### COMMUNITY DEVELOPMENT DISTRICT

### November 16, 2022 BOARD OF SUPERVISORS REGULAR MEETING AGENDA

# AGENDA LETTER

### FRERC Community Development District OFFICE OF THE DISTRICT MANAGER 2300 Glades Road, Suite 410W•Boca Raton, Florida 334313 Phone: (561) 571-0010•Toll-free: (877) 276-0889•Fax: (561) 571-0013

November 9, 2022

ATTENDEES:

Board of Supervisors FRERC Community Development District Please identify yourself each time you speak to facilitate accurate transcription of meeting minutes.

Dear Board Members:

The Board of Supervisors of the FRERC Community Development District will hold a Regular Meeting on November 16, 2022, *immediately following the Landowners' Meeting scheduled to commence at 10:00 a.m.*, at City Center West Orange, 7380 West Sand Lake Road, Suite 305/395, Orlando, Florida 32819. The agenda is as follows:

- 1. Call to Order/Roll Call
- 2. Public Comments
- 3. Administration of Oath of Office to Newly Elected Supervisors [SEATS 1, 2 & 5] (the following to be provided in a separate package)
  - A. Guide to Sunshine Amendment and Code of Ethics for Public Officers and Employees
  - B. Membership, Obligations and Responsibilities
  - C. Financial Disclosure Forms
    - I. Form 1: Statement of Financial Interests
    - II. Form 1X: Amendment to Form 1, Statement of Financial Interests
    - III. Form 1F: Final Statement of Financial Interests
  - D. Form 8B Memorandum of Voting Conflict
- 4. Consideration of Resolution 2023-01, Canvassing and Certifying the Results of the Landowners' Election of Supervisors Held Pursuant to Section 190.006(2), Florida Statutes; and Providing for an Effective Date
- 5. Consideration of Resolution 2023-02, Designating a Chair, a Vice Chair, a Secretary, Assistant Secretaries, a Treasurer and an Assistant Treasurer of the FRERC Community Development District, and Providing for an Effective Date
- 6. Update: Status of Delinquent Funding Requests

- 7. Acceptance of Unaudited Financial Statements as of September 30, 2022
- 8. Approval of August 24, 2022 Public Hearing and Regular Meeting Minutes
- 9. Staff Reports
  - A. District Counsel: Kutak Rock LLP
    - Update: EB-5 Regional Center Program
  - B. District Engineer: *Terra-Max Engineering, Inc.*

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- C. District Manager: Wrathell, Hunt and Associates, LLC
  - NEXT MEETING DATE: December 21, 2022 at 10:00 AM
    - QUORUM CHECK

Seat 1		IN PERSON	PHONE	No
SEAT 2		IN PERSON	PHONE	No
Seat 3	Deanna Snitko	IN PERSON	PHONE	No
Seat 4	GIOVANNA GUTIERREZ	IN PERSON	PHONE	No
Seat 5		IN PERSON	PHONE	No

- 10. Board Members' Comments/Requests
- 11. Public Comments
- 12. Adjournment

I look forward to seeing all of you at the upcoming meeting. In the meantime, should you have any questions or concerns, please do not hesitate to contact me directly at (561) 719-8675 or Ernesto Torres at (904) 295-5714.

Sincerely,

2 Wrather

Craig Wrathell **District Manager** 

FOR BOARD MEMBERS AND STAFF TO ATTEND BY TELEPHONE CALL-IN NUMBER: 1-888-354-0094 PARTICIPANT PASSCODE: 782 134 6157

### **FRERC** COMMUNITY DEVELOPMENT DISTRICT



#### **RESOLUTION 2023-01**

### A RESOLUTION OF THE BOARD OF SUPERVISORS OF THE FRERC COMMUNITY DEVELOPMENT DISTRICT CANVASSING AND CERTIFYING THE RESULTS OF THE LANDOWNERS' ELECTION OF SUPERVISORS HELD PURSUANT TO SECTION 190.006(2), FLORIDA STATUTES, AND PROVIDING FOR AN EFFECTIVE DATE

