

## 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, August 22, 2018 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:

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

Also present were:

Belinda Blandon	<b>District Manager, Rizzetta &amp; Company, Inc.</b>
Tyree Brown	<b>Field Services Manager, Rizzetta &amp; Company, Inc.</b>
Michael Lake	<b>Field Manager, Rizzetta Amenity Services</b>
Scott Brizendine	<b>Rizzetta &amp; Company, Inc.</b>
Brianne Parker	<b>Rizzetta &amp; Company, Inc. (via speaker phone)</b>
Jan Carpenter	<b>District Counsel, Latham, Shuker, Eden &amp; Beaudine, LLP (via speaker phone)</b>
Andrew d'Adesky	<b>District Counsel, Latham, Shuker, Eden &amp; Beaudine, LLP (via speaker phone)</b>
Wes Kayne	<b>District Engineer, Barraco &amp; Associates, Inc.</b>
Joe Fenner	<b>Pinnacle Landscape</b>
Britton Dudley	<b>Pinnacle Landscape</b>
Jon Kessler	<b>FMS Bonds (via speaker phone)</b>
Cynthia Wihelm	<b>Bond Counsel, Nabors, Giblin &amp; Nickerson, P.A. (via speaker phone)</b>

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

Mr. Brown opened the floor for public comment on Agenda items. Questions and comments from the audience were entertained.

Mr. d'Adesky suggested moving items 4E and 4F to the beginning of the meeting. The Board concurred.

**THIRD ORDER OF BUSINESS**

**Discussion      Regarding      Bond  
Conversion      Conversion**

Mr. Kessler of FMS Bonds provided a detailed overview related to the bond conversion advising that the closing is essentially complete. He further discussed the rating; previously a RES rating was received as a minus and yesterday the rating was confirmed as an A- rating which should result in a 12% debt service reduction. Ms. Carpenter spoke regarding the rating and advised that the normal cut off date to certify the assessment roll to the county is September 1<sup>st</sup>, however Paseo has been granted an extension to September 15<sup>th</sup> in order to have the residents see the savings of the bond conversion on the next tax bill; Ms. Carpenter advised they are pushing to make the September 15<sup>th</sup> date but if that does not happen then the savings will be realized on the following tax bill.

**FOURTH ORDER OF BUSINESS**

**Consideration of Resolution 2018-11,  
Bond Delegation Resolution and  
Exhibits**

Mr. Brizendine provided an overview of the special assessment allocation report and advised that five homeowners have paid off their debt service assessment. He pointed out that restructuring of the bonds will not extend the maturity date of the bonds.

Ms. Wihelm provided an overview of the Bond Delegation resolution, which delegates authority to the Chairman to execute and deliver the bond purchase agreement to the Underwriter, FMS Bonds, and for the Underwriter to purchase the bonds so long as the offer contained in the bond purchase agreement is within the parameters contained within the appendix to the resolution. Ms. Wihelm reviewed the Sixth Supplemental Indenture as well as the Escrow Agreement.

On a Motion by Mr. Hicks, seconded by Mr. Heether, with all in favor, the Board Adopted Resolution 2018-11, Bond Delegation Resolution and Exhibits, in Substantial Form, for the Paseo Community Development District.

**FIFTH ORDER OF BUSINESS**

**District Engineer Staff Report**

Mr. Kayne discussed the Asset Report as previously provided. He advised that the perimeter berms should take priority for repairs. Mr. Heether inquired regarding whether any of the deficiencies are to berm areas where repairs were previously conducted. Mr. Kayne advised he will look into that. Mr. Kayne reviewed the priority list. He advised that the curb repairs should be conducted in 5 foot sections, and there are 30 locations total, so the cost for curb repairs is approximately \$12,000.00. Mr. Kayne advised they did observe some sedimentation in some of the catch basins, some of which were 12 inches deep; he recommended cleanout of those basins. Mr. Kayne advised of signage that is

being blocked by trees or landscaping that will need to be trimmed by the Landscape company. Mr. Heether inquired as to whose responsibility it would be to fix the valves in the Condo areas. Mr. Kayne advised the valves are owned by the City of Fort Myers though getting the City to conduct the repairs could be difficult. Mr. Brown stated that the District would still need the permission of the City in order to conduct the repairs. Mr. Heether inquired regarding the curb grades to the stormwater inlets. Mr. Kayne advised a vendor would make the necessary repairs to the grade prior to pouring the new curbs and inlets. Ms. Blandon advised that based on the District Engineer's report; the goal is to address the items based on priority, curb repairs, catch basin clean out, berm repairs, and signage repairs. She advised that the plan going forward is to obtain proposals for the Board to consider and she advised she would like authorization from the Board to allow the District Engineer to move forward to obtain proposals for the curb repairs and clean out of the catch basins. Mr. Brown asked for confirmation that the order of priority is berms, valve pads, asphalt at the entrance, curbing, sedimentation clean out, and then signage. Mr. Kayne confirmed. Discussion ensued regarding painting of the crosswalks. Mr. Kayne confirmed that the crosswalks are acceptable as is. Mr. Brown recommended that Mr. Kayne obtain proposals for all of the work to be done and then the Board can put the work in the order.

