

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

The Board of Supervisors of the Cory Lakes Community Development District held a Regular Meeting on April 18, 2019 at 6:00 p.m., at the Cory Lake Beach Club, 10441 Cory Lake Drive, Tampa, Florida 33647.

Present at the meeting were:

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

Also present were:

Chuck Adams	District Manager
John Hall	Facilities Manager
Wendy Darby	Office Administrator
Amanda Schewe	Office Administrator's Assistant
A. J. Forbes	Resident, Security Committee Member
J. C. Nowotney	Down to Earth
Justin Martinjack	Down to Earth
Scott Carlson	LMP Landscaping
Steve Small	LMP
Bill Evans	LMP
Carlos Guzman	Resident
Harry Ramphal	Resident
Rich Carpenter	Resident
Steven Hancz	Resident
Parag Shah	Resident
Kapil Gupta	Visitor
Rene Fontcha	Resident

FIRST ORDER OF BUSINESS

Call to Order/Roll Call

Mr. Castillo called the meeting to order at 6:00 p.m. All Supervisors were present, in person.

SECOND ORDER OF BUSINESS

Chairman's Opening Comments

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

Mr. Adams asked the Board to consider adding consideration and discussion of the landscape bid results to the agenda, following the Fourth Order of Business. Mr. Castillo stated that, although the item was not part of the original agenda, members of the public would be allowed to ask questions of the landscape representatives that would be presenting.

THIRD ORDER OF BUSINESS

Other Supervisors' Opening Comments

Mr. Burman stated the Tax Collector was supposed to be in attendance tonight but requested a postponement until the summer. Mr. Burman would keep the Board posted.

FOURTH ORDER OF BUSINESS

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

Mr. Harry Ramphal, a resident, asked the Board not to resume the Strategic Planning Committee, as approximately \$50,000 was previously expended to no avail. He voiced his opinion that the gym looks very nice, albeit it is small and residents must wait to utilize the equipment. He disagreed with expanding the gym because he felt that the building was not ADA-compliant, it had no sprinkler system and the exits are shabby. He noted that the roller rink is underutilized and suggested that it could be transformed into a gym instead.

Mr. Rich Carpenter, a resident, stated that a boat trailer entered through the Morris Bridge entrance and he thought the Board ought to consider placing wheel locks on trespassers' vehicles. Mr. Castillo agreed that boats that do not belong should not be accessing the community. Discussion ensued regarding the security gate, security post orders, installing wheel locks on trailers, alerting police, vehicle registrations, the POA, issuing fines, circulating a flyer, etc. Staff was directed to have security management make guards record all boats coming in.

Mr. Kapil Gupta, a visitor, stated that, on March 24, 2019, the gate closed on his vehicle as he was entering the community and damaged it. Mr. Hall stated that the gates are timed and did not malfunction and the drivers in question were at fault for hesitating. Mr. Castillo stated if the District paid for all damages to vehicles and similar complaints, it would be bankrupt. Discussion ensued regarding the cost, video footage of the occurrence and installing signs. Mr. Shah assured Mr. Gupta that the matter would be discussed later in the meeting.

Mr. Steven Hancz, a resident, noted abandoned vehicles with flat tires in a parking lot, which he felt was an eyesore. Mr. Hall stated, although signs were posted, people were still parking commercial vehicles in the lot. Mr. Castillo thought that when the Tow Away signs were posted the issue would have been resolved/settled. Discussion ensued regarding the parking area, vehicles with flat tires, vehicle registration, the Tampa Police Department (TPD) and the towing company. Mr. Hall confirmed that it was a POA issue. In response to Mr. Ramphal's question, Mr. Castillo stated that the Board would welcome a joint meeting with the POA at the next meeting. He asked Mr. Adams to contact District Counsel and the POA's counsel regarding the parking lot. Mr. Adams reminded everyone that the issue was discussed and was related to public property and public right-of-way (ROW). Although the CDD owns the parking lot, it does not have towing rights, as that is a policing function contained in the Declarations and Covenants of the POA, which was typical of all CDDs, whether it owns the roads or parking areas, that task is always housed with the POA.

▪ **Consideration/Discussion: Landscape Maintenance Services Contract**

This item was an addition to the agenda.

