

**MINUTES OF MEETING
CORY LAKES
COMMUNITY DEVELOPMENT DISTRICT**

The Board of Supervisors of the Cory Lakes Community Development District held a Regular Meeting on Thursday, January 17, 2019 at 6:00 p.m., at the Cory Lake Beach Club, 10441 Cory Lake Drive, Tampa, Florida 33647.

CDD Board Members present were:

Jorge Castillo	Chair
Sudhir (Sid) Shah	Vice Chair
David Burman	Assistant Secretary
Sheila Haque	Assistant Secretary

POA Board Members present were:

Kevin Hickling	POA President
Cody Glass	POA Property Manager
Anoop Reddy	POA Board Member
Dr. A.G. Patel	POA Board Member
Roya Monfared	POA Board Member

Also present were:

Chuck Adams	District Manager
Wendy Darby	Office Administrator
Amanda Schewe	Office Administrator's Assistant
John Hall	Facilities Manager
Richard Carpenter	Resident, LAF Committee
A. J. Forbes	Resident, Security Committee Member
Harry Ramphal	Resident
Steven Hancz	Resident
Shubham Patil	Resident/Boy Scouts Representative
Chris Hill	Resident
Cindy McIntyre	Resident

FIRST ORDER OF BUSINESS

Call to Order/Roll Call

***Disclaimer:** Readers should be aware that these **summary minutes** are intended to provide highlights of topic discussions and items being considered.*

Mr. Castillo called the meeting to order at 6:00 p.m. Supervisors Castillo, Shah, Burman and Haque were present, in person. Supervisor Woodards was not present at roll call.

SECOND ORDER OF BUSINESS**6:00 – 7:00 P.M.: Joint CDD/POA Board Meeting**

Mr. Castillo stated that the first portion of tonight's meeting would be a Joint CDD/POA Meeting and all other issues and/or comments related to the CDD would be addressed after 7:00 p.m. The following three items would be discussed during the joint meeting:

1. Speeding
2. Boat Storage Issue
3. Street Palm Trees

Mr. Hickling provided an update on the POA's handling of the speeding issue:

- Mr. Hall is submitting speeding data from the CDD's stationary camera and the POA is processing the data.
- Violations, warnings and fines have been issued through the POA's people-finder process.
- Almost 50% of the photographs are illegible, in terms of the actual speed. They are assuming that the motorist is speeding because the POA is being notified of the violation; however, the POA cannot enforce it without the speed.
- Thus far, numerous warnings and 17 fines have been issued. There is one habitual speeder who accounted for most of the fines.

Mr. Castillo asked if there are any issues with collecting license plates. Mr. Hickling replied no; all the license plate photos are clear and really helpful, with the only issue being that the speed is not easily determined. With regard to when the POA commenced sending warnings, Mr. Hickling replied in early November. In response to Mr. Castillo's question regarding the capturing the speed, Mr. Hall stated that the later it is in the day, the visibility of the speed becomes blurrier. Mr. Hickling stated, if the CDD could identify the perceived speed, the POA would agree with it, which would perhaps resolve the issue. Discussion ensued regarding radar, the speed enforcement process, police presence, fine collection and the

remote cameras. Mr. Shah felt that the process was going in the right direction. Mr. Patel suggested an article regarding the speeding issue in the Islander to remind residents that the community is being monitored. The deadline for newsletter articles is the 8th of each month and the speeding information could be submitted to Ms. Darby for the March issue.

Mr. Hickling provided the following update on the boat storage issue:

- The POA no longer controls the boat storage area; it is currently operated by a private entity. It is uncertain how long the private sublet will be engaged.
- In order to be price-conscious for owners, the POA wants to coordinate with the CDD to see if there are any options to provide boat storage, as a service to the community.

Discussion ensued regard Mr. Gene Thomason's assistant, renewing boat leases, the CDD's interest in purchasing the land, etc. Mr. Hickling asked if there was an option to use the existing lands owned by the CDD. There were 45 boat renters last year, at \$400 each, which totaled \$18,000, so, if the CDD purchases the storage area, it would realize an \$18,000 profit, which would offset the cost of erecting fencing and the capital costs. The Boards and staff conferred about developing the green space in Meadows or the paved area, previous survey responses, development costs, a special revenue fund, property values, zoning, permitting, fencing, electricity, cameras and drainage.

