

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 Tuesday, June 2, 2020 at 6:00 p.m. via Zoom Video Conferencing, pursuant to Executive Orders 20-52, 20-69 and 20-91 (as extended by Executive Order 20-112) issued by Governor DeSantis on March 9, 2020, March 20, 2020, April 1, 2020, and April 29, 2020 respectively, and pursuant to Section 120.54(5)(b)2., *Florida Statutes*.

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
Mike Eckert	District Counsel
William Viasalyers	Field Operations
David Tuel	Head Pool Attendant

The following is a summary of the minutes and actions taken at the June 2, 2020 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, called the roll and stated this meeting is being held pursuant the governor's executive order no. 20-52 and 20-69 subsequently extended through executive order 21-12 and 21-14. This allows the District to conduct meetings of the Board of supervisors without having a quorum of its members physically present at any specific public location and utilization of telephone and video media conferencing technology. This meeting is being held to address any items necessary to the proper operation of the District. We are conducting today's meeting via Zoom, which allows for the public to participate by video or phone. Access information for the meeting today was provided in the District's meeting notice,

on the website and signage in the community directing people to the website and they could also contact our office as well. I have received no public comment in advance of the meeting.

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 15, 2020 Meeting

On MOTION by Ms. Stark seconded by Ms. Hurst with all in favor on the following roll call vote the minutes of the January 15, 2020 meeting were approved as presented. Ms. Hurst voted yes; Mr. Shaikh voted yes; Ms. Stark voted yes; Ms. Baron voted yes; Ms. Miller voted yes. Motion passed 5-0.

FOURTH ORDER OF BUSINESS

**Consideration of Resolution 2020-04
Adopting an Internal Controls Policy**

Mr. Eckert stated in 2019 the Florida Legislature adopted a new law that requires all local governments adopt written internal controls to detect and prevent fraud, waste, and abuse. This resolution incorporates the combination of our office’s coordination with the auditors that typically do CDD audits as well as the District management companies throughout the state and tried to incorporate best practices while allowing flexibility for the District as well. These controls are required by statute and they are designed to detect and prevent fraud, waste and abuse. Most if not all of these are not new to your District Manager, they are things the District Manager has been doing anyway but the legislature required us to put it in writing as a District policy.

On MOTION by Ms. Miller seconded by Ms. Stark with all in favor on the following roll call vote Resolution 2020-04 was approved. Ms. Hurst voted yes; Mr. Shaikh voted yes; Ms. Stark voted yes; Ms. Baron voted yes; Ms. Miller voted yes. Motion passed 5-0.

FIFTH ORDER OF BUSINESS

**Consideration of Resolution 2020-05
Approving the Fiscal Year 2021 Budget and
Setting a Public Hearing**

Mr. Showe stated Resolution 2020-05 approves the proposed budget, sets a public hearing for August 19, 2020 and directs District staff to transmit the proposed budget to Orange County at least 60 days prior to the public hearing. There is no increase in assessments proposed in the budget. It also reflects the final debt service payments and all the residents should see a dramatic reduction in their assessments this year. The operating and maintenance assessment of \$419.70 remains the same and there will be no debt assessment. We have added in for your capital projects next year, landscape improvements, roof replacement, restroom renovation, slide tower painting. We have proposals later in the agenda and there are sufficient funds if the Board decides to move some of those projects into the current fiscal year.

Ms. Hurst stated I don't know how it is going to work with one pool attendant having to do sanitization as well as helping our community maintain social distancing and limited access to the location. I'm concerned we might be short on the payroll.

Mr. Showe stated we have GMS maintenance staff and he has been doing sanitization process at a nearby property and we would bring him in prior to the pool opening it is \$25 per hour. We have built in a window from 3 – 4 to close the pool, he would come back and do the same process. The first few days Dave may bring in an additional person.

Mr. Tuel stated it sounds like a good plan for them to sanitize before we open and again in the middle of the day.

Mr. Showe stated there is a large carry forward and the District has sufficient funding to cover those additional expenses.

