

# Cross Creek Community Development District

12051 Corporate Boulevard, Orlando, FL 32817; Phone: 407-723-5900, Fax: 407-723-5901

[www.crosscreekcdd.org](http://www.crosscreekcdd.org)

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The meeting of the Board of Supervisors of **Cross Creek Community Development District** will be held **Tuesday, December 22, 2020 at 11:00 a.m. at the 1651 Whitfield Avenue, Suite 200, Sarasota, FL 34243.** The following is the agenda for this meeting

**Call in number: 1-844-621-3956 (New)**

**Passcode: 790 562 990 # (New)**

**Join meeting via WebEx Personal Room: <https://pfmgroup.webex.com/meet/carvalhov>**

**NOTE: If you are calling into the meeting by phone or WebEx, please MUTE your line!**

## BOARD OF SUPERVISORS' MEETING AGENDA

### Organizational Matters

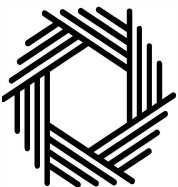
- Call to Order
  - Roll Call
  - Public Comment Period *[for any members of the public desiring to speak on any proposition before the Board limited 2 minutes]*
1. Administer Oath of Office to Newly Elected Board of Supervisors
  2. Consideration of Resolution 2021-03, Canvassing and Certifying the Results of the Landowners' Election
  3. Consideration of the Minutes of the October 27, 2020 Board of Supervisors' Meeting
  4. Consideration of the Minutes of the November 5, 2020 Landowner Election Meeting

### General Business Matters

5. Consideration of Resolution 2021- 02, Potential Contraction of the Cross Creek Community Development District.
6. Consideration of Funding Agreement related to Contraction
7. Consideration of Resolution 2021-04, Resolution, Election Officers Position
8. Ratification of the Brightview Landscape Addendum to Master Agreement
9. Ratification of Payment Authorizations 87-93
10. Review of District Financial Statements

### Other Business

- Staff Reports



**pfm**

- District Counsel
- District Engineer
- District Manager

- Supervisor Requests
- Audience Comments

**Adjournment**



**Cross Creek  
Community Development District**

Administer Oath of Office to Newly Elected  
Board of Supervisors

**CROSS CREEK  
COMMUNITY DEVELOPMENT DISTRICT  
BOARD OF SUPERVISORS  
OATH OF OFFICE**

I, \_\_\_\_\_, A CITIZEN OF THE STATE OF FLORIDA AND OF THE UNITED STATES OF AMERICA, AND BEING EMPLOYED BY OR AN OFFICER OF CROSS CREEK COMMUNITY DEVELOPMENT DISTRICT AND A RECIPIENT OF PUBLIC FUNDS AS SUCH EMPLOYEE OR OFFICER, DO HEREBY SOLEMNLY SWEAR OR AFFIRM THAT I WILL SUPPORT THE CONSTITUTION OF THE UNITED STATES AND OF THE STATE OF FLORIDA.

\_\_\_\_\_  
Board Supervisor

ACKNOWLEDGMENT OF OATH BEING TAKEN

STATE OF FLORIDA  
COUNTY OF \_\_\_\_\_

The foregoing oath was administered before me this \_\_\_\_ day of \_\_\_\_\_, 2020, by \_\_\_\_\_, who personally appeared before me, and is personally known to me or has produced \_\_\_\_\_ as identification, and is the person described in and who took the aforementioned oath as a Member of the Board of Supervisors of Cross Creek Community Development District and acknowledged to and before me that he/she took said oath for the purposes therein expressed.

(NOTARY SEAL)

\_\_\_\_\_  
Notary Public, State of Florida

Print Name: \_\_\_\_\_

Commission No.: \_\_\_\_\_ Expires: \_\_\_\_\_

**Cross Creek  
Community Development District**

Consideration of Resolution 2021-03, Canvassing  
and Certifying the Results of the Landowners'  
Election

**RESOLUTION 2021-02**

**A RESOLUTION CANVASSING AND CERTIFYING THE RESULTS OF THE LANDOWNERS' ELECTION OF SUPERVISORS OF THE CROSS CREEK COMMUNITY DEVELOPMENT DISTRICT HELD PURSUANT TO SECTION 190.006(2), FLORIDA STATUTES**

WHEREAS, following proper publication of notice thereof, such landowners meeting was held November 5, 2020 at which the below recited persons were duly elected by virtue of the votes cast in their respective favor; and

WHEREAS, this Resolution canvasses the votes and declares and certifies the results of said election;

**NOW, THEREFORE, BE IT RESOLVED BY THE LANDOWNERS AND 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 with:

_____	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

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Two (2)  
Year Term

3. Said terms of office shall commence immediately upon the adoption of this Resolution PASSED AND ADOPTED THIS 22ND DAY OF DECEMBER, 2020.

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Chairperson  
CROSS CREEK COMMUNITY  
DEVELOPMENT DISTRICT

ATTEST:

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Secretary

**Cross Creek  
Community Development District**

Consideration of the Minutes of the October 27,  
2020 Board of Supervisors' Meeting

## MINUTES OF MEETING

### CROSS CREEK COMMUNITY DEVELOPMENT DISTRICT BOARD OF SUPERVISORS MEETING

Tuesday, October 27, 2020

11:00 A.M.

Via conference due to the COVID-19 Executive Order 20-246

Board Members Present via speaker phone or in person:

Charlie Tokarz	Chairperson	(via phone)
Connor Chambers	Vice Chairperson	(via phone)
Kathy Beccia	Assistant Secretary	(via phone)
Chris Chavez	Assistant Secretary	(via phone)

Also present were:

Vivian Carvalho	District Manager- PFM Group Consulting, LLC	(via phone)
Venessa Ripoll	PFM Group Consulting, LLC	(via phone)
Andy Cohen	District Counsel- Persson Cohen & Mooney, P.A.	(via phone)
Liana Litwin	Homeowner	(via phone)

### **FIRST ORDER OF BUSINESS**

#### **Organizational Matters**

#### **Call to Order and Roll Call**

The Board of Supervisors Meeting was called to order at 11:02 a.m. and Ms. Carvalho proceeded with roll call. Board Members in attendance were Charlie Tokarz, Connor Chambers, Kathy Beccia, and Chris Chavez via phone.