**WHEREAS**, the FRERC Community Development District ("District") is a local unit of specialpurpose government created by, and existing pursuant to Chapter 190, *Florida Statutes*, being situated entirely within Orange County, Florida; and

**WHEREAS,** pursuant to Section 190.006(2), Florida Statutes, a landowners' meeting is required to be held within 90 days of the District's creation and every two years following the creation of the District for the purpose of electing supervisors of the District; and

WHEREAS, such landowners' meeting was held on November 16, 2022, and the below recited persons were duly elected by virtue of the votes cast in his/her favor; and

**WHEREAS,** the Board of Supervisors of the District, by means of this Resolution, desire to canvass the votes and declare and certify the results of said election.

### NOW THEREFORE, BE IT RESOLVED BY THE BOARD OF SUPERVISORS OF THE FRERC COMMUNITY DEVELOPMENT DISTRICT:

**Section 1.** The following persons are found, certified, and declared to have been duly elected as Supervisor of and for the District, having been elected by the votes cast in their favor as shown:

Seat 1	Votes
Seat 2	Votes
Seat 5	Votes

**Section 2.** In accordance with Section 190.006(2), Florida Statutes, and by virtue of the number of votes cast for the Supervisor, the above-named persons are declared to have been elected for the following term of office:

Seat 1	Year Term
Seat 2	Year Term
Seat 5	Year Term

**Section 3.** This resolution shall become effective immediately upon its adoption.

### PASSED AND ADOPTED THIS 16TH DAY OF NOVEMBER, 2022.

Attest:

FRERC COMMUNITY DEVELOPMENT DISTRICT

Secretary/Assistant Secretary

Chair/Vice Chair, Board of Supervisors

### **FRERC** COMMUNITY DEVELOPMENT DISTRICT



#### **RESOLUTION 2023-02**

A RESOLUTION DESIGNATING A CHAIR, A VICE CHAIR, A SECRETARY, ASSISTANT SECRETARIES, A TREASURER AND AN ASSISTANT TREASURER OF THE FRERC COMMUNITY DEVELOPMENT DISTRICT, AND PROVIDING FOR AN EFFECTIVE DATE.

**WHEREAS**, the FRERC Community Development District ("District") is a local unit of special-purpose government created by, and existing pursuant to Chapter 190, *Florida Statutes*, being situated in Orange County, Florida; and

**WHEREAS**, the Board of Supervisors of the District desires to appoint the below-recited persons to the offices specified.

NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF SUPERVISORS OF THE FRERC COMMUNITY DEVELOPMENT DISTRICT:

1. **DISTRICT OFFICERS.** The District officers are as follows:

	is appointed Chair
	is appointed Vice Chair
Craig Wrathell	is appointed Secretary
	is appointed Assistant Secretary
	is appointed Assistant Secretary
	is appointed Assistant Secretary
Ernesto Torres	is appointed Assistant Secretary

2. This Resolution supersedes any prior appointments made by the Board for Chair, Vice Chair, Secretary and Assistant Secretaries; however, prior appointments by the Board for Treasurer and Assistant Treasurer(s) remain unaffected by this Resolution.

3. **EFFECTIVE DATE**. This Resolution shall become effective immediately upon its adoption.

### ADOPTED THIS 16TH DAY OF NOVEMBER, 2022.

ATTEST:

