

GATEWAY SERVICES COMMUNITY DEVELOPMENT DISTRICT

August 18, 2011 Minutes of Meeting

Minutes of the Regular Meeting

1. CALL TO ORDER/ PLEDGE OF ALLEGIANCE

Chairman Neubauer called the Regular meeting of the Board of Supervisors of the Gateway Services Community Development District to order on **Thursday, August 18, 2011 at 5:30 p.m.** at the Gateway Services CDD Offices – Meeting Room, located at 13240 Griffin Drive, Ft. Myers, FL 33913.

Board Members Present and Constituting a Quorum:

Gary Neubauer	Chairman
Ed Sichel	Vice Chair
Margaret Fineberg	Supervisor
Pete Doragh	Supervisor (joined the meeting in progress)
William Guy	Supervisor

Staff Members Present:

Brian Lamb	Chief Executive Officer, District Management Services, LLC
Anthony Pires	District Counsel, Woodward, Pires & Lombardo, P.A.
Danny Nelson	District Engineer, Tetra Tech
Al Abdo	Gateway Services Staff Member
Jesse Yandle	Gateway Services Staff Member

Chairman Neubauer led the pledge of allegiance.

2. AUDIENCE/PUBLIC COMMENTS

A. Regarding Agenda Items

B. Regarding Non-Agenda Items

Delores Linscott- commented on Gateway Services District responding to calls inside the different communities stating there was a cost for every resident. Staff would like authorization to develop a charge and a policy to make it clear what to charge for responding to water leaks is, that the District responds to calls up to the curb stop, and to include calling the HOA first. Chair Neubauer requested that Ms. Linscott be the point of contact for her community.

Rod Senior- commented on the budget going from 6.5 million to 7 million. He wants to hold it back to 6.5 million. He would like to increase the resident involvement with water management and landscape within the district, water management is 47% of the budget. He suggested a water committee. Optimize the soccer field usage; consider setting up a joint venture with Lee County. He asked if the roads in Stoneybrook were turned over to the District.

Ed Tinkle- commented if the irrigation lines within Gateway Greens are the responsibility of Gateway Greens.

Norman Brown- Has a utility easement on his property where he wants to extend his lanai in Devonshire Lakes. To vacate an easement, file an application to the district with the \$150.00 for authorization. Mr. Brown did not want to pay the \$150.00 fee. The Board informed him that he would need to pay the fee.

Supervisor Doragh - commented on the committees within the District and developing a Gateway Committee that would handle several resident issues and to avoid using staff regarding these issues.

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3. BOARD PRIORITIES STATUS UPDATE

A. Priority 1 - Management Approach

i. Review Contract with DMS (Tabled until September meeting.)

B. Priority 2 – Basic Services, Status Review

Supervisor Guy reported to the Board that he was working with DMS on a new management plan. He presented a revised 'table of contents' for the employee handbook for the Board to review at their leisure. Discussion ensued regarding policy #9.

i. Lakes and Wetlands

Mr. Nelson noted there were three proposals received; he gave a brief overview of each and the proposed amounts for budgetary purposes. He stated that he will do an analysis and present a recommendation to the Board at the next meeting.

ii. Landscaping Master Plan

The Board discussed on the landscape buffer on Griffin Drive that was installed by Lee County during the expansion of the Waste Water Treatment Plant. Lee County Utilities has agreed to split the cost with the District for the purchase of 160 trees totaling \$3,427.95; and District is responsible for the installation and maintenance.

(1:12:32)

MOTION TO:	Authorize Staff to split the cost of the trees, install plant material and add to the landscape contract for maintenance.
MADE BY:	Supervisor Doragh
SECONDED BY:	Supervisor Fineberg
DISCUSSION:	None further.
RESULT:	Called to Vote: motion PASSED 4/1 Motion passed with Supervisor Sichel opposed.

A discussion was held regarding the re-bidding of landscape maintenance for District by OLM, Inc. The Board agreed to table this item until the September meeting.

iii. Recreation

Supervisor Doragh requested a summary to include all operation status reports showing areas that need the Board's attention.

Mr. Abdo requested the Board to authorize a purchase of new playground equipment for the Gateway Fun Park as the current set was a safety hazard and was closed off to use. He asked for authorization to have equipment removed and to obtain proposals for replacement equipment.

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(1:25:30)

MOTION TO:	Authorize the removal of the Gateway Fun Park playground equipment; and to obtain proposals for replacement equipment.
MADE BY:	Supervisor Doragh
SECONDED BY:	Chair Neubauer
DISCUSSION:	Discussions held regarding whether or not there is any type of equipment warranty left.
RESULT:	Called to Vote: motion PASSED 5/0 Motion passed.

The Board recessed for a five minute break.