#### **Public Comment Period**

There were no Public Comments at this time.

#### **Discussion regarding Executive Order 20-246**

Ms. Carvalho noted the Executive Order extends virtual meetings until 12:01 a.m. on November 1, 2020. District staff is unaware if that will be extended again but when we find out, we will let the Board know if there is or is not an extension to Executive Order 20-246.

#### **Consideration of the Minutes of the September 22, 2020 Board of Supervisors Meeting.**

The Board reviewed the Minutes from the September 22, 2020 Board of Supervisors Meeting.

On MOTION by Mr. Tokarz, seconded by Mr. Chambers, with all in favor, the Board approved the Minutes of the September 22, 2020 Board of Supervisors Meeting, as presented.

**Consideration of the Minutes of the September 22, 2020 Auditor Selection Committee Meeting**

The Board reviewed the Minutes from the September 22, 2020 Auditor Selection Committee Meeting.

On MOTION by Mr. Tokarz, seconded by Mr. Chambers, with all in favor, the Board approved the Minutes of the September 22, 2020 Auditor Selection Committee Meeting, as presented.

**SECOND ORDER OF BUSINESS**

**General Business Matters**

**Ratification of Series 2016B Bonds Optional Redemption**

Mr. Cohen provided an overview of the letter which has a November 1, 2020 due date. The Developer has provided notice in working with the Trustee that they are going to redeem the 2016B Bonds in total which are subject to optional redemption as part of the Bond Documents. This will take place by November 1, 2020 but in order for that to occur the Trustee requested written notice from the District. District Staff had the Chair execute the letter which Mr. Cohen presented to the Board. He requested a motion to ratify the letter and noted that Trustee's Counsel is preparing a number of documents with regard to the redemption and all are working toward the November 1, 2020 date.

On MOTION by Mr. Tokarz, seconded by Mr. Chambers, with all in favor, the Board ratified the letter executed by the Chair regarding the Redemption of the Series 2016B Bonds Optional Redemption.

**Consideration of Amendment and Partial Release of Cross Creek CDD Organizational/ Financing Document**

Mr. Cohen explained the Developer has been platting and selling off lots a number of issues came up with regard to the title and the 2007 documents related to the original project. District staff terminated an old construction easement at last month's meeting and this month Mr. Cohen reviewed a document in which Mr. Knowles prepared to clean up

some of the issues regarding the 2007 Bonds but not compromise the 2016 Bonds or assessments related there to. Mr. Cohen pointed out that Mr. Chambers in reviewing the document found various issues. Mr. Knowles made the changes to the document and the updated document will be the one to be signed. Mr. Cohen requested a motion to authorize the document in substantial form and authorize the Chair to execute.

On MOTION by Mr. Tokarz, seconded by Mr. Chambers, with all in favor, the Board approved Amendment and Partial Release of Cross Creek CDD Organizational/ Financing Document in substantial form authorizing the Chair to execute.

**Consideration of Resolution  
2021-01 Authorizing  
Disbursement of Funds**

Ms. Carvalho explained this is a standard resolution seen across most of the District's PFM represent that provides the District the ability to take care of any items outside of a meeting of any related emergency item. Per her discussion with the Chair this District is not ready to proceed with approving the Resolution. She asked Mr. Tokarz if he wanted to defer this to a future meeting or discuss concerns before approval.

Mr. Tokarz stated he would like to table it and have an offline conversation and come back to the Board with a resolution that is final or close to final.

On MOTION by Mr. Tokarz, seconded by Mr. Chambers, with all in favor, the Board tabled the approval of Resolution 2021-01, Authorizing Disbursement of Funds.

**Discussion Regarding Material on  
the District Website.**

Ms. Carvalho explained the changes to the amendments of the Florida Statute which related to material on District Websites. The Amendments were to Section 189.069(2)(a) of the Florida Statutes and went into effect on July 1, 2020. District staff will ask the direction of the Board about how they want to proceed after discussion of the changes.

There is no longer a requirement to post the final Audit Report on the District website but posting a link to the Auditor Generals website is sufficient. The second item that changed is that the Public Facilities Report is no longer required to be posted on the website. The third item that changed is that the meeting agenda must be posted however all the backup material is no longer required to be posted on the District website. All material that is ever produced by the District will always be part of the District record keeping but there were changes to the District website that went into effect. Ms. Carvalho asked the Board how they would like to proceed.

Mr. Tokarz stated he would like to have what is Statutorily required on the website and nothing more and he asked if there is any statement on the webpage that tells people who to contact if they want more information. Ms. Carvalho replied yes it has the District Manager's contact information.

The rest of the Board concurred with Mr. Tokarz's comments so Ms. Carvalho requested a motion from the Board to approve the Amendments that went into effect as of July 1, 2020 which is reflected in amendment to Section 189.069(2)(a) of the Florida Statute to put it in place for Cross Creek Community Development District.

On MOTION by Mr. Chambers, seconded by Mr. Tokarz, with all in favor, the Board approved Amendments that went into effect as of July 1, 2020 which is reflected in amendment to Section 189.069(2)(a) of the Florida Statute to put it in place for Cross Creek Community Development District.

**Ratification of Payment  
Authorizations 81-83**

The Board reviewed Payment Authorizations 81-83. Ms. Carvalho noted these are contractual obligations that have been approved by the Chair and just need to be ratified by the Board. Mr. Tokarz noted he reviewed all the payment requests on the agenda and they were all approved as required by the Board.

On MOTION by Mr. Tokarz, seconded by Mr. Chambers, with all in favor, the Board ratified Payment Authorizations 81-83.

**Review of District Financial  
Statements**

Ms. Carvalho explained that these Financial Statements are through September 30, 2020. Mr. Tokarz reviewed the Financials and he has some items to discuss with Ms. Champagne and will speak with her offline. There was no action required by the Board.

**THIRD ORDER OF BUSINESS**

**Other Business**

**Staff Reports**

**District Counsel-** No Report

**District Engineer-** N/A

**District Manager-** Ms. Carvalho stated the District proceeded with advertising the Fiscal Year 2021 Meeting Schedule and this particular District is

slated to have meetings on a monthly basis however District staff will work with the District Chair two weeks prior to the meeting to determine if there is a need to hold the meeting that month if there is business that needs to come before the Board or if that meeting will be cancelled.

