

---

**MINUTES OF MEETING**

*Each person who decides to appeal any decision made by the Board with respect to any matter considered at the meeting is advised that the 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.*

**PASEO  
COMMUNITY DEVELOPMENT DISTRICT**

The regular meeting of the Board of Supervisors of the Paseo Community Development District was held on **Wednesday, February 24, 2016 at 11:00 a.m.** at the Paseo Village Center, located at 1611 Paseo Grande Boulevard, Fort Myers, Florida 33912.

Present and constituting a quorum:

Frank Dengler	<b>Board Supervisor, Chairman</b>
Manny Samson	<b>Board Supervisor, Vice Chairman</b>
Bill Shulha	<b>Board Supervisor, Assistant Secretary</b>

Also present were:

Kristen Suit	<b>District Manager, Rizzetta &amp; Company, Inc.</b>
Matt Huber	<b>Regional District Manager, Rizzetta &amp; Company, Inc.</b>
Jan Carpenter	<b>District Counsel, Latham, Shuker, Eden &amp; Beaudine, LLP</b>
Carl Barraco	<b>District Engineer, Barraco &amp; Associates, Inc.</b>
Patrick Miles	<b>Account Manager, Luke Brothers Landscaping</b>
Tab Downare	<b>Owner, Sweeperman</b>
Audience	

**FIRST ORDER OF BUSINESS**

**Call to Order**

Ms. Suit called the meeting to order and read roll call.

**SECOND ORDER OF BUSINESS**

**Public Comment**

Ms. Suit opened the floor for public comment. Questions and comments from the public regarding agenda items were entertained.

**THIRD ORDER OF BUSINESS**

**Consideration of the Minutes of the Audit  
Committee Meeting held on January 27,  
2016**

Ms. Suit presented the Minutes of the Audit Committee meeting held on January 27, 2016 and asked if there were any revisions to the Minutes. There were none.

On a Motion by Mr. Dengler, seconded by Mr. Samson, with all in favor, the Board accepted the Minutes of the Audit Committee Meeting held on January 27, 2016, for the Paseo Community Development District.

**FOURTH ORDER OF BUSINESS**

**Consideration of the Minutes of the Board of Supervisors' Meeting held on January 27, 2016**

Ms. Suit presented the Minutes of the Board of Supervisors' meeting held on January 27, 2016 and asked if there were any revisions to the minutes. There were none.

On a Motion by Mr. Samson, seconded by Mr. Shulha, with all in favor, the Board approved the Minutes of the Board of Supervisors' Meeting held on January 27, 2016, for the Paseo Community Development District.

**FIFTH ORDER OF BUSINESS**

**Consideration of the Operations and Maintenance Expenditures for the Month of January 2016**

Ms. Suit presented the Operations and Maintenance Expenditures for the period of January 1-31, 2016, totaling \$75,390.52. She asked if there were any questions. There were none.

On a Motion by Mr. Dengler, seconded by Mr. Shulha, with all in favor, the Board approved the Operations and Maintenance Expenditures for the period of January 1-31, 2016 which totaled \$75,390.52, for the Paseo Community Development District.

**SIXTH ORDER OF BUSINESS**

**Consideration of Proposal for Dumpster Enclosure Camera**

Ms. Suit advised the proposal received from Cypress Access for a video camera at the dumpster enclosure totals \$6,752.49. She further advised an additional proposal was received to include remote access, the proposal totaled \$7,981.10.

Mr. Shulha read a letter into the record concerning the dumpster enclosure. Mr. Shulha advised he believes the CDD should exit the solid waste services.

