

1 **MINUTES OF MEETING**  
2 **GATEWAY SERVICES**  
3 **COMMUNITY DEVELOPMENT DISTRICT**  
4

5 The workshop meeting of the Board of Supervisors of the Gateway Services Community Development  
6 District was held on Thursday, May 17, 2018 at 3:00 P.M. at the Gateway Services CDD Offices meeting  
7 room located at 13240 Griffin Drive, Fort Myers, Florida 33913.

8 Present and constituting a quorum were:

9 Margaret Fineberg	Chairperson
10 William Guy	Vice Chairman
11 Kathleen Flaherty	Supervisor
12 Ed Tinkle	Supervisor
13 Doug Banks	Supervisor

14  
15 Also present were:

16 Anthony Pires, Jr.	District Counsel
17 Chris Shoemaker	District Manager
18 Stephen Bloom	Finance Director, Inframark
19 Michael Tisch	Public Works Manager
20 Michael Kraft	Business & Accounting Manager
21 Kenny Hall	Utility Manager

22  
23 Several guests and residents were also in attendance.  
24

25 *The following is a summary of the minutes and actions taken at the May 17, 2018 workshop*  
26 *meeting of the Gateway Services Community Development District Board of Supervisors.*  
27

28 **FIRST ORDER OF BUSINESS**

**Call to Order & Pledge of Allegiance**

29 The Pledge of Allegiance was recited.

30 Those in attendance were reminded to silence their cell phones.

31 **A. Workshop Agenda Item(s)**

32 Mr. Shoemaker asked Mr. Tisch to give an update regarding a code enforcement violation. Mr.  
33 Tisch reported an inspection was conducted by Lee County at Gateway Greens north of Walden Lakes,  
34 everything was cleaned out and no blockages were found therefore the violation is expected to be abated.

35 The cost was \$10,000. Mr. Tinkle requested a breakdown of the cost and Mr. Tisch agreed to provide it.  
36 Mr. Banks asked if there should be communication on the web site to inform residents of planned or  
37 ongoing work, and Mr. Shoemaker stated photos could be added to the site but added communication  
38 regarding this issue has taken place with residents. Mr. Tinkle noted recent rain has caused Gateway  
39 Blvd. north of Stoneybrook to be underwater and it hasn't drained yet, and Mr. Tisch responded that he  
40 has scheduled a contractor to assess why it hasn't drained.

41 Mr. Shoemaker reported a draft budget will be submitted to the board at the end of the month and  
42 noted budget items will be organized by functional categories to follow the assessment methodology  
43 study, storm water management, parks & recreation, roads, general administration, and enterprise utility.  
44 Mr. Banks requested budget items related to projects be delineated as such under the new categories and  
45 there was discussion of the benefits of reporting by functional categories to allow for regular assessments  
46 and better planning.

47 Mr. Tinkle reported there was a telephone conversation including staff and members regarding an  
48 issue relevant to the 70-20-10 allocation and how to address it (but did not elaborate on issue). Mr. Pires  
49 supposed there was discussion in older minutes. Mr. Tinkle also asked what must be done to address  
50 either rule or chapter six that describes "internal connectivity" and Mr. Pires elaborated it is relevant to  
51 whether to charge properties for the cost to maintain certain infrastructure where some are not directly  
52 connected to Gateway. He suggested the board could adopt an amendment. Mr. Tinkle suggested the  
53 board discuss further.

54 Mr. Shoemaker reported there has been a permit application for proposed apartments on Gateway  
55 and Griffin and there was discussion as to whether the correct process was being followed and whether  
56 the CDD ought to take an official position at this time. More discussion is to be held during the regular  
57 meeting.

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59 The workshop meeting adjourned at 3:25 P.M. and the regular meeting commenced.  
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**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, May 17, 2018 at 3:25 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:

Margaret Fineberg	Chairperson
William Guy	Vice Chairman
Kathleen Flaherty	Supervisor
Ed Tinkle	Supervisor
Doug Banks	Supervisor

Also present were:

Anthony Pires, Jr.	District Counsel
Chris Shoemaker	District Manager
Michael Tisch	Public Works Manager
Michael Kraft	Finance Manager
Kenny Hall	Utility Manager

Several guests and residents were also in attendance.

*The following is a summary of the minutes and actions taken at the May 17, 2018 regular meeting of the Gateway Services Community Development District Board of Supervisors.*

**FIRST ORDER OF BUSINESS**

**Call to Order**

A quorum was established with all Supervisors present.