Referencing slides, Mr. Nowotney and Mr. Martinjack, of Down to Earth Landscaping (DTE), discussed the following:

- DTE has been in business for 30 years and is licensed and certified to do everything in-house such as lawn care and irrigation.
- DTE currently has 1,400 employees, has 10 branches in Florida and has grown steadily.
- DTE has landscape, lawn care and maintenance and irrigation and pest control divisions.
- DTE offers a 24-hour emergency hotline for weekends.
- DTE repairs pump stations and offers central control monitoring; everything is geared towards water conservation.
- Mr. Nowotney has a State Irrigation license, which makes obtaining permits easier.
- Clients receive monthly lawn, irrigation and pest control reports with their invoices.
- DTE keeps detailed records of the chemicals used for pest control for the State and conducts weekly on-site insect and disease inspections.

Mr. Martinjack distributed and presented a list including communities that have maintenance-free home sites, DTE has over 200 managers overseeing installations on a daily basis. He reviewed DTE's corporate structure and discussed the following:

- DTE provides a 52-week calendar schedule that would be detailed with specifications tailored for Cory Lakes.
- All crewmen are uniformed, the equipment is new, DTE provides a high level of service and everything is top of the line.
- When storms occur, resources are pulled, properties are evaluated and cleanup efforts are focused on the communities with the most damage, at no extra charge, unless heavy equipment must be used to remove large debris or if large debris must be hauled out.
- DTE offers a work order system; sample work orders were shown.
- A property assessment report would be conducted at the start of the contract and soil samples would be taken. Environmentally safe chemicals are used and a specific plan would be created of how DTE would improve the property.

Mr. Nowotney stated that DTE has a quality management team in place. Mr. Martinjack is a top-notch project manager for the Tampa area and is supported by ample staff; employees are trained and retained and are better-compensated than DTE's competitors. DTE strives to do the best possible work and management does its utmost to resolve all errors. In response to Mr. Castillo's question, Mr. Nowotney stated that, if awarded the contract, DTE would need one week to prepare its crews to service the community. As to whether the price included pruning the palm trees, Mr. Nowotney replied affirmatively. Mr. Nowotney, the Board, Staff and residents discussed irrigation, the number of crewmen assigned, special projects, tree and plant replacement and areas in need of improvement.

Mr. Scott Carlson of LMP Landscaping (LMP) presented the following:

- He is the Vice President and General Manager of LMP, has worked for LMP for 12 years and was the on-site Account Manager when LMP previously serviced the CDD.
- LMP has been in business for 29 years, services 27 CDDs in the Tampa Bay area and all of its services are in-house.
- LMP provides six-man crews and two irrigation and two pest experts to its properties.
- LMP is familiar with Cory Lakes, would appreciate the opportunity to reclaim the contract and could commence work right away.

Mr. Shah stated that LMP lost the contract because it had trouble keeping up with the community. Mr. Carlson stated LMP is in the personal relationship business and, for some reason, ceased attending meetings in 2017; when Mr. Hall reported issues, he made sure that

crews immediately resolved them. Mr. Shah stated the feedback received from the LAF Committee and Staff was not positive and asked what LMP would do differently if awarded the contract. Mr. Carlson stated, this time, very close attention would be paid to the details and Mr. Steve Small would be intimately involved with the account. Mr. Carlson, the Board, Staff and residents discussed the bid price, previous issues with LMP, palm tree trimming, tree and grass replacement, fertilization, inoculation, equipment, the number of assigned crewmen and accountability. Mr. Castillo asked how many customers LMP lost in the past 24 months and why. Mr. Carlson replied, Lakeside CDD in Hudson, which had financial issues so it went out to bid and awarded the contract to the lowest bidder.

The meeting recessed at 7:48 p.m.

The meeting reconvened at 7:57 p.m.

▪ **Continuation of Public Comments**

Mr. Rene Fontcha, a resident, commented that the TV in the gym is not working properly; it is difficult to change channels, etc. Mr. Shah stated that the remote control could be found at the bottom of the equipment. Mr. Hall stated that the remote is universal, is slow to respond and has only two settings. Mr. Castillo asked if it was a Spectrum issue and if the CDD paid extra for the service. Mr. Hall stated that Spectrum changed the digital signal. Discussion ensued regarding TVs in bigger gyms, past gym survey results and the gym size.

