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**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, December 21, 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:

Manny Samson	<b>Board Supervisor, Chairman</b>
Steven Brown	<b>Board Supervisor, Vice Chairman</b>
Jim Heether	<b>Board Supervisor, Assistant Secretary</b>
Lyle Hicks	<b>Board Supervisor, Assistant Secretary</b>
Jack Strohm	<b>Board Supervisor, Assistant Secretary</b>

Also present were:

Belinda Blandon	<b>District Manager, Rizzetta &amp; Company, Inc.</b>
Andrew d'Adesky	<b>District Counsel, Latham, Shuker, Eden &amp; Beaudine, LLP</b>
Wes Kayne	<b>District Engineer, Barraco &amp; Associates, Inc.</b>
John Crawford	<b>Field Services Manager, Rizzetta &amp; Company, Inc.</b>
Audience	

**FIRST ORDER OF BUSINESS**

**Call to Order**

Ms. Blandon called the meeting to order and called the roll. Ms. Blandon stated for the record that all agenda items pertaining to the District Engineer would take place after public comment during the District Engineer Staff Report section of the agenda.

**SECOND ORDER OF BUSINESS**

**Public Comment**

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

**THIRD ORDER OF BUSINESS**

**Consideration of Copeland Southern Enterprises Proposal for Cleanout of Pipe S-31 to S-32**

Mr. Kayne presented a proposal from Copeland Southern Enterprises for cleanout of pipe S-31 to S-32. He advised the proposal amount was \$2,775.00. Discussion ensued.

On a Motion by Mr. Brown, seconded by Mr. Heether, with all in favor, the Board Approved the Proposal from Copeland Southern Enterprises for Cleanout of Pipe S-31 to S-32, in the amount of \$2,775.00, for the Paseo Community Development District.

**FOURTH ORDER OF BUSINESS**

**Discussion and Consideration of Barraco and Association Lake Bank Inspection Proposal**

Ms. Blandon advised the proposal received from Barraco and Associates for Lake Bank Inspections totals \$3,500.00 Mr. Brown questioned the minimal construction operations work. He asked what is considered minimal. Round up approximate, Mr. Kayne to provide after initial inspection field work in progress. Mr. Brown advised of muck on the north and south shores of the main lake and asked if that is to be reviewed. Mr. Heether inquired as to whether Barraco and Associates is going to renumber the lakes.

On a Motion by Mr. Hicks, seconded by Mr. Samson, with all in favor, the Board approved the Lake Bank Inspection Proposal provided by Barraco and Associates, for the Paseo Community Development District.

**FIFTH ORDER OF BUSINESS**

**Update and Discussion Regarding Dog Park**

Mr. Kayne explained the exhibit prepared for the dog park and provided an overview of the estimate. He advised there would be single gates and double gates. He reviewed the crosswalk and other features. Mr. Kayne explained the order of magnitude including professional fees and contingency totaling \$27,690.00. Mr. Brown inquired regarding the legal requirements. Mr. d'Adesky provided input. Mr. Heether asked Mr. Kayne regarding a water tap in the compactor area. Mr. Kayne advised he is unsure of a water tap being located within the compactor area, though there is a lift station just southwest of the proposed dog park area that does have a water tap. Mr. Hicks inquired regarding the total square footage of approximately 4,400. Mr. Kayne confirmed.

On a Motion by Mr. Brown, seconded by Mr. Samson, with all in favor, the Board Directed the District Engineer to seek quotations from at least three vendors, and asked Counsel to research the legality of establishing the dog park, for the Paseo Community Development District.

Mr. Hicks advised that as this process moves forward, he would like to know the additional costs for manpower. Ms. Blandon advised she has also contacted the insurance company to obtain a quote for the dog park. Mr. Kayne advised he spoke with a contact at the County regarding the PUD and they have not found anything prohibiting a dog park. He advised the fencing would also need to be approved by the Association, and we would also need to inquire regarding shrubbery blocking the fence. Mr. d'Adesky advised the Association provisions do not apply the CDD. However, he recommends communication with the Association to provide for harmony within the community. Mr. Samson inquired regarding the use of pavers rather than cement. Mr. Heether advised he would prefer the use of pavers to maintain the look of the community. Mr. Strohm inquired regarding ongoing maintenance. Ms. Blandon advised a packet would be prepared outlining all of those costs.