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

The audience was reminded to fill out a "Request to Address" form for those who would like to address the Board on any item.

102 **SECOND ORDER OF BUSINESS**

**Audience/Public Comments**

103 **A. Regarding Agenda Items**

104 There were no requests to address the Board regarding non-agenda items.

105

106 **B. Regarding Non-Agenda Items**

107 *Request to Address: Mr. James Brann, resident of Hampton Park and HOA Board Director*

108 Mr. Brann advised the board he has prepared a letter requesting a public hearing regarding the  
109 permit application for 310 proposed apartments and shared concern regarding plans to build on what is  
110 currently a ditch intended for drainage. Mr. Brann has contacted Lee County zoning via email and they  
111 responded to say they have not approved any development and the land is currently zoned for up to 200  
112 units. He also contacted SFWMD, which has not issued an environmental resource to date. He requested  
113 the board pass a motion and articulate opposition to the permit, which he intends to include as an  
114 attachment to his letter requesting public hearing.

115 *Request to Address: Mr. Ron Worley, resident of Hampton Park*

116 Mr. Worley addressed the board to share thanks and appreciation on behalf of Hampton Park  
117 owners for the unanimous vote at the last meeting regarding the Board's approval of Hampton Park  
118 Turnover & Conveyance and their acceptance of maintenance of the secondary drainage systems. He also  
119 reiterated his commitment to assist with facilitating access within his community for maintenance.

120 Mr. Tinkle stated there are 36 homes on landscape buffer easements, not on drainage easements,  
121 and asked what sort of legal documents would be required to access those sections to take video and to  
122 obtain compliance from the property owner for allowing drainage on their property. Mr. Pires agreed to  
123 research and report back to the Board. He went on to say an old SFWMD application included some  
124 indication of a portion of existing easement vacated. There was discussion and clarification is needed.

125 *Request to Address: Mr. Frances Iannucci, resident of Daniels Preserve*

126 Mr. Iannucci stated Commerce Lakes Blvd. connects Daniels Preserve to Gateway and asked if  
127 the CDD was supposed to take over the road, as the HOA is paying for maintenance to the side of the  
128 road. Mr. Tinkle clarified the road from Commerce Lakes Drive to the east side of Love a Child is being  
129 transferred from WCI to CDD, but roadway from there over to Daniels Parkway was under a property  
130 owners association that is now defunct. Mr. Tinkle acknowledged it is a problem and cited a similar  
131 circumstance with Townlakes Office Park in which a deal was made for the CDD to include the road in  
132 landscaping and maintenance, covered by a special assessment. Mr. Iannucci raised the issue of liability  
133 and repairs. Mr. Pires agreed to research memos relevant to the deal with Townlakes Office Park and the  
134 Board indicated they would follow up to search for solutions.

135

136 *Request to Address: Mr. Bob Geppert, resident of Pelican Preserve*

137 Mr. Geppert reported Pelican Preserve has reached agreements with Lennar to install downspouts  
138 and requested the Board's support to get Lennar to complete this work during construction of the homes.  
139 Mr. Shoemaker indicated he has corresponded before and has sent a PO for \$450 each. Rhonda Brewer  
140 was the previous point of contact, then Jack Turner, who is a subordinate of Darren. David Caldwell  
141 stated he had a conversation this week with Darren, who indicated he has directed his staff ensure the  
142 work is done.

143

144 **THIRD ORDER OF BUSINESS**

**Staff Reports**

145 **A. District Engineer**

146 **i. Pistoia Road and Drainage Turnover**

147 Mr. Danny Nelson from Tetra Tech explained utilities were previously brought to the Board and  
148 were approved, but roadway and drainage were not in position to be accepted at that time. Since then, the  
149 punch list has been completed as well as a review of records, drawings, and documents, and Mr. Nelson  
150 reports all is not satisfactory and requested the Board's approval for turnover of roadways and drainage.  
151 Mr. Tinkle asked how to address acceptance of the road without the final lift completed. Mr. Nelson  
152 replied the Board could accept the roads and not the drainage pending completion of the lift or could  
153 accept both with a bond that covers the lift. Mr. Dave Caldwell of WCI added according to the policy  
154 permit criteria, there is a performance bond that covers the road including the final lift.