**SIXTH ORDER OF BUSINESS**

**Consideration of Proposals for  
Milling, Paving, and Striping at the  
Entrance**

Mr. Kayne advised that obtained proposals for milling, paving, and striping at the entrance per the asset report. He advised proposals were received from PMI, in the amount of \$24,546.40, and from Russ Berner Construction, in the amount of \$17,612.00. Discussion ensued.

On a Motion by Mr. Heether, seconded by Mr. Hicks, with all in favor, the Board Approved the Proposal from Russ Berner Construction, in the Amount of \$17,612.00, for Milling, Paving, and Striping, Subject to Preparation of an Agreement by Counsel, for the Paseo Community Development District.

Mr. Heether inquired regarding posting 25 mph signage on empty sign posts; there are approximately 5 of them. Mr. Kayne advised he will have these signs included in the signage quote.

**SEVENTH ORDER OF BUSINESS**

**Field Services Report**

Mr. Tyree Brown reviewed the field inspection report for the month of August and advised that continuous improvement is noticeable; he further identified areas that need attention. Mr. Heether commended Mr. Tyree Brown for his report and work. Mr. Hicks stated he also sees vast improvement. Mr. Brown asked that Pinnacle remove from the roadway tree limbs that have been cut.

Mr. Tyree Brown provided an overview of the documentation provided regarding the tree replacement project, recommendations, and action plan. He advised that going forward he is recommending replacement of 18 trees in the areas identified on the map

provided and further recommended using pigeon plums and shady lady's for replacement. Mr. Tyree Brown advised the Board that on a go forward basis, structural pruning, restoration, and replacement trees should be considered. Discussion ensued.

On a Motion by Mr. Strohm, seconded by Mr. Brown, with all in favor, the Board Directed Staff to Obtain Proposals for the Replacement Trees as Identified and Further Directed Staff to Send Written Communication to the Condo Association Seeking their Feedback to the Plan and Providing a 14 Day Deadline for Response, for the Paseo Community Development District.

Mr. Tyree Brown spoke regarding tree pruning; he advised the current maintenance is for lifting the canopy based on FDOT standards. He further advised that live oaks should be structurally pruned every four to five years in order to enhance the health of the trees and to help prevent excessive damage during wind events. Mr. Tyree Brown recommended budgeting for the expense of structural pruning and completing the structural pruning in phases. The Board requested that Mr. Tyree Brown write a scope for the structural pruning. Mr. Steven Brown recommended waiting until next summer to obtain bids.

**EIGHTH ORDER OF BUSINESS**

**Consideration of Resolution 2018-07,  
Reappointing an Assistant Secretary**

Ms. Blandon provided an overview of the resolution and advised that Mr. Joe Roethke has taken over the Regional District Manager responsibilities, in place of Mr. Matthew Huber, for the Fort Myers office

On a Motion by Mr. Brown, seconded by Mr. Hicks, with all in favor, the Board Adopted Resolution 2018-07, Reappointing Mr. Joe Roethke as Assistant Secretary, for the Paseo Community Development District.

**NINTH ORDER OF BUSINESS**

**Consideration of Resolution 2018-08,  
Adopting Fiscal Year 2018/2019  
Meeting Schedule**

Ms. Blandon provided an overview of the resolution and advised that the meeting schedule being presented is consistent with the current year schedule, with meetings being held on the fourth Wednesday of the month, at rotating times of 11:00 a.m. and 5:30 p.m.

On a Motion by Mr. Brown, seconded by Mr. Heether, with all in favor, the Board Adopted Resolution 2018-08, Adopting Fiscal Year 2018/2019 Meeting Schedule, for the Paseo Community Development District.

**TENTH ORDER OF BUSINESS**

**Public Hearing to Consider Adoption  
of the Fiscal Year 2018/2019 Budget**

Ms. Bandon provided an overview of the public hearing process and asked for a motion to open the public hearing.

On a Motion by Mr. Brown, seconded by Mr. Hicks, with all in favor, the Board Opened the Public Hearing to Consider Adoption of the Fiscal Year 2018/2019 Budget, for the Paseo Community Development District.

**ELEVENTH ORDER OF BUSINESS**

**Presentation of the Proposed Final  
Budget for Fiscal Year 2018/2019**

Ms. Bandon advised the approved proposed budget for fiscal year 2018/2019 does not include an increase, but includes a slight decrease. She advised that although there is a decrease in the budget, it includes increases for operation and contract expenses and future projects. Ms. Bandon advised that the reserve budget is being increased as well in accordance with the reserve study.

Ms. Bandon asked if there were any questions from the members of the public that were present.

Questions and comments from the public were entertained.

Questions and comments from the Board were entertained.