**FOURTH ORDER OF BUSINESS**

**Supervisor Requests and Audience Comments**

There were no audience comments or Supervisor requests

**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. Chavez, with all in favor, the Board adjourned the October 27, 2020 Board of Supervisors Meeting for Cross Creek Community Development District at 11:17 a.m.

\_\_\_\_\_  
Secretary/Assistant Secretary

\_\_\_\_\_  
Chairperson/ Vice Chairperson

**Cross Creek  
Community Development District**

Consideration of the Minutes of the November 5,  
2020 Landowner Election Meeting

MINUTES OF MEETING

**Cross Creek Community Development District  
Landowners' Election Meeting  
Thursday, November 5, 2020  
1652 Whitfield Avenue, Suite 200,  
Sarasota, FL 34243  
11:00 A.M**

Present via phone or in person:

Geoffrey Jonsson  
Vivian Carvalho

Proxyholder- Medallion Home  
District Manager PFM Group  
Consulting, LLC (via phone)

**FIRST ORDER OF BUSINESS**

**Call to Order and Roll Call**

The meeting was called to order at 11:00 a.m.

**SECOND ORDER OF BUSINESS**

**Appointment of Meeting Chairman**

Ms. Carvalho was appointed as Chair of the Landowners' Election Meeting.

**Identification of Landowners  
and/or Landowner's  
Proxy Holder(s)**

Geoffrey Johnson presented a proxy form that outlined that he was named as the proxyholder for Land Experts Inc. Trustee for Parrish Trust U/A/D 12/20/2016 which owns 168 acres or platted parcels and is authorized to cast 168 votes.

**Call for Nominations,  
Election of Supervisors**

Mr. Johnson nominated Connor Chambers for Seat 3, Kathy Beccia for Seat 4, and Samantha Cortes for Seat 5.

The votes were cast as follows:

Connor Chambers received 59 votes.  
Kathy Beccia received 59 votes.  
Samantha Cortes received 50 votes.

Thus, Connor Chambers and Kathy Beccia will each serve 4-year terms and Samantha Cortes will serve a 2-year term.

**THIRD ORDER OF BUSINESS**

**Adjournment**

The Landowners' Election Meeting was adjourned at 11:02AM.

\_\_\_\_\_  
Secretary / Assistant Secretary

\_\_\_\_\_  
Chairperson / Vice Chairperson

# **Cross Creek Community Development District**

Consideration of Resolution 2021- 02, Potential  
Contraction of the Cross Creek Community  
Development District.

**RESOLUTION 2021-02**

**A RESOLUTION OF THE BOARD OF SUPERVISORS OF THE CROSSCREEK COMMUNITY DEVELOPMENT DISTRICT DIRECTING THE CHAIRMAN AND DISTRICT STAFF TO FILE A PETITION WITH MANATEE COUNTY, FLORIDA, REQUESTING THE PASSAGE OF AN ORDINANCE AMENDING THE DISTRICT'S BOUNDARIES, AND AUTHORIZING SUCH OTHER ACTIONS AS ARE NECESSARY IN FURTHERANCE OF THE BOUNDARY AMENDMENT PROCESS; AUTHORIZING A FUNDING AGREEMENT; AND PROVIDING AN EFFECTIVE DATE.**

**WHEREAS**, the CrossCreek Community Development District (“**District**”) is a unit of special purpose government established pursuant to the Uniform Community Development District Act of 1980, as codified in Chapter 190, *Florida Statutes* (“**Uniform Act**”), and Manatee County Ordinance No. 06-21; and

**WHEREAS**, the boundaries of the District were subsequently amended pursuant to Manatee County Ordinance No. 11-49; and

**WHEREAS**, pursuant to the Uniform Act, the District is authorized to construct, acquire, and maintain infrastructure improvements and services including, but not limited to, roadways, stormwater facilities, street lighting and conduit, water and sewer facilities, landscaping and hardscaping, and other infrastructure; and

**WHEREAS**, the District presently consists of 314.417 acres, more or less, as more fully described in the referenced Ordinances; and

**WHEREAS**, \_\_\_\_\_ has approached the District and requested that the District petition to amend its boundaries to remove approximately \_\_\_\_\_ acres of land owned by Land Experts, Inc., a Florida Corporation, as Trustee for the Parrish Land Trust under land trust agreement dated December 20, 2016, as more particularly described in the attached Exhibit “A” (“**Contraction Parcel**”), and

**WHEREAS**, the proposed boundary amendment is in the best interest of the District to account for changes in the District’s development plan; and

**WHEREAS**, removal of the Contraction Parcel is reflective of today’s market and the area of land within the remaining amended boundaries of the District will continue to be of

sufficient size, sufficiently compact, and sufficiently contiguous to be developable as one functionally related community; and

**WHEREAS**, the proposed boundary amendment of the District is the best alternative available for delivering community development services and facilities to the remaining amended boundaries; and

**WHEREAS**, removal of the Contraction Parcel is not inconsistent with either the State or local comprehensive plan; and

**WHEREAS**, the area of land that will lie in the amended boundaries of the District will continue to be amenable to separate special district government; and

**WHEREAS**, in order to seek a boundary amendment pursuant to Chapter 190, *Florida Statutes*, the District desires to authorize District staff, including but not limited to legal, engineering, and managerial staff, to provide such services as are necessary throughout the pendency of the boundary amendment process; and

**WHEREAS**, the retention of any necessary consultants and the work to be performed by District staff may require the expenditure of certain fees, costs, and other expenses by the District as authorized by the District's Board of Supervisors ("**Board**"); and

**WHEREAS**, \_\_\_\_\_ has agreed to directly pay for all costs associated with the proposed boundary amendment or, alternatively, provide sufficient funds to the District to reimburse the District for any expenditures including, but not limited to, legal, engineering and other consultant fees, filing fees, administrative, and other expenses, if any; and

**WHEREAS**, the District desires to petition to amend its boundaries in accordance with Chapter 190, *Florida Statutes*, by filing a petition with Manatee County, Florida, and taking such other actions as are necessary in furtherance of the boundary amendment.

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

**1. RECITALS.** The recitals as stated above are true and correct and by this reference are incorporated into and form a material part of this Resolution.

