

**Report to the
Cypress Creek Property Owners' Association's
Board of Directors
from the Ad-hoc Options Committee
December 16, 2019**

This is the December, 2019 report of the Cypress Creek Property Owners' Associations' Board of Director's appointed Ad-hoc Options Committee, Chaired by Board Member, Kelly Chiarella. Committee Members include Mikel Kline. Under direction from the Board of Directors, this Committee continues to work on behalf of the neighborhood.

Here are highlights of much of our activities and research since our last report:

Committee members continue to attend Zoning and Board of County Commission (BCC) meetings to understand the process and to determine how other communities' issues are handled. Committee members attended a November 25th BCC hearing on a project called Delray Trails which was mentioned on Next Door as an example of how this golf course siege is happening all around us. The Ad-Hoc Committee researched this project and prior to the BCC hearing, we found a message to the residents posted on the Delray Trails community website stating "Disregard the County signs for a public hearing, this is only for a process issue for 13th Floor. It does not affect us or the development". As explained to our community in the past, once agreed upon by a community, site plan changes are no longer subject to the community's input or agreement. Delray Trails voted to cooperate with the developer and now the site plan they agreed upon was being changed without being subject to community input. In fact, what your Ad-Hoc committee learned while attending this hearing, is the Delray Trails site plan change was moved from the regular agenda to the consent agenda because there were no comments from members of the local neighborhood, wherein it was approved without discussion by the BCC. As the residents were previously advised not to attend, had any residents from Delray Trails ignored that message and attended anyway, they would not have heard what the changes were nor would they have been allowed to provide input. This example demonstrates the potential danger communities face when cooperating with developers as agreements between communities and developers can be used by developers to quell opposition and silence subsequent input from the community.

Another interesting golf course conversion mentioned on Next Door was for the Woodmont Country Club. This is in fact a Pulte project. We learned that Woodmont had two 18-hole golf courses that Pulte targeted for development. Subsequent news articles on the internet talked about the extent of arsenic on the Woodmont courses and how expensive it would be to remediate the land. The article states: "The Tamarac City Commission will vote on whether to ban construction of 152 homes until the developer makes an effort to remove or decontaminate the 60,000 cubic-yard heap of dirt." The end of that story is that Woodmont Country Club has

retained its name and is now an 18-hole course and a 9-hole course. I am not privy to the facts of what happened here but it seems that Pulte is building on only 9 holes and is quite capable of running a golf course community if that is what it takes.

Lastly, in another golf course conversion, the Polo Club community was initially offered \$2.5 million and other concessions, by GL Homes, right out of the starting gate, as well as a restaurant and clubhouse for the community. Pulte started with a \$100,000 offer to Cypress Creek. We believe that our community deserves the same respect afforded to communities like Polo Club as developers should recognize the impact of their proposals upon the existing communities.

Pulte/True Shot's most recent plan is a proposal to gift a substantial portion of the property to the YMCA. Upon researching this idea, you should be aware that the YMCA has a nationwide reciprocal access program wherein any of the 22 million YMCA members in the United States and Puerto Rico could have access to our backyards should this plan go forward.

Cypress Creek had made a substantial investment in the security of our community through the use of walls, fences, guardhouses, and security guards. This security, and the peacefulness it provides, is likely a reason why most people bought into this community. Should the current proposal be approved as is, our borders will be left wide open to anyone with a YMCA membership or anyone able to access the grounds on their own. The original developer designed the community to be secure, and therefore, many homeowners have no fencing between their homes and the golf course. There was never a reason to deploy such security devices. This is another reason why ad-hoc continues to advise the Board to oppose this project. We support keeping our security investment intact and feel it is the Board's fiduciary duty as indicated in our governing documents.

Coincidentally, while writing this report, another article about a Pulte project came to my attention, this Friday, December 13, 2019, wherein Pulte made promises to leave open space for a community in Canton, Ohio and the residents are now fighting the attempts by Pulte to break through the cul-de-sacs next to their cul-de-sac homes in order to start building in the community's promised back yard open space. This is further evidence that promises made by developers can be altered and can be done more easily once the voice of the community is eliminated. Once a developer can say there is interest in cooperation, there is no turning back. The Commissioners consider negotiations as tacit agreement. This is why negotiating with a developer is very dangerous.

This leads me to the current CHCC letter wherein they are accusing the Board of negotiating despite the no negotiation resolution. As alleged by the last CHCC letter, "Mikel Kline discussed the Pulte plan with Brent Baker". *(See attached email). In actuality Mikel went on a fact-finding mission when a meeting was initiated by Brent Baker. Secondly, the ad-hoc committee in its research capacity did indeed meet with the YMCA in order to ascertain the seriousness of their intentions and to obtain information for the community and Board. After this meeting, John Quatrini asked that I relay this information to the membership in my ad-hoc report. I will take

responsibility for this error of omission. There is no further news on the lawsuit. I would advise all to realize that the crux of this argument is the validity of our community documents. County officials have suggested the need for legal clarification on these documents. Only two entities can decide the validity of these documents, the County and the Courts. The County advised that this was best decided by the Courts.

-----Original Message-----

From: Brent Baker <Brent.Baker@PulteGroup.com>

To: Mikel Kline <klinemw@aol.com>

Sent: Sat, Oct 19, 2019 9:08 pm

Subject: Re: Meeting

Mikel

That time and location work well for me, I'll see you there.

Yes, I would like to discuss the updated application for Cypress and hear your feedback as a concerned resident. I'm not expecting or asking you to represent the Cypress Creek Board.

My team researched many alternatives with what to do with the open space and I think it would be worthwhile to discuss this as you might be contemplating the YMCA ownership concept.

Sincerely

Brent

On Oct 19, 2019, at 2:27 PM, Mikel Kline <klinemw@aol.com> wrote:

External Sender

Brent,

I'm surprised to hear from you. Yes, I can make time to chat with you on Monday, October 21st at 5 PM. I would suggest the Panera Bread on Congress between Old Boynton and Gateway (701 N. Congress Ave, Boynton Beach).

I assume this meeting is to talk about the Cypress Creek Golf Course, but what is the nature of what you want to discuss? And, in what capacity are you expecting me to address our conversation?

I'm eager to learn more about your proposed project and your target date for potentially submitting a new application with Palm Beach County.

Mikel Kline

-----Original Message-----

From: Brent Baker <Brent.Baker@PulteGroup.com>

To: klinemw@aol.com <klinemw@aol.com>

Sent: Fri, Oct 18, 2019 1:32 pm

Subject: Meeting

Mikel

Hope all is well with you. I was wondering if you had time to get together for 30-45 minutes to catch up on Cypress Creek? I know a lot has changed in the recent weeks and I would like to discuss the next steps with you. I'm happy to meet in the Boynton area if that works for you, perhaps meeting at a coffee shop near Cypress. Right now I'm free Monday (Oct 21) around 5 PM or maybe Wednesday (Oct 23rd) between 8 and 9 AM. Let me know if you are interested in talking and if either time works for you.

Sincerely

Brent Baker

Division President – Pulte Group

4400 PGA Blvd – Suite 700

Palm Beach Gardens, FL 33410

Direct (561) 206-1405