FRERC COMMUNITY DEVELOPMENT DISTRICT

Secretary/Assistant Secretary

Chair/Vice Chair, Board of Supervisors

### UNAUDITED FINANCIAL STATEMENTS

FRERC COMMUNITY DEVELOPMENT DISTRICT FINANCIAL STATEMENTS UNAUDITED SEPTEMBER 30, 2022

### FRERC COMMUNITY DEVELOPMENT DISTRICT BALANCE SHEET GOVERNMENTAL FUNDS SEPTEMBER 30, 2022

	General Fund		Debt Capital Service Projects Fund Fund		rojects	Total Governmental Funds	
ASSETS							
Cash	\$	1,105	\$-	\$	-	\$	1,105
Investments							
Revenue		-	111,733		-		111,733
Reserve		-	2,044,106		-		2,044,106
Interest		-	693,330				693,330
Construction		-	-		7,397		7,397
Due from Landowner		94,894	-		-		94,894
Total assets	\$	95,999	\$2,849,169	\$	7,397	\$	2,952,565
LIABILITIES AND FUND BALANCES Liabilities:							
Accounts payable	\$	89,838	\$-	\$	-	\$	89,838
Due to Developer		215	14,808		-		15,023
Accrued wages payable		1,600	-		-		1,600
Accrued taxes payable		122	-		-		122
Landowner advance		5,000	-		-		5,000
Total liabilities		96,775	14,808		-		111,583
DEFERRED INFLOWS OF RESOURCES							
Deferred receipts		94,894	-		-		94,894
Total deferred inflows of resources		94,894			-		94,894
Fund balances: Restricted							
Debt service		-	2,834,361		-		2,834,361
Capital projects		-	-		7,397		7,397
Unassigned		(95,670)			-		(95,670)
Total fund balances		(95,670)	2,834,361		7,397		2,746,088
Total liabilities, deferred inflows of resources and fund balances	¢	05 000	¢ 2 940 160	¢	7,397	¢	2,952,565
	\$	95,999	\$ 2,849,169	\$	1,391	\$	2,902,000

### FRERC COMMUNITY DEVELOPMENT DISTRICT GENERAL FUND STATEMENT OF REVENUES, EXPENDITURES, AND CHANGES IN FUND BALANCES FOR THE PERIOD ENDED SEPTEMBER 30, 2022

	Current Month	Year to Date	Budget	% of Budget
REVENUES	•	<b>• • • • • • • • • •</b>	<b>*</b> 400 <b>7</b> 40	4.4.07
Landowner contribution	\$ -	\$ 15,000	\$ 130,749	11%
Total revenues		15,000	130,749	11%
EXPENDITURES				
Professional & administrative				
Supervisors	_	800	6,000	13%
FICA	_	61	459	13%
District engineer	_	-	3,500	0%
Engineering - stormwater analysis	_	9,840	0,000	N/A
District counsel	1,692	4,155	35,000	12%
District management	4,000	48,000	48,000	100%
Printing & binding	42	500	500	100%
Legal advertising	2,782	6,866	1,500	458%
Postage	2,702	26	500	-30%
Accounting & assessment rolls	20	20	000	070
Series 1 Bond DSF	625	7,500	7,500	100%
Dissemination agent	020	7,000	7,000	10070
Series 1 bond	250	3,000	3,000	100%
Trustee	200	0,000	0,000	10070
Series 1 bond	_	3,750	9,850	38%
Arbitrage rebate calculation		0,700	0,000	0070
Series 1 bond	_	750	750	100%
Audit	_	6,500	6,500	100%
Insurance - GL, POL	_	5,435	5,500	99%
Miscellaneous- bank charges	20	285	600	48%
Website	20	200	000	1070
Hosting & development	705	705	705	100%
ADA compliance	-	210	210	100%
Annual district filing fee	-	175	175	100%
Office supplies	-	170	500	34%
Property taxes	-	544	-	N/A
Total professional & administrative	10,142	99,272	130,749	76%
				10,0
Excess/(deficiency) of revenues				
over/(under) expenditures	(10,142)	(84,272)	-	
	(10,112)	(3.,2.2)		
Fund balances - beginning	(85,528)	(11,398)	-	
Fund balances - ending	\$ (95,670)	\$ (95,670)	\$ -	
	+ (,)	(,)	т	

### FRERC COMMUNITY DEVELOPMENT DISTRICT STATEMENT OF REVENUES, EXPENDITURES, AND CHANGES IN FUND BALANCES DEBT SERVICE FUND SERIES 2020 FOR THE PERIOD ENDED SEPTEMBER 30, 2022