**2. AUTHORIZATION FOR BOUNDARY AMENDMENT.** The Board hereby authorizes the Chairman, District Staff and District Counsel to proceed in an expeditious manner

with the preparation and filing of a petition and related materials with Manatee County, Florida, to seek the amendment of the District's boundaries to remove the lands depicted in **Exhibit "A,"** pursuant to Chapter 190, *Florida Statutes*, and authorizes the prosecution of the procedural requirements detailed in Chapter 190, *Florida Statutes*, for the amendment of the District's boundaries.

**3. AUTHORIZATION FOR AGENTS.** The Board hereby authorizes the District Chairman, District Manager, District Counsel and other parties so designated to act as agents of the District with regard to any and all matters pertaining to the petition to Manatee County, Florida to amend the boundaries of the District.

**4. FUNDING AGREEMENT.** The proposed funding agreement between the District and \_\_\_\_\_, attached hereto as **Exhibit "B,"** is hereby authorized and approved, and the execution of such funding agreement is a necessary prerequisite to the other authorizations set forth herein.

**5. EFFECTIVE DATE.** This Resolution shall become effective upon its passage.

**PASSED AND ADOPTED** this 22nd day of December, **2020**.

ATTEST:

**CROSSCREEK COMMUNITY  
DEVELOPMENT DISTRICT**

\_\_\_\_\_  
Secretary/Assistant Secretary

\_\_\_\_\_  
Chairman/Vice Chairman

**EXHIBIT A:** Description of Contraction Parcel

**EXHIBIT B:** Funding Agreement

**EXHIBIT "A"**

**Description of "Contraction Parcel"**

**EXHIBIT "B"**  
**FUNDING AGREEMENT**

**Cross Creek  
Community Development District**

Consideration of Funding Agreement related to  
Contraction

## BOUNDARY AMENDMENT FUNDING AGREEMENT

This Agreement is made and entered into this \_\_\_\_\_ day of December, 2020, by and between: **CrossCreek Community Development District**, a local unit of special-purpose government established pursuant to Chapter 190, *Florida Statutes*, and located in Manatee County, Florida whose address is c/o PFM Group Consulting, LLC, 12051 Corporate Boulevard, Orlando, FL 32817 (“**District**”); and \_\_\_\_\_, whose address is 1651 Whitfield Avenue, Suite 200, Sarasota, FL 34243 (“**Developer**”).

### RECITALS

**WHEREAS**, the District was established pursuant to Chapter 190, *Florida Statutes* (the “**Act**”) and by Ordinance No. 06-21, adopted by the Board of County Commissioners for Manatee County, Florida, for the purpose of planning, financing, constructing, operating and/or maintaining certain infrastructure (“**Ordinance**”); and

**WHEREAS**, pursuant to the Act, the District is authorized to construct, acquire, and maintain infrastructure improvements and services; and

**WHEREAS**, the District presently consists of approximately 314.417 acres of land; and

**WHEREAS**, the Developer has approached the District and requested that the District petition to amend its boundaries (“**Boundary Amendment**”) to remove approximately \_\_\_\_\_ acres, currently owned by Land Experts, Inc., a Florida Corporation, as Trustee for the Parrish Land Trust under land trust agreement dated December 20, 2016, from the District; and

**WHEREAS**, pursuant to Resolution 2021-02, the District has authorized the Boundary Amendment, and, in consideration, the Developer has agreed to fund all managerial, engineering, legal and other fees and costs that the District incurs in connection with the Boundary Amendment (“**Amendment Expenses**”); and

**NOW, THEREFORE**, based upon good and valuable consideration and the mutual covenants of the parties, the receipt of which and sufficiency of which are hereby acknowledged, the parties agree as follows:

**1. PROVISION OF FUNDS.** The Developer agrees to either directly fund the Amendment Expenses or make available to the District such monies as are necessary to fund the Amendment Expenses and enable the District to effect the Boundary Amendment. The Developer will make such funds available on a monthly basis, within thirty (30) days of a written request by the District. The District Manager shall require consultants to provide invoices for the Amendment Expenses separate from other services provided to the District.

**2. DISTRICT USE OF FUNDS.** The District agrees to use the Amendment Expenses solely for the Boundary Amendment. The District agrees to use its good faith best efforts to

proceed in an expeditious manner to effect the Boundary Amendment. The District shall not have any obligation to reimburse or repay the Developer for funds made available to the District under this Agreement.

**3. DEFAULT.** A default by either party under this Agreement shall entitle the other to all remedies available at law or in equity, which may include, but not be limited to, the right of actual damages (but not consequential, special or punitive damages), injunctive relief and/or specific performance.

**4. ENFORCEMENT OF AGREEMENT.** In the event that either party is required to enforce this Agreement by court proceedings or otherwise, then the prevailing party shall be entitled to recover all fees and costs incurred, including reasonable attorneys' and paralegals' fees and costs for trial, alternative dispute resolution, or appellate proceedings.

**5. AGREEMENT.** This instrument shall constitute the final and complete expression of the agreement between the parties relating to the subject matter of this Agreement.

**6. AMENDMENTS.** Amendments to and waivers of the provisions contained in this Agreement may be made only by an instrument in writing that is executed by both of the parties hereto.

**7. AUTHORIZATION.** The execution of this Agreement has been duly authorized by the appropriate body or official of all parties to this Agreement, each party has complied with all the requirements of law, and each party has full power and authority to comply with the terms and provisions of this instrument.

**8. NOTICES.** All notices, requests, consents and other communications under this Agreement ("Notices") shall be in writing and shall be delivered, mailed by First Class Mail, postage prepaid, or overnight delivery service, to the parties, at the addresses set forth above. Except as otherwise provided in this Agreement, any Notice shall be deemed received only upon actual delivery at the address set forth in this Agreement. Notices delivered after 5:00 p.m. (at the place of delivery) or on a non-business day, shall be deemed received on the next business day. If any time for giving Notice contained in this Agreement would otherwise expire on a non-business day, the Notice period shall be extended to the next succeeding business day. Saturdays, Sundays, and legal holidays recognized by the United States government shall not be regarded as business days. Counsel for the parties may deliver Notice on behalf of the parties. Any party or other person to whom Notices are to be sent or copied may notify the other parties of any change in name or address to which Notices shall be sent by providing the same on five (5) days written notice to the parties at the addresses set forth in this Agreement.

