

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

The Board of Supervisors of the Cory Lakes Community Development District held a Regular Meeting on March 16, 2023 at 6:00 p.m., at the Cory Lake Beach Club, 10441 Cory Lake Drive, Tampa, Florida 33647. Members of the public were able to listen and/or participate in the meeting via Zoom, at <https://us02web.zoom.us/j/83397954590>, and telephonically at 1-929-205-6099, Meeting ID: 833 9795 4590, for both.

**Present were:**

Jorge Castillo	Chair
Ann Belyea	Vice Chair
Ronald Acoff	Assistant Secretary
Rene Fontcha	Assistant Secretary
Cynthia McIntyre	Assistant Secretary

**Also present were:**

Chuck Adams	District Manager
Phil Chang (via Zoom)	District Engineer
Vivek Babbar (via Zoom)	District Counsel
Amanda Evans	Office Administrator
John Hall	Facilities Manager
Steve Small	LMP
Becky Abbott	Allied Security
Rich Carpenter	Resident/LAF Committee Member

**Residents who spoke were:**

Sudhir Shah	Marcelo Mejia	Joe Grace	Pallu Gupta
Parag Shah	Roberta Carroll	Kara Greco	Heather Thompson
Ekta Patel	Satish Kumar	Sean McCormick	

**FIRST ORDER OF BUSINESS**

**Call to Order/Roll Call/Pledge of Allegiance**

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

**SECOND ORDER OF BUSINESS**

**Chairman's Opening Comments**

Mr. Castillo thanked everyone for attending and stated that comments should be kept at three minutes. He hoped that the meeting will end by 9:00 p.m.

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

**THIRD ORDER OF BUSINESS**

**Other Supervisors' Opening Comments**

Ms. McIntyre welcomed everyone and encouraged input.

Ms. Belyea welcomed everyone and thanked them for their interest in the community and for their participation.

Mr. Acoff reminded residents that Cory Lake Isle (CLI) is their community and the Board has their best interests in mind. He hoped for a constructive and productive meeting.

Mr. Fontcha thanked all attendees. He looked forward to addressing all agenda items. He noted the misleading email that was recently circulated and encouraged residents to attend meetings to obtain first-hand information.

**FOURTH ORDER OF BUSINESS**

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

Resident Elta Patel voiced her concerns about after-hours Beach Club accessibility and the potential gym expansion. As a regular gym user, she thinks residents deserve a better gym and expressed interest in the phone survey, financing and gym options previously discussed.

Resident Sean McCormick distributed a handout titled "Uses for the Meadows in Cory Lake Isles" and stated he recently posted a free survey on social media seeking input from residents of CLI about the sale of the Meadows. He presented the results from his personal survey.

A resident felt that, as a \$700,000 loan was already obtained, the CDD should not take on any additional debt. The resident believes the CDD is currently "in the red" and homeowners are paying more, which, in their opinion, is unjust since some are seniors on limited incomes.

A resident stated he is a new CLI resident and he enjoys the community. He did not participate in the survey that was previously presented but he fully endorses the findings.

Resident Sudhir Shah thinks the soccer field is an eyesore and should be addressed. He asked the Board to keep the Clubhouse open after hours to accommodate working residents. He asked for information about the survey company contract and survey method. Regarding food safety, he discouraged allowing home-cooked foods to be served at the Clubhouse to avoid food poisoning. He asked the Chair to explain what the CDD assessments cover.

Resident Joe Grace voiced dissatisfaction with Allied personnel allowing solicitors and people from nearby communities in without permission. He currently has an issue with

trespassers coming onto his property. He asked the Board to consider finding a better security company, have Allied better-train its security personnel or increase police presence.

Resident Marcelo Mejia thanked Mr. McCormick for conducting his personal targeted survey about the gym. He feels that there is a lot of misleading information about residents wanting a million-dollar gym when, in his opinion, residents who use the gym want an affordable, commercial-grade facility with modest improvements. He discussed the gym survey results, utilizing unused space to expand the current gym and the Meadows property.

