

**MINUTES OF MEETING
FALCON TRACE
COMMUNITY DEVELOPMENT DISTRICT**

The Falcon Trace Community Development District audit committee met Wednesday, **December 9, 2022** at 6:00 p.m. at the Big Hawk Lake Recreational Center, 13600 Hawk Lake Drive, Orlando, Florida.

Present were:

Sara Hurst
Carole Miller *by telephone*
Kathy Stark *by telephone*
Sue Marchesi Baron
Perry Shaikh
Jason Showe
Mike Eckert
Jarett Wright
Maria Calleja

The following is a summary of the discussions and actions taken at the December 9, 2022 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

**Review of Proposals and Tally of Audit
Committee Members' Rankins**

Mr. Showe stated we received two proposals, one from DiBartolomeo, McBee, Hartley & Barnes and one from Grau & Associates. DiBartolomeo had the lowest price at \$2,850 and they get 20 points, Grau & Associates is your current auditor and they came in at \$3,500, the same as

their current price and they will get 16 points in that category. They are both qualified to do the work.

Mr. Eckert stated they need to score each one in each category just as the RFP requires.

Ms. Hurst asked has GMS had experience with the DiBartolomeo firm?

Mr. Showe responded yes.

The board filled out the scoring sheets after which Mr. Showe stated DiBartolomeo, McBee, Hartley & Barnes was ranked no. 1 and Grau & Associates was ranked no. 2.

On MOTION by Ms. Hurst seconded by Mr. Shaikh with all in favor DiBartolomeo McBee Hartley & Barnes was ranked no. 1.

FOURTH ORDER OF BUSINESS

Adjournment

On MOTION by Ms. Baron seconded by Mr. Hurst with all in favor the audit committee meeting adjourned at 6:14 p.m.

**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, **December 9, 2022** at 6:14 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 <i>by telephone</i>
Kathy Stark	Assistant Secretary <i>by telephone</i>
Sue Marchesi Baron	Assistant Secretary
Perry Shaikh	Assistant Secretary

Also Present were:

Jason Showe	District Manager
Mike Eckert	District Counsel <i>by telephone</i>
Jarett Wright	Field Operations
Maria Calleja	CALM

The following is a summary of the discussions and actions taken at the December 9, 2022 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

Organizational Matters

A. Administration of Oath of Office

Mr. Showe being a notary public of the State of Florida administered the oath of office to Ms. Hurst and Mr. Shaikh.

B. Consideration of Resolution 2023-02 Electing Officers

Mr. Showe stated the current officers are Sarah Hurst Chairperson, Carole Miller Vice Chairperson, George Flint Secretary, Kathy Stark, Sue Baron, Perry Shaikh, Jason Showe Assistant Secretaries, Jason Showe Treasurer and Katie Costa Assistant Treasurer.

On MOTION by Ms. Stark seconded by Ms. Miller with all in favor Resolution 2023-02 was approved reflecting the same slate of officers.

FOURTH ORDER OF BUSINESS

Approval of the Minutes of the October 19, 2022 Board of Supervisors Meeting and Acceptance of the October 19, 2022 Audit Committee Meeting

On MOTION by Mr. Shaikh seconded by Ms. Hurst with all in favor the minutes of the October 19, 2022 board of supervisors meeting were approved as amended and the October 19, 2022 audit committee minutes were accepted.

FIFTH ORDER OF BUSINESS

Consideration of Resolution 2023-01 Relating to Public Records

Mr. Eckert stated a long time ago you chose to keep all the public records that you have. That was a choice you made rather than adopting the state’s retention and destruction schedule for public records. This resolution does two things, one is even though our policy is to keep everything we are going to follow the state guidelines in terms of getting rid of transitory messages. Transitory messages are things like a voicemail message as a reminder of a meeting, they are non-substantive things that we ordinarily don’t keep but we want to make sure that the actual practice aligns with Florida law. The second thing this resolution does is designates the electronic record as the official record for the district, which allows us to start and finish the process of having our records in electronic form and not having to store a lot of paper records

that are maybe 20 years old. We recommend approval as a best practice and to comply with Florida law.

On MOTION by Ms. Hurst seconded by Ms. Baron with all in favor Resolution 2023-01 was approved.

SIXTH ORDER OF BUSINESS

Consideration of Memorandum Regarding Surplus Property

Mr. Eckert stated in your agenda package is a memorandum that deals with surplus property. Because you are a unit of local government any time you get rid of property that is surplus you have to adopt a resolution. Really surplus property is either property you don't need anymore or property that has outlived its useful life or has no value to the district anymore. There is no action required tonight, this is an informational memorandum only and when we have surplus property, we will bring that to the board and give the board two resolutions to choose from based on the value of the property. If it is over \$5,000 you have one option, if it is under \$5,000 you have a different option. This is informational only and I have asked the district manager to use the form of these resolutions when we have surplus property that we need to dispose of and typically here you would be looking at stuff like pool furniture, umbrellas, things of that nature that we would need to deal with.

Ms. Hurst asked if the item has outlived its usefulness as in it is a safety concern or damaged beyond repair, that is not covered in this. Can that simply be discarded?

Mr. Eckert stated if it is a safety concern you really should have a surplus property resolution, not before you take care of the safety concern, you can go ahead and do that but before you actually dispose of it, you should have a surplus property resolution in your records for it. As an example, if you have a lot of table legs that break on table, you should have a resolution saying, we have a lot of tables and the resolution authorizes them to be disposed of or recycled or whatever you decide to do.

