

**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, March 5, 2015 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
Pam Gill	Supervisor
Rod Senior	Supervisor
Gary Neubauer	Supervisor

Also present were:

Anthony Pires, Jr.	District Counsel
Cal Teague	District Manager
Stephen Bloom	Accounting Manager, Severn Trent
Danny Nelson	District Engineer, Tetra Tech
Scott Connell	District Operations Manager
Ivan Velez	District Utility Director
Melissa Lambros	Gateway Services

Guests and Residents

Jeff Key	Lou LeMaire
Mike Sweeney	Jan Grier
Paul Wingard	Jim Maher
Paul Fish	Bob Geppert
Ed Tinkle	Phil Mezey

*The following is a summary of the minutes and actions taken at the March 5, 2015 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 all Supervisors present. The Pledge of Allegiance was recited.

**A. Overview of Meeting Procedures and Decorum**

Mr. Guy reminded the audience 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**

**A. Regarding Agenda Items**

**B. Regarding Non-Agenda Items**

Mr. Ed Tinkle commented as follows:

- He and Mr. Sichel agreed that Town Lake Drive and Fairway Lake Drive should be CDD owned, however, the appropriate current owners should commit to updating those roads before the District moves forward.
- Encouraged the Board to go forward with bathymetrics.
- The tag fee for residents not paying utility bill should increase from \$10 to \$50 and the lock fee should increase from \$50 to \$500. The rules need to be amended.
- The Griffin Road ditch along the new sidewalk is an accident waiting to happen.
- Mr. Steven Paul addressed the Board regarding an easement issue in his backyard at Silverlakes. District Counsel advised him to speak with the property appraiser who may adjust the property taxes.
- Mr. Patrick Downey of Championship Drive addressed the Board regarding his \$4,000 water bill which was caused by a leak in his bathroom. He was granted a \$100 credit, which is the maximum allowed. District Counsel suggested he obtain a letter from his insurance company denying his claim and submit it along with a detailed letter to the Board requesting reconsideration of a larger adjustment at a later date.
- Ms. Jan Grier of Pelican Preserve asked if the Board would like her to send updates of resident meetings to them; Mr. Guy asked that they be sent to Mr. Connell. She also discussed drainage policies between the City of Fort Myers and the County. Ms. Grier requested permission to speak with the City of Fort Myers about run off issues.

- Mr. Charles Mann, representing Lennar regarding Lennar Easement Area Nine/Reflection Isles.

Mr. Pires distributed handouts and explained previous discussions regarding the idea of access to Area Nine. Lennar wants to continue to develop lots in Reflection Isles and eliminated the temporary access easement going through conservation areas and SFWMD prefers not using this access. In the interim Lennar wishes to eliminate the temporary access easement over the platted lot and replace it with a revised temporary easement that provides access over the roadway tract at Cherry Laurel Drive. Lennar has agreed that it would still work with and grant the District the L shaped piece and the District would agree to revise the temporary access easement taking the temporary access easement off of the platted lots, running it through the streets which doesn't change the District's access to this temporary access easement over a conservation area. Lennar is requesting the District approve the relocated or amended temporary access agreement and asked the District to accept the grant of easement for the reversed L shape.

Mr. Pires recommended to the Board that they authorize the Chairman to execute the amended, temporary relocation easement and to accept the grant of easement for Reflection Isles and to Lennar for the reverse L. WCI may come to the table someday with another grant of easement from another party.

Mr. Mann reiterated what Mr. Pires explained regarding the Area Nine Easement.

On MOTION by Mr. Neubauer seconded by Ms. Fineberg with all in favor authorizing the Chairman to execute the amended temporary easement agreement with the Reflection Isles Master Association and Lennar and WCI Communities was approved. 5/0

**THIRD ORDER OF BUSINESS**

**Committee Reports**

- A. Pelican Preserve Advisory Committee**
- B. Pelican Preserve Minutes of November 13, 2014**
- C. Pelican Preserve Minutes of December 11, 2014**
- D. Stoneybrook Advisory Committee**
- E. Roadway Landscape Advisory Committee**

Mr. Phil Mezey offered to answer questions regarding the Pelican Preserve Reports.

Regarding the Stoneybrook Advisory Committee Report, Ms. Fineberg spoke on behalf of Mr. Mikulka and she noted he did not have any issues that need further discussion. The light poles should be in by April 1<sup>st</sup>.

