

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, January 20, 2021 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 by telephone
Kathy Stark	Assistant Secretary
Sue Marchesi Baron	Assistant Secretary
Perry Shaikh	Assistant Secretary

Also present were:

Jason Showe	District Manager
Mike Eckert	District Counsel by telephone
William Viasalyers	Field Operations
David Tuel	Head Pool Attendant

*The following is a summary of the discussions and actions taken at the January 20, 2021 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 October 14, 2020 Meeting**

On MOTION by Ms. Hurst seconded by Ms. Stark with all in favor the minutes of the October 14, 2020 meeting were approved as amended.

**FOURTH ORDER OF BUSINESS**

**Consideration of Landscape Enhancements Proposal with REW Landscape**

Mr. Viasalyers outlined the landscape enhancements contained in the proposal.

On MOTION by Ms. Baron seconded by Ms. Stark with all in favor the proposal from REW Landscape for landscape enhancements in the amount of \$1,760 was approved.

**FIFTH ORDER OF BUSINESS**

**Ratification of Non-Ad Valorem Assessment Administration Agreement with the Orange County Property Appraiser**

Mr. Showe stated next is ratification of the agreement with Orange County that will enable us to place our assessments on the tax roll.

On MOTION by Ms. Stark seconded by Ms. Hurst with all in favor the non-ad valorem administration agreement with the Orange County Property Appraiser was ratified.

**SIXTH ORDER OF BUSINESS**

**Discussion of E-Verify Requirements for Special Districts**

Mr. Eckert stated this is a result of a new statute that was approved during the last legislative session and essentially all local governments are now required to register with E-Verify. That means the district will have to run all of its direct employees through E-Verify and in addition even districts that don't have employees are required to register with E-Verify if they are going to enter into a contract with any contractor. All districts have to comply with it and it deals with immigration issues and coordination with Homeland Security as well as the Social Security Administration. This agreement is not something we drafted, it is something that the federal government has put together, therefore, you have zero ability to make changes to it. We

recommend its approval to comply with the new Florida Statute that went into effect on January 1.

We have provided the district manager with language that should be included in every contract moving forward, however, that language is not required by Florida Law, but we think it helps protect the district. The other thing that is in the law is if you have a contract with another entity and you find out that entity is not using E-Verify or it has workers who haven't gone through the E-Verify System, you are required as a district or other permitted system to terminate that contract. It doesn't apply to contracts entered into before January 1, 2021 or employees who were hired before January 1, 2021, but it does apply prospectively. We don't have to have the language in contracts that we are recommending but we think it is helpful.

On MOTION by Ms. Stark seconded by Ms. Baron with all in favor the memorandum of understanding with E-Verify was approved.

## **SEVENTH ORDER OF BUSINESS**

### **Discussion of Reopening Basketball courts**

Mr. Showe stated next is about the COVID-19 response and Mr. Shaikh has asked for a discussion about reopening the basketball courts. We handed out the last set of rules that were approved at the October meeting. The only question is if the board wants to reopen the basketball court at this time.

Mr. Shaikh asked what would you recommend? I want to see what other people are doing.

Mr. Showe stated there was discussion at the last meeting about not opening it. Some districts are opening them, some are not, it is up to each board to set the policy.

Ms. Hurst stated I don't want there to be unnecessary pressure on our pool attendants to try to maintain a level of masking up of our residents. They aren't here five days out of the week and on Saturday and Sunday the hammer comes down if someone doesn't have a mask on. We have to be as a board willing to trust our residents to do what is best for them.

The fence proposals are in the package. How long do you think it will take before we can get the fences installed if we move forward on any of the fencing tonight?

Mr. Viasalyers stated a few weeks out at a minimum.

Ms. Hurst asked do you think by spring break?

Mr. Viasalyers stated hopefully.

Ms. Hurst stated if we can get the fencing installed by spring, vaccines will have continued to move forward and we will have more pool staff here and have the access control installed and we would have more confidence.

After further discussion staff was directed reinstall the hoops after signage can made and posted at the basketball courts in the interim before the fence, gate and access control system can be installed.

