

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

The Board of Supervisors of the Cory Lakes Community Development District held a Regular Meeting on November 21, 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

Also present were:

Chuck Adams	District Manager
Phil Chang	District Engineer
John Hall	Facilities Manager
Amanda Schewe	Office Administrator
A.J. Forbes	Resident/Security Committee Member
Rich Carpenter	Resident/LAF Committee Member
Harry Ramphal	Resident/POA President
Steve Small	LMP
Bill Levins	LMP
Brian Atolano	LMP
Paul Woods	OLM Inc.
Cindy McIntyre	Resident
Ron Acoff	Resident

FIRST ORDER OF BUSINESS

Call to Order/Roll Call

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

SECOND ORDER OF BUSINESS

Chairman's Opening Comments

Mr. Castillo stated that he was not present at the October 17th meeting and that he never asked Mr. Burman to resign and Mr. Acoff was incorrect in asserting that during public comments.

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

Mr. Shah voiced his opinion that Mr. Burman's August 16th private email to a group of 20 was unethical. He felt that Mr. Acoff should ask Mr. Burman to recant his email in order for him to consider apologizing. Mr. Castillo stated that the community should come together and the only way to be united would be to stop focusing on social media gossip and negativity, start attending CDD meetings and move forward for the betterment of the community.

THIRD ORDER OF BUSINESS**Other Supervisors' Opening Comments**

Mr. Burman gave the following update from a recent New Tampa Council meeting:

- A defunct supermarket located near Home Depot was sold and a new retail establishment would be named in six weeks.
- Through a new Agreement with Pasco County, emergency vehicles and bicycles would be allowed to go through the pass but no cars would be permitted to go through the Keenan Connector. A gate would be erected to block the roadway and to give access to emergency vehicles only.
- An artistic Century Park would be constructed; the location would be announced in four to six weeks.
- The City of Tampa is building a 50-acre city park by K-Bar Ranch.
- Town Hall meetings would be held in January and February; the location was not yet determined.

Mr. Burman recalled that a motion was passed at the previous meeting allowing the Supervisor of Elections (SOE) to facilitate on-site voting for three upcoming elections. He thought a large turnout of on-site resident voters would be beneficial to show the SOE that it makes sense to make this a regular occurrence. Mr. Burman asked Ms. Schewe to contact the SOE for guidance on how best to register CLI residents to vote, in time for the elections. Staff was asked to include in the Islander an article authored by Mr. Burman, regarding on-site voting in three 2020 elections.

Ms. Haque stated that she would present her findings on Cory Lakes LTD Properties and a proposal to revise the CDD's Rules and Regulations, later in the meeting.

Mr. Shah stated an extension would be constructed on Morris Bridge for a turn lane into CLI this week or next week.

FOURTH ORDER OF BUSINESS

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

Mr. Ron Acoff, a resident, stated that there was nothing negative about his comments at the previous meeting and his statements were an appeal to decency and respect. He voiced his opinion that everyone deserves respect and Dr. Burman was attacked and disrespected in many ways at the September 19th meeting. It is the responsibility of the Board, particularly the Chair and Vice Chair, to conduct meetings in an orderly fashion and several attendees at that particular meeting were out of order but nothing was done to stop it.

Mr. Harry Ramphal, a resident and POA President, discussed home values in Capri Isles, Mr. Burman's emails, the POA, racism and division in the community. Mr. Castillo acknowledged that there are politics within the community and some groups want to unite while others want to divide and stated that the best way to move forward is to unite and focus on increasing property values.

FIFTH ORDER OF BUSINESS

Landscape Maintenance Updates: *DTE Landscape*

Mr. Hall stated that Down to Earth (DTE) landscapers have done very little to catch up on pending work and have essentially given up. Staff had no choice but to invite the previous contractor, Landscape Maintenance Professionals (LMP), to give a presentation.

Mr. Steve Smalls, of LMP, stated that he previously serviced the CDD for over six years and would like to regain the landscaping contract. LMP could dispatch a five-member crew to the property by December 1st to complete projects quickly. He presented a landscaping plan and contract costs for three years. Mr. Adams stated the cost was a \$37,000 increase from the amount proposed last spring. Discussion ensued regarding the start date, landscaping needs, overgrown vegetation, the number of crewmen, Saturday work and special crews for detail work such as weeding, mulching and irrigation. Mr. Carpenter felt that the last time the community looked great was when LMP had the contract and OLM conducted oversight, which was why the LAF Committee recommended hiring both OLM and LMP.

Mr. Paul Woods, of OLM Inc., circulated brochures, stated that OLM specializes in project management with a goal of enhancing and maintaining the marketability of properties, has been in business for 35 years, etc. He responded to questions regarding the inspection

process, his role as an evaluator/inspector, a performance clause, fees, cost variance, coordinating with LMP to service the CDD and DTE’s failures.

On MOTION by Ms. Haque and seconded by Mr. Shah, with all in favor, terminating the contract with DTE effective December 1, 2019, was approved.

