
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, January 25, 2017 at 5:33 p.m.** at the Paseo Village Center, located at 1611 Paseo Grande Boulevard, Fort Myers, Florida 33912.

Present and constituting a quorum:

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

Also present were:

Belinda Blandon	District Manager, Rizzetta & Company, Inc.
Tyree Brown	Field Services Manager, Rizzetta & Company, Inc.
John Crawford	Field Services Manager, Rizzetta & Company, Inc.
Andrew d'Adesky	District Counsel, Latham, Shuker, Eden & Beaudine, LLP (via speaker phone)
Jan Carpenter	District Counsel, Latham, Shuker, Eden & Beaudine, LLP (via speaker phone)
Carl Barraco	District Engineer, Barraco & Associates, Inc.
Audience	

FIRST ORDER OF BUSINESS

Call to Order

Ms. Blandon called the meeting to order and called the roll.

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

Update Regarding Dog Park

Mr. Barraco advised he prepared a preliminary plan for the dog park. He advised contractors are hesitant to provide pricing because there are not enough details. Discussion ensued regarding options for the dog park.

Mr. Strohm inquired regarding square footage of the park and provided his opinion.

Mr. Hicks spoke regarding dog parks in Districts and gave his recommendation on appropriate size being no less than half an acre based on guidelines obtained through numerous organizations. Mr. Hicks provided an overview of requirements for dog parks.

Discussion ensued regarding enforcement issues.

Mr. Heether advised he walked the proposed dog park area and stated the area is much too small and too close to homes.

On a Motion by Mr. Strohm, seconded by Mr. Samson, with all in favor, the Board Terminated Discussions on the Dog Park, for the Paseo Community Development District.

FOURTH ORDER OF BUSINESS

Update Regarding Pavement Markings

Mr. Barraco provided an update on the pavement markings. Preliminary estimates for the pavement marking project is under \$5,000.00. The permit application has been submitted to the City. Mr. Barraco advised his company can cover the costs of the markings and then submit it as a reimbursable to the District. Ms. Blandon confirmed. Discussion ensued regarding additional pavement marks and stop bars.

FIFTH ORDER OF BUSINESS

Update Regarding Pier Refurbishment

Mr. Barraco provided an update regarding pier refurbishment. He advised proposals were received from Honc Docks and Anchorage. Mr. Barraco advised that he recommends moving forward with Honc Docks. Discussion ensued regarding the proposals received. Ms. Blandon advised the Pier Refurbishment would be billed to Capital Outlay line item, the work is not budgeted so monies would be moved from one line item to another, with no increase to assessments. Discussion ensued.

On a Motion by Mr. Strohm, seconded by Mr. Brown, with all in favor, the Board Approved the Proposal Received from Honc Docks for Refurbishment of the Pier, in an amount not to exceed \$43,805.00, for the Paseo Community Development District.

SIXTH ORDER OF BUSINESS

District Engineer Staff Report

Mr. Barraco advised the S-31 storm drain has been cleaned out. He further advised the lake bank field inspections have been completed. Ms. Blandon provided copies of the Esperanza lake bank exhibit to the Board. Mr. Barraco advised this item can be discussed at the next meeting. Mr. Samson inquired regarding lake #16. Discussion ensued. Mr. Barraco advised if a lake is not owned by the CDD, Stock would be responsible for repairs prior to turn over. Discussion ensued.

Mr. Barraco advised a letter has been sent to Stock Development for items related to final turnover.

Mr. Samson opened the floor to public questions for the District Engineer. Questions and comments from the public regarding engineering items were received.

SEVENTH ORDER OF BUSINESS

Consideration of the Minutes of the Board of Supervisors' Meeting held on December 21, 2016

Ms. Blandon presented the Minutes of the Board of Supervisors' meeting held on December 21, 2016 and asked if there were any additions, deletions, or corrections to the minutes. There were none.

On a Motion by Mr. Samson, seconded by Mr. Heether, with all in favor, the Board Approved the Minutes of the Board of Supervisors' Meeting held on December 21, 2016, for the Paseo Community Development District.

EIGHTH ORDER OF BUSINESS

Consideration of the Operations and Maintenance Expenditures for the Month of December 2016

Ms. Blandon presented the Operations and Maintenance Expenditures for the period of December 1-31, 2016, totaling \$121,294.72. She asked if there were any questions. There were none.

On a Motion by Mr. Brown, seconded by Mr. Samson, with all in favor, the Board Approved the Operations and Maintenance Expenditures for the period of December 1-31, 2016 which totaled \$121,294.72, for the Paseo Community Development District.