Mr. Shulha made a motion to have the Paseo CDD Board exit the solid waste management business at budget year end, and turn the full responsibility to the Paseo Condo Association at that time. Discussion ensued. Mr. Dengler advised he does not believe the CDD can get out of the solid waste business. Ms. Suit advised she spoke with the City and they advised per ordinance, trash collection can only be done by the City. Further discussion ensued. Ms. Carpenter advised the CDD does not hold the contract for Condo Association garbage pick up, she further advised the CDD can and does own/maintain the dumpster enclosure area. Mr. Shulha advised he would like to meet with the City to discuss options for trash pick up in the Condo Areas. Ms. Carpenter advised the CDD is not in charge of the Condo Area and therefore

the CDD Board and the CDD Manager cannot meet with the City regarding the subject of garbage pick up in the Condo Association. Ms. Carpenter clarified that the CDD is not in the waste management business as they only maintain the garbage collection area. Discussion ensued.

Ms. Suit advised there are two separate issues. One is the Condo Association garbage pick up, and that contract is not held by the CDD. The contract is between Luke Brothers and the Condo Association and is not a CDD matter. The second issue is the bulk garbage being placed inside the dumpster enclosure. Further discussion ensued.

On a Motion by Mr. Samson, seconded by Mr. Shulha, with all in favor, the Board authorized the CDD Board to meet with the Condo Association Board to discuss trash pick up, for the Paseo Community Development District.

Consideration of the Dumpster Enclosure Camera and Signage has been tabled until further notice. Mr. Dengler asked that the District Engineer look into the list of safety issues concerning the dumpster and compactor. Mr. Barraco advised he will look into the issues once they are provided to him in writing. Mr. Dengler provided the list to the District Engineer at the close of the meeting. The District Engineer will provide an update to the Board at the March meeting.

**SEVENTH ORDER OF BUSINESS**

**Consideration of Proposals for Signs at Dumpster Enclosure**

This item was tabled until further notice.

**EIGHTH ORDER OF BUSINESS**

**Consideration of Proposal for Berm Repairs**

Ms. Suit provided an overview of the proposal received from Luke Brothers for berm repairs, in the amount of \$13,039.00. Mr. Miles of Luke Brothers advised Luke Brothers completed a walk thru of the berm damage within the community. He further advised most of the work on the proposal is from the previous proposal submitted in March 2015. Discussion ensued.

On a Motion by Mr. Dengler, seconded by Mr. Shulha, with all in favor, the Board approved the proposal from Luke Brothers in the amount of \$13,039.00 for Berm Repairs, for the Paseo Community Development District.

**NINTH ORDER OF BUSINESS**

**Discussion Regarding the District Hiring an Electrical Engineer to Inspect Streetlights**

Mr. Dengler discussed the need for hiring an electrical engineer to inspect the streetlights due to the frequency of bulbs, ballasts, and fuses blowing out. Mr. Shulha advised an expert should be brought in to review the system. He further advised he supports the decision. Mr. Samson advised he agrees as well.

On a Motion by Mr. Shulha, seconded by Mr. Samson, with all in favor, the Board directed the District Engineer to prepare a scope of services and to obtain proposals for an Inspector to Review the Street Lighting System, to be provided to the Board at the March meeting, for the Paseo Community Development District.

**TENTH ORDER OF BUSINESS**

**Discussion Regarding Signage Placed on CDD Property**

Ms. Suit advised there has been discussion regarding realtor signage being placed on CDD property. She advised she believes the Board wishes to not allow signage to be placed on CDD property but there is currently no policy in place, so the first step would be to put in place a policy. Mr. Dengler asked if the CDD can remove signage should it be placed on the CDD property. Ms. Carpetner advised the CDD can remove the signage provided a policy or rule is in place.

On a Motion by Mr. Shulha, seconded by Mr. Dengler, with all in favor, the Board directed District Counsel to Draft a Policy Regarding No Signage Placed on CDD Property, to be provided to the Board at the March meeting for Consideration, for the Paseo Community Development District.

