
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 24, 2011 at 11:03 a.m.** at the Paseo Village Center, located at 1611 Paseo Grande Boulevard, Fort Myers, Florida 33912.

Present and constituting a quorum:

Chad Kocses	Board Supervisor, Chairman
Keith Gelder	Board Supervisor, Vice Chairman
Valerie McChesney	Board Supervisor, Assistant Secretary
Tim Clark	Board Supervisor, Assistant Secretary
Frank Dengler	Board Supervisor, Assistant Secretary

Also present were:

Molly Syvret	District Manager, Rizzetta & Company, Inc.
Colt Little	District Counsel, Latham, Shuker, Eden & Beaudine, LLP (via speaker phone)
Frank Savage	Representative for District Engineer, Barraco & Associates
Eleanor Taft	Developer's Counsel, Eleanor W. Taft, P.A. (via speaker phone)
Audience	

FIRST ORDER OF BUSINESS

Call to Order

Ms. Syvret called the meeting to order and read roll call.

SECOND ORDER OF BUSINESS

District Engineer Staff Report

Mr. Savage recommended that the District's lake banks should be inspected for wash-outs, erosion, and other deficiencies on a routine basis to ensure structural integrity and compliance with permit conditions. Discussion ensued. Ms. Syvret advised she had received a proposal from Barraco & Associates to conduct the inspection and prepare a report, but would also like to obtain additional proposals for these services.

THIRD ORDER OF BUSINESS

Consideration of the Minutes of the Board of Supervisors Meeting held on May 25, 2011

Ms. Syvret presented the minutes of the Board of Supervisors meeting held on May 25, 2011. She asked if there were any revisions to the minutes. Ms. McChesney noted that in the eleventh Order of Business, under the manager's report, that there was also discussion regarding obtaining proposals for LED landscape lighting. Ms. Syvret asked for a motion to approve the minutes, subject to the revision noted.

On a Motion by Mr. Kocses, seconded by Mr. Gelder, with all in favor, the Board approved the Minutes of the Board of Supervisors Meeting held on May 25, 2011, subject to the revision made on the record, for the Paseo Community Development District.

FOURTH ORDER OF BUSINESS

Consideration of the Minutes of the Continued Board of Supervisors Meeting Held on June 10, 2011

Ms. Syvret presented the minutes of the continued Board of Supervisors meeting held on June 10, 2011. She asked if there were any revisions to the minutes. There were none.

On a Motion by Ms. McChesney, seconded by Mr. Clark, with all in favor, the Board approved the Minutes of the Continued Board of Supervisors Meeting held on June 10, 2011, for the Paseo Community Development District.

FIFTH ORDER OF BUSINESS

Consideration of the Operation and Maintenance Expenditures for the Months of May, June, and July 2011

Ms. Syvret provided an overview of the expenditures for the period of May 1-31 which total \$58,880.27. Questions were entertained regarding the Stahlman invoices and services provided for in the lake maintenance invoices. Ms. Syvret provided an overview of the expenditures for the period of June 1-30 which total \$69,675.23. Questions were entertained regarding the Turrell, Hall & Associates invoice. Discussion ensued regarding the Bentley Electric invoices, and investigating the costs associated with changing the lights to LED. Upon request of Ms. McChesney, Ms. Syvret advised she will provide a summary of expenses for Bentley Electric for the current fiscal year. Ms. McChesney inquired regarding the Securitas invoices. Discussion ensued. Ms. Syvret provided an overview of the expenditures for the period of July 1-31 which total \$32,092.20. There were no questions regarding the July expenditures.

On a Motion by Ms. McChesney, seconded by Mr. Gelder, with all in favor, the Board approved the Operation and Maintenance Expenditures for the Months of May, June, and July 2011, for the Paseo Community Development District.

SIXTH ORDER OF BUSINESS

**Presentation of the Fiscal Year 2011/2012
Final Budget and the Assessment Roll**

Ms. Syvret provided an overview of the budget process for the audience. Ms. Syvret further explained that the format for this portion of the meeting will be for the District Manager to present the budget and any pertinent information as to how the budget was calculated, the public hearing will then be conducted during such any audience questions or comments will be entertained, the public hearing will then be closed and the Board will discuss the budget and make any final revisions they feel necessary before adopting the budget in final form.

Ms. Syvret provided an overview of the final budget for fiscal year 2011/2012, noting changes made since the approval of the proposed budget, and highlighting the primary areas driving the increase in expenditures.

SEVENTH ORDER OF BUSINESS

**Public Hearing Regarding the Fiscal Year
2011/2012 Final Budget and Assessments**

Ms. Syvret asked for a motion to open the public hearing regarding the Fiscal Year 2011/2012 Final Budget and Assessments.

On a Motion by Mr. Dengler, seconded by Mr. Gelder, with all in favor, the Board opened the Public Hearing Regarding the Fiscal Year 2011/2012 Final Budget and Assessments, for the Paseo Community Development District.

Questions and comments from the public were entertained. Discussion ensued regarding development of the northern phase of the community. After determining there were no further questions from the public, Ms. Syvret asked for a motion to close the public hearing.

On a Motion by Mr. Kocses, seconded by Mr. Gelder, with all in favor, the Board closed the Public Hearing Regarding the Fiscal Year 2011/2012 Final Budget and Assessments, for the Paseo Community Development District.

EIGHTH ORDER OF BUSINESS

**Consideration of Resolution 2011-20,
Annual Appropriations and Adopting the
Final Budget for Fiscal Year 2011/2012**

Ms. Syvret asked the Board if there was any further discussion they would like to have on the budget, or any items they would like revised. There were none. Ms. Syvret provided an overview of Resolution 2011-20, advised that adopting this Resolution would adopt the final budget for fiscal year 2011/2012, as presented, in the amount of \$1,824,310.