Mr. Castillo summarized that the CDD acknowledges that the boat storage issue is important but he felt it is best to wait a few months before deciding how to utilize unused CDD lands. He urged boat owners to insure all boats that are stored in the boat storage area. Mr. Adams provided a preliminary cost estimate of \$22,000 to develop the boat storage area.

Mr. Woodards called in at 6:50 p.m., and stated that he would not be able to participate in tonight's meeting.

Mr. Hickling provided the following update on the palm tree issue:

- The POA estimates that approximately 200 properties are missing palm trees.
- Palm trees are most commonly referred to as street palms.
- The CDD currently maintains most of the palm trees but a few homeowners maintain their own trees.

➤ When surveyed regarding the street palms, an overwhelming number of residents would like palm trees on every property to maintain beauty and consistency.

Mr. Hickling stated that he contacted Mr. Hall regarding pricing to replace 200 trees and he hoped that the CDD and POA could work together to replace the trees. Mr. Burman commented that several homes were never intended to have palm trees and some Canary Isle residents never paid the extra \$1,700, at closing, for a street tree. It was noted that 168 trees, at \$1,200 each, would be an investment of \$190,000 to \$200,000. Discussion ensued regarding tree replacement, types of palms, resident interest in the program, splitting the costs evenly, the Design Review Committee (DRC) and the time frame. Mr. Castillo stated the CDD would recommend that the POA enforce removal of dead trees. The CDD maintains the live trees but cannot enforce removal of dead trees. He asked that the POA enforce or gently remind homeowners to trim their own trees.

Mr. Shah stated that there are a total of 18 frivolous lawsuits filed against the POA and its Board Members by Etsy Albert, Cynthia McIntyre, Carlos Guzman and Cory Lake resident, Sam Badardi, as an attorney. With the POA insurance company defending all of the lawsuits, three things would happen: 1) The POA insurance premium will increase to an exceptionally high rate that is unaffordable; 2) The insurance company will most likely drop the CDD and no other carrier will want to insure the District; and, 3) The POA will be under CDD enforcement.

Mr. Hickling stated that the POA appreciated the opportunity to meet with the CDD Board and Staff and hoped to keep the lines of communication open despite the possibility that a new POA Board may soon be elected.

The meeting recessed at 7:10 p.m.

The meeting reconvened at 7:22 p.m.

▪ **Public Comments (*agenda items*) [3 minutes per speaker]**

This item, previously the Fifth Order of Business, was presented out of order.

Mr. Adams stated that a member of the public, representing the Boy Scouts, would like to make a presentation.

Mr. Shubham Patil, a resident and Boy Scout, stated that he is attempting to become an Eagle Scout and presented his proposed Eagle Scout Service Project:

- The project entails him leading and planning a service project that helps a religious institution, a school or community, such as Cory Lakes.
- The project will enable him to give back to the community and assist in its growth and betterment through the use of leadership, presentation and communication skills.
- His proposed service project involves building two or three benches for placement in different locations around the CDD, including the Capri Isle Pond, Morris Bridge entrance and main fountain area.
- CLI is known for being a safe, friendly and welcoming environment and additional benches will help add to its charms; residents would have more places to sit, relax and enjoy nature.
- All-weather benches would be purchased and the wood planks would be purchased separately.
- He and a group of volunteers would construct and install the benches.
- Financial assistance from the District is not required but would be greatly appreciated.
- The estimated cost for the project for two benches is \$300.
- If the bench proposal is rejected, his other service project ideas were to help reorganize the gym before the new equipment is delivered or help install fencing around the Capri Isle playground, as parents have expressed a need for it to protect area children.

Mr. Castillo commended Mr. Patel on his presentation skills. He stated that benches must be installed atop of a concrete slab and the type of benches that Mr. Patel is proposing can be drilled into a cement slab. If the project is approved, Mr. Hall would be asked to assist. Mr. Shah stated that Mr. Patel will be a great asset to the community in the future and that he already demonstrates great character and leadership skills; he commended his parents. Mr. Adams stated that it would cost the CDD \$150 per bench. The Board's consensus was to approve funding for four benches.

