

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

The Board of Supervisors of the Cory Lakes Community Development District held a Regular Meeting on July 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
Tim Gay	Blue Wave lighting LLC
A. J. Forbes	Resident, Security Committee Member
Parag Shah	Resident
Harry Ramphal	Resident/POA President
Dr. Anoop Reddy	Resident

FIRST ORDER OF BUSINESS

Call to Order/Roll Call

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

SECOND ORDER OF BUSINESS

Chairman's Opening Comments

There being no Chairman's opening comments, the next item followed.

THIRD ORDER OF BUSINESS

Other Supervisors' Opening Comments

There being no other Supervisors' opening comments, the next item followed.

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

FOURTH ORDER OF BUSINESS

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

Mr. Parag Shah, a resident, asked Mr. Burman if he filed a civil suit on the community regarding the POA election and questioned the motives for the lawsuit. Mr. Adams stated comments and discussions must be limited to CDD business and that was not a CDD-related matter. Mr. Burman stated he filed an arbitration claim, not a lawsuit; the fact that the POA is not accepting the arbitration was what is costing the POA so much money.

Mr. Harry Ramphal, a resident and POA President, stated that there is a wait for residents to use some of the gym equipment and residents cannot fully enjoy the amenities that they pay for, which caused some to purchase gym memberships elsewhere even when it would be more convenient to use the community gym. He felt that the gym should be expanded. Regarding the POA, questions about POA processes should be emailed to Cody.

Dr. Anoop Reddy, a resident, requested that Board Members consider changing committee meetings from days to evenings, so that he and other residents that work during the day could participate. He previously volunteered to serve on the LAF Committee but had not received a response. Mr. Shah stated this item would be discussed later in the meeting. Mr. Shah asked if there was a restriction on committee members for LAF and Spirit Committees. Mr. Adams stated there is no restriction on the number of members or on meeting times; the CDD Board has the latitude to set the rules of the subcommittees, as it is the governing Board.

FIFTH ORDER OF BUSINESS

Update: Communication with Republic Services Regarding Recent Leaks

Mr. Shah discussed the ongoing issues with Republic Services (RS) and pending settlement to repair road damage due to the recent leak. Mr. Adams stated Special Counsel is preparing a demand letter that would probably be mailed early next week. He would forward the draft letter to each Board Member, setting a hard deadline to submit their comments.

▪ **Continued Discussion: Landscape Uplighting Project**

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

Mr. Tim Gay, of Blue Wave Lighting LLC (BWL), recapped the presentation he made at the previous meeting, highlighting the following:

- Community feedback was that the previously-installed landscape lighting was not bright enough. There are competing lamps and a glare up and down the main drive. It was determined that an upgrade is necessary.
- It would be very costly to significantly upgrade the lights from the original scope to new, commercial LED lights but a discount from the vendor was obtained.
- If the budget was no concern, he recommended installing 114 lights; two lights per tree. If the budget was a concern, he recommended installing new lights in a few trees at the front or Cross Creek entrance, instead of the back entrance on the Morris Bridge side.

Mr. Shah stated both sides were at fault for not anticipating the final results; the Board already approved an additional \$15,000. He asked Mr. Gay how much was needed. Mr. Gay stated the \$27,000 was for 114 lights. The recommended lights are 15-watt output, for 30 watts per tree and part of the price includes the transformers, additional wiring and connectors. Based on the \$27,000, the difference was \$12,000. With the Board’s decision to keep and repurpose the unused lights, which is \$10,000 of product, he would be taking a \$12,000 loss, which does not make sense as he has the equity in the lights to make up the difference. Mr. Adams stated the Board would relinquish the extra lights to Mr. Gay, facilitate a change order switching the old lights for the new lights, plus a \$15,000 addendum to the contract. Mr. Shah asked about the unspent amount, in terms of uncompleted work. Mr. Gay stated that 20 lights still need to be installed and all the trenching was completed. Mr. Shah stated the Board previously approved and paid a certain amount, which was exceeded and must now use another \$12,000 from the reserves. He stated a decision would be made later in the meeting and Mr. Hall would inform Mr. Gay of the Board’s decision.

SIXTH ORDER OF BUSINESS

Consideration of Resolution 2019-05, Adopting a Policy Regarding Parking and Towing on District Owned Property; Designating Authorized Representatives to Work With Towing Operators; Authorizing the Engagement of an Authorized Towing Operator; Providing for Conflicts an Severability; and Providing and Effective Date

Mr. Adams presented Resolution 2019-05.g Exhibit A related to the parking restrictions and Towing Authorization Agreement. At the previous meeting, an incident was raised as

something the Board wanted to address specifically under the policy, namely parking within a right-of-way (ROW), in which there is an easement over private property. District Counsel drafted the policy, which allows the CDD to tow when properly noticed in any CDD-owned areas. The same policy was drafted for other CDDs that Mr. Babbar represents and is acceptable to the towing companies. Mr. Adams stated one of the vendors on the list used by the County and the City would be chosen to enter into a towing agreement with.

Mr. Castillo arrived at the meeting at 6:50 p.m.