Mr. Hicks inquired regarding formation of a policy for use of the proposed dog park. Mr. d'Adesky advised a public hearing would be required to implement a policy. Ms. Blandon advised a workshop can be held for the Board to discuss possible rules. Mr. d'Adesky advised he will look into rules that can be considered by the Board. Mr. Hicks recommended looking into public park general guidelines.

## **SIXTH ORDER OF BUSINESS**

### **District Engineer Staff Report**

Mr. Kayne advised his firm has also provided an exhibit and order of magnitude for pavement markings at the front entrance/exit. The estimate total is \$5,500.00, plus an additional contingency amount of \$6,600.00. Mr. Brown inquired regarding the need for permitting to put proper road markings down that should have been done originally. Mr. Kayne advised the original permit was reviewed and the divider lanes and turning arrows were not included in the original permitting process, only the stop bars were included; so it would be appropriate to obtain a permit to be on record with the City.

Mr. Hicks encouraged Supervisors to move forward and provided an example of an issue he witnessed at the intersection just inside the entrance gates at Herminia.

Mr. Heether inquired regarding the need for stop signs at both sides of the roadway. Mr. Kayne advised providing one on the left is not typical but could be reviewed.

Mr. Brown advised he would like to see a yield sign on either the resident entrance or the guest entrance. He inquired as to which side would be appropriate for a yield sign. Mr. Kayne advised that would be hard to say; with the resident entrance being more free flowing it may be more appropriate to install on the guest side. Mr. Brown asked that Mr. Kayne research the cost of installing a yield sign at the guest entrance. Mr. Kayne confirmed.

Ms. Blandon asked the Board if they would like to provide direction to the District Engineer to move forward with obtaining estimates for the road markings.

<p>On a Motion by Mr. Hicks, seconded by Mr. Brown, with all in favor, the Board Directed the District Engineer to Obtain Proposals for Pavement Markings at the Entrance of the Community, for the Paseo Community Development District.</p>
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Mr. Kayne advised there was discussion on dock refurbishment and his firm put together an order of magnitude based on best case scenario being \$15.00 per square foot up to \$30.00 per square foot for worst case scenario. He advised if the existing stringers are not level or have crowned they would need to be replaced, although the complete scope wouldn't be known until the vendor is into the work to see the condition of those stringers. Mr. Kayne advised that based on Google Images, he is estimating the square footage of the dock to be approximately 1,225, so best cast scenario should be about \$18,000.00 for repairs and worst case scenario at \$36,000.00 for the repairs. Mr. Heether inquired as to the material used in the estimate. Mr. Kayne advised it is composite decking. Mr. Kayne inquired as to whether the Board would like to have his firm obtain proposals from vendors from the work. He advised this is a maintenance item and should not require permitting.

Mr. Brown advised he has walked the pier and it is in very rough shape with a lot of cupping of the deck boards, especially those at the entrance to the pier. He advised it is pressure treated and he would prefer to replace with the composite decking. Mr. Brown advised he would like to pursue obtaining quotes for replacement of the pier.

Mr. Heether advised the stringers need to be looked at where it ties into the ground where a retention wall was recently poured to ensure they are not picking up moisture and rotting out.

Mr. Brown advised the vendor would need to look at the walk way that leads up to the pier to ensure there is no washout.

Mr. Hicks inquired regarding the under structure of the pier. Mr. Brown advised he believes that there are concerns with the under structure.

Discussion ensued regarding the budget for this item.

On a Motion by Mr. Strohm, seconded by Mr. Heether, with all in favor, the Board Directed the District Engineer to Obtain Proposals for Repairs to the Pier, for the Paseo Community Development District.