Resident Richard Carpenter referenced the Triton Polling and Research poll in the agenda. In his opinion, the questions are biased and inaccurate. He hopes it will not be used. He noted Question #7, which he thinks is leading and should be stated simply and factually. Mr. Fontcha concurred with Mr. Carpenter's assessment of the survey. Mr. Acoff agreed with Mr. Carpenter's comments; verbiage inaccuracies will be discussed later in the meeting.

Resident Satish Kumar opposes the reduced Clubhouse hours. He thinks it is unfair to limit after-hours access to the Clubhouse just because some do not clean up after themselves.

Resident Kara Greco reviewed her recent email to the Board regarding the gym debate, a conflict-of-interest involving Ms. Belyea, towing and her belief that there were omissions from the January meeting minutes. She believes the Board has heard from over 100 residents who oppose a new gym and the survey is unnecessary.

Resident Roberta Carroll does not want the CDD to take on more debt to build a gym. She thinks there are more pressing things to address and noted the condition of the playgrounds and a staff shortage. In her opinion, resident emails to the Board should be read into the record when the resident cannot attend the meeting.

Resident Parag Shah suggested the Board establish parameters for the survey. In his opinion there is no misunderstanding regarding whether to proceed or not with the gym project. He hopes the Board will ignore the online social media survey that was presented.

Ms. McIntyre stated she was previously deterred from reading resident emails into the record as part of public comments. She asked District Counsel for his legal opinion.

Mr. Babbar stated there is no obligation for any individual Board Member or resident to read emails into the record itself because, as soon as a letter/email is submitted to the CDD or to a Board Member, it is automatically a part of the CDD's records. Many local jurisdictions will state that a certain number of comments or emails were received and that they are a part of

the record but those emails are not individually read into the record, one-by-one, for the sake of time and brevity. The Board can choose to summarize the emails received but there is no legal requirement to do so. Asked about sending resident emails to other Board Members, Mr. Adams stated Ms. McIntyre can forward emails she receives to his attention for dissemination to the other Board Members but she cannot do it herself; his email would then state that board Members must not reply to other Board Members, which would be a Sunshine Law violation.

Mr. Castillo asked if the Board is legally obligated to summarize resident emails at CDD meetings if the person is not present. Mr. Babbar stated there is no obligation to summarize the emails but recommended, at a minimum, that a Board Member state how many emails they received related to an item and that the emails are available. He suggested Board Members submit a written commentary that summarizes what the constituent emailed to them during the Supervisors' Opening Remarks, which will expedite the discussion process.

Mr. Adams clarified that, if a Supervisor thinks it necessary to speak about a constituent email, they should summarize the email and include it during their opening comments, up to three minutes. The Supervisor should provide a summary and the email to Management for distribution and, if not submitted to Management beforehand, they cannot be brought up.

Ms. McIntyre voiced her opinion that residents have a right to be heard.

**On MOTION by Mr. Castillo and seconded by Ms. Belyea, with all in favor, allowing Supervisors to summarize resident emails during Opening Comments, within a maximum of three minutes, subject to emailing the summary and email to Mr. Adams for dissemination before the meeting, was approved.**

Discussion ensued regarding moving up the vendor updates on the agenda.

Mr. Adams suggested hearing in-person vendor presentations prior to the financials.

▪ **Staff Updates**

**This item, previously the Sixth Order of Business, was presented out of order**

**A. Envera**

There was no update.

**B. Landscape Maintenance**

Mr. Small stated crews are working on winter cutbacks, which will be completed by the end of March. He responded to questions about LMP's scores on the Landscape Inspection Report, the cutbacks, drainage clean up and the vegetation near the new well.

**C. Allied Universal**

Ms. Abbott reported the following:

- Several complaints were received about visitors being allowed in without approval.

It was noted that people cannot be denied entry into the CDD.

- The procedure followed is to inform visitors that the resident is not home and advise them to leave but, if they persist, staff must allow entry and inform the resident that their guest was admitted in. If there is an issue, the resident must contact the Tampa Police Department (TPD) non-emergency number to have the person removed.

