
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, May 24, 2017 at 5:30 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.
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.
Doug Tarn	District Engineer, Barraco & Associates, Inc.
Mike Colditz	Securitas Security Services
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. There were no audience questions or comments related to agenda items.

THIRD ORDER OF BUSINESS

**Consideration of Lake Bank Maintenance
Revised Order of Magnitude**

Mr. Tarn reviewed the Order of Magnitude advising items that are highlighted are a priority. He advised several lakes are not highlighted as they are considered less severe. Mr. Brown inquired regarding the location of lake #4. Mr. Tarn advised that pond was not reviewed in terms of erosion.

Mr. Hicks inquired whether or not Barraco & Associates has prioritized the highlighted lakes to determine which lakes should be done first. Mr. Tarn advised he has not prioritized in that fashion, though lake #3 in his opinion is the worst. Discussion ensued regarding timing of the work. Mr. Heether inquired regarding the use of rip rap as some repairs have already eroded. Mr. Barraco advised rip rap is more durable but it is expensive and is regulated by South Florida Water Management District. He further suggested the roof run off be reviewed in order to minimize the effects on the lake banks. Mr. Barraco suggested reviewing additional mats and advised lake banks are an ongoing maintenance item. Mr. Strohm inquired regarding construction causing damage on the Esperanza lake banks. Mr. Barraco advised Stock has agreed to make repairs to the areas caused by construction, but Stock has not provided a list of areas they would take responsibility for. Mr. Hicks inquired regarding the corrugated pipe being run to the lakes being one continuous pipe. Mr. Barraco confirmed and further advised the pipe should hit the lake below the control line. Mr. Hicks advised of an area on lake 7 where the pipe was not continuous.

Mr. Barraco discussed the public facilities report advising the report itemizes the assets that are under the CDD's ownership and maintenance and also to look ahead at potential capital improvement projects. Mr. Heether inquired regarding the reclaimed water line that has never been brought in. Mr. Barraco advised the infrastructure is in place so that when the City has reuse water available the District would be using that water rather than ground water. Mr. Barraco advised the City does have reclaimed water available but on paper it is all committed to. He advised it is there, it is not being used, several areas committed to using it but it is not being used. Mr. Barraco advised that commitment that has been allocated could include the District as there was an agreement between the original Developer and the City that said that the infrastructure would be put in place and when available the District would utilize the reuse. He advised it is available and the District can go to the City to use that source, but once the District does that, they are committed to that source and if the City loses availability the District would revert back to ground water. Mr. Barraco advised the water would be metered and the District would be charged the standard rate by the City. He advised the initial intent was to use the city water and supplement with the deep water wells as needed. Mr. Barraco inquired if the District would like him to move forward with the reclaim water. Mr. Brown inquired as to whether or not the facility is extended to the lake. Mr. Barraco is to look into the extent of the facility and the cost for use of the reclaim water. Mr. Heether inquired as to why the District has to go back now and ask Mr. Barraco to provide information when the District was suppose to get this in the first place. Mr. Barraco provided a response.

Mr. d'Adesky advised of follow up issues related to the Stock turn over list from an engineering standpoint. Mr. Barraco advised some of the items on the list, from an engineering standpoint, do not warrant any improvements. He advised from an aesthetic perspective some things may for an example the cracked curb; from an engineering perspective it is a superficial crack and there is no detriment to the system based on the crack. He further advised those types of cracks are typical. Mr. Barraco advised another example is the sidewalks; in some cases they may be off set as they cross the driveway, from an engineering perspective if they are wide enough and graded properly they will serve their function though they may not be aesthetically pleasing. Mr. Heether inquired regarding the light poles; the same light poles are not being used in the sections currently under construction and there are 15 poles though the plan calls for 17. Mr. Tarn advised Stock has responded that the poles meet the minimum required plans and they can install any light they choose and they do not have to meet a certain style or manufacturer.

Mr. Samson opened the floor to public comments for the District Engineer. There were none.

FOURTH ORDER OF BUSINESS

Consideration of Pinnacle Landscapes Proposals for Mulch and Plant Replacements

Ms. Blandon reviewed the proposal received from Pinnacle Landscapes for mulch installation. She advised the proposal for mulch would not change should the Board elect to install the same color mulch as the Condo Association. Mr. Hicks inquired labor being included in the proposal. Ms. Blandon confirmed. The Board advised they would like to match the color utilized by the Condo Association only in those areas outlined to Pinnacle.

