

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, August 19, 2020 at 6:00 p.m. via Zoom Video Conferencing, pursuant to Executive Orders 20-52, 20-69, 20-112, 20-150, 20-179, 20-193 and 20-246 issued by Governor DeSantis on March 9, 2020, March 20, 2020, April 29, 2020, June 23, 2020, July 30, 2020, August 7, 2020, and September 30, 2020 respectively, and any extensions or supplements thereof, 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
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 August 19, 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 and called the roll.

**SECOND ORDER OF BUSINESS**

**Public Comment Period**

There being none, the next item followed.

**THIRD ORDER OF BUSINESS**

**Approval of the Minutes of the July 15, 2020 Meeting**

On MOTION by Ms. Hurst seconded by Ms. Stark with all in favor, the Minutes of the July 15, 2020 Meeting, were approved as presented.

**FOURTH ORDER OF BUSINESS**

**Public Hearing**

On MOTION by Ms. Stark seconded by Ms. Baron with all in favor the public hearing was opened.

**A. Consideration of Resolution 2020-07 Adopting the Fiscal Year 2021 Budget and Relating to the Annual Appropriations**

Mr. Showe stated Resolution 2020-07 adopts the Fiscal Year 2021 budget, the Operation and Maintenance assessment did not increase this year and will remain at \$419.70. Because the debt service was paid off this year, that will no longer be assessed and most residents in the District should have a significant decrease in their assessment on the upcoming tax bill.

Ms. Rigoni asked Mr. Showe to confirm for the record that proper notice was provided for this public hearing. Mr. Showe noted that they placed the additional advertisement as well as all the required items on the website. After some discussion by the Board with no public comment, the Board took the following action.

On MOTION by Ms. Stark seconded by Ms. Hurst with all in favor, Resolution 2020-07 Adopting the Fiscal Year 2021 Budget and Relating to the Annual Appropriations, was approved.

**B. Consideration of Resolution 2020-08 Imposing Special Assessments and Certifying an Assessment Roll**

Mr. Showe stated Resolution 2020-08 imposes special assessments and certifies an assessment roll and the adopted budget and the assessment roll will be attached as exhibits to this resolution. There being no comments or questions from the Board or the public, the Board took the following action.

On MOTION by Ms. Hurst seconded by Ms. Stark with all in favor Resolution 2020-08 Imposing Special Assessments and Certifying an Assessment Roll, was approved.

On MOTION by Ms. Baron seconded by Ms. Miller with all in favor the public hearing was closed.

**FIFTH ORDER OF BUSINESS**

**Consideration of First Amendment to Agreement with Aquatic Weed Management, Inc. for Lake Maintenance Services**

Mr. Showe stated the next two items are extensions of your current contracts. They are proposing \$100 increase per month in the fees for a total of \$4,800 per year due to an increase in chemical costs and increased visits. They have not had an increase since they became the vendor.

On MOTION by Ms. Hurst seconded by Ms. Miller with all in favor, the First Amendment to the Agreement with Aquatic Weed Management, Inc. extending the Term of the Agreement one year and increasing the fees by \$100 per month, was approved.

**SIXTH ORDER OF BUSINESS**

**Consideration of First Amendment to the Agreement with Roberts Pool Service and Repair, Inc. for Pool Maintenance Services**

Mr. Showe stated next is an extension of the agreement with Roberts Pool Service for Fiscal Year 2021.

On MOTION by Ms. Stark seconded by Ms. Miller with all in favor, the First Amendment to the Agreement with Roberts Pool Service and Repair, Inc. extending the Term of the Agreement one year, was approved.

**SEVENTH ORDER OF BUSINESS**

**Staff Reports**

**A. Attorney**

Ms. Rigoni stated order extending the waiver for an in-person quorum got extended and the Board will be able to meet remotely until October 1<sup>st</sup>.

**B. Manager**

**1. Approval of Check Register**

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

**2. Balance Sheet and Income Statement**

A copy of the financials was included in the agenda package.

