

***CORY LAKES
COMMUNITY DEVELOPMENT DISTRICT***

Agenda Package

Board of Supervisors

***Wednesday
October 17, 2012***

***Business Meeting
at 6:00 p.m.***

***At the
Cory Lake Beach Club
10441 Cory Lakes Drive
Tampa, Florida***

Note: The Advanced Board Package is a working document and thus all materials are considered draft working documents prior to presentation and Board acceptance, approval or adoption.

Cory Lakes Community Development District

Development Planning and Financing Group
15310 Amberly Drive, Suite 175, Tampa, Florida 33647
Phone: 813-374-9105
Fax: 813-374-9106

October 10, 2012

Board of Supervisors
**Cory Lakes Community
Development District**

Dear Board Members:

A Regular meeting of the Board of Supervisors of the Cory Lakes Community Development District is scheduled for **Wednesday, October 17, 2012**, at 6:00 p.m. at the Cory Lakes Beach Club, 10441 Cory Lakes Drive, Tampa, Florida. *The advanced copy of the agenda for the meeting is attached..*

Enclosed in the Advance Board Package is:

- YNC Publishing Proposal;
- Documentation on Beach Club Rentals;
- The listed items under the Field Manager's Report;
- CDD Management Report;
- Statement of District Finances;
- Documentation for FY 2013 Committees;
- Advertisement for Board Vacancy Seat #5;
- CDD Official Communication Policy;
- Amendment I to Chapter II of CDD Rules and Revised Rules & Regulations;
- Beach Club Makeover Proposal; and
- September Incident Report.

Enclosed separately under **Appendix A** are the items listed on the Consent Agenda which include the Board and Committee minutes and financial statements/check register

The balance of the agenda is routine in nature. Staff and the Committees will present their reports at the meeting. Any additional support material will be forwarded to you under separate cover or distributed at the meeting. If you have any questions, please contact me. I look forward to seeing you there.

Sincerely,

John Daugirda/jmr
John Daugirda,
District Manager

District: CORY LAKES COMMUNITY DEVELOPMENT DISTRICT
Date of Meeting: **Wednesday, October 17, 2012**
Time: **6:00 p.m.**
Location: Cory Lake Beach Club
10441 Cory Lakes Drive
Tampa, Florida

***Business Meeting
Agenda***

1. Roll Call
2. Chairperson's and Manager's Opening Remarks
3. Board Member Discussion on Agenda and Meeting Protocols
4. Special Guest Presentation:
Cindy Matter, YNC Publishing for CLI Newsletter
5. Public Comments
 - A. Renting of Beach Club – Lovely Goswami
6. Phase 7 Development Project
 - A. Kolter Proposal Update
 - B. Survey Committee Update and Revised Timeline
7. Consent Agenda Items: [Subject to Change] See Appendix A to Agenda Package
 - Approval of September 19, 2012 **Board Workshop** Minutes
 - Approval of September 19, 2012 **Board** Minutes
 - Approval of October 3, 2012 **Board** Minutes
 - Acceptance of October 9, 2012 **Landscape-Aquascape-Facilities Committee** Minutes
 - Acceptance of August 6, 2012 **Finance Committee** Minutes
 - Acceptance of Unaudited **Financial Statements** as of September 2012
8. Facilities Manager Report and District Projects
 - A. Facilities Manager Report
 1. Activities Report
 - Discussion on Lake Vegetation
 2. Office Administration
 3. Events Management
 - Consideration Proposal for Newsletter Publication
 - Proposals from Lifestyle Management Firms
 - B. Project Approvals/Ratifications:
 1. Project #2012-277 [Cross Creek Fountain Rehabilitation]

9. Staff Reports
 - A. Attorney
 - B. Manager
 1. CDD Management Report
 2. Avatar Assessments
 3. State of District Finances
 4. FY 2013 Committees
 - General Operations
 - Committee Mission Statements
 - Government in the Sunshine Law
 - Committee Meeting Processes and Forms
10. Board Member Discussion Items
 - A. Announcement of Board Vacancy for Seat #5 expires 11/2014
 - B. CDD Official Communication Policy
 - C. Introduction of New Supervisor Communication System Concept – C. Spiro
 - D. Survey on Guest Policy for Gym – C. Spiro
11. Committee Requests/Recommendations
 - A. Landscape-Aquascape-Facilities
 1. Amendment I to Chapter II of District Rules and Rules and Regulations for All Amenity Facilities
 - Memorandum and Documents
 - Publication Notices Setting of Public Hearing to Amend Chapter II of the District Rules
 2. Beach Club Makeover Proposal
 - B. Security - September Security Incident Reports
 - C. Strategic Planning
12. Supervisor Requests
13. Public Comments
14. Adjournment

APPENDIX “A”

Table of Contents

1. Approval of September 19, 2012 **Board Workshop** Minutes
2. Approval of September 19, 2012 **Board** Minutes
3. Approval of October 3, 2012 **Board** Minutes
4. Acceptance of October 9, 2012 **Landscape-Aquascape-Facilities Committee** Minutes
5. Acceptance of August 6, 2012 **Finance Committee** Minutes
6. Acceptance of Unaudited **Financial Statements** as of September 2012 [by email only.]

SECTION FOUR

YOUR Community Newsletters Proposal

Short presentation from YCN Publishing proposal by owner, Cindi Matter, to maintain our community newsletter (our current contract with iKare Publishing ends this year and we must give them a 60 day notice of contractual modifications, which falls on Nov 1).

YCN Publishing proposal for our 2012-2013 Cory Lake Islander newsletter, which will be presented at the 10/17/12 CDD Board meeting by the publisher, Cindi Matter:

YOUR Community Newsletters would like to produce Cory Lake Isles' newsletter on a monthly or bi-monthly basis.

It would be produced in an all color, glossy format and include all information from the governing entities of Cory Lake, as well as the clubhouse.

Resident stories, happenings, social clubs, and photos will be welcome. School news, community boy and girl scout troops, charities, social clubs, important numbers and other organizations will be welcome.

Proofs will be sent to requested people before going to print, each time, to review and correct, if needed.

Other ideas and suggestions are always welcome. Open communication is the key. This service will be provided to the community at no cost.

Thank you,

Cindi Matter
YOUR Community Newsletters

SECTION FIVE

**Excerpts from the CLI Residents Google Group
Managed by Cyril Spiro, CLI CDD Board Supervisor**

Summary: After receiving unsolicited messages expressing disappointment with the decision to not rent the beach house, the following messages were posted by Cyril. All original messages may be publicly available at <https://groups.google.com/group/cli-residents> .

Results:

-
1. Of the residents polled, 95% wanted the beach club to continue be rented.
 2. 47% wanted to rent the beach club to residents 3 weeks per month.
 3. 24% wanted to rent the beach club to residents 2 weeks per month.
 4. 58.8% wanted to keep the price of renting the beach club the same.
 5. 94.1% wanted the beach club rented only to residents.
-

Conclusion: While the sample size was small (n=20) the results showed a clear preference among participant residents to continue to rent the beach club for 2 to 3 weeks per month at the current rate and only to residents.

Assuming that these residents represent the larger community accurately, the board - as the representatives of the residents - should enact a policy to rent the beach club and do so in a manner consistent with the residents wishes.

1st post to residents on this matter:

Dear CLI Resident,

The comments made by Michael, Judi and Sandhya indicate that perhaps it was a poor decision to stop renting the club house.

That decision was passed on a count of 4 out of 5 board members. I was the only dissenting vote. In other words, I voted that we keep renting the club house but was overridden. The main reason that I cast a 'nay' vote is that I felt that we would be taking away an amenity that residents enjoyed and secondly because I wanted resident feedback before making that decision.

To appeal this decision would require making that appeal during a board meeting. The next board meeting is on Wednesday March 21st at 6pm at the Beach Club.

My recommended approach is that we start by polling the members of this group regarding this issue. If the majority of the residents in our group vote to rent the club house I will bring that information to the board and make a motion to appeal the decision. It is also very helpful to have residents at the board meeting to support motions.

Reply to this email and place an X in one checkbox:

I do want the CDD to rent the club house to residents

I do not want the CDD to rent the club house to residents

I ASK THAT EVERYONE PLEASE PARTICIPATE BY REPLYING TO THIS EMAIL after checking one of the boxes above. *Your name and email address will not be shown to the group from your reply*. The larger the number of responses we have, the more statistically significant the results will be.

The arguments that were presented to the board to stop renting the club house were as follows:

1. It is very time consuming for the staff at the Darling Company, our contracted operations management company, to manage the process of renting the club house.
2. The total revenue generated by renting the club house was only about \$5,300 last year.
3. The events at the club house cause wear and tear. No figures were provided on the cost of the wear and tear. Based on CLI Resident and Field Manager John Darling's opinion, the wear and tear costs outweighed the benefits of the revenue generated by the events.
4. Other communities in the surrounding area allow non-residents to rent their facilities (see attached list) and CLI residents can rent those facilities instead.
5. The statement was made that the same people rent the facility repeatedly, so it was argued that the majority of residents won't care if the facility is not available.
6. The statement was made that the facility is not rented that often - only 50 times per year. Note however, that this was almost every weekend of the year.
7. Resident and Events Coordinator Jen Wiggins, from Elite Events, which is a subcontractor of The Darling Company, stated that she could not plan events at the club house several months in advance, as is often required, because the club house was being rented to residents. Therefore, it was imperative that we stop renting the club house after April so she could plan events.
8. It was suggested that Elite Events would hold open hours at the club house on some nights and weekends for any residents to come in and enjoy the facility. However, on further questioning it was evident that there was no plan in place at the time of the board meeting regarding what activities would take place. I suspect that the new individual that is being hired is supposed to be at the club house during those times.

Also, it may be helpful to know the history of renting the club house. When the developer ran the community residents could not rent the club house. When the residents took over the community we began renting the club house for as little as \$75 for small parties (not including a refundable deposit). Within the last year and half the minimum rate was raised to about \$300. And, last month the decision was made to not rent at all.

2nd Post to residents on this matter

The results are in:

20 members (30%) of our group voted.
19 (95%) voted that they want the beach club to be rented to residents.
1 (5%) member voted against renting the beach club.

Relative to the size of our community, the actual number of voters is small. However, the large ratio of voters that want to rent the beach club (19 to 1) lends significance to the results. Although, it would be more valuable to have greater input, I believe it is likely to be a representative sample of community opinion.

Please invite your friends and neighbors to join our group at <https://groups.google.com/d/forum/cli-residents> in order to increase our voice in community matters.

Given these results, I will make a motion at the next board meeting that the supervisors repeal the ruling to stop renting the beach club to residents. Note, that I am only one vote out of five and that the greater the number of residents who attend the meeting on Wednesday, March 21st at 6pm the more likely the repeal will pass.

Many voting members of our group made suggestions about new policies regarding how we rent the beach club. I will also bring those to the board's attention based on responses to this email.

PLEASE REPLY TO THIS EMAIL with your selection on various policies below. As always, your name and email address will not be shown to the group from your reply.

3rd post to residents on this matter

Dear CLI Resident,

The results are in!

There were a total of 17 resident responses.

How many weeks to rent the club house to residents (number of votes):

1 (5.9%) - 1 week per month
5 (29.4%) - 2 weeks per month
8 (47.1%) - 3 weeks per month
2 (11.8%) - 4 weeks per month

What to do about pricing to rent the club house (number of votes):

- 5 (31.3%) - lower the price
- 10 (58.8%) - keep the price the same
- 2 (11.8%) - raise the price

Whether to rent to non-residents (number of votes):

- 16 (94.1%) - only residents
- 1 (5.9%) - also non-residents

SECTION EIGHT

Item A

Facilities Manager's Report

THE DARLING COMPANY

Facilities Management Activity Report For Cory Lakes Community Development District

Highlights

- Amenities Master Planning - **Ongoing**
- Guardhouse Renovations - **Ongoing**
- Support for Phase 7 – **Ongoing**
- Annual Asset Condition Assessment – **Field Inspection Complete**
- Cross Creek Fountain – **Ongoing**

Details

1. WPI has been instructed to complete the Master Plan based upon the strategic planning committee's preferred concepts and make its final presentations at a Community Involvement Meeting in October. The Final Master Plan report will follow and be presented to the BOS by the Strategic Planning Committee.
2. Renovations of the interiors of the guardhouses are underway. Phase 2 will be the renovations at the Morris Bridge gatehouse will begin on October 15 and should be completed within about a week.
3. An annual asset condition survey has been completed in the past few weeks. The intent is to evaluate the general condition of all common elements and assets of the CDD. Building off of the Reserve Study, we seek to assess the current condition of all facilities, equipment and assets to determine their condition and plan for maintenance needs. This information will allow us to schedule maintenance needs for 2013 and support future budgeting requirements for O&M.
4. Proposals have been obtained to rehabilitate the fountain at the Cross Creek Gatehouse. New Crystal Crete lining, plumbing and pumping equipment needs to be installed to restore the function of the fountain.

Action Plans for October-November 2012

- Oversee Completion of Amenities Master Planning
- Complete Morris Bridge Guardhouse Renovation Project
- Support Evaluation of Future Lifestyle Management Contract
- Facilitate a Reserve Study Workshop with Finance and LAF
- Create Database of Asset Condition Assessment
- Update annual O&M Work Program for FY13

SECTION EIGHT

Item B

CORY LAKES COMMUNITY DEVELOPMENT DISTRICT

Facilities Work Order

PROJECT: Cross Creek Fountain Rehabilitation

PROJECT # 2012-277

DATE: October 10, 2012

REQUESTED BY: JED/LAF Committee

PRESENTED BY: John Darling

BUDGET ACCOUNT: Gatehouse Renovations (Cross Creek Fountain) L-820

BACKGROUND: The Cross Creek Gatehouse fountain was abandoned nearly three years ago and converted to a landscape planter. All of the fountain plumbing, pumping equipment, filters and controls were removed. Since the fountain's removal, the LAF Committee and numerous residents have requested to have the fountain restored. After removing the plants and inspecting the facility it was determined that the Crystal Crete lining was cracked, damaged and leaking such that a new lining is required.

To restore the fountain to its previous working condition estimates have been obtained from two contractors willing to undertake the project. LMP would manage the project and use several subcontractors to perform the work for \$17,875.00. A recent proposal from Architectural Fountains was received for \$16, 233.00. Architectural Fountains, Inc. (John Stack) removed the previous fountain at the BOS's request and maintains our current pond fountains. They are most familiar with all the equipment and requirements to rehabilitate the Cross Creek fountain.

RECOMMENDATION: Recommend the BOS accept the Architectural Fountain proposal not to exceed \$16, 233.00 and authorize the Facilities Manager to contract with Architectural Fountains, Inc. to complete the work as soon as possible.