- Regarding solicitors, Apex Roofing triggered most of the complaints. Vendors are advised at the gate that soliciting is not allowed; however, residents have the right to contact law enforcement to have them removed from their private property.

- Gate personnel cannot leave the gate. The rover is on site at 6:00 p.m., to assist staff, surveil the CDD and lock the Beach Club. Staff is doing its utmost to deter uninvited visitors, call residents, leave voicemails, field resident calls and report everyone that is admitted on the property.

- Staff maintains a log of everyone that is admitted, including the vehicle description and tag number.

Asked if managers can be called for assistance in certain situations, Ms. Abbott stated yes; in urgent situations, the Client Manager, Mr. Henderson, and the two Field Ops Managers can be called for on-site assistance. Asked about any instances where managers had to be called, Ms. Abbott stated there were none because they would not be able to do more than staff to resolve a situation. The new Field Ops Manager will be on site on Friday to meet with her and go over the issues.

**FIFTH ORDER OF BUSINESS****Acceptance of Unaudited Financial Statements as of January 31, 2023**

Mr. Adams presented the Unaudited Financial Statements as of January 31, 2023.

Discussion ensued regarding interest, whether to open a separate account for the fund balance, transparency, operating account, net fund balance and simplifying the financials.

In response to Mr. Fontcha’s question, Mr. Adams stated the best practices for investment of surplus fund balance are 20-year treasuries and money markets.

Mr. Adams will create a presentation simplifying the unaudited financials.

Mr. Adams will include CDD gains and losses and invoices in all future agendas.

The financials were accepted.

**SIXTH ORDER OF BUSINESS**

**Staff Updates**

- A. Envera**
- B. Landscape Maintenance**
- C. Allied Universal**

These updates were presented following the Fourth Order of Business.

**SEVENTH ORDER OF BUSINESS**

**Staff Report - Office Administrator:  
*Amanda Evans***

Ms. Evans presented the March Office Administrator and Events Report. She responded to questions regarding pool attendants and the Sunshine Board.

Ms. McIntyre introduced Ms. Heather Thompson.

- **Facility User Request – *Heather Thompson, Social Club Chair***  
**This item was an addition to the agenda.**

Ms. Thompson distributed and presented a Facility User Request for a Community Sports Camp for kids in June and additional weeks in July and August based on demand. She responded to questions about the itinerary, participant ages, the coach, number of camp counselors, liability, a contract and who will execute the contract on behalf of the CDD.

Asked for his opinion regarding a facilities’ request contract, Mr. Babbar recommended the CDD enter into an agreement with any instructors or organizations that hire instructors so there is language in place with respect to indemnification, liability and responsibility and, at a minimum, required a Certificate of Insurance (COI) naming the CDD as an additional insured. Mr. Babbar will draft and email a template agreement that will fit the Facility User Request for the Sports Camp. Mr. Adams will distribute the proposed agreement to the Board for review.

Ms. Thompson will invite the vendor/coach to give a presentation at the next meeting.

Mr. Adams will include "Sports Camp Vendor Presentation" on the next agenda.

**A. Discussion/Consideration of Beach Club Facility Agreement**

Ms. Evans recalled that all Board Members were to email their edits to her but only one or two Supervisors submitted edits.

In response to Ms. Belyea’s question, Ms. Evans stated the Beach Club is open to residents from 9:00 a.m. to 9:00 p.m.

Asked about the Beach Club hours for residents that do not have a facility usage agreement, Ms. Evans stated CDD office hours are as follows:

Monday and Wednesday	9:00 a.m. - 5:00 p.m.
Tuesday and Thursday	9:00 a.m. - 7:00 p.m.
Friday	9:00 a.m. - 1:00 p.m.
Saturday	12:00 p.m. - 5:00 p.m.
Sunday	Closed

Ms. Belyea stated, unless a resident executed a Beach Club Facility Agreement, they will not be allowed into the Beach Club when the CDD office is closed. Asked if the Beach Club hours will be extended once additional staff is hired, Ms. Evans replied affirmatively.

