

MINUTES OF 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 November 21, 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:

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

Chairman
Vice Chair
Assistant Secretary
Assistant Secretary
Assistant Secretary

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. Also present was District Attorney Dan Molloy.

SECOND ORDER OF BUSINESS

Approval of the Agenda

The Agenda was presented and approved.

On MOTION by Supervisor Dwyer, seconded by Supervisor Wilson, with all in favor, the Agenda was approved as presented.
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THIRD ORDER OF BUSINESS

Audience Comments on Agenda Items

There being none, the next Order of Business followed.

FOURTH ORDER OF BUSINESS**Approval of Meeting Minutes****A. Regular Meeting Minutes from October 24, 2019**

The Meeting Minutes were presented and accepted.

On MOTION by Supervisor Dwyer, seconded by Supervisor Wilson, with all in favor, the Meeting Minutes from October 24, 2019 were approved as presented.

FIFTH ORDER OF BUSINESS**Old Business****A. Mangrove Trimming Issues**

Supervisor Dwyer stated that the CDD has not yet received a violation notice from the County for the Mangrove Trimming. Therefore, Supervisor Dwyer requested that the other half of the payment for RedTree Landscape Systems be released.

On MOTION by Supervisor Dwyer, seconded by Supervisor Glidden, with Chairman Herd and Vice Chairman O'Malley opposed, the Board voted to release the second half of the payment for this project.

B. Proposals for Stormwater Management System Compliance

A proposal was received by the District Engineer from Coast to Coast Grading, Inc. for \$15,195.

On MOTION by Supervisor Dwyer, seconded by Vice Chairman O'Malley, with all in favor, the Board approved the proposal for \$15,195 contingent on the District Engineer signing off on the project.

C. Landscape Contract Update

The District Manager informed the Board that the new landscaping contract begins the first week of December. This information led the Board to discuss the final payment for Alexander's Property Maintenance and authorize the payment to be released after the contract expires.

On MOTION by Supervisor Dwyer, seconded by Supervisor Wilson, with Vice Chairman O'Malley opposed, the Board authorized the final payment for Alexander's Property Maintenance.

SIXTH ORDER OF BUSINESS**New Business****A. New Disabled Persons Parking Space**

A proposal was submitted by Parking Lot Services for \$3,957 to create another disabled parking space.

On MOTION by Supervisor Dwyer, seconded by Supervisor Wilson, with all in favor except Vice Chairman O'Malley, the Board approved the estimate for \$3,957.

B. Mulch Installation and Palm Tree Pruning Proposals

An estimate was submitted by RedTree Landscape Systems for Palm Tree pruning at \$75 per Palm Tree. The Board discussed that they are currently paying \$25 per tree. Therefore, it was decided that Supervisor Dwyer will negotiate with the contractor and if RedTree Landscape Systems won't lower their price to a maximum of \$25 per tree then the project will be bid out to other contractors.

On MOTION by Supervisor Dwyer, seconded by Chairman Herd, with all in favor, the Board gave Supervisor Dwyer authority to negotiate the price up to \$25 per Palm Tree.

An estimate was submitted by RedTree Landscape Systems for mulch installation totaling \$10,800.

On MOTION by Supervisor Dwyer, seconded by Supervisor Glidden, with all in favor, the Board approved the estimate for mulch installation for \$10,800 contingent it is a minimum of 3 inches in depth.

An estimate was submitted by RedTree Landscape Systems for sod installation totaling \$8,325. Due to irrigation issues most of the sod needs to be replaced.

On MOTION by Supervisor Dwyer, seconded by Supervisor Glidden, with all in favor, the Board approved the estimate for sod installation for \$8,325 contingent that it be installed after the irrigation issues are fixed and that it includes a 120-day warranty.

An estimate was submitted by RedTree Landscape Systems for Building 3 circle landscape installation for \$950.

On MOTION by Supervisor Dwyer, seconded by Supervisor Wilson, with all in favor, the Board approved the estimate for building 3 circle landscape installation for \$950.

An estimate was submitted by RedTree Landscape Systems for landscaping at the gazebo in front of building 12 for \$1,100. It was discussed that on one side of the gazebo there is overgrown shrubbery and on the other side there is dead shrubbery. Therefore, you cannot see the waterfront. This proposal is to remove the shrubbery and add in new shrubbery that will not get overgrown.

On MOTION by Supervisor Dwyer, seconded by Chairman Herd, with all in favor, the Board approved the estimate for the removal and replacement of the shrubbery in front of the gazebo for \$1,100.

SEVENTH ORDER OF BUSINESS

District Manager

A. Financial Statements for Period Ending October 31, 2019

The financial statements were presented and accepted.

On MOTION by Supervisor Wilson, seconded by Supervisor Dwyer, with all in favor, the financial statements for October were accepted as presented.

B. FY 2018 Audit Discussion

The District Manager explained that this audit has been extremely difficult to complete given everything going on with the District. The District Manager stated that the Auditor previously requested an extra \$2,000 to complete the audit and is now requesting another \$10,000.

On MOTION by Supervisor Glidden, seconded by Supervisor Wilson, with all in favor except Vice Chairman O'Malley, the Board authorized an additional \$10,000 to Grau and Associates to complete the audit.

C. Trustee Issues

The District Manager informed the Board that the Trustee is not paying the District's debt however the Trustee has paid his attorneys \$81,000 so far this year and himself \$48,700.

After discussion of the Trustee issues, the District Manager discussed the extensive amount of work that has gone into the audit by his staff and made a request for an additional \$3,000.

On MOTION by Supervisor Dwyer, seconded by Supervisor Wilson, with all in favor, the Board approved an additional \$3,000 to be paid to Premier District Management.

EIGHTH ORDER OF BUSINESS

Attorney

A. Bankruptcy Filing Update

District Attorney Dan Molloy stated that he filed a motion with the county to validate and approve the District's debt assessment levy. He also updated the Board that the bankruptcy case was withdrawn.

B. Review of Suggested Legal Representation Regarding Filing Malpractice Charges Against Gray Robinson

District Attorney Dan Molloy stated that he now believes the Board might have a good case against the District's former legal representation.

NINTH ORDER OF BUSINESS

Supervisor's Requests and/or Comments

Supervisor Wilson discussed the lack of security at the front gate posing a safety hazard for residents. He stated that the CDD has no jurisdiction however he is quite concerned. He stated that a young woman in building one has had two stalkers come through the gate now and three cars have been stolen, due to the lack of security.

On MOTION by Vice Chairman O'Malley, seconded by Supervisor Wilson, with all in favor, the Board authorized Supervisor Dwyer to speak with the neighboring community (the Grand Bellagio Condominiums) on behalf of gate security concerns.

Vice Chairman O'Malley asked that the Board consider more security cameras around all twelve buildings.

Chairman Herd discussed a proposal from Decorating Elves to add lights to the four trees around the fountain. It was brought to Chairman Herd's attention that this area belongs to the Grand Bellagio Condominiums and therefore the Board cannot pay for or help pay for this project.

TENTH ORDER OF BUSINESS

Audience Comments

Mike McManus commented that he was very pleased with how well the Board of Supervisors are working together and the work they are doing for the community.

ELEVENTH ORDER OF BUSINESS

Adjournment

There being no further Orders of Business and,

On MOTION by Supervisor Dwyer,
seconded by Supervisor Wilson, with all in
favor, the meeting was adjourned at 6:27
p.m.

Next Regular Meeting: December 19, 2019 at 5:30 PM


Secretary/Assistant Secretary
Chair/Vice Chair