On a Motion by Mr. Hicks, seconded by Mr. Heether, with all in favor, the Board Closed the Public Hearing to Consider Adoption of the Fiscal Year 2018/2019 Budget, for the Paseo Community Development District.

**TWELFTH ORDER OF BUSINESS**

**Consideration of Resolution 2018-09,  
Annual Appropriations and Adopting  
the Final Budget for Fiscal Year  
2018/2019**

Ms. Bandon discussed utilization of reserve funds and reallocation of landscape lighting funds to cover the expenses to be incurred related to the asset report. Discussion ensued.

Ms. Bandon provided an overview of the resolution and advised that section two would be completed as follows: total general fund budget is \$1,684,313.00, total reserve fund is \$210,125.00, and total debt service fund is \$857,088.00, for a total budget of \$2,751,526.00. She asked if there were any questions. There were none.

On a Motion by Mr. Hicks, seconded by Mr. Heether, with all in favor, the Board Adopted Resolution 2018-09, Annual Appropriations and Adopting the Final Budget for Fiscal Year 2018/2019, in the Amount of \$2,751,526.00, for the Paseo Community Development District.

**THIRTEENTH ORDER OF BUSINESS**

**Consideration of Resolution 2018-10,  
Fiscal Year 2018/2019 Assessments**

Ms. Bandon provided an overview of the resolution and asked if there were any questions. There were none.

On a Motion by Mr. Brown, seconded by Mr. Strohm, with all in favor, the Board Adopted Resolution 2018-10, Fiscal Year 2018/2019 Assessments, for the Paseo Community Development District.

**FOURTEENTH ORDER OF BUSINESS**

**Consideration of the Minutes of the  
Board of Supervisors' Meeting held on  
July 25, 2018**

Ms. Bandon presented the minutes of the Board of Supervisors' Meeting held on July 25, 2018 and asked if there were any questions. There were none.

On a Motion by Mr. Hicks, seconded by Mr. Brown, with all in favor, the Board Approved the Minutes of the Board of Supervisors' Meeting held on July 25, 2018, for the Paseo Community Development District.

**FIFTEENTH ORDER OF BUSINESS**

**Consideration of the Operations and  
Maintenance Expenditures for the  
Month of July 2018**

Ms. Bandon presented the Operations and Maintenance Expenditures for the period of July 1-31, 2018, totaling \$75,381.48, and asked if there were any questions related to any item of expenditure. Mr. Heether inquired regarding the Luke Brothers invoice. Ms. Bandon advised that check was for the settlement.

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 July 1-31, 2018, which Totaled \$75,381.48, for the Paseo Community Development District.

**SIXTEENTH ORDER OF BUSINESS**

**Staff Reports**

- A. District Counsel  
Mr. d'Adesky advised he had no report but would be happy to answer any questions the Board may have.

Mr. Heether inquired regarding bids for the LED lighting and the cone of silence. Mr. d'Adesky advised that until the bids are opened the cone of silence is in place.

Mr. Brown discussed a letter received from a homeowner regarding alligators in the lakes. Mr. d'Adesky spoke regarding the District's responsibilities as it relates to alligators in District owned lakes. Mr. Brown inquired regarding the maintenance of the signs placed around the lake. Mr. d'Adesky advised the District can either maintain or remove the signs. Mr. Brown advised that he was asked regarding revisiting the fishing policy of the District. The Board concurred that they do not want to revisit this item. The Board asked Mr. Lake to review the alligator signage to ensure all are upright.

Mr. Strohm inquired regarding the tree within the preserve that was reported as a danger. Ms. Blandon advised that she has executed a proposal for the removal of that tree.

**B. District Manager**

Ms. Blandon advised the next regular meeting of the Board of Supervisors is scheduled for Wednesday, September 26, 2018 at 5:30 p.m.

Ms. Blandon provided updates regarding various maintenance items.

**SEVENTEENTH ORDER OF BUSINESS**

**Supervisor Requests and Audience Questions**

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

Mr. Heether inquired regarding whether or not the District can deactivate a transponder that is not affixed to the windshield. Ms. Blandon advised that she will inquire with Allied as to the possibility to do so.

Mr. Heether inquired regarding fractures to the gate arms as well as replacement of the controllers. Ms. Blandon advised she is working on replacement of the controllers. Mr. Heether suggested shortening of the gate arms in order to save wear and tear on the controllers.

Mr. Strohm advised the he is moving and so next meeting will be his last meeting. Mr. Brown inquired regarding sending out a communication for those interested in serving on the Board.

Mr. Brown advised the steel building will be installed tomorrow and the painting of the gatehouse is completed. He further advised that there were two broken roof tiles found.

Mr. Brown opened the floor to Audience questions. Questions and comments from the audience were entertained.

**EIGHTEENTH ORDER OF BUSINESS**

**Adjournment**

On a Motion by Mr. Brown, seconded by Mr. Hicks, with all in favor, the Board adjourned the meeting at 12:43 p.m., for the Paseo Community Development District.



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Secretary/Assistant Secretary



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Chairman/Vice Chairman