
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, April 26, 2017 at 11:01 a.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

Also present were:

Belinda Blandon	District 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)
Doug Tarn	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

**Consideration of Barraco & Associates
Proposal for Preparation of Public
Facilities Report**

Ms. Blandon advised the Public Facilities Report is required per Florida Statute 189.09 and is further required to be updated every seven years and be posted to the District's website. She advised a proposal was received from Barraco & Associates with a not to exceed amount of \$9,500.00 for completion of the report. Mr. d'Adesky confirmed the statutory requirement for the report. Mr. Tarn entertained questions regarding the proposal. This item was tabled.

FOURTH ORDER OF BUSINESS

Consideration of Proposals for Lake Bank Repairs

Mr. Tarn provided an overview of the proposals received from Copeland Southern Enterprises and Crocker Land Development as well as the summary provided by Mettauer Environmental. He advised the littoral plantings can wait until June or July. Discussion ensued. Ms. Blandon advised the costs outlined in the estimates exceed the public bid threshold. Further discussion ensued. The Board directed Mr. Tarn to have the proposals revised and have the revisions ready for discussion at a continued meeting to be held on May 8, 2017 at 5:30 pm.

FIFTH ORDER OF BUSINESS

District Engineer Staff Report

Mr. Tarn advised Stock Development is working on turn over items. Mr. Brown inquired regarding the sidewalk on Falisto Place. Mr. Tarn advised a generic response was received advising the sidewalks meet code minimum although they do not. He further advised that this item can be placed on the walk through inspection report. Mr. Heether inquired regarding the street lighting in the areas to be turned over. Mr. Tarn advised he has not heard from them. Mr. d'Adesky advised his office will be sending a letter to Stock Development regarding the streetlights. Mr. Heether inquired to Mr. Tarn regarding the price difference between LED lights and the current lights being installed. Discussion ensued regarding the street lights and the cost difference between what is currently being installed versus the LED fixtures in Phase III of Esperanza. Mr. Heether advised the cost difference is roughly \$400.00.

SIXTH ORDER OF BUSINESS

Presentation and Review of Reserve Study

Ms. Blandon introduced Mr. Paul Gallizzi and Mr. Steven Swartz of Florida Reserve Study. Mr. Gallizzi provided an overview of the Reserve Study performed for Paseo CDD. Mr. Gallizzi received questions from the Board, and provided responses, regarding the Study. Mr. Brown complimented Mr. Gallizzi on a well put together report. Further discussion ensued. Mr. Gallizzi advised he would make the requested changes to the report and resubmit for further review.

Mr. Tarn provided an overview regarding the District's responsibility of the berm in Esperanza. He advised the District is responsible for the stormwater and Stock is responsible for maintenance of the Phase II berms as they have not been turned over to the District at this time. Mr. Tarn advised there are still issues with the berms and Barraco & Associates will continue to monitor the repairs. Discussion ensued.

SEVENTH ORDER OF BUSINESS

Update Regarding Status of Furniture

Ms. Blandon advised a bench was ordered from Polywood and placed in various areas around the community to determine whether or not the product gets too hot. Ms. Blandon advised she has received communication from a member of the Master Association Furniture Committee regarding the District Board considering alternative areas. Mr. Brown provided an update on the temperatures of the bench outside utilizing an electronic infrared thermometer and advised heat is not an issue. He advised he has contacted several composite furniture manufacturers and they have advised the composite will not retain more heat than the teak. Mr. Brown advised he has reviewed other products and the product chosen is as good as or better than other options, he advised the

decision made is correct. Mr. Hicks advised he did his own research and sat on the bench a few times at various times throughout the day and heat is not a concern. He advised the furniture is durable and meets the standards that should be met for the community. Mr. Heether advised he likes the bench. Mr. Samson advised cosmetically it is not bad; the teak bench back is straight and the composite bench back is arched. He advised he is comfortable with the furniture selected. Ms. Blandon advised she will place the order and coordinate delivery. Mr. Brown addressed providing the teak benches to the Condo Association or Master Association. Ms. Blandon advised there is not a lot of area to place benches on CDD property in Espernaza. Ms. Blandon advised she also received a request for dining tables to be placed at the gazebos, though when the furniture was ordered the number of items ordered was based upon replacing what is currently in place and the budget was amended as such. Further discussion ensued regarding the teak benches being given to one of the Associations. Mr. Heether inquired regarding bench pads being placed in Condo areas. Mr. Brown advised it was a choice of the developer than a requirement. Ms. Blandon advised she will coordinate delivery and a pod may be required for temporary storage.

