

**MINUTES OF MEETING  
FRERC  
COMMUNITY DEVELOPMENT DISTRICT**

The Board of Supervisors of the FRERC Community Development District held a Public Hearing and a Regular Meeting on Thursday, November 29, 2018 at 10:00 a.m., at City Center West Orange, 7380 West Sand Lake Road, Suite 305, Orlando, Florida 32819.

**Present at the meeting were:**

Barry Radolan	Chair
James Lavigne	Vice Chair
Deanna Snitko	Assistant Secretary
Giovanna Gutierrez	Assistant Secretary
Craig Shadrix	Assistant Secretary

**Also present were:**

Craig Wrathell	District Manager
Howard McGaffney	Wrathell, Hunt and Associates LLC
Jonathan Johnson	District Counsel
Momtaz Barq	District Engineer
J.W. Howard (via telephone)	Morgan Stanley
John Amm	City Center West Orange
Brian Robinson	City Center West Orange

**FIRST ORDER OF BUSINESS**

**Call to Order/Roll Call**

Mr. Wrathell called the meeting to order at 10:06 a.m. All Supervisors were present, in person.

**SECOND ORDER OF BUSINESS**

**Public Comments**

There were no public comments.

**THIRD ORDER OF BUSINESS**

**Public Hearing to Consider the Adoption of an Assessment Roll and the Imposition of Special Assessments Relating to the Financing and Securing of certain Public Improvements**

Mr. Wrathell recalled that, at the previous meeting, an updated version of the Engineer's Report outlining the Capital Improvement Plan (CIP) and a Master Assessment Methodology were presented and, once the Reports were approved, the Board and Staff set this Assessment Public Hearing.

- *Hear testimony from the affected property owners as to the propriety and advisability of making the improvements and funding them with special assessments on the property.*
- *Thereafter, the governing authority shall meet as an equalizing board to hear any and all complaints as to the special assessments on a basis of justice and right.*

**A. Affidavit(s)/Proof of Publication**

The proofs of publication were included for informational purposes.

**B. Mailed Notice to Property Owners(s)**

A copy of the Mailed Notice to property owners and the corresponding certified mail receipts were presented for informational purposes.

**C. Consideration of Resolution 2019-10, Authorizing District Projects for Construction and/or Acquisition of Infrastructure Improvements; Equalizing, Approving, Confirming, and levying Special Assessments on Property Specially Benefited by Such Projects to Pay the Cost Thereof; Providing for the Payment and the Collection of Such Special Assessments by the Methods Provided for by Chapters 170, 190 and 197, Florida Statutes; Confirming the District's Intention to Issue Special Assessment Bonds; Making Provisions for Transfers of Real Property to Homeowners Associations, Property Owners Association and/or Governmental Entities; Providing for the Recording of an Assessment Notice; Providing for Severability, Conflicts and an Effective Date**

Mr. Wrathell reviewed the revised Engineer's Report, dated October 9, 2018, and the Master Special Assessment Methodology Report, dated September 25, 2018.

**On MOTION by Ms. Gutierrez and seconded by Mr. Radolan, with all in favor, the Public Hearing was opened.**

No members of the public spoke.

**On MOTION by Mr. Radolan and seconded by Mr. Lavigne, with all in favor, the Public Hearing was closed.**

Mr. Wrathell presented Resolution 2019-10 and read the title. Mr. Johnson stated that the Resolution outlines the procedural history of the CDD and provides for the finalization of the special assessments; once the Resolution is adopted, the District will effectively be securing a lien on the property and, if bonds are never issued, no payments are ever due but the lien is in place and awaiting issuance of the bonds. The Resolution provides for the assessment payments, the true-up mechanism and recording of a notice in the real property records to put all subsequent purchasers on notice; the Resolution is presented in standard form for the industry.

**On MOTION by Ms. Gutierrez and seconded by Ms. Snitko, with all in favor, Resolution 2019-10, Authorizing District Projects for Construction and/or Acquisition of Infrastructure Improvements; Equalizing, Approving, Confirming, and levying Special Assessments on Property Specially Benefited by Such Projects to Pay the Cost Thereof; Providing for the Payment and the Collection of Such Special Assessments by the Methods Provided for by Chapters 170, 190 and 197, Florida Statutes; Confirming the District's Intention to Issue Special Assessment Bonds; Making Provisions for Transfers of Real Property to Homeowners Associations, Property Owners Association and/or Governmental Entities; Providing for the Recording of an Assessment Notice; Providing for Severability, Conflicts and an Effective Date, was adopted.**

Mr. Howard asked that the December 20 meeting remain on reserve status, as the Development Group would like to have the bond documents and the POS approved by the Board imminently. Mr. Robinson confirmed Mr. Howard's request.

#### **FOURTH ORDER OF BUSINESS**

#### **Consideration of Responses to RFP for Annual Audit Services**

##### **A. Affidavit of Publication**

The affidavit of publication was included for informational purposes.

**B. RFP Package**

The Request for Proposals (RFP) and advertisement were included for informational purposes.

