

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

The regular meeting of the East Park Community Development District was held at 5:00 P.M. on Monday, March 25, 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
Ed Bulleit	MBS Capital

The following is a summary of the minutes and actions taken at the March 25, 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 January 10, 2013 Meeting

Mr. Moyer stated each Board member received a copy of the minutes of the January 10, 2013 meeting and requested any corrections, additions or deletions.

There not being any,

On MOTION by Mr. Rinehart seconded by Mr. Colon with all in favor, the minutes of the January 10, 2013 meeting were approved.

THIRD ORDER OF BUSINESS**Review of Park and Playground Equipment Plan**

Mr. Smith reported the playground equipment by the tennis courts belongs to the City of Orlando and they approved the replacement. Some of the equipment can be paid for through the "Mayor's Neighborhood Grant Program" where they match up to \$5,000. The remainder will be paid from the budget. Hopefully new equipment will be in place before the summer.

FOURTH ORDER OF BUSINESS**Presentation by D.R. Horton Regarding Construction Update**

This item was tabled until the next meeting as D.R. Horton was not present.

Presentation by MBS Capital

Mr. Moyer introduced Mr. Ed Bulleit from MBS Capital Markets who discussed the process of refinancing the bonds. The following was noted:

- They were responsible for Narcoossee being able to reduce their annual assessment by 24%.
- At this time, there is a favorable interest rate environment.
- The CDD bonds were issued 10 years ago on raw land. In October of 2002, the District issued \$5,300,000 in special assessment non-rated bonds with a coupon rate of 6.85%.
- They become callable on May 1, 2013, with a final maturity on May 1, 2033.
- D.R. Horton accounts for 13% of the assessments. The delinquent M&I parcels accounts for 17% of the assessments.
- As Underwriter, they will accumulate credit information and perform an analysis, which is a six week process. All of their fees are on a contingent basis. An Investment Banking Agreement will be provided to the District Attorney for review.
- By refinancing, the approximate savings is in the range of 15% to 17%, which amounts to \$70,000 per year or \$1.2 million over 20 years.

A question and answer period between the Board and Mr. Bulleit ensued.

Mr. Van Wyk indicated there was no cost to have MBS put together the rating package and submit to the rating agency. The Board was required to hire Bond Counsel to handle all of the bond dealings and documents for the Underwriter.

On MOTION by Mr. Colon seconded by Mr. Rinehart with all in favor, MBS Capital Markets, LLC. was engaged to prepare and submit a Ratings Package to a Rating Agency on behalf of the District and commence the refinancing procedures and the Chairman was authorized to execute an Investment Banking Agreement with MBS, subject to District Counsel’s review.

FIFTH ORDER OF BUSINESS

Presentation by Purchaser of Village Center II Property

Mr. Van Wyk reported Lake Nona Medical Services executed the Purchase and Sale Agreement for the Village Center II property as the original buyer backed out during the due diligence period. They want to move some of the buildings so there is increased density on one pad and lower density on another. There is no change in the overall density.

The purchaser of the Village Center II property was not present.

SIXTH ORDER OF BUSINESS

District Managers Report

A. Financial Statements

Mr. Moyer reviewed the financial statements through February 28, 2013, which were included in the agenda package and reported the District collected \$387,000 of on roll assessments out of a \$418,000 levy or 93%. Last year at this time, the District collected 91%. Administrative expenses were \$20,000 under budget and field services were \$37,000 under budget. In total, they were \$57,000 under budget.

B. Check Register

Mr. Moyer reviewed the check register from December 1, 2012 through February 28, 2013, which was included in the agenda package.

There were no questions or comments.

On MOTION by Mr. Rinehart seconded by Ms. Von Blon with all in favor the February financial statements and check registers for the period December 1, 2012 through February 28, 2013 in the amount of \$461,413 were approved.

C. Discussion of Revised Fiscal Year 2013 Meeting Schedule

Mr. Colon requested Mr. Anderson at Leland Management receive a copy of the meeting schedule. He offered to let the Board know five to six weeks in advance if there was a conflict.

Mr. Sharpe questioned whether there was a November or December meeting scheduled. Mr. Moyer explained the current fiscal year ended on September 30 and a new schedule would be presented at the September meeting.

SEVENTH ORDER OF BUSINESS

Staff Reports

A. Attorney

i. Consideration of Revised Settlement Agreement with M&I Properties

Mr. Van Wyk presented the revised Settlement Agreement with M&I Regional Properties and discussed the following:

- o The new proposal is the same amount as the original purchaser.
- o M&I requested additional documentation so they do not receive an assessment for the 2008 improvements.
- o They modified the Settlement Agreement to terminate the Completion Agreement and True-Up Agreement.
- o The District will not be maintaining the landscaping.
- o The plan was scaled down from the one provided by the original purchaser. Under this agreement, the District is not obligated to complete Tracts C, D and E.
- o The Utility and Landscape Easement will be amended to limit it to what was currently in place and give them the maximum flexibility to do what they need to do to make the land developable, while preserving the District’s assets.

Mr. Moyer questioned if the District can adopt a Completion Resolution certifying the 2008 bonds as complete when all of the documents were executed. Mr. Van Wyk indicated this was not necessary because there were no assessments.

