

**MINUTES OF MEETING  
GATEWAY SERVICES  
COMMUNITY DEVELOPMENT DISTRICT**

The regular meeting of the Board of Supervisors of the Gateway Services Community Development District was held on Thursday, April 21, 2016 at 3:00 P.M. at the Gateway Services CDD Offices meeting room located at 13240 Griffin Drive, Fort Myers, Florida 33913.

Present and constituting a quorum were:

William Guy	Chairman
Margaret Fineberg	Vice Chair
Gary Neubauer	Supervisor
Pam Gill	Supervisor

Also present were:

Cal Teague	District Manager
Anthony Pires, Jr.	District Counsel
Danny Nelson	District Engineer, Tetra Tech
Tyler Wainright	Tetra Tech
April White	District Operations Manager

Guests and Several Residents

*The following is a summary of the minutes and actions taken at the April 21, 2016 regular meeting of the Gateway Services Community Development District Board of Supervisors.*

**FIRST ORDER OF BUSINESS**

**Call to Order & Pledge of Allegiance**

A quorum was established with three Supervisors present with Mr. Neubauer arriving late.

The Pledge of Allegiance was recited.

**Overview of Meeting Procedures and Decorum**

The audience was reminded to fill out a "Request to Address" if they would like to address the Board on any item.

**SECOND ORDER OF BUSINESS**

**Audience/Public Comments**

Mr. Larry Miner addressed the Board regarding erosion of the lake banks, particularly Lake 126.

Mr. Phil Mezey, representing the PPAC, recommended a new committee member Ms. Jan Bearce to replace Mr. Herb Freese who has resigned from the committee.

On MOTION by Ms. Fineberg seconded by Ms. Gill with all in favor the PPAC resignation of Mr. Herb Freese was accepted and appointment of a new committee member, Ms. Jan Bearce was approved. 3/0

Ms. Kendra Sutton, HOA President at Cypress Pointe addressed the Board with her concerns regarding the roadway approaching their entrance. Flowers were planted and the irrigation is not working. The issue was reported, fixed, and now not working again. Mainscape said they would be replanting but it is still not done.

Ms. Sutton also thanked Ms. White for her assistance with issues at the Fun Park, the park behind the church. There is a lot of overnight parking and drug dealing at the park. The Lee County Sheriff has been contacted.

Mr. Pires noted he and Ms. White have been in contact with the Sheriff's attorney and Captain of the Sheriff's department trying to clarify some of the confusion amongst the Sheriff's office as to the District's property and enforcement of the various laws. Follow up meetings with the Sheriff's Department are planned to ensure they fully understand that the District has hours of operation and loitering laws that should be enforced just as the laws for private property and those kinds of issues. We have the Sheriff's Department attention and their interest.

Mr. Teague added there are signs at the park that it closes at dusk.

**THIRD ORDER OF BUSINESS**

**Organizational Matters**

- A. Accept the April 8, 2016 Resignation of Mr. Rod Senior and Acknowledge the Supervisor Vacancy created on April 8, 2016 by the April 8, 2016 Resignation of Rod Senior and Establish the Process by which the Board will Fill that Vacancy**

The Chairman read a prepared notice regarding the Board vacancy into the record. A copy of the notice was included in the Board's meeting book and will be posted to the District website. The notice indicated that interested candidates should send their letter

of interest with qualifications to the attention of [Diane.Collins@gatewaydistrict.org](mailto:Diane.Collins@gatewaydistrict.org) no later than May 1, 2016.

On MOTION by Ms. Gill seconded by Ms. Fineberg with all in favor the prepared notice read by the Chairman regarding the Supervisor vacancy for Seat 5 was approved. 3/0

On MOTION by Ms. Gill seconded by Ms. Fineberg with all in favor the resignation letter submitted by Mr. Rod Senior opening up the vacancy for Seat 5 was accepted. 3/0

*The record will reflect Mr. Neubauer joined the meeting at 3:25 P.M.*

**FOURTH ORDER OF BUSINESS**

**Consent Agenda**

Mr. Neubauer referred to Consent Agenda item B – *Maintenance Inspection Report* and noted this repeats itself over and over and over and over again and nothing has changed. We hired a brand new individual with new salary, benefits, etc. and nothing has changed. We still keep getting the same kind of reports, seeing the same kind of conditions. We shouldn't be receiving these reports every month.

Ms. White responded to Mr. Neubauer's comments. She noted she would like to know from the Board what the original intent of this report was. There is always room for improvement and she and Justin Faircloth would like to broaden the matrix so there is more information on why some items are stalled.