Discussion ensued regarding enforcement, the POA, parking on the grass, training security guards, creating a map to attach to the resolution, educating residents and how to roll out the parking policy etc.

On MOTION by Mr. Burman and seconded by Mr. Woodards, with all in favor, Resolution 2019-05, Adopting a Policy Regarding Parking and Towing on District Owned Property; Designating Authorized Representatives to Work With Towing Operators; Authorizing the Engagement of an Authorized Towing Operator; Providing for Conflicts and Severability; and Providing an Effective Date, was adopted.

SEVENTH ORDER OF BUSINESS

Continued Discussion: Fee/Attendance for Small Activities Such as Zumba

Mr. Adams stated that more feedback is required regarding the Zumba program and how it should be addressed. Mr. Shah stated the target is not Zumba, per se; every instructor should be treated equally. Staff approved the Zumba classes and he did not want them to say “yes” to Zumba and “no” to other outside contractors. Currently, the Zumba instructor is running her business out of the CDD’s facilities and is not offering her services free to residents. If, in the future, another instructor informs the Board that they signed up 25 residents and want to hold a weekly caucus, earning \$500 per session, the Board should consider if this is allowable. The Board and Staff discussed Zumba attendance, developing a policy, charging an instructors’ fee, the tennis instructor and entering into an agreement to advertise in the Islander Magazine. Mr. Adams suggested, going forward, as programs are proposed, potential instructors should be advised to develop an outline for the Board’s consideration of the program and determine any special conditions. Mr. Shah felt that it was unfair that the Zumba instructor has free use of the facilities and free advertising in the Islander, without Board

approval, but new contractors must come before the Board. Mr. Adams read Paragraph 30 of the CDD Policy into the record:

”District Staff reserves the right to authorize all programs and activities including the number of participants, equipment and supplies, usage, facility reservations, etc., at all amenity facilities except usage fees established by the Board. District Staff also has the right to authorize management-sponsored events and programs to better serve patrons and to reserve any amenity facilities for said events (if the schedule permits) and to collect revenue for those services provided, this includes but is not limited to various athletic events and programs, children’s programs and social events etc.”

Mr. Adams stated that policy absolves the Board from managing day-to-day decisions, leaving the discretion to Staff to approve programs and bring it to the Board.

EIGHTH ORDER OF BUSINESS

**Continued Discussion: Bar Code
Distribution/Fees for Regular Visitors**

Ms. Haque proposed issuing bar codes to regular visitors, such as immediate family members and caregivers, for one year. Mr. Adams stated the term is one-year, renewable each year, based on the fee. Discussion ensued regarding residents signing up at the annual term, the fee structure, a user convenience fee, recurrent credit card payments, transaction fees, fingerprints, etc. Mr. Castillo stated it would cost \$25 for the initial setup, \$10 for a renewal and \$20 for a replacement; invoices would be sent electronically through Square. Ms. Darby stated invoices could be mailed 30 days in advance of the annual expiration dates. Mr. Adams would draft a bar code policy and present it at the next meeting.

NINTH ORDER OF BUSINESS

**Continued Discussion: Landscape
Uplighting Project**

Mr. Shah stated that Mr. Gay informed the Board that he would sustain a loss if he does not receive \$12,000 more; the CDD must pay him \$12,000 or return the lights. Mr. Adams stated it would be best to return the lights and execute a change order to the agreement, which includes an upgrade to 114 lights and \$15,000. Mr. Shah stated that a decision was pending a discussion by the full Board. Ms. Haque questioned the necessity for the upgrade if the change is not visible to motorists. Discussion ensued regarding the visibility, illumination of the canopy

as opposed to the tree trunks, streetlights being drowned out by the uplights, Arbor Green’s uplights, TECO lights, etc. Mr. Castillo stated that the difference would be visible, with the extra lumens in the upgraded lighting.

On MOTION by Mr. Castillo and seconded by Ms. Haque, with all in favor, authorizing the \$15,000 upgrade to 114 lights and allowing the vendor to keep the original lights that are being upgraded, was approved.

TENTH ORDER OF BUSINESS

Consideration of Resolution 2019-06, Designating Dates, Times and Locations for Regular Meetings of the Board of Supervisors of the District for Fiscal Year 2019/2020 and Providing for an Effective Date

Mr. Adams presented Resolution 2019-06. The following change was made:

DATE: Change “December 19, 2019” to “December 12, 2019”

On MOTION by Mr. Burman and seconded by Mr. Castillo, with all in favor, Resolution 2019-06, Designating Dates, Times and Locations for Regular Meetings of the Board of Supervisors of the District for Fiscal Year 2019/2020 and Providing for an Effective Date, as amended, was adopted.

ELEVENTH ORDER OF BUSINESS

Committee Reports

A. Security

Mr. Forbes reported the following:

- The Committee discussed improving safety conditions at community school bus stops.
- Safety flyers would be distributed as a reminder that school opens August 12th.
- Residents would be asked to park elsewhere to allow school buses in and out.

Discussion ensued regarding the parking issue, signage, flyers, speeders, speed humps and the TPD. Ms. Darby would create and print 50 flyers for the Committee by August 12.