**3. Approval of Fiscal Year 2021 Meeting Schedule**

On MOTION by Ms. Miller seconded by Ms. Baron with all in favor the Fiscal Year 2021 meeting schedule reflecting the following meeting dates was approved: October 21, 2020, January 20, 2021, March 17, 2021, May 19, 2021, July 21, 2021 and August 28, 2021.

**4. Presentation of Arbitrage Rebate Calculation Report**

Mr. Showe stated enclosed in the agenda package was the final rebate calculation report. This tests to make sure that the District has not earned more interest than it has paid on the bonds. No amount must be on deposit in the rebate fund.

On MOTION by Ms. Miller seconded by Ms. Stark with all in favor the Arbitrage Rebate Calculation Report was approved.

**5. Action Items List**

Mr. Showe stated both William and I have been doing some investigation with the water management district and because that is a natural water body and not part of the stormwater system they don't regulate or have recommendations in terms of what boats would be allowed on the lake. It is up to the Board to set that policy. I haven't received any comments, but we can continue to keep that on our task list and discuss how you want to proceed if at all with any rules allowing boats.

Ms. Miller asked do you want the Board members to submit suggestions to you via email so you will have it for the next meeting?

Mr. Showe responded that would be fine if you have any suggestions and if not we will work off the set that we started with.

Ms. Miller stated I have a few that I will send to you via email.

Mr. Showe stated we sent out our draft for the HOA newsletter, we received some comments and those have been incorporated and if there is no objection, I will send that to Sue and Nigel for inclusion in the next HOA newsletter.

Are we still on target for the third quarter for the tower work?

Mr. Viasalyers responded yes, the vendor mentioned that all the work was done.

Mr. Showe stated we are also looking at the restroom work. We received some additional proposals.

Mr. Viasalyers stated this is the one that Carolee recommended, she and I met with the vendor, went over the scope of work, what our expectations were and how to scale down and try to salvage some of the items such as the laminate counter tops and sinks. This guy has a certain skill set and he was comfortable in what he priced, that is where there is a difference of \$9,000 versus some of the other vendors who were doing the whole complete job. We did want to see if we could go in one direction with one vendor and do the harder work with another vendor and we have some costs on that as well. It would be \$20,000  $\pm$  a little if we used both vendors simultaneously.

Ms. Miller stated I would like to get another proposal so we can compare prices.

Mr. Showe stated we can do that and these are going to be Fiscal Year 2021 expenditures and hopefully by your next meeting or December at the latest we will have a contract. We will bring the roofing proposals back as well.

## **6. Field Manager's Report**

Mr. Viasalyers stated at the last meeting we discussed some damage that occurred as a result of a lightning strike and had to replace the printer, computer and it also damaged the access card reader at the pool gate. The vendor was able to complete that install yesterday for the pool gate. There are a couple minor things that we have to work out with the printer, but that job is completed. The proposal to add access card readers to the tennis court and the basketball court is in the agenda package. I'm still waiting for a price to install the fencing as requested; I understand the vendor had some health issues. I will solicit another vendor and see if we can have that for the next meeting. The price to add three card readers was \$11,835.

Ms. Hurst stated it doesn't include the cost of permits or surveys. Does he think that won't be necessary or that he is not doing that?

Mr. Viasalyers stated usually that is not going to be a part of the requirement for the work.

Carolee and I met last Friday and went through some of the work that was done. The handrails have been completed on the dock extension, which I thought looked really good. We are working on getting some other items, we got all the lights that went bad. The palm fronds are going to be trimmed real soon by the landscaper around the whole community, parking lot, playground and pool area.

Ms. Miller asked who is dealing with the basketball court.

Mr. Tuel stated I started to paint the backboards this morning then it started to rain so I couldn't paint. I have the paint and all the supplies to do it and I will get those painted.

Ms. Miller asked are we pressure washing first?

Mr. Tuel stated it was pressure washed one day last week.

Ms. Miller stated I think staff is having some issues with people having tennis lessons. What are we doing about that?