Mr. Guy noted speaking for himself only, he feels we have made a huge amount of improvement in the last year and a half since starting to produce the report and it is a third of the volume it first was.

Ms. Fineberg commented that half of what is on the report are newer items. It would be nice to see some of the older items get corrected.

Mr. Guy pulled item C – *Contract Spreadsheet* from the Consent Agenda for further discussion.

The first item on the Contract Spreadsheet, Legislative and Executive branch lobbying, was discussed and Mr. Guy noted he has not seen any reports from Ramba Consulting Group and asked the Board to consider cancelling the contract.

Ms. Fineberg suggested including an item on the May 5<sup>th</sup> agenda regarding the reports expected from the Ramba Consulting Group, LLC.

Ms. Gill indicated since we have not received anything since 10/15/15 we should stop this contract immediately.

Mr. Pires suggested reviewing the contract during the meeting's recess to determine the termination provisions along with the other terms of the contract and the Board agreed.

- A. Approval of the March 17, 2016 Meeting Minutes**
- B. Maintenance Inspection Report**
- C. Contract Spreadsheet**
- D. Approval of Salex Plan Review**

On MOTION by Ms. Fineberg seconded by Ms. Gill with all in favor Items 4A through 4D of the consent agenda, were approved. 4/0
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Ms. White presented a Walk On item:

She noted we discovered that the contractor hired to do the pipe cleaning for the Road Turnover Project was unable to fit us into their schedule and backed out. Currently we have Mettauer Environmental working in Pelican Preserve. Mr. Bob Geppert accepted diverting his contractor over to the Road Turnover Project. The pipes need to be cleaned and videotaped per the County requirements. We are adding the scope to the current contract and it is in the General Fund 001. Mettauer has agreed to do the cleaning and the video within the budgeted amount of \$37,000. We would be adding a scope to the existing contract.

Mr. Pires noted there will be a simple amendment to the existing Mettauer contract for Pelican Preserve adding the scope of services for the Gateway project and noting that will be funded by the 001 Fund.

On MOTION by Ms. Gill seconded by Ms. Fineberg with all in favor the walk on item was approved. 4/0

**FIFTH ORDER OF BUSINESS**

**Discussion Items**

**A. Draft of Proposed FY 2017 Budget**

This item was tabled until the arrival of Mr. Stephen Bloom.

**B. Repair Significant Washouts on Lake 128-GW in Cypress Lakes**

Ms. White discussed significant washouts on Lk. 128-GW; the washouts are steep and dangerous. Board approval is requested.

Mr. Neubauer followed with a discussion regarding this situation and referenced the Permit Criteria Manual.

On MOTION by Ms. Fineberg seconded by Ms. Gill with all in favor the estimate from Extreme Golf Course Underwater Solutions, Inc. in the amount of \$14,927.47 to repair the washouts on Lk. 128-GW was approved. 4/0

In addition to the discussion above regarding the washouts on Lk. 128, Mr. Pires noted residents cannot discharge water into the District water management system without District approval. In certain situations an assessment can be made on the owner's property if this particular pool is causing a problem that all Gateway residents would have to pay for. A special assessment for this resident may be in order due to their cascading waterfalls discharging into the District system.

Ms. White added sod replacement will be necessary due to the erosion.

Ms. Fineberg MOVED seconded by Ms. Gill with all in favor to amend the previous motion regarding the estimate from Extreme Golf Course Underwater Solutions, Inc. in the amount of \$14,927.47 to repair the washouts on Lk. 128-GW by amending the approval amount to not to exceed \$16,000 for this project. 4/0

*The record will reflect the meeting recessed for 10 minutes.*

**A. Draft of Proposed FY 2017 Budget (continued)**

Mr. Stephen Bloom discussed the memo and the drafted, preliminary fiscal year 2017 budget that was previously provided to the Board. He noted with the exception of the general fund, it is basically a status-quo budget looking at where your current spending is, the current projects I was aware of at the time, where your current revenue is and I crafted a top-level, first draft budget based on that information.

The general fund is a little bit different and I tried to give you a budget that would include how things could look with the State Revolving Loan included in it. The general fund right now does have principal and interest payments in it. I wouldn't expect in 2017 for you to have the full amount, but I wanted to show you what it would look like down the line if the Board does decide to use that loan and how that would need to be crafted in terms of setting up the budget.

Included in this draft is the principal and interest payment for a \$5 Million base loan and would assume you get the full amount of money up front and you are already paying principal and interest payments by next year, which would really never happen. However, in talking to some of the folks with the SRL program they kept asking that you need to be able to show where you will be able to pay this money from; point to a line in the budget that says okay I can cover this loan. I built this budget based on that philosophy. The loan amount might change and the interest might change. Any number of things will and can change based on how the program and loan is set up.