On MOTION by Mr. Burman and seconded by Ms. Haque, with all in favor, awarding the landscaping contract to LMP, in the amount of \$407,365 from the April 2019 Bid Response, to include the paragraph noted by OLM into the new contract, with a start date of December 1, 2019, was approved.

On MOTION by Mr. Burman and seconded by Ms. Haque, with all in favor, engaging the services of OLM for landscape maintenance performance evaluations at the monthly rate of \$1,000, \$12,000 annually, was approved.

SIXTH ORDER OF BUSINESS

Update: Communication with Republic Services Regarding Recent Leaks

Mr. Adams stated that the complaint was passed to another colleague within the Special Litigation firm and, after reviewing the final draft of the complaint, he forwarded it to the new Counsel for finalization and filing. Once filed, Mr. Adams would circulate the court-certified copy to the Board. He found the actual contract between for Republic Services (RS) and the County, which contained a spillage provision that would be highlighted and attached to the complaint, along with certain performance requirements. There would be court-mandated mediation and Counsel would present the CDD’s case. As to who is filing the lawsuit, Mr. Adams stated the attorney is the special litigation Counsel who was recommended by Mr. Babbar.

SEVENTH ORDER OF BUSINESS

Continued Discussion: Roadway Replacement

Mr. Adams distributed and reviewed the Roadway Re-investment Project Estimated Costs Analysis and the Roadway Quantities Road Surface Replacement table, as follows:

- The three scenarios, outlined by Mr. Chang at the last meeting, reflected financing, with the Debt Service Reserve (DSR) and Cost of Issuance (COI) for every CLI property owner.

- Each scenario reflected a 30-year loan, at 5%, and the annual per-unit payment for 1,024 units.
- The handouts reflected estimates to refer to as discussions continue over the next few years.

Discussion ensued regarding contractors, costs, the sealed bidding process, manholes, pavers, asphalt, drainage systems, town hall meetings and the anticipated increases in operations and maintenance (O&M).

EIGHTH ORDER OF BUSINESS

Committee Reports

A. Security

Mr. Forbes reported the following:

- There was an attempted home burglary.
- On October 31st, several automobiles were burglarized.

Discussion ensued regarding the rover, security cameras, vehicle owners not filing police reports, monthly Tampa Police/State Trooper Report, speeding, speeding data no longer being collected, the new speed limit/traffic control sign, fireworks use, enforcement of the CDD's Rules and Regulations, the POA's Covenants and the budget.

B. Landscape Aquascape Facilities

Ms. Haque stated that the committee discussed switching landscaping companies and promoting Mr. Hall's assistant, T.J., to a full-time position. Mr. Castillo recommended holding off on hiring a full-time assistant, as the budget was very tight. Mr. Hall stated that T.J. has his own business and may not accept the position; he was comfortable working two to three days per week. Discussion ensued regarding T.J.'s hourly rate and duties, the security guard/rover, special landscaping projects and the LAF minutes.

C. Spirit Committee

There being no report, the next item followed.

NINTH ORDER OF BUSINESS

Approval of Minutes

Mr. Shah expressed his opinion that Ms. McIntyre made a personal attack on him and his son, Parag, starting on line 270 of the October 17, 2019 minutes.

Mr. Shah read his personal rebuttal, for the record, as follows:

“Ms. McIntyre, you may have tried very hard to do damage control on the email sent by Supervisor Burman on August 16, 2019, but the damage was done. You may appear to be a foot soldier for Mr. Burman; I totally understand that. There were other members of CLI including several residents from Capri Isle and you chose specifically to target me and my son. This tells me more about your intentions and hostilities against us. On Line 290, you accused me of spreading false information but this is your opinion and wild imagination, not supported by any evidence or facts. Line 297, you mentioned that the Burman house had thousands of dollars in damages; again, all imaginary, no proof of receipts for any damages. Lines 298 through 299, you specifically stated, ‘Neighbors saw brown-skinned men running from the area’; you chose your words very carefully to give a racial overtone. Again, this is all your imagination, not backed by police report, witnesses, videos or nothing. I am questioning your credibility at this point. Lines 303 and 304, you are accusing me of using bullying tactics. I totally refute that and this opinion is not coming from the general public, from all of CLI, not only from me.”

Mr. Burman stated that he purposefully stayed out of the discussion not to add fuel to the fire and invited Mr. Shah to his home to view documentation and videos of the perpetrator who vandalized his property. The intent of his email was to alert and inform residents that, if they would like to get projects done in their community, they must show up, en masse, to CDD or POA meetings and voice their requests, just like Capri Isle residents. Mr. Shah voiced his opinion that the email did not say that, which he felt was evidenced by the quote “We have nobody from our group to counter their demands”, from the email. Mr. Shah stated that he sensed hatred against Capri residents, by Mr. Burman. Discussion ensued regarding the email. Mr. Shah felt that, during the July 18, 2019 CDD Meeting, Supervisor Burman was not truthful about his personal lawsuit against the POA. Supervisor Burman repeated that he filed for an arbitration hearing, not a civil lawsuit. Mr. Castillo suggested that Supervisors Burman and Shah meet to work out their differences and come to an understanding.

