

MINUTES OF MEETING ,
FALCON TRACE COMMUNITY DEVELOPMENT DISTRICT

The regular meeting of the Board of Supervisors of the Falcon Trace Community Development District was held on Wednesday, March 20, 2019 at 6:00 p.m. at the Big Hawk Lake Recreational Center, 13600 Hawk Lake Drive, Orlando, Florida 32837.

Present and constituting a quorum were:

Sara Hurst	Chairperson
Carole Miller	Vice Chairperson
Kathy Stark	Assistant Secretary
Sue Marchesi Baron	Assistant Secretary
Perry Shaikh	Assistant Secretary

Also present were:

Jill Burns	District Manager
Mike Eckert	District Counsel
William Viasalyers	Field Operations
David Tuel	Head Pool Attendant
Racquel McIntosh	Grau & Associates by telephone

The following is a summary of the discussions and actions taken at the March 20, 2019 meeting. A copy of the proceedings can be obtained by contacting the District Manager.

FIRST ORDER OF BUSINESS

Roll Call

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

The next item was taken out of order.

Presentation of Fiscal Year 2018 Audit

Ms. McIntosh gave an overview of the Audit, which resulted in a clean opinion, no material weaknesses or significant deficiencies in internal control, there were no findings in the current year and no prior year findings.

Ms. McIntosh left the telephone conference at this time.

SECOND ORDER OF BUSINESS

Public Comment Period

There being none, the next item followed.

THIRD ORDER OF BUSINESS

Approval of the Minutes of the January 16, 2019 Meeting

On MOTION by Ms. Hurst seconded by Ms. Miller with all in favor the minutes of the January 16, 2019 meeting were approved, as presented.

FOURTH ORDER OF BUSINESS

Review and Acceptance of Fiscal Year 2018 Audit Report

The Audit report was given earlier in the meeting and the Board took the following action.

On MOTION by Ms. Hurst seconded by Ms. Miller with all in favor the Fiscal Year 2018 Audit was accepted, and staff authorized to transmit the final report to the State of Florida.

FIFTH ORDER OF BUSINESS

Consideration of Swim Program License Agreement with Sharks and Minnows Swim School, Inc.

Ms. Burns stated the term of this agreement is from April 1, 2019 to October 10, 2019 and can be renewed for two more seasons.

Ms. Miller asked has there been any changes from the last contract?

Mr. Eckert stated the only change is in the hours.

Mr. Tuel stated there needs to be a change in the hours, we don't open until 10:00 a.m. They practice Monday, Wednesday and Friday and use Saturday as a makeup day.

On MOTION by Ms. Miller seconded by Ms. Baron with all in favor the Swim Program License Agreement with Sharks and Minnows Swim School, Inc. was approved with the following revisions: Section 3A revised to: Monday-Friday 10 a.m. to 7 p.m. and Saturday 10 a.m. to 2 p.m.

SIXTH ORDER OF BUSINESS**Consideration of Proposal with VGlobalTech
for ADA Website Compliance**

Ms. Burns stated this is a company that GMS has used on Districts they manage and we were able to get a good rate. They will add text equivalent to the images so that a person who is visually impaired will know what that image is. They also scan and put all the documents in a text based format so if you are visually impaired and have software that will read it to you, it is compatible with those systems. They will go through the website and make sure it is ADA compliant. There is a one-time fee of \$1,975 to convert everything on the existing site to bring it into compliance. The quote on page 10 is an annual fee of \$1,350 and GMS is suggesting you approve the one-time fee and GMS will be able to keep it compliant going forward.

Mr. Eckert stated right now there are a lot of lawsuits that have been filed against local governments including community development districts because they are alleging that websites don't comply with ADA. However, the federal government has so far abandoned their effort to give guidance to local governments on how to deal with this issue. The courts are sorting it out, which is not a uniform way for it to be handled. In addition to us trying to get ahead of this and make sure you don't get sued, also the largest insurance company for community development districts has now said unless you are taking these measures to comply with the ADA we are not going to provide you with coverage if you do get sued and that is going to kick in this summer. It is something that is necessary for us to do. If you decide to approve the proposal today, we will put that in the form of an agreement that we are comfortable with. We aren't comfortable with you just signing their proposal. The initial cost that we were hearing for some websites were in the tens of thousands of dollars or more for ones that have sign-ups for classes and things like that. The managers have been able to negotiate a bulk rate throughout the state, which has been helpful. We will have a 30-day termination clause in the contract if you are not happy with them you can look somewhere else. We recommend you do this to maintain your insurance coverage.

