

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 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
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

The following is a summary of the discussions and actions taken at the October 20, 2021 meeting. An audio 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 August 18, 2021 Meeting

On MOTION by Ms. Hurst seconded by Ms. Baron with all in favor the minutes of the August 18, 2021 meeting were approved as presented.

FOURTH ORDER OF BUSINESS

Consideration of Agreement with Grau & Associates to Provide Auditing Services for Fiscal Year 2021

On MOTION by Ms. Miller seconded by Ms. Hurst with all in favor the engagement letter with Grau & Associates to perform the Fiscal Year 2021 audit was approved.

FIFTH ORDER OF BUSINESS

Consideration of Transition Letter from District Counsel

Mr. Eckert stated about ten attorneys are leaving this firm and starting the Florida office of a firm called Kutak Rock, which is a national firm out of Omaha, Nebraska. They do a lot of public finance, special Districts in other states and there will be no change in the cost to the District, we will be offering the same terms that you recently negotiated. There would be no change in providing the service unless you wanted that change, it would still be me. I am looking for an associate to help me with some of the back office stuff and cover some meetings when I have a conflict. The Board has a choice to transition with me to Kutak Rock or the Board could choose to go out and find alternative legal counsel and if you chose to do that, I would help you with that transition and make sure that nothing falls through the cracks. Usually, I try to call into these meetings to try to save the District money and today, there is no charge for my travel time; it is the same as if I were on by phone.

Ms. Hurst stated we just entered the new contract with you and this would be a three-year commitment with you.

Mr. Eckert stated we have a three-year commitment now with a fee arrangement and there was built into that an adjustment next year, but whatever that is we will honor that. You are not locked in, I'm not locked in and we work together and if we are at a point where we are not then we will figure that out.

On MOTION by Ms. Hurst seconded by Ms. Baron with all in favor the transition of legal services to Kutak Rock was approved.

SIXTH ORDER OF BUSINESS

Staff Reports

A. Attorney

1. Memo on Public Records Exemptions

Mr. Eckert stated there were some laws that were passed that have an impact on this District. First is the memo on public records exemptions. There are certain people such as judges, police officers, fire fighters, first responders, prosecutors who are entitled to have their personal home information exempt from the public records. It has always been kind of a gray area in terms of how you hold somebody accountable for not releasing that information if they have not been notified that person is exempt. This law basically imposes a requirement that the person who might be claiming an exemption on their information from public records has to file an affidavit with the District manager then we know to pull that information out. There is nothing you need to do; Jason can take care of that.

2. Memo on Publication of Legal Notices

Mr. Eckert stated publication of legal notices, is step one in terms of many more bills to come, in terms of letting us publish our meetings online. Right now in order to publish your meetings online you have to publish in the newspaper that you are publishing your meetings online.

3. Memo on Wastewater/Stormwater Management Services

Mr. Eckert stated you are also going to have to do a 20-year needs analysis if you own a wastewater system or stormwater system. It is an interesting question here because you don't really own the system, you own a lake and the HOA owns the system. We will try to get a little more clarification for you on whether or not you have to go through that 20-year needs analysis. Before you spend money on that, let us reach out to the environmental agencies and see how they are interpreting that law.

4. Memo on Prompt Payment Requirements

Mr. Eckert stated the contractors lobby is pretty good and they got late payments up from 1% to 2%. We don't have any construction contracts going on right now but if we were to rebuild this building or rebuild the pool or something like that it is very important that you pay your contractor on time but if you have a dispute then you go through the dispute resolution procedure so you can protect your rights. There are some changes in the prompt payment policies that we will probably bring back to you at another meeting and I will ask that Jason put that on the next agenda. Also, on the wastewater/stormwater just put that under my report.

B. Manager

1. Approval of Check Register

On MOTION by Ms. Baron seconded by Ms. Miller 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

The status of the action items list was included in the agenda package.

4. Field Manager's Report

Mr. Viasalyers stated recently staff did paint the men's and ladies room floor, put a coat on it and when we close down permanently, we will put on another coat. These options are for recycled type benches that are available and they all seem to require a concrete pad so before we did that, I wanted to get some feedback from the Board.

It was the consensus of the Board to order either the Park Avenue 4-foot comfort bench at \$301.29 or the Colonial 4 foot bench at \$286.77, whichever is in stock.

Mr. Viasalyers stated we replaced four of the umbrellas, we also worked with the pool vendor to replace a large section of Marcite that had broken on the steps near the handicap lift. We are also working on bringing back proposals for the resurfacing of the pool deck. We are

working with the vendor we used to resurface the slide, because every year we need to buff it and that can be done when we are closed down.

SEVENTH ORDER OF BUSINESS Supervisor's Requests

A resident stated I have noticed that after 10 p.m. we have folks coming to the pool who are not part of the subdivision. Many times people have jumped the fence and are swimming naked in the pool. A second incident happened a couple weeks ago where the people broke into the pool again. What can be done about this problem?

Ms. Hurst stated we do have a camera system and I'm sure it is on tape somewhere that people are jumping the fence. We have no trespassing signs and there is only so much you can do.

A resident stated there are people in their cars smoking weed and prior to jumping in the pool they were smoking weed as well. I think they park when they think nobody is watching. I know someone who drives a tow truck. When we park the tow truck on the side people drive up and then keep driving. When there is a certain presence and people don't want to be towed, the sheriff can be called. There would be no charge to the community, I can get the tow truck to park there on nights only where it can be seen.

Ms. Miller stated I don't think within the HOA rules you can park that tow truck on the street. I think Orange County is also working on something where commercial vehicles are not going to be allowed to park on public streets. I have heard that at a conference and did not have it verified.

A resident asked what if it were parked at the pool?

Mr. Eckert stated those are county roads and we don't have any towing authority, whether or not we can allow somebody to park in our parking lot is a different issue.

Ms. Hurst stated my concern would be having a vehicle that we don't own stationed on our property. I understand your concern about the safety and security, but I don't know that is the right answer.

Mr. Viasalyers stated I will give her my contact information and she can contact me immediately and I can view the camera remotely and call the sheriff and have the sheriff come out and trespass them.

Mr. Showe stated we are fencing off the basketball court and will have card access and hope that will deter some of the activities.


A resident asked can you request that the sheriff drive by more often?

Mr. Showe stated we can request it.

Ms. Hurst stated the Christmas gift cards.

Mr. Showe stated as long as there is no objection, staff will take care of it.

On MOTION by Ms. Miller seconded by Ms. Hurst with all in favor the meeting adjourned at 6:36 p.m.



Secretary/Assistant Secretary



Chairman/Vice Chairman