NINTH ORDER OF BUSINESS

Consideration of Proposals Received in Response to the RFP for Landscape and Irrigation Maintenance

Ms. Blandon advised proposals were received from Crawford Landscaping, Luke Brothers, Inc., Pinnacle Landscapes, Inc., and Stahlman Landscape Company. She advised bid ranking forms were sent to each Supervisor for review along with the bids and each Supervisor was asked to complete the sheet.

Mr. Strohm stated Stahlman and Luke Brothers should not be considered and provided input regarding the work of both. Mr. Strohm provided input regarding Crawford and Pinnacle.

Ms. Blandon suggested tallying the ranking forms and then having Board discussion. Ms. Carpenter agreed.

Ms. Blandon called for a recess at 6:21 p.m. to tally the bid forms; the meeting was reconvened at 6:38 p.m. All those present at the recess were still in attendance.

Mr. Tyree Brown read the criteria into the record: Maximum of 15 points for completeness of proposal, maximum of 20 points for experience, maximum of 15 points for qualifications of key

personnel, maximum of 10 points for machinery equipment and manpower, maximum of 15 points for references, and based upon a predetermined formula a maximum of 25 points for pricing and costs. Mr. Tyree Brown stated based on the criteria the scoring is as follows: Pinnacle received 438 points, Crawford received 437 points, Stahlman received 358 points, and Luke Brothers received 331.25 points.

Mr. Tyree Brown provided input on options for the Board; discuss the scoring, make a motion to accept the scoring as is, or recommend a specific contractor.

Mr. d'Adesky advised the typical and advisable method is to adopt the ranking and scoring.

On a Motion by Mr. Brown, seconded by Mr. Strohm, with all in favor, the Board Adopted the Ranking and Criteria as Presented for the Paseo Community Development District.

Mr. Brown advised he would like to select from Pinnacle and Crawford and he thinks the best course of action is to select the firm that scored highest.

Mr. Hicks advised he is comfortable with both Pinnacle and Crawford. He further advised he would prefer Crawford as there is no increase to their fees throughout the timeframe of the contract. Mr. Hicks advised he believes the fiduciary duty of the Board is take the lowest cost contract so long as another item is not being sacrificed. Discussion ensued.

Mr. Heether advised he is leaning toward Crawford and he provided an overview of irrigation concerns. He also advised he is concerned with the mulch numbers contained in the Pinnacle proposal.

Mr. Steven Brown provided input regarding Pinnacle and negotiating pricing. He advised he contacted references and he prefers Pinnacle.

Mr. Tyree Brown advised the CDD cannot negotiate the price.

Mr. d'Adesky advised the discussion should stay in line with the criteria.

Mr. Hicks inquired as to receiving comment from Mr. John Crawford.

Ms. Carpenter advised that would be acceptable.

Mr. Crawford provided an overview of the categories and what he has seen from both firms during his inspections.

On a Motion by Mr. Brown, seconded by Mr. Strohm, with four in favor and one opposed, the Board Accepted the Tally as Presented and to Award the Landscaping and Irrigation Contract to the Highest Ranked Firm, Pinnacle Landscapes, for the Paseo Community Development District.

Mr. Tyree Brown advised Luke Brothers will be provided 30 day notice to terminate. He asked when the Board would like the new vendor to start. The Board confirmed. Mr. Tyree Brown addressed the irrigation at the front gate; he advised the new vendor has a 30 day period to audit the irrigation system and bring a proposal to the Board for repairs.

Mr. Hicks addressed his concerns regarding the irrigation system.

Mr. Tyree Brown advised there will be a meeting between the vendors to ensure that there is a smooth transition.

On a Motion by Mr. Samson, seconded by Mr. Hicks, with all in favor, the Board Directed Staff to Move Forward with a 30 Day Written Notice of Cancellation of Services in Accordance with the Contract, for the Paseo Community Development District.

Discussion ensued regarding the January field inspection report.

TENTH ORDER OF BUSINESS

Discussion Regarding Solicitation of Proposals Regarding District Management Services

Mr. d'Adesky provided an overview on the question regarding bond refinancing and when Rizzetta was hired as District Manager.

Mr. Brown provided an overview on why he asked for this item to be placed on the agenda, when a contract has been in place for more than three years the service should be bid out.

Mr. Heether provided his opinion and input on Management services. He advised he does not have anything against Rizzetta, he believes the Staff over the last year and half have been the best. They have followed up on things that have been dropped before. Mr. Heether advised the background they carry with them is important.