On MOTION by Ms. Hurst seconded by Ms. Baron with all in favor on the following roll call vote Resolution 2020-05 approving the Fiscal Year 2021 budget and setting the public hearing for August 19, 2020 was approved. Ms. Hurst voted yes; Mr. Shaikh voted yes; Ms. Stark voted yes; Ms. Baron voted yes; Ms. Miller voted yes. Motion passed 5-0.

SIXTH ORDER OF BUSINESS

**Consideration of Resolution 2020-06 General
Election**

Mr. Showe stated this is a resolution of the Board verifying that the Orange County supervisor of elections is going to place the special District candidates on the general election. Seat 1 held by Ms. Baron, seat no. 2 held by Ms. Stark and seat 3 held by Ms. Miller are scheduled to be included in the general election for November 2020. This resolution outlines the terms and qualification process.

Mr. Eckert stated this Board has been transitioned to residents and this resolution is what you see every two years.

Mr. Showe stated it is important to note that anyone who would like to qualify for those open seats, the qualifying period is from noon on June 8th through noon on June 12th. That entire process is handled through the supervisor of elections office.

On MOTION by Ms. Hurst seconded by Ms. Baron with all in favor on the following roll call vote Resolution 2020-06 General Election was approved. Ms. Hurst voted yes; Mr. Shaikh voted yes; Ms. Stark voted yes; Ms. Baron voted yes; Ms. Miller voted yes. Motion passed 5-0.

SEVENTH ORDER OF BUSINESS

Ratification of First Amendment to Agreement with Sharks & Minnows Swim School

Mr. Showe stated next is ratification of the First Amendment to the Agreement with Sharks & Minnows. This is a continuation of their contract. With the governor allowing youth activities to continue we have approved this so they can start advertising. To this point they have not held any classes because the facility is closed. It provides for the \$50 voucher for residents of Falcon Trace. This would be subject to you reopening the facilities.

Ms. Hurst asked with the modified capacity of the pool would Sharks & Minnows be willing to make allowances so if we have unanticipated high times, how do you feel we would be able to manage that so the kids can take their 30-minute class but our residents can still take advantage of the facility?

Mr. Tuel asked are you going to count the kids as part of the capacity of the pool, if we allow 40 and we have our 40 then the swim class shows up with 5 kids? How do you want to handle that?

Mr. Showe stated they will have to provide a roster in advance, let us know what classes they have. My hope was that we wouldn't let them use the pool for the first few days and see

where capacity falls, where the highs and lows are and we can then tell them these are the times we are comfortable offering. It will take coordination with them.

Ms. Hurst stated as long as they are willing to work with us so that we are not taking huge chunks of availability away from our residents.

On MOTION by Ms. Baron seconded by Ms. Stark with all in favor on the following roll call vote the first amendment to agreement with Sharks & Minnows Swim School was ratified. Ms. Hurst voted yes; Mr. Shaikh voted yes; Ms. Stark voted yes; Ms. Baron voted yes; Ms. Miller voted yes. Motion passed 5-0.

EIGHTH ORDER OF BUSINESS

**Review and Acceptance of Fiscal Year 2019
Audit Report**

Mr. Showe stated next is review and acceptance of the Fiscal Year 2019 audit which is considered a clean audit with no current year findings, prior year findings and no recommendations.

Mr. Shaikh asked is it possible to get a local auditor? They have to drive 200 miles. Can anyone get those records?

Mr. Showe stated everything is provided electronically by our office, if the auditor needed any information or documents the District Manager would provide that.

Mr. Shaikh asked is it possible to have the auditor at the meeting to answer questions?

Mr. Showe stated they participated by telephone last year. To the extent you have questions we can always ask them.

Mr. Eckert stated I suggest we ask them to appear by phone next year and if you feel that isn't sufficient to get your questions answered the District can ask them to come to a meeting and if they say they are not going to unless they get paid, then we ask what that is and the Board can evaluate that. Having them on by phone is not an unreasonable request.