	Current Month	Year To Date	Budget	% of Budget
REVENUES			• • • • • • • • •	
Special assessment: off-roll	111,733	111,733	\$ 111,733	100%
Interest	3,933	8,820		N/A
Total revenues	115,666	120,553	111,733	108%
EXPENDITURES				
Interest	-	1,575,838	1,575,838	100%
Total debt service	-	1,575,838	1,575,838	100%
Excess/(deficiency) of revenues over/(under) expenditures	115,666	(1,455,285)	(1,464,105)	
OTHER FINANCING SOURCES/(USES)				
Transfers out	(2,938)	(6,558)	-	N/A
Total other financing sources	(2,938)	(6,558)	-	N/A
Net change in fund balances	112,728	(1,461,843)	(1,464,105)	-
Fund balances - beginning	2,721,633	4,296,204	4,296,130	_
Fund balances - ending	\$ 2,834,361	\$ 2,834,361	\$ 2,832,025	:

### FRERC COMMUNITY DEVELOPMENT DISTRICT STATEMENT OF REVENUES, EXPENDITURES, AND CHANGES IN FUND BALANCES CAPITAL PROJECTS FUND SERIES 2020 FOR THE PERIOD ENDED SEPTEMBER 30, 2022

	Current Month		Year To Date	
REVENUES				
Interest	\$	6	\$	10
Total revenues		6		10
EXPENDITURES		-		-
Total expenditures		-		-
Excess/(deficiency) of revenues over/(under) expenditures		6		10
OTHER FINANCING SOURCES/(USES)				
Transfer in		2,938		6,558
Total other financing sources/(uses)		2,938		6,558
Net change in fund balances		2,944		6,568
Fund balances - beginning		4,453		829
Fund balances - ending	\$	7,397	\$	7,397

### MINUTES

#### DRAFT

1	MINUTES OF MEETING						
2 3		FRERC COMMUNITY DEVELOPMENT DISTRICT					
4							
5		The Board of Supervisors of the FRERC Community Development District held Multiple					
6	Publi	c Hearings and a Regular Meeting on Au	gust 24, 2022 at 10:00 a.m., at City Center West				
7	Oran	ge, 7380 West Sand Lake Road, Suite 305,	, 7380 West Sand Lake Road, Suite 305/395, Orlando, Florida 32819.				
8 9		Present were:					
10 11		Barry Radolan (via telephone) James Lavigne	Chair Vice Chair				
12		Deanna Snitko (via telephone)	Assistant Secretary				
13		Giovanna Gutierrez	Assistant Secretary				
14 15		Craig Shadrix	Assistant Secretary				
16		Also present were:					
17							
18		Ernesto Torres	District Manager				
19		Jonathan Johnson (via telephone)	District Counsel				
20		Momtaz Barq	District Engineer				
21 22		John Amm	City Center West Orange Chief Engineering & Construction Officer				
23 24 25	FIRST	ORDER OF BUSINESS	Call to Order/Roll Call				
26		Mr. Torres called the meeting to order	at 10:03 a.m. Supervisors Lavigne, Gutierrez and				
27	Shad	rix were present. Supervisors Radolan an	d Snitko were attending via telephone.				
28							
29 30	SECO	ND ORDER OF BUSINESS	Public Comments				
31		There were no public comments.					
32							
33 34 35	THIRI	D ORDER OF BUSINESS	Public Hearing on Adoption of Fiscal Year 2022/2023 Budget				
36	Α.	Proof/ Affidavit of Publication					
37		The affidavit of publication was include	d for informational purposes.				
38	В.	Consideration of Resolution 2022-06	5, Relating to the Annual Appropriations and				
39	Adopting the Budgets for the Fiscal Year Beginning October 1, 2022, and Ending						