**9. THIRD PARTY BENEFICIARIES.** This Agreement is solely for the benefit of the formal parties to this Agreement and no right or cause of action shall accrue upon or by reason hereof, to or for the benefit of any third party not a formal party to this Agreement. Nothing in

this Agreement expressed or implied is intended or shall be construed to confer upon any person or corporation other than the parties to this Agreement any right, remedy or claim under or by reason of this Agreement or any provisions or conditions hereof; and all of the provisions, representations, covenants and conditions contained in this Agreement shall inure to the sole benefit of and shall be binding upon the parties to this Agreement and their respective representatives, successors, and assigns.

**10. ASSIGNMENT.** Neither party may assign this Agreement or any monies to become due hereunder without the prior written approval of the other party.

**11. CONTROLLING LAW.** This Agreement and the provisions contained herein shall be construed, interpreted, and controlled according to the laws of the State of Florida.

**12. TERMINATION.** Either party may terminate this Agreement upon a breach by the other party, notice of which breach shall be provided to all parties at the addresses noted above, and only after the breaching party is provided fifteen (15) calendar day's period to cure said breach.

**13. PUBLIC RECORDS.** Developer understands and agrees that all documents of any kind provided to the District or to District Staff in connection with the work contemplated under this Agreement may be public records and will be treated as such in accord with Florida law.

**14. SOVEREIGN IMMUNITY.** Developer agrees that nothing in this Agreement shall constitute or be construed as a waiver of the District's limitations on liability contained in Florida Statutes, or other statutes or law.

**15. HEADINGS FOR CONVENIENCE ONLY.** The descriptive headings in this Agreement are for convenience only and shall not control nor affect the meaning or construction of any of the provisions of this Agreement.

**16. COUNTERPARTS.** This Agreement may be executed in any number of counterparts, each of which when executed and delivered shall be an original; however, all such counterparts together shall constitute but one and the same instrument. Signature and acknowledgment pages, if any, may be detached from the counterparts and attached to a single copy of this document to physically form one document.

**17. EFFECTIVE DATE.** The Agreement shall be effective after execution by both parties to this Agreement and shall remain in effect unless terminated by either of the parties.

**IN WITNESS WHEREOF**, the parties have executed this Agreement the day and year first written above.

**CROSSCREEK COMMUNITY  
DEVELOPMENT DISTRICT**

\_\_\_\_\_  
Name: \_\_\_\_\_

Title: \_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_  
By: \_\_\_\_\_

Its: \_\_\_\_\_

**Cross Creek  
Community Development District**

Consideration of Resolution 2021-04,  
Resolution, Election Officers Position

**RESOLUTION 2021-04**

**A RESOLUTION OF THE BOARD OF SUPERVISORS OF THE CROSS CREEK COMMUNITY DEVELOPMENT DISTRICT ELECTING THE OFFICERS OF THE DISTRICT, AND PROVIDING FOR AN EFFECTIVE DATE**

**WHEREAS**, the CROSS CREEK COMMUNITY DEVELOPMENT DISTRICT (hereinafter the “District”) is a local unit of special-purpose government created and existing pursuant to Chapter 190, Florida Statutes; and

**WHEREAS**, pursuant to Section 190.006(6), Florida Statutes, as soon as practicable after each election or appointment to the Board of Supervisors (the “Board”), the Board shall organize by electing one of its members as chair and by electing a secretary, and such other officers as the Board may deem necessary.

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

Section 1. \_\_\_\_\_ is elected Chairman.

Section 2. \_\_\_\_\_ is elected Vice Chairman.

Section 3. \_\_\_\_\_ is elected Secretary.  
\_\_\_\_\_ is elected Assistant Secretary.  
\_\_\_\_\_ is elected Assistant Secretary.  
\_\_\_\_\_ is elected Assistant Secretary.  
\_\_\_\_\_ is elected Assistant Secretary.

Section 4. \_\_\_\_\_ is elected Treasurer.

Section 5. \_\_\_\_\_ is elected as Assistant Treasurer.

Section 6. All resolutions or parts of Resolutions in conflict herewith are hereby repealed to the extent of such conflict.

Section 7. This Resolution shall become effective immediately upon its adoption.

**PASSED AND ADOPTED THIS 22ND DAY of DECEMBER, 2020.**

**ATTEST:**

**CROSS CREEK  
COMMUNITY DEVELOPMENT  
DISTRICT**

\_\_\_\_\_  
Secretary/Assistant Secretary

\_\_\_\_\_  
Chairman/Vice-Chairman

**Cross Creek  
Community Development District**

Ratification of the Brightview Landscape  
Addendum to Master Agreement



ADDENDUM 'A' TO MASTER AGREEMENT  
 DATED NOVEMBER 09, 2020 JOB # 340500081  
 FOR ADDITIONAL ADDED LANDSCAPE SERVICES TO THE EXISTING SCOPE OF WORK AT THE  
 CROSS CREEK HOMEOWNERS ASSOCIATION -  
 CDD

The provisions set forth on this page of this addendum 'A' shall hereby become an integral part of the contract to which it is attached with the same force and effect as if these changes had been entered directly on the original contract.

Only the provisions of the original contract noted hereon are modified by these provisions and then only to the extent noted. All provisions or portions of provisions in the original contract which are not expressly modified by this addendum shall remain in full force and effect.

The addendum is for the adjustment in additional added landscape service areas. Additional pond and Tract mowing at Phase IB and IC.