Approved: _____

Date: _____

SECTION NINE

Item B (1)

CORY LAKES PROJECTS

| | |
|----------------------------|---|
| Amenities Plan | SP Committee project. Ongoing. |
| Developer parcels | Morris Bridge lots and maintenance lot. |
| Development order | Traffic signal component is an outstanding issue. |
| Lake Maintenance | Preserve water quality and lake banks. Compliance with regulatory matters. Facilities manager, LAF Committee and Engineer have ongoing work on these matters. |
| Landscape | Facilities Manager and LAF Committee conduct ongoing review and refinement. |
| Parcel 7 property | Consideration of property, refinancing, restructuring, assessment and amenity matters. Manager and financial consultant working with Board and others on financial analysis and refinement of options. Ongoing. |
| Pearce litigation | In process. |
| Rule and policy amendments | LAF Committee project. Manager assisting committee and Board on amendments. |

SECTION NINE

Item B (3)

CORY LAKES CDD
FINANCIAL REPORT SUMMARY - GENERAL FUND
FOR THE PERIOD ENDING SEPTEMBER 30, 2012
 FISCAL YEAR: OCTOBER 1, 2011 TO SEPTEMBER 30, 2012 (Updated: 10/11/2012)

| MISC. REVENUE SUMMARY | |
|-----------------------|------------------|
| BAR CODES | \$ 4,962 |
| RENTAL FEES | 11,035 |
| OTHER | 5,683 |
| TOTAL | \$ 21,680 |

SEE MISCELLANEOUS REVENUE BREAKDOWN SCHEDULE FOR MORE INFORMATION (PAGE 4).

| | <u>CURRENT YEAR</u> <u>09/30/2012</u> | <u>PRIOR YEAR</u> <u>9/30/2011</u> |
|-------------------------------------|--|---------------------------------------|
| CASH BALANCE | \$ 1,386,644 | \$ 1,254,911 |
| LESS: ACCOUNTS PAYABLE | 11,648 | 40,988 |
| NET CASH BALANCE | <u>\$ 1,374,997</u> | <u>\$ 1,213,923</u> |
| UNRESERVED GF BALANCE (UN-ASSIGNED) | \$ 605,830 | \$ 838,756 |
| RESERVE GF BALANCE (ASSIGNED) | 769,385 | 390,961 |
| TOTAL GENERAL FUND BALANCE | <u>\$ 1,375,215</u> | <u>\$ 1,229,717</u> |

REVENUE AND EXPENDITURES (FY 2012 YTD):

| | <u>ACTUAL</u> <u>YEAR-TO-DATE</u> | <u>BUDGET</u> <u>YEAR-TO-DATE</u> | <u>FAVORABLE</u> <u>(UNFAVORABLE)</u> <u>VARIANCE</u> |
|------------------------------|--------------------------------------|--------------------------------------|---|
| REVENUE (YTD) | \$ 1,721,991 | \$ 1,738,049 | \$ (16,058) |
| EXPENDITURES (YTD) | (1,654,128) | (1,738,049) | 83,921 |
| NET OPERATING CHANGE | <u>\$ 67,863</u> | <u>\$ -</u> | <u>\$ 67,863</u> = YTD OVER (UNDER) BUDGET |
| AVERAGE MONTHLY EXPENDITURES | \$ (137,844) | \$ (144,837) | \$ 6,993 |

SIGNIFICANT FINANCIAL ACTIVITY:

| | <u>ACTUAL</u> <u>YEAR-TO-DATE</u> | <u>BUDGET</u> <u>YEAR-TO-DATE</u> | <u>FAVORABLE</u> <u>(UNFAVORABLE)</u> <u>VARIANCE</u> |
|---------------------------|--------------------------------------|--------------------------------------|---|
| REVENUE: | | | |
| ASSESSMENTS-ON-ROLL (NET) | \$ 1,695,034 | \$ 1,697,049 | \$ (2,015) |

EXPENDITURES:

| | | | |
|-------------------------------|---------|-------------|----------|
| LEGAL-GENERAL-STRALEY & ROBIN | 13,780 | 15,000 | 1,220 |
| SPECIAL LITIGATION | 35,133 | 25,000 | (10,133) |
| UTILITIES | 198,675 | 196,867 | (1,808) |
| SECURITY | 320,121 | 343,000 | 22,879 |
| FIELD OFFICE ADMINISTRATION | 180,843 | 171,250 | (9,593) |
| LANDSCAPE MAINTENANCE | 348,037 | 331,000 | (17,037) |
| FACILITIES MAINTENANCE | 130,969 | 127,300 | (3,669) |
| CAPITAL IMPROVEMENTS | 225,836 | 344,914 (a) | 119,078 |

SEE RESPECTIVE FINANCIAL STATEMENTS FOR MORE DETAIL

a) CAPITAL IMPROVEMENTS REFLECTS THE "ANNUAL" BUDGET (AS OPPOSED TO A PRO-RATED YEAR-TO-DATE BUDGET) GIVEN THE RANDOM TIMING OF ACTUAL EXPENDITURES,

SECTION NINE

Item B (4)

GENERAL OPERATIONS OF COMMITTEES

Operations of CDD Committees

All CDD Committees are subject to the Florida Sunshine Laws and Public Records Law.

CDD Committees are designed to handle any research, fact-finding, and provide recommendations to the CDD Board within their respective areas.

A CDD Supervisor will be appointed by the CDD Board and be a representative on each committee, serve as Secretary, and will be the liaison with the Board, the Facilities Manager and DPFG.

The Chairperson of the Committee will be someone other than a Board member. Control meeting and agenda.

Chairperson will work with the CDD Supervisor regarding notices of meeting and agenda.

- Notices are to be placed on CDD website, posted at guardhouses, and include language related to more than one CDD Supervisor if they wish to attend.
- Agendas are to be available at clubhouse, and/or on website.
- Notices and agendas are to be posted three days prior to meeting at the latest.

Minutes of meetings will be handled by the CDD Supervisor, and provided to DPFG, along with the notice, agenda and ANY Documentation presented at the meeting for the Permanent Records of the District.

MISSION STATEMENTS/ CENTERS OF EXCELLENCE

COMMITTEES

Finance: The mission of the Finance Committee is to advise and make recommendations to the Board of Supervisors regarding budgets, budgetary controls, reserves, monthly/quarterly financial statements, cash-flow situation and ongoing CDD income/expense streams. The Finance Committee will draw upon the financial, legal and business expertise of its members to review the financial statements on a monthly/quarterly basis and ensure that the statements reflect that the CDD money is being invested for the exclusive betterment of the community of Cory Lake Isles. The Finance Committee shall also exercise oversight to point out any ongoing income/expenses which are in variance with the proposed budget. While helping chart out a new budget, the Finance Committee will necessarily work in conjunction with other committees that advise the Board of Supervisors as directed by the District. Committee will research and make recommendation on any special projects as directed by the Board.

Landscape-Aquascape-Facilities Maintenance: This committee's mission is to represent the interest of Cory Lake Isles residents by making proposals and recommendations to the Cory Lakes CDD Board in matters concerning facilities, currently know as everything in common property (streets & sidewalks, buildings, recreational courts, playgrounds, boardwalks, docks, ponds, lake, etc.); to maintain and enhance the Landscape and Aquascape of our community through collaborative interaction with our vendors and community members; excluding specific exceptions to other committee interests, i.e. equipment associated with security operations. In effect, committee members will seek community opinion; research options and alternatives; prioritize work for maximum effectiveness; keep property value and community reputation as a primary focus; and be prudent with budgetary considerations and costs. Committee will research and make recommendation on any special projects as directed by the Board.

Security: This committee's mission is to represents the interest of Cory Lake residents by making proposals and recommendation to the District Board on matters concerning the safety and security of the community and its operations thereof. Committee will research and make recommendation on any special projects as directed by the Board.

Strategic Planning: This committee's mission is to strive to achieve the vision and goals of the community strategic plan through active participation of homeowners and the continued assessment of the presence of Cory Lake Isles in New Tampa. We endeavor to provide a balance of high quality community amenities while assuring our homeowners long term financial stability. Through the work of the strategic planning committee, Cory Lake Isles will be the premier community of the New Tampa area by:

-  Documenting a long range vision for the community and ensuring all activities align with the vision;
-  Determining priorities through communication with residents;
-  Cooperating with existing baseline committees and organizations, both CDD and POA;
-  Adhering to sound fiscal policies; and
-  Periodically reviewing the plan to assess progress and reevaluate goals.

CENTERS OF EXCELLENCE

CDD Board Chair/Vice Chair (unless designee is appointed by Board, or is under the purview of a specific CDD Committee), Facilities Management & District Management

Communications: to create a culture of interactive communication that bridges the Cory Lakes District with the residents of CLI, the local media and the Tampa Bay Community. This includes but is not limited to: the Islander (Newsletter), community website, and community and public relations.

Contracts: to advise and make recommendations to the Board of Supervisors regarding the existing and proposed contracts and agreements between the District and third-party vendors, suppliers, and service providers.

Events: to enhance the quality of life for ALL Cory Lake Residents. This includes, but is not limited to encouraging the Use of the Beach Club and Other Amenities; Planning and Coordinating Cory Lake Socials and Sporting Activities; Implementing Children's Programs; and the Celebration of Holidays and Seasonal Events.

FLORIDA SUNSHINE LAW MEMORANDUM

STRALEY & ROBIN

100 East Madison Street
Suite 300
Tampa, Florida 33602
Phone: 813-223-9400
Fax: 813-223-5043

MEMORANDUM

TO: Cory Lakes Community Development District Supervisors

DATE: October 11, 2012

SUBJECT: Florida's Sunshine Law

The purpose of this memorandum is to briefly review the provisions of Florida's Sunshine Law (the "Sunshine Law") so that you will be more familiar with the provisions and the prohibitions contained in the act. A more detailed analysis can be found in the "Government-in-the-Sunshine-Manual - 2008 Edition," prepared by the Office of the Attorney General or online at www.myfloridalegal.org. Specific questions should be directed to your District Manager or District Counsel.

A. INTRODUCTION

Florida has had a public records/public meetings law since the early 1900's. In 1967, however, a comprehensive open meetings law was enacted, making Florida's government one of the most open in the world. Today, the Sunshine Law provides in pertinent part as follows:

All meetings of any board or commission of any state agency or authority or of any agency or authority of any county, municipal corporation, or political subdivision, except as otherwise provided in the Constitution, at which official acts are to be taken are declared to be public meetings open to the public at all times, and no resolution, rule, or formal action shall be considered binding except as taken or made at such meeting. The board or commission must provide reasonable notice of all such meetings.

...

Any public officer who violates any provision of this section is guilty of a noncriminal infraction, punishable by fine not to exceed \$500.

Any person who is a member of a board or commission of any state agency or authority of any county, municipal corporation, or political subdivision who knowingly violates the provisions of this section by attending a meeting not held in accordance with the provisions

hereof is guilty of a misdemeanor of the second degree, punishable as provided in s.775.082, s.775.083, or s.775.084.

§ 286.011(1), .011(3), Fla. Stat.

In Wood v. Marston, 442 So.2d 934, 938 (Fla. 1983), the Florida Supreme Court stated that the Sunshine Law was enacted to protect the public from "closed door" politics, and as such should be broadly construed to effectuate its remedial and protective purposes.

B. IS THE SUNSHINE LAW APPLICABLE TO COMMUNITY DEVELOPMENT DISTRICTS?

As required by section 190.006 (9), Florida Statutes, all meetings of a community development district board of supervisors are subject to the Sunshine Law. In 2007, the Florida Attorney General's Office reiterated the statutory duties of community development district supervisors under the Sunshine Law in an opinion issued by its office. Inf. Op. to Mr. Donald Pratt, March 29, 2007. Because all meetings of community development district supervisors are governed by the provisions of the Sunshine Law, it is critical for all supervisors to be aware of the statutory requirements.

C. WHAT DOES THE SUNSHINE LAW REQUIRE?

Through the process of judicial interpretation the courts have made it increasingly clear that the proscriptions of the Sunshine Law apply to discussions and deliberations as well as to formal action. In Times Publishing Co. v. Williams, *supra*, the court stated:

Every thought, as well as every affirmative act, of a public official as it relates to and is within the scope of his official duties, is a matter of public concern; it is the entire decision-making process that the legislature intended to affect by the enactment of the statute before us. This act is a declaration of public policy, the frustration of which constitutes irreparable injury to the public interest. Every step in the decision-making process, including the decision itself, is a necessary preliminary to formal action.

222 So.2d at 473 (emphasis in original). In accordance with these principles the Florida Supreme court has stated that the Sunshine Law is applicable to any gathering of members of a board or commission where the members discuss some matter on which foreseeable action will be taken. Board of Public Instruction of Broward Co. v. Duran, 224 So.2d 693 (Fla. 1969). In Town of Palm Beach v. Gradison, *supra*, the court elaborated somewhat on the reasoning behind its expansive interpretation of the Sunshine Law, quoting with approval from a California case interpreting California's open meetings law. The court stated:

"Any informal conference or caucus permits crystallization of secret decisions to a point just short of ceremonial acceptance. There is rarely any purpose to a non-public pre-meeting conference except to conduct some part of the decisional process behind closed doors. Only by embracing the collective inquiry and decision stages, as well as the ultimate step of official action, can an open meeting regulation frustrate these evasive devices. As operative criteria, formality and informality are alien to the law's design, exposing it to the very evasions it was

designated to prevent. Construed in light of the [California law's] objectives, the term 'meeting' extends to informal sessions or conferences of the board members designed for the discussion of public business."

296 So.2d at 477, (quoting Sacramento Newspaper Guild v. Sacramento County Board of Supervisors, 263 Cal. App. 2d 41 (1968)).

Furthermore, the courts have clearly established that it is not necessary for a full board or a quorum to be present for a secret meeting to take place in violation of the Sunshine Law. In Hough v. Stembridge, 278 So.2d 288 (Fla. 3d DCA 1973), it was alleged that two members-elect of the city council and one incumbent councilman met in violation of the Sunshine Law. The court stated that "[t]he obvious intent of the [Sunshine Law], was to cover any gathering of some of the members of a public board where those members discuss some matters on which foreseeable action may be taken by the board." 278 So.2d at 289. See also City of Miami Beach v. Berns, *supra*, at 41 ("an informal conference or caucus of any two or more members permits crystallization of secret decisions to a point just short of ceremonial acceptance.").

In applying these judicial pronouncements the Attorney General has stated that the test for determining whether a Sunshine Law violation has occurred is whether the foreseeable action may be taken by the board or commission. If two or more members discuss such matters in secret a violation will have occurred. 1981 Op. Att'y Gen. 081-42 (May 29, 1981); 1975 Op. Att'y Gen. 075-59 (March 6, 1985).

Meetings between individual members of a board or commission and staff are generally not covered by the Sunshine Law, since no official decision-making could result from such a meeting. Rowe v. Pinellas Sports Authority, 461 So.2d 72 (Fla. 1984). Similarly, a meeting between individual members of different governmental entities would not violate the Sunshine Law, unless one or both entities had delegated decision-making authority to the individual officials. 1987 Op. Att'y Gen. 087-34 (April 20, 1987). However, other circumstances may occur which would render meetings between individual members and staff a violation of the Sunshine Law. For instance, successive meetings between an individual member of a school board and a group of school administrators, while ordinarily outside the scope of the Sunshine Law, could be considered a "de facto meeting of the board" if held for the purpose of evading the requirements of the law and dealing with matters which should have been considered by the board as a whole. Inf. Op. to Mr. Robert Eagan, December 17, 1987.

In practical application the Attorney General has recommended that public officials who participate in out-of-state or out-of-town inspection trips should avoid discussion of public business with other board members while on the trip. It has been stated that two or more trustees of a district school board could room together while attending conventions without violating the Sunshine Law as long as they did not engage in discussions involving matters on which foreseeable action could be taken by the board. Inf. Op. to Mr. Rivers Buford, March 17, 1972. The Attorney General has also recommended that a utility director should refrain from calling each member of the utility authority to ascertain the members' positions on matters to be presented to the authority in the foreseeable future, because of the potential for abuse should the director be acting as liaison for the members. 1975 Op. Att'y Gen. 075-59 (March 6, 1975). It has also been held that if a news reporter is being intentionally used by a member or members of

a board to circulate or ascertain the thoughts of other members, those conversations would be violative of the intent and spirit of the Sunshine Law. 1981 Op. Att'y Gen. 081-42 (May 29, 1981). It has also been held that a political campaign function where an incumbent city council member discusses his positions on various issues about which foreseeable action will be taken by the City Council when other members of the City Council are present, is a meeting which must meet the requirements of the Sunshine Law. 1986 Op. Att'y Gen. 086-23 (March 10, 1986).