Mr. Kayne advised he would like to address an issue brought up during public comment. He advised that when Mr. Tarn visits the site for observations and things that come up, he does review Esperanza Phase II and Phase III and he has noticed that some of the issues pending by Stock Development have been addressed or are in progress, but not all of the work has been done. Mr. Kayne advised there has been limited communication with Stock, so he has spoken with Counsel and Management to determine that Barraco & Associates will help draft a letter of items of concerns and Management will send a letter to Stock. Mr. d'Adesky advised as soon as the comprehensive list of concerns is established, his office will then send the letter to Stock Development. Mr. Hicks advised this issue goes back to the last meeting and he would like the letter to be sent sooner rather than later. Mr. d'Adesky advised that the letter will be sent as soon as the language is received. Discussion ensued. Mr. Heether advised the last two condos near Paseo Grande and Izarra Way, a curb and parking stop have been broken and appear to have been patched and that patch is falling apart. He further advised the lakes at the last two condos to go in, there is significant erosion and Stock has been made aware of the erosion. He advised he would like to ensure that those two lakes are not on the CDD bill for erosion repairs and should be billed directly to Stock.

Mr. Brown inquired regarding the dead end sidewalks as you leave Paseo, no update has been received. Mr. Kayne advised he provided a report on that issue a few meetings back and at this time there is no sidewalk planned for Penzance and the plan called for that sidewalk to dead end at the right of way until such time as the City constructs a sidewalk in that location. He further advised a sidewalk is planned for Palomino but not Penzance at this time.

**SEVENTH ORDER OF BUSINESS**

**Consideration of the Minutes of the Board of Supervisors' Meeting held on November 23, 2016**

Ms. Blandon presented the Minutes of the Board of Supervisors' meeting held on November 23, 2016 and asked if there were any additions, deletions, or corrections to the minutes. Mr. Brown advised he had a couple of changes that he will forward to Staff. Mr. Hicks inquired regarding the Sixth Order of Business, on the trash compactor; he asked for clarification whether dumping is a civil infraction not a criminal infraction. Mr. d'Adesky advised that the State Attorney's office advised residential dumping, the volume of a kitchen garbage bag, is a civil infraction; if you empty the bed of a pick up truck it then becomes a criminal infraction. They further advised they will not enforce normal routine bag of trash being thrown out but is something the police officers will have to come out and issue civil citations for. Mr. Hicks advised the minutes state "the police department advised they will enforce the civil infraction if they see it, they will not review the video to enforce from that aspect". Mr. d'Adesky advised that from the police departments prospective it is a minor item and they will want a police report documenting the dumping. If it is a large incident involving dumping, that might be an occasion when they would be willing to review the video. Mr. Hicks advised in January the minutes stated the police will review the video, he believes this needs to be properly outlined as there should not be a video camera if the video will not be used for enforcement. Mr. d'Adesky advised that initially the Chief of Police said this was something they could enforce, then we went through the process of installing the video, then a conversation was held with the State Attorney, after the former Chief of Police was replaced. He apologized for being misled by the former Chief of Police. Mr. Brown advised the Police Department can enforce it, should they choose to do so, though in their minds this is a minor infraction for the Police Department. Mr. d'Adesky stated that is correct. Ms. Blandon advised Staff made several attempts to turn over video and photos to the police department but they would not pick them up for review.

On a Motion by Mr. Brown, seconded by Mr. Samson, with all in favor, the Board Approved the Minutes of the Board of Supervisors' Meeting held on November 23, 2016, subject to typographical changes to be submitted by Mr. Brown, for the Paseo Community Development District.

**EIGHTH ORDER OF BUSINESS**

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

Ms. Blandon presented the Operations and Maintenance Expenditures for the period of November 1-30, 2016, totaling \$143,369.09. She asked if there were any questions. Discussion ensued regarding renegotiating the Century Link bundle. Mr. Hicks inquired regarding the Sweeperman invoice and which sidewalks are CDD versus condo. Ms. Blandon advised she provided a map outlining the items to be cleaned by the District. She advised she will look into the language of the Sweeperman invoice. Mr. Heether advised regarding the billing for the dumpster, he spoke with the service people with the city and it seems the compactor is not compacting as it should and they will have someone take a look at the compactor; they are also looking to have doors installed to keep rodents out. Mr. Heether advised the tonnage is light and the District should be able to go back to once a week pick up when the compactor is compacting properly.

On a Motion by Mr. Samson, seconded by Mr. Heether, with all in favor, the Board Approved the Operations and Maintenance Expenditures for the period of November 1-30, 2016 which totaled \$143,369.09, for the Paseo Community Development District.

