
MINUTES OF MEETING

**LUCAYA
COMMUNITY DEVELOPMENT DISTRICT**

The regular meeting of the Board of Supervisors of the Lucaya Community Development District was held on **Thursday, November 17, 2016 at 9:35 a.m.** at the office of Rizzetta & Company, Inc., located at 9530 Marketplace Road, Suite 206, Fort Myers, Florida 33912.

Present and constituting a quorum:

Stephen Reiter	Board Supervisor, Assistant Secretary
Richard Werner	Board Supervisor, Assistant Secretary
Kathleen Gough	Board Supervisor
David Westbrook	Board Supervisor
Richard Klavas	Board Supervisor

Also present were:

Belinda Blandon	District Manager, Rizzetta & Company, Inc.
Matthew Huber	Regional District Manager, Rizzetta & Company, Inc.
Mike Eckert	District Counsel, Hopping Green & Sams P.A.
Wes Kayne	Barraco & Associates, Inc.
Audience	

FIRST ORDER OF BUSINESS

Call to Order

Ms. Blandon called the meeting to order and read roll call. Ms. Blandon stated for the record that prior to the onset of the Board of Supervisors' meeting she administered the Oath of Office to the newly elected Board Supervisors; Kathleen Gough, David Westbrook, and Richard Klavas. Ms. Gough and Mr. Klavas elected to receive Supervisor compensation and Mr. Westbrook elected to decline Supervisor compensation.

Mr. Eckert explained the Sunshine Laws and Florida Statutes. He explained how the Supervisors are subject to Public Records Laws. Mr. Eckert advised the District has not adopted Roberts Rules of Order for meetings, he also provided an overview of the process of voting on issues.

Mr. Huber explained that Board members may not use each other as conduits for communication as doing so would be a violation of the Sunshine Laws.

SECOND ORDER OF BUSINESS

Public Comment

Ms. Blandon opened the floor to public comment. Questions and comments from the public were entertained.

THIRD ORDER OF BUSINESS

Consideration of the Minutes of the Board of Supervisors Meeting Held on September 15, 2016

Ms. Blandon presented the minutes of the Board of Supervisors meeting held on September 15, 2016. She asked if there were any additions, deletions, or corrections. There were none.

On a Motion by Mr. Werner, seconded by Mr. Klavas, with all in favor, the Board approved the Minutes of the Board of Supervisors Meeting held on September 15, 2016, for the Lucaya Community Development District.

FOURTH ORDER OF BUSINESS

Consideration of the Operations and Maintenance Expenditures for the Months of August, September, and October 2016

Ms. Blandon presented the Operations and Maintenance Expenditures for the period of August 1-31, 2016 in the amount of \$15,346.14, the period of September 1-30, 2016 in the amount of \$27,228.65, and the period of October 1-31, 2016 in the amount of \$22,437.520. She asked if there were any questions regarding any item of expenditure. There were none.

On a Motion by Mr. Reiter, seconded by Mr. Werner, with all in favor, the Board approved the Operations and Maintenance Expenditures for the months of August, September, and October 2016, for the Lucaya Community Development District.

FIFTH ORDER OF BUSINESS

Consideration of Resolution 2017-01, Canvassing and Certifying Results of the November 17, 2016 Landowner Election

Ms. Blandon provided an overview of the resolution, advising the Landowner meeting and election had been held prior to the onset of the Board of Supervisors meeting. Ms. Blandon advised Ms. Kathleen Gough, Mr. David Westbrook, and Mr. Richard Klavas were each elected to the Board of Supervisors. Discussion ensued and counsel was asked regarding the procedures in the event of a tie. Counsel advised the law is that the four-year term is determined by lot, unless the candidates agree to terms. He recommended that the candidates discuss amongst themselves and decide who would prefer the two-year term versus the four-year term. After discussion amongst the candidates, it was agreed that Mr. Klavas would serve the two-year term and Mr. Westbrook would serve the four-year term. Ms. Gough and Mr. Westbrook will each serve a four-year term and Mr. Klavas will serve a two-year term. She asked if there were any questions. There were none.

On a Motion by Mr. Werner, seconded by Mr. Westbrook, with all in favor, the Board Adopted Resolution 2017-01, Canvassing and Certifying Results of the November 17, 2016 Landowner Election, for the Lucaya Community Development District.