Also included in here is that I did not back out 100% of the transfer to the fixed asset reserve for future capital projects. The two amounts can be seen on page 39.

Board members proceeded to ask questions regarding the budget.

Mr. Bloom continued by discussing the schedule roadmap. On June 2<sup>nd</sup> we want to have a top-level budget with the high-water marks, meaning we will not assess more than this. This budget can be provided to the County and will be used later on for advertisements. Between now and then, May 5<sup>th</sup> or May 19<sup>th</sup>, we should at least accomplish that you are comfortable with where the framework of the general fund will be. You can select either one of those meetings or both. After that you have between June 2<sup>nd</sup> and June 18<sup>th</sup> if you want to look at your Enterprise Fund more. Until the August 18<sup>th</sup> meeting you can still make changes; we can't go up in our assessments but

we can come down or talk about different programs. The budget will be adopted at the August 18<sup>th</sup> meeting. Staff and committees will have to put in their feedback on changes before August 18<sup>th</sup>.

Mr. Guy noted the general fund operating will be discussed on May 5<sup>th</sup> and the general fund capital discussed on May 19<sup>th</sup>. We should be ready to adopt the high-water assessment on June 2<sup>nd</sup>.

**C. Consider Modification to the Discount for Sale of Fire Impact Fee Credits**

Mr. Guy briefly explained this fire impact fee credit item. He noted the PPAC has not seen any of the documentation and would like to postpone this item until they have been able to study it in detail and bring the item back to a future meeting.

Mr. Patrick Hayes of Hayes Realty presented the advantages to modify the credits to different areas.

Mr. Phil Mezey suggested that Mr. Hayes attend the upcoming budget workshop scheduled for April 26<sup>th</sup>.

Mr. Mezey will report back on this item at the May 5<sup>th</sup> Board meeting.

**D. Approval of Proposal from Land Architects for Landscape Master Plan**

Ms. White discussed the options presented to the Board. She noted it was the Landscape Advisory Committees recommendation to go with the fuller package, the \$58,000 package. The architectural master plan would be approximately an 18 month project.

Mr. Bill Pysi of Landscape Architects, Inc. re-explained the options for the landscape master plan, full version and the budget version.

The Chairman noted he is hesitant to spend more than the \$25,000 that was budgeted. However, if we approve the full \$58,000 we should agree on the understanding that we will expend no more than \$25,000 of this year's budget and the balance will be presumably out of the fiscal year 2017 budget.

Ms. Gill and Mr. Neubauer suggested taking the project back to staff for them to review the expectations for approving a \$40,000 project and not accepting the LAC recommendation.

Ms. Fineberg noted as the landscape for Gateway is a huge project and probably the most important project that the Board takes on as it is a visual, she is willing to extend the full expenditure between two budget years as the LAC suggested.

Ms. Fineberg MOVED seconded by Mr. Guy to accept the full version, \$58,000, from Landscape Architects, Inc. for the landscape master plan.

The discussion of this project continued and Ms. Gill asked if the planting would be held off for two years and Ms. White agreed that this would need to be discussed.

On VOICE Vote with all in favor the recommendation from the LAC as proposed by Landscape Architect, Inc. for the full version amount of \$58,000 with \$25,000 to be expended within the fiscal year 2016 budget and \$33,000 to be expended within the fiscal year 2017 budget for the landscape master plan was approved. 4/0

**E. Proposal for an ALTA Survey for Road Turnover Project**

Ms. White noted she prepared the summary included in the Board's meeting packet. Mr. Tyler Wainright offered to answer questions on this item; there were none.

On MOTION by Ms. Gill seconded by Mr. Neubauer with all in favor the proposal for an ALTA Survey to be performed by Hole Montes in the amount of \$27,500 was accepted.

**F. Approve Tetra Tech Task Authorization FY 2016-3 for Amended Engineers Report**

Ms. White noted the balance is from the 2013 proceeds and the increased amount covers the engineering report update needed so we can go to bond counsel to get the project approved for the remainder of the proceeds. The \$7,210 engineering fee will be charged to the Construction Account unless the Trustee says no.

On MOTION by Mr. Guy seconded by Ms. Gill with all in favor the Tetra Tech Task Authorization FY2016-3 for the Amended Engineers Report was approved. 4/0



**G. Stoneybrook Security Services Agreement with JLH & GSCDD**

Ms. White noted this item was pulled from the agenda; it will be ready for the next meeting, however it will be effective as of April 1, 2016.