**FOURTH ORDER OF BUSINESS**

**Consent Agenda**

- A. Approval of the Meeting Minutes of February 5, 2015**
- B. Review of Financial Statements through January 31, 2015**
- C. Maintenance Inspection Report**
- D. Site Inspection Storm Water Ponds – February 6 and 18, 2015**

The Board decided to discuss consent agenda items before making a motion to approve or disapprove. The items discussed were as follows:

- Item C – Maintenance Inspection Report
- Item B – Review of Financial Statements through January 31, 2015

On MOTION by Ms. Fineberg seconded by Ms. Gill with all in favor items 4A through 4D of the consent agenda were approved with corrections as discussed to the financials. 5/0
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**FIFTH ORDER OF BUSINESS**

**Discussion Items**

**A. Bathymetrics Project**

Mr. Danny Nelson expounded on the report included in the meeting package regarding this item. The following was noted:

- A document was passed out by Mr. Nelson.
- There are two options to consider; one is Bathymetrics and the other is Coring. The Coring price is unknown until bathymetrics is completed.
- Option B is alternate lakes.
- Option C is do all lakes; 60 lakes need to be done.
- It was suggested that a two month period would knock out all 60 lakes for bathymetrics.
- The prices for Options B and C were included in the handout.
- The fee to do bathymetrics and coring is \$70,000; it was recommended not to do the coring right now.
- Option C for a fee of \$28,162.50 was recommended by Mr. Nelson.
- 26 lakes have been done at Pelican Preserve.

- Mr. Senior suggested going with Option B, treating it as a pilot and then do the other 54 lakes.
- The lake reports will help prioritize what needs to be done and identify the deficiencies.
- Mr. Nelson stated any lake whether shallow or deep should have aeration.
- The bathymetrics and coring information will be used to help understand the material that is in the lakes based on what the as-builts were and coring will further help understand what the difference is between sediment and the actual materials.
- Bathymetrics will not help in deciding which lakes need lake bank improvements. It is a diagnostic tool that will help regarding pond health.

On MOTION by Mr. Senior seconded by Mr. Neubauer with all in favor Option B (both sides if satisfied with results and make use of the results then complete all of the lakes) included in the proposal from Community Environmental Services, LLC for bathymetrics and coring was approved.  
5/0

*The record will reflect the meeting recessed.*

*The meeting resumed.*

**B. FY 2014 Pond Erosion Update**

Referring to the document included in the meeting package the funding for the lake bank improvement program for the current year was discussed by Mr. Teague. If the Board authorizes using funds that were committed in 2014 and 2015 there would be \$540,568, which is probably not enough to fund what is being recommended for 2015, but we can work with it. We only need direction.

Mr. Guy explained that the recommendations from the Engineer will exceed the current fiscal year appropriations.

Mr. Bloom made the following comments:

- Each year the Board approves a budget. This year total appropriations, total expenditures of approximately \$4.6 Million. At the end of the year anything not spent of the \$4.6 Million elapses; there is no longer approval

to spend it. If there are contracts that carry over to the next year it is finance's responsibility to make sure the additional money is put into next year's budget so that when the next year's budget is approved it is in there.

- When the budgeted money for lakes was not spent last year, it was not put into the current budget; it lapses. It will be done in future years.
- Because it was not put into the current budget it does not mean it cannot be done. It will require a budget amendment at the end of the year if you were going to exceed the \$4.6 Million you have already approved. You would amend it by adding this additional money.
- The second part is where will the funds come from to pay for that; is it approved in the District's current budget and are there funds for it. In this case, the current year budget can be adjusted for that and the District has the funds because there is a Reserve set up of \$3 Million, which is what is left in the Reserve.

Mr. Senior suggested investigating options for obtaining a loan.

Mr. Bloom suggested having initial discussions setting a frame work and finding out what options are out there.

Mr. Guy attempted to get a sense from the Board by asking are we going to proceed with the \$700,000 that was budgeted in fiscal year 2015 and the lapsed money of \$360,000 from fiscal year 2014, which give us \$1,060,000 give or take. He indicated he believes this is what should be done and Ms. Fineberg agreed. Mr. Senior disagreed.

Ms. Fineberg MOVED seconded by Ms. Gill to direct staff to compose a resolution regarding authorizing the expenditure of the capital for the lake bank improvements to include the \$700,000 plus approximately \$360,000 from the lapsed funds from the fiscal year 2014 budget.

On VOICE Vote with Ms. Fineberg, Ms. Gill and Mr. Guy voting Aye and Mr. Senior and Mr. Neubauer voting Nay, directing staff to compose a resolution regarding authorizing the expenditure of the capital for the lake bank improvements to include the \$700,000 plus approximately \$360,000 from the lapsed funds from the fiscal year 2014 budget was approved. 3/2

### **C. Littoral Planting Directives**

Referring to the document included in the meeting book Mr. Teague discussed the littoral plantings and the cost involved. The District's lake bank repair investments need to be protected. The 100% littoral plantings option was recommended.

Ms. Gill MOVED seconded by Ms. Fineberg to go forward with planting littorals at 100% as indicated in the document included in the meeting book under Item 5C and recommended by staff for lakes 104, 106, 107, 108, and 87.