40		September 30, 2023; Authorizing Budget	Amendments; and Providing an Effective			
41		Date				
42		Mr. Torres presented Resolution 2022-06. He reviewed the proposed Fiscal Year 2023				
43	budge	et, which is nearly identical to the Fiscal Year 2022 adopted budget.				
44						
45 46		On MOTION by Ms. Gutierrez and second the Public Hearing was opened.	led by Mr. Shadrix, with all in favor,			
47 48 49		No members of the public spoke.				
50						
51 52 53		On MOTION by Mr. Lavigne and seconded Public Hearing was closed.	by Mr. Shadrix, with all in favor, the			
54						
55 56 57 58 59		On MOTION by Ms. Gutierrez and second Resolution 2022-06, Relating to the Annu Budgets for the Fiscal Year Beginning Oct 30, 2023; Authorizing Budget Amendmen was adopted.	al Appropriations and Adopting the ober 1, 2022, and Ending September			
60 61 62 63 64 65 66 67	FOUR	TH 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 2022/2023, Pursuant to Florida Law			
68	А.	Proof/Affidavit of Publication				
69	в.	Mailed Notice(s) to Property Owners				
70		These items were included for informationa	al purposes.			
71	C.	Consideration of Resolution 2022-07, Mak	ing a Determination of Benefit and Imposing			
72		Special Assessments for Fiscal Year 202	2/2023; Providing for the Collection and			
73		Enforcement of Special Assessments; Including but Not Limited To Penalties and				
74		Interest Thereon; Certifying an Assessme	ent Roll; Providing for Amendments to the			
75		Assessment Roll; Providing a Severability C	Clause; and Providing an Effective Date			

FRERC CDD

76	Mr. Torres stated the Resolution was amended to change the collection of assessments			
77	method to off-roll, as opposed to collected by the Tax Collector's Office. Mr. Johnson agreed it			
78	is preferable to collect assessments directly from the Landowner.			
79	Mr. Torres stated, as described in Section 3, the Resolution was amended to collect			
80	assessments according to the following schedule:			
81	50% due no later than December 1, 2022			
82	25% due no later than February 1, 2023			
83	25% due no later than May 1, 2023			
84				
85	On MOTION by Ms. Gutierrez and seconded by Ms. Snitko, with all in favor, the			
86 87	Public Hearing was opened.			
88				
89	No members of the public spoke.			
90				
91	On MOTION by Mr. Lavigne and seconded by Mr. Shadrix, with all in favor, the			
92	Public Hearing was closed.			
93				
94				
95	On MOTION by Ms. Gutierrez and seconded by Mr. Lavigne, with all in favor,			
96 07	Resolution 2022-07, Making a Determination of Benefit and Imposing Special			
97 98	Assessments for Fiscal Year 2022/2023; Providing for the Collection and Enforcement of Special Assessments; Including but Not Limited To Penalties			
98 99	and Interest Thereon; Certifying an Assessment Roll; Providing for			
100	Amendments to the Assessment Roll; Providing a Severability Clause; and			
101	Providing an Effective Date, was adopted.			
102				
103				
104	FIFTH ORDER OF BUSINESS Presentation of Audited Financial Report			
105	for Fiscal Year Ended September 30, 2021,			
106	Prepared by Grau & Associates			
107				
108	Mr. Torres presented the Audited Annual Financial Report for the Fiscal Year Ended			
109	September 30, 2021. There were no findings, irregularities or instances of noncompliance; it			
110	was an unmodified opinion, otherwise known as a clean audit.			
111				
112 113	SIXTH ORDER OF BUSINESS Consideration of Resolution 2022-08, Hereby Accepting the Audited Financial			

FRERC CDD	DRAFT August 24, 2022
Mr. Torres presented Resolution 202	<b>Report for the Fiscal Year Ended</b> <b>September 30, 2021</b> 22-08.
-	seconded by Mr. Lavigne, with all in favor, oting the Audited Financial Report for the 121, was adopted.
SEVENTH ORDER OF BUSINESS Mr. Torres presented Funding Requ	Update: Status of Delinquent Funding Requests est #51, for \$4,982.50, which was submitted to City
Center West Orange and dated July 28, 202	2, along with supporting documentation.
EIGHTH ORDER OF BUSINESS Mr. Torres presented the Stormwat	Ratification of Stormwater Management Needs Analysis Report er Management Needs Analysis Report submitted to
the County.	
the Stormwater Management Need	Acceptance of Unaudited Financial Statements as of July 31, 2022
Mr. Forres presented the Unaudited	Financial Statements as of July 31, 2022.
On MOTION by Mr. Lavigne and se Unaudited Financial Statements as TENTH ORDER OF BUSINESS Mr. Torres presented the April 27, 2	Approval of April 27, 2022 Regular Meeting Minutes
	Mr. Torres presented Resolution 202 On MOTION by Mr. Shadrix and s Resolution 2022-08, Hereby Accept Fiscal Year Ended September 30, 202 SEVENTH ORDER OF BUSINESS Mr. Torres presented Funding Requine Center West Orange and dated July 28, 202 EIGHTH ORDER OF BUSINESS Mr. Torres presented the Stormwate the County. On MOTION by Ms. Gutierrez and the Stormwater Management Need NINTH ORDER OF BUSINESS Mr. Torres presented the Unaudited Don MOTION by Mr. Lavigne and se Unaudited Financial Statements as