B. Landscape Aquascape Facilities

There being no report, the next item followed.

C. Spirit Committee

There being no report, the next item followed.

TWELFTH ORDER OF BUSINESS

Approval of Minutes

A. Board of Supervisors: June 20, 2019

i. Summary of Motions

Delete Bob Woodards – Assistant Secretary

Insert “Dr.” before “Anoop Reddy”

ii. Staff Directives

iii. Regular Meeting

Line 26 and throughout: Insert “Dr.” before “Anoop Reddy”

Mr. Burman stated, at the end of the last meeting, the POA President and his attorney suggested that he recuse at the next joint meeting of the POA and the CDD, and asked Mr. Adams to include District Counsel’s response in tonight’s minutes.

Mr. Adams stated, for the record, that District Counsel’s response was that Mr. Burman, as a private citizen, can certainly take action against another entity, in this case the POA, and would not lose any rights and privileges as a CDD Board Member and is not required to abstain from any joint meeting between the CDD and the POA, as was being suggested. In response to Mr. Woodards’ question, Mr. Adam confirmed that it was legal for Mr. Parag Shah to record the exchange between him and Mr. Burman during public comments and explained that recordings are legally required and phone recordings are permitted in public meetings.

B. Security Committee: July 1, 2019

Page 3, Sixth Order of Business: Insert “reportable” before “speeders” and delete “over 40 MPH”

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

D. Other

On MOTION by Mr. Burman and seconded by Ms. Haque, with all in favor, the June 20, 2019 Board of Supervisors Summary of Motions, Staff Directives and Regular Meeting Minutes, as amended, the July 1, 2019 Security Committee Meeting Minutes, as amended, and the July 2, 2019 to July 16, 2019 Sunshine Board Online Workshop Minutes, as presented, were approved.

Mr. Adams presented the Unaudited Financial Statements as of May 31, 2019. The financials were accepted.

FOURTEENTH ORDER OF BUSINESS

Staff Reports

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

Mr. Adams stated that Mr. Chang secured another proposal for the architectural services, which was twice the amount of the original proposal. A third proposal would be presented at the next meeting.

Mr. Hall stated the County published its findings from a survey and, based on the survey, the County will not extend the turn lane into Cory Lakes, as per the Board’s request. Receipt of sidewalk signage that would read “Approaching Cory Lakes” was pending, as well as a few other proposals from various contractors.

B. Office Administrator: *Wendy Darby*

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

- 12 homeowners and five renters attended the new resident mixer yesterday evening.
- Tickets for Casino Night event will go on sale starting August 1, 2019.

C. Facilities Manager: *John Hall*

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

- Down to Earth Landscaping (DTE) was behind schedule on everything, especially tree trimming and weed pulling; there are a number of mismanagement issues.

Mr. Adams suggested that Mr. Hall contact Mr. Nowotney to report his findings, that a number of landscaping projects are behind schedule and convey the sense of urgency, as well as remind him that a status report is due at the August meeting. Discussion ensued.

- Mr. Hall was pursuing pricing for bollards for the parking area.

Discussion ensued regarding mulch, lava rocks, dead palm tree removal, the POA, organizing a Recycle/Shredding Day project and bulk pickup.

In response to Mr. Shah’s question regarding the road improvement project, Mr. Hall stated, aside from one contractor, there were no new estimates.

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

- **UPCOMING MEETINGS**

- **August 15, 2019 at 6:00 P.M.**
- **September 19, 2019 at 6:00 P.M.**

The next meetings will be held on August 15 and September 19, 2019 at 6:00 p.m.

FIFTEENTH ORDER OF BUSINESS

Other Business

Mr. Burman stated that last week the City Council and USF met to discuss issues relating to Tampa, such as the number of local businesses that are going out of business or relocating elsewhere, deciding on a monument symbolic of Tampa and a New Tampa holiday parade.

Mr. Woodards requested an update on the gym. Mr. Adams stated the District Engineer was pursuing a third proposal for architectural services and hoped to present it at the August meeting. Per Mr. Castillo's request, Mr. Adams gave an overview of the proposal from the first architect. Discussion ensued regarding upgrade costs, scope of work, a potential start date and the need for an assessment increase.

Mr. Shah initiated discussion regarding an anonymous email from Java requesting Board Members take action regarding an illegally parked vehicle in the area. Mr. Adams responded that a towing policy was recently enacted and convey this to the owner.

Discussion ensued regarding Dr. Reddy's comment that residents are unable to attend LAF and Spirit Committee meetings that meet in the daytime as opposed to evenings, changing those meeting times and resident attendance. Ms. Haque stated, historically, people say they want to participate but never attend.

SIXTEENTH ORDER OF BUSINESS

Public Comments (*non-agenda items*)

A new resident who recently relocated from New Mexico introduced himself.

SEVENTEENTH ORDER OF BUSINESS

Supervisors' Requests

There being no Supervisor's requests, the next item followed.

EIGHTEENTH ORDER OF BUSINESS

Adjournment

There being no further business to discuss, the meeting adjourned at 9:42 p.m.

COPSA
Secretary/Assistant Secretary

[Signature]
Chair/Vice Chair