

**MINUTES OF MEETING
FRERC
COMMUNITY DEVELOPMENT DISTRICT**

The Board of Supervisors of the FRERC Community Development District held a Regular Meeting on April 27, 2022 at 10:00 a.m., at City Center West Orange, 7380 West Sand Lake Road, Suite 305/395, Orlando, Florida 32819.

Present were:

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

Also present were:

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| Craig Wrathell | District Manager |
| Ernesto Torres | Wrathell, Hunt and Associates, LLC |
| Jonathan Johnson (via telephone) | District Counsel |
| Momtaz Barq | District Engineer |
| Brian Robinson | City Center West Orange Chief Operations Officer |
| John Amm | City Center West Orange Chief Engineering & Construction Officer |

FIRST ORDER OF BUSINESS

Call to Order/Roll Call

Mr. Wrathell called the meeting to order at 10:08 a.m. Supervisors Radolan, Lavigne Gutierrez and Snitko were present. Supervisor Shadrix was not present.

SECOND ORDER OF BUSINESS

Public Comments

There were no public comments.

THIRD ORDER OF BUSINESS

Consideration of HGS Transition Letter

- **Kutak Rock LLP, Retention and Fee Agreement**

Mr. Wrathell presented the joint letter by Hopping Green & Sams, P.A. (HGS) and Kutak Rock LLP “Kutak Rock” announcing certain HGS attorneys to Kutak Rock and the Kutak Rock Retention and Fee Agreement; the terms and conditions were the same as with HGS.

On MOTION by Mr. Radolan and seconded by Mr. Lavigne, with all in favor, the joint letter acknowledging the transition of District Counsel Services from Hopping Green & Sams to Kutak Rock LLP and the Kutak Rock Retention and Fee Agreement, effective November 15, 2021, and authorizing the Chair to execute, was approved.

FOURTH ORDER OF BUSINESS**Update: Stormwater Needs Analysis Reporting Requirements**

Mr. Wrathell presented the Memorandum related to recently passed legislation that requires governmental entities to prepare and submit a 20-Year Stormwater and Wastewater Management Needs Analysis Reports by June 30, 2022, and every five years thereafter. He distributed the Terra-Max Engineering, Inc., proposal to prepare the following:

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| Task 1 | Stormwater Management Needs Analysis Report | \$9,040 |
| Task 2 | Wastewater Management Needs Analysis Report | \$9,040 |

Mr. Wrathell recommended approving Task 1 and stated the fee is in line with others. Task 2 was not applicable, as the CDD's wastewater system will be conveyed to the City. A Work Authorization for Task 1 will be prepared to replace the proposal.

On MOTION by Ms. Snitko and seconded by Ms. Gutierrez, with all in favor, the Terra-Max Engineering Inc., Proposal/Work Authorization for Task 1, for preparation of the 20-Year Stormwater Management Needs Analysis Report, in the amount of \$9,040 and up to an additional \$800 for incidental expenses, was approved.

FIFTH ORDER OF BUSINESS**Consideration of Resolution 2022-01, Relating to the Amendment of the Annual Budget for the Fiscal Year Beginning October 1, 2020 and Ending September 30, 2021; and Providing for an Effective Date**

Mr. Wrathell stated a budget amendment for Fiscal Year 2021 is necessary because some line items exceeded budget and contingency funds were added to prevent a finding in the annual audit, which is in progress. This was the result of the property transitioning to the CDD. Property taxes had to be paid because they were unable to file for property tax exemption due to the timing, which only occurs in January. Filing for future exemptions was completed.

Mr. Wrathell presented Resolution 2022-01.

On MOTION by Ms. Snitko and seconded by Mr. Lavigne, with all in favor, Resolution 2022-01, Relating to the Amendment of the Annual Budget for the Fiscal Year Beginning October 1, 2020 and Ending September 30, 2021; and Providing for an Effective Date, was adopted.

SIXTH ORDER OF BUSINESS

Consideration of Resolution 2022-02, Approving Proposed Budgets for Fiscal Year 2022/2023 and Setting a Public Hearing Thereon Pursuant to Florida Law; Addressing Transmittal, Posting and Publication Requirements; Addressing Severability; and Providing an Effective Date

Mr. Wrathell presented Resolution 2022-02. The administrative portion of the proposed Fiscal Year 2023 budget is identical to the Fiscal Year 2022 adopted budget and included a \$543 property tax expense, as one additional property transitioned to the CDD. He reviewed the proposed Fiscal Year 2023 budget and noted that significant engineering expenses that are construction or project related are not included; new bonds would need to be issued for that or they would need to be funded via funding requests in advance of the next series of bonds. He discussed the purpose and advantage of off-roll assessment billing versus on-roll assessments.