**C. Respondents**

- i. **Berger, Toombs, Elam, Gaines & Frank**
- ii. **Carr, Riggs & Ingram, LLC**
- iii. **Grau & Associates**

**D. Ranking**

Mr. Wrathell stated that Management has worked with all three firms, which are well-qualified and all with very similar qualifications, from a ranking perspective. Mr. Radolan asked if the CDD’s scope of work is typical, when compared to other Districts. Mr. Wrathell stated that the audit for Fiscal Year 2018 would be basic, as the CDD was newly-formed and its operations are very simplistic but, once bonds are issued, the audit will be more complex. In response to a question regarding the audit cost, Mr. Wrathell stated that \$6,500 was budgeted.

Mr. McGaffney scored the respondents on the Auditor Selection Evaluation Criteria. The number-one ranked firm was Grau & Associates (Grau) with a total of 500 points, the second ranked firm was Carr, Riggs & Ingram, LLC (CRI) with 479 points and Berger, Toombs, Elam, Gaines & Frank (BTEGF), the third ranked firm, received 469 points.

**On MOTION by Ms. Gutierrez and seconded by Mr. Lavigne, with all in favor, accepting the ranking of Grau & Associates as the number-one ranked firm, Carr, Riggs & Ingram, LLC as the second ranked firm and Berger, Toombs, Elam, Gaines & Frank as the third ranked firm, was approved.**

**E. Award of Contract/Authorization to Negotiate with Number-One Ranked Firm**

**On MOTION by Mr. Radolan and seconded by Ms. Snitko, with all in favor, awarding the contract to Grau & Associates, the number-one ranked firm, and authorization for Staff to negotiate a contract with Grau & Associates, were approved.**

## FIFTH ORDER OF BUSINESS

## Review/Discussion/Ranking of Responses(s) to Request for Qualifications for Engineering Services

## A. Affidavit/ Proof of Publication

The proof of publication was provided for informational purposes.

## B. RFQ Package

Mr. Wrathell presented the Request for Qualifications (RFQ) for Engineering Services.

## C. Respondent(s)

- Terra-Max Engineering, Inc.

Mr. Wrathell stated that Terra-Max Engineering, Inc., (Terra-Max), the Interim District Engineer, was the only respondent. Since they are already serving the District, it does not negate the process and the Board could proceed to ranking Terra-Max as the number-ranked firm, if it wished.

## D. Ranking

**On MOTION by Mr. Lavigne and seconded by Ms. Gutierrez, with all in favor, ranking Terra-Max Engineering, Inc., as the number-one ranked firm, was approved.**

## E. Engagement of District Engineer

**On MOTION by Mr. Lavigne and seconded by Ms. Snitko, with all in favor, authorizing Staff to negotiate a Fee Schedule and prepare a Continuing Services Agreement with the number-one ranked firm, Terra-Max Engineering, Inc., for District Engineering Services, was approved.**

## SIXTH ORDER OF BUSINESS

## Acceptance of Unaudited Financial Statements of October 31, 2018

Mr. Wrathell presented the Unaudited Financial Statements of October 31, 2018.

**On MOTION by Ms. Snitko and seconded by Ms. Gutierrez, with all in favor, the Unaudited Financial Statements of October 31, 2018, were approved.**

**SEVENTH ORDER OF BUSINESS****Consideration of Minutes**

- A. October 24, 2018 Landowners' Meeting**
- B. October 24, 2018 Regular Meeting and Public Hearings**

Mr. Wrathell presented the October 24, 2018 Landowners' Meeting and the October 24, 2018 Regular Meeting and Public Hearings Minutes and asked for any additions, deletions or corrections.

The following change was made to both sets of minutes and would be made to all previous minutes:

Throughout: Change "Shardrix" to "Shadrix"

**On MOTION by Ms. Snitko and seconded by Ms. Gutierrez, with all in favor, the October 24, 2018 Landowners' Meeting and October 24, 2018 Regular Meeting and Public Hearings Minutes, as amended, were approved.**

**EIGHTH ORDER OF BUSINESS****Staff Reports**

- A. District Counsel: *Hopping Green & Sams, P.A.***  
There being no report, the next item followed.
- B. District Engineer (Interim): *Terra-Max Engineering, Inc.***  
There being no report, the next item followed.
- C. District Manager: *Wrathell, Hunt and Associates, LLC***

- **NEXT MEETING DATE: December 20, 2018 at 3:00 PM**

The next meeting will be held on December 20, 2018 at 3:00 p.m.

**NINTH ORDER OF BUSINESS****Board Members' Comments/Requests**

There being no Board Members' comments or requests, the next item followed.

**TENTH ORDER OF BUSINESS****Public Comments**

There being no public comments, the next item followed.

**ELEVENTH ORDER OF BUSINESS**

**Adjournment**

There being nothing further to discuss, the meeting adjourned.

**On MOTION by Ms. Snitko and seconded by Mr. Lavigne, with all in favor, the meeting adjourned at 10:46 a.m.**

[SIGNATURES APPEAR ON THE FOLLOWING PAGE]



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Secretary/Assistant Secretary



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Chair/Vice Chair