With the increased use of computers and other electronic communication devices in recent years, the risk for Sunshine Law violations has risen. The Attorney General has held that the use of computers to communicate between board members on matters coming before the board for action is subject to the requirements of the Sunshine Law. 1989 Op. Att'y Gen. 089-39 (June 26, 1989). However, the Attorney General has acknowledged the importance of using new technologies for conducting public meetings, and they have stated that a public official may attend a properly noticed public meeting via video conference or a telephone provided a live quorum is present. 1994 Op. Att'y Gen. 94-55 (June 15, 1994) and 1998 Op. Att'y Gen. 98-28 (April 6, 1998). While community development district managers often distribute information by email, supervisors may not use email to exchange their opinions about issues that may be discussed by the board because it is occurring outside of a noticed public meeting. 2001 Op. Att'y Gen. 01-20 (March 20, 2001). In fact, the Attorney General has opined that public officials may not even exchange their ideas on issues that may appear before the board on a public internet bulletin board because the public may not be able to fully participate in the discussion. 2002 Op. Att'y Gen. 2002-32 (April 22, 2002). Finally, the Attorney General has cautioned public officials to be careful not to post their opinions on private websites regarding business that might come before their boards with the intention of circumventing the Sunshine Law. 2008 Op. Att'y Gen. 2008-07 (February 26, 2008).

In light of the broad interpretations of the Sunshine Law expressed by the courts and the Attorney General, members of public bodies should take a conservative approach when attempting to determine whether their activities might be violative of the law. This conservative approach was recommended by the Florida Supreme Court when it stated: "If a public official is unable to know whether by any convening of two or more officials he is violating the law, he should leave the meeting forthwith." City of Miami Beach v. Berns, *supra*, at p. 41. This approach was reiterated by the court in Town of Palm Beach v. Gradison, *supra*, where it stated: "[t]he principle to be followed is very simple: when in doubt, the members of any board, agency, authority, or commission should follow the open-meeting policy of the State." 296 So.2d at 477. Based upon these admonitions, community development district supervisors should refrain from private discussions, either in person or over the telephone, or via computer or any other electronic communication device such as a Blackberry or cell phone, of those matters on which foreseeable action may be taken by the board of supervisors in the future. Furthermore, the supervisors should not attempt to use the community development district's staff or other third parties as a liaison for communication to or from other supervisors.

D. WHAT ARE THE PENALTIES FOR NON-COMPLIANCE?

Any member of a public body who knowingly violates the Sunshine Law is guilty of a second degree misdemeanor, punishable by fine of up to \$500.00 and imprisonment not exceeding 60 days. Civil fines of up to \$500.00 may also be imposed.

In any action where a court determines that violation of the Sunshine Law has occurred, the court may assess attorney's fees against the agency or the individual members of the board or commission.

With respect to action taken by a board or commission in violation of the Sunshine Law, the courts have generally held that such acts are void. Town of Palm Beach v. Gradison, *supra*.

E. SUMMARY AND CONCLUSION.

It has been suggested that the broad judicial interpretation of the Sunshine Law places unnecessary obstacles in the way of the efficient operation of the business of government. For example, in Wood v. Marston, *supra*, the respondents suggested that to open the deliberations of a committee appointed to search for a new law school dean would have a chilling effect upon the process. The court indicated that any chilling effect would be outweighed by the "compelling . . . consideration [of] Florida's commitment to open government at all levels." 442 So.2d at 941. In Neu v. Miami Herald Publishing Co., 462 So.2d 821 (Fla. 1985), the petitioners argued that the Florida Supreme Court's broad interpretations of the Sunshine Law have "effectively strangled the political process in Florida . . ." 462 So.2d at 825. The court again refused to narrow the scope of the Sunshine Law and suggested that the petitioners should look to the legislature, not to the courts for relief.

Accordingly, unless the courts recede from their broad construction of the Sunshine Law, or until the legislature sees fit to amend the law, all phases of the decision-making process at all levels of government must be carried on in the sunshine.

**COMMITTEE INFORMATION ON MEETINGS
AND FORMS**

CORY LAKES CDD

October 1, 2012

Committee Protocols for Meeting Notices and Minutes

All committee meetings need to be noticed in a reasonable manner. Staff's recommendation is three (3) business days. Form of advertisement is attached.

Posting shall be at the Beach Club, Guardhouse and Website. Please send a copy of the ad to Cory Lakes Beach Club for placement, and CC Jean.rugg@dpfg.com

The agenda for the meeting should also be set (3) three business days prior to the meeting. Form of agenda is attached. Please send a copy of the ad to Cory Lakes Beach Club for placement, and CC Jean.rugg@dpfg.com

The minutes will need to be provided to DPFG for inclusion into the next available Board package for acceptance. This will include the agenda, the notice for the meeting, and ALL DOCUMENTATIONS PRESENTED TO THE COMMITTEE for the record books. This office will determine if any information is exempt from public record and will be handled accordingly. Form of the minutes is attached and needs to be submitted in this format.

Lastly, revised mission statements from the committee must be brought to the Board for approval, and the Board will set the parameters for all Committees.

**Notice of _____ Committee Meeting
Cory Lakes Community Development District**

NOTICE

The _____ Committee of the Cory Lakes Community Development District will be holding a meeting on _____, 2012 at _____ a./p.m. at the Cory Lakes Beach Club, 10441 Cory Lakes Drive, Tampa, Florida.

The meeting is open to the public and will be conducted in accordance with the provisions of Florida Law. The committee meeting may be continued to a date, time and place to be specified on the record at the meeting.

One or more supervisors of the Board of Supervisors of the Cory Lakes Community Development District may be in attendance.

John Daugirda, District Manager

Committee: CORY LAKES COMMUNITY DEVELOPMENT DISTRICT
_____ COMMITTEE

Date of Meeting: _____, 2012

Time: _____ a./p.m.

Location: Cory Lakes Beach Club
10441 Cory Lakes Drive
Tampa, Florida

Agenda

1. Call to Order
2. ?????
3. ??????
4. ?????
5. ??????
6. Committee Schedule and Future Plans
7. Adjournment

[NOTE: You can make the agenda as specific or generic as you would like.

i.e. 2. Update: Projects Approved by CDD Board

3. Update: Old Business

4. New Business

5. Items to be Recommended to CDD Board for Consideration]

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

The _____ Committee meeting of the Cory Lakes Community Development District was held on _____, 2012 at _____ a./p.m. at the Beach Club, 10441 Cory Lakes Drive, Tampa, Florida.

Committee Members present were:

| | |
|----|------------|
| ?? | Chair |
| ?? | Vice Chair |
| ?? | Member |
| ?? | Member |

Also present were:

| | |
|--------------|--------------------|
| ?? | Board Liaison |
| John Darling | Facilities Manager |
| ?? | CDD Supervisor |
| ?? | CDD Supervisor |
| | Guest |
| | Resident |

FIRST ORDER OF BUSINESS - Call to Order

The meeting was called to order and attendance was taken.

SECOND ORDER OF BUSINESS - _____

Type discussion here

THIRD ORDER OF BUSINESS - _____

Type discussion

FOURTH ORDER OF BUSINESS - _____

discussion

FIFTH ORDER OF BUSINESS - _____
discussion

SIXTH ORDER OF BUSINESS – Committee Schedule and Future Plans
discussion

SEVENTH ORDER OF BUSINESS - Adjournment
There meeting was adjourned at _____ a.m.

ACCEPTED BY THE BOARD OF SUPERVISORS AT THEIR MEETING HELD ON _____
DAY OF _____, 2012.

David Burman, Chairperson
Cory Lakes Community Development District

ATTEST:

John Daugirda, Secretary
Cory Lakes Community Development District

SECTION TEN

Item A

NOTICE OF REQUEST FOR RESUMES OF
QUALIFIED ELECTOR CANDIDATES
FOR VACANT SEAT #5 EXPIRING 11/2014
TO THE
BOARD OF SUPERVISORS OF THE
CORY LAKES COMMUNITY DEVELOPMENT DISTRICT

Notice is hereby given that the Cory Lakes Community Development District (the "District") will accept resumes *from qualified electors* residing in the District to be considered for Vacant Seat #5 expiring November 2014.

Candidates must forward their resumes, along with a letter of interest and a copy of their voter registration card, either by mail to the Cory Lakes Beach Club, 10441 Cory Lakes Drive, Tampa, Florida or by email to DPFG jean.rugg@dpfg.com and john.daugirda@dpfg.com no later than **Friday, November 9, 2012 at 4:00 p.m.**

All candidates must be qualified electors of the District. A qualified elector is any person at least 18 years of age who is a citizen of the United States, a legal resident of the State of Florida and of the District, and who is registered to vote with the Hillsborough County Supervisor of Elections.

Consideration of an appointment of an individual to Seat #5 will be discussed at the Wednesday, September 19, 2012 District Board meeting at 6:00 p.m. at the Cory Lake Beach Club, address noted above.

The meeting is open to the public and will be conducted in accordance with the provision of Florida Law for Community Development Districts. The meeting may be continued with no additional notice to a date, time, and place to be specified on the record at the meeting.

John Daugirda, CDD Manager, DPFG, 813-374-9105

SECTION TEN

Item B

STRALEY & ROBIN

1510 W. Cleveland Street
Tampa, FL 33606
Phone: 813-223-9400
Fax: 813-223-5043

MEMORANDUM

TO: Board of Supervisors
Cory Lakes Community Development District

FROM: Mark Straley

DATE: September 19, 2012

RE: CDD Communications Policy

The Cory Lakes Community Development District (the “CDD”) is a local unit of special-purpose government which is responsible for operating the clubhouse, roads, and other common areas within the community. As part of its operations, the CDD uses a newsletter, together with information posted on the CDD’s website, to inform its residents about what is going on in the community.

The content of these official sources of CDD news may include information about CDD operations and policies, as well as issues that the Board may be considering at an upcoming meeting. As explained below, these publications should not be used to discuss or debate issues that the CDD may need to address in the future. In addition, these official publications should only be used to inform residents about policy that has been adopted by the Board or that the Board will be discussing at an upcoming meeting.

As a government organization, all CDD publications are subject to the Sunshine Law. The Sunshine Law strictly prohibits CDD supervisors from discussing CDD issues with each

other outside of a public Board meeting. In fact, the Sunshine Law prohibits any form of communication between supervisors about CDD issues. It does not matter if the communication is a printed newsletter, electronic messaging or telephonic conversations. Moreover, the Sunshine Law prohibits an elected official from using another person such as the district manager to take a poll of CDD Supervisors in order to get direction on any matter. The CDD manager cannot distribute a draft newsletter or a resident survey to the CDD Supervisors for their approval outside of a board meeting. To do so would violate the Sunshine Law because a “de facto” meeting would result from a polling of the board outside of a meeting. Any approval must be made at a duly advertised public Board meeting.

While the Sunshine Law prohibits CDD supervisors from discussing CDD issues with each other outside of a Board meeting, CDD supervisors still have a constitutional right to express their personal opinions via electronic messaging, mailings, surveys and polls. As a CDD supervisor, you may express your own opinion about a particular issue, but you must be very careful not to engage in a discussion or debate with another supervisor about CDD issues. If you learn about another CDD supervisor’s opinion, you should not respond to or attempt to rebut that person’s personal opinions until the next Board meeting.

Another issue that occurs frequently is that a resident may be confused as to when a CDD Supervisor’s statements reflect his or her personal views and when such statements reflect official CDD policy. When making statements or publishing articles, a supervisor must be careful not to give the residents the impression that a personal opinion on an issue is official

CDD policy. For example, when a supervisor writes an article that contains his or her personal opinion, the supervisor should include a disclaimer stating that “The views expressed in this article are the personal opinions of the author and do not necessarily reflect the official policy of the Cory Lakes Community Development District or the Board of Supervisors.”

As outlined herein, we recommend limiting the content of official CDD publications to items that have already been decided by the Board or to inform the residents about issues that are scheduled to be discussed at a future Board meeting since votes and discussions on CDD issues may only occur at Board meetings. If a supervisor wishes to inform residents about his or her personal opinion through non-CDD publications, the supervisor should make it clear that the opinions expressed do not necessarily reflect official CDD policy.

Cory Lakes CDD

Official District Communication Policy

- 1) Cory Lakes CDD [the “District”] is a special purpose local government.
- 2) The District uses several instruments in which to provided Official District Communication to its residents including, but not limited to, website, newsletters, postal mailings, polling, surveys and electronic messaging, and is to provide a positive, educational and informational reports to the community.
- 3) Use of the media is to provide, dissemination and communication regarding Board of Supervisors [the “Board”] and District issues and decisions, upcoming events, available services, required actions, certain political items, instruction forms and documents, community news, operational activities and other matters that Board deems appropriate.
- 4) All information is to be pertinent, factual, timely, comprehensive and representative of Board opinions in support of existing policies, programs and procedures.
- 5) Information is to reflect proper conduct by the Board according to Florida Statutes, District policy and operational procedures. As the Board is required to vote independently and subsequently acts as one, there are limitations and consequences to properly communicating certain sensitive information.
- 6) All content to be placed in any media is to be reviewed by the Facilities Management and/or its designee.
 - o If questions arise, the content is to be referred to the Supervisor in charge of the responsibility for daily operations of the Beach Club, i.e., Board Chair, and/or the District Manager.
 - o Any content in question, will be returned to the submitter of the material for modification, and approval prior to publication.
 - o If matters cannot be resolved, the document in question will required review and discussion of the entire Board prior to dissemination.
- 7) Political commentary, criticisms, complaints, negative evaluations, or information that does not reflect the official District policy or procedures is prohibited from all District media.
- 8) Additionally, the proper venue to feedback is via any publically noticed open meeting of the Board or any sanctioned Committee meeting, as requested by Florida Statute. This requirement is dedicated to the protection of residents’ rights and presents the optimum opportunity for participation regarding matters addressed by the Board. To enable ample time for all feedback, the Board or Committee Chair may implement guidelines such as sign-in, time limits, etc.

Cory Lakes CDD

Official District Communication Policy

Page 2

- 9) The Board may at times designate a specific committee, supervisor and/or individual to conduct fact-finding missions regarding specific matters brought before the Board.
 - o The fact-finding may include surveys, polling and/or other means in which to gather pertinent information.
 - o The forms will be reviewed by either a Board member assigned to the project and/or a Board designee to ensure all statues, policies and procedures are adhered to.
 - o Results of the fact-finding mission will be presented to the Board for its consideration during a publically noticed open meeting.

- 10) A copy of this policy is on file at the District's management office, 15310 Amberly Drive, Suite 175, Tampa, Florida, 33647, and at the Local Records Office, Cory Lake Beach Club, 10441 Cory Lakes Drive, Tampa, Florida.

- 11) If additional information is requested, please do so in writing per the Florida Department of Library and Archives, and send your request to the address listed above, attention Records Request. You will be given an estimate of the cost to reproduce such records and payment is to be made in advance.

- 12) Any other questions, do not hesitate to call DPFPG at 813-374-9105.

- 13) This policy was approved by the Board of Supervisor of the Cory Lakes Community Development District on _____.

Supervisor Spiro's medication to: **Official District Communication Policy**

Draft Proposal for modifications to the Draft District Communication Policy

Clause 1-5 kept as is

Clause 6 is struck and replaced as follows

6) All content to be placed in any media is to be distributed electronically with an accompanying text message alert to the Supervisors, with one exception described below.