## **EIGHTH ORDER OF BUSINESS**

### **Staff Reports**

#### **A. Attorney**

Mr. Eckert stated the Florida Legislature is in committee meetings now and we do anticipate that we are going to see the sovereign immunity limits being discussed again and also amendment 12 hasn't picked up any steam yet but there is going to be a significant amount of debate on that issue. Part of amendment 12 that the voters passed on 2018 says if you are a member of a public board you cannot engage in any lobbying activity of any other public board or public entity. If anybody here has occasion to ask a government for approval for their employer or as part of their job please reach out to me separately and I can advise you on where that law stands right now.

#### **B. Manager**

##### **1. Approval of Check Register**

On MOTION by Ms. Stark 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. Action items List**

Mr. Viasalyers stated painting the pool deck and tower will be done after the roof is completed. The restroom refurbishment is expected to be completed in the next month. The roof replacement contract will be executed tonight. Proposals for the gate access for tennis and basketball will be discussed tonight.

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

Mr. Viasalyers gave an overview of the items addressed during the last meeting.

Mr. Showe stated we just passed a year on the parking lot and are looking at the warranty items. The engineer we used when the work was completed came out and the vendor addressed some issues. William and I noted more today and we are following up with the engineer to see if they are items of concern.

##### **i. Discussion of Fence Proposals**

Mr. Viasalyers stated the proposal from All County is \$11,996.00 for the fencing and the three gates. The second proposal is from Datson Fence for a total of \$9,944.00 and \$2,482 for the three gates. The third proposal is from Fence Direct and they will do the same work for \$10,638 for both projects. I recommend we go with Datson because when I met with all three, Datson seemed to have the better feeling. I know their price is a little bit more, but it seemed like they knew more about what they were doing.

Ms. Hurst asked have we had experience with any of the three?

Mr. Viasalyers responded no.

Mr. Showe stated the attorney will draft a frontend document that will go with all of these projects.

On MOTION by Ms. Hurst seconded by Ms. Baron with all in favor the proposal from Datson Fence for \$9,994 for fencing and \$2,482 for the three gates was approved.

##### **ii. Discussion of Access Control Proposal**

Mr. Viasalyers stated once the gates are installed then we will need the access control system installed and this proposal is to add the key card access points to the tennis court and basketball court.

Mr. Showe stated we just did a similar project in Melbourne and it has been successful. We will try to use the homeowners' association to get the word out that after a certain date you will need your card to gain access to the tennis court or basketball court.

On MOTION by Ms. Baron seconded by Mr. Shaikh with all in favor the proposal from Access Control Technologies for access control in the amount of \$11,835.00 was approved.

### **iii. Discussion of Painting Proposals**

Mr. Viasalyers stated the first proposal is from Orlando Painting Company in the amount of \$9,895.00. The second proposal is from A painters Touch in the amount of \$7,110.00. My recommendation is to go with A Painters Touch, they have outstanding reviews as well.

On MOTION by Ms. Stark seconded by Ms. Hurst with all in favor the proposal from A Painters Touch in the amount of \$7,110.00 was approved.

## **NINTH ORDER OF BUSINESS**

### **Supervisor's Requests**

Mr. Shaikh discussed the current agreement with Hopping Green & Sams and requested an updated agreement be presented to the board for consideration.

Mr. Eckert stated I will prepare an agreement that reflects both hourly and a flat rate fee structure at your next meeting.

Ms. Hurst stated in the future rather than bringing items up at the meeting, call Jason and ask him to put it on the agenda so that he can put any backup material in the package for the board to review.

In reviewing the minutes and going through what we were talking about in October, did your dog station get installed?

A resident stated it has not yet been installed, there was a problem in the ordering process, the new company is completely on board and at this point we are still working out the kinks with them. It should be installed soon.

Mr. Showe stated we gave them permission, sent it out, didn't get any comments so they were good to go from our end.

Ms. Hurst stated we talked about dock lighting.

Mr. Viasalyers stated I'm bring more proposals back.

**TENTH ORDER OF BUSINESS**

**Adjournment**

On MOTION by Ms. Stark seconded by Ms. Hurst with all in favor  
the meeting adjourned at 7:48 p.m.

  
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Secretary/Assistant Secretary

  
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Chairman/Vice Chairman