**NINTH ORDER OF BUSINESS**

**Review and Consideration of RFP for Landscape and Irrigation Maintenance**

Ms. Blandon advised the RFP has been reviewed by District Counsel. Mr. d'Adesky advised of minor changes he made to the RFP, he further advised the Scope of Services is best provided by Management and the Supervisors. He advised the RFP is a standard form and he will review the contract upon completion. Mr. Hicks inquired as to evaluation criteria regarding the weight value for completeness of the proposal. Mr. Samson agreed. Mr. d'Adesky advised the only criterion that cannot be changed is the value for cost, all others can be changed. Mr. Brown advised there are several subjective words within the proposal as well as references. He advised that overall the draft RFP is well written. Mr. Samson proposed discussing the weight of each criteria and reviewing the RFP so that it can be distributed. Ms. Blandon advised of important dates pertaining to the RFP and the process. Mr. d'Adesky advised it is the discretion of the Board to change the weight of each criteria. Discussion ensued concerning the subjective wording and weight as well as the formula of the criteria. Mr. d'Adesky advised any changes the Board would like to make need to be made today in order to meet the necessary deadlines in the process. Mr. Strohm advised this needs to be finalized today so as to get this process moving forward. Discussion ensued.

On a Motion by Mr. Strohm, seconded by Mr. Heether, with all in favor, the Board approved the RFP for Landscape and Irrigation Maintenance subject to addition of the statement that the awarded vendor will provide a detailed weekly schedule of work, for the Paseo Community Development District.

Ms. Blandon advised of the following dates: The ad will run on December 26<sup>th</sup>, bid pick up will start on December 28<sup>th</sup>, Pre Bid meeting is January 4<sup>th</sup>, Bids are due January 16<sup>th</sup>, Bids will be opened on January 16<sup>th</sup>, questions are due by January 9<sup>th</sup> at 4:00 pm, answers will be provided in writing on January 10<sup>th</sup> by 5:00 pm.

**TENTH ORDER OF BUSINESS**

**Update and Action Regarding Trash Compactor Conveyance**

Mr. Hicks provided an update on his meeting with the Condo Association representatives. He advised the various options were discussed. The Condo Association Board had a meeting on October 14<sup>th</sup>, and their action was to appoint two representatives, one of the Condo Board and one who is not on the Board, to meet with the CDD Manager. Mr. Hicks advised a teleconference would be necessary to answer questions the Condo Association has that he cannot answer. Mr. Hicks advised the meeting needs to be held so the Condo Association questions can be answered regarding efficiency, condition, relationship with the City of Fort Myers, and costs associated with the conveyance.

Mr. d'Adesky advised the next step would be for the Condo Association appointed representatives, Ms. Terri Cherkin and Ms. Mariah Neary, to discuss the concerns with Staff.

Mr. Brown advised Ms. Abbot sent an e-mail of concerns, which was sent to Management, and he believes the items of concern should be separated from the compactor area discussion. Mr. Hicks advised the item at hand is the trash facility, and not the additional items that were brought up. Mr. d'Adesky advised for clarity that Mr. Hicks was delegated as the representative to interact with the Condo Association regarding the facility but any final action would come back to the Board. Mr. Brown inquired regarding the conveyance of the land versus a land use agreement with the Condo Association. Mr. d'Adesky advised the Board can enter into any structure which is agreeable to the Condo Association: a) a true conveyance, deeding the land giving them fee ownership of the property, or b) a use agreement which is an agreement that deals with the cost allocations, and then option c) the Board taking unilateral action.

Mr. d'Adesky asked if the Condo Association had a position on the subject. Mr. Hicks advised the Condo Association did not have an approved position, but a willingness to gather information so that they can make a more informed decision on which option they may want to consider.

Mr. Heether inquired as to the cost effectiveness to allow the Condo Association to use the CDD land to put their dumpster on rather than to go through the process of conveying the land. Mr. d'Adesky confirmed allowing the Condo Association to place their dumpster on CDD property may be more cost effective as the only cost associated with that option is drafting the agreement. He further advised the downside to going that route is if they stop paying then litigation would be needed to enforce it. Mr. d'Adesky advised the Condo Association may want more control and request that the land be conveyed. Mr. Brown advised both parties may prefer a land use agreement; the condo Association assumes no liability for the land, only the dumpsters within the enclosure.