- Supervisors have 24 hours to respond in the negative if they do not approve publication of the content. The lack of a response is considered a positive response.
- If a total of 3 supervisors respond in the negative, the content will not be published and it will be presented for review at the next CDD Board Meeting.
- In the event that the content is written by a supervisor, it will first be distributed to the District Manager who will determine if it meets the criteria that the content "might reasonably be expected to, come before the full Council or a committee for a decision". If it is determined that it will not, then the content will follow the normal procedure as stated above. Otherwise, the content will be sent to a pre-selected designee of each Supervisors following the procedure described above.

Clause 7-9 are struck

SECTION ELEVEN

Item A (1)

SECTION ELEVEN

Item A (2)

SECTION ELEVEN

Item C

SECTION ELEVEN

Item A (1)

Cory Lakes Community Development District

Development Planning and Financing Group
15310 Amberly Drive, Suite 175, Tampa, Florida 33647
Phone: 813-374-9102
Fax: 813-374-9106

MEMORANDUM

To: Board of Supervisors
From: Jean M. Rugg, Manager Associate
Date: October 10, 2012
RE: **Amendment I to Chapter II of the RULES**

As many of you are aware back in February 2009, the Board went through a lengthy process to establish a set of RULES for the District related to its Membership Rates, Fees, Charges and Operating Policies for the District's Parks, Recreational Facility, and Security Services. The Rules were adopted at the Public Hearing held April 15, 2009.

The L-A-F Committee was tasked with assembling a document ["Rules and Regulations for all Amenity Facilities"] which accurately reflects the current operating for the CDD assets including the Security service, Beach Club, Fitness Center, Basketball and Roller Hockey Court; Tennis Courts; Playground and Pocket Parks; Fishing and Ponds; Beach Doc and Boat Ramp; Lake and Shoreline; Street Tees, Natural Buffers, Lake Wall and Bank Erosions. Additionally all of the policies the District has adopted over the years have been incorporated.

In my review of the document, I have revised the current Chapter II rules, copy of which is attached, to allow for the Amendments. Attached is the black-line ~~strickthrough~~ amendment for your review.

Changes are:

- All exhibits in the 4.15.2009 edition are being removed;
- Section 1.03, rates, fees and charges for Parks and Recreational Facilities for Non-residents is increased to \$1,600;
- Section 1.04, rates, fees and charges for Lake, Shoreline, Docks and Boat Ramp for Non-residents is increased to \$1,600;
- Section has been added for the Facilities Access Cards for Non-Resident members;
- Section dealing with Rentals for the Beach Club has been REMOVED;
- Section dealing with rentals by resident has been amended; and

- Section 1.08 has been amended to incorporate the “Rules and Regulations Document”.

Importantly, under Section 1.09 I have ADDED a modification which will allow the Board to make minor operational changes to the Rules and Regulations without going through an extensive hearing every time. As the R&R includes such things as office hours, renter’s privileges, guest policies, suspension and terminations of privilege, general facilities, the modification will allow for any non-monetary changes without going through a rule hearing; however, all modifications will need to be presented to the Board and the changes will not be adopted thirty (30) days later. All monetary changes will need to go through the Rule Making Public Hearing process.

Additionally, all subsequent changes will need to be black-lined~~strickthrough~~; and Chapter II of the Rules will be reviewed by staff yearly, upon which time if the need arises to update the Rules per Florida Statute Staff will present the Amendment Rules, and begin the Public Hearing process.

If you have any questions, do not hesitate to contact our offices.

Regards,

Jeanne

AMENDMENT I TO CHAPTER II OF THE RULES OF THE CORY LAKES COMMUNITY DEVELOPMENT DISTRICT TS MEMBERSHIP RATES, FEES, CHARGES AND OPERATING POLICIES FOR DISTRICT PARKS, RECREATIONAL FACILITIES, SECURITY BAR CODES AND LICENSE PLATES

1.01 PURPOSE. The purpose of this Rule is to adopt certain rates, fees, charges, and operating policies for the District parks, recreational facilities, security bar codes and license plate; and providing an effective date.

1.02 NECESSITY. To adopt uniform and comprehensive rates, fees, charges, and operating policies pertaining to the District parks, recreational facilities, security bar codes and license plate within the District.

1.03 SCHEDULE OF RATES, FEES, CHARGES FOR THE PARKS, AND RECREATIONAL FACILITIES FOR NON-RESIDENTS. The rates, fees, and charges to be paid for non-resident recreational use of the parks and recreational facilities [Tennis Courts, Basketball Courts, Volleyball Court, Playgrounds, Pocket Parks, Athletic Rink and Fitness Center] shall be an Annual Non-Resident Membership Fees of ~~\$1,000.00~~ \$1,600. The amount of this fee is intended to be equivalent to the assessments being paid by District residents for similar use of the District parks and recreational facilities. A copy of the policies for the parks and recreational facilities are attached hereto and incorporated as EXHIBIT "A".

1.04 SCHEDULE OF RATES, FEES, CHARGES FOR THE LAKE AND SHORELINE, DOCKS AND BOAT RAMP USAGE FOR NON-RESIDENTS. The rates, fees, and charges to be paid for non-resident recreational use of the Lake and shoreline shall be an Annual Non-Resident Membership Fees of ~~\$1,500.00~~ \$1,600.00. The amount of this fee is intended to be equivalent to the assessments being paid by District residents for similar use of the District Lake and Shoreline. A copy of the policies for the Lake and Shoreline are attached hereto and incorporated as ~~Exhibit B~~ EXHIBIT "A"

1.05 SCHEDULE OF RATES, FEES, CHARGES FOR FACILITY ACCESS CARDS FOR NON-RESIDENT MEMBERS. An initial facility access card for all Non-Resident Members, fourteen (14) years of age or older, will be provided at the time of membership application. The rates, fees, and charges to be paid for all Non-Resident Members shall be \$10.00 for any replacement cards. The amount of this fee is intended to offset the price of the access cards; the routine operations and maintenance of the facilities, and the time and labor of District staff.

1.06 SCHEDULE OF RATES, FEES, CHARGES FOR SECURITY BAR CODES FOR RESIDENT OWNERS AND RENTERS. The rates, fees, and charges to be paid for resident owner and renter security bar codes shall be \$15.00 per bar code. The amount of this fee is intended to offset the price of the

bar codes; the routine operations and maintenance of the security systems and gates, and the time and labor of District staff.

1.06 SCHEDULE OF RATES, FEES, CHARGES FOR BEACH CLUB RENTALS FOR NON-RESIDENTS. The rates, fees and charges to be paid for non-resident use of the Beach Club shall be in the amount set forth below based on the number of guests:

| | |
|------------|---------|
| 25 or Less | \$200 |
| 26 – 50 | \$400 |
| 51 – 75 | \$500 |
| 76 – 100 | \$600 |
| 101 – 150 | \$800 |
| 151 – 200 | \$1,000 |

- Fee is payable at the time of reservations, and is based on six (6) hours.
- Parties must start no earlier than 6:00 p.m. and the set up is to begin no earlier than 4:00 p.m. the day of the event.
- Cancellations must be made 72 hours before the scheduled event to avoid a \$75 charge.
- A deposit of \$250 is also required in case of additional guest, damager, repairs or replacement, carpet cleaning, etc. The deposit will be returned if everything is in order.
- A copy of the rental agreement, Beach Club Rental Policies and Waiver of Liability and Indemnity Agreement for Alcohol Use is attached to this rule and is incorporated herein as Exhibit C, D & E.

The amount of this fee is intended to be equivalent to the assessments being paid by District residents for similar use of the District amenity center facility rentals.

1.07 SCHEDULE OF RATES, FEES, CHARGES FOR BEACH CLUB RENTALS FOR RESIDENTS. The rates, fees and charges to be paid for resident and renter use of the Beach Club shall be in the amount set forth below based on the number of guests:

| | |
|------------|-------|
| 30 or Less | \$75 |
| 31 – 100 | \$150 |
| 101 – 200 | \$250 |

Fee is payable at the time of reservations, and is based on six (6) hours.

- Submission of Facility Usage Application for approval.
- Facilities are not to be used for non-charitable commercial usage.
- Charitable Events must be made ninety (90) days in advance and contingent on CDD Board approval.
- Parties must start no earlier than 6:00 p.m. and the set up is to begin no earlier than 4:00 p.m. the day of the event.
- Usage is up to four (4) hours, including set up and post-event cleanup.
- Cancellations must be made 72 hours before the scheduled event to avoid a \$75 charge. Not less than 30 days from facility use date to above loss of and return of security deposit.
- A deposit of \$200 for guests numbering 100 or less is also required in case of additional guest, damager, repairs or replacement, carpet cleaning, etc. The deposit will be returned if everything is in order.

- ~~A deposit of \$250 for guests numbering 101 or more is also required in case of additional guest, damager, repairs or replacement, carpet cleaning, etc. The deposit will be returned if everything is in order.~~
- A refundable security deposit of \$250.00 for the specific use of Beach Club payable to Cory Lakes CDD.
- A mandatory janitorial/cleaning service payment of \$80.00 payable to Cory Lakes CDD.
- One (1) staff member is required to work during the four hour facility usage. Should alcohol be added to the Facility Usage Application, an additional staff person is required for an additional payment of \$100.00.
- A copy of the rental agreement, Beach Club Rental Policies and Waiver of Liability and Indemnity Agreement for Alcohol Use is attached to this rule and is incorporated herein as Exhibits F, G & E. Facilities Usage Application, Rental Policies, Wavier of Liability and Indemnity Agreements, is attached hereto as EXHIBIT "B"; documents may be modified by the CDD at any time to keep up with common industry practices and adopted at the following regular CDD meeting at least thirty (30) days from initial presentation.

1.08 STANDING RULES OF COMMON AREAS AND AMENITIES, AND SUSPENSION OF PRIVILEGES. The rules for the common areas and amenities are intended to enhance the enjoyment of the District owned facilities for its residents. ~~A copy of the Rules of Common Areas and Amenities, and Suspension of Privileges~~ Rules and Regulations for All Amenity Facilities is attached to this rule and is incorporated herein as ~~Exhibit H.~~ EXHIBIT "A".

The Rules and Regulations for All Amenity Facilities may be modified for general operating practices, excluding modifications which may effect any RATES, FEES OR CHARGES by the CDD at any time and adopted at the following regular CDD meeting at least (30) days from initial presentation. Any modifications dealing with such Rates, Fees or Charges will be in accordance to Florida Statutes 190 and 120.

1.09 EFFECTIVE DATE. This Amendment to this Rule shall become effective upon adoption by the Board of Supervisors.

Specific Authority: 190.035, F.S., 190.011 (5) F.S., 120.54 F.S.
Law Implemented: 190.035, F.S., 190.011 (5) F.S., 120.54 F.S.
History: New

Approved by Board of Supervisors: _____

Exhibit "A" Rules and Regulations for all Amenity Facilities

Exhibit "B" Facilities Usage Application, Rental Policies, Wavier of Liability and Indemnity Agreements

EXHIBIT “A”

RULES AND REGULATIONS FOR ALL AMENITY FACILITIES

**PROPOSED
CORY LAKES DEVELOPMENT DISTRICT
RULES AND REGULATIONS FOR ALL AMENITY FACILITIES
AMENDED SEPTEMBER 19, 2012**

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DEFINITIONS

“Amenity Facilities” – shall mean the properties and areas owned by the District and intended for recreational use and shall include, but not specifically be limited to, the basketball court, tennis courts, skate park beach, beach club, playgrounds, fitness center and pocket parks together with their appurtenant facilities and areas.

“Amenity Facilities Policies” or “Policies” – shall mean all Amenity Facilities Policies of Cory Lakes Community Development District, as amended from time to time.

“Facility Manager” – shall mean the management company, including its employees, staff and agents, contracted by the District to manage Amenity Facilities within the District.

“Annual User Fee” – shall mean the fee established by the District for any person that is not a Resident or Renter within Cory Lakes CDD / Cory Lake Isles and wishes to become a Non-Resident Member. The amount of the Annual User Fee is set forth herein, and that amount is subject to change based on Board action.

“Board of Supervisors” or “Board” – shall mean the Cory Lakes Community Development District Board of Supervisors.

“Beach Club Facilities” – shall mean the Beach Club.

“District” – shall mean the Cory Lakes Community Development District.

“District Manager” – shall mean the professional management company with which the District has contracted to provide management services to the District.

“Family” – shall mean a group of individuals living under one roof or head of household. This can consist of individuals who have not yet attained the age of eighteen (18), together with their parents or legal guardians. This does not include visiting relatives or extended family not residing in the home.

“Guest” – shall mean any person or persons who are invited and accompanied for the day by a Patron to participate in the use of the Amenity Facilities.

“House guest” – shall mean any person or persons staying with a household as a guest for one night or longer.

“Non-Resident” – shall mean any person or persons that do not own property within the District.

“Non-Resident Member” – shall mean any person or Family not owning property in the District who is paying the Annual User Fee to the District for use of all Amenity Facilities.

“Patron” or “Patrons” – shall mean Residents, Non-Resident Members, and Renters; who are fourteen (14) years of age and older.

“Renter” – shall mean any tenant residing in a Resident’s home pursuant to a valid rental or lease agreement.

“Resident” – shall mean any person or family owning property within the District.

“Adult” – shall be considered any person eighteen (18) years of age or older.

“Minor” – shall be considered any person seventeen (17) years of age or younger.

SECURITY BAR CODE SCHEDULE OF RATES, FEES, AND CHARGES

The rates, fees, and charges to be paid for resident owner and renter security bar codes shall be \$15.00 per bar code.

The amount of this fee is intended to offset the price of the bar codes; the routine operations and maintenance of the security systems and gates, and the time and labor of District staff.

The following is a brief summary of Cory Lakes District rules pertaining to the suspension of Privileges:

1. Any resident that hits the barcode gate will be assessed the cost of repair. That resident will also have their barcode disabled for 72 hours. To enter the community that resident will have to process through the visitors' gate.
2. Any resident that hits the barcode gate a second time within a one (1) year period will be assessed the cost of repair. This will also result in a 14-day suspension of that resident's access to the barcode lane.
3. Any resident that hits the barcode gate a third time within a one (1) year period will be assessed the cost of repair. This will also result in a 30-day suspension of that resident's access to the barcode lane.
4. Any additional incidents will be assessed the cost of damages and result in a 60 day suspension of their barcode.
5. For purposes of barcode gate repairs, the "cost of repair" consists of, but is not limited to, service calls, emergency service call fees, parts, labor and administrative costs.

ANNUAL USER FEE STRUCTURE

The annual user fee for persons not owning property within the District is \$1,600.00 per family, which shall be reviewed each year in conjunction with the adoption of the annual Fiscal Year budget for Cory Lakes Community Development District. The fee includes all amenities within the District. This fee will cover membership to all Amenity Facilities for one (1) full year from the date of receipt of payment by the District. This fee must be paid in full at the time of the completion of the Non-Resident Member application. Each subsequent annual membership fee shall be paid in full on the anniversary date of application for membership. Such fee may be increased at any time by action of the Board of Supervisors to reflect increased costs of operation of the amenity facilities. This membership is not available for commercial or business purposes.

FACILITY ACCESS CARDS

One (1) Facility Access Card will be issued to all Non-Resident Members; this includes all children fourteen (14) years of age and older. There is a \$10.00 charge to replace any lost or stolen cards. All members will be required to provide proof an executed Non-Resident Member Application paid in full. All members will be asked to execute an amenity facilities registration form prior to receiving their access card.

