

**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, **May 17, 2023** 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
Perry Shaikh	Assistant Secretary

Also Present were:

Jason Showe	District Manager
Kate John <i>by phone</i>	District Counsel
Jarett Wright	Field Operations
Marcia Calleja	CALM

*The following is a summary of the discussions and actions taken at the May 17, 2023 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 March 15, 2023 Meeting**

Ms. Hurst stated on page 2 where Perry had some questions regarding termination information and he was instructed to send his comments so they could be put in the next agenda. I don't see them in the next agenda.

Mr. Showe stated I did not receive any comments.

Ms. Hurst stated you indicated that you were going to provide something to the board to be represented in this agenda package and I don't see it. Did you present something or did you not send anything to the office?

Mr. Shaikh stated I did not send anything,

Ms. Hurst moved to approve the March 15, 2023 minutes as presented Ms. Miller seconded the motion. The motion passed with the following roll call vote.  
Ms. Hurst yes.  
Mr. Shaikh yes.  
Ms. Miller no.

**FOURTH ORDER OF BUSINESS**

**Public Hearing**

**A. Consideration of Resolution 2023-05 Adopting Revised Suspension and Termination Rules**

Ms. Hurst moved to open the public hearing Ms. Miller seconded the motion. The motion passed on the following roll call vote.  
Ms. Hurst yes.  
Ms. Miller yes  
Mr. Shaikh yes.

Ms. John stated Resolution 2023-05 adopts the revised suspension and termination rules. This is updating your current amenity policy handbook to include fees, suspension and termination rules to replace what you currently have. The change is consistent clarifying access card policy, providing for suspension and termination of amenity access and your current rules have examples of eight violations and we have expanded to include 13 examples of violations. Unlike your current rules this provides for an administrative reimbursement of up to \$500 and this includes any legal expenses the district would incur as a result of someone violating the

amenity rules policies, it also provides for property damage reimbursement, provides authority for certain district staff to remove a person from the amenities, it provides for a hearing and appeal processes and other legal remedies. Your current rules provide that minor violations will be subject to a three offense rule and gives the prescribed duration of suspension time for each offense whereas these rules gives the board broader discretion on when to suspend and for what duration. We are asking you to approve these revised suspension and termination rules today, that will be included in an amended and restated Falcon Trace Community Development Amenities Policies Handbook.

Ms. Hurst stated there is a 21 day suspension in here. Is there a reason it is 21 days opposed to 14 days or 30 days?

Ms. John stated I will have to get back to you why it is at least 21 days. Initially what these rules allowed for is for the district to automatically suspend or terminate a resident and then we would send out a letter saying that they are immediately suspended until the date of the next regular meeting. I can email the board with that information after the meeting.

Ms. Hurst stated under general policies for pool and pool deck area where it says no aluminum cans. I understand no glass.

Ms. Miller stated I think it is just beverages.

Mr. Showe stated they are not changing the rules, just the suspension and termination policy.

The floor was opened for public comment and there were no public comments.

Ms. Miller moved to approved Resolution 2023-05 Ms. Hurst seconded the motion. The motion passed on the following roll call vote:  
Ms. Hurst yes  
Mr. Shaikh yes.  
Ms. Miller yes.

Ms. Miler moved to close the public hearing Ms. Hurst seconded the motion. The motion pass on the following roll call vote.  
Ms. Hurst yes  
Mr. Shaikh yes.  
Ms. Miller yes.

**FIFTH ORDER OF BUSINESS**

**Consideration of Resolution 2023-06  
Approving the Fiscal Year 2024 Proposed  
Budget and Setting a Public Hearing**

Mr. Showe stated next is Resolution 2023-06 that approves the proposed fiscal year 2024 budget and sets the public hearing for August 16, 2023 at 6:00 p.m. in this location, it directs staff to transmit the budget to Orange County at least 60 days prior to the public hearing and post it on the district's website. There is no increase in assessments. There are some contractual adjustments on the administrative side and the insurance went up from last year. On the maintenance side there are some adjustments in payroll, but other than that it is level. We received bids a couple months ago for grounds maintenance and we increased that line item. The contingency is \$5,000 that will give us a cushion in the event the bids have changed. We are still putting \$63,000 into the capital projects fund.

Ms. Hurst asked have we gotten a response from the roofing company?

Ms. John stated we have not.

Mr. Showe stated there are warranties provided as part of our contract and the company we contracted with seems to no longer be in business. There is another company and they have a registered agent and we are going through the process of trying to find out how to contact someone to enforce the warranty provisions of the contract.

Ms. Hurst stated I didn't know if we needed to put money aside for that.

Mr. Showe stated I still feel that to the extent that repairs need to be made we have sufficient funds.

Ms. Hurst stated I know we need to push this forward there are only three of us and that is quorum, it is not all of us. We would have to meet again in June.