**CHANGES:**

**Addition to Scope Program**

Client Initials	Additional Landscape services	COST PER MONTH	COST PER YEAR
	Additional Service Scope	\$2,048.00	\$24,576.00

Scope of additional services to be added:

- Mowing and weed-eating of selected pond banks. Mowing of tracts and edging and blowing of sidewalks and Miami curbing adjacent to ponds.
- Existing contract value \$6,726.00 Plus New Addendum \$2,048.00
- New Landscape Service Total \$8,774.00 Per Month

Agreed:

**Client**

By: Charles Gray

Title: Chairman CDD

Date: 11-11-20

**BrightView Landscape Services**

By: \_\_\_\_\_

Title \_\_\_\_\_

Date: \_\_\_\_\_

**Cross Creek  
Community Development District**

Ratification of Payment Authorizations 87-91

# CROSS CREEK COMMUNITY DEVELOPMENT DISTRICT

**Payment Authorization No. 087**  
10/16/2020

Item No.	Vendor	Invoice Number	FY20 General Fund	FY21 General Fund
1	<b>Impact Pest Elimination</b> Pest Control Oct 2020	884773		\$ 140.00 ✓
2	<b>PFM Group Consulting LLC</b> Dist. Mgmt Fee Oct 2020	DM-10-2020-0009		\$ 2,500.00 ✓



	\$0.00	\$2,640.00
<b>TOTAL</b>	<b>\$2,640.00</b>	

*APPROVED CC 10/27/20*

*Charles Ray, Chair*  
\_\_\_\_\_  
Board Member

*M*  
*10/28/20*

Please Return To:  
Cross Creek CDD  
C/O PFM Group Consulting LLC  
12051 Corporate Boulevard  
Orlando, FL 32817

**CROSS CREEK  
COMMUNITY DEVELOPMENT DISTRICT**



Payment Authorization No. 088  
10/22/2020

Item No.	Vendor	Invoice Number	FY20 General Fund	FY21 General Fund
1	<b>Bradenton Herald</b> Legal Ad 10/13/20	4763162		\$ 91.26 ✓
2	<b>Cbert Trucking and Grading</b> Irrigation Repairs and Pump Service	040118-1032B		\$ 140.00 ✓
3	<b>Manatee County Utilities (Paid Online)</b> Account#187908-133094 Svcs 08/19/20 - 09/18/20 Account#187908-134766 Svcs 08/19/20 - 09/19/20 Account#187908-134768 Svcs 08/19/20 - 09/19/20	-- -- --	\$ 835.82 ✓ \$ 31.99 ✓ \$ 32.72 ✓	
4	<b>The Residences at Cross Creek HOA, Inc</b> Field Operation Aug. 2020	CCH- 08/2020	\$ 600.00 ✓	
			\$1,500.53	\$231.26

**TOTAL** \$1,731.79

APPROVED COE 10/28/20

*Charles P. Hay*  
Board Member

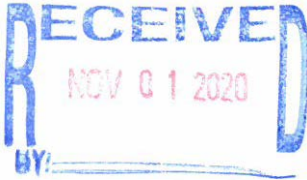
*AD*  
10/30/20

Please Return To:  
Cross Creek CDD  
C/O PFM Group Consulting LLC  
12051 Corporate Boulevard  
Orlando, FL 32817

**CROSS CREEK  
COMMUNITY DEVELOPMENT DISTRICT**

**Payment Authorization No. 089**  
10/29/2020

Item No.	Vendor	Invoice Number	FY20 General Fund	FY21 General Fund
1	<b>Bradenton Herald</b> Legal Ad 10/15/20	4763311		\$ 222.94 ✓
2	<b>Holiday Pools of West Florida</b> Install Life Ring & 30' Rope	72691		\$ 610.00 ✓
3	<b>Impact Pest Elimination</b> Check Rodent Stations	885592		\$ 80.00 ✓
4	<b>Peace River Electric (Paid Online)</b> Account#158231001 Svcs 09/09/20-10/10/20 Account#158231002 Svcs 09/09/20-10/10/20 Account#158231008 Svcs 09/09/20-10/10/20	-- -- -- --	\$ 75.03 ✓ \$ 53.45 ✓ \$ 39.11 ✓	
			\$167.59	\$912.94



\$1,080.53      APPROVED CC 11/06/20  
**TOTAL**

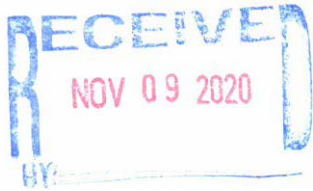
Board Member

04  
 11/10/20

# CROSS CREEK COMMUNITY DEVELOPMENT DISTRICT

**Payment Authorization No. 090**  
11/5/2020

Item No.	Vendor	Invoice Number	FY20 General Fund	FY21 General Fund
1	<b>Holiday Pools of West Florida</b> Pool Maint. Nov 2020	MC-56132		\$ 475.00 ✓
2	<b>Longboat Aquatics</b> Monthly Lake Svcs Nov 2020 B1 C1 Monthly Lake Svcs Nov 2020	2020-458 2020-459		\$ 342.00 ✓ \$ 736.00 ✓
3	<b>Peace River Electric (Paid Online)</b> Account#158231004 Svcs 09/22/20-10/23/20 Account#158231005 Svcs 09/25/20-10/26/20 Account#158231006 Svcs 09/22/20-10/23/20 Account#158231007 Svcs 09/18/20-10/19/20 Account#158231009 Svcs 09/19/20-10/19/20	-- -- -- -- --		\$ 1,638.02 ✓ \$ 71.59 ✓ \$ 1,886.70 ✓ \$ 39.00 ✓ \$ 34.66 ✓
4	<b>Persson, Cohen &amp; Mooney, P.A.</b> Dist. Attorney Svcs Oct 2020	25297		\$ 4,585.00 ✓
5	<b>Southwest Maintenance Services, Inc.</b> Remove Wasp nest	7508	\$ 80.00 ✓	



	\$80.00	\$9,807.97
		APPROVED CC 11/24/20
<b>TOTAL</b>	<b>\$9,887.97</b>	

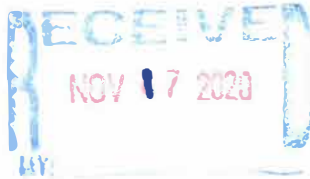
*Charles P. King*  
Board Member

*APPROVED*  
11/25/20

# CROSS CREEK COMMUNITY DEVELOPMENT DISTRICT

Payment Authorization No. 091  
11/13/2020

Item No.	Vendor	Invoice Number	FY20 General Fund	FY21 General Fund
1	<b>Cbert Trucking and Grading</b> Irrigation Repairs and Pump Service	040118-1044A		\$ 120.00 ✓
2	<b>Manatee County Utilities (Paid Online)</b> Account#187908-133094 Svcs 09/18/20 - 10/19/20 Account#187908-134766 Svcs 09/19/20 - 10/19/20 Account#187908-134768 Svcs 09/19/20 - 10/19/20	-- -- --		\$ 773.69 ✓ \$ 31.99 ✓ \$ 31.99 ✓
3	<b>PFM Group Consulting LLC</b> Billable Expenses	112312		\$ 19.15 ✓
4	<b>Southwest Maintenance Services, Inc.</b> Repair bench at dog park	11203		\$ <del>520.00</del> NO
5	<b>Suburban Propane</b> Late Charge <u>NO</u>	--		\$ <del>1.54</del> NO
6	<b>Synovus Bank</b> Interest Pmt/ Synovus Loan	Interest 11.15.20		\$ 141.22 ✓
7	<b>The Residences at Cross Creek HOA, Inc</b> Field Operation Nov. 2020	CCH- 11/2020		\$ 600.00 ✓