On VOICE Vote with Ms. Fineberg, Ms. Gill, Mr. Guy and Mr. Neubauer voting Aye and Mr. Senior voting Nay, going forward with planting littorals at 100% as indicated in the document included in the meeting book under Item 5C and recommended by staff for lakes 104, 106, 107, 108 and 87 was approved. 4/1

Mr. Neubauer suggested that residents be notified that the littorals will be planted and they should be told not to remove them.

## **SIXTH ORDER OF BUSINESS**

### **Business Items**

#### **A. Renewal of Healthcare Plan for Employees**

Mr. Connell referred to the documents included in the meeting book regarding this item. This week Mr. Senior suggested another broker and we are currently waiting for quotes. We are not ready to make a recommendation tonight. The Board was asked to assist in setting a range for premiums and policies.

Ms. Gill noted the Agent of Record needs to be changed. The current contract will expire on March 15<sup>th</sup> but coverage can continue from month to month, however, the premium will go up a little.

Mr. Pires noted if the current plan needs to be extended we need to still maintain Credence Financial as the Agent of Record until the current plan is terminated. A drafted termination for Credence Financial as the Agent of Record will be available for the next meeting and a decision on a new employee insurance provider will be made at that time. This item was postponed to the next meeting.

**B. FY 2015 Pond Erosion Program**

Mr. Nelson referred to the memo he wrote and indicated he is not comfortable at all with making the recommendation that is in his memo. He will work within the \$540,000, we will walk the lakes, get quotes and come back to the Board with where we stand; Lake 126 is a priority.

It was also noted by Mr. Nelson regarding the previous discussed loan, he can provide information to the Board and staff on a State Revolving Fund Loan. FDEP allocates funds through two programs, a drinking water program and a clean water program. Typically their rates are a lot lower.

*The record will reflect Ms. Fineberg left the meeting.*

**SEVENTH ORDER OF BUSINESS**

**Staff Reports**

**A. District Counsel**

**i. Towne Lake Drive Memo**

**ii. Fairway Lake Drive Memo**

Mr. Pires discussed conveyance of roads. The Board, except for Mr. Senior, agreed that they don't want the roads.

District Counsel was directed to contact the appropriate parties for the two roads to find out precisely what their position is as far as wanting to keep them or wanting to turn them over to the CDD and if turned over to the CDD are they willing to bring them up to specifications.

**B. District Engineer**

**i. Hammock Cove Plan Review**

Mr. Nelson noted this is the Zuckerman property. We recommend the plan be approved.

On MOTION by Mr. Neubauer seconded by Ms. Gill with all in favor the Hammock Cove Plan Review was approved. 4/0
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**ii. Materita Phase 4 Plat Review**

This item was recommended for approval by the District Engineer.

On MOTION by Ms. Gill seconded by Mr. Neubauer with all in favor the Materita Phase 4 Plat was approved. 4/0

**C. District Manager**

Mr. Teague had no additional items to report.

**D. Operations Manager**

Mr. Connell reported he received an application today for the Land and Water Conservation Grant and timeline information. After they review and evaluate all applications, contracts will be received in October or November of this year.

It was also reported bids from seven landscape services bidders were opened today. A bid tabulation spreadsheet was handed out to the Board. The Landscape Committee will be reviewing the bids on Tuesday afternoon.

**EIGHTH ORDER OF BUSINESS**

**Supervisor Comments**

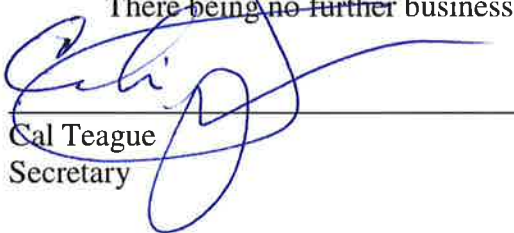
Mr. Senior inquired about an update on the engineering contract and Mr. Connell responded tomorrow is the due date for the RFQ's to be submitted.

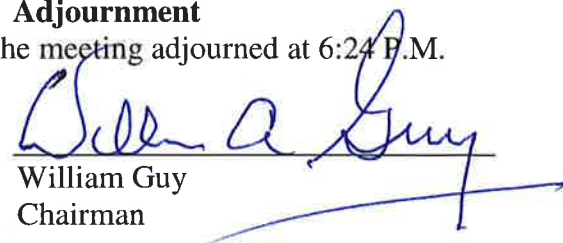
Mr. Senior also handed the results of his contacting 51 CDD's that have over 1,000 acres in Florida to the District Manager. He has been in touch with the Cabinet Secretary of the Florida Land and Water Adjudicatory Commission in Tallahassee and she gave him all the contacts and Mr. Senior phoned every one of them and he whittled it down to some HR firms who they highly recommend.

**NINTH ORDER OF BUSINESS**

**Adjournment**

There being no further business to discuss, the meeting adjourned at 6:24 P.M.

  
Cal Teague  
Secretary

  
William Guy  
Chairman