RENTER'S PRIVILEGES

- 1) Residents who rent out or lease out their residential unit(s) in the District shall have the right to designate the Renter of their residential unit(s) as the beneficial users of the Resident's membership privileges for purposes of Amenity Facilities use.
- 2) In order for the Renter to be entitled to use the Amenity Facilities, the Renter must acquire a membership with respect to the residence which is being rented or leased. The Renter will need to get the Assignment of Rights and Privileges Form from the District Office and have it executed by the Resident and notarized prior to use of any Facility. A Renter who is designated as the beneficial user of the Resident's membership shall be entitled to the same rights and privileges to use the Amenity Facilities as the Resident.
- 3) During the period when a Renter is designated as the beneficial user of the membership, the Resident shall not be entitled to use the Amenity Facilities with respect to that membership.
- 4) Residents shall be responsible for all charges incurred by their Renters which remain unpaid after the customary billing and collection procedure established by the District. Resident owners are responsible for the department of their respective Renter.
- 5) Renters shall be subject to such other rules and regulations as the District may adopt from time to time.

GUEST POLICY

- 1) Patrons sixteen (16) and seventeen (17) years of age are permitted to bring only one (1) Guest each. That Guest must be sixteen (16) years of age or older and have proper identification to verify age when being accompanied by a Patron sixteen (16) and seventeen (17) years of age. A Family, as defined in these policies is limited to a maximum of four (4) total Guests. Infants, one year old and younger, do not count against the maximum for four (4) total Guests. One of the Family members present must be eighteen (18) years of age or older in order to bring up to four (4) total Guests.
- 2) **Fitness Center** – No Guests are allowed in the Fitness Center at anytime. Patrons may bring a preapproved trainer to the Fitness Center for a personal training session only.
- 3) Patrons ages fourteen (14) years of age and older are permitted to bring one (1) Guest to all other amenities except the tennis courts, and Fitness Center. That Guest must be fourteen (14) years of age or older and have proper identification to verify age when being accompanied by a Patron fourteen (14) years of age or older.
- 4) Guests must be accompanied by a Patron when using any Amenity Facility. Patron will be responsible for any damages caused by Guests while using facilities.

LOSS OR DESTRUCTION OF PROPERTY OR INSTANCES OF PERSONAL INJURY

Each Patron and each Guest as a condition of invitation to the Amenity Facilities premises assume sole responsibility for his or her property. The District and its contractors shall not be responsible for the loss or damage to any private property used or stored on the premises. No person shall remove from the room in which it is placed or from the Amenity Facilities' premises any property or furniture belonging to the District or its contractors without proper authorization. Amenity Facilities Patrons shall be liable for any property damage and/or personal injury at the Amenity Facilities, or at any activity or function operated, organized, arranged or sponsored by the District or its contractors, caused by the member, any guests or any family members. The District reserves the right to pursue any and all legal and equitable measures necessary to remedy any losses due to property damage or personal injury.

Any Patron, guest or other person who, in any manner, makes use of or accepts the use of any apparatus, appliance, facility, privilege or service whatsoever owned, leased or operated by the District or its contractors, or who engages in any contest, game, function, exercise, competition or other activity operated, organized, arranged or sponsored by the District, either on or off the Amenity Facilities' premises, shall do so at his or her own risk, and shall hold the Amenity Facility, the District, the Board of Supervisors, District employees, District representatives, District contractors, District agents, harmless for any and all loss, cost, claim, injury damage or liability sustained or incurred by him or her, resulting there from and/or from any act of omission of the District, or their respective operators, Supervisors, employees, representatives, contractors, or agents.

Any Patron shall have, owe, and perform the same obligation to the District and their respective operators, Supervisors, employees, representative, contractors, and agents hereunder in respect to any loss, cost, claim, injury, damage or liability sustained or incurred by any Guest or family member of such Patron. Should any party bound by these Policies bring suit against the District, the Board of Supervisors or staff, agents or employees of the District, any Amenity Facility operator or its officers, employees, representatives, contractors or agents in connection with any event operated, organized, arranged or sponsored by the District or any other claim or matter in connection with any event operated, organized, arranged or sponsored by the District, and fail to obtain judgment therein against the District or the Amenity Facility operator, officers, employee, representative, contractor or agent, said party shall be liable to the District for all costs and expenses incurred by it in the defense of such suit (including court costs and attorney's fees through all appellate proceedings).

INDEMNIFICATION

Each organization, group or individual reserving the use of an Amenity Facility (or any part thereof) agrees to indemnify and hold harmless the District, the owners of the Amenity Facility and the owner's officers, agents and employees from any and all liability, claims, actions, suits or demands by any person, corporation or other entity, for injuries, death, property damage of any nature, arising out of, or in connection with, the use of the District.

Each organization, group or individual reserving the use of District facilities agrees to indemnify and hold harmless the District and the amenity management firm, and the respective officers, agents and employees of each, from any and all liability, claims, actions, suits or demands by and person, corporation or other entity, for injuries, death, property damage of any nature, arising out of or in connection with, the use of the district lands, premises and / or facilities, including litigation or any appellate proceeding with respect thereto. Nothing herein shall constitute or be construed as a waiver of the District's sovereign immunity granted pursuant to Section 768.28, Florida Statutes.

The District and its agent, employees and officers shall not be liable for, and the Resident or Non-Resident Club Member user shall release all claims for injury or damage to or loss of personal property or to the person, sustained by the user or any person claiming through the user resulting from any fire, accident, occurrence, theft or condition in or upon the District's lands, premises and/or facilities.

SUSPENSION AND TERMINATION OF ADULT PRIVILEGES

1) Privileges at the amenity facilities can be subject to suspension or termination by the Board of Supervisors if a Patron:

- a) Submits false information on the application for an access card.
- b) Permits unauthorized use of an access card.
- c) Exhibits unsatisfactory behavior or appearance.
- d) Fails to abide by the Rules and Policies established for the use of facilities.
- e) Treats the personnel or employees of the facilities in an unreasonable or abusive manner. Examples include, but are not limited to the use of profanity, verbal and physical assault.
- f) Engages in conduct that is improper or likely to endanger the welfare, safety or reputation of the facility or Staff.

2) Management may at any time restrict or suspend any Patron's privileges to use any or all the amenity facilities when such action is necessary to protect the health, safety and welfare of other Patrons and their guests, or to protect the District's facilities from damage.

3) The District shall follow the process below in regards to Suspension or Termination of an Adult Patrons privileges:

- a) *First Offense* - A First Offense Violation will result in written notice and explanation of the violation being given to Patron and a copy of such notice being filed in the Facility Manager Office.
- b) *Second Offense* - A Second Offense Violation will result in an Automatic suspension of all amenity privileges for thirty (30) days. Written notice & explanation will be given to Patron and a copy of such notice will be filed in the Facility Manager Office.
- c) *Third Offense* - A Third Offense Violation will result in a suspension of all amenity privileges until the next Board of Supervisors Meeting. At the Board meeting, a record of all previous offenses will be presented to the Board for recommendation of termination of Patron's privileges for one (1) calendar year (or some shorter amount of time at the Board's discretion). Written notice will be given to Patron as to the Board of Supervisors decision.

4) **IMMEDIATE SUSPENSION & REMOVAL:** The Board Chair and/or Facilities Manager have the exclusive right, authority and discretion to suspend any Adult Patron for the use of profanity and failure to follow staff direction for a period of no less than seven (7) days. An incident report will be generated and a copy of such notice will be filed in the Facility Manager Office. Upon issue of an immediate suspension, should patron continue to act or perform in an inappropriate manner/behavior, that Adult Patron shall forfeit all amenity privileges until the next Board of Supervisors meeting. Furthermore, District Staff will recommend termination of Adult Patron's privileges for a period of six (6) months.

5) Notwithstanding the foregoing, if at any time an Adult Patron is arrested for an act committed, or allegedly committed, while at any District Facility, that Adult Patron shall have all amenity privileges suspended until the next Board of Supervisors meeting. At the Board meeting, the Board will be presented with the facts surrounding the arrest and a recommendation of termination of Adult Patron's privileges for up to one (1) calendar year (or some shorter amount of time at the Board's discretion). Written notice will be given to Adult Patron as to the Board of Supervisors decision.

6) Utilizing the facilities during the suspension period will result in a trespassing citation issued by the Hillsborough County Sheriff's Office. Furthermore attendance as a guest will also be prohibited during such time. Attempts made to gain access to the facilities using another person's access card will result in the suspension of that card holder's privileges for a period of fifteen (15) days.

7) **Suspension Effective Date**

- a) The Effective Date for amenity privilege suspension will be from the date of the written notice of suspension.

- b) Weekdays (Monday – Friday) and Weekends (Saturday – Sunday) will be calculated toward the total number of suspension days.
- c) The Effective Date for the amenity privilege suspension will be stayed if the party subject to suspension files a notice of appeal of such suspension, in writing, to the District Management Office within 5 business days of the date of the written notice.

8) Appeal Process – Adult Patrons

- a) Any person has the right to dispute and request an appeal to the District’s Board of Supervisors.
- b) A notice of appeal must be submitted in writing to the District Management Office within five (5) business days of the date of the written notice for placement on the next regularly scheduled District meeting agenda.
- c) Such notice of appeal shall outline all facts and support documentation that constitutes the basis of appeal.
- d) The District Management Office must be in receipt of such appeal no fewer than five (5) business days prior to the next regularly scheduled District meeting or such appeal will be heard at the next subsequent scheduled District meeting.
- e) Any person appealing will be governed by the following procedures:
- f) Appellant must be physically present or represented by counsel at meeting in which the appeal will be heard by the Board of Supervisors.
- g) Failure of attendance will result in dismissal of appeal with no resubmission on future District agenda docket.
- h) Appellant’s argument and basis for appeal will be limited to five (5) minutes per account unless otherwise expanded by the Board of Supervisors.
- i) The District Board of Supervisors and District Staff may question the appellant on any matter relevant to the appeal.
- j) The District Board of Supervisors and District Staff may present testimony or documentary evidence on any matter, from any source, relevant to the appeal.
- k) Appellant must furnish sufficient copies (8) of any documentation to present to the Board of Supervisors supplementing the argument and basis for the appeal (if applicable).
- l) The District’s Board of Supervisors reserves the right to grant or deny any appeal at their sole and absolute discretion.
- m) District action(s) will be resolved by way of successful Board motion.
- n) Upon Board action on an appeal, no subsequent appeal will be given or heard for the same offense.

SUSPENSION AND TERMINATION OF MINOR PRIVILEGES

- 1) At the discretion of Amenity Facilities Staff, Minors (*children under the age of eighteen (18)*), who violate the rules and policies may be expelled from the facilities for one (1) day. Upon such expulsion, a written report shall be prepared detailing the name of the child, the prohibited act committed and the date. This report will be kept on file at the Facility Manager Office.
- 2) Any Minor who is expelled from the facilities three (3) times in a one year period, shall have their amenity facilities privileges suspended for one (1) calendar year from the date of the third offense.
- 3) Notwithstanding the foregoing, at any time a Minor is arrested for an act committed, or allegedly committed, while at any District Facility, that minor shall have all amenity privileges suspended until the next Board of Supervisors meeting. At the Board meeting, the Board will be presented with the facts surrounding the arrest and a recommendation of termination of minor's privileges for up to one (1) calendar year (or some shorter amount of time at the Board's discretion). Written notice will be given to known minor's guardian(s) as to the Board of Supervisors decision.
- 4) Utilizing the facilities during the suspension period will result in a trespassing citation issued by the Hillsborough County Sheriff's Office. Furthermore attendance as a guest will also be prohibited during such time. Attempts made to gain access to the facilities using another person's access card will result in the suspension of that card holder's privileges for a period of fifteen (15) days.

5) Suspension Effective Date

- a) The Effective Date for amenity privilege suspension will be from the date of the written notice of suspension.
- b) Weekdays (Monday – Friday) and Weekends (Saturday – Sundays) will be calculated toward the total number of suspension days.
- c) The Effective Date for the amenity privilege suspension will be stayed if the party subject to suspension files a notice of appeal of such suspension, in writing, to the District Management Office within 5 business days of the date of the written notice.

6) Appeal Process – Minor Patrons

- a) Any minor has the right to dispute and request an appeal to the District's Board of Supervisors.
- b) A notice of appeal must be submitted in writing to the District Management Office within five (5) business days of the date of the written notice for placement on the next regularly scheduled District meeting agenda.
- c) Such notice of appeal shall outline all facts and support documentation that constitutes the basis of appeal.
- d) The District Management Office must be in receipt of such appeal no fewer than five (5) business days prior to the next regularly scheduled District meeting or such appeal will be heard at the next subsequent scheduled District meeting.
- e) Any minor appealing will be governed by the following procedures:
- f) Minor Appellant and at least one parent or guardian must be physically present or represented by counsel at meeting in which the appeal will be heard by the Board of Supervisors.
- g) Failure of attendance will result in dismissal of appeal with no resubmission on future District agenda docket.
- h) Appellant's argument and basis for appeal will be limited to five (5) minutes per account unless otherwise expanded by the Board of Supervisors.
- i) The District Board of Supervisors and District Staff may question the appellant on any matter relevant to the appeal.
- j) The District Board of Supervisors and District Staff may present testimony or documentary evidence on any matter, from any source, relevant to the appeal.
- k) Appellant must furnish sufficient copies (8) of any documentation to present to the Board of Supervisors supplementing the argument and basis for the appeal (if applicable).

- l) The District's Board of Supervisors reserves the right to grant or deny any appeal at their sole and absolute discretion.
- m) District action(s) will be resolved by way of successful Board motion.
- n) Upon Board action on an appeal, no subsequent appeal will be given or heard for the same offense.

GENERAL FACILITY PROVISIONS

Cory Lakes' common areas and amenities are for the exclusive use of Cory Lake Isles lot owners, residents and their guests. The cost to maintain the common areas and amenities and to replace equipment, furnishings and fixtures is charged to the owners on an equal basis as part of the annual assessment.

The common areas and amenities are available for use for activities organized by the CDD, POA, and for gatherings by individual lot owners and his/her guests. Lot owners with outstanding assessment debt will not be permitted to use the amenities until the assessment has been paid in full.

The following is a brief summary of Cory Lake rules pertaining to the use of all community facilities and playgrounds:

1. Community playgrounds, waterways, boating amenities and all other recreational facilities are open to Cory Lakes residents, owners and their accompanied guests.
2. Community playground, park facilities and beach area are open daily from sunrise to sunset, except for pre-approved activities. Lighted outdoor sports facilities (tennis, basketball, hockey rink) will remain open for use until 10:00 p.m. All facility lighting will be turned off no later than 10:30 p.m.
3. Except for pre-approved activities, any loitering or parking at the community playground, beach club, beach area, or sports facilities outside of posted operating hours is strictly prohibited.
4. All motorized vehicles (such as cars, trucks, motorcycles, mopeds, go carts, remote control vehicles, scooters) are not to be operated at park facilities except on streets, parking lots, and other posted areas, unless special permission is granted.
5. Bicycles, skateboards, roller-skates, and rollerblades are not to be utilized on the tennis or basketball courts at any time.
6. Destruction, removal or defacing of park equipment, structures, CDD Property or surrounding wildlife areas is strictly prohibited. Any person found or seen causing destruction to the facilities will be suspended from the park and compensatory reimbursement costs will be levied.
7. Smoking is not permitted anywhere in the amenity facilities. Smoking while within the children's playground or pocket parks area is strictly prohibited. Smoking at the beach area is also prohibited to include all pavilions and picnic table areas.
8. No persons under the age of 21 shall possess or consume alcohol on CDD property. Any person who is suspected of being intoxicated or under the influence of drugs while on CDD property shall be denied admission and/or be removed by law enforcement.
9. No person shall use threatening, abusive, insulting or indecent language, nor behave in a boisterous or disorderly manner.
10. No person shall create any noise at excessive levels, or use amplified sound or music without prior written permission from the CDD Board or its designated committee.
11. No animals or pets, other than dogs on a leash 10' or shorter, are allowed in park facilities, and are prohibited where posted. Owners must pick up after their pets.
12. All trash and waste must be deposited in receptacles. Food and perishable items are not to be left in common areas or in the community lake.