EIGHTH ORDER OF BUSINESS

Consideration of the Minutes of the Board of Supervisors' Meeting held on March 22, 2017

Ms. Blandon presented the Minutes of the Board of Supervisors' meeting held on March 22, 2017 and 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 March 22, 2017, for the Paseo Community Development District.

NINTH ORDER OF BUSINESS

Consideration of the Operations and Maintenance Expenditures for the Month of March 2017

Ms. Blandon presented the Operations and Maintenance Expenditures for the period of March 1-31, 2017, totaling \$94,757.01 and asked if there were any questions related to any item of expenditure. Mr. Heether inquired regarding invoice back up. Ms. Blandon advised it is included in the agenda package. Mr. Hicks inquired regarding the \$33,000.00 being withheld from Luke Brothers. Ms. Blandon advised she has not heard from Luke Brothers regarding the amount withheld. She further advised a letter will be prepared to Luke Brothers based on repairs noted by Pinnacle. Hearing no further questions, Ms. Blandon asked for a motion to approve the Operations and Maintenance expenditures for the period of March 1-31, 2017 totaling \$94,757.01.

On a Motion by Mr. Brown, seconded by Mr. Hicks, with all in favor, the Board Approved the Operations and Maintenance Expenditures for the period of March 1-31, 2017, which totaled \$94,757.01, for the Paseo Community Development District.

TENTH ORDER OF BUSINESS

Staff Reports

- A. District Counsel
Mr. d'Adesky advised the turn over process needs to be addressed as the timeline

for turn over repairs provided by Stock has passed. He advised that his advice would be to send another letter to the developer. The Board provided direction to the District Engineer to conduct the walk through reviewing all pending items so that a demand letter can be drafted. Mr. Brown inquired as to the amount of time for the District Engineer to conduct the walk through. Mr. Tarn advised it would take a week.

Discussion ensued regarding the trash compactor. Mr. d'Adesky advised that if the Board would like to revise the Methodology regarding the trash compactor it would be most effective to do so concurrently with the budget. Mr. Hicks inquired as to whether not Mr. d'Adesky has heard from the Condo Association counsel. Mr. d'Adesky advised he has not heard from anyone regarding the trash compactor.

B. District Manager

Ms. Blandon advised that per Florida Statutes the District is required, prior to June 1st of each year, to announce the number of registered voters residing within the District as of April 15 of that year. She stated that as of April 15, 2017 there are currently 1,012 persons registered to vote residing within the Paseo Community Development District, as provided by the Lee County Supervisor of Elections.

Mr. Crawford provided an update to the Board regarding the oak tree removal. He advised the City of Fort Myers has requested a site plan outlining the location of all trees and then identify the trees the District is requesting to be removed. Mr. Crawford suggested requesting two be removed for every one to remain, or removing 2/3 of the trees; he suggesting doing so with an average. He further advised a response should be received within two to three weeks after submittal. Mr. Brown inquired regarding the requirement for replanting. Mr. Crawford advised the City will need to review the plan prior to providing that information. Mr. Brown inquired regarding who will be submitting the application. Mr. Samson advised he would like for Mr. Brown to work with Pinnacle on the application. Discussion ensued. Mr. Crawford advised his next inspection will be the first Wednesday of May, and he will plan to spend extra time on site to create a report and he will have the site plan and request to the Board by the May 15th. Mr. Hicks advised he would like to be present as a Board representative. Mr. Brown inquired as to the cost per tree for removal. A Pinnacle representative estimated the cost for removal, without stump grinding, at \$100.00 to \$150.00 per tree. Mr. Brown advised there will be roughly 350 trees to be removed. He inquired with Mr. d'Adesky regarding asking Stock Development to help incur the cost of removal. Mr. d'Adesky cautioned against requesting financial help from Stock Development. Discussion ensued regarding trees that require trimming throughout the community as well as trees that were planted within the original containers. Mr. Crawford further recommended grinding the stumps of trees that are removed in order to keep the top of the tree below the turf.

Mr. Crawford provided an overview of the April site inspection; he advised of the fertilization black out period in June advising that he has requested an additional fertilization in May in order to accommodate. Ms. Blandon advised the proposal for additional fertilization in May has been received, approved, and returned to Pinnacle. Mr. Crawford advised Pinnacle is still working at items needing attention. Discussion ensued regarding irrigation concerns and other various landscaping concerns.