154 155		On MOTION by Mr. Lavigne and seconded by Ms. Gutierrez, with all in favor, the April 27, 2022 Regular Meeting Minutes, as presented, were approved.					
156 157		[					
158 159	ELEVE	INTH (	ORDER OF BUSINESS	Staff Reports			
160	Α.	Dist	rict Counsel: Kutak Rock LLP				
161		The	e was no report.				
162	В.	District Engineer: Terra-Max Engineering, Inc.					
163		The	e was no report.				
164	C.	Dist	rict Manager: <i>Wrathell, Hunt d</i>	ınd Associates, LLC			
165		Ι.	1 Registered Voter in Distri	ct as of April 15, 2022			
166		Н.	NEXT MEETING DATE: Sept	ember 28, 2022 at 10:00 A.M.			
167			• QUORUM CHECK				
168		The	next meeting will be on Septer	nber 28, 2022, unless cancelled.			
169							
170 171	TWEL	FTH O	RDER OF BUSINESS	Board Members' Comments/Requests			
172		Mr.	Lavigne stated he is monitor	ring recent legislation on the EB-5 Regional Center			
173	Progra	am, which will allow foreigner investors to receive a green card and be able to fund 2% of					
174	munic	cipal d	evelopment of infrastructure. I	Further details will be provided in the future.			
175							
176 177	THIRT	EENT	H ORDER OF BUSINESS	Public Comments			
178		The	e were no public comments.				
179							
180	FOUR	TEEN	TH ORDER OF BUSINESS	Adjournment			
181 182		The	e being nothing further to disc	uss. the meeting adjourned.			
183							
184 185			MOTION by Ms. Gutierrez and meeting adjourned at 10:18 a.	d seconded by Mr. Shadrix, with all in favor, m.			
186							
187							
188			ISIGNATURES APPE	AR ON THE FOLLOWING PAGE]			

189		
190		
191		
192		
193		
194	Secretary/Assistant Secretary	Chair/Vice Chair

# STAFF REPORTS

#### FRERC COMMUNITY DEVELOPMENT DISTRICT

#### BOARD OF SUPERVISORS FISCAL YEAR 2022/2023 MEETING SCHEDULE

LOCATION

City Center West Orange, 7380 West Sand Lake Road, Suite 305/395, Orlando, Florida 32819

DATE	POTENTIAL DISCUSSION/FOCUS	TIME
October 26, 2022 CANCELED	Regular Meeting	10:00 AM
November 16, 2022*	Landowners' Meeting & Regular Meeting	10:00 AM
December 21, 2022*	Regular Meeting	10:00 AM
January 25, 2023	Regular Meeting	10:00 AM
February 22, 2023	Regular Meeting	10:00 AM
March 22, 2023	Regular Meeting	10:00 AM
April 26, 2023	Regular Meeting	10:00 AM
May 24, 2023	Regular Meeting	10:00 AM
June 28, 2023	Regular Meeting	10:00 AM
July 26, 2023	Regular Meeting	10:00 AM
August 23, 2023	Regular Meeting	10:00 AM
September 27, 2023	Regular Meeting	10:00 AM

\*Exceptions

November meeting date is one week earlier to accommodate Thanksgiving Holiday December meeting date is one week earlier to accommodate Christmas Holiday