

Meeting Minutes

March 26, 2020

Clearwater Cay Community Development District

The meeting of the Board of Supervisors of the Clearwater Cay Community Development District was held by teleconference at the Governor's Executive Order on Thursday, March 26, 2020.

A statement requesting that the meeting be paused and each person calling in identify themselves was read by the Chair. Attending via teleconference due to Executive Order 20-69 waiving the quorum requirement were:

Michael Herd – Chair

Patrick O'Malley – Vice Chair

Alan Glidden – Assistant Secretary

Jeff Wilson – Assistant Secretary

Don Dwyer – Assistant Secretary

Also attending via phone were:

Cal Teague – District Manager

Dan Molloy – Attorney

Christopher Dausch – Engineer

FIRST ORDER OF BUSINESS

Call to Order and Roll Call

The meeting was called to order and the District Manager called the roll. All Board members were present.

SECOND ORDER OF BUSINESS

Tour of the Community to Identify Issues of Concern

The tour was tabled until after the Coronavirus concerns are removed.

THIRD ORDER OF BUSINESS

Approval of the Agenda

The Agenda was approved as presented with the exception of the tour that was tabled.

On MOTION by Supervisor Dwyer, seconded by Supervisor Glidden with all in favor, the Agenda was approved as presented.

FOURTH ORDER OF BUSINESS Audience Comments on Agenda Items

There being none, the next Order of Business followed.

FIFTH ORDER OF BUSINESS Approval of Meeting Minutes

A. Regular Meeting Minutes from February 27, 2020

The Minutes were approved as presented.

On MOTION by Supervisor Dwyer, seconded by Supervisor Glidden, with all in favor, the Meeting Minutes from February 27, 2020 were approved as presented.

SIXTH ORDER OF BUSINESS Old Business

A. Stormwater System Improvements Update

The Engineer updated the Board on the following drainage issues.

i. Building 1 Drainage Concerns

The Geotechnical Engineer completed the field portion of his task and the Engineer is awaiting the written report. As far as elevations where work has been done, work has been done to specifications. The result of the core drilling will be summarized for the Board when the report is completed. The Engineer will recommend solutions based on the report concerning drainage issues.

ii. Joint Improvements with Bellagio Update

Since the meeting with the Grand Bellagio representatives, it was agreed that the northwest retention pond (#2) needs to be cleaned out behind their dumpsters. Bellagio will be asked to split the expense when a quote has been obtained. The other joint portion of this project will address repairs on Pond #3, the long pond between the two communities. The skimmer needs some modifications. That will be another phase of the project. It was stated that the retention pond and the skimmer should be repaired simultaneously, but it was agreed to work on the skimmer first. The Grand Bellagio manager is getting a quote for the issues identified by the Engineer, and then Supervisor Dwyer will meet with them about splitting the costs between both communities.

B. Landscape Efforts and Updates

Supervisor Dwyer gave an update on various landscape efforts which included:

i. Mulch Installation

Building 6 needed more mulch and we're waiting on confirmation that it has been done.

ii. Community Sod Replacement

It was reported that irrigation had been an issue, but has been resolved and the sod seems to be growing adequately.

iii. Building 3 Circle Enhancements

A replanted palm tree appeared to be dying, but it is hanging on.

iv. Gazebo Area Landscape

Hedges were trimmed so visitors can see the bay near Building 12.

v. Pruning and Weeding

In the last three weeks, improvements have been made.

vi. Building 1 Weed and Cypress Tree Removal

The work has been completed.

vii. Coconut Palm Installation

It was approved with the Chair to identify location for it to be planted. Utilities will come out to ensure wires are not cut.

viii. Small Royal Palm Installation

Also approved with the Chair to identify a location for planting.

ix. Large Royal Palm Installation

This has not been completed and will be monitored.

x. Queen Palm Removal

This has not yet been completed.

xi. Garage G166 Planting

This is awaiting determination of the garage ownership.