Ms. Miller asked what if the court says they want to change something or tweak this program, how does that affect us with this cost?

Mr. Eckert responded there are certain guidelines that are out there right now not from the federal government, they are industry standard guidelines and that is what the court is looking at right now. If the federal government comes in with different guidelines then you would probably have to tweak this, but most of these are converting so it is in a reader program and that should

satisfy somebody who can't see it. This conversion will get you to where you need to be to protect against the known lawsuit. The guidelines could change a little bit, but I don't think they would change dramatically. You just have to make what is called a reasonable accommodation.

On MOTION by Ms. Hurst seconded by Ms. Stark with all in favor the proposal from VGlobalTech for ADA website compliance for a one-time fee of \$1,975 was approved subject to District Counsel preparing an agreement.

SEVENTH ORDER OF BUSINESS

Staff Reports

A. Attorney

Mr. Eckert stated in terms of the Sunshine Law I like to remind everybody what it requires because it doesn't make a whole lot of sense in terms of functioning well. No two Board Members can have a conversation about something that is going to come before the Board for action outside of a publicly noticed CDD meeting. If you are in an HOA meeting you can't talk to another Board Member about CDD business because that is not publicly noticed as a CDD meeting. The same thing applies to emails, any kind of mail, verbal conversations and texts. Any time I see emails from Board Members I am always going to insert myself even if there is nothing wrong, and I'm not aware of anything that is wrong, but I will always insert myself and say, let's talk about it at the Board meeting. I want everybody to understand that I am super conservative about that, but I also don't have clients that get in trouble for Sunshine Law violations.

Mr. Shaikh suggested that committees be formed with a Board Member heading each one to oversee the clubhouse and the financials.

Mr. Eckert stated some Districts have committees and some do not, that is entirely up to the Board to decide whether you have committees. If you want to establish committees, those committees are subject to the Public Records Law and the Sunshine Law just like you are and would need to publish notice of each committee meeting, take minutes of the meeting and the only time they can talk about the things that are going to come before that committee is in a publicly noticed meeting; unless they are purely established for fact finding, which means they can make no recommendations and then they are not subject to the Sunshine Law.

Ms. Miller stated other communities may not function as well as we do and they may have to have committees.

This discussion was tabled to the next meeting.

Mr. Eckert stated there is a lot of proposed legislation out there that could affect our rules of procedure. We will probably have amended rules for you to look at in August, they are changing something on the Audit, they are changing some things in terms of policy. There are different ethics rules being proposed, and different disclosure rules. There is a new proposed bill that you have to have a two-thirds vote of your Board to issue bonds, which in a CDD is 80% it is not 66% because you have five members, which means you have to have four voting in favor of issuing bonds.

B. Manager

i. Approval of Check Register

On MOTION by Ms. Miller seconded by Ms. Stark with all in favor the check register was approved.

ii. Balance Sheet and Income Statement

A copy of the balance sheet and income statement were included in the agenda package.

iii. Field Manager's Report

Mr. Viasalyers gave an overview of the field operations that took place over the past two months and reported on a monthly meeting with the landscape management company per contract.

Ms. Miller stated we need to have the slide examined for safety purposes to see if it needs to be repaired or replaced.

Mr. Viasalyers extended an offer to Supervisor Shaikh to accompany him on a weekly visit to familiarize himself with the field services activities.

iv. Discussion of Proposal for Security Cameras

Mr. Viasalyers stated I was asked at the last Board meeting to get a proposal for security cameras.

Mr. Eckert stated Florida Law requires any conversation that you have regarding your security system that would in any way reveal the components of your security system or the

plans that you have has to take place outside of the sunshine so we would ask people to leave the meeting if you want to discuss specifics. If you want to go beyond what is in the proposal then the meeting should be noticed differently.

A security discussion took place, there were no members of the public present and staff was directed to come back to the next meeting with a full proposal.

EIGHTH ORDER OF BUSINESS**Supervisor's Requests**

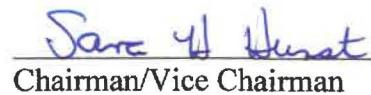
Mr. Shaikh asked that a copy of the check register, financials and assessment receipts schedule be emailed to the Board Members on a monthly basis.

Staff agreed to accommodate the request and email the information to all Board Members.

NINTH ORDER OF BUSINESS**Next Meeting Date**

On MOTION by Ms. Baron seconded by Ms. Miller with all in favor the meeting adjourned at 7:55 p.m.



Secretary/Assistant Secretary

Chairman/Vice Chairman