Mr. Strohm provided his opinion and input on Management services. He advised Ms. Blandon is very professional and very responsive. Mr. Strohm further advised this is the wrong time to seek proposals for a new Management company, while going through turnover.

Mr. Hicks asked if there is a standard length of contract for Associations or CDD's. Mr. Strohm advised there is no standard on a contract. The Board decides if they want a 1 year or 3 year or 5 year contract. Mr. Hicks inquired as to whether or not Rizzetta is under contract. Mr. Samson advised Rizzetta is under contract. Mr. Brown advised the standard is 60 day notice; there could be a five year contract but if obligations are not met, the 60 day notice. He further advised he does not believe Rizzetta is under a current contract. Ms. Blandon advised Rizzetta has an existing contract. Mr. Strohm inquired as to whether or not there is a "without out cause" clause. Ms. Blandon confirmed.

Mr. Brown advised Ms. Blandon has by far been the best District Manager over the last six years. He further advised the purpose is to see the opportunities available to the District.

Mr. Samson advised he understands the purpose of the agenda item, however during turn over is the wrong time to seek proposals. Mr. Samson advised that about a year and a half ago he suggested an RFQ for District Engineering Services, but Counsel suggested against it during transition. Mr. Samson advised he is of the opinion this is the wrong time to go through the process.

Mr. Strohm advised that he agrees with looking into pricing and services, but not during the transition. He further suggested entering into a one year contract with Rizzetta for Management services. Mr. Samson suggested the same for District Counsel Services.

Mr. Brown advised transition should take place in the third quarter of this year. He further suggested extending a contract to Rizzetta. Mr. Hicks advised he agrees. He further advised he has absolutely no dissatisfaction with the current management company. Mr. Hicks advised Ms. Blandon is the best district manager Paseo has had. He further advised the Rizzetta contract should be extended through the turn over period.

Mr. Samson advised the previous contract presented was tabled to allow for the new Board to review the contract. He advised he would like to extend the Rizzetta contract for one year until after turnover.

On a Motion by Mr. Brown, seconded by Mr. Samson, with all in favor, the Board Tabled Items 5B and 5C and Extend the Rizzetta & Company Contract for a One Year Term, for the Paseo Community Development District.

ELEVENTH ORDER OF BUSINESS

Discussion Regarding Solicitation of Proposals Regarding District Counsel Services

This item was tabled.

TWELFTH ORDER OF BUSINESS

Discussion Regarding Entrance Palms Lighting Year Round

Mr. Brown advised he received several e-mails from people who would like to see the lighting remain.

Mr. Heether advised the Christmas lighting would not meet code as permanent lighting. He further advised a higher grade light would need to be purchased.

Mr. Strohm advised lighting at the entrance is necessary. He suggested hiring a vendor to provide pricing on lighting options. Discussion ensued.

The Board directed Staff to obtain proposals for entry lighting, in conjunction with Mr. Heether and Bellmore Electric.

THIRTEENTH ORDER OF BUSINESS

Consideration of Earth Tech environmental Contract Renewal for Semiannual Preserve, Control Structure, and Spreader Swale Maintenance

Ms. Blandon provided an overview of the renewal, she advised it is consistent with the current year contract and does not have an increase.

On a Motion by Mr. Strohm, seconded by Mr. Samson, with all in favor, the Board Approved the Earth Tech Environmental Contract Renewal for Semiannual Preserve, Control Structure, and Spreader Swale Maintenance, for the Paseo Community Development District.

FOURTEENTH ORDER OF BUSINESS

Review of Arbitrage Rebate Report for Series 2011A1&A2 Capital Improvement Revenue Bonds

Ms. Blandon provided an overview of the Arbitrage Rebate report for Series 2011A1&A2 Capital Improvement Revenue Bonds as prepared by LLS Tax Solutions.

On a Motion by Mr. Hicks, seconded by Mr. Samson, with all in favor, the Board Accepted the Arbitrage Rebate Report for Series 2011A1&A2 Capital Improvement Bonds, Prepared by LLS Tax Solution, as Presented, for the Paseo Community Development District.

FIFTEENTH ORDER OF BUSINESS

Staff Reports

A. District Counsel

Mr. d'Adesky provided an overview of the correspondence to Stock of deficient items needing attention prior to turnover. He advised Mr. Gelder of Stock responded quickly advising completion of the items by April 15, 2017 with a 30 day review period.