On MOTION by Ms. Stark seconded by Ms. Miller with all in favor on the following roll call vote the Fiscal Year 2019 audit was accepted. Ms. Hurst voted yes; Mr. Shaikh voted yes; Ms. Stark voted yes; Ms. Baron voted yes; Ms. Miller voted yes. Motion passed 5-0.

NINTH ORDER OF BUSINESS

Discussion of Opening of Pool and Related Facilities Based on CDC Protocol

Mr. Showe reviewed the reopening plan for the facilities and stated if the residents do not comply with the rules we will have to close the facilities again to come up with policies that work.

A resident stated we have lights for tennis and they were just changed. Why are the lights not set up so that we can play tennis at night?

Mr. Viasalyers stated we have upgrades to the tennis court lights and I was going to address that under my report. Based on the decision the Board makes today we will coordinate the timing for the lights to come on and go off.

A resident stated basically you will not have an automatic system that I can turn on myself for an hour.

Mr. Viasalyers stated we have a timer switch on the tennis entrance gate and you turn that switch on and that will engage the lights to stay on until the timer runs out.

Ms. Miller stated an hour for cleaning the restroom, all the chairs and every item we have does not seem to be enough time.

Mr. Showe stated we believe it is sufficient and if it is not we will extend their time to get that accomplished.

Ms. Miller asked how do we track that?

Mr. Showe stated the staff member who will be coming out and cleaning will send me an email verifying he has completed that task or we can come up with another tracking method. Dave and his staff can also track that and help with the high touch areas.

Ms. Miller stated I would like it to be signed off on who performed that responsibility so that we can hold everyone accountable and if we need to verify that we will have it on the record.

Ms. Stark stated we have a book where I work where the people who do the sanitizing, put in who came, what time they came, what they sanitized, they sign off on it and our Manager signs off on it and there is a space for notes. It gave us the ability to communicate without having to constantly worry if they came, or did they clean.

Mr. Showe stated we can do that.

Ms. Miller asked where are we posting the new rules for the pool?

Mr. Showe stated we will put them online and post them at the pool facility and we will try to send those to the residents as well if we can get the email database from the HOA.

Ms. Baron stated I don't think we would have a problem with that.

Ms. Miller stated I think it should go in the newsletter as a reminder to the homeowners.

Mr. Shaikh stated I would like the attorney to research having one management company for the HOA and CDD.

Mr. Eckert stated I can tell you at your next meeting what your options are rather than a long, written report then the Board can decide which direction they want to head.

The Board discussed the following: 4 tennis players rather than 8, boat ramp access, ways to monitor non-residents, signage for boat ramp access to include no motorized boats, develop rules for use of boat ramp. The opening to be done in phases, keep boat ramp closed until rules are developed, there are also paddleboarders with dogs on the ponds, walking trail open, tennis courts no more than 4 at a time, playground and basketball and boat ramp closed, grills, pool slide closed. Pool capacity 45, 2-hour timeframes as a suggestion, open Saturday June 6, 2020, tennis court lights on from 8 a.m. to 9 p.m. have additional signage for opening, what facilities are open and what facilities are closed.

Mr. Showe stated I will revise this plan based on our discussion tonight and email it to the Board in the morning and staff will coordinate the opening for Saturday.

TENTH ORDER OF BUSINESS

Staff Reports

A. Attorney

There being none, the next item followed.

B. Manager

1. Approval of Check Register

On MOTION by Ms. Stark seconded by Ms. Hurst with all in favor on the following roll call vote the check register was approved. Ms. Hurst voted yes; Mr. Shaikh voted yes; Ms. Stark voted yes; Ms. Baron voted yes; Ms. Miller voted yes. Motion passed 5-0.

2. Balance Sheet and Income Statement

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

3. Presentation of Number of Registered Voters – 1,923

Mr. Showe stated there are 1,923 registered voters residing within the District. It doesn't impact the Board at this point since you have transitioned to the general election, but we are required to announce the number of registered voters.