SEVENTH ORDER OF BUSINESS

Approval of CALM Proposal for Amenity Staffing

Mr. Showe stated we put a presentation together for the CALM proposal that was presented last time. From the prior version we did change the mechanics of the proposal a little to make it a little less complicated.

Mr. Showe gave an overview of the proposal that included the background of CALM, the structure proposed for Falcon Trace, amenity manager responsibilities, staff responsibilities and the cost of \$30 per hour when staff is present, which is projected to be \$3,303 per year.

Ms. Baron asked who would pressure wash if that were needed?

Mr. Showe responded we will have to talk more about that when we get to those projects because the amount of hours we have projected at \$30 per hour is what you have budgeted for the year. We could use an outside vendor to do that work or use them if the board is amenable and give them extra hours to do that, but it would be outside their scope of this contract.

Ms. Baron asked is there a 30-day termination clause?

Mr. Showe responded yes, that is standard for all our contracts.

On MOTION by Ms. Hurst seconded by Ms. Baron with all in favor the proposal from CALM for amenity staffing was approved in substantial form subject to review and approval of district counsel.

EIGHTH ORDER OF BUSINESS

Acceptance of Rankings of the Audit Committee and Authorizing Staff to Send a Notice of Intent to Award

Mr. Showe stated just prior to the meeting we held an audit committee meeting and the committee ranked DiBartolomeo McBee Hartley & Barnes no. 1.

On MOTION by Ms. Hurst seconded by Ms. Baron with all in favor the recommendation of the audit committee ranking DiBartolomeo McBee Hartley & Barnes no. 1 was accepted and staff authorized to enter into an engagement letter for the fiscal year 2022 audit.

NINTH ORDER OF BUSINESS

Staff Reports

A. Attorney

Discussion of Florida Statute: Suspension and Termination of Access Rule - Draft

Mr. Eckert stated we have had a lot of problems in other districts and trying to head off the problems where we have had a lot of destruction of property and we have had to suspend people from the amenities. What has happened is they have refused to pay, their suspensions have run their course and we have people who have caused thousands of dollars worth of damage to district facilities who are coming into the pool like nothing ever happened and the bad thing about that is that means everybody else who pays assessments and is paying attention to the rules is paying for it. When you have vandalism and it is not covered by insurance then that means the rest of the residents is paying for it and we are trying to figure out to a way to stop it. These revised disciplinary rules provide for an administrative fee because every time we have to suspend somebody that takes legal time and we would like to get a reimbursement for that back to the district. Also it provides for a damage reimbursement and it also provides that in the event the damage reimbursement or administrative reimbursement isn't paid to the district the suspension will automatically continue until such time as those amounts are paid. The final things that this policy does is it allows us to suspend the privileges of everybody associated with a particular house in the event the damage reimbursement is not paid. You are not going to be approving this today, I just need to get a consensus from the board whether or not you want us to put it on your agenda where you would start the rulemaking process, which is about a 60-day process.

Ms. Hurst stated we at Falcon Trace have not experienced it but based on the current climate you feel it is better to put the rule in place so that should we need it, it is already there.

Mr. Eckert responded correct because you can't put it in place after the incident happens. It was the consensus of the board to place this item on the next agenda.

B. Manager

i. Approval of Check Register

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

iii. Balance Sheet and Income Statement

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

C. Field Manager's Report

Mr. Wright gave an overview of his report, copy of which was included in the agenda package. With regard to the coated swing set chains, it was the consensus of the board to replace the swing chains with rubber coating and revisit this issue when they wear out again.

- i. Aquatics: Review of CDD Aquatic Maintenance Scope of Services of Stormwater Ponds**
- ii. Consideration of Proposal for Aquatic Plant Management Agreement – Applied Aquatic Management**
- iii. Consideration of Proposal for Aquatic Lake Maintenance – Solitude Lake Management**

Mr. Wright stated our current vendor hasn't raised prices in years, only \$400 and that is a third of the highest that came in, the second highest bid is more than doubled what we had and I think we should stay with the current vendor and keep them happy.

It was the consensus of the board to keep the existing aquatic maintenance company.

- iv. Landscaping: Review of CDD landscape Scope of Services**
- v. Consideration of Landscape Maintenance Services Presentation and Proposal – United Land Services and Yellowstone**

Mr. Wright stated we use Yellowstone in multiple districts, their service depends on the account manager. The highest price of \$24,000 for the general services but with annuals, mulch, and palm pruning brings it up to \$32,798.

United Land Care, I have never worked with them and there are mixed opinions.

REW is our current vendor and has a solid understanding of the general landscaping here. There is a little detail I would like to see upgraded and I have a communication issue with Carlos, I think he understands what I'm saying but doesn't understand the intent of what I'm trying to do so I would like to work with their higher leadership to try to get an understanding that they know what I'm trying to get in place.

Ms. Hurst stated Carol, I know you weren't happy with them are you comfortable giving three months for our team to work more closely with them and try to turn them around before we go with another vendor.

Ms. Miller stated that is a good approach.

Mr. Showe stated I will flag it for April and we can discuss it again in April.

vi. Consideration of Proposal for Fence Installation – All Rite Fence Services

Mr. Wright stated the survey is complete and I would like to get the fence going as soon as possible. I have two proposals and All Rite Fence came back with the same price of \$11,680 and that was the original vender we chose.

Mr. Showe stated I think they have already approved it.

TENTH ORDER OF BUSINESS Supervisor's Requests

There being none, the next item followed.

ELEVENTH ORDER OF BUSINESS Adjournment

On MOTION by Ms. Hurst seconded by Ms. Baron with all in favor the meeting adjourned at 7:17 p.m.


Secretary/Assistant Secretary


Chairman/Vice Chairman