155

On MOTION by Mr. Tinkle seconded by Mr. Banks with all in favor, turnover of Pistoia Road  
and Drainage was approved. 5/0

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157

158 Mrs. Flaherty asked Mr. Nelson if they could apply for grants for the ponds. Mr. Nelson stated  
159 there is a Hazard Mitigation Grant program administered through FEMA with funds available for counties  
160 directly impacted by disasters. There are certain criteria, but the Board could submit for lake bank  
161 improvements or capital projects subject to eligibility. Mr. Nelson believes the deadline for submitting is  
162 August and offered to look into it and bring the criteria back to the Board for consideration.

163 Mr. Tinkle reiterated a request for a proposal for an adjustable weir for Hampton Park.

164 Mr. Tinkle stated there was a meeting held with the rate consultant and a goal has been set to  
165 produce a 10-year capital improvement plan for build-out of Gateway. Mr. Tinkle sent Mr. Nelson an  
166 email identifying water, sewer, and irrigation that may be vulnerable. He acknowledged Mr. Nelson is  
167 working on hydraulic analysis and asked whether it will identify what facilities are needed for build-out  
168 and cost to perform the work. Mr. Nelson reported Tetra Tech is scheduled to bring something back to the  
169 Board in June that will cover irrigation on the infrastructure side and whether it will provide enough

170 pressure. Mr. Tinkle stated they need to understand the total cost for repairs or improvements to ensure  
171 the system can support the additional homes being built, and so the ten-year proposal can be completed  
172 for the rate study and fee structures can be determined. Mr. Nelson agreed to include system deficiencies  
173 and solutions in their proposal.

174 Mr. Banks asked for an update on the storage facility and Mr. Nelson said he would bring an  
175 update to the next meeting.

176

177 **B. District Counsel**

178 Mr. Pires asked if David Lapedis could join by telephone during consent agenda to report on the  
179 closing of the SRF loans and Mrs. Fineberg agreed.

180 Mr. Lapedis reported an agreement was reached and payoff letters were received from  
181 CenterState Bank. If payoff takes place today, there is a gap of about \$93,000. Mr. Lapedis suggested  
182 closing next week and Mrs. Fineberg asked what the Board's options were to try and close today. Mr.  
183 Lapedis explained the District deposited the proceeds of the state loan into IberiaBank, so funds would  
184 have to be transferred to Regent bank, then wired to CenterState Bank along with remaining funds to  
185 cover the \$93,000. Mr. Pires indicated funds were already set aside and Mr. Bloom confirmed. Mr. Pires  
186 suggested the documentation could be dated today and the wire transfer completed tomorrow. Again, Mr.  
187 Bloom confirmed. Mr. Pires noted CenterState has waived all late fees.

188 Mr. Tinkle said typically members of Board see a final engineering report identifying the cost of  
189 the project and raised questions about the math calculating the amount not covered by the SRF.  
190 Discussion about the figures ensued, and Mr. Tinkle asked Mr. Bloom for breakdown of expenses in the  
191 project by what is and is not SRF eligible. Mr. Bloom clarified Mr. Lapedis is discussing closure of the  
192 CenterState loan only, and not the total project cost, which is being tracked as part of the project  
193 management. After additional discussion, Mrs. Fineberg reiterated the relevant topic for consideration  
194 was to facilitate pay-off of the loan, and she instructed the District Manager and Finance Director to first  
195 ensure the wire transaction is completed tomorrow, and then to produce a financial report itemizing the  
196 project costs. No motion is needed at this time. Mr. Lapedis indicated he will wait for a call back after the  
197 meeting to finalize the documents for tomorrow's closing.

198

199 **FOURTH ORDER OF BUSINESS**

**Consent Agenda**

200 **A. Minutes of April 5, 2018**

201 Mrs. Flaherty noted an error for correction on page fourteen, where it reads "Ms. Flaherty"  
202 instead of "Mrs. Flaherty."

203 **B. Minutes of April 19, 2018**

204 **C. Contract Spreadsheet**

205 On MOTION by Mr. Guy, seconded by Mr. Tinkle with all in favor, Consent Agenda items 4A  
206 through 4C were approved with one correction to Mrs. Flaherty's title on page fourteen of the  
207 April 5, 2018 minutes. 5/0

209 **FIFTH ORDER OF BUSINESS**

**Action Items**

210 **A. District Engineer Selection**

211 Mr. Shoemaker reported a request for qualification of District Engineer was put out last month, as  
212 the current contract with Tetra Tech ends today. Five proposals were received, from Tetra Tech, Weston  
213 & Sampson, Kisinger Campo & Associates, Hagan Engineering, and Craig A. Smith & Associates. A  
214 selection committee was formed comprised of residents and staff members. The committee held a  
215 meeting and members were given a score sheet. Four of the five firms were scored within 10 points of one  
216 another, therefore Mr. Shoemaker recommended those four should each make a presentation to the Board  
217 for final selection. Discussion ensued, and Mr. Tinkle again raised the issue of vetting firms for conflicts  
218 of interest. Mr. Pires recommended those conversations be held in a public setting with minutes taken. It  
219 was decided Mr. Shoemaker would assemble questions to be sent to all presenting firms, so they can be  
220 prepared to answer them during their presentations to the Board.