Discussion ensued regarding the Beach Club Facility Agreement, granting permission for gatherings, a short-term user agreement for two hours, long-term agreement for six-hours, reason for the restrictions, fingerprint scans for Beach Club access, video footage, Sunday hours and establishing guidelines.

Mr. Fontcha feels that the Facility Agreement is acceptable for those who are organizing events but not for individual residents who want to use the Beach Club after hours.

**On MOTION by Mr. Castillo and seconded by Mr. Fontcha, with all in favor, changing the age of individuals who can reserve the Beach Club from 14 to 18 years old, was approved.**

Board Members who have yet to do so will email their edits to the Beach Club Facility Agreement to Ms. Evans. Ms. Evans will update the Beach Club Facility Agreement for presentation at the next meeting.

Mr. Adams will include the Beach Club Facility Agreement on the April agenda.

**B. Update: Digital Islander**

This item was discussed later in the meeting.

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

**This item, previously Item 14A, was presented out of order.**

Mr. Chang recalled previously reporting that one proposal for the weir project was received and a second was pending; the second proposal is still pending. In speaking with the first contractor about a price reduction, Mr. Chang stated the only feasible option would result in a \$20,000 reduction, which is insignificant, given the scope of the project. The project is extremely challenging and, although the contractor has the capability to complete it, it is not worth their while to do so at a reduced cost, considering how busy they are.

Mr. Chang will continue pursuing other contractors but is having difficulty because contractors are not responding or are not interested because of an abundance of work.

Mr. Chang and Mr. Hall responded to questions regarding pursuing contractors outside the Tampa area, project timeline, permit modification, current condition of the weirs, previous weir inspection, total number of weirs, two weirs that need to be repaired, sizes of the weirs, re-certification of permits, what could put the CDD at risk and the functionality of the weir downstream. Mr. Acoff stated the bottom line is that the two weirs are not functioning well and must be inspected, along with a Cachet Isle property with drainage issues. Asked for an update regarding the home in Cachet Isle, Mr. Adams stated Mr. Hall will coordinate with Mr. Babbar to draft and mail a letter to the property owner.

Mr. Chang and Mr. Hall will inspect the weirs and report their findings at the next meeting, along with a list of all the weirs and when they were last recertified.

**Mr. Chang left the call.**

Discussion ensued regarding establishing posting guidelines for the Digital Islander, advertising restrictions and limiting submission of personal opinions and controversial items.

Ms. Evans will prepare Digital Islander Posting Rules and email it to the Board for review in advance of the next meeting.

**Ms. Evans left the meeting.**

**EIGHTH ORDER OF BUSINESS****Discussion: Community Social Walk Event**



Mr. Castillo recalled that Mr. Forbes previously asked for permission to send an e-blast, advertise the event on the marquee and host a gathering after the social walk.

The consensus was to allow access to the email list and disallow use of the marquee.

**NINTH ORDER OF BUSINESS**

**Continued Discussion: Community Survey Regarding Building a Gym Vs Adding on Beach Club Vs No Gym**

Mr. Acoff voiced his opinion that, given the uncertainty of the final cost of the weir project, it would be best to postpone conversations about the gym.

Mr. Fontcha felt that the gym should be addressed so a final consensus can be reached and that the Board should hear from residents and proceed with the survey instead of delaying or cancelling the conversation.

Discussion ensued regarding projects that should be prioritized, social media rumors, weir repair costs, the budget and proceeding with the survey.

Asked if it would be better to obtain the \$1 million from a debt assessment or a loan, Mr. Babbar recommended a debt assessment so that it can be secured separately from the Operation and Maintenance (O&M) budget. In response to Ms. McIntyre’s question, Mr. Babbar explained the difference between the debt assessment and O&M bank loan processes. He responded to questions about mailed notices, public hearings and which process is more transparent.

- **Triton Polling and Research Proposal and Introduction for Phone Survey**

Asked if the sample survey questions in the agenda generally represents the feedback received thus far, Mr. Adams replied affirmatively.