A. Board of Supervisors: October 17, 2019

- i. Summary of Motions**
- ii. Staff Directives**

The following change was made:

Sixth bullet point: Delete the period after "type"

iii. Regular Meeting

The following changes were made:

Line 146: Change "Mr. Adams" to "Mr. Hall"

Lines 147 and 148: Change "to kill the vegetation" to "that would kill the landscaping"

Line 223: Change "the contractor" to "Mr. Rick Derry"

The lack of budget funds to facilitate the boardwalk repairs on Cross Creek was discussed.

- B. Security Committee/Neighborhood Watch: November 4, 2019
- C. Sunshine Board Online Workshop: November 5, 2019 to November 19, 2019 *(to be provided under separate cover)*
- D. Other

On MOTION by Mr. Shah and seconded by Mr. Castillo, with all in favor, the October 17, 2019 Board of Supervisors Summary of Motions, as presented, Staff Directives and Regular Meeting Minutes, as amended, the November 4, 2019 Security Committee/Neighborhood Watch Meeting Minutes and the November 5, 2019 to November 19, 2019 Sunshine Board Online Workshop Minutes, as presented, were approved.

TENTH ORDER OF BUSINESS

Consideration of Resolution 2020-01, Relating to the Amendment of the Annual Budget for the Fiscal Year Beginning October 1, 2018, and Ending September 30, 2019

Mr. Adams presented Resolution 2020-01 and read the title. The purpose of this Resolution was to avoid a finding in the annual audit, which was already underway. The overages included streetlights and contingencies. If there are no accruals or journal adjustments during the audit, the funds would be applied to the surplus fund balance.

On MOTION by Mr. Burman and seconded by Ms. Haque, with all in favor, Resolution 2020-01, Relating to the Amendment of the Annual Budget for the Fiscal Year Beginning October 1, 2018, and Ending September 30, 2019, was adopted.

ELEVENTH ORDER OF BUSINESS

Acceptance of Unaudited Financial Statements as of September 30, 2019

Mr. Adams presented the Unaudited Financial Statements as of September 30, 2019. The financial statements were accepted.

TWELFTH ORDER OF BUSINESS

Staff Reports

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

There being no report, the next item followed.

B. Office Administrator: *Amanda Schewe*

Ms. Schewe presented the Monthly Report and answered questions about community relations, whether to choose a DJ over a quartet for an upcoming holiday event and insurance.

C. Facilities Manager: *John Hall*

Mr. Hall presented the Facilities Manager Activity Report and responded to questions regarding the manholes, DTE and the installation of landscaping in Capri, tree removal in the common areas and the holiday light activation.

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

- **NEXT MEETING DATE: December 12, 2019 at 6:00 P.M.**
 - **QUORUM CHECK**

Supervisors Burman, Castillo, Shah and Haque confirmed their attendance at the December 12, 2019 meeting.

The Board and Staff discussed which day to activate the holiday lighting. Mr. Shah felt that the street light poles need to be painted and noted that the Cache gate is rusted.

THIRTEENTH ORDER OF BUSINESS

Other Business

Referencing a map, Ms. Haque stated that, in reviewing Cory Lake Limited Properties, she found that one is technically inside CLI, which is the boat storage, and two along Morris Bridge are not inside the neighborhood. She reviewed properties within the triangle in red and one property north of it with tax liens. She mentioned tax deed sale dates and auction dates. She contacted the County regarding opportunities for the CDD to acquire the properties before they are auctioned and the County Attorney suggested that it was better to do eminent domain

or adverse possession because that provides a legal standing versus the public auction. Discussion ensued regarding the options, title searches, Mr. Gene Thomason, the boat storage area, the CDD's maintenance of the properties in question and cost.

Ms. Haque stated that she reviewed the CDD's Rules and Regulations and agreed with Mr. Forbes that the document needs to be updated. The Board and Staff discussed the following changes that need to be made:

- Residents can be denied bar code access if there is a non-compliance issue or if they violated the CDD Rules.
- Delete redundancies.
- The age for minors to use the amenities should be consistent.
- Running over the gate arms.
- Mowing to the waters' edge.
- Boating rules.

Mr. Adams would include the CDD Rules and Regulations on the January agenda.

FOURTEENTH ORDER OF BUSINESS**Public Comments (*non-agenda items*)**

Mr. Ramphal stated that several residents stated that they would like a bike lane constructed and signage installed to caution motorists. Discussion ensued regarding pavers, the daytime rover, the boat storage area and installing fencing in St. Croix, Capri Isles and along the Morris Bridge. In response to Mr. Ramphal's question regarding not being invited to join the Spirit Committee, Ms. Haque stated that there is no membership; everyone is welcomed and meetings are publicly posted. Mr. Castillo stated that Mr. Hall could look into the fencing requests in those areas and make recommendations.

FIFTEENTH ORDER OF BUSINESS**Supervisors' Requests**

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

SIXTEENTH ORDER OF BUSINESS**Adjournment**

There being no further business to discuss, the meeting adjourned at 9:40.


Secretary/Assistant Secretary


Chair/Vice Chair