

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 Wednesday, October 16, 2019 at 6:00 p.m. at the Big Hawk Lake Recreational Center, 13600 Hawk Lake Drive, Orlando, Florida.

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:

Jason Showe	District Manager
Michelle Rigoni	District Counsel
William Viasalyers	Field Operations
David Tuel	Head Pool Attendant

The following is a summary of the minutes and actions taken at the October 16, 2019 meeting. A copy of the proceedings can be obtained by contacting the District Manager.

FIRST ORDER OF BUSINESS

Roll Call

Mr. Showe called the meeting to order and called the roll.

SECOND ORDER OF BUSINESS

Public Comment Period

A resident asked how late are the lights on at the park? It gets darker earlier and the kids cannot and play.

Ms. Hurst stated we disengaged the lights on the courts several years ago because people were vandalizing the electrical to keep the lights on later than we wanted them. We removed the electrical so that wasn't possible.

A resident asked can you look into solar lights?

Mr. Showe stated we can bring back proposals for the Board to consider at the next meeting.

A resident stated I was at the pool a week ago and the pool was closed.

Mr. Showe stated we are about to go into the season where the pool is closed Monday through Friday and that is when we do a lot of the cleaning. We have a list of projects we will discuss later in the meeting that are being planned for when the pool is closed.

THIRD ORDER OF BUSINESS

Approval of the Minutes of the August 21, 2019 Meeting

On MOTION by Ms. Stark seconded by Ms. Miller with all in favor the minutes of the August 21, 2019 meeting were approved, as presented.

FOURTH ORDER OF BUSINESS

Consideration of Resolution 2020-01 Setting a Public Hearing

Ms. Rigoni stated this resolution will set a public hearing for changes to your rules of procedure that came about as a result of the 2019 legislative session. She explained various changes in response to Board Members' questions.

On MOTION by Ms. Hurst seconded by Ms. Stark with all in favor Resolution 2020-01 setting a public hearing for January 15, 2020 for the purpose of adopting amended and restated rules of procedure was approved.

FIFTH ORDER OF BUSINESS

Staff Reports

A. Attorney

Ms. Rigoni stated I have been following up with the County on the vacation of the sidewalk, at the Board's request.

Ms. Hurst stated in the back of the subdivision there is a sidewalk that goes nowhere and apparently there is a junction box that belongs to the County. We wanted to make the sidewalk go away because it doesn't need to be there and in order for us to ask them to vacate it we have

to go through this legal process because it is the County. There is an estimated \$5,000 cost to do that and we asked the lawyer to look into it before we made choices.

Ms. Miller stated if the road is going to be developed and it is based on Orange Avenue there may be an access point that people will be able to come onto our properties and that is our concern.

Ms. Rigoni stated I have been told by County representatives that there is a sliver of land that the County owns between the road and sidewalk that at this time they are planning to turn that into an additional stormwater facility.

Ms. Baron stated let's wait to see if the County puts in a storm drain. In 15 years only the people who live on either side of that house have used that sidewalk. If they plan to do anything except a storm drain, then we may want to go through with it.

Mr. Gough stated I have attended several meetings at the County where they had plans to widen Orange Avenue and it has come down to one plan. It is still in the planning stages they haven't defined when it is going to be done and probably will not be done for a couple years. We did indicate to them that we wanted no throughway there and having dealt with it, my recommendation to you is to do nothing at this time. I think it is a waste of money at this point.

B. Manager

1. Approval of Check Register

On MOTION by Ms. Baron seconded by Ms. Hurst with all in favor the check register was approved.

2. Balance Sheet and Income Statement

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

3. Action Items List

Mr. Showe stated the landscape upgrades that you approved in May is scheduled to be completed by the end of October. The playground is underway and will be completed by Friday. The mill and resurface, pressure washing sidewalks, fence, pool deck and dock, basketball court repainting, pool slide refurbishment, painting deck/tower will be done in the first quarter of 2020. Restroom refurbishment and roof replacement will be done in 2021.

On MOTION by Ms. Stark seconded by Ms. Baron with all in favor staff was authorized to proceed with the basketball court refurbishment in an amount not to exceed \$2,500.

Mr. Showe will bring a proposal for the installation of a fence from the edge of the tennis court along the back of the basketball court.

Mr. Viasalyers stated at the last meeting we had a proposal for restocking of the fish that was approved but the lake is getting more hydrilla and rather than the \$6,000 to restock the lake with grass carp they would apply it towards this treatment and will make four visits and it will chemically burn the hydrilla. It is safe for the marine life and it will only target and kill the hydrilla. It is \$19,000 for the treatment for a year.