	\$0.00	\$2,239.58
<b>TOTAL</b>	<b>\$2,239.58</b>	(1,718.04)

*Charles P. Boy*  
Board Member

OP  
12/10/20

APPROVED  
AS MODIFIED  
12/08/20

Please Return To:  
Cross Creek CDD  
C/O PFM Group Consulting LLC  
12051 Corporate Boulevard  
Orlando, FL 32817

**Cross Creek  
Community Development District**

Review of District Financial Statements

**Cross Creek CDD**  
**Statement of Activities**  
For the period of 10/1/2020 through 10/31/2020

	General Fund	Debt Service Fund	Capital Projects Fund	Long Term Debt	Total
<b><u>Revenues</u></b>					
Other Assessments		\$70,500.00			\$70,500.00
Developer Contributions		3,206,144.11			3,206,144.11
Inter-Fund Group Transfers In		(0.12)			(0.12)
Inter-Fund Transfers In			\$0.12		0.12
<b>Total Revenues</b>	<b>\$0.00</b>	<b>\$3,276,643.99</b>	<b>\$0.12</b>	<b>\$0.00</b>	<b>\$3,276,644.11</b>
<b><u>Expenses</u></b>					
Public Officials' Insurance	\$2,599.00				\$2,599.00
Trustee Services	1,346.86				1,346.86
District Management	2,500.00				2,500.00
Field Management	600.00				600.00
Assessment Administration	5,000.00				5,000.00
Legal Advertising	314.20				314.20
Web Site Maintenance	40.00				40.00
Dues, Licenses, and Fees	175.00				175.00
Interest Payments	136.67				136.67
Pool Maintenance	1,085.00				1,085.00
General Liability Insurance	3,639.00				3,639.00
Property & Casualty	5,893.00				5,893.00
Lake Maintenance	1,078.00				1,078.00
Landscape Improvements	140.00				140.00
Pest Control	220.00				220.00
<b>Total Expenses</b>	<b>\$24,766.73</b>	<b>\$0.00</b>	<b>\$0.00</b>	<b>\$0.00</b>	<b>\$24,766.73</b>
<b><u>Other Revenues (Expenses) &amp; Gains (Losses)</u></b>					
Net Increase (Decrease) in FV of Inv		\$0.01			\$0.01
<b>Total Other Revenues (Expenses) &amp; Gains (Losses)</b>	<b>\$0.00</b>	<b>\$0.01</b>	<b>\$0.00</b>	<b>\$0.00</b>	<b>\$0.01</b>
<b>Change In Net Assets</b>	<b>(\$24,766.73)</b>	<b>\$3,276,644.00</b>	<b>\$0.12</b>	<b>\$0.00</b>	<b>\$3,251,877.39</b>
<b>Net Assets At Beginning Of Period</b>	<b>(\$63,597.46)</b>	<b>\$636,874.30</b>	<b>\$893.91</b>	<b>\$0.00</b>	<b>\$574,170.75</b>
<b>Net Assets At End Of Period</b>	<b>(\$88,364.19)</b>	<b>\$3,913,518.30</b>	<b>\$894.03</b>	<b>\$0.00</b>	<b>\$3,826,048.14</b>

**Cross Creek CDD**  
Statement of Financial Position  
As of 10/31/2020

	General Fund	Debt Service Fund	Capital Projects Fund	Long Term Debt	Total
<b><u>Assets</u></b>					
<b><u>Current Assets</u></b>					
General Checking Account	\$10,719.31				\$10,719.31
Assessments Receivable	342,975.82				342,975.82
Assessments Receivable		\$46,111.70			46,111.70
Due From Other Funds		30.84			30.84
Debt Service Reserve 2007A Bond		14,200.12			14,200.12
Debt Service Reserve 2007B Bond		9,500.08			9,500.08
Debt Service Reserve 2016AB Bond		211,345.06			211,345.06
Revenue 2007AB Bond		23,495.93			23,495.93
Interest 2016AB Bond		207,946.25			207,946.25
Prepayment 2016A Bond		152,000.00			152,000.00
Sinking Fund 2016A Bond		0.02			0.02
Sinking Fund 2016B Bond		1,595,000.00			1,595,000.00
Redemption Account 2016B		1,700,000.00			1,700,000.00
Acquisition/Construction 2007AB Bond			\$240.09		240.09
Deferred Cost 2007AB Bond			653.94		653.94
Total Current Assets	\$353,695.13	\$3,959,630.00	\$894.03	\$0.00	\$4,314,219.16
<b><u>Investments</u></b>					
Amount Available in Debt Service Funds				\$3,913,487.46	\$3,913,487.46
Amount To Be Provided				2,931,512.54	2,931,512.54
Total Investments		\$0.00	\$0.00	\$6,845,000.00	\$6,845,000.00
<b>Total Assets</b>	\$353,695.13	\$3,959,630.00	\$894.03	\$6,845,000.00	\$11,159,219.16

**Liabilities and Net Assets**

**Current Liabilities**

Accounts Payable	\$40,958.00				\$40,958.00
Due To Other Funds	30.84				30.84
Deferred Revenue	342,428.32				342,428.32
Due to HOA	17,642.16				17,642.16
Deferred Revenue		\$46,111.70			46,111.70

