

**MINUTES OF MEETING  
EAST PARK COMMUNITY DEVELOPMENT DISTRICT**

A meeting of the East Park Community Development District was held at 5:00 P.M. on Thursday, January 10, 2013 at the offices of Leland Management, 6972 Lake Gloria Blvd., Orlando, Florida.

Present and constituting a quorum were:

Angel Colon	Chairman
Donn Rinehart	Vice Chairman
Gracila Von Blon	Assistant Secretary
Joshua Alexander	Assistant Secretary
Edwin Sharpe	Assistant Secretary

Also present were:

Gary Moyer	Manager: Moyer Management Group
Roy Van Wyk	Attorney: Hopping Green & Sams
Richard Dunn	Engineer
Brian Smith	Severn Trent Services
Christopher Anderson	Leland Management

*The following is a summary of the minutes and actions taken at the January 10, 2013 East Park Board of Supervisors meeting.*

**FIRST ORDER OF BUSINESS**

**Roll Call**

Mr. Moyer called the meeting to order at 5:00 P.M. and stated all Supervisors were in attendance.

**SECOND ORDER OF BUSINESS**

**Approval of the Minutes of the December 3, 2012 Meeting**

- Mr. Moyer stated each Board member received a copy of the minutes of the December 3, 2012 meeting and requested any corrections, additions or deletions.
- There not being any,

On MOTION by Mr. Colon seconded by Ms. Von Blon with all in favor, the minutes of the December 3, 2012 meeting were approved.
---

**THIRD ORDER OF BUSINESS**

**Consideration of Settlement Agreement  
Regarding Village Center II Foreclosure**

- Mr. Van Wyk reported the following regarding the Village Center II foreclosure:
  - The purpose of this meeting was for the Board to review and approve the Settlement Agreement, Release of Lien and consent for sweeping of the accounts.
  - As reported at the last meeting, they went all the way through the foreclosure process and the district won at the District Court of Appeals.
  - A settlement offer was provided by the bank, which the bondholders agreed to. The terms were:
    - The bank will pay \$5 million to the bondholders.
    - The Trustee will sweep all of the 2008 accounts and earmark for the completion of additional projects within VCII.
    - The parties have a sales contract in the amount of \$8 million for the parcel.
    - The District will be released from its obligations to pay the bondholders.
    - The landowner will be released from their obligation to pay the District.
    - The District and landowner will release any claim on the trust estate.
    - The District will release its lien on the properties for the 2008A/B bonds.
    - All legal fees will be paid out of the closing statement.
    - The bank will pay all taxes.
    - Each party will release the others from any liability.
    - No documents will be exchanged until the closing, once the funds are transferred.
    - The District will dismiss and vacate the judgment of foreclosure against the lands.
  - The only project left to be completed is the final lift of asphalt. Money from the Construction Account will be used.
  - The bondholders will receive \$6.2 million.
  - The foreclosure judgment was upheld. A motion is pending to reset the sale date of the property. A joint motion will be made to settle the lawsuit, vacate the judgment and have the court retain jurisdiction.

- Mr. Moyer indicated part of the Districts 2002 assessment includes the VCII properties.
- Mr. Van Wyk pointed out the releases and consents only relate to the 2008 bonds, but are still subject to the 2002 bonds.

On MOTION by Mr. Colon seconded by Mr. Rinehart with all in favor, the Settlement Agreement as proposed was approved.

- Mr. Van Wyk requested the Board’s approval of the Consent and Release of the 2008 Trust Estate. This is the waiver of the District to any claim against any monies in the Trust Estate.

On MOTION by Mr. Alexander seconded by Mr. Colon with all in favor, the Consent and Release of the 2008 Trust Estate as proposed was approved.

- Mr. Van Wyk reported when the District issued bonds, a Notice of Special Assessment against the property was recorded in the public records. Once the settlement process is complete, a Satisfaction and Release of the Special Assessment Lien will be recorded for the 2008A/B bonds.

On MOTION by Mr. Alexander seconded by Ms. Von Blon with all in favor, the Chairman was authorized to execute the Notice of Special Assessment and staff was authorized to record this document.

**FIFTH ORDER OF BUSINESS**

**District Managers Report**

**A. Financial Statements**

- Mr. Moyer reviewed the financial statements through November 30, 2012, which were included in the agenda package and reported the following:
  - The District has not collected much money for the non ad-valorem assessments as those monies are not received until mid-December.
  - On the operations side, the District was \$5,200 under budget for administrative expenses and \$20,000 under budget for field services.

**B. Check Register**

- Mr. Moyer reviewed the check register from October 1, 2012 through November 30, 2012, which was included in the agenda package.
- There were no questions or comments.

On MOTION by Mr. Colon seconded by Mr. Sharpe with all in favor the December financial statements and check registers for the period October 1, 2012 through November 30, 2012 in the amount of \$65,473.61 were approved.

**C. Engagement Letter from American Municipal Tax-Exempt Compliance Corporation [AMTEC] to Perform the Arbitrage Rebate Services for Series 2002 Bonds**

- Mr. Moyer presented an engagement Letter from AMTEC for the Series 2002 Bonds through September 30, 2015 at a fee not to exceed \$1,500 or \$500 per year. This is a slight decrease from their normal fee of \$600 per year.
- When bonds are sold; the District has to establish whether there is any liability to rebate the money to the Federal Government. If more money was received from investment earnings than was paid to bondholders, the positive arbitrage has to be rebated.