Ms. Blandon advised the next regular meeting of the Board of Supervisors is scheduled for Wednesday, May 24, 2017 at 5:30 pm.

Ms. Blandon provided an update regarding the compactor area Wi-Fi; the district does not have access to the Wi-Fi so each time there is an issue someone has to go to the compactor area to retrieve the video footage. Mr. Brown advised an agreement was executed in September 2016 with the HOA to provide Wi-Fi to the District in exchange for the HOA maintaining a POD on the District's property. He further advised the contract should be cancelled as the HOA is not providing the Wi-Fi and the CDD needs access to the property where the POD is located. Discussion ensued.

On a Motion by Mr. Brown, seconded by Mr. Samson, with all in favor, the Board Directed Staff to Provide a 30 Day Notice of Termination Related to the Agreement with the Master Association Regarding Storage of the POD on District Property, for the Paseo Community Development District.

Ms. Blandon advised of an e-mail received regarding closure of the construction gate; it is the intention of Stock to have the construction gate closed permanently no later than May 5th. She asked if the Supervisors had any concerns regarding the closure of the construction gate. Mr. Brown advised he would like to have Mr. Barraco's office and Mr. Crawford inspect the berm and landscaping in the area. Mr. Samson advised he would like to ensure the asphalt is removed and then add the curb, grass, and plants. Discussion ensued regarding removal of the asphalt and installation of sod, plants, and irrigation. Mr. Hicks inquired regarding construction truck access at the guardhouse. Ms. Blandon advised she will respond to the e-mail.

Ms. Blandon provided an update regarding the Field Manager. Mr. Brown advised he interviewed two candidates and there is one clear front runner. He further advised the recommended candidate has great experience and will be a great asset to the Community. Mr. Brown advised the name of the candidate is Michael Lake. Mr. Brown advised he would like to consider making the field manager a full time position. Mr. Hicks provided input regarding the process. Discussion ensued. Ms. Blandon advised it is her recommendation that the Board consider making the Field Manager position a full time position. She advised she has asked for a proposal from Rizzetta Amenity Services for hiring of a full time Field Manager. Further discussion ensued.

On a Motion by Mr. Hicks, seconded by Mr. Samson, with all in favor, the Board Directed Staff to Make the Field Manager Position a Full Time Position Rather than Part Time, for the Paseo Community Development District.

Mr. Heether inquired regarding researching a storage unit to purchase for CDD use, to be kept in the dumpster area. Discussion ensued.

ELEVENTH ORDER OF BUSINESS

Supervisor Requests and Audience Questions

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

Mr. Brown requested that financials be provided prior to the meeting so that there is time to review them prior to the meeting. He further advised a decision needs to be made regarding the dumpster enclosure. The Board directed Staff to move forward with a revised proposed methodology.

On a Motion by Mr. Brown, seconded by Mr. Samson, with all in favor, the Board Directed Staff Move Forward with the Process to Begin Preparations for a Draft Amended Methodology, for the Paseo Community Development District.

Mr. Brown inquired regarding instant messaging with residents. Ms. Bandon advised the District does not have that capability. She advised she provides information to the Condo Association and to the Master Association and asks that they distribute the information.

Ms. Bandon advised coordination has become an issue with relocation of the exit gate loops though the coordination is in process and once complete a notification will be sent to the Condo Association and Master Association for distribution.

Mr. Brown inquired regarding the e-mail address for residents to reach out to Pinnacle. He further advised of an e-mail received from a resident regarding a Pinnacle employee mowing over garbage.

Mr. Heether inquired regarding the old ramp to the dumpster enclosure; he advised he would like to have a chain, with possibly a closed sign, in the location of the ramps. He further advised he would like to find a local electrician in order to reduce response time. Mr. Heether advised that near lake 17 there is a large parking area, he advised he would like to have the District Engineer look into pavers that are sinking in the parking area.

Mr. Hicks commended Ms. Bandon on her professionalism. Mr. Brown commended Ms. Bandon and Mr. d'Adesky for their professionalism.

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

TWELFTH ORDER OF BUSINESS

Continuance

On a Motion by Mr. Samson, seconded by Mr. Brown, with all in favor, the Board, at 1:59 p.m., Continued the Meeting in Progress to Monday, May 8, 2017 at 5:30 p.m., for the Paseo Community Development District.



Secretary/Assistant Secretary



Chairman/Vice Chairman