

**MINUTES OF MEETING
FALLSCHASE
COMMUNITY DEVELOPMENT DISTRICT**

The Board of Supervisors of the Fallschase Community Development District held Public Hearings and a Regular Meeting on August 7, 2023 at 10:30 a.m., at 2810 Remington Green Circle, Tallahassee, Florida 32308.

Present at the meeting were:

Richard Yates	Chair
Rick Singletary	Vice Chair
William Lamb	Assistant Secretary

Also present were:

Jamie Sanchez	District Manager
Cindy Cerbone	Wrathell Hunt and Associates LLC (WHA)
Ken van Assenderp (via telephone)	District Counsel
Roger Wynn	District Engineer
Susan Platt	Member of the Public

FIRST ORDER OF BUSINESS

Call to Order/Roll Call

Ms. Sanchez called the meeting to order at 10:34 a.m.

Supervisors Lamb, Yates and Rick Singletary were present. Supervisors Phipps and Lewis Singletary were not present.

SECOND ORDER OF BUSINESS

Public Comments

There were no public comments.

THIRD ORDER OF BUSINESS

**Public Hearing on Adoption of Fiscal Year
2023/2024 Budget**

- A. Proof/Affidavit of Publication**
- B. Consideration of Resolution 2023-03, Relating to the Annual Appropriations and Adopting the Budgets for the Fiscal Year Beginning October 1, 2023, and Ending September 30, 2024; Authorizing Budget Amendments; and Providing an Effective Date**

Ms. Sanchez presented Resolution 2023-03 and reviewed the proposed Fiscal Year 2024 budget, which is unchanged from when it was last presented. The budgeted amounts are the same except for the insurance, as discussed at the previous meeting.

On MOTION by Mr. Rick Singletary and seconded by Mr. Lamb, with all in favor, the Public Hearing was opened.

No members of the public spoke.

On MOTION by Mr. Rick Singletary and seconded by Mr. Lamb, with all in favor, the Public Hearing was closed.

On MOTION by Mr. Lamb and seconded by Mr. Rick Singletary, with all in favor, Resolution 2023-03, Relating to the Annual Appropriations and Adopting the Budgets for the Fiscal Year Beginning October 1, 2023, and Ending September 30, 2024; Authorizing Budget Amendments; and Providing an Effective Date, was adopted.

FOURTH ORDER OF BUSINESS

Public Hearing to Hear Comments and Objections on the Imposition of Maintenance and Operation Assessments to Fund the Budget for Fiscal Year 2023/2024, Pursuant to Florida Law

- A. Proof/Affidavit of Publication**
- B. Mailed Notice(s) to Property Owners**
- C. Consideration of Resolution 2023-04, Making a Determination of Benefit and Imposing Special Assessments for Fiscal Year 2023/2024; Providing for the Collection and Enforcement of Special Assessments, Including but Not Limited to Penalties and Interest Thereon; Certifying an Assessment Roll; Providing for Amendments to the Assessment Roll; Providing a Severability Clause; and Providing an Effective Date**

Ms. Sanchez presented Resolution 2023-04 and read the title.

On MOTION by Mr. Rick Singletary and seconded by Mr. Lamb, with all in favor, the Public Hearing was opened.

No members of the public spoke.

On MOTION by Mr. Rick Singletary and seconded by Mr. Lamb, with all in favor, the Public Hearing was closed.

On MOTION by Mr. Lamb and seconded by Mr. Rick Singletary, with all in favor, Resolution 2023-04, Making a Determination of Benefit and Imposing Special Assessments for Fiscal Year 2023/2024; Providing for the Collection and Enforcement of Special Assessments, Including but Not Limited to Penalties and Interest Thereon; Certifying an Assessment Roll; Providing for Amendments to the Assessment Roll; Providing a Severability Clause; and Providing an Effective Date, was adopted.

FIFTH ORDER OF BUSINESS

Presentation of Audited Financial Statements for Fiscal Year Ended September 30, 2022, Prepared by Lanigan & Associates, P.C.

Ms. Cerbone presented the Audited Financial Statements for Fiscal Year Ended September 30, 2022 and noted the pertinent information. There were no findings, recommendations, deficiencies on internal control or instances of non-compliance; it was a clean audit.

SIXTH ORDER OF BUSINESS

Consideration of Resolution 2023-05, Hereby Accepting the Audited Financial Statements for the Fiscal Year Ended September 30, 2022

Ms. Sanchez presented Resolution 2023-05 and read the title.

On MOTION by Mr. Rick Singletary and seconded by Mr. Lamb, with all in favor, Resolution 2023-05, Hereby Accepting the Audited Financial Statements for the Fiscal Year Ended September 30, 2022, was adopted.

SEVENTH ORDER OF BUSINESS

Discussion/Consideration of Stormwater Management Facility Operation and

Maintenance Plan for Fallschase Residential

Ms. Sanchez presented the Stormwater Management Facility Operation and Maintenance Plan, including exhibits that the District Engineer modified. Mr. van Assenderp drafted the original Agreement and, more recently, Ms. Kilinski made additional modifications to the Agreement.

