

## **MINUTES OF THE CONTINUED MEETING**

*The following is a summary of the discussions and actions taken at the Clearwater Cay Community Development District (CDD) Board of Supervisors meeting.*

### **CLEARWATER CAY COMMUNITY DEVELOPMENT DISTRICT**

The meeting of the Board of Supervisors of the Clearwater Cay Community Development District was held on Thursday July 11, 2019 at 5:30 p.m. at the Grand Venezia Baywatch Clubhouse on 2704 Via Murano in Clearwater, Florida 33764.

#### **Present and constituting a quorum were:**

Pat O'Malley  
Michael Herd  
Alan Glidden  
Jeff Wilson  
Don Dwyer

Vice Chair  
Treasurer  
Assistant Secretary  
Assistant Secretary (telephone)  
Supervisor

#### **Also present were:**

Cal Teague  
Dan Molloy  
Residents

District Manager  
District Attorney

#### **FIRST ORDER OF BUSINESS**

#### **Call to Order and Roll Call**

The meeting was called to order and the District Manager called the roll. All were present for today's meeting, with Supervisor Wilson attending via telephone. Also present was District Attorney Dan Molloy.

On MOTION by Supervisor Dwyer, seconded by Treasurer Herd, with all in favor, Supervisor Wilson is allowed to attend the meeting via telephone.
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#### **SECOND ORDER OF BUSINESS**

#### **Audience Comments on Agenda Items**

There being none, the next Order of Business followed.

**THIRD ORDER OF BUSINESS****Old Business****A. The Flourney Request**

Attorney Molloy researched the Flourney property and felt that the Board was not given accurate information. Based on his calculations their property consists of 375 units or 469 resort units.

After extensive discussion, the Board voted to support the recommendation of the Flourney request and ask that the Attorney and District Manager investigate this further and make a recommendation at the next Board meeting.

On MOTION by Supervisor Dwyer, seconded by Vice Chairman O'Malley, with all in favor except Treasurer Herd and Supervisor Glidden, the Board voted to support the recommendation of the Flourney Corporation and have staff review this further and make a recommendation at the next meeting.

**FOURTH ORDER OF BUSINESS****Attorney's Report****A. Update 2018 Assessment Methodology**

A proposal from Santoro Economic Consulting was submitted for \$8,000, to complete the 2018 assessment methodology within two weeks.

On MOTION by Supervisor Dwyer, seconded by Vice Chairman O'Malley, with all in favor, the Board approved the proposed agreement contingent on review and approval by Attorney Molloy.

**B. Update on Bankruptcy Filing**

The Bankruptcy case went to court. Supervisor Dwyer updated the Board on the case, as he attended the court hearing. He reported that the deadline for filing objections to the petition is August 30, 2019 and the proof of claims deadline is October 2, 2019. He explained that anyone wanting to file a claim against the District for payment of any outstanding debt must file before October 2, 2019. The Judge recommended a letter from the Governor for the case moving forward, however it is not a necessity. Supervisor Dwyer reported that both U.S. Bank and Oppenheimer were both in attendance and both stated they will be filing objections. Also, the Judge ordered mediation with a court appointed mediator.

**FIFTH ORDER OF BUSINESS****Supervisor's Requests and/or  
Comments**

Supervisor Dwyer asked that the Board begin the process of determining if they have a case for malpractice against Gray Robinson on a contingency basis. Supervisor Dwyer made a motion, with Vice Chairman O'Malley seconding the motion, to have Attorney Molloy look at the information and determine if they have a case to move forward with a malpractice lawsuit against Gray Robinson. However, the motion did not pass as Supervisor Wilson, Supervisor Glidden and Treasurer Herd were opposed.

Supervisor Glidden asked Supervisor Dwyer about the seawall stairs project regarding why it was so expensive. Supervisor Dwyer responded by saying that he had difficulty finding companies to bid for the project. Supervisor Glidden stated that he got several bids at a much lower cost.

**SIXTH ORDER OF BUSINESS****Audience Comments**

There being none, the next Order of Business followed.

**SEVENTH ORDER OF BUSINESS****Adjournment**

There being no further Orders of Business and,

On MOTION by Supervisor Dwyer, seconded by Treasurer Herd, with all in favor, the meeting is adjourned at 6:15 pm.
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**Next Meeting: July 25, 2019 at 5:30 PM**

  
Secretary/Assistant Secretary

  
Chair/Vice Chair