On a Motion by Mr. Brown, seconded by Mr. Samson, with all in favor, the Board Tabled Item 5B until after consideration of Item 5E, for the Paseo Community Development District.

**ELEVENTH ORDER OF BUSINESS**

**Discussion Regarding Filling of Seat #5**

Ms. Blandon advised Seat #5 was declared vacant as of November 22, 2016. Mr. d'Adesky advised the Board has 90 days to fill the vacant seat, so if it is not filled at this meeting it will have to be filled at the next meeting. Ms. Blandon further advised Mr. Hicks has expressed his interest in remaining in this seat.

On a Motion by Mr. Heether, seconded by Mr. Strohm, with all in favor, the Board appointed Mr. Lyle Hicks to Seat #5, for the Paseo Community Development District.

Ms. Blandon advised going back to item 5B.

On a Motion by Mr. Brown, seconded by Mr. Samson, with all in favor, the Board Un-Tabled Item 5B, for the Paseo Community Development District.

Mr. Brown advised he would like a report by the February meeting regarding the status of the trash facility. Mr. d'Adesky advised there are separate issues with the Condo Association that need to be addressed and if there are separate issues those can be brought to the Board and discussed individually. Some are valid questions which the CDD has answers for and others may be related to Stock deficiencies. Mr. d'Adesky advised that as issues are brought up they are addressed. Ms. Blandon advised it would be appropriate for the Condo Association to submit their requests or questions in writing so that the District can respond in writing, officially. Mr. Brown advised they should be separate issues. Mr. Hicks advised the Condo Association has sent an e-mail as their response and he would like Ms. Blandon to respond to that e-mail, officially.

On a Motion by Mr. Brown, seconded by Mr. Samson, with all in favor, the Board provided direction to move forward with a discussion with the Condo Association Board delegated representatives and Mr. Hicks with Ms. Blandon and/or Mr. d'Adesky in an effort to reach an agreement regarding the trash facility, for the Paseo Community Development District.

**TWELFTH ORDER OF BUSINESS**

**Discussion Regarding Counsel Attendance at Meeting**

Mr. Samson discussed travel time for Counsel to attend the meeting in person and the time and money saved by having Counsel on the phone. He advised he would like to try to save on costs as the District is paying for 9 hours in travel fees. Mr. d'Adesky advised that he recommends being present for budget meetings and public hearings. Mr. Samson agreed but feels it would be in the best interest of the District to have Counsel attend via speaker phone as often as possible. Mr. d'Adesky advised they began attending in person due to comments the audience could not hear, as well as being present for the transition, though his firm is more than happy to call in. Mr. Samson advised that critical meetings he would like to have Counsel present but otherwise have Counsel attend via speaker phone. Mr. d'Adesky inquired as to who should make the final decision regarding Counsel attendance. Mr. Samson advised he would like to have Counsel present for budget meetings and critical meetings, and he will communicate with Management for the final decision.

On a Motion by Mr. Samson, seconded by Mr. Brown, with all in favor, the Board Authorized Counsel to attend meetings via phone, unless otherwise specified by the Board to attend in person, for the Paseo Community Development District.

**THIRTEENTH ORDER OF BUSINESS**

**Staff Reports**

A. District Counsel

Mr. d'Adesky advised most of the issues he has been dealing with have been addressed and asked if there were any questions from the Board.

Mr. Brown inquired regarding having all proper easements in place for access to controllers, drainage, etc. Mr. d'Adesky confirmed all easements should be in place for all areas that have been turned over to the District. Mr. Brown asked that Staff verify that there is an easement for drainage for the area just south of the theatre, the one that always blocks up when it rains, as well as the drainage

through the parking lot. Mr. d'Adesky advised he will look into it.

Mr. Brown inquired regarding procedures related to motions versus consensus. Mr. d'Adesky advised following procedures and Statutes is important, though there are things the Board can do more liberally that allow consensus, and provided examples.

Mr. Brown inquired regarding a Rizzetta contract that was presented a few months ago, and residents were talking that seven years ago the reason Rizzetta was hired was that it was required by the Bond holders, and that it was a requirement in the Bond documents. He asked for clarification. Mr. d'Adesky advised he will look into that as he does not have recollection of the issue.