C. Priority 3 – Enterprise Fund

i. Review of Proposed Budget and Rate Adjustments

(1:35:00)

A representative from the Pelican Preserve expressed concern with the fact that within the near future, there would be property that would be conveyed to the District and the need for Pelican Preserve to be involved with the District’s budget process to ensure the appropriate costs were covered. The biggest concern was with the current arising infrastructure problems and whether or not bond financing was available.

Chairman Neubauer summarized for the Board stating when the CDD discusses the budget, in discussing available bond monies either keeping the speed of the process going at a current or faster pace if possible in order to determine if funds would be available. If bond monies were available, instead of increasing what was being proposed to Pelican Preserve, consider setting a flat budget amount.

Discussion ensued regarding (a) whether or not the CDD has control over the bond monies, and (b) if there was a part of the bond indenture that needed to be satisfied. District Counsel Pires stated that it was ultimately the opinion and decision of the bond holders and Trustee.

Mr. Lamb explained that Peter Altman was meeting with bond counsel earlier today to discuss. He stated that he received a favorable response in the ability to move forward. Mr. Lamb discussed that the balance of the account and the approximate amount of funds that would be needed for the completion of this project. He stated that he was confident that the District would qualify for the reimbursement of construction funds through the debt service component. Further discussion ensued regarding the amount of time it will take to hear the bond counsel’s final opinion and recommendation. Mr. Lamb stated that the Board would be provided with a more detailed report in the upcoming weeks.

Discussion ensued regarding the capital improvements for this year and next; and the balance of and allowable uses of the reserve account.

Mr. Lamb suggested changing the way the District verifies the certification and the permit when property was conveyed to the District. He stated that currently, that information was being provided by the Developers Engineer. Mr. Lamb recommended having the District Engineer have a more “hand on” approach in reviewing and certifying the conveyance before the District accepts it. He also recommended that whichever party makes the request, it would be their responsibility to cover the costs of the conveyance.

155 (1:54:44)

156	MOTION TO:	Authorize an increase in the Pelican Preserves Reserve for the FY
157		2012 budget.
158	MADE BY:	Supervisor Guy
159	SECONDED BY:	Chair Neubauer
160	DISCUSSION:	Brief discussion on concern with having a solid final number; and how
161		long the process would take.
162	RESULT:	Called to Vote: motion PASSED
163		5/0 Motion passed.
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169 Mr. Nelson presented a requisition from Barraco & Associates for an invoice that was submitted 2 years
170 ago that hadn't been paid.

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172 Mr. Nelson reported that he spoke w Banks Eng and asked them to look at the current numbers and look
173 at the current size (the width and depth) of the flow way in Stoneybrook to determine if that was a
174 restriction that would negatively impact the movement of water. As a result, it was determined that the
175 size would not impact the movement of storm water. Mr. Nelson had a call into the water management
176 district and was hoping they would just need a letter from the District Engineer stating there was not
177 negative impact from the flow way system. It was stated that the District would still have to deal with the
178 encroachment issue; however, instead of redoing whole area, just redo encroachment.

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180 A discussion ensued regarding the potential for a \$200k expenditure for the main weir.

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182 **D. Priority 4 – Communication**

183 **i. Terminal Server Project**

184 **ii. Web, Document and Video Archive Server**

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186 Supervisor Doragh suggested deferring tab 7, 8 and 9 to ensure there were funds in the budget to cover
187 the expenses if the items were approved. Chair Neubauer expressed concern with the paper documents
188 that were on site and not available electronically. Supervisor Guy suggested moving the filing cabinets to
189 a fireproof and safe area rather than approving either of the scanning options. Further discussion ensued
190 on how to solve the issue.

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192 Mr. Lamb recommended that the issue be taken care of once it was determined where the funds would
193 come from. The Board agreed to table the Softrim proposals and the Scanning America proposals until
194 the next meeting.

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196 **4. APPROVAL OF CONSENT AGENDA ITEMS**

197 **A. Contracts and Purchases**

198 Consideration of the dog park lighting and the security cameras were tabled until the next meeting.

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200 **5. COMMITTEE REPORTS**

201 **A. Traffic Advisory Committee Report**

202 No report.

203 **B. Pelican Preserve Advisory Committee Report**

204 Report provided earlier in the meeting.

205 **C. Stoneybrook Advisory Committee Report**
206 Report provided earlier in the meeting.
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208 **6. BUSINESS ITEMS**

209 **B. Review of Future Meeting Schedule and Agenda Items**

210 **i. Resolution 2011-06, FY 2012 Annual Meeting Schedule**
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212 (2:19:00)

213	MOTION TO:	Approve Resolution 2011-06, FY 2012 Annual Meeting Schedule.
214	MADE BY:	Supervisor Fineberg
215	SECONDED BY:	Supervisor Guy
216	DISCUSSION:	The Board agreed to change the January and July meeting dates to the
217		12 th and the 26 th of the month. Discussion was held regarding changing
218		the meeting time to 3:00 p.m.
219	RESULT:	Called to Vote: motion PASSED
220		5/0 – Motion passed
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225 (2:23:43)