Mr. Showe stated there is a requirement that you have to have the proposed budget completed by June 15<sup>th</sup>. If it is the inclination of the board to not raise assessments, you can approve this tonight because what you are doing tonight is setting the ceiling. It won't go higher than that number. We can bring this back in July for the board to make any changes and bring it back for final adoption in August.

Ms. Hurst moved to approved Resolution 2023-06 Ms. Miller seconded the motion. The motion passed on the following roll call vote:  
Ms. Hurst yes  
Mr. Shaikh yes.  
Ms. Miller yes.

Mr. Showe stated we will circulate this proposed budget tomorrow and bring back any changes we receive to the July meeting.

## **SIXTH ORDER OF BUSINESS**

### **Discussion of Dog Park**

Ms. Miller asked does staff have any comments about the dog park?

Mr. Wright stated I think it is a nice idea, my problem is spacing and where you plan on putting it because that is a dry pond there.

Ms. Miller stated there is a congregation of homeowners and renters and they are bringing their dogs over here and they are off leash. You cannot use the path if you have a dog or if you have a child who is afraid of animals. The other day a homeowner said his dog is wonderful he listens, etc. The dog just took off. From what I understand Hunters Creek has an enclosed area and they charge the individuals who wish to participate in that space and they know exactly who is there. Before we can do anything we would have to find out about liability, have an enclosed area, which we don't currently have. There is a tremendous amount of detail we need to know but we need to address it to the homeowners why this is not appropriate at this time and list all the reasons. I would like us to address this, maybe post it on the bulletin board why we are not doing this instead of people saying all types of excuses.

Ms. Hurst stated the first thing we do is get a sign, this is not a dog park and post it. All animals must be on a leash.

Ms. Miller stated we have a sign that says based on Florida Law your dog must be on a leash. It is right in front of everybody and they do it anyway.

Mr. Wright stated if you post a lot of rules people don't look at it.

Ms. Hurst stated maybe a visual sign instead of posing all the rules.

Ms. Miller stated we will come up with verbiage that applies.

Mr. Showe stated the HOA may have some property that is a little more appropriate and if it is an HOA property you can restrict access. If it is CDD property you have to have public access.

Mr. Wright stated I will have Marshal work up a couple designs and send them to you.

Ms. Miller asked can we post this on the CDD website? This may be an area along with the HOA and the newsletter and bulletin board that will capture someone’s attention.

Mr. Showe stated yes and we will get the sign posted.

**SEVENTH ORDER OF BUSINESS**

**Review of Fiscal Year 2022 Draft Financial Audit**

Mr. Showe stated in the letter to management, there were no prior year or current findings and it is a clean audit.

Ms. Hurst moved to accept the fiscal year 2022 audit and direct staff to provide the final document to the State of Florida. Ms. Miller seconded the motion. The motion passed on the following roll call vote:  
Ms. Hurst yes  
Mr. Shaikh yes.  
Ms. Miller yes.

**EIGHTH ORDER OF BUSINESS**

**Staff Reports**

**A. Attorney**

Ms. John stated I am very happy to be working with Mike on this district and I will send an email to everyone so that you have my contact information.

We were watching some proposed bills this session and two in particular, one proposed to increase the waiver of sovereign immunity but that bill did not pass. The second bill that we want you to take note of is the ethics training requirement for board supervisors and that did pass and there is going to be a four-hour annual training requirement for all board supervisors. We are investigating the most efficient and effective way to get that training and once we get answers, we will get back to you.

**B. Manager**

**i. Approval of Check Register**

Ms. Hurst moved to approve the check register Mr. Shaikh seconded the motion. The motion passed on the following roll call vote:  
Ms. Hurst yes  
Mr. Shaikh yes.  
Ms. Miller yes.

**ii. Balance Sheet and Income Statement**

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

**iii. Presentation of Registered Voters – 1,930**

A letter from the supervisor of elections indicating that there are 1,930 registered voters residing within the district was included in the agenda package.

**C. Field Manager’s Report**

Mr. Wright reviewed the field manager’s report, copy of which was included in the agenda package.

**D. Amenity Manager’s Report**

Ms. Calleja gave an overview of the amenity manager’s report, copy of which was included in the agenda package.

**NINTH ORDER OF BUSINESS**

**Supervisor’s Requests**

Ms. Hurst asked didn’t we buy benches?

Mr. Showe stated I think we approved them.

Ms. John asked does the supervisor want Mike to call regarding the increase in legal fees.

Mr. Shaikh stated yes and I want to speak to whoever put it in the budget from GMS.

Mr. Showe stated when Mike sent the email, I instructed our staff to put it in there. For clarification, because that fee is in there, they do not send an invoice for \$25,000 and we cut the check; they only bill for the services they provide.

**TENTH ORDER OF BUSINESS**

**Adjournment**

Mr. Hurst moved to adjourn the meeting at 7:16 p.m. Ms. Miller seconded the motion. The motion passed on the following roll call vote:  
Ms. Hurst yes.  
Ms. Miller yes.  
Mr. Shaikh yes.

  
Secretary/Assistant Secretary

  
Chairman/Vice Chairman