Mr. Hicks inquired regarding addressing maps and ownership. Mr. d'Adesky advised that public money cannot be used for a private purpose, so if the Board realized that District funds have been utilized on private property, that needs to be addressed immediately. He further advised the District Engineer is working on clarifying ownership of specific areas. Mr. d'Adesky advised research has proven that areas thought to be owned by the District aren't and as soon as that is realized, it has to be corrected, so if we discover that the District doesn't own something but it is owned by a private entity, we have to stop immediately.

Mr. Hicks advised that at the last meeting Staff indicated that working on the maps was in process. He asked where we are in the process. Ms. Blandon advised she has completed her review, and the District Engineer has completed their review, and now District Counsel is looking into two areas that the District Engineer could not find where the District is responsible for these two locations so Staff is looking into conveyance of these two locations. The two areas appear to not be District responsibility though the District has been maintaining them. Mr. Hicks inquired as to the location of these two areas. Ms. Blandon advised it is two lake areas at the entrance of the community; one on the right and one on the left. Mr. Samson asked if it was lakes #9 and #11. Ms. Blandon confirmed. Mr. d'Adesky advised that in his preliminary review those areas not owned by the District, but he would like to be more cautious when making a conclusive judgement on whether or not there is an easement on a specific area. Ms. Blandon advised she will send the Supervisors a copy of the map provided by Barraco & Associates as well as a copy of her comments to Mr. d'Adesky so that they have that information. Mr. Heather advised the map provided by Barraco & Associates is incorrect. He further advised he spoke with Mr. Kayne regarding corrections needed and Mr. Kayne is going to fix the map. Ms. Blandon advised she has spoken with Barraco & Associates as well regarding corrections to the numbering.

Mr. Hicks advised that at the previous meeting mailboxes were brought up and it was stated that Stock put up the mailboxes, specifically the Condominium boxes or cluster boxes. He inquired as to if there is a dysfunction of those cluster boxes would it be the responsibility of the Condo Association to take action. Mr. d'Adesky advised it is better to state whose responsibility it isn't rather than

whose responsibility it is, and we know it isn't the District's responsibility, but it is not the District's place to state who is responsible, but to confirm that it is not the District's responsibility.

B. District Manager

Ms. Blandon advised the next meeting of the Board of Supervisors is scheduled for Wednesday, January 25, 2017 at 5:30 pm. She further advised Staff will re notice the entire meeting schedule to notice that every other meeting will be held at 5:30 pm.

Mr. Brown inquired regarding status of the Field Manager. Ms. Blandon advised the position will be advertised the first week of January on Indeed and Monster.com, she further advised she can redistribute the job description to the Supervisors for review.

Mr. Brown inquired regarding using Bellmore Electric rather than a local company. Mr. Heether advised they have been onsite and know the community, as well as having competitive billing rates, they also have boom truck and do not charge for the boom truck where other companies would charge for the boom truck. Mr. Brown asked if the District should go out for competitive bid or if Mr. Heether feels Bellmore is doing a good job. Mr. Heether advised Bellmore does a sufficient job, though he can't say that a local vendor couldn't do the same. He advised it is not a super complicated system, just knowing where the panels and runs are. The District doesn't necessarily have any maps that outline the system. Mr. Heether advised Bellmore keeps good records when making repairs so if a problem is identified they attempt to get credits for failed components. Mr. Brown inquired as to whether or not the District should ask Bellmore to update the electrical drawings. Mr. Heether advised he will get with Bellmore Electric to provide maps. Mr. Brown suggested involving Barraco & Associates to formally update the maps.

Mr. Brown advised the community is over planted with live oak trees or other trees. He inquired as to whether or not the District is going to do anything to remove some trees since some are encroaching on the sidewalks and gutters, but some of the trees' growth is also being stunted. He inquired as to consideration of action on the trees and if so, what action. Mr. Crawford advised the District should come up with a long term plan. Some trees out front are now 12" to 14" caliper and are growing into one another and it is unfortunate that such a large tree was selected to plant so close to one another. He advised the trees are still young and can grow up to 60" or more in diameter. Mr. Strohm advised Staff should check the development order which outlines the number of trees required. Mr. Crawford advised that prior to the next meeting he will contact the City to get with their Arborist and try to meet with him onsite and try to come up with a long term plan. He advised it is not critical at this point. Mr. Crawford advised that by the next meeting he will have an idea of what the City would look for as possible replacements. Mr. d'Adesky advised Stock is bound by the development order and the District should stick with development order. Mr. Heether inquired regarding

whether or not the City would consider the potential growth of the tree. Mr. Crawford advised each municipality is different. Mr. Strohm advised if you look up these trees, they should be planted at least 40' apart. Mr. Crawford advised of other issues, i.e. sidewalk damage.