On MOTION by Mr. Hurst seconded by Ms. Stark with all in favor \$19,000 for the hydrilla treatment was approved utilizing \$6,000 that was previously approved for the grass carp, subject to preparation of Work Authorization by District Counsel.

Mr. Viasalyers stated we would like to incorporate some signs identifying areas where we don't want anybody to park.

Mr. Showe stated we will identify the spot where Dave parks as staff parking.

Ms. Miller stated people park in the roundabout, and it should be for emergency vehicles only.

Mr. Viasalyers stated we can add that to the sign.

Ms. Stark stated why don't we find out if we can add striping and that will discourage parking in the roundabout.

Ms. Rigoni stated there are likely County codes and processes we need to comply with in order to stripe curbing.

Ms. Miller gave an overview of additional signage that will be installed.

After discussion of access to the basketball court staff was directed to obtain proposals for off-duty officers, card entry and fencing.

Mr. Showe stated at this time of year we usually have the Board approve gift cards for the staff, \$50 for David and \$25 for the rest of the staff.

On MOTION by Ms. Hurst seconded by Ms. Stark with all in favor gift cards were approved for the staff.

4. Field Manager’s Report

Mr. Viasalyers stated regarding the landscape enhancement project, we are waiting on the mulch until we started the landscape project and that will be installed in conjunction with the landscape enhancement.

At the last Board meeting the Board approved replacing the mechanical lock for the pool equipment and that has been completed.

SIXTH ORDER OF BUSINESS

Supervisor’s Requests

A. Discussion of District Counsel Expenses – Requested by Supervisor Shaikh

Ms. Rigoni stated I can address the invoices. I did take a look at our invoices from November through September. Excluding the flat fees which are for meeting attendance and time we spend on some meeting follow ups. Our general counsel fees total about 78 hours and out of that we spent about 26 hours, which is about 33% of our time spent educating the new member, which entailed telephone conferences with various attorneys like myself, Mike Eckert and also answered questions regarding the District finances, specifically the April financial report, which was a repeated topic during the budget season and because they were substantially the same questions regarding the District’s finances we thought it was important for us to address all the questions thoroughly, put it in writing so there is no question left unanswered and I provided a chart and a memorandum addressing the same. Aside from the 33% of the time that we spent educating the new Board Member the rest of the stuff I looked at were pretty routine but also there were unanticipated events that happened throughout the year for example, all our of maintenance agreements came due in this year and we had to rewrite all the contracts, due to bidding thresholds and other reasons. There were additional capital infrastructure projects that this Board approved and we drew up contracts for these projects. Because of rising concern for special districts and local governments for ADA website compliance our firm has negotiated a master contract for that project. There were extensive legislative changes that led to significant changes in the rules of procedure and that took up some of our time.

Mr. Shaikh stated I wasn’t much questioning the cost only it was also about the role of the lawyer for the CDD. Mike made it very clear that the attorney is hired by the Board and

works for the Board and works under the direction and instruction. In the past since I have been on the Board I don't think the attorney clearly knew that they worked for the Board. Explain that to me. In the last several months that the law firm works for the Board and they should not do anything that the Board doesn't know. The routine procedure is you write a letter, Perry this is what I'm doing, copy everybody, they don't need to know every single thing that we talk to the management company. I question the role of the attorney. Everything should not be copied to everybody.

Ms. Baron stated you are the one who wanted to know why the attorney isn't here. You wanted to know why George Flint isn't here. You were the one that was upset that none of them were here. This is why we don't have a call in from the attorney anymore and now we are paying more. Our expenses have increased because of you. 33% of the general legal expenses are from you. 26 hours they have had to repeatedly explain things to you.

Mr. Shaikh stated there should be no billing taking place between the lawyer and the management company that the Board doesn't know anything about. How can they spend our money that we don't know about?

Mr. Showe stated we only copy them on things of a legal nature that they might need to be involved in and to prepare them for the meetings that they are attending here.

Ms. Baron stated we come to the meeting prepared so when the items come up we are prepared for them. We just spent an hour and a half going over items because you are not prepared and ask the same questions over and over again.

Ms. Rigoni stated we also wrote off about \$3,200 of our time.

Ms. Hurst stated Mike sent me a letter saying they had discounted their cost because you had cost us so much money one month. They gave us time.

There being no other Supervisors' requests,

On MOTION by Ms. Stark seconded by Ms. Miller with all in favor
the meeting adjourned at 7:39 p.m.


Secretary/Assistant Secretary


Chairman/Vice Chairman