The following change was made to Resolution 2022-02:

DATE: Change "August 24, 2022" to "July 27, 2022"

On MOTION by Ms. Gutierrez and seconded by Mr. Radolan, with all in favor, Resolution 2022-02, as amended, Approving Proposed Budgets for Fiscal Year 2022/2023 and Setting a Public Hearing Thereon Pursuant to Florida Law for July 27, 2022 at 10:00 a.m., at City Center West Orange, 7380 West Sand Lake Road, Suite 305/395, Orlando, Florida 32819; Addressing Transmittal, Posting and Publication Requirements; Addressing Severability; and Providing an Effective Date, was adopted.

SEVENTH ORDER OF BUSINESS

Consideration of Resolution 2022-03, Designating Dates, Times and Locations for Regular Meetings of the Board of Supervisors of the District for Fiscal Year 2022/2023 and Providing for an Effective Date

Mr. Wrathell presented Resolution 2022-03.

On MOTION by Mr. Lavigne and seconded by Ms. Snitko, with all in favor, Resolution 2022-03, Designating Dates, Times and Locations, for Regular Meetings of the Board of Supervisors of the District for Fiscal Year 2022/2023 and Providing for an Effective Date, was adopted.

EIGHTH ORDER OF BUSINESS

Consideration of Resolution 2022-04, Designating a Date, Time and Location for a Landowners’ Meeting and Election; Providing for Publication; Establishing Forms for the Landowner Election; and Providing for Severability and an Effective Date

Mr. Wrathell presented Resolution 2022-04. Board Members are not required to attend the Landowners’ Meeting but a Landowner, Landowner representative or proxyholder must be present to cast votes.

On MOTION by Ms. Gutierrez and seconded by Mr. Lavigne, with all in favor, Resolution 2022-04, Designating a Date, Time and Location of November 16, 2022 at 10:00 a.m., at the City Center West Orange, 7380 West Sand Lake Road, Suite 305/395, Orlando, Florida 32819 for a Landowners’ Meeting and Election; Providing for Publication; Establishing Forms for the Landowner Election; and Providing for Severability and an Effective Date, was adopted.

NINTH ORDER OF BUSINESS

Acceptance of Unaudited Financial Statements as of March 31, 2021

Mr. Wrathell presented the Unaudited Financial Statements as of March 31, 2021. There is a potential shortfall in the capitalized interest account, as it was slightly underfunded. He expects that some of the difference will be made up from interest earnings but a \$100,000 funding request will be submitted in November to cover the remaining shortfall.

On MOTION by Ms. Gutierrez and seconded by Ms. Snitko, with all in favor, the Unaudited Financial Statements as of March 31, 2021, were accepted.

TENTH ORDER OF BUSINESS

Approval of August 25, 2021 Public Hearing and Regular Meeting Minutes

Mr. Wrathell presented the August 25, 2021 Public Hearing and Regular Meeting Minutes.

On MOTION by Ms. Snitko and seconded by Ms. Gutierrez, with all in favor, the August 25, 2021 Public Hearing and Regular Meeting Minutes, as presented, were approved.

ELEVENTH ORDER OF BUSINESS

Staff Reports

A. District Counsel: Kutak Rock LLP

There was no report.

B. District Engineer: *Terra-Max Engineering, Inc.*

There was no report.

C. District Manager: *Wrathell, Hunt and Associates, LLC*

I. NEXT MEETING DATE: May 25, 2022 at 10:00 A.M.

o QUORUM CHECK

The next meeting will be on May 25, 2022, unless cancelled.

TWELFTH ORDER OF BUSINESS

Board Members' Comments/Requests

Mr. Lavigne stated he is monitoring recent legislation on the EB-5 Regional Center Program, which will allow foreigner investors to receive a green card and be able to fund 2% of municipal development of infrastructure. Further details will be provided to Mr. Wrathell to distribute to Bond Counsel.

THIRTEENTH ORDER OF BUSINESS

Public Comments

There were no public comments.

FOURTEENTH 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 10:54 a.m.


Secretary/Assistant Secretary


Chair/Vice Chair