Mr. Van Wyk presented the following documents for the Board’s consideration:

- *Settlement Agreement with M&I Regional Properties*

On MOTION by Mr. Rinehart seconded by Mr. Alexander with all in favor the revised Settlement Agreement with M&I Regional Properties was approved.

- *Termination Agreement with M&I Regional Properties Regarding the True-Up and Payment of the Series 2008 A/B Assessments and Termination of the Completion Agreement.*

On MOTION by Mr. Colon seconded by Ms. Von Blon with all in favor the Termination Agreement with M&I Regional Properties Regarding the True-Up and Payment of the Series 2008 A/B Assessments and Termination of the Completion Agreement was approved.

- *Consent of Release of 2008 Trust Estate.*

On MOTION by Mr. Colon seconded by Ms. Von Blon with all in favor the Consent of Release of the 2008 Trust Estate was approved.

- *Satisfaction of Release of 2008 Special Assessment Lien.*

On MOTION by Mr. Colon seconded by Mr. Rinehart with all in favor the recording of Satisfaction of Release of the 2008 Special Assessment Lien was approved.

- *Resolution 2013-03 accepting and confirming the surrender of the Series 2008 A/B Bonds, payment of any delinquent O&M Assessments and bringing current the 2002 assessments.*

On MOTION by Mr. Rinehart seconded by Ms. Von Blon with all in favor Resolution 2013-03 accepting and confirming the surrender of the Series 2008 A/B Bonds, payment of any delinquent O&M Assessments and bringing current the 2002 assessments was adopted.

- *First Amendment to Existing Landscape Easement.*

On MOTION by Mr. Colon seconded by Mr. Sharpe with all in favor the First Amendment to the existing landscape easement was approved.

B. Engineer – Discussion Items

i. CDD Ownership of Land from DR Horton

ii. New Sign at the Proposed Entrance Connecting East Park to Dowden Road

Representatives from DR Horton were not present, but were expected to attend a future meeting.

Mr. Van Wyk questioned how close DR Horton was to platting Village Center IV.

Mr. Dunn indicated the City Commissioners approved their final plat. There were some modifications to their original plan, which includes townhomes.

C. Field Operations

i. Field Management Report

ii. Landscaping Report

Mr. Smith submitted the monthly Field Management and Landscaping Reports and reported the following:

- The mowing schedule changed from mowing every other week to every week due to weeds.
- The six to seven dead trees along Moss Park Road will be removed. A decision will be made at a later time to either replace them with Magnolias or leave the area bare.
- The Zoyzia Grass was starting to come back. It should be established once the temperatures improve.

Mr. Derek Buehler from Servello & Son addressed the following:

- Sod and irrigation will be installed on Easterfield/Dowden Road at the end of this week. Then plants will be installed. This work was anticipated to be completed in a week.
- 100 trees were damaged due to a storm over the weekend. The Crepe Myrtle will be replaced at end of this week.
- Servello sprayed the weeds today and fertilized last week. It is hard for their chemicals to adapt to the cold temperatures.
- The Board should notice a dramatic change by the end of April.

Mr. Alexander suggested a long term fix for the Zoyzia Grass during the six months of dormancy.

Mrs. Von Blon expressed concern about Servello not picking up trash. Mr. Buehler explained he was on vacation last week and did not have a chance to pick up trash or delegate this responsibility.

Mr. Sharpe questioned who was responsible for maintaining the area behind the cell towers as there was trash. Mr. Smith indicated this was City property and the business owners were responsible for picking up trash.

Ms. Von Blon requested replacement of the tennis court nets.

Mr. Smith addressed the following regarding Easterfield Drive:

- o The reclaimed water service was installed by the City’s Reclaimed Department at no charge. They did not have to wet cap the main. They are currently waiting for the electric meter. The electric needs to be inspected by the City before the meter was installed.
- o The irrigation is currently being installed. If the meter cannot be installed quickly, they can flush out the system.
- o An on-site Electrician will start wiring the entry feature lighting.
- o The artwork for the wall should arrive shortly.
- o The City of Orlando will move the railings back one section. The area from the railing to the retaining wall will be back filled.

Mr. Alexander expressed concern about runoff from the wall. Mr. Smith indicated the drainage will be modified to flow the other direction. They could also install a pipe to flow from the wall to a drain box on Dowden Road.

EIGHTH ORDER OF BUSINESS

Other Business

There not being any, the next item followed.

NINTH ORDER OF BUSINESS

Supervisor’s Requests and Audience Comments

The Board discussed staining of the bathroom walls, erosion and lack of grass around East Lake, parking concerns and missing spindles on the fishing pier.

Mr. Smith addressed the following:

- o Staff will handle the staining.
- o The area around East Lake will be graded, but not until after the next budget season. There was currently Bahia but no irrigation. They could look into an overseeding program. Mr. Buehler pointed out Bahia was costly and takes three to six months to germinate.
- o Mr. Smith will look for loose spindles on the fishing pier, but the wood was sound as it was just pressure washed and sealed.

Mr. Smith requested the Board report any repair requests to the Orlando office so a work order could be prepared.

TENTH ORDER OF BUSINESS

Adjournment

There being no further business,

On MOTION by Mr. Colon seconded by Mr. Sharpe with all in favor, the meeting was adjourned.

Gary L. Moyer
Secretary

Angel Colon
Chairman