On a Motion by Mr. Samson, seconded by Mr. Strohm, with all in favor, the Board Approved the Pinnacle Landscapes Proposal for Mulch Installation in the Amount of \$33,332.50, for the Paseo Community Development District.

Ms. Blandon reviewed the proposals received from Pinnacle Landscapes for plant replacement due to neglect; she advised the amount of the proposals would be deducted from the amount owed to Luke Brothers. Mr. Hicks inquired regarding the use of Mexican Petunia. Ms. Blandon provided a response.

On a Motion by Mr. Hicks, seconded by Mr. Brown, with all in favor, the Board Approved the Pinnacle Landscapes Proposal #1355 for Plant Replacement in the Amount of \$11,010.00 and Proposal #1356 for Plant Replacement in the Amount of \$5,835.50, for the Paseo Community Development District.

FIFTH ORDER OF BUSINESS

Consideration of Draft Amended Methodology Report and Discussion Regarding Letters Received from the Condominium Association Regarding the Dumpster

Ms. Blandon advised of letters received from the Condo Association President regarding the trash compactor. She advised the letter received by District Management requests a list of District owned improvements, infrastructure, and facilities and the letter received by District Counsel requests a proposal related to transfer of the compactor.

Mr. d'Adesky advised the communications were received from the Condo Association and communications have also been received from residents; he advised his firm is not obligation to respond to these communications in consideration of the expenditure of public funds, his firm does not take action on a request unless approved by the Board. Mr. d'Adesky advised the Condo Association has asked that he provide a memorandum of understanding regarding the compactor facility as well as options, and asked to provide several answers to various questions regarding ownership of items within the community. He advised he has not responded to the letters as he has not been directed by the Board to do so. Mr. d'Adesky advised today the Board would not be adopting a revised methodology but would be setting a public hearing to consider the methodology.

Mr. Brown advised the Condo Association is under the impression they will be presented with a bill once the methodology is changed and they will have to come up with \$50,000.00. He advised that is not the case. Mr. Brown advised it is a modified way to tax the multi-family and single family homes. Discussion ensued. Mr. Hicks inquired with Mr. d'Adesky regarding responding to the letters received related to the trash compactor. Mr. d'Adesky advised he will provide a basic response but he does not take action without direction from the Board. Mr. Brown advised the residents and Associations should follow the proper chain, they should not reach out to Counsel directly. Discussion ensued.

Ms. Blandon asked for direction from the Board in order to respond to the letters from the Condo Association. Ms. Blandon asked for direction from the Board as to a response or proposal from Counsel. Mr. Brown advised that Staff should respond advising no proposal will be provided. Regarding the letter sent to Management, Ms. Blandon advised she will treat the request as a public records request. She advised District Counsel will respond advising he will not be providing a proposal based on the direction of the Board. Discussion ensued.

Mr. d'Adesky advised he does not have comments to the draft amended methodology report.

On a Motion by Mr. Samson, seconded by Mr. Brown, with all in favor, the Board set a Public Hearing on the Amended Methodology for Wednesday, August 23, 2017 at 11:00 a.m., to be held at the Paseo Village Center – Theatre, 1611 Paseo Grande Boulevard, Fort Myers, Florida 33912, for the Paseo Community Development District.

SIXTH ORDER OF BUSINESS

Ratification of Previously Executed Proposal from Rizzetta Amenity Services for the Hiring of a Field Manager

Ms. Blandon advised the proposal and contract were executed on May 17, 2017. Discussion ensued regarding the proposal and the management fee. This item was tabled subject to further review of the management fee.

SEVENTH ORDER OF BUSINESS

Presentation of Fiscal Year 2017/2018 Proposed Budget

Ms. Blandon presented the proposed budget for fiscal year 2017/2018. She advised it does provide an increase in the general fund of \$220,571.00 which a majority is for lake bank restoration. Ms. Blandon advised the proposed budget also covers fulling funding the reserve as per the reserve study. Discussion ensued.

On a Motion by Mr. Hicks, seconded by Mr. Strohm, with all in favor, the Board Approved the Proposed Budget for Fiscal Year 2017/2018, for the Paseo Community Development District.

EIGHTH ORDER OF BUSINESS

**Consideration of Resolution 2017-04,
Approving a Proposed Budget for Fiscal
Year 2017/2018 and Setting a Public
Hearing Thereon**

Ms. Blandon advised that adoption of the resolution would set the public hearing in order to adopt a final budget.