13. No fireworks of any kind are allowed on CDD property.
14. Except for licensed individuals, the use of firearms, or other projectiles of any kind shall be strictly prohibited on CDD Property.
15. All individuals using park facilities assume personal responsibility and risk. Cory Lakes patrons and non-resident members are personally responsible for their party and agree to underwrite any damage caused by their or their guest's use of the facilities.
16. The Board reserves the right to amend, modify, or delete, in part or in their entirety, these Rules and Policies when necessary, at a duly-noticed Board meeting, and will notify the Patrons of any changes. However, in order to change or modify rates or fees beyond the increases specifically allowed for by the District's rules and regulations, the Board must hold a duly-noticed public hearing on said rates and fees.
17. All non-resident Patrons must have their assigned Facility Access Card upon entering the amenities. Cards are only to be used by the Patron they are issued to. Patron must present Facility Access Card upon request from Amenity Staff members.
18. Children under fourteen (14) years of age must be accompanied by a parent or adult Patron aged eighteen (18) or older.
19. All hours of operation of Amenity Facilities will be established and published by the District. The Beach Club Facilities will be closed on the following holidays: Easter, Thanksgiving Day, Christmas Day and New Year's Day. The Beach Club Facilities may also have limited hours of operation or be closed on Christmas Eve and New Year's Eve with Board authorization.
20. Dogs and all other pets (with the exception of Service Animals) are not permitted at the Beach Club, Courts or Playground Facilities. Where pets are permitted on the grounds, they must be leashed. Patrons are responsible for picking up after all pets as a courtesy to residents and in accordance with the law.
21. Alcoholic beverages shall not be served or sold, nor permitted to be consumed on the Amenity Facilities premises. Alcoholic beverages may be served at District pre-approved special events.
22. Vehicles must be parked in designated areas. Vehicles should not be parked on grass lawns, sidewalks, or in any way which blocks the normal flow of traffic.
23. Only District employees and staff are allowed in the service areas of the Amenity Facilities.
24. The Board of Supervisors (as an entity) and the Facility Manager, the Amenity Manager and its staff shall have full authority to enforce these policies.
25. Guests must be accompanied by a Patron while using the Amenities.
26. All non-resident Patrons must use their card for entrance to the Amenity Facility. All lost or stolen access cards should be reported immediately to the Amenity Center Manager. There will be a \$10.00 replacement card fee.
27. Disregard for any Amenity Facilities rules or policies may result in expulsion from the facility and/or loss of Amenity Center privileges in accordance with the procedures set forth herein.
28. Patrons and their guests shall treat all staff members with courtesy and respect.

29. Golf carts, motorcycles, off-road vehicles (including ATV's), and motorized scooters are prohibited on all property owned, maintained, and operated by the District or at any of the Amenities within District unless they are owned by the District.

30. Skateboarding is not allowed on any District Amenity Facility Property, this includes but is not limited to: the amenity facilities, tennis courts, basketball courts, athletic fields, playground area, parking lots, bridge areas, and sidewalks surrounding this area.

31. Commercial advertisements shall not be posted or circulated in the Amenity Facilities. Petitions, posters or promotional material shall not be originated, solicited, circulated or posted on Amenity Facilities property unless approved in writing by the Amenity Manager.

32. The Amenity Facilities shall not be used for commercial purposes without written permission from the Amenity Manager and the District Manager. The term "commercial purposes" shall mean those activities which involve, in any way, the provision of goods or services for compensation.

33. The Amenity Manager reserves the right to authorize all programs and activities, including the number of participants, equipment and supplies usage, facility reservations, etc., at all Amenity Facilities, except usage fees that have been established by the Board. The Amenity Manager also has the right to authorize management-sponsored events and programs to better serve the Patrons, and to reserve any Amenity Facility for said events (if the schedule permits) and to collect revenue for those services provided. This includes, but is not limited to, various athletic events and programs, and children's programs, social events, etc. Should the District be entitled to any of these revenues based on its established usage fees, the Amenity Manager will be required to compensate the District accordingly.

34. There is no trespassing allowed in all designated wetland conservation and/or mitigation areas located on District property. Trespasser will be reported to the local authorities.

35. Loitering (the offense of standing idly or prowling in a place, at a time or in a manner not usual for law-abiding individuals, under circumstances that warrant a justifiable and reasonable alarm or immediate concern for the safety of persons or property in the vicinity) is not permitted at any Amenity Facility.

36. All Patrons shall abide by and comply with any and all federal, state and local laws and ordinances while present at or utilizing the Amenity Facilities, and shall ensure that any minor for whom they are responsible also complies with the same.

37. Various areas of all Amenity Facilities are under twenty-four (24) hour video surveillance.

38. Outdoor grilling is prohibited at all amenity facilities unless at a District pre approved special event.

Community security will be responsible for enforcing these rules.

Residents are encouraged to notify community security at (813) 986-0030 to report violations of community rules.

Written and verbal warnings may be given to residents, members and their guests who violate any of these rules.

Any perceived or observed illegal activity will be referred to the appropriate law enforcement authorities. Any person who violates a CDD rule or regulation or who damages or destroys CDD property may be brought before the CDD Supervisors for a hearing, at which time the CDD Supervisors may suspend certain privileges, assess costs, or both. As used herein, the "cost" of repairing or replacing CDD property includes (without limitation) charges incurred for service calls and (if warranted) emergency service calls, parts and labor, and the District's reasonable administrative costs.

Examples of privileges that may be suspended for rule violations include (without limitation); (a) suspension of tennis court privileges for a period of up to 90 days, (b) suspension of bar code access to the community for a period of up to 90 days, and (c) suspension of beach club privileges for a period of up to 90 days.

GENERAL AMENITY FACILITY USAGE POLICY

The District facilities and amenities are common assets of the District and open to all patrons for non-exclusive use.

There are no private reservations or private rental of facilities, and the facilities are not to be used for non-charitable commercial uses.

All Patrons and Guests using the Amenity Facilities are expected to conduct themselves in a responsible, courteous and safe manner, in compliance with all policies and rules of the District governing the Amenity Facilities. Violation of the District's Policies and/or misuse or destruction of Amenity Facility equipment may result in the suspension or termination of District Amenity Facility privileges with respect to the offending Patron or Guest. The District may pursue further legal action and restitution in regards to destruction of Amenity Facility property or equipment.

1) **Hours:** The District Amenity Facilities are available for use by Patrons during normal operating hours to be established and posted by the District. These hours are generally the normal operating hours of 8:00 am to 5:00 pm Monday through Saturday.

2) **Emergencies:** After contacting 911 if required, all emergencies and injuries must be reported to the office of the Facilities Manager (813) 986-1031 or to the Morris Bridge gatehouse at (813) 986-0030.

Persons using the Amenity Facilities do so at their own risk. Facility Manager's staff members are not present to provide personal training, exercise consultation or athletic instruction, unless otherwise noted, to Patrons or Guests. Persons interested in using the Amenity Facilities are encouraged to consult with a physician prior to commencing a fitness program.

3) **Usage:** Residents interested in using the Beach Club or other facilities must submit to the Facilities Manager a completed Facility Usage Application. At the time of approval, any fees associated with the use **must** be submitted to the Facilities Manager Office. One payment (check or cash) shall be a refundable security deposit in the amount of Two Hundred Fifty Dollars (\$250.00) for the specific use of the Beach Club and the other payment should be in the amount of Eighty Dollars (\$80.00) for mandatory janitorial/cleaning services. All checks are made payable to the **Cory Lakes CDD**. The Facilities Manager Office will review the Facility Usage Application on a case-by-case basis and has the authority to reasonably deny a request. Denial of a request may be appealed to the District's Board of Supervisors for consideration. Usage requests for Charity Events must be made at least ninety (90) days in advance of event and are contingent on District Board approval.

4) **Cancellation Policy:** Usage cancellation by the patron less than thirty (30) days from Facility Use Date will result in a loss of and return of security deposit.

5) **Available Facilities:** The Beach Club is available for use for up to four (4) total hours, including set up and post-event cleanup. The maximum capacity allowed for use of the Beach Club is one hundred (100) persons.

6) **Staffing:** One (1) staff person is required to work during the four (4) hour Facility Usage. Should alcohol be added to the Facility Usage, an additional staff person is required to work by the District. An additional one hundred dollar (\$100.00) usage fee will be added to the total amount owed.

7) **Deposit:** As stated previously, a deposit in the amount of Two Hundred Fifty Dollars (\$250.00) is required by the time the use is approved. To receive a refund of the deposit, the following must be completed:

- a) Ensure you are present for the duration of the usage.
- b) Ensure that all garbage is removed and placed in the dumpster.
- c) Remove all displays, favors or remnants of the event.
- d) Restore the furniture and other items to their original position.
- e) Ensure that no damage has occurred to the Beach Club and its property.

- f) Attendant must verify that above conditions have been met.

8) General Policies:

- a) Facility and room maximum capacity limits must be observed at all times and will be strictly enforced. District staff reserves the right to take all necessary actions to comply with this requirement. Examples of these actions are, but are not limited to:
 - b) Event Cancellation and Closure
 - c) Access Restrictions
 - d) Parking Enforcement and Towing
- e) The User will be responsible for any and all monetary citations and fines that may be received by the District for such a violation.
- f) The Beach Club may be used outside of the regular hours of operation of the facility at the discretion of the Board of Supervisors. Please note: All Facility Usage Polices remain in force for these special circumstances and the District has final say in these matters.
- g) Usage fees and deposits may be increased at the discretion of the Board of Supervisors to reflect increased costs of operation of the amenity facilities.
- h) The volume of live or recorded music must not violate applicable City of Tampa Noise Ordinances.
- i) Additional liability insurance coverage may be required for all events that are approved to serve alcoholic beverages. This policy also pertains to certain events the District feels should require additional liability coverage on a case by case basis to be reviewed by the Board of Supervisors. The District is to be named on these policies as an additional insured party.

FITNESS CENTER POLICIES

1) All Patrons using the Fitness Center are expected to conduct themselves in a responsible, courteous and safe manner in compliance with all policies and rules of the District governing the amenity facilities. Disregard or violation of the District's policies and rules and misuse or destruction of the Fitness Center equipment may result in the suspension or termination of usage privileges. The District may pursue further legal action and restitution in regards to destruction of Amenity Facility property or equipment.

2) **Please note the Fitness Center is an unattended facility. Persons using the facility do so at their own risk. Staff is not present to provide Personal Training or Exercise Consultation to Patrons. Persons interested in using the Fitness Center are encouraged to consult with a physician prior to commencing a fitness program.**

3) **Hours:** The Fitness Center is open for use by Patrons from five o'clock am (5:00 am) to twelve o'clock am (12:00 am).

4) **Emergencies:** Call 911 if immediate medical attention is necessary. All emergencies and injuries must be reported to the Amenity Staff as well as the Facilities Manager at (813) 986-1031.

5) **Eligible Users:** Patrons eighteen (18) years of age and older are permitted to use the Fitness Center during designated operating hours. For the purpose of improved fitness, patrons fifteen (15) through seventeen (17) years of age are permitted to use the Fitness Center without an attending parent/guardian between the hours of five am (5:00 am) and ten pm (10:00 pm), so long as the parent/guardian has signed a Permission Form and Waiver of Liability. No one under the age of fourteen (14) is allowed in the Fitness Center, with the only exception being that patrons younger than fourteen (14) years of age may use the Fitness Center for the purpose of improved fitness only when accompanied by an adult Parent or Guardian who will train and monitor the child on the equipment at all times, and so long as the parent/guardian has signed a Permission Form and Waiver of Liability. Patron must provide proof of age if requested by Staff to use the Fitness Center. Disregard to any Fitness Center rule will result in expulsion from the Fitness Center and/or loss of Fitness Center privileges.

6) **Guest Policy:** No Guests are allowed in the Fitness Center at any time. Patrons may bring a trainer to the Fitness Centers for personal training sessions only. Personal trainers must be preapproved by the Facilities Manager. House Guests are allowed usage of the Fitness Center if accompanied by the Patron. House Guests are required to register with the Facilities Office for access to the gym without having to be accompanied by the Patron.

7) **Food and Beverage:** Food (including chewing gum) is not permitted within the Fitness Center. Water is permitted in the Fitness Center if contained in non-breakable containers with screw top or sealed lids and in containers provided by the facility. Alcoholic beverages are not permitted.

8) **Proper Attire:** Appropriate clothing and athletic footwear (covering the entire foot) must be worn at all times in the Fitness Center. Appropriate clothing includes t-shirts, tank tops, leotards, athletic shorts (no jeans), and/or sweat suits (no swimsuits).

9) **General Policies:**

- a) Each individual is responsible for wiping off fitness equipment after use.
- b) Use of personal trainers is not permitted in the Fitness Center unless pre-approved by the District.
- c) Hand chalk is not permitted to be used in the Fitness Center.
- d) Radios, tape players and CD players are not permitted unless they are personal units equipped with headphones.
- e) Weights or other fitness equipment may not be removed from the Fitness Center for any reason.
- f) Use of cardiovascular equipment should be limited to thirty (30) minutes. Step aside between multiple sets on weight equipment if other persons are waiting. Restack weights after usage.
- g) Replace weights to their proper location after use.

- h) Free weights are not to be dropped and should be placed only on the floor or on equipment made specifically for storage of the weights.
- i) Any fitness program operated, established, and run by Amenity Staff may have priority over other users of the Fitness Center.
- j) Smoking and smokeless tobacco products are not permitted anywhere in the fitness center.
- k) The chewing of gum is not permitted in the fitness center.
- l) Loud, profane or abusive language is prohibited.
- m) Disregard to any fitness center rule will result in expulsion from the fitness center and/or loss of fitness center privileges.
- n) All broken equipment should immediately be reported to the District Staff.
- o) The District Staff reserves the right to discontinue any programs or activities due to concerns with safety and other conflicts with the operation of the Beach Club.
- p) Each individual is responsible for removing the weight plates that he or she has used on the plate-loaded machine and returning all plates, dumbbells, barbells, and other equipment to the proper storage places.
- q) Weight plates are not to be attached to weight stacks on the machines.
- r) Weights, dumbbells, and bars shall be not to be dropped. Everything should be placed down gently.
- s) Benches and machines are not to be stepped on.
- t) Dumbbells, weight plates, and barbells shall not be placed on the benches.

BASKETBALL AND HOCKEY COURT POLICIES

All Patrons and guests using the Basketball and Hockey Court Facilities are expected to conduct themselves in a responsible, courteous and safe manner in compliance with all policies and rules of the District governing the amenity facilities. Disregard or violation of the District's policies and rules and misuse or destruction of Facility equipment may result in the suspension or termination of Facility privileges. The District may pursue further legal action and restitution in regards to destruction of Amenity Facility property or equipment. Guests may use the Basketball and Hockey Court Facilities if accompanied by a Patron.