Mr. d'Adesky provided an overview of the research conducted on the dog park. Mr. d'Adesky advised of drainage easements currently in place which allow for the District to maintain the stormwater system. He advised separate agreements are not necessary in order for the District to maintain the stormwater system. Mr. Brown provided further information regarding the stormwater system.

B. District Manager

Ms. Blandon advised the next meeting of the Board of Supervisors is scheduled for Wednesday, February 22, 2017 at 11:00 am.

Ms. Blandon advised of a request received from a resident regarding bull rush within lake #14. She advised Lake Masters reviewed the area. Ms. Blandon advised the bull rush is invasive at this point. She suggested removing some of the bull rush and installation of alternative approved littoral plants. Discussion ensued. Ms. Blandon advised she will check on trimming of the bull rush as well as other items with Southwest Florida Water Management district.

Ms. Blandon advised of work that has already been completed: the fire hydrant markers have been put in, and pot holes have been filled in Esperanza.

SIXTEENTH ORDER OF BUSINESS

Supervisor Requests and Audience Questions

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

Mr. Brown asked that the Board consider the collection of documents; and he would like the Board to appoint volunteers to meeting with District Management, District Engineer, and District Counsel to build a document library of maps, as-builts, easements, engineering reports, etc. Ms. Blandon advised Rizzetta has a complete index of records and documents; she suggested a list be sent to her first of documents they are looking for so that she can conduct the research first without incurring Engineering or Counsel fees. Mr. Samson inquired about the formation of a committee or individuals to complete the tasks. Mr. d'Adesky advised the District is subject to public records laws. He advised Board action is not required for this to take place.

Mr. Brown addressed the stop sign motion that was approved in 2015 but the stop signs were never installed. He advised he would like to move forward with the installation of stop signs at Tulio and Herminia. Ms. Blandon advised she has reviewed this concern but is not sure exactly what was approved. She suggested the District Engineer add this four-way stop to the current permit being sought so that the intersection is permitted as a four-way stop. The Board concurred.

Mr. Brown advised the Board each year budgets for reserves, though no reserve study exists. He advised he would like for Staff to obtain proposals for a Reserve Study.

Mr. Brown advised irrigation repairs on the financials are now out of budget. Ms. Blandon suggested awaiting the December financials and then reviewing the line item. She advised she will report back to the Board. Mr. Brown advised street cleaning is also at 98% he asked for confirmation that the street cleaning is done for the year. Ms. Blandon confirmed. Mr. Brown inquired regarding the 30% miscellaneous contingency. Ms. Blandon advised she will pull a general ledger and send to Mr. Brown. Mr. Brown inquired regarding the field manager position. Ms. Blandon advised interviews have been conducted and she has two candidates who qualify, and she is still conducting interviews. She further advised she would like to have four to five candidates to bring before the Board. Discussion ensued regarding hours for the onsite field manager.

Mr. Heether advised the LED light fixture sent to the manufacturer should be returned the second week of February. He advised the cost is approximately \$600 per head to switch out.

Mr. Hicks inquired regarding furniture replacement. Mr. Brown advised a proposal is forthcoming. Discussion ensued.

Mr. Hicks advised the trash compactor has been replaced, and one issue is that the compactor was being fed too quickly.

Mr. Samson advised the gate exiting the community is being knocked off frequently. He advised he would like to explore options for slowing traffic as they approach the exit. Discussion ensued regarding the loop that triggers the gate arm. Ms. Blandon advised she inquire with Cypress Access to have one loop work both arms.

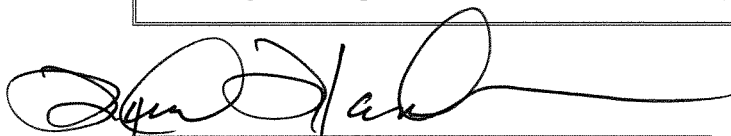
Mr. Brown addressed the audience regarding residents contacting him via NextDoor.com. Ms. Blandon advised the Board Members are strongly discouraged from utilizing social media for District business.

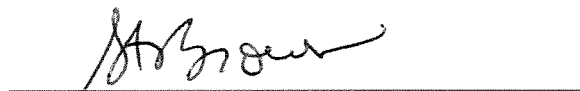
Ms. Blandon opened the floor to audience questions and comments. Questions and comments from the audience were entertained.

SEVENTEENTH ORDER OF BUSINESS

Adjournment

On a Motion by Mr. Samson, seconded by Mr. Brown, with all in favor, the Board adjourned the meeting at 8:15 pm, for the Paseo Community Development District.


Secretary/Assistant Secretary


Chairman/Vice Chairman