On MOTION by Mr. Castillo and seconded by Mr. Burman, with all in favor, the funding for the Eagle Scout Project to build and install four benches, in a not-to-exceed amount of \$750, was approved.

Mr. Patel requested contact information for someone to facilitate the processing of paperwork related to the project. The Chair agreed to execute necessary documents. Mr. Hall would help with the logistics, etc. As to permitting, Mr. Adams stated that there is no need for a permit. Mr. Patel was advised to contact Mr. Hall, prior to ordering any supplies, as the CDD may already have them. Once the project is completed, photographs would be presented. Mr. Patel estimated that the project would be completed by March or April at the latest.

Mr. Harry Ramphal, a resident, stated that the Super Bowl would be held in Tampa in 2021 and, since Cory Lakes would gain national exposure, the community should be maintained and spruced up for the occasion.

Mr. Chris Hlil, a resident, stated that, as a boat owner, he is afraid to rent space in the boat storage area. He expressed frustration about having a difficult time selling his home because of the pending lawsuits against the POA and stated that he plans to run for a POA Board seat to bring a fresh face and positive energy to the POA Board. Discussion ensued regarding the POA meetings, the Nextdoor website and the 18 lawsuits filed against the POA.

Ms. Cindy McIntyre, a resident, stated that she would like to defend herself, as negative things were being said about her. The question was not that there are lawsuits, the question was, why are there lawsuits being filed against the POA. She regularly attends POA meetings and voiced her concerns and dissatisfaction on a number of issues, such as the Airbnb issue, payment delinquencies related to the boat storage area and insurance payments. She voiced her opinion that the POA does not listen to residents and community members are not allowed to question the POA; there is no input into their decision-making, as they meet in private, which she felt was undemocratic.

In response to Mr. Castillo's request for clarity regarding the POA issues, Mr. Reddy stated that payment was made to Mr. Thomason on time. Regarding the Airbnb matter, the previous POA Board's attorney stated that the POA cannot stop residents from using their homes as Airbnbs. The current POA Board is the first to foreclose on Airbnb homes. Steps were taken and the CDD was asked to deny gate access to Airbnb guests but the POA was informed that could not be done. Regarding insurance, Mr. Reddy stated that he is unaware of any

instances of non-payment; maybe late payments but not non-payments. Mr. Castillo felt that, instead of filing lawsuits, it would be more beneficial to meet to settle disagreements.

Mr. Steven Hancz, a resident, felt that something must be done about the vehicles that are parked overnight, in the visitor parking area by the mailboxes in Capri Isle. Disabled vehicles, with flat tires, are an eyesore and there should be some type of enforcement by the CDD or the POA. Mr. Castillo asked Staff to coordinate with the POA to resolve the parking issue and/or erect "Temporary Parking" or Tow Away zone signage in that area.

THIRD ORDER OF BUSINESS

Chairman's Opening Comments

This item was addressed during the Second Order of Business.

FOURTH ORDER OF BUSINESS

Other Supervisors' Opening Comments

Mr. Burman stated the Tax Collector will be attending an upcoming meeting and asked Board Members to provide four or five discussion topics to him by the end of the meeting. The topics would be submitted to the Tax Collector's office in advance of the February or March meeting. He recalled that Commissioner Ken Hagen previously stated that he would fund a new local office and the CDD must convince the Tax Collector to request it; which was the main reason for the invitation; Representatives from nearby communities will be invited to the meeting. Mr. Castillo suggested deferring the meeting with the Tax Collector to March to provide ample time for members of the communities to attend. Mr. Burman would email the discussion topics to Management to forward to the Tax Collector.

FIFTH ORDER OF BUSINESS

Public Comments (*agenda items*) [3 minutes per speaker]

This item was addressed following the Second Order of Business.