FIFTH ORDER OF BUSINESS

Update: Communication with Republic Services Regarding Recent Leaks

Mr. Adams stated that he, the Chair and District Counsel had a conference call with the Special Litigator who thought the CDD had a good position overall but suggested securing two more proposals. A \$397,000 proposal was previously secured. As soon as Mr. Hall secures a third, Staff would submit all three to the Special Litigator who would send a follow-up demand letter to Republic Services (RS). Another approach would be to hire an expert to evaluate the situation and present the expert's opinion, the options and what a reasonable proposal to restore the District to wholeness would be. The Board and Staff discussed the Special Litigator, future leaks, a paver brick expert, a performance bond, avoiding litigation and the next steps. Mr. Adams stated, as soon as Mr. Hall secures the third proposal, the Special Litigator would be asked to draft and send a letter to counsel for RS; each Board Member would receive a copy.

SIXTH ORDER OF BUSINESS**Discussion: Develop Strategic Planning Committee**

Mr. Adams recalled that a Strategic Planning Committee was brought up by an audience member at the previous meeting and, since there were discussions about it, he added it to the agenda. If there was no interest in starting one, the item could be skipped.

Ms. Haque stated that there was very little detail about this item in the minutes. "Strategic Planning" is a generic name for when committee members examine the long-term goals of the community and plan for its future; she felt that it would be a valuable tool for the community and should not be dismissed. Mr. Shah voiced concern, as he could foresee conflicts between the Board and a Strategic Planning Committee. Mr. Adams would forward copies of a previous reserve study and a report generated by a CDD that hired an outside firm to handle its vertical infrastructure. Discussion ensued regarding the advantages and disadvantages of resuming a Strategic Planning Committee, financial planning, the annual budget and hiring an outside firm to evaluate the life expectancy of the infrastructure and amenities, the Clubhouse roof, roadways etc. This item would be discussed at the next meeting.

SEVENTH ORDER OF BUSINESS**Committee Reports****A. Security**

Mr. Forbes stated that the Committee recommended changing the rover hours of 6:00 p.m. to 6:00 a.m., to 8:00 p.m. to 8:00 a.m. Mr. Hall disagreed with the change because the bus stops would not be policed in the mornings. Mr. Castillo suggested keeping the current morning rover hours during the school year. Mr. Adams stated the cost would be an extra \$150 per week for the rover for two additional two hours in the morning. This item would be revisited.

B. Landscape Aquascape Facilities

Ms. Haque stated that the Committee suggested putting boat docks to the south of the community so residents who do not live on the lake could store their boats. Mr. Castillo felt that the boat dock idea would set the District up for liability.

C. Spirit Committee

There being no report, the next item followed.

EIGHTH ORDER OF BUSINESS

Approval of Minutes

A. Board of Supervisors: March 21, 2019

- i. Summary of Motions
- ii. Staff Directives
- iii. Regular Meeting

The following changes were made:

Line 162: Change "secure a" to "increase the"

Line 169: Change "Mr. Cory Hart" to "Mr. Hart"

Lines 199 and 200: Move Mr. Burman's question to line 196

Lines 209 and 214: Change "Busiyant Purosit" to "Dusiyant Purohit"

Line 226: "holiday" to "decorative"

B. LAF Committee: April 4, 2019

C. Security Committee/Neighborhood Watch: April 1, 2019

D. Sunshine Board Online Workshop: April 2, 2019 to April 16, 2019 (to be provided under separate cover)

E. Other

On MOTION by Mr. Castillo and seconded by Mr. Woodards, with all in favor, the March 21, 2019 Board of Supervisors Summary of Motions and Staff Directives, as presented, and Regular Meeting Minutes, as amended, the April 4, 2019 LAF Committee Meeting Minutes, the April 1, 2019 Security Committee/Neighborhood Watch Minutes and the April 2, 2019 to April 16, 2019 Sunshine Board Online Workshop, as presented, were approved.

NINTH ORDER OF BUSINESS

Acceptance of Unaudited Financial Statements as of February 28, 2019

Mr. Adams presented the Unaudited Financial Statements as of February 28, 2019. The financials were accepted.