221 Mr. Pires reported comments were made by Mr. Tisch of the selection committee that  
222 demonstrated bias against one of the firms. He read the comments as they were summarized in an email  
223 and provided a copy of the email for the record. Mr. Pires recommended Mr. Tisch be asked to recuse  
224 himself from the solicitation, ranking, and evaluation process, or be disqualified by the Board. Discussion  
225 was held, during which Mr. Tinkle expressed confusion as to why anyone would conclude the purpose of  
226 the selection process is to replace Tetra Tech. Mr. Guy suggested the chairperson appoint one Board  
227 member, along with District Counsel and District Manager, to meet with Mr. Tisch and determine how to  
228 proceed. Mrs. Fineberg agreed and announced she would participate in the meeting. She asked Mr.  
229 Shoemaker to schedule it.

230 On MOTION by Mrs. Flaherty, seconded by Mr. Guy with all in favor, hearing of the top three  
231 Engineering firms' presentations at the June 21, 2018 meeting was approved. 5/0

232  
233 Mr. Banks re-counted the rankings excluding Mr. Tisch's submission and the firms rank as  
234 follows: Craig A. Smith & Associates scored 70, Hagan Engineering scored 44, Kisinger Campo &  
235 Associates scored 81, Weston & Sampson scored 79, and Tetra Tech scored 90. The Board will hear  
236 presentations from Kisinger Campo & Associates, Weston & Sampson, and Tetra Tech at the June 21,  
237 2018 Board meeting.

238 On MOTION by Mr. Banks, seconded by Mr. Tinkle with all in favor, extension of the Tetra  
239 Tech contract by 90 days until August 13, 2018 was approved. 5/0

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241 **B. Pre-Enforcement Notification by the SFWMD**

242 Mr. Pires reported it was apparent SFWMD is very serious at the May 10, 2018 meeting and there  
243 is no longer any opportunity for discussion regarding the meaning of various documents (i.e. easements or  
244 no easements, operating or not operating). SFWMD indicated when the CDD submits the permit transfer  
245 of operating entity forms, if it is legitimately believed the CDD should not be the operating entity, then  
246 the entire permit must be transferred with operating responsibility listed out and co-permitting without  
247 permit modification can be sought at a later date. Mrs. Fineberg added there are 16 permits yet to be  
248 transferred and SFWMD made their position very clear—they are not concerned with what issues the  
249 District has, they want transfers in their office or they will begin issuing fines—and it is up to the District  
250 to resolve their issues. Discussion was held.

251 On MOTION by Mr. Tinkle, seconded by Mrs. Flaherty with all in favor, authorization and  
252 instruction to the District Manager to execute the transfer of operating entity forms in question  
253 and submit them to South Florida Water Management District was approved. 5/0

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255 **SIXTH ORDER OF BUSINESS**

**Informational Item**

256 **A. Qualifying to Run for Office**

257 This item was included for informational purposes only. There were no questions or discussion.  
258

259 **SEVENTH ORDER OF BUSINESS**

**Supervisor Comments**

260 Mrs. Flaherty asked whether the Board should address the Public Notice with a letter. Mr. Tinkle  
261 made a motion to draft a letter stating the Board's position and discussion ensued. Mr. Banks raised the  
262 question of whether the Board had any grounds and Mr. Pires and several members acknowledged there  
263 could be impacts to the District's wetlands and drainage. Mr. Guy stated the letter should include reasons  
264 for the Board's position and Mr. Pires suggested that position should include some technical engineering  
265 basis. He clarified the comment period began yesterday and is 21 days long. Mr. Nelson offered to review  
266 the history of the ditch and provide more information to the Board.