On a Motion by Mr. Samson, seconded by Mr. Brown, with all in favor, the Board Adopted Resolution 2017-04, Approved a Proposed Budget for Fiscal Year 2017/2018, and Setting a Public Hearing Thereon for Wednesday, August 23, 2017 at 11:00 a.m. to be held at the Paseo Village Center – Theatre, 11611 Paseo Grande Boulevard, Fort Myers, Florida 33912, for the Paseo Community Development District.

NINTH ORDER OF BUSINESS

**Consideration of the Minutes of the Board
of Supervisors' Meeting held on April 26,
2017**

Ms. Blandon presented the Minutes of the Board of Supervisors' meeting held on April 26, 2017 and if there were any additions, deletions, or corrections to the minutes. Mr. Samson noted a misspelled word on page 3.

On a Motion by Mr. Hicks, seconded by Mr. Heether, with all in favor, the Board Approved the Minutes of the Board of Supervisors' Meeting held on April 26, 2017, subject to the corrections noted on the record, for the Paseo Community Development District.

TENTH ORDER OF BUSINESS

**Consideration of the Minutes of the
Continued Board of Supervisors' Meeting
held on May 8, 2017**

Ms. Blandon presented the Minutes of the Continued Board of Supervisors' meeting held on May 8, 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. Brown, with all in favor, the Board Approved the Minutes of the Continued Board of Supervisors' Meeting held on May 8, 2017, for the Paseo Community Development District.

ELEVENTH ORDER OF BUSINESS

**Consideration of the Operations and
Maintenance Expenditures for the Month
of April 2017**

Ms. Blandon presented the Operations and Maintenance Expenditures for the period of April 1-30, 2017, totaling \$148,999.65 and asked if there were any questions related to any item of expenditure. 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 April 1-30, 2017, which totaled \$148,999.65, for the Paseo Community Development District.

TWELFTH ORDER OF BUSINESS

Staff Reports

A. District Counsel

Mr. d'Adesky provided a status update regarding the completion and turn over items; Stock has not responded though as the list is complete he will transmit the list to Stock identifying they have passed their self imposed deadline. Mr. d'Adesky also advised of the Condo Association letter received regarding a comprehensive list of ownership of various elements within the community and he feels this has been addressed. He further advised there are three factors that led to confusion; at one point Stock controlled everything, another level was the same vendor providing service to both the Association and the CDD, and the final element is the question as to the CDD previously maintaining items which they have not. Discussion ensued. Mr. Brown inquired regarding the CDD taking over maintenance of the four lakes and banks. Mr. d'Adesky advised the District can maintain those areas as they fall under the District's permit. Mr. Brown suggested the District maintain the banks of those four lakes; he further advised the maintenance of these banks is in the current landscape contract. Ms. Blandon advised it is not. Mr. d'Adesky advised he will work with the District Engineer concerning the District maintaining those lake banks. Ms. Blandon advised those areas are not in the current landscape contract. Mr. Samson suggested clarifying with Pinnacle that those lakes can be maintained at no additional cost. Mr. Hicks advised the issue is those areas were maintained by the CDD until September of 2016 per the responsibilities maps. He advised there is now a correct map and if we turn those over now the Condo Association does not have the budget to perform the maintenance. Mr. Brown advised that from a legal perspective the District cannot pay to maintain an area not owned by the District. Mr. Brown suggested someone speak with Pinnacle regarding maintaining the 2 front lake banks at no cost for the remainder of the fiscal year. Mr. d'Adesky advised if it is zero cost to the District then that is fine and a more permanent solution needs to be worked on. Mr. Brown advised he would like Ms. Blandon to have a conversation with Mr. Fenner of Pinnacle to agree to mow the lake banks until such time as something is received in writing from the Condo Association in order to allow for the District to provide maintenance.

On a Motion by Mr. Samson, seconded by Mr. Hicks, with all in favor, the Board Appointed Mr. Brown to Work with Pinnacle Regarding Maintenance of the Lake Banks at the Front of the Community, and to Execute Documents on Behalf of the Board related to Maintenance of the Banks, for the Paseo Community Development District.

Ms. Blandon asked for Board direction to Mr. d'Adesky to respond to the Condo Association letter regarding ownership.