**Cross Creek CDD**  
**Statement of Financial Position**  
**As of 10/31/2020**

	<u>General Fund</u>	<u>Debt Service Fund</u>	<u>Capital Projects Fund</u>	<u>Long Term Debt</u>	<u>Total</u>
Total Current Liabilities	\$401,059.32	\$46,111.70	\$0.00	\$0.00	\$447,171.02
<b><u>Long Term Liabilities</u></b>					
Notes and Loans Payable - Long-Term	\$41,000.00				\$41,000.00
Revenue Bonds Payable - Long-Term				\$6,845,000.00	6,845,000.00
Total Long Term Liabilities	<u>\$41,000.00</u>	<u>\$0.00</u>	<u>\$0.00</u>	<u>\$6,845,000.00</u>	<u>\$6,886,000.00</u>
<b>Total Liabilities</b>	<u><u>\$442,059.32</u></u>	<u><u>\$46,111.70</u></u>	<u><u>\$0.00</u></u>	<u><u>\$6,845,000.00</u></u>	<u><u>\$7,333,171.02</u></u>
<b><u>Net Assets</u></b>					
Net Assets, Unrestricted	(\$84,936.70)				(\$84,936.70)
Current Year Net Assets, Unrestricted	0.00				0.00
Net Assets - General Government	21,339.24				21,339.24
Current Year Net Assets - General Government	(24,766.73)				(24,766.73)
Fund Balance - Unreserved		(\$1,185,850.00)			(1,185,850.00)
Net Assets, Unrestricted		5,140,132.30			5,140,132.30
Current Year Net Assets, Unrestricted		3,276,644.00			3,276,644.00
Net Assets - General Government		(3,317,408.00)			(3,317,408.00)
Net Assets, Unrestricted			(\$1,905,054.09)		(1,905,054.09)
Current Year Net Assets, Unrestricted			0.12		0.12
Net Assets - General Government			1,905,948.00		1,905,948.00
<b>Total Net Assets</b>	<u><u>(\$88,364.19)</u></u>	<u><u>\$3,913,518.30</u></u>	<u><u>\$894.03</u></u>	<u><u>\$0.00</u></u>	<u><u>\$3,826,048.14</u></u>
<b>Total Liabilities and Net Assets</b>	<u><u>\$353,695.13</u></u>	<u><u>\$3,959,630.00</u></u>	<u><u>\$894.03</u></u>	<u><u>\$6,845,000.00</u></u>	<u><u>\$11,159,219.16</u></u>

**Cross Creek CDD**  
**Budget to Actual**  
For the Month Ending 10/31/2020

	Year To Date			FY 2021
	Actual	Budget	Variance	Adopted Budget
<b><u>Revenues</u></b>				
On-Roll Assessments	\$ -	\$ 28,981.58	\$ (28,981.58)	\$ 347,779.00
<b>Net Revenues</b>	<b>\$ -</b>	<b>\$ 28,981.58</b>	<b>\$ (28,981.58)</b>	<b>\$ 347,779.00</b>
<b><u>General &amp; Administrative Expenses</u></b>				
Public Officials' Insurance	\$ 2,599.00	\$ 226.92	\$ 2,372.08	\$ 2,723.00
Trustee Services	1,346.86	708.33	638.53	8,500.00
District Management	2,500.00	2,500.00	-	30,000.00
Field Management	600.00	604.17	(4.17)	7,250.00
Engineering	-	41.67	(41.67)	500.00
Dissemination Agent	-	333.33	(333.33)	4,000.00
Property Appraiser	-	41.67	(41.67)	500.00
District Counsel	-	666.67	(666.67)	8,000.00
Assessment Administration	5,000.00	416.67	4,583.33	5,000.00
Reamortization Schedule	-	62.50	(62.50)	750.00
Audit	-	541.67	(541.67)	6,500.00
Arbitrage Calculation	-	41.67	(41.67)	500.00
Travel and Per Diem	-	33.33	(33.33)	400.00
Telephone	-	4.17	(4.17)	50.00
Postage & Shipping	-	8.33	(8.33)	100.00
Copies	-	2.08	(2.08)	25.00
Legal Advertising	314.20	37.50	276.70	450.00
Office Supplies	-	2.08	(2.08)	25.00
Web Site Maintenance	40.00	40.00	-	480.00
Dues, Licenses, and Fees	175.00	14.58	160.42	175.00
Interest Payments	136.67	100.00	36.67	1,200.00
Principal Payment	-	1,708.33	(1,708.33)	20,500.00
<b>Total General &amp; Administrative Expenses</b>	<b>\$ 12,711.73</b>	<b>\$ 8,135.67</b>	<b>\$ 4,576.06</b>	<b>\$ 97,628.00</b>
<b><u>Field Expenses</u></b>				
Contingency	\$ -	\$ 166.67	\$ (166.67)	\$ 2,000.00
Developer Advance Repayment	0.00	-	-	-
Electric	-	3,333.33	(3,333.33)	40,000.00
Gas	-	8.33	(8.33)	100.00
Water	-	1,000.00	(1,000.00)	12,000.00
Pool Maintenance	1,085.00	833.33	251.67	10,000.00
General Liability Insurance	3,639.00	300.25	3,338.75	3,603.00
Property & Casualty	5,893.00	491.00	5,402.00	5,892.00
Janitorial/Cleaning	-	500.00	(500.00)	6,000.00
Camera/Monitoring	-	642.00	(642.00)	7,704.00
Lake Maintenance	1,078.00	1,071.00	7.00	12,852.00
Landscape Maintenance	-	8,916.67	(8,916.67)	107,000.00
Landscape Improvements	140.00	2,500.00	(2,360.00)	30,000.00
Equipment Repair & Maintenance	-	1,000.00	(1,000.00)	12,000.00
Pest Control	220.00	83.33	136.67	1,000.00
<b>Total Field Expenses</b>	<b>\$ 12,055.00</b>	<b>\$ 20,845.92</b>	<b>\$ (8,790.92)</b>	<b>\$ 250,151.00</b>
<b>Total General, Administrative Expenses &amp; Field Expense</b>	<b>\$ 24,766.73</b>	<b>\$ 28,981.58</b>	<b>\$ (4,214.85)</b>	<b>\$ 347,779.00</b>
<b>Total Expenses</b>	<b>\$ 24,766.73</b>	<b>\$ 28,981.58</b>	<b>\$ (4,214.85)</b>	<b>\$ 347,779.00</b>
<b>Net Income (Loss)</b>	<b>\$ (24,766.73)</b>	<b>\$ -</b>	<b>\$ (24,766.73)</b>	<b>\$ -</b>