267 On MOTION by Mr. Tinkle, seconded by Mrs. Flaherty with all in favor, authorization of the  
268 District Manager to draft a letter to Jacksonville Army Corps of Engineers stating the Board's  
269 position on the project, to be reviewed by District Counsel and District Engineer, was approved  
270 after discussion. 5/0



271 Mrs. Flaherty asked Mr. Tisch about soccer field utilization. Mr. Tisch reported Gateway Flag  
272 Football had 374 kids in the Fall, 200 from Gateway and 174 not from Gateway. Gateway Soccer  
273 Association estimated about 900 kids, with 340 not from Gateway. Mr. Shoemaker added there is a use  
274 agreement with the elementary schools.

275 Mr. Guy stated at the last meeting there was a resolution passed regarding golf cart usage at  
276 Pelican Preserve and asked that the residents be provided notice.

277 Mr. Banks asked Mr. Shoemaker what the next steps are now that the facilities assessment has  
278 been completed. Mr. Shoemaker responded to say there will be a meeting with the county next week to  
279 get specifics and reiterated a structure adjacent to the pool for recreational use would likely be approved  
280 but a stand-alone administrative building would not. Mr. Shoemaker plans to explore this further.

281 Mr. Banks raised an issue of increased traffic and asked whether there are any assessments or  
282 conversations underway. Mr. Tisch reported he had a conversation with Brian from LDOT and there are  
283 plans to fund design of a roundabout at Commerce Lakes and Gateway Blvd., which has resulted from  
284 concern after increased accidents. Mr. Tinkle asked if trees were removed at various intersections and Mr.  
285 Banks added there are bushes obstructing the view on Corporate Lakes Drive at Commerce Lakes Drive.  
286 Mr. Tisch stated he would mention it to the property owner as it is not CDD's landscaping. He went on to  
287 say the county also plans to eliminate the straight-through on Commerce Lakes Drive to discourage  
288 traffic.

289 Mr. Tinkle asked what the final cost was to complete Pond 106 and Mr. Tisch replied it was  
290 approximately \$28,800. Mr. Shoemaker added they plan to use the remaining \$10,000 for materials be  
291 putting in spike brush, for total of around \$40,000. He offered to provide a breakdown of cost by linear  
292 foot.

293 Mr. Tinkle said there was a recent meeting held regarding sewer cleaning where the issue of  
294 material being returned to the sewers or being hauled away was discussed. Mr. Tisch responded to say he  
295 is exploring what Lee County can provide.

296 Mr. Tinkle asked Mr. Shoemaker to provide estimate from vendors on the cost to complete video  
297 at Hampton Park and suggested the funds could be appropriated to cover it. Mr. Tinkle also reported the  
298 Hampton Park sewer from overflow to the 60" pipes have never been cleaned out. He clarified 20%  
299 blockages or less are acceptable and considered "clean."

300 Mr. Tinkle asked Mr. Shoemaker who is doing pond and wetland maintenance at Hampton Park  
301 and Mr. Shoemaker explained he kept the contracted vendor, Woods & Wetlands, and added Vertex will  
302 also perform an inspection. Mr. Shoemaker clarified he referenced the previous contract for pricing and  
303 issued a purchase order for the work.

304 Mr. Tinkle asked if elevations have been collected for the weirs and Mr. Shoemaker replied he  
305 just requested an update today.

306 Mr. Tinkle asked for an update on street lighting and Mr. Tisch replied he requested a quote from  
307 the same firm who did work at Gateway Greens, but the quote included more than what was needed, so he  
308 has asked for a revised quote.

309 Mr. Tinkle asked what can be done to transfer roads at Stoneybrook and Pelican Preserve back to  
310 the respective HOAs. Mr. Pires share his opinion that it cannot be done.

311 Mr. Banks mentioned there have been several coyote sightings and a large black bear sighting,  
312 just as a point of awareness for the District.

313 Mrs. Fineberg asked for an update on a baffle or screen to block the debris from clogging up  
314 opening in weir at Stoneybrook and Mr. Shoemaker stated the work will be done all at once in the next  
315 couple months when the canal is cleaned out.

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317 **EIGHTH ORDER OF BUSINESS**

**Adjournment**

318 The meeting was adjourned at 5:26 P.M.

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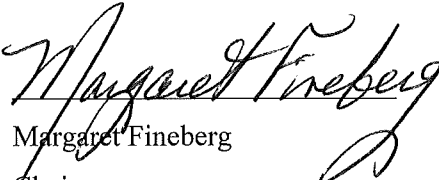
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Margaret Fineberg  
Chairperson