On a Motion by Mr. Kocses, seconded by Ms. McChesney, with all in favor, the Board adopted Resolution 2011-20, Annual Appropriations and Adopting the Final Budget for Fiscal Year 2011/2012, in the amount of \$1,824,310, for the Paseo Community Development District.

NINTH ORDER OF BUSINES

**Consideration of Resolution 2011-21,
Imposing Special Assessments and
Certifying an Assessment Roll**

Mr. Little advised that Resolution 2011-21 imposes assessments to collect the funds provided for in the adopted budget and provides for the method of collection of assessments. Ms. Syvret asked if there were any questions. There were none.

On a Motion by Mr. Kocses, seconded by Mr. Clark, with all in favor, the Board adopted Resolution 2011-21, Imposing Special Assessment and Certifying an Assessment Roll, in the amount of \$1,824,310, for the Paseo Community Development District.

TENTH ORDER OF BUSINESS

**Ratification of the Third Amendment to
the Agreement Regarding the Collection
and Enforcement of Special Assessments**

Ms. Syvret advised that the amendments being presented relate to the original Agreement Regarding the Collection and Enforcement of Special Assessments, which was put in place to govern the rights and obligations of various parties while the bond restructuring was ongoing. Ms. Syvret explained that there have been delays in completing the restructuring and, therefore, the term of the Agreement had to be extended. She advised that each of the amendments presented served to extend the term of the Agreement from the prior term, with the most recent extending the term to September 15, 2011. She advised that if there are no questions related to the Amendments, she would ask for a separate motion ratifying each Amendment.

On a Motion by Mr. Kocses, seconded by Ms. McChesney, with all in favor, the Board ratified the Third Amendment to the Agreement Regarding the Collection and Enforcement of Special Assessments, for the Paseo Community Development District.

ELEVENTH ORDER OF BUSINESS

**Ratification of the Fourth Amendment to
the Agreement Regarding the Collection
and Enforcement of Special Assessments**

On a Motion by Mr. Kocses, seconded by Ms. McChesney, with all in favor, the Board ratified the Fourth Amendment to the Agreement Regarding the Collection and Enforcement of Special Assessments, for the Paseo Community Development District.

TWELFTH ORDER OF BUSINESS

Ratification of the Fifth Amendment to the Agreement Regarding the Collection and Enforcement of Special Assessments

On a Motion by Mr. Kocses, seconded by Ms. McChesney, with all in favor, the Board ratified the Fifth Amendment to the Agreement Regarding the Collection and Enforcement of Special Assessments, for the Paseo Community Development District.

THIRTEENTH ORDER OF BUSINESS

Discussion Concerning Memorandum Relating to Compliance with ADA 2010 Standards

Mr. Little provided an overview of the amendments to the ADA standards. He advised that the fishing pier and gazebos appear to be the only District facilities that would fall within the non-exempt facilities subject to the amended standards. Mr. Little recommended that the District's engineer confirm those facilities are compliant.

FOURTEENTH ORDER OF BUSINESS

Consideration of Resolution 2011-19, Adopting an Annual Meeting Schedule for Fiscal Year 2011/2012

Ms. Syvret provided an overview of Resolution 2011-19, Adopting an Annual Meeting Schedule for Fiscal Year 2011/2012. She advised that the schedule being presented is consistent with the current year schedule, with meetings being held on the fourth Wednesday of each month, commencing at 11:00a.m., at the Paseo Village Center, 11611 Paseo Grande Boulevard, Fort Myers, Florida 33912. She asked if there were any questions. There were none.

On a Motion by Mr. Kocses, seconded by Ms. McChesney, with all in favor, the Board adopted Resolution 2011-19, Adopting an Annual Meeting Schedule for Fiscal Year 2011/2012, for the Paseo Community Development District.

FIFTEENTH ORDER OF BUSINESS

Staff Reports

A. District Counsel

Mr. Little advised that for cost savings reasons, Counsel does not typically attend the meetings in person. He asked if the Board would like to delegate authority to the District Manager or Chairman of the Board to notify Counsel if their presence is necessary.

On a Motion by Ms. McChesney, seconded by Mr. Clark, with all in favor, the Board delegated authority to the Chairman to make a determination relating to Counsel's physical attendance at meetings, for the Paseo Community Development District.

B. District Engineer
The District Engineer's report was provided at the onset of the meeting.

C. District Manager
Ms. Syvret explained that IRS code requires a calculation to be completed each bond year to determine if revenues earned on the proceeds from tax exempt bonds are within the allowable yield. This calculation has been completed by Deloitte for the current year relating to the Series 2005AB bonds, and there is no arbitrage liability at this time. Ms. Syvret advised copies of the actual report are available at the District office for anyone that would like to review it.

Ms. Syvret advised that management continues to work on various maintenance related items. Proposals have been obtained for several projects, including landscape and lighting enhancements, but will not be moving forward with the projects until the new fiscal year due to budget constraints and financial status of the District as we approach this year's end.

Ms. Syvret stated that the next regular meeting of the Board of Supervisors is scheduled for September 27, 2011 at 11:00 am.

SIXTEENTH ORDER OF BUSINESS

Supervisor Requests and Audience Comments

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


There were no supervisor requests or comments.

Ms. Syvret opened the floor to Audience comments. Questions and comments were entertained. Discussion ensued regarding the street and landscape lighting. Ms. Syvret advised she would obtain proposals to have a streetlight inspection performed on some routine basis.

SEVENTEENTH ORDER OF BUSINESS

Adjournment

On a Motion by Mr. Kocses, seconded by Ms. McChesney, with all in favor, the Board adjourned the meeting at 12:50 p.m., for the Paseo Community Development District.


Secretary Assistant Secretary


Chairman/Vice Chairman