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 Office Administrator & Events, Graphics & Community Relations Monthly Report. She highlighted the following items:

- There were 14 new residents in March, which was the highest number to date.
- The rummage sale and Spring Festival events were very successful.

In response to Mr. Woodards' question, Ms. Darby stated, of the new residents, renters outnumbered owners.

C. Facilities Manager: *John Hall*

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

- The flooring in the gym was scheduled for April 22nd.
- The playground would be upgraded next week.

Discussion ensued regarding manholes, dead palm trees, landscape lighting, light poles, Morris Bridge turn lane and the gym expansion. Mr. Burman asked Staff to provide a list of the locations of the major manholes in the community. Mr. Castillo asked Staff to follow up with Cody regarding the palm tree notifications to homeowners. Mr. Shah asked Mr. Hall to email the County Engineers regarding the turn lane on Morris Bridge.

▪ **Gym Sizing Guidelines**

This item was an addition to the agenda.

Referencing photographs, Mr. Adams discussed the standard for sizing a fitness center in a neighborhood community. He gave an example of a 400 unit, 1,000 tenant apartment complex that assumed 20% of the tenant population, or 200, would use the gym. For the 200, 10 to 12 square feet of the workout area was dedicated for each user, which, in this example, equated to a 2,000 to 2,500 square foot facility. He suggested considering those guidelines and stated that, since the CDD has 3,000 residents, the gym should be 6,000 square feet. In response to Mr. Shah's question, Mr. Adams stated that the square footage did not allow for restroom expansions and, if the square footage was expanded, parking would be affected. Discussion ensued regarding the Heritage Isles fitness facility, building additional parking spaces, reconfiguring the boat ramps, expansion costs and the next steps. Mr. Adams would ask the District Engineer to obtain a proposal from an architect for the gym expansion.

Regarding the roadways, Mr. Shah stated that the pavers must be replaced, new roads are needed and a plan of action should be considered. Mr. Castillo suggested putting this item on the next agenda.

The Board and Staff discussed their first impressions of the DTE presenters, past issues with LMP, Yellowstone's termination notice, equipment storage and prices. Mr. Burman motioned to award the contract to DTE. Mr. Castillo stated that a caveat should be that the CDD checks DTE's references. Ms. Haque suggested that Board Members contact the communities that DTE services. Mr. Adams would compile the results and distribute them to the Board.

On MOTION by Mr. Burman and seconded by Mr. Castillo, with all in favor, awarding the Landscape contract to Down to Earth Landscaping (DTE), with a May 1st start date, contingent upon reference reviews by Board Members and assuming there is no significant negative feedback, was approved.

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

- **NEXT MEETING DATE: May 16, 2019 at 6:00 P.M.**

The next meeting will be held on May 16, 2019 at 6:00 p.m.

ELEVENTH ORDER OF BUSINESS

Other Business

Ms. Haque suggested sending a letter, signed by each Board Member, to the Boy Scout who built and installed four new benches in the community Mr. Castillo suggested a certificate.

Regarding Mr. Gupta's car damage, Mr. Castillo stated, although it was an unfortunate situation, the District could not monetarily settle all accidents that happen in the community. Discussion ensued regarding timing the gates to stay open longer than 15 seconds, gate sensors, liability and Mr. Gupta filing a small claims complaint against the CDD.

On MOTION by Mr. Woodards and seconded by Mr. Berman, with Mr. Woodards, Mr. Burman and Ms. Haque in favor and Mr. Shah and Mr. Castillo dissenting, not reimbursing Mr. Gupta for the damage to his vehicle on March 24, 2019, was approved. (Motion passed 3-2)

Mr. Burman reminded the Board to forward the damaged manhole locations to Mr. Hall and Ms. Darby so that he can collect them and forward them to Commissioner Hagen's office.

TWELFTH ORDER OF BUSINESS

Public Comments (*non-agenda items*)

There being no public comments, the next item followed.

THIRTEENTH ORDER OF BUSINESS

Supervisors' Requests

There being no Supervisors' Requests, the next item followed.

FOURTEENTH ORDER OF BUSINESS

Adjournment

There being no further business to discuss, the meeting adjourned at 10:32 p.m.

[SIGNATURES APPEAR ON THE FOLLOWING PAGE]



Secretary/Assistant Secretary



Chair/Vice Chair