Discussion ensued regarding phrasing of the survey questions, including a question asking if residents are in favor of funding a capital improvement, reducing the number of questions from ten to five and whether to table this to the next meeting or cancel all discussion. The consensus was to table this item.

Mr. Adams stated Board Members who have not done so should email their survey questions to him after the meeting and Management will email them to Triton Polling, where they will be re-phrased and compiled.

Mr. Adams will present a revised gym survey at the next meeting.

**TENTH ORDER OF BUSINESS**

**Discussion: Insurance Requirements for Instructors**

Mr. Babbar stated the template that he will email to Mr. Adams will include the standard insurance provision. It is generally recommended that instructors carry \$1 million insurance coverage for this type of activity, which is easy for instructors to obtain. If there are issues obtaining coverage, the instructor can provide documentation that confirm it and the Board can consider waiving the requirement. He responded to questions regarding which activities require a COI, the CDD’s liability limitations, sovereign immunity and potential exposure.

Ms. McIntyre asked Mr. Babbar to provide “Instructor Insurance” guidelines to the Board.

**ELEVENTH ORDER OF BUSINESS**

**Continued Discussion: Food Safety at CDD Events**

Mr. Adams recalled the consensus at the last meeting to discuss food safety and recommendations from the CDD’s insurance carrier, in terms of serving packaged food versus personally prepared food at Clubhouse events.

Regarding what the CDD should do about food at CDD-sponsored events, Mr. Babbar stated he concurs with the CDD’s insurance carrier’s recommendation to hire food vendors and have them list the CDD as an additional insured; there is an additional layer of protection through agreements with the food vendors. Regarding non-CDD sponsored events, such as social group and private party events, Mr. Babbar stated the CDD makes no representation with respect to food available for consumption at a non-CDD sponsored event; the consumer at a non-CDD event assumes the risk. He suggested emailing food safety pamphlets, etc., to those hosting non-CDD events and keeping a record that the information was provided to the host.

Mr. Babbar will prepare and provide a simpler food safety waiver form to Mr. Adams for dissemination to the Board.

**TWELFTH ORDER OF BUSINESS**

**Committee Reports**

**A. Security**

Ms. McIntyre asked if it is a Sunshine Law violation if two Supervisors attend the same subcommittee meeting. Mr. Babbar stated it is not a violation per se for more than one Supervisor to attend the same meeting but there is potential for a violation if the Supervisors communicate with one another or if anyone at the meeting asks questions and the Supervisor responds and/or if a Supervisor speaks about a matter that might come before the CDD Board.

**B. Landscape Aquascape Facilities (LAF)**

Mr. Carpenter presented the March LAF Committee Report.

**THIRTEENTH ORDER OF BUSINESS**

**Approval of Minutes**

**A. Board of Supervisors: February 16, 2023**

**I. Summary of Motions**

**II. Regular Meeting**

The following change was made:

Lines 242 through 244: Change “with all in favor” to “with Mr. Castillo, Ms. Belyea, Ms. McIntyre and Mr. Fontcha in favor and Mr. Acoff not present”

**III. Action/Agenda or Completed Items**

Item 70: Completed

Items 83 and 85: Remove

Item 103: Mr. Adams stated the Florida League of Cities is not willing to provide a proposal midway through the fiscal year. He contacted Egis and asked if the Florida Insurance Alliance will issue a credit to the CDD.

**B. LAF Committee: March 6, 2023**

**C. Other**

Ms. McIntyre stated several resident comments from the final “Public Comments” section were missing from the January meeting minutes. As the January meeting audio ended prior to the last “Public Comments” agenda item, the public comments made at that time could not be transcribed and included in the January meeting minutes.

**On MOTION by Mr. Acoff and seconded by Mr. Fontcha, with all in favor, the February 16, 2023 Summary of Motions, as presented, Regular Meeting Minutes, as amended, and March 6, 2023 LAF Committee Meeting Minutes, as presented, were approved.**

## FOURTEENTH ORDER OF BUSINESS

## Staff Reports

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

- **Update/Consideration of Proposals for Weir Replacement**

This item was addressed following the Seventh Order of Business.