Mr. Hicks inquired regarding the oak trees on the east side, along Palba Way and Olinda Way; a number of those smaller oak trees are planted in the plastic containers and are dying or dead. He asked if there is a way those trees can be taken up and replaced or is it a Stock issue. Ms. Blandon advised she will send a communication to Stock to have them review the trees.

Mr. Brown inquired regarding refinishing of the furniture. He advised Top Liff has provided a price of \$375.00 per bench at a minimum. He advised he looked at composite or resin benches that retail at about \$800.00. Mr. Brown inquired as to whether it would be more cost effective to replace rather than refurbish the benches. Ms. Blandon advised when they were last refinished the sealant used was not the proper sealant for these benches, so the clear coat of the teak is cracking. She advised she had the benches sanded to avoid the cracking and there is some concern with moving forward and resealing the benches. She advised there are 27 straight benches, a radius bench on the pier, 5 trash containers, 13 arm chairs, and 7 tables. She advised Top Liff provided a proposal of \$15,475.00 to refinish the furniture. Ms. Blandon asked the Supervisors if they would like her to obtain estimates to replace the furniture or to refurbish the furniture. Due to the work being done on wood, the vendors will not warranty the work. Mr. Brown advised he reviewed some of the furniture and some of it cannot be repaired. He advised the composite or resin is a better material. Mr. Samson recommended including the furniture with the pier work. Mr. Heether advised having the pier vendor also take a look at the round bench. He suggested looking at replacing the worst ones now and re-finish the ones that are in better shape. Mr. Hicks advised some of the benches are fastened to the pavers. He asked if the furniture Mr. Brown is looking at can be fastened down. Mr. Brown advised they can be fastened and recommended a better fastening method. Mr. Brown advised he will obtain product mix and send to management for the fastening method. Ms. Blandon advised another method recommended was to use a paint stain rather than the existing color. Mr. Brown inquired as to cost. Ms. Blandon advised the cost is about \$5,000.00 annually with a maintenance plan. She advised the teak will not look the same. Ms. Blandon asked the Board to consider a motion to move forward.

<p>On a Motion by Mr. Strohm, seconded by Mr. Hicks, with all in favor, the Board Provided Direction to Staff to Obtain Estimates for Alternative Furniture, for the Paseo Community Development District.</p>
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Mr. Brown inquired as to the action item list, and whether or not Luke Brothers will provide updates on their items. Ms. Blandon advised communication is an issue with Luke Brothers, as they are not providing acceptable answers. She advised she received communication prior to the meeting from Luke Brothers and will review the communication and report to the Board.

Mr. Brown inquired as to the streetlight that was removed and taken to the vendor. Mr. Heether advised he is awaiting a response.

**FOURTEENTH ORDER OF BUSINESS**

**Supervisor Requests and Audience Questions**

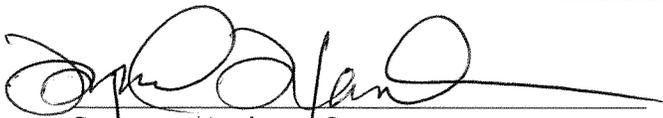
Ms. Blandon opened the floor to supervisor requests and comments. There were none.

Ms. Blandon opened the floor to audience questions and comments. Questions and comments from the audience were entertained.

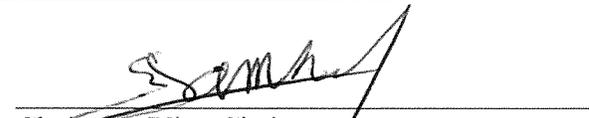
**FIFTEENTH ORDER OF BUSINESS**

**Adjournment**

On a Motion by Mr. Samson, seconded by Mr. Brown, with all in favor, the Board adjourned the meeting at 1:54 pm, for the Paseo Community Development District.



Secretary/Assistant Secretary



Chairman/Vice Chairman