**ELEVENTH ORDER OF BUSINESS**

**Discussion Regarding Fishing Policy and Signage**

Ms. Suit presented the current Fishing Policy as well as the City of Fort Myers no trespassing packet. She advised in order to put up signs; the District would have to make it either no fishing at all or everyone can fish in those locations currently designated for residents only per the Fishing Policy. Discussion ensued. Mr. Shulha recommended reviewing and revising the fishing policy of the District. Discussion ensued regarding the location of public vs. private fishing. Mr. Samson discussed receiving homeowner input prior to making a decision. Ms. Suit provided input regarding communicating with residents and budgetary concerns regarding the signage. Further discussion ensued. This item was tabled to the March meeting.

**TWELFTH ORDER OF BUSINESS**

**Discussion Regarding Street Lighting Installation in Esperanza**

Ms. Suit provided an overview of information received by the District regarding the installation of street lighting within Esperanza, advising that fuses were installed in the hand hole and are now under water. Fuses for streetlights in the remainder of the community were placed further up the pole. She advised the District Engineer has been made aware of the issue and he advised this item is not within his purview. Mr. Dengler asked the District Engineer how the District should proceed. Ms. Carpenter advised for the lights that have not been turned over to the District yet, the District Engineer can reach out to the Developer to have the fuses moved. As to the light posts that have been turned over to the District it would be up to the District to make the necessary repairs. Mr. Barraco advised his firm is a Civil Engineering firm and he is not an Electrical Engineer, and therefore this item is beyond his area of expertise. He advised if there is

a concern, a sub consultant can be hired to review the details and installation. The Board directed the District Engineer to hire a sub consultant to review the fuses in the streetlights in Esperanza and provide an update to the Board at the March meeting.

**THIRTEENTH ORDER OF BUSINESS**

**Staff Reports**

A. District Counsel

Ms. Carpenter advised the City Attorney and the City Police Department have been reviewing the patrolling agreement and the District Engineer is continuing to review the signage to ensure it is in compliance with DOT standards in order to allow patrols and golf carts.

B. District Engineer

Mr. Barraco advised he has reviewed the bridge joints and has reviewed the recommendation from Mr. Shulha. He advised they are looking for a contractor who can do the specialty work needed to the bridge façade. Mr. Shulha advised there are two issues; one being the dip in the road between the bridge and road, and the second being hiring a specialty contractor to do the façade work. Mr. Barraco advised he will continue to look for a contractor who can do the façade work.

Mr. Barraco provided an overview of the estimate provided by his firm for installation of rip rap on the berms. He advised the rip rap is approximately \$20 per linear foot for material. Mr. Dengler advised it is hard to compare because the sod estimates are in square feet, but the rip rap estimate is in linear feet. The Board advised there would be no further discussion on this item at this time.

Mr. Barraco stated regarding patrols and golf cart use, the City has been in a transition phase because they have had an interim City Manager and interim Public Works Manager and both of these items have to go through them. He advised that about a week ago they found a permanent City Manager. Mr. Barraco advised he has spoken with the City Manger regarding these items and he was familiar with the issues and advised an existing agreement can be used, but the City Manager did not realize Paseo was a CDD with public streets. The City Manger will take this to a workshop so that the City will have a standard agreement to work for policing and golf carts for public streets. Ms. Suit advised Counsel was working with the City on the agreement and she was expecting that the Engineer was working on setting up the meeting with the City to have an inspection done in order to be able to move forward with the agreement. District Counsel and District Engineer will work together on the issue.

Mr. Barraco advised regarding the transition from the street to the Esperanza bridge; he concurs with Mr. Shulha's recommendation to remove and replace a three foot strip of asphalt, he advised he has two bids to review for that work. Mettauer Environmental considered removal of a four foot strip of asphalt for a total proposal of \$7,300.00 and PMI, a paving contractor, provided a proposal to

remove a two foot strip of asphalt for \$5,500.00. Mr. Barraco advised both bids are for removal and replacement of the asphalt. Mr. Barraco advised he recommends the Board go with PMI. Discussion ensued.