SIXTH ORDER OF BUSINESS

Update: Communication with Republic Services Regarding Recent Leaks

Mr. Adams provided the following update:

- The attorney representing Republic Services (RS) contacted Management and asked the District to make counteroffer to RS's offer.
- The original proposal submitted by the District was \$1.7 million, which was the cost for the entire linear footage of the affected area, including pressure washing, sanding and coloring.
- RS countered with \$27,000 for pressure washing, with no guarantees.
- Staff obtained a proposal from Anthony's Tampa Bay Pressure Washing in the amount of \$573,825 for curb-to-curb pressure washing and re-sanding.
- Mr. Adams conferred with District Counsel about the RS issue and requested the Board's feedback regarding a counteroffer amount and identifying a bottom-line settlement negotiation figure.
- The Board must bear in mind that damages sought are not necessarily equal to the value of the repair and that whatever amount is negotiated is preliminary and must be brought to the Board for finalization and acceptance. The fact that this has occurred over and over, RS's continual negligence should be considered.
- Staff's recommendation was to proceed with pressure-washing and sanding.

The Board and Staff conferred about the pressure-washing technique, re-sanding, re-coloring and sealing, oxidation, erosion, manholes, replacement bricks, a counteroffer amount, the cost of litigation and the time frame.

On MOTION by Mr. Castillo and seconded by Ms. Haque, with all in favor, making a counteroffer to Republic Services, in the amount of \$573,825, was approved.

SEVENTH ORDER OF BUSINESS

Committee Reports

A. Security

Mr. Forbes stated that the committee received several complaints from Airbnb guests who have been cited by the POA. Ms. Haque stated that, if the star rating goes down, residents will not be able to rent their homes. Ms. Darby stated that Airbnb guests cannot use the amenities. Ms. Haque informed the POA that the City of Tampa requires rentals to be

registered with the City. Discussion ensued regarding Airbnb guests, the POA foreclosing on certain properties, a burglary involving an Airbnb guest, the Tampa Police Department (TPD) and security concerns about renters accessing the community.

B. Finance

There being no report, the next item followed.

C. Landscape Aquascape Facilities

Ms. Haque provided the following report:

- The committee is unhappy with the landscaping company. The number of crewmen assigned to the District is insufficient and projects are not being completed on time.
- Mr. Hall is working on acquiring new plants for certain areas. He calendars everything and will meet with an area manager tomorrow to point out areas in need of attention.

Mr. Hall voiced his opinion that there is a lack of initiative on the part of crewmen, who make careless mistakes regularly. Mr. Castillo stated that Staff should document everything, as it is the CDD’s prerogative to engage another contractor to complete projects and withhold compensation from the current landscaper. Mr. Adams suggested photographing the areas and creating a list of all issues to justify the actions that the CDD plans to take.

D. Spirit Committee

Ms. Haque provided the following report:

- The committee met today and a rough draft of the minutes was produced but the dates of the upcoming events would be finalized after tonight’s Board meeting.

Mr. Adams stated the report should be circulated after the committee has signed off on it. Once the reports are forwarded, they will be included on the agenda.

EIGHTH ORDER OF BUSINESS

Approval of Minutes

A. Board of Supervisors: December 13, 2018

i. Summary of Motions

No changes were made.

ii. Staff Directives

No changes were made.

iii. Regular Meeting

Mr. Adams presented the December 13, 2018 Board of Supervisors Regular Meeting Minutes. No changes were made.

B. Security Committee: January 7, 2019

C. Sunshine Board Online Workshop: January 2, 2019 to January 15, 2019 (to be provided under separate cover)

Mr. Castillo commented that the Board has not been as active as it should be on the Sunshine Board; he will make a concerted effort to be more active on the Sunshine Board and encouraged the other Board Members to do the same. Ms. Haque stated that it is unfortunate that the Sunshine Board is rarely utilized, as the CDD pays for it. Discussion ensued regarding notifications, new threads etc.

D. Other

On MOTION by Mr. Shah and seconded by Mr. Burman, with all in favor, the December 13, 2018 Board of Supervisors Summary of Motions, Staff Directives and Regular Meeting Minutes, the January 7, 2019 Security Committee Meeting Minutes and January 2, 2019 to January 15, 2018 Sunshine Board Online Workshop, as presented, were approved.

NINTH ORDER OF BUSINESS

Acceptance of Unaudited Financial Statements as of November 30, 2018

Mr. Adams presented the Unaudited Financial Statements as of November 30, 2018. Assessment revenue collections were at 16%.