4. Action Items List

Mr. Viasalyers stated the mill and resurfacing of the parking lot has been completed. We had an engineer come out and do a punch list and those items have been completed by the vendor. The pressure washing of the fence and dock was completed by staff; the pool slide refurbishment has been completed; the restriping of the basketball court will occur in the next one to three weeks; painting of the pool deck/tower is one of the discussion items we have coming up. I met with four vendors on the restroom refurbishment over the last month and a half and have not yet received any bids. I will pursue those and some new vendors to get costs for refurbishing those bathrooms. The hydrilla treatment is ongoing and the lake looks good. The lighting for the courts, parking lot, entrance monument sign and an area on the pool deck has been completed and the fence for the backside basketball court has been completed as well.

Ms. Hurst stated we may want to fence the front of basketball court.

Mr. Showe stated we can explore options for that.

Mr. Viasalyers reviewed in detail the proposal from Berry Construction, Inc., the proposal from Painters Touch and Orlando Painting Company.

Ms. Miller stated is the lift optional?

Mr. Showe stated he has the cost of the lift built into his proposal, that is only if we need it more than a day. Counsel will draft a formal frontend document and all the provisions the District would typically have with these contracts.

Ms. Miller asked if there is a rain delay and inhibits them from continuing with the lift, we are not going to be charged any more than the \$600?

Mr. Viasalyers stated we can try to work that into the contract.

Mr. Showe stated there would be terms listed on that. That is their proposal at this point.

Ms. Miller stated I just don't want us to get stuck with an additional cost because it is a rain delay or equipment or something other and we are subject to additional daily charges for a lift that we are not utilizing.

Mr. Eckert stated what you are doing tonight is approving the proposal and the contract will go to me to draft an agreement with your management company to make sure protections are included.

Ms. Hurst stated if we go back to the Berry Construction proposal no. 9 with the fishing dock extension of the handrails and the cross bar in no. 5 those were encouraged by our insurance company to make sure there is no other liability issues. Is that correct?

Mr. Viasalyers stated that is correct.

Ms. Hurst asked is no. 6 the stairs?

Mr. Viasalyers stated yes, they would remove all the cracked steps that are currently there and remove all the hardware and replace it with new material and new stainless steel hardware.

Ms. Hurst stated it seems like the paint is significantly more in the proposal from Berry than in the other proposals.

Mr. Showe stated that is why we obtained additional quotes, specifically painters. If I understand the conversation then you want to approve items 5 – 9 on Berry’s proposal and once those items are done we can have a painter come in.

Ms. Stark stated I agree, get the repairs done then go back and take care of the cosmetics after.

On MOTION by Ms. Baron seconded by Ms. Stark with all in favor on the following roll call vote the proposal from Berry Construction items 4 – 9 were approved in an amount not to exceed \$17,000 and District Counsel was authorized to prepare and agreement for this contract. Ms. Hurst voted yes; Mr. Shaikh voted yes; Ms. Stark voted yes; Ms. Baron voted yes; Ms. Miller voted yes. Motion passed 5-0.

5. Field Manager’s Report

A copy of the Field Manager’s report was included in the agenda package.

ELEVENTH ORDER OF BUSINESS

Supervisor’s Requests

Ms. Hurst asked when we reopen and have the limited number of people, are we going to try to help them visually with social distancing? I have seen on the internet where they have

mapped off blocks to help people maintain social distancing or are we going to remove pool chairs so there is less seating?

Mr. Tuel stated I have already removed chairs and tables and everything left on the deck is separated to at least six feet apart. Each table holds four and all other chairs have been moved at least six feet apart. The extra chairs and tables are in the community room.

TWELFTH ORDER OF BUSINESS

Next Meeting Date

Mr. Showe stated our next meeting is scheduled for July 15, 2020.

On MOTION by Ms. Hurst seconded by Ms. Stark with all in favor on the following roll call vote, the meeting adjourned at 7:45 p.m. Ms. Hurst voted yes; Mr. Shaikh voted yes; Ms. Stark voted yes; Ms. Baron voted yes; Ms. Miller voted yes. Motion passed 5-0.


Secretary/Assistant Secretary


Chairman/Vice Chairman