SIXTH ORDER OF BUSINESS

**Consideration of Resolution 2017-02,
Designating Officers of the District**

Ms. Bandon provided an overview of the resolution, advising that following an election designating officers of the District is appropriate. The Supervisors discussed the positions and Mr. Werner expressed his interest in serving as Chairman.

On a Motion by Mr. Werner, seconded by Mr. Reiter, with all in favor, the Board Adopted Resolution 2017-02, Designating Officers of the District as follows: Mr. Richard Werner as Chairman; Mr. David Westbrook as Vice Chairman; and Ms. Kathleen Gough, Mr. Richard Klavas, Mr. Stephen Reiter, Mr. Matthew Huber, and Ms. Belinda Bandon as Assistant Secretaries of the District, for the Lucaya Community Development District.

SEVENTH ORDER OF BUSINESS

**Review and Consideration of Prompt
Payment Policies and Procedures,
Resolution 2017-03**

Ms. Bandon advised the Prompt Payment Policies and Procedures as well as the resolution and memorandum were received from Counsel. Mr. Eckert explained the provisions that outline how the District will deal with disputes. He also explained the protection the policies will provide to the District.

On a Motion by Mr. Werner, seconded by Mr. Westbrook, with all in favor, the Board Adopted Resolution 2017-03, Prompt Payment Policies and Procedures, for the Lucaya Community Development District.

EIGHTH ORDER OF BUSINESS

**Consideration of Barraco & Associates
Contract Addendum 5 for NPDES MS4
Permit Year 5 Annual Report**

Mr. Kayne provided an overview on the permit and process. He explained the agreement and the process with regard to the storm and sewer system. He advised the ERP permit is through SFWMD and inspections are conducted on an annual basis with reports sent to the County and State annually. Discussion ensued concerning the contract terms and conditions.

On a Motion by Mr. Werner, seconded by Mr. Klavas, with all in favor, the Board Approved the Barraco & Associates Contract Addendum 5 for NPDES MS 4 Permit Year 5 Annual Report, in substantial form, for the Lucaya Community Development District.

NINTH ORDER OF BUSINESS

**Consideration of Earth Tech
Environmental Proposal for Additional
Mangrove and Vegetation Trimming**

Ms. Bandon advised Management received additional requests for trimming of areas that were not part of the Phase 3 trimming. Earth Tech reviewed these areas and provided the proposal being presented in the amount of \$2,850.00. She further advised Passarella & Associates has agreed to conduct the monitoring at no charge.

On a Motion by Mr. Werner, seconded by Ms. Gough, with all in favor, the Board Accepted the Proposal from Earth Tech Environmental for Additional Mangrove and Vegetation Trimming, for the Lucaya Community Development District.

TENTH ORDER OF BUSINESS

Staff Reports

- A. District Counsel
Mr. Eckert advised he had no report.
- B. District Engineer
Mr. Kayne advised he is starting to prepare the year 5 NPDES report and is expecting to receive the Cycle 4 draft permit.
- C. District Manager
Ms. Blandon advised the next meeting of the Board of Supervisors is scheduled for Thursday, December 15, 2016 at 9:00 a.m.

ELEVENTH ORDER OF BUSINESS

Supervisor Requests and Comments

Ms. Blandon opened the floor for Supervisor Requests and Comments.

Discussion ensued regarding the December meeting.

On a Motion by Mr. Werner, seconded by Mr. Reiter, with all in favor, the Board cancelled the December 15, 2016 Meeting of the Board of Supervisors', for the Lucaya Community Development District.

Discussion ensued concerning the mangrove trimming.

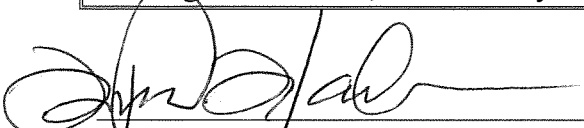
On a Motion by Mr. Klavas, seconded by Mr. Westbrook, with all in favor, the Board Provided Authorization to the Chairman to Execute a Contract for Mangrove and Vegetation Trimming for additional locations submitted after a proposal was obtained from Earth Tech, for the Lucaya Community Development District.

Ms. Blandon opened the floor for Audience questions and comments. There were none.

TWELFTH ORDER OF BUSINESS

Adjournment

On a Motion by Ms. Gough, seconded by Mr. Klavas, with all in favor, the Board adjourned the meeting at 10:17 a.m., for the Lucaya Community Development District.


Secretary/Assistant Secretary


Chairman/ Vice Chairman