Mr. Wynn reviewed the Operation and Maintenance Plan for the stormwater facilities, and responded to questions regarding the wet retention pond, sand filter, treatment mechanism for the stormwater, water retention and flood prevention. Ms. Sanchez asked for Board approval, in substantial form, as further modifications must be made.

On MOTION by Mr. Lamb and seconded by Mr. Rick Singletary, with all in favor, the Stormwater Management Facility Operation and Maintenance Plan for Fallschase Residential, in substantial form, was approved.

EIGHTH ORDER OF BUSINESS

Ratification of Acquisition of Improvements

Ms. Cerbone stated she was recently contacted by Ms. Kilinski who recommended that the Board, as a matter of record, ratify the Acquisition of Improvements documents, which have already been executed but the Board should acknowledge seeing them and pose any questions that they may have.

Discussion ensued regarding the asphaltting, bond funds, Unit 5, interest rates, supply chain, a solar farm and taxable bonds.

On MOTION by Mr. Yates and seconded by Mr. Lamb, with all in favor, the Acquisition of Improvements and/or related documents, were ratified.

NINTH ORDER OF BUSINESS

Acceptance of Unaudited Financial Statements as of June 30, 2023

Ms. Sanchez presented the Unaudited Financial Statements as of June 30, 2023.

Asked why \$16 million does not show on the balance sheet as a liability for the CDD, Ms. Cerbone stated the Unaudited Financials will not have the entire balance sheet. The CDD's full assets and full liabilities are reflected on the annual Audited Financial Reports.

On MOTION by Mr. Lamb and seconded by Mr. Rick Singletary, with all in favor, the Unaudited Financial Statements as of June 30, 2023, were accepted.

TENTH ORDER OF BUSINESS

Approval of June 5, 2023 Regular Meeting Minutes

Ms. Sanchez presented the June 5, 2023 Regular Meeting Minutes.

On MOTION by Mr. Rick Singletary and seconded by Mr. Lamb, with all in favor, the June 5, 2023 Regular Meeting Minutes, as presented, were approved.

ELEVENTH ORDER OF BUSINESS

Staff Reports

A. Attorney: van Assenderp Law

Mr. van Assenderp: Are we going to have that meeting with the Realtors and everybody today?

Mr. Yates: No, there was no response.

Mr. van Assenderp: I want it to be clear that I am on the record that I really have advised the District and the Landowner. It is okay if it has not been done yet but the longer it goes.... A few years ago, someone wrote something that worked well with me and we noted some of your markings; do you remember who that was?

A Board Member: It may have been Chandler who did that.

Mr. van Assenderp: And that was good. It just covered some things that otherwise... understanding what the CDD is and how one can inadvertently or innocently misrepresent something to a purchaser or to a media, has been a problem from time to time around the State and I am just trying to prevent that. It is not the District's job but there was a vote two or three meetings ago to ask the Developer to set up a briefing. My idea was to have a meeting with them and not give them any information in writing but give them a blank sheet of paper and a pen or use a computer. I want them to write down the following items:

1. Your CDD is a local government with a single limited special purpose.
2. What is the local government?
3. What is the single special purpose?
4. What is the limitation on that purpose?
5. What are the powers?
6. The funding, like assessments, are not taxes, for example.
7. How are the homeowners protected by the uniform collection methodology and related enforcements so that there is never any foreclosure.

Mr. van Assenderp: I want them to hear it and write it down instead of giving them a sheet with that list. I think it would be very helpful to do it on a repetitive basis whenever you have turnover. It is the people who work for the Developer who are selling the property or who answer questions from the media or from potential purchasers.

Mr. Yates: We don't have any of those people; those people are all independent real estate agents. The builders may have some salespeople.

Mr. van Assenderp: It could be any independent realtor.

Mr. Yates: As far as talking to builders, I talked to Horton and they were not very responsive.

Mr. van Assenderp: Can we just make sure the minutes reflect a recommendation from the District that this kind of briefing with people who deal with the media and people who sell and market the property be done, as just a request from the Board. It is not an emergency but as you start selling more property, just as a preventative measure. Local realtors need to understand it.

B. Engineer: Moore Bass Consulting, Inc.

Mr. Wynn reported the following:

- Phases 1, 2 and 3 were completed one year ago.
- Staff is in the process of getting Phase 6 accepted by the City, including annexation, plat recording, etc.
- Phases 4 and 5 are currently under construction; the completion time period is in less than six months.
- Staff is currently working on permitting for Phase 7.

C. Manager: Wrathell, Hunt and Associates, LLC

- **NEXT MEETING DATE: October 2, 2023 at 10:30 AM**
 - **QUORUM CHECK**

The October meeting will be cancelled.

TWELFTH ORDER OF BUSINESS

Audience Comments/Supervisors Requests

Mr. van Assenderp was doubtful there would be any District business to merit a meeting.

Discussion ensued regarding the meeting calendar, calendar invites and future meetings.


THIRTEENTH ORDER OF BUSINESS

Adjournment

On MOTION by Mr. Lamb and seconded by Mr. Rick Singletary, with all in favor, the meeting adjourned at 11:57 a.m.

[SIGNATURES APPEAR ON THE FOLLOWING PAGE]


Secretary/Assistant Secretary


Chair/Vice Chair