On a Motion by Mr. Shulha, seconded by Mr. Dengler, with all in favor, the Board approved the PMI Proposal for removal and replacement of a two strip of asphalt at the Esperanza bridge, in the amount of \$5,500.00, for the Paseo Community Development District.

Mr. Barraco advised he was asked to review the Olinda and Izarra curb drainage issue. He advised a report was prepared, and they have found that vertical construction was recently completed in the area and there is sand and filter cloth still in place. He recommended that Stock clean the curb and remove the filter cloth. Mr. Barraco further advised the curb is cracked and he does not know if the crack is normal settling or damage due to construction in the area. Ms. Suit asked for clarification regarding repair of the crack in the curb. Mr. Barraco advised at a minimum the curb should be cleaned and the inlet protection removed, he further advised repair of the curb is preferred but not necessary. Mr. Dengler asked that the District Engineer contact Stock Development to have the curb cleaned and filter fabric removed. Mr. Barraco advised he will ask Stock to replace the curb as well.

Mr. Barraco advised they do not complete periodic reviews of the infrastructure, but when he drove in he noticed that some inlets still have filter cloth. He recommended that someone review the inlets and remove the filter cloth from areas not under construction. He advised some active construction areas also have filter fabric and are full of sand that should be cleaned. Mr. Shulha asked Mr. Barraco if he knew of the construction statute as to how many feet from the construction site to the drain that filter cloth needs to be in place. Mr. Barraco advised there is a difference between infrastructure and vertical construction. He believes there is a standard but because it is vertical he does not know the details. Mr. Shulha advised he will review the filter cloth on the drains and report back to the Board at the March meeting. Discussion ensued.

C. District Manager

Ms. Suit advised the next meeting of the Board of Supervisors is scheduled for March 23, 2016 at 11:00 am.

Ms. Suit provided an overview of the recent issue concerning the hog trapper. She advised if there are concerns with how the hog trapper is trapping the hogs, residents need to contact the State of Florida and advised further that the State of Florida will fine anyone caught releasing hogs.

**FOURTEENTH ORDER OF BUSINESS**

**Audience Questions and Supervisor Requests**

Ms. Suit opened the floor to audience questions and comments.

Questions and comments from the audience were entertained.

Ms. Suit opened the floor to supervisor requests and comments.

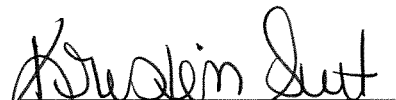
Mr. Shulha reviewed a list of maintenance items and suggested committees for the following areas: roads and road signage, storm sewer drainage and pond maintenance, and lighting and sidewalks. He suggested the three assistant secretaries serve as liaisons to the community in these areas. Mr. Shulha advised this will lead to significant progress within the community. Ms. Suit clarified that this is a liaison position, and not a committee; the liaison would gather information to be presented to the Board for determination as to whether or not to obtain proposals. Discussion ensued. Ms. Suit stated she recommends the District hire a full time Field Manager who would be onsite and would be able to handle these types of concerns. Mr. Dengler stated that District Management has recommended for the last couple of years that the District hire a Field Manager and he believes it is time to do so with the next budget cycle.

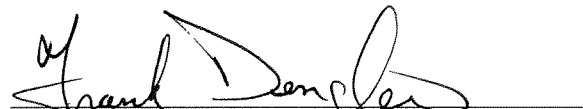
Mr. Downare of Sweeperman addressed concerns regarding the pressure washing. Mr. Dengler advised he would like to conduct a walk-thru with Sweeperman to review areas in need of additional attention.

**FIFTEENTH ORDER OF BUSINESS**

**Adjournment**

On a Motion by Mr. Samson, seconded by Mr. Dengler, with all in favor, the Board adjourned the meeting at 1:02 pm, for the Paseo Community Development District.

  
Secretary/Assistant Secretary

  
Chairman/Vice Chairman