Please note that the Basketball and Hockey Court Facility are unattended facilities and persons using the facility do so at their own risk. Persons interested in using these facilities are encouraged to consult with a physician prior to use.

1) **Hours:** The Basketball and Hockey Court Facilities are available for use by Patrons during normal operating hours which are posted. These facilities may not be rented, and work on a first come first serve basis unless otherwise programmed by the District.

2) **Emergencies:** All emergencies and injuries must be reported to the Amenity Staff as well as the Facility Manager at (813) 986-1031.

3) **Proper Attire:** Proper basketball or athletic shoes and attire are required at all times while on the courts. Proper attire shall consist of athletic shoes, shirts, and shorts or athletic pants.

4) General Policies:

- a) The Basketball and Hockey Court Facilities are for the play of Basketball and Hockey (respectively) only. Pets, bikes, skateboards, and scooters are prohibited at the facility. Roller blades may be used at the hockey court only.
- b) Beverages are permitted at the Basketball and Hockey Court Facilities if contained in non-breakable containers with screw top or sealed lids. No glass containers are permitted on the basketball or hockey courts.
- c) Smoking and Alcoholic beverages are not permitted on the Basketball or Hockey Courts.
- d) Anyone under the age of fourteen (14) is not allowed to use the Basketball or Hockey Court Facilities unless accompanied by an Adult Patron.
- e) The Basketball and Hockey Courts are available on a first come, first serve basis. It is recommended that persons desiring to use the Basketball or Hockey Court check with the Amenity Staff to verify availability in case they are reserved for programs or closed for maintenance. Use of the Basketball or Hockey Court is limited to one (1) hour when others are waiting.
- f) Proper Basketball and Hockey etiquette shall be adhered to at all times. The use of profanity or disruptive behavior is prohibited.
- g) Persons using the Basketball or Hockey Court Facility must supply their own equipment.
- h) Courts and their surrounding areas must be cleaned up after use. Players must clean up the court after play. This includes equipment, cups, plastic bottles, etc. The goal is to show common courtesy by leaving the court ready for play for Patrons who follow you.
- i) Usage of the Basketball or Hockey Court Facility by Guests, unless accompanied by a Patron, is strictly prohibited.

TENNIS COURT POLICIES

All Patrons and Guests using the Tennis Facilities are expected to conduct themselves in a responsible, courteous and safe manner in compliance with all policies and rules of the District governing the amenity facilities. Disregard or violation of the District's policies and rules and misuse or destruction of Facility equipment may result in the suspension or termination of Facility privileges. The District may pursue further legal action and restitution in regards to destruction of Amenity Facility property or equipment. Guests may use the Facilities if accompanied by a Patron.

Facilities and persons using the facility do so at their own risk. Persons interested in using these Facilities are encouraged to consult with a physician prior to use.

1) **Hours:** The Tennis Court Facilities are available for use by Patrons during normal operating hours which are posted. These facilities may not be rented, and work on a first come first serve basis unless otherwise programmed by the District.

2) **Emergencies:** All emergencies and injuries must be reported to the Amenity Staff as well as the Facility Manager at (813) 986-1031.

3) **General Policies:**

- a) Court use is limited to one (1) hour when other Patrons and/or Guests are waiting. Court use limit commences upon Patron and/or Guest arrival.
- b) Usage works on a first come first serve basis, unless otherwise programmed by the District.
- c) Schedules of programs will be posted.
- d) Proper tennis shoes and attire, as determined by the staff, are required at all times while on the courts. Shirts must be worn at all times.
- e) Patrons and Guests must supply their own equipment.
- f) Use of glass containers on the tennis court is not permitted.
- g) Players must clean up after play. This includes "dead" balls, Styrofoam cups, plastic bottles, etc. The goal is to show common courtesy by leaving the court ready for play for Patrons who follow you.
- h) Court hazards or damage, need to be reported to the staff for repairs.
- i) The Tennis Court is for the play of tennis only. Pets and the use of roller blades, bikes, skates, skateboards and scooters and other activities are prohibited on the tennis courts.
- j) The Facility Manager reserves the right to authorize all programs and activities, with regard to the number of guest participants, equipment, supplies, usage, etc., including Tournaments.

PLAYGROUND AND POCKET PARK POLICIES

- 1) Children under the age of eight (8) must be accompanied by an adult.
- 2) No roughhousing on the playground.
- 3) Persons using the playground must clean up all food, beverages and miscellaneous trash brought to the playground. Glass containers are prohibited. Place all trash in containers.
- 4) The use of profanity or disruptive behavior is absolutely prohibited.
- 5) Smoking and Alcoholic beverages are not permitted on the playground.
- 6) Inflatable equipment, such as bounce houses, is not permitted at the playground.
- 7) Usage of the playground may be limited or suspended from time to time for sponsored events approved by the District.
- 8) The playground and pocket parks are open from sunrise to sunset.
- 9) No one over the age of 12 is allowed on equipment.

FISHING AND POND POLICIES

Only Patrons and their Guests may fish from the lake and ponds located within the District. We ask that you respect your fellow landowners and access the lake and ponds through the proper access points. The District operates under a catch and release policy for all fish caught. The lake and ponds serve as storm water management purposes and are not to State Code for keeping or consuming your catch. The purpose of these bodies of water is to help facilitate the District's natural water system for storm water runoff.

- 1) Fishing is permitted only from dawn until dusk.
- 2) The District operates under a catch and release policy. Removal of fish for personal keep or consumption is not authorized.
- 3) Spear fishing or the use of Spear Guns, Bow & Arrows, and Firearms are not permitted as acceptable methods to fish.
- 4) Cast Netting is prohibited.
- 5) Removal of hooks and lures from fish should be performed in a manner that gives the fish the best chance of survival. De-Hookers or needle-nose pliers need to be carried by authorized users at all times.
- 6) Circle Hooks are recommended for all live bait fishing.
- 7) In events where dangerous wildlife is "caught" by hook or lure, the line(s) should be cut at a safe distance so as to avoid possible bodily injury and harm.
- 8) The use of traps is strictly prohibited.
- 9) The use of profanity or disruptive behavior will not be tolerated.
- 10) All trash or debris must be disposed of in the appropriate receptacles. The philosophy of "If you bring it with you, you must take it with you when you leave" is employed.
- 11) Fish are not to be moved from one lake or pond to another.
- 12) Authorized Users are not allowed to introduce or stock any of the lakes or ponds.
- 13) Authorized Users will be responsible to obtain any permits or licenses that may be required under Florida Law to legally fish. Any monetary penalties or fees incurred by the District as a result of user's failure to acquire such required permits or licenses will be the liability of the individual determined to be in violation.
- 14) General Polices:
 - a) Swimming is prohibited in all ponds on District property.
 - b) No watercrafts of any kind are allowed in any of the ponds on District property.
 - c) Parking along the right of way or on any grassed area near the ponds is prohibited. It is recommended that residents wishing to fish in the ponds walk or ride bicycles.
 - d) Continued violation of this policy will result in the immediate reporting to local law enforcement authorities.
 - e) There is a 20 foot District owned buffer surrounding each pond, residents may fish in the 20 foot buffer during the hours of dawn to dusk. Please be respectful of adjacent resident homes.
 - f) Homeowners whose lot abuts the pond are responsible for mowing, weeding and trash removal to the water's edge.

BEACH, DOCK AND BOAT RAMP POLICIES

1. The Beach, Dock and Boat Ramp are provided for use of Cory Lakes residents and their guests only. Guests must be accompanied by a resident while using the Beach, Dock or Boat Ramp.
2. Use at your own risk. No lifeguard is on duty.
3. All vessels docked at the Beach Club must be registered and have a current registration sticker and must be numbered in accordance with the CLI boating regulations.
4. Unregistered inoperable or derelict craft may not be docked at the Beach Club and will be towed at owner's expense.
5. Only routine boat cleaning and maintenance performed with environmentally safe materials is permitted at the boat ramp. Any other activity that might result in spillage of oils, lubricants, solvents or other hazardous material into the lake is prohibited.
6. CLI CDD is not responsible for damage, theft or vandalism to any boat docked at the Beach Club.
7. All vessels mooring and/or docked at the Beach Club will be properly secured using at minimum 3/8 inch nylon mooring line.

COMMUNITY LAKE AND SHORELINE POLICIES

1. Only vessels belonging and registered to a resident of Cory Lakes are permitted on the lake. Use of any non-resident vessel on Cory Lake will be deemed and considered actionable trespass.
2. All vessels must be registered with the POA prior to entering the lake and must display the issued (CL) registration.
3. All areas of the lake are “NO WAKE” except for the area inside the buoys on the ski lake.
4. Help preserve our fish population. Cory Lake is a “catch and release” lake only.
5. Navigation lights are required on any vessel operating after dusk until dawn. Travel speed during these hours shall not exceed idle speed.
6. NO ENTRY OR ACTIVITY is permitted on the conservation islands.
7. Be courteous to those using the ski lake. Always travel in a counter-clockwise direction and refrain from creating wakes of interfering with any watercraft pulling a skier, wake boarder, tube or other towable.
8. Persons using the lake after 10 pm at night must be eighteen (18) years of age or older. In addition, there shall be no loitering on the lake at any time.
9. Reckless or unsafe operation of any vessel is **STRICTLY PROHIBITED**.
10. Any violation of the Rules and Regulations concerning the operation of vessels on Cory Lake may result in the assessment of a monetary fine and/or suspension of privileges.
11. Incident reports can be directed to Cory Lake Security at 813-986-0030.

Cory Lake is intended to be an amenity for the passive and active recreational use and enjoyment of the Owners, their tenants, families and guests, subject to the covenants, conditions, restrictions, easements, reservations, assessments, terms and provisions contained in this Declaration and the Rules and Regulations. Accordingly, the maintenance and Conservation of the beauty, environmental health and safety of Cory Lake and the islands therein and shoreline thereof is essential to the objectives and purposes of this Declaration.

1. Permitted Water Vehicles and Activities. Subject to the covenants, conditions, restrictions, easements, reservations, assessments, terms and provisions hereof, the following water vehicles *and activities* shall be permitted on Cory Lake, subject to the restrictions and requirements of the “Declaration” and the Rules and Regulations:

- a. Pleasure boats (power and sail) not exceeding eighteen feet (18) in length; subject to the approval of the Property Owners Association (“POA”) Board of Directors.
- b. Pontoon boats not exceeding 18 feet (18') in length;
- c. Canoes not exceeding 18 feet (18') in length;
- d. Hobiecats not exceeding 18 feet (18') in length;
- e. Paddleboats non powered not exceeding twelve feet (12');
- f. Other recreational water vehicles approved in writing by the POA Board of Directors after demonstrations to review wake, noise and safety considerations. Such water vehicles shall be subject to all restrictions and requirements of this Declaration and the Rules and Regulations governing water vehicles and boats;
- g. Fishing;
- h. Sailing;
- i. Skiing;
- j. Windsurfing;

- k. Rafting;
- l. Swimming.

The Association, through the POA Board of Directors, shall have the right to eject and withhold approval for the operation on Cory Lake of any pleasure boat, ski boat or water vehicle for any reason. Owners, tenants, residents, members of their families and guests thereof are hereby advised that lakes and ponds in Florida generally will have alligators, poisonous snakes and snapping turtles living in and about them. Such lakes and ponds may also contain certain amoeba and other microorganisms (generally dwelling at the bottom of such lakes) that may be dangerous to human beings if they are allowed to enter the human body. All persons engaging in any activities on or about Cory Lake or any pond within CORY LAKE ISLES do so at their own risk. Neither the Developer, Community Development District, Association nor any partner, shareholder, member, officer, director, employee, agent, independent contractor nor any Owner shall be liable to any person for bodily injury or death of such person or any other person arising from any alligator, snake, snapping turtle, amoeba or other animal, reptile, insect or micro-organism in CORY LAKE ISLES including, without limitation, Cory Lake. Further, neither the Developer, Community Development District, Association partner, shareholder, member, officer, director, employee, agent or independent contractor nor any Owner shall be liable to any person for the bodily injury or death of such person or any other person arising from drowning, skiing, any water vehicle or activity on or about Cory Lake or any pond in CORY LAKE ISLES. The foregoing notwithstanding, nothing herein shall prohibit the liability of any person for the bodily injury or death of such person or any other person or for damage to the property of such person arising directly from *his* or her intentional or negligent act or omission.

2. Skiing and Water Vehicles. Skiing and other water vehicles will originate from a staging area and will be allowed only in an area designated for skiing. Use of the staging area and designated skiing area shall be on a first-come first-use basis with boats forming an orderly line in the staging area. Each boat will be allowed six passes through the course at a speed not to exceed 35 mph and then shall return to the staging area at the end of the line.

- a. Forms of skiing allowed are standard, (one or two), barefooting and knee boarding.
- b. Not more than one skier at a time is allowed.
- c. Skiers must remain within the designated course.
- d. Ski boats shall always carry an observer.
- e. Ski boats shall have permanently installed wide angle mirrors.
- f. Ski ropes shall not be longer than 60 feet.
- g. Skiers and ski boat operators shall attend a boating and safety course for skiing and receive a certificate for successful completion thereof.

As determined by the Developer or the Association, other water vehicle operators may be required to complete a Boating Safety Course. Courses can be arranged for residents of CORY LAKE ISLES by the Association.

- h. Ski boat operators, skiers, and other users of Cory Lake will be monitored by the security personnel and others for violation of the restrictions and requirements of this Declaration and the Rules and Regulations. Violators will be subject to fine in an amount set by the POA Board of Directors, and suspension of their right to use Cory Lake.
- i. Ski boats cannot be operated by a non-resident or residents who have not passed a boating and ski safety course
- j. Ski boats must proceed to ski area observing all speed and no wake areas. Once in the ski area, ski boat operators shall notify all water vehicles (other than ski boats engaged in skiing or waiting to ski) in the ski area that they will be skiing and to please leave the designated ski area.
- k. Skiing is allowed only during the following hours:
 - May through August: 10:00 A.M. to 8:00 P.M.
 - September through April: 10:00 A.M. to 6:00 P.M.
 - Christmas, Easter and Thanksgiving hours: 1:00 P.M. to 4:00 P.M.
- i. No skiing, knee-boarding or barefooting is allowed in any areas or at any time other than those specified above.

3. Lake Regulation and Requirements for Boat Operators.

- a. No one shall operate a boat or water vehicle in Cory Lake except for residents of CORY LAKE ISLES who have obtained a permit for the boat or water vehicle from the Association.
- b. Minimum age for operating a power boat exceeding 10 h.p. is 14 years of age.
- c. Boats and water vehicles must not exceed noise levels of eighty (80) decibels on adjacent land. Should any boat or water vehicle exceed the maximum allowable noise level of eighty (80) decibels, the boat or water vehicle shall not be operated on Cory Lake until a muffler system to meet the requirements has been installed.
- d. All outboard motors at or exceeding 40 h.p. shall have electric tilt and
- e. All motorized water vehicles must be equipped with the recommended safety equipment, fire extinguisher, life vests, etc.
- f. No boat with the exception of boats owned by the Developer or the Association shall exceed the maximum length permitted by Section 12.3.
- g. Safety is the top priority for residents using Cory Lake. Any person demonstrating a lack of respect for safety *as* determined by the POA Board of Directors while operating a boat or water vehicles on Cory Lake may be fined and may have their right and privilege to operate a boat or water vehicle on Cory Lake suspended for a period of not to exceed three (3) years.
- h. No motorized water vehicle shall be on Cory Lake from 30 minutes before sunset to 30minutes after sunrise without lights and shall not exceed idle speed during these hours.
- i. Boats shall not pull inner tubes, rafts, or other objects except skis and other equipment approved for same by the POA Board of Directors.
- j. Cory Lake is a no wake lake except for the designated water activity area for skiing and other water vehicles. The no wake area be strictly enforced and violators may be fined, reprimanded or suspended for a period not to exceed three (3) years from operating a boat or water vehicle on Cory Lake if deemed necessary by the POA Board of Directors in the interest of safety for others, tranquility and the protection of property.