On MOTION by Mr. Burman and seconded by Mr. Shah, with all in favor, the Unaudited Financial Statements as of November 30, 2018, were approved.

TENTH ORDER OF BUSINESS

Staff Reports

A. District Engineer: *Johnson Engineering, Inc.*

There being no report, the next item followed.

B. Office Administrator: *Wendy Darby*

Ms. Darby presented the January 17, 2019 Office Administrator & Events, Graphics & Community Relations Monthly Report. She highlighted the following items:

- The Beach Club pool and surrounding amenities were quiet due to the weather but rentals are now increasing.
- Focus for 2019 will be on employee relations and development and establishing an employee review schedule.

C. Facilities Manager: *John Hall*

Mr. Hall presented the January 2019 Facilities Manager Activity Report and highlighted the following items:

- The Public Works Department shifted the sign matter to the County Traffic Department Engineers for them to try and locate a spot for the sign alerting motorists of the entrance to Cory Lakes Boulevard.
- The District Engineer is coordinating with County Engineers to explore the feasibility of installing a right-turn lane from Morris Bridge into the community.

Discussion ensued regarding the width of the roadway, easements, the right-of-way (ROW), access points, road ownership, etc.

- Regarding the gym, the last two pieces of equipment are scheduled to be delivered to Fitness Services on January 25 and, once all the equipment is removed, installation of the new equipment would be scheduled. Flooring bids were being sought.
- The pavers are ready to be shipped and will be delivered next week.

In response to Mr. Castillo's question regarding the fountains, Mr. Hall stated the meter boxes, in the control boxes, were installed and they are waiting for TECO to come out and for the City to issue permits and proceed from there.

In response to Mr. Shah's question regarding feedback or compliments about the holiday lighting, Mr. Hall replied that there were compliments. Next year a different, plug-in brand of lights will be used. TECO will install tent poles in late January or early February.

D. District Manager: *Wrathell, Hunt and Associates, LLC*

Mr. Adams stated, per Mr. Shah's request, a year-end reconciliation was prepared, including a summary sheet showing budget to actuals for each year, with the relevant accounts, and the account titles match with the account titles in the year-end unaudited financial statements for each fiscal year. In both cases, the actuals are less than the budgeted amount by \$10,000. As to the budget for 2018/2019, Mr. Adams confirmed that those figures are reflected on Page 3 of the Unaudited Financials. Board Members should call or email him with any further questions regarding the budget.

- **NEXT MEETING DATE: February 21, 2019 at 6:00 P.M.**

The next meeting will be held on February 21, 2019 at 6:00 p.m.

ELEVENTH ORDER OF BUSINESS

Other Business

Ms. Haque stated that there are no cameras at the recreational areas and the Board should consider installing a few to monitor those areas. Loitering and smoking are an ongoing problem. Mr. Castillo suggested that Staff obtain pricing for cameras for the recreational areas. Discussion ensued regarding the lack of TPD enforcement, Envera, signage and the rover.

TWELFTH ORDER OF BUSINESS

Public Comments (*non-agenda items*)

Mr. Ramphal, a resident, concurred that cameras should be installed in the recreation areas.

THIRTEENTH ORDER OF BUSINESS

Supervisors' Requests

Mr. Shah inquired about two recent automobile burglaries on the Security Report. Mr. Hall stated that one incident involved an individual who was inebriated and the incident was reported incorrectly but, if someone reports that a vehicle was broken into, regardless of whether it was broken into or not, it will go in as a burglary. TPD responds and, even if it turns out that it is nothing, it is still considered a burglary.

Regarding the palm tree issue, Mr. Castillo voiced his opinion that the dead palms are a terrible eyesore, especially on the main circle, and the Staff should coordinate with the POA to resolve the issue.

Regarding cameras, Mr. Hall will obtain proposals for the recreational areas and the pool area; some will be for future budgets.

Mr. Burman reminded the Board to email Mr. Adams, by tomorrow, with topics for the upcoming meeting with the Tax Collector.

FOURTEENTH ORDER OF BUSINESS

Adjournment

There being no further business to discuss, the meeting adjourned at 10:15 p.m.

[SIGNATURES APPEAR ON THE FOLLOWING PAGE]


Secretary/Assistant Secretary


Chair/Vice Chair