**B. Facilities Manager: *John Hall***

Mr. Hall presented the March 2023 Activity Report.

- **Update/Consideration of Proposals for Monument/Entry Improvements**

- **Continued Discussion: Towing Issues and Options**

Mr. Hall stated no towing companies are interested in working with the CDD.

Discussion ensued about security concerns, solicitors, trespassers, the Boat Ramp Gate Process handout, a boat access fee, TPD, Nuisance Alligator Procedure handout and cameras.

Mr. Hall provided updates about a pool meter, dock lights, discontinuing the Sunshine Board, cricket net installation, gate repair, City of Tampa manhole repairs, speed cameras, new gym and playground equipment and shrub replacement near the playground.

Mr. Hall will e-blast the Nuisance Alligator Procedure information to all residents.

**C. District Counsel: *Straley Robin Vericker, P.A.***

Mr. Babbar and Mr. Adams responded to questions about CDD responsibility for email backup, 30-day email retention and possible Sunshine Law violation related to an email thread.

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

Mr. Adams reported the following:

- If the Board would like, he will prepare a capital infrastructure re-investment plan.
- Reserve studies were conducted in 2008 and 2012 by the previous Management Company. A company will need to be engaged if the Board wants an updated reserve study.
- The re-investment plan is essentially a two-page excel spreadsheet that spreads costs over a period of time and identifies aging infrastructure.

- **NEXT MEETING DATE: April 20, 2023 at 6:00 P.M.**

- **QUORUM CHECK**

## FIFTEENTH ORDER OF BUSINESS

## Other Business

Mr. Castillo asked Mr. Hall to obtain another proposal to repaint the tower and monuments.

Asked about closed-door meetings, Mr. Babbar stated there are only two instances wherein private sessions of the Board can occur. One is if the CDD is being sued and litigation is involved. In that instance, a notice must be publicized by either District Counsel or opposing Counsel and a Court Reporter must be present to record the minutes so that the transcript is a public record. The other instance is if the Board is discussing confidential information pertaining to security cameras, security matters, etc. In this case, the meeting must be listed on the agenda and the Regular meeting would be temporarily closed and later reopened to the public.

**SIXTEENTH ORDER OF BUSINESS****Public Comments (*non-agenda items*) [3 minutes per speaker]**

Resident Pallu Gupta stated she recently emailed the Board about the Cachet Isle gate, which was broken twice in the past six weeks. She asked if cameras, like those at the main gates, can be installed in Cachet to identify and charge the perpetrators. She offered to be the point of contact with other area residents. Mr. Castillo stated, if Ms. Gupta's neighbors are in favor of a camera, she can coordinate with Mr. Hall about obtaining camera proposals to install a camera at the expense of the Cachet Isle residents. In the meantime, the gate is being repaired off-site and will be re-installed in the coming week.

Ms. Greco voiced her opinion that the Board seems to discount the opinions of the residents who attend the meetings and are opposed to a new gym due to the lack of funds. In her opinion, a \$7,000 mistake was made by asking LMP to trim the dead bushes by the playground near Barbados. She believes that no Security Committee meeting announcements were posted and expressed her opinion that the reserve study would be more helpful than a spreadsheet from Mr. Adams and more useful than a gym survey.

Mr. Carpenter stated the Cachet gate cost \$7,197 in 2021.

Mr. Adams will prepare a seven-year reconciliation to track the expenditures.

**SEVENTEENTH ORDER OF BUSINESS****Supervisors' Requests**

Ms. McIntyre wants the Controller to attend the next meeting in person or via Zoom. Mr. Adams will invite the Controller to the next meeting.

Mr. Fontcha feels that the amount spent on legal fees must be addressed.

The meeting adjourned at 10:22

COPALI

Secretary/Assistant Secretary

A handwritten signature in black ink, appearing to be 'J. L. Smith', written over a horizontal line.

Chair/Vice Chair