226	MOTION TO:	Amend meeting times to 3:00 p.m.
227	MADE BY:	Supervisor Fineberg
228	SECONDED BY:	Supervisor Guy
229	DISCUSSION:	None further.
230	RESULT:	Called to Vote: motion PASSED
231		5/0 – Motion passed
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234	MOTION TO:	Amend Resolution 2011-06 changing the meeting times to 3:00 p.m.
235	MADE BY:	Supervisor Doragh
236	SECONDED BY:	Supervisor Guy
237	DISCUSSION:	None further.
238	RESULT:	Called to Vote: motion PASSED
239		5/0 – Motion passed
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246 **7. STAFF REPORTS**

247 **C. District Operations**

248 **i. Staff Report and Updates**
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250 On the maintenance program memo, Chair Neubauer questioned the 2,000 linear feet of sewer line to
251 clean and T.V. a year, actual should be 10,560 ft.
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(2:30:10)

MOTION TO:	Approved the recommended maintenance program and fund the T.V. and cleaning of the sewer lines.
MADE BY:	Supervisor Doragh
SECONDED BY:	Supervisor Sichel
DISCUSSION:	None further.
RESULT:	Called to Vote: motion PASSED 5/0 – Motion passed

6. BUSINESS ITEMS

A. Discussion of Proposed FY 2012 Budget

Mr. Lamb and Mr. Connelly reviewed the modifications to the budget. Mr. Connelly stated there will not be an increase or decrease in the general fund or the O&M assessment rates. Further discussion ensued on the budget process and how the amounts are configured.

(2:53:28)

MOTION TO:	Amend the Sherriff's detail line item to \$50,000.
MADE BY:	Supervisor Doragh
SECONDED BY:	Chair Neubauer
DISCUSSION:	None further.
RESULT:	Called to Vote: motion PASSED 3/2 – Motion passed; Supervisor Fineberg and Supervisor Guy opposed.

Supervisor Doragh recommended was made to reduce the landscaping line item from \$100k to \$75k.

(2:56:00)

MOTION TO:	Amend the Griffin Road landscaping line item from \$100k to \$75.
MADE BY:	Supervisor Doragh
SECONDED BY:	Supervisor Fineberg
DISCUSSION:	Supervisor Guy recommended was made to reduce it to \$50k. Discussion ensued regarding the necessary landscaping projects that will be coming in the next fiscal year.
RESULT:	Called to Vote: motion PASSED 5/0 – Motion passed

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(2:59:55)

MOTION TO:	Adjourn the August 18, 2011 meeting.
MADE BY:	Supervisor Guy
SECONDED BY:	Supervisor Fineberg
DISCUSSION:	No discussion.
RESULT:	Called to Vote: motion FAILED 2/3 – Motion failed; Supervisor Doragh, Supervisor Sichel and Chair Neubauer opposed.

Supervisor Sichel questioned the enterprise fund revenue and meter fees. Discussion ensued with Al Abdo and the accuracy of the fees. He spoke to the City of Fort Myers and the rate has doubled since the previous year.

(3:08:27)

MOTION TO:	Approve to amend the landscaping line item to \$75K.
MADE BY:	Supervisor Doragh
SECONDED BY:	Supervisor Fineberg
DISCUSSION:	None further.
RESULT:	Called to Vote: motion PASSED 3/2 – Motion passed; Supervisor Fineberg and Supervisor Guy opposed.

(3:16:55)

MOTION TO:	Approve to amend the capital outlay line item from \$10k to \$30k.
MADE BY:	Supervisor Doragh
SECONDED BY:	Supervisor Fineberg
DISCUSSION:	None further.
RESULT:	Called to Vote: motion PASSED 3/2 – Motion passed; Supervisor Fineberg and Supervisor Guy opposed.

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7. ADJOURNMENT

(3:17:50)

MOTION TO:	Adjourn the Meeting of August 18, 2011
MADE BY:	Supervisor Fineberg
SECONDED BY:	Supervisor Guy
DISCUSSION:	None further.
RESULT:	Called to Vote: motion PASSED 5/0 – Motion passed

**ALL minutes were done in summary format.*

**Each person who decides to appeal any decision made by the Board with respect to any matter considered at the meeting is advised that person may need to ensure that a verbatim record of the proceedings is made, including the testimony and evidence upon which such appeal is to be based.*

Meeting minutes were approved at a meeting by vote of the Board of Supervisors at a publicly noticed meeting held on 8-19-12

G.L. Neubauer
Signature
G. L. Neubauer
Printed Name

Peter A. Altman
Signature
Peter A. Altman
Printed Name

Title:
 Chairman
 Vice Chairman

Title:
 Secretary
 Assistant Secretary



Recorded by Records Administrator
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Signature
3-6-12
Date