C. Kayak Storage Program

All 24 slots have been rented for the current fiscal year and next year. Supervisor Glidden has started a wait list, but nobody has requested one yet. The project has received positive comments for appearance and efficiency.

D. Garage Ownership Issues

The Board discussed having a consistent policy for the garages like the kayak program which is run by the HOA. They discussed whether or not to send out a survey. The garage agreement with the condo association defines them as recreational facilities. The garages under the building have nothing to do with the District, which also have storage units. The Board voted to terminate the garage agreement with a 4-1 vote, making the survey unnecessary, as the CDD will now control the garages.

On MOTION by Supervisor Glidden, seconded by Supervisor Wilson, with Supervisor Dwyer dissenting, the Board voted 4-1 to begin termination of the garage agreement and no longer needs a survey.

SEVENTH ORDER OF BUSINESS

New Business

There being none, the next Order of Business followed.

EIGHTH ORDER OF BUSINESS

District Manager's Report

A. Website Launch and Email

i. Senate Bill 1466 Proposed

The initial draft of the website is almost complete. SB1466 passed both Houses and is awaiting the Governor's signature, expected to be effective July 1st. The Bill lifts the website posting requirement of having the entire agenda packet posted on the website and allows other documents to be directed to postings, such as the audit. The website will contain the agenda and the minutes, effective July.

ii. Website Management Agreement

The Board discussed what belongs to the CDD and what belongs to Premier District Management. The domain name and all of the documents, which are ADA compliant, belong to the CDD.

On MOTION by Supervisor Wilson, seconded by Supervisor Glidden, with all in favor, the Board voted to accept the Website Management Agreement.

B. Estoppel

Resolution 2020-01 was presented and approved to amend the contract to include charges for grant administration if requested. This also amends the management contract to recognize charges by the management company for estoppel requests.

On MOTION by Chair Herd, seconded by Supervisor O'Malley, with Supervisor Dwyer dissenting, the Board voted 4-1 to approve the resolution.

C. FY2021 Budget Discussion

The budget will be sent out next week for discussion at the next meeting.

NINTH ORDER OF BUSINESS

Financial Reports for February 2020

The February 2020 financial reports were accepted as presented. Funds were received from the new apartment building, The Vue.

On MOTION by Supervisor Dwyer, seconded by Supervisor Glidden, with all in favor, the Board voted to accept the Financial Reports for February 2020.

TENTH ORDER OF BUSINESS

Attorney's Report

A. Debt Assessment Validation

There was a hearing in which the judge sent it to non-binding arbitration. The process will not be completed this year, with a review next year. There are three arbitrators and the results should be decided by the fall. The budget will be based on current assessments, as suggested by the judge.

There was also a discussion of the situation with the Vue Apartments. The District Manager responded to a lengthy public records request from their Attorneys.

ELEVENTH ORDER OF BUSINESS

Supervisor's Requests and/or Comments

Supervisor O'Malley sent a video to the District Manager and will obtain estimates for two fire pits within the community. Costs are estimated at \$2,000 – 3,000 for each fire pit. One would be near the pool and the other one by Building #2 by the gazebo, and another one by Buildings #3 and #4. The Board will consider this when proposals are submitted.

Supervisor Dwyer is preparing a community letter listing the accomplishments of the CDD to distribute to the community by email. It will also be posted on the website. It will reflect what the Board has done to address maintenance and improvements completed and in reducing the debt assessments.

TWELFTH ORDER OF BUSINESS

Audience Comments

There being none, the next Order of Business followed.

THIRTEENTH ORDER OF BUSINESS

Adjournment

There being no further Orders of Business and,

On MOTION by Supervisor O'Malley, seconded by Chair Herd, with all in favor, the meeting was adjourned at 5:33 p.m.

Next Regular Meeting: April 23, 2020 at 5:30 p.m.



Secretary/Assistant Secretary



Chair/Vice Chair