On a Motion by Mr. Samson, seconded by Mr. Brown, with all in favor, the Board Directed Mr. d'Adesky to Respond to the Condo Association Regarding Ownership of Elements Within the District, for the Paseo Community Development District.

B. District Manager

Ms. Blandon advised Mr. Crawford could not be in attendance tonight, though if the Board has questions regarding the Field Inspection Report, she will take those questions back to Mr. Crawford. Mr. Hicks advised of concerns with ant mounds noted on page four of the report. He further advised fertilization needs to be completed. Ms. Blandon advised it has been completed and additional fertilization has been approved. Mr. Brown inquired regarding the Palm Tree on Rosalinda. Ms. Blandon advised the proposal has been approved and the work will be completed next week; she further advised the height has been confirmed and the existing Palm will be discarded. Mr. Brown inquired regarding the oak tree removal. Ms. Blandon advised the walk through has been completed, trees have been mapped and a site plan completed, and permit submitted. Mr. Brown requested a copy of the site plan. Ms. Blandon advised she will provide the plan. Mr. Heether inquired regarding cutting down the trees at the dumpster area. Ms. Blandon advised she will provide this information to the vendor.

Ms. Blandon advised the next regular meeting of the Board of Supervisors is scheduled for Wednesday, June 28, 2017 at 11:00 am.

Ms. Blandon advised the Chairman and herself met with Mr. Colditz, Account representative of Securitas, to outline several ongoing issues with security and concerns regarding the guards. Mr. Colditz addressed the Board and spoke regarding post orders and addressing concerns including replacing officers as needed. He further requested permission to install a camera inside the guardhouse in order to ensure guards are performing their duties as required. Mr. Strohm inquired regarding monitoring of incoming and outgoing vehicle tags. Mr. Brown advised a proposal is in the works for updating of the tag cameras. Mr. Colditz provided an overview of a remote guard system. Discussion ensued. Mr. Colditz advised he will have a proposal for review by June 9th. He further advised installation should take approximately 60 days from execution of the contract. Discussion ensued regarding functionality of the gate arms.

Mr. Brown asked for an update regarding the field supervisor. Ms. Blandon advised the paperwork is being processed and once that is complete he will receive his offer letter and upon acceptance of the offer he will begin working.

Mr. Heether inquired regarding the furniture shipment. Ms. Blandon advised the order would not be placed until there is a place to store the furniture. She further advised of progress of the building being placed. Ms. Blandon advised the price for the steel building is \$5,074.10 and the double wide shed is concrete lap board, not metal or vinyl, and is six to eight weeks for delivery and the cost is \$21,292.33. Discussion ensued. Ms. Blandon advised she will look into pricing for a POD in the time between now and when a building can be set on site.

Mr. Brown inquired regarding phasing of the lighting work. Mr. d'Adesky advised the District may not be able to phase the work in order to avoid the bid process. Mr. Brown suggested the District purchase the supplies and then hire an electrician to perform the installation. Discussion ensued.

On a Motion by Mr. Brown, seconded by Mr. Samson, with all in favor, the Board provided Direction to the District Engineer to Prepare Specifications for and RFP for the LED Lighting Replacement Project, for the Paseo Community Development District.

THIRTEENTH ORDER OF BUSINESS

Supervisor Requests and Audience Questions

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

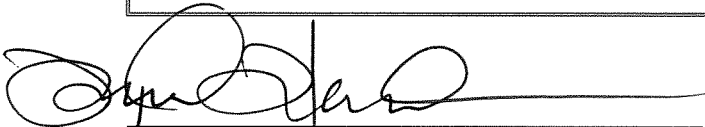
Mr. Heether inquired regarding removal of a phone line from the guardhouse. Ms. Blandon advised Securitas has agreed to reimburse the District for the long distance bill as well as time for the guard who was on the phone.

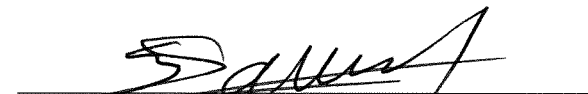
Ms. Blandon opened the floor to audience comments. Questions and comments from the residents were received.

FOURTEENTH ORDER OF BUSINESS

Adjournment

On a Motion by Mr. Samson, seconded by Mr. Brown, with all in favor, the Board adjourned the meeting at 7:47 pm, for the Paseo Community Development District.


Secretary/Assistant Secretary


Chairman/Vice Chairman