4. Permits. Both approved boat and water vehicle will receive a Boat/Water Vehicle Permit for the current year. A fee of twenty dollars (\$20.00) for each boat or water vehicle will be charged. Permits will be renewed by June 30th of each year, and no boat or water vehicle will be allowed in Cory Lake without a current permit. Said permit shall be permanently placed on the front top left portion of each boat or water vehicle in an arcs easily visible. Each residence is limited to one power and one non-powered boat exceeding twelve feet in length for use on Cory Lake at any one time. Only permitted boats and water vehicles may be operated on Cory Lake.

5. Quarantine and Treatment. Boats and water vehicles must be placed in storage for a period not to exceed seven days to be inspected and sprayed if said boat or water vehicle has been in water outside of Cory Lake. This is to prevent foreign weeds and fish from entering Cory Lake from other lakes or bodies of water that could harm Cory Lake. A fee not to exceed \$75.00 will be assessed for this inspection and treatment.

6. Changes in Permitted Activities. If the Association decides at any time that skiing or any form of water vehicle activity on Cory Lake *is* not in the best interest of the residents of CORY LAKE ISLES, then it shall have the power through the POA Board of Directors to ban such activities for any reason.

STREET TREE POLICY

POA deed restrictions and the CDD require each homeowner to be responsible for the watering, trimming and fertilization of their tree in CDD property, in addition to lawn care of the turf, etc. to the street. Any tree which needs to be removed will be done so at the owner's expense, or the CDD will remove the tree pending an agreement signed by the homeowner stating in essence the CDD can remove the tree and recognize the CDD is not responsible for the tree replacement, and payment will be billed or if non-payment will be placed as an assessment on the next tax bill if not paid for prior to certifying the roll to the tax collector in August of each year. Residents may replace their tree with another Canary Island Date Palm at their own expense; however, experts recommend against it due to their susceptibility to disease currently, and is still subject to removal if diseased.

NATURAL BUFFER AREAS POLICY STATEMENT

The following is the policy statement of the District as it regards the natural tree protection, wetland and upland buffer areas that are scattered in large numbers throughout the Community. The policy statement is consistent with the policies of other governments including Hillsborough County, and Southwest Florida Water Management District (SWFWMD) as it regards their natural, conservation tree protection and wetland conservation/preservation areas:

The natural areas are not intended to be maintained. These areas are to be left untouched to allow for nature to take its normal course. Vegetation that dies including, but not limited to trees are left to fulfill their role in nature's process. Trees, within or immediately adjacent to these areas, that have died and appear to pose a threat of falling and damaging an abutting property owner's property may be addressed by the abutting property owner after securing permission to remedy the situation from the CDD and all required permits from all authorities having jurisdiction including Hillsborough County, and SWFWMD. Such abutting property owner must initially contact the CDD for permission to address the removal or remediation of the threatening situation and shall then be responsible for any needed permitting or review by Hillsborough County, and SWFWMD. Permitted trimming and/or removal, where warranted, shall be done at the expense of the abutting property owner. The goal is to minimize disturbance to these areas. In the event that a tree does fall onto another's property, that property owner has the right to cut back or limb the tree as necessary to their individual property line. The rest of the tree is to be left as is. This would also pertain to normal maintenance, which would allow an owner to trim back any encroaching vegetation to their property line. No one is allowed to encroach into the natural areas for any reason, from maintenance to placement of personal property of any kind.

LAKE WALL AND BANK EROSION POLICY

- 1) Cory Lakes CDD [the "District"] is a special purpose local government.
- 2) The District acknowledges that there are several ponds and mitigation areas owned by the District within its geographical area.
- 3) Additionally the District's easements allow the District's consultants, staff members and personnel to go onto private property surrounding such ponds, areas and canals.
- 4) However, as in the past all repairs, maintenance and improvements of pond slopes and retaining walls are the ultimate responsibility of the property owners and not that of the District.

PARKING RESTRICTIONS POLICY

1. The District's parking restriction policy is:
 - Polices, procedures and regulations are in accordance with the Deeds, Covenants and Restrictions ("CCR") as currently in place within Cory Lakes via the Cory Lake Isles POA at the effective date of the adoption of this policy by the Cory Lakes CDD Board of Supervisors
 - Any subsequent CCR amendments thereto are automatically incorporated by reference.
2. Illegally Parked Vehicle will be subject to:
 - A total of six (6) No Parking Warnings provided by the Security Company;
 - Thereafter, A Formal notice provided by the Field Manager or CDD Manager;
 - Thereafter, the vehicle is subject to towing.
3. Overnight Vehicles will be subject to:
 - Obtaining a guest parking pass through the Security Company.

POLICY FOR RECORDS MANAGEMENT PROGRAM OF LOCAL RECORDS

- 1) Cory Lakes CDD, is a special purpose local government and adheres to the Public Records Law and "the Records are open for inspection to the public during normal business hours."
- 2) The Permanent Records (whether originals or copies) are not to be removed from the District Records Office or Local Records Office to preserve the integrity of the public records, much like records housed at the county or city offices. Photographing permanent public records shall be done under the supervision of the custodian of the public records or designee thereof.
- 3) Any records of which you would like copies of must be handled by the records officer, records coordinators or designee thereof. Those individuals are the on-site administrator at the Beach Club or Jean Rugg at DPFG.
- 4) Pricing for copies are as follows in accordance with State Statutes:
 - 15 cents per letter one-sided copies
 - Nonstandard sizes at actual cost of duplication
 - Additional charge for the person making the photographs after the first 15 minutes is \$10 per hour charged in 5 minute increments.
 - Cost of postage and handling, as applicable.
 - If requested, \$1 per copy for a certified copy of each public record. Certifications are handled only by Jean Rugg at the Coconut Creek Office of DPFG.
 - Whenever possible, electronic copies will be via the Coconut Creek Office provided the total MB of the document is under 5MB, as most systems will not allow documents greater than 10MB including the text of the cover email message through the IP Servers.
 - Payments for copies made at the Local Records Office, the Beach Club, or the District's Records Office will be made payable to Cory Lakes CDD.
- 5) If additional information is requested, please do so in writing [email is acceptable] per the Florida Department of Library and Archives. Send your request to: Jean M. Rugg, DPFG, 15310 Amberly Drive, Suite 174, Tampa, Florida 33647, jean.rugg@dpfg.com. You will be given an estimate of the cost to reproduce such records and payment is to be made in advance.
- 6) Any other questions, do not hesitate to call the Records Officer: Jean Rugg at 954-426-3250.

7) Three (3) additional copies of the Meeting Agenda Package will be available at the Beach Club five (5) days prior to the meetings for review. Copies can be signed out and returned with one retained at the Beach Club at all times.

EXHIBIT “B”

**FACILITIES USAGE APPLICATION
RENTAL POLICIES
WAIVER OF LIABILITY AND INDEMNITY AGREEMENTS
ETC.**

PUBLICATION NOTICES FOR PUBLIC HEARING

**NOTICE OF RULE DEVELOPMENT OF AMENDMENTS TO CHAPTER II
CORY LAKES
COMMUNITY DEVELOPMENT DISTRICT**

In accordance with Chapters 190 and 120, Florida Statutes, the CORY LAKES COMMUNITY DEVELOPMENT DISTRICT hereby gives notice of its intention to amend the previously developed Chapter II of its Rules to govern the operations of the District relative to its membership rates, fees, charges and operating policies for the District parks, indoor and outdoor recreational facilities and amenities, and security program.

The purpose and effect of Chapter II of the Rules of the District is to provide for efficient and effective District operations. Specific legal authority for the Rule includes Sections 190.011, 120.54 and 120.81, Florida Statutes.

A Statement on Estimated Regulatory Costs ("SERC") has been prepared. In summary, it provides that the rule applies to individuals who do not reside in Cory Lakes Community Development District, and who would like to use the District parks, and indoor and outdoor recreation facilities and amenities. Based upon the supply of similar facilities in other New Tampa communities, the District does not anticipate a significant demand for non-resident use of its facilities. The cost to advertise and provide copies of the proposed rule to interested persons should not exceed \$500. The cost to administer membership procedures should be minimal. There should be no costs and no additional revenues to other state and local governments. The fee will directly impact only those individuals who elect to purchase annual memberships. There will be no adverse impact on small businesses and no impact on small cities or counties.

Any person who wishes to provide information regarding the SERC or to provide a lower cost regulatory alternative must submit the same in writing to Board of Supervisors, Cory Lakes Community Development District, 10441 Cory Lakes Drive, Tampa, Florida within twenty-one (21) days.

John Daugirda,
District Manager

**NOTICE OF INTENT TO ADOPT A PROPOSED CHAPTER II RULE
BY CORY LAKES COMMUNITY DEVELOPMENT DISTRICT**

In accordance with Chapters 190 and 120, Florida Statutes, the CORY LAKES COMMUNITY DEVELOPMENT DISTRICT (“the District”) hereby gives notice of its intention to amend the previously adopted Chapter II of the Rules of the District to govern the operations of the District relative to its membership rates, fees, charges and operating policies for the District parks, indoor and outdoor recreational facilities and amenities, and security program.

The purpose and effect of Chapter II of the Rules of the District is to provide for efficient and effective District operations. Prior notice of the rule development was published in the St. Petersburg Times, on November 1, 2012.

Specific legal authority for the Chapter II of the Rules of the District, and the provisions of the Florida Statutes being implemented, includes Chapter 190, Florida Statutes, generally, and Sections 190.011 (5), 120.54 and 120.81, Florida Statutes, specifically.

Any person who wishes to provide the District with a proposal for a lower cost regulatory alternative as provided by Section 120.541(1), Florida Statutes, must do so in writing within twenty-one (21) days after publication of this notice.

IF REQUESTED WITHIN TWENTY-ONE (21) DAYS OF THE DATE OF THIS NOTICE, A HEARING WILL BE HELD AT THE TIME, DATE, AND PLACE SHOWN BELOW (IF NOT REQUESTED, THIS HEARING WILL NOT BE HELD):

TIME AND DATE: November 21, 2012 at 6:00 p.m.

PLACE Cory Lake Beach Club
10441 Cory Lakes Drive
Tampa, Florida 33647

A request for a public hearing on the District’s intent to adopt proposed Chapter II of the Rules must be made in writing to the Cory Lakes CDD, District Manager, c/o DPF, 15310 Amberly Drive, Suite 175, Tampa, Florida 33647, and received within twenty-one (21) days after the date of this Notice.

A copy of the proposed Amended Chapter II of the Rules may be obtained by contacting the District’s Management Office, (813) 374-9105, at the address listed above.

If a public hearing is requested, this public hearing may be continued to a later date, time and place to be specified on the record at the hearing.

If a public hearing is requested, one or more Supervisors may participate in the public hearing by telephone.

If anyone chooses to appeal any decision of the Board with respect to any matter considered at a public hearing held in response to a request for such a public hearing, such person will need a record of the proceedings and should accordingly ensure that a verbatim record of proceedings is made which includes the testimony and evidence upon which such appeal is to be based.

In accordance with the provisions of the Americans with Disabilities Act, any person requiring special accommodations at this meeting because of a disability or physical impairment should contact the District’s Management Company, DPF at (813) 374-9105. If you are hearing or speech impaired, please contact the Florida Relay Service at (800) 955-8770 for aid in contacting the District Office at least two (2) days prior to the date of the hearing and meeting.

John Daugirda, District Manager

ORIGINAL

**CHAPTER II OF RULES
ED. 4-15-2009**

**Original
Chapter II Rules
Ed. 4-15-2012**

Provided Under Separate Cover.

SECTION ELEVEN

Item A (2)

**Beach Club Renovation Presentation
Provided under separate cover.**

SECTION ELEVEN

Item C

INCIDENT REPORT SUMMARY
U.S. SECURITY ASSOCIATES-CORY LAKE ISLES
September 2012

During the month of September 2012, U.S. Security Associates officers responded to a total of 1 incident in the Cory Lake Isles Community. Below is an overall summary of the incident totals, as well as a brief summary of the incident.

Incident Totals

| Incident type: | Total |
|-----------------------|--------------|
| Speeding | 1 |
| Total: | 1 |

Law Enforcement Frequency

| Agency | On-site total: |
|---------------------------------------|-----------------------|
| Tampa Police Department | 10 |
| Hillsborough Co. Sheriff's Department | 3 |
| Total: | 13 |

Off-Duty Assignments (TPD)

| Agency | On-site total: |
|------------------------|-----------------------|
| Total Hours | 40 |
| Total Stops | 20 |
| Total Citations | 8 |
| Speeding | 8 |
| Warnings | 12 |

INCIDENT REPORT SUMMARY
U.S. SECURITY ASSOCIATES-CORY LAKE ISLES
September 2012

March Incident Report Summaries

| | |
|-----------------------|----------------------|
| Incident Type: | Accident with Injury |
| Date: | 20 September 12 |
| Time: | 1850 hrs |
| Location: | Martinique Isle Dr |

Summary:

Resident flagged down Patrol Officer and reported a car speeding up and down the street. Resident had video footage and contacted TPD, report filed by resident. Security report filed.

Respectfully Submitted on 1 October 2012

Cpt. Ryan Schmidt



Real Estate Consulting Services:

Land Secured Public Financing
School District
Reimbursement and Credit
Fiscal Impact
Service Districts
Municipal District Services
Development Impact Fee
Redevelopment District
Affordable Housing Financing
Other Public Financing
Compliance
Entitlement Analysis
Cash Flow Feasibility Analysis

Disclosure Services
Engineering Services
Project Management Services
Capital Markets Group
Property Tax Appeals
CDD Management Services
Look Back Diagnostic Review
Lender Services
Asset Management Services
Portfolio Management Services
Economic Impact
Market Analysis

www.dpfg.com

Orange County, CA

27127 Calle Arroyo, Suite 1910
San Juan Capistrano, CA 92675
P: (949) 388-9269
F: (949) 388-9272

Sacramento, CA

4380 Auburn Blvd.
Sacramento, CA 95841
P: (916) 480-0305
F: (916) 480-0499

Las Vegas, NV

3277 E. Warm Springs Road,
Suite 100
Las Vegas, NV 89120
P: (702) 478-9277
F: (702) 629-5497

Boise, ID

950 West Bannock, 11th Floor
Boise, ID 83702
P: (208) 319-3576
F: (208) 439-7339

Phoenix, AZ

3302 East Indian School Road
Phoenix, AZ 85018
P: (602) 381-3226
F: (602) 381-1203

Austin, TX

8140 Exchange Drive
Austin, TX 78754
P: (512) 732-0295
F: (512) 732-0297

Orlando, FL

1060 Maitland Center Commons,
Suite 340
Maitland, FL 32751
P: (321) 263-0132
F: (321) 263-0136

Tampa, FL

15310 Amberly Drive, Suite 175
Tampa, FL 33647
P: (813) 374-9104
F: (813) 374-9106

Research Triangle, NC

1340 Environ Way, Suite 328
Chapel Hill, NC 27517
P: (919) 321-0232
F: (919) 869-2508

Charleston, SC

4000 S. Faber Place Drive, Suite 300
N. Charleston, SC 29405
P: (843) 277-0021
F: (919) 869-2508