Mr. Tuel stated there is one guy who gives lessons to kids a couple times a week and he only uses it for about an hour. I don't know what we could do about it; there is no rule saying he can't do it. Him using it for an hour is no different than a couple coming there and using it for an hour just to play tennis.

Ms. Rigoni stated if he is making some revenue from his lessons we would need to enter into a license agreement or come to some terms. There are tax implications to people providing pay for lessons and that would be the only thing.

Mr. Tuel stated we had this same issue last year with someone doing private swim lessons besides the sharks and minnows and that was brought to everyone's attention and nothing was done about that. We had an individual giving private lessons, we don't know if she was paid or not. I don't know if the kids are paying for the tennis lessons.

Ms. Miller asked how are we identifying that this is a homeowner and what his intentions are? Are we asking to see proof?

Mr. Tuel stated we haven't asked to see proof. When a resident brings a guest it may not be a Falcon Trace resident.

Ms. Miller asked do we have to put up a sign saying that in order to use the facilities you must do it the same way you would with a pool pass and have three or four guests you can take with you?

Mr. Tuel stated except that the tennis courts are open during the day and don't close until 9 p.m. We are not there at 6:30 a.m. when it is light and we don't stay until 9 p.m. so I'm not sure how you would enforce that either.

Ms. Hurst stated once we get everything enclosed and have the electronic access part of that will be resolved because he wouldn't be able to access without a card.

Ms. Miller stated that is going to be 2021 so we have some time yet to go.

Ms. Rigoni stated there are many ways to work it out, we just have to have an agreement in place.

Mr. Showe stated we will work with Dave and the pool staff to try to identify the individual and see if we can't resolve this. I can give them a letter that says they need to contact us. When they identify the individual they can hand him the letter with our contact information.

Mr. Sheikh asked what are the hours for the pool?

Mr. Tuel responded 10 a.m. until 8 p.m. every day until October.

Mr. Sheikh asked how is the attendance?

Mr. Tuel responded it is a little less than before, we only allow 60 people in and on weekends we get close to 60 people, during the week not as much as last year because people are staying home because of COVID-19.

Mr. Tuel was directed to track the numbers of people using the pool.

Mr. Tuel stated I will work with Jason to program the new computer software to keep track of those numbers.

Ms. Hurst stated I understand that after the lightning strike the computer system was damaged and for us to come up to current standards we would have lost all our historical data and we didn't want to do that.

Mr. Viasalyers stated yes, with the COVID it would be a nightmare to have residents register and take photos.

Ms. Hurst asked going forward is the software that ACT offers something we would like to in the winter months merge into something more recent? Then we could put a notification in



the HOA letter and say we had a change in our software if you would like to come up on days we are open you can update your records or something like that.

Mr. Viasalyers stated we will work with the vendor to bring back the best option to be able to convert to a more modern system. There are apps you can use to program and schedule times for residents to come in so it is manageable for Dave and his group to have time to manage the facilities and register residents.

Ms. Hurst stated since it is not critical right now we can do that later in the year when we aren't dealing with people using the pool facilities.

#### **EIGHTH ORDER OF BUSINESS**

#### **Supervisor's Requests**

Ms. Hurst stated Jason will give us the information on the number of pool days and payroll detail in an email; William will continue to work on finding another vendor to enclose the basketball court and tennis court; Carole is going to look at bringing in a third vendor for bathroom renovations and we are going to see if we can get interim software so we don't lose our historical data from the card entry system.

Ms. Miller stated also residents should submit their recommendations for the lake rules.

Ms. Hurst stated Jason's team is going to make sure there is a letter Dave's staff can have so we can figure out who the tennis court guy is.

#### **NINTH ORDER OF BUSINESS**

#### **Next Meeting Date**

Mr. Showe stated the next meeting is scheduled for October 21, 2020.

On MOTION by Ms. Hurst seconded by Ms. Miller with all in favor the meeting adjourned at 7:08 p.m.

  
Secretary/Assistant Secretary

  
Chairman/Vice Chairman