconded by Ms. Beccia, with all in favor, the Board ratified the Proposal to Replace the Pool Gate Access Control Panel.

Consideration of Reducing the Speed Limit on Residential Streets from 35 mph to 25 mph

Ms. Litwin stated the County did a traffic study for the immense amount of traffic in the community. She explained the recommendation is to lower the speed limit from 35 to 25 miles per hour due to it becoming dangerous.

On MOTION by Mr. Tokarz, seconded by Ms. Beccia, with all in favor, the Board approved Reducing the Speed Limit on Residential Streets from 35 mph to 25 mph.

Consideration of Proposal for Installation of Additional Pet Waste Stations

There was a brief discussion.

This item was tabled.

Update on Conveying Land Back to CDD and Getting More from the Developer Regarding Appraisal

Mr. Stolarz proposed that Medallion moves the Gazebo by the pond. He noted the Gazebo is not apart of the sale of the parcels.

Mr. Cohen stated in a previous meeting Mr. Tokarz was surprised that the District hadn't received the check from Medallion Homes.

Mr. Tokarz stated he will make sure the check gets sent.

Ms. Litwin stated the District was told that a solution for the Gazebo would be presented to the Board. She noted the Gazebo was moved off property by Medallion Homes. She asked for an explanation for why the Gazebo was moved.

Mr. Tokarz stated he wanted the Gazebo moved to the same location requested by the CDD Board members.

Ms. Litwin asked is anything going to be done about the Gazebo being moved off CDD property.

Mr. Tokarz stated he asked and currently nothing is going to be done.

Discussion ensued regarding how the Board will move forward after being told that the Developer will not move the Gazebo back.

Ms. Litwin noted the Board is deciding not to reclaim the property that was taken from the CDD.

Mr. Chambers suggested a small plot around the Gazebo and that be transferred to the CDD.

Ms. Litwin asked for a motion to hire an attorney to get the Gazebo moved back to CDD property.

On MOTION by Ms. Litwin, seconded by Mr. Stolarz, with three opposed, the Board denied hiring an attorney to have the Gazebo moved back to CDD property.

Discussion of Front Entrance Purchase

Ms. Litwin asked when the check will be received for the appraisal for the slivers.

Mr. Tokarz stated the check will be received the following day.

Discussion of Raised Pedestrian Crosswalks

Ms. Litwin stated she contacted the County, and the recommendation was to put raised crosswalks across four sections of Creekside Park Drive. This will allow for safe crossing with the high speed of traffic coming through the community.

On MOTION by Ms. Litwin, seconded by Ms. Beccia, with two opposed (Tokarz and Chambers), the Board approved adding Raised Pedestrian Crosswalks across four sections of Creekside Park Drive.

Discussion of Irrigation Permit

Ms. Lemke provided a presentation on water use and the plans her company has for Medallion Homes as well as the CDD. She noted her goal is to separate the areas owned by the CDD from the areas owned by Medallion Homes. She explained the permits have been separated by ownership, and the CDD will be provided with a new permit.

Ms. Litwin asked how this project came about.

Mr. Cohen explained there was discussion about separating everything from the CDD and Medallion, Medallion reached out to Respec and agreed to cover the bill for the permit to be split.

Ms. Lemke explained her research to the Board.

There was a discussion regarding the breakdown of the irrigated areas.

Ms. Litwin asked for an updated allocation calculator.

Mr. Cohen stated once the split is finished the CDD will have a separate section of the permit. The CDD would do the reporting and have its own quantities with no ties to 1B and 1C.

Ms. Litwin asked what the benefit to Medallion would be with the permits being split.

Mr. Cohen stated the benefit is to the CDD and Medallion Homes.

Ms. Lemke explained the benefit to the CDD having its own permit is that moving forward the CDD will have water quantities due to not having any groundwater left. She noted she wanted to make sure the CDD has all the water that is needed.

Ms. Lemke stated this permit is in the preliminary stage.

Ms. Litwin asked at this time if the permit is in a preliminary state can the Board make a vote at a future meeting.

Mr. Chambers asked for a motion to approve the permit as presented.

On MOTION by Mr. Chambers, seconded by Mr. Tokarz, with two opposed (Litwin and Stolarz), the Board approved the Irrigation Permit.

Discussion of Barbeque Grill Replacement/Repair

This item was tabled.

Ratification of Pool Cleaning Agreement

This item was tabled.

Ratification of Proposal for Monthly Dog Park Pet Waste Management

This item was tabled.

Ratification of Payment Authorization Nos. 235 - 247

This item was tabled.

Review of District Financial Statements

This item was tabled.

THIRD ORDER OF BUSINESS **Other Business**

Staff Reports

District Counsel- No Report.

District Engineer- Not present.

District Manager- No Report.

FOURTH ORDER OF BUSINESS

Supervisor Requests and Audience Comments

There were no Supervisor Requests.

FIFTH ORDER OF BUSINESS **Adjournment**

Mr. Tokarz requested a motion to adjourn the meeting.

On MOTION by Mr. Tokarz, seconded by Ms. Beccia, with two opposed (Litwin and Stolarz), the Board adjourned the May 22, 2024, Board of Supervisors' Meeting for Cross Creek Community Development District at 11:59 PM.

Secretary/Assistant Secretary

Chairperson/ Vice Chairperson