**H. Utilities Expenditures for Lift Station Pumps**

Ms. White discussed this item.

On MOTION by Ms. Gill seconded by Ms. Fineberg with all in favor the proposal outlined by Ms. White and included in the Board's agenda packages, from Mader Electric Motors, in the amount of \$26,588 was approved. 4/0

This item will be charged to the 400 Account, all utilities.

**SIXTH ORDER OF BUSINESS**

**Staff Reports**

**A. District Counsel**

**i. Memo on Pelican Preserve Bond Fund**

Mr. Pires briefly noted a motion is needed to authorize Counsel and the District Manager to prepare task authorizations for the work associated with the Pelican Preserve Bond Fund so we have definite agreements in place to do the work necessary.

On MOTION by Mr. Neubauer seconded by Ms. Fineberg with all in favor authorization for District Counsel and the District Manager to prepare task authorizations for the work associated with the Pelican Preserve Bond Fund was approved. 4/0

**B. District Engineer**

**i. SRF Funding Process-Stormwater Facilities Plan Update**

Mr. Nelson gave an update on the process and pointed out that a draft has been sent out to staff and the Board will receive a link tomorrow that will have a location where the Facilities Plan can be downloaded as it is too large to email. The public hearing will be advertised and scheduled for May 19<sup>th</sup>. The Facilities Plan follows the DEP's formatting and is a fairly simple document, but detailed. The plan can be discussed again at the May meeting.

On MOTION by Ms. Fineberg seconded by Ms. Gill with all in favor scheduling a public hearing for acceptance of the Facilities Plan for May 19, 2016 at 3:00 P.M. was approved.

*The record will reflect Mr. Nelson left the meeting.*

**C. District Manager**

**i. Acceptance of the Financial Audit for Year Ended September 30, 2015**

Mr. Teague noted the audit was provided in the Board's agenda packets and a copy will be posted to the District's website. It is a good, clean audit and there were no instances of non-compliance.

On MOTION by Ms. Gill seconded by Ms. Fineberg with all in favor the financial audit for year ended September 30, 2015 was accepted and the Chairman was authorized to execute the AFR. 4/0

Mr. Bloom noted as a housekeeping item, the current utility rate increase will end on January 1, 2018.

Mr. Teague reported we are down to 6 candidates for the position of Utility Manager. He also reported that Ms. Cindy Kline, Utility Billing Manager resigned and we will start the hiring process right away.

The Board was reminded of the workshop meeting scheduled for April 28<sup>th</sup> at 10 a.m. in the meeting room.

Mr. Teague also discussed the Ramba Consulting matter. The reports were sent to Mr. Senior by Ramba, and Mr. Teague emailed them to the Board today. The current Ramba contract goes to July 1, 2016 and can be terminated after that date.

On MOTION by Ms. Gill seconded by Mr. Neubauer with all in favor terminating the Ramba Consulting contract upon the July 1, 2016 termination date was approved. 4/0

Regarding the above termination motion, the consulting firm should contact the District if they believe the termination motion should be rescinded.

**SEVENTH ORDER OF BUSINESS**

**Supervisor Comments**

Mr. Neubauer reported the landscaping company continually leaves huge ruts along the side of Griffin Drive at the curb and have promised to repair the ruts, but they never do.

Ms. White noted she will bring the rut issue up with the landscaper at their next meeting.

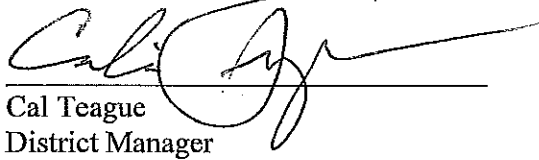
Mr. Neubauer discussed missing signs in Commerce Lakes. Ms. White noted the signs were corrected and signage for the road turnover has begun, which will take 3 to 4 weeks.

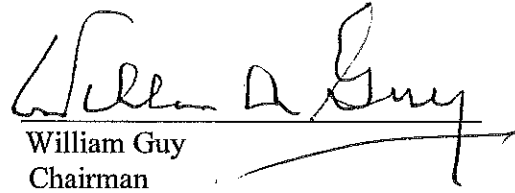
Ms. Gill discussed a missing gate on Griffin Drive allowing people to enter the FPL easement.

**EIGHTH ORDER OF BUSINESS**

The meeting adjourned at 5:45 P.M.

**Adjournment**

  
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Cal Teague  
District Manager

  
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William Guy  
Chairman