On MOTION by Mr. Colon seconded by Ms. Von Blon with all in favor the Engagement Letter with American Municipal Tax-Exempt Compliance Corporation to Perform the Arbitrage Rebate Services for Series 2002 Bonds in an amount not to exceed \$1,500 for three years was approved.

**SIXTH ORDER OF BUSINESS**

**Staff Reports**

**A. Attorney**

- There not being any, the next item followed:

**B. Engineer**

- There not being any, the next item followed.

**FOURTH ORDER OF BUSINESS**

**Review of Park and Playground Equipment Plans**

- Mr. Smith addressed the following.

- The existing tot lots will be upgraded and playground equipment will be placed on empty lots in the Lakes of East Park.
- The equipment ranges from \$10,000 to \$14,000.
- The following was addressed:
  - Mr. Sharpe provided a picture of the existing equipment showing wear and tear as well as pictures of playground equipment in other neighborhoods.
  - Mr. Alexander believes they just need to re-paint and remove scratched Plexiglas from the existing equipment.
  - Mr. Smith pointed out the equipment costing \$13,000 was slightly larger than the existing equipment, but would fit the lot.
  - Mr. Colon questioned the financial impact. *Mr. Van Wyk indicated \$5,000 to \$6,000 was outstanding to be collected from the VCII properties.*
  - Mr. Smith suggested purchasing new equipment rather than separate pieces.
  - *Discussion ensued regarding the type of mulch; ADA compliant versus rubber.*
  - *After further discussion, there was consensus from the Board for Mr. Smith to remove the slide and contact the existing manufacturer to purchase replacement parts. The purchase of new playground equipment was tabled until the settlement amount was established.*

## **SIXTH ORDER OF BUSINESS**

## **Staff Reports (Con't)**

### **C. Field Operations**

- The Dowden Road entrance irrigation and landscaping improvements were discussed:
  - Servello provided a proposal based on a drawing from the Irrigation Supervisor. The price includes irrigating both sides of Dowden Road and the median.
  - Mr. Roy provided a landscaping proposal from Servello for the entrance, which included the following:
    - Two large trees (same as the Gazebo) at the entrance
    - Green hedging shrub
    - Purple Society Garlic

- Annual flowers
- Zoyzia Grass
- Three Magnolia Trees in front of the three open columns
- Mr. Smith is meeting with Terry's Electric tomorrow regarding meters. Power will come from a transformer on Dowden Road.
- Low voltage lighting will be installed by maintenance staff.
- Mr. Moyer confirmed the funding was not included in the 2013 budget and the funds would have to be transferred from Surplus Funds. The estimated amount is \$20,000.
- Suggestions were made by the Board to connect the columns with brick and install signage.
  - Mr. Smith reminded the Board the additional items amount to \$15,000. He will check with Seminole Masonry to determine the feasibility of a brick connector, but suggested planting a type of bush, which grows to the height of the columns.
- Mr. Rinehart questioned whether they needed a Maintenance Agreement with the City for the landscape maintenance. *Mr. Smith indicated if the improvements were owned by the City of Orlando, they will see if the City will accept their design plans. If an agreement is needed, he will come back to the Board.*
- Mr. Alexander preferred to have St. Augustine Grass rather than Zoyzia Grass. *Mr. Smith will amend the landscaping proposal.*

<p>On MOTION by Mr. Colon seconded by Ms. Von Blon with all in favor the proposal from Servello for irrigation and landscaping for the Dowden Road entrance in the amount of \$17,748 was approved.</p>
---

- i. Field Maintenance Report**
- ii. Landscaping Report**
- iii. Aquatic Weed Control Report**

- Mr. Smith presented the monthly Field Maintenance, Landscaping and Aquatic Weed Control Reports.

- Mr. Christopher Anderson requested the following:
  - Replacing 13 dead Oak Trees on Moss Park Road with Magnolia Trees.
  - Removing two Magnolia Trees in the main gazebo and replacing with a different species of Magnolia.
    - *This matter will be discussed at the next meeting.*
- Mr. Sharpe addressed the following:
  - Questioned why there were submerged trees around a pond. *Mr. Smith confirmed they were submerged for erosion control purposes. They are going to install littoral plantings around the pond.*
  - Questioned why the water level was high. *Mr. Smith indicated the water level was where it was supposed to be, which was below the pipe.*

**SEVENTH ORDER OF BUSINESS**

**Other Business – Update on Easterfield Drive Connection**

- There was no update.

**EIGHTH ORDER OF BUSINESS**

**Supervisor’s Requests and Audience Comments**

- Mr. Alexander addressed the following:
  - Questioned why there are stains on the wall of the bathroom by the tennis courts. *Mr. Smith indicated they were pressure washed and stained. He will try to remove the stains.*
  - Questioned whether a trash receptacle could be relocated to the front entrance. *Mr. Smith will handle this.*
  - Questioned why lights were turned in the wrong direction. *Mr. Smith indicated kids were playing with them.*
  - Requested trimming of the hedges by the East Park sign at the entrance and reflective tape on the sign so it could be seen at night. *Mr. Smith will handle this.*

**NINTH ORDER OF BUSINESS**

**Adjournment**

- There being no further business,

On MOTION by Mr. Alexander seconded by Mr. Rinehart with all in favor, the meeting was adjourned.

---

Gary L. Moyer  
Secretary

---

Angel Colon  
Chairman