

**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 26, 2012 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

Also present were:

Gary Moyer	Manager: Moyer Management Group
Roy Van Wyk	Attorney: Hopping Green & Sams
Richard Dunn	Engineer
Brian Smith	Severn Trent Services
Wes Cleaves	Girard Environmental

The following is a summary of the minutes and actions taken at the March 26, 2012 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 that all Supervisors were in attendance with the exception of Mr. Alexander and one vacant seat.

SECOND ORDER OF BUSINESS

Organizational Matters

A. Appointment of Supervisor to Fill Vacancy in Seat 2

Mr. Moyer addressed the following:

- When there is a vacancy on the Board, Chapter 190 provides the remaining Board members will appoint someone to fill the unexpired term. The vacancy is in Seat 2, which expires November of 2012.
- Mr. Colon indicated he sent out an email to interested parties, but did not receive any responses. He will send out another email.

B. Oath of Office

C. Election of Officers – Resolution 2012-02

- There being no nominations, these items will be placed on the next agenda.

THIRD ORDER OF BUSINESS

Approval of the Minutes of the January 23, 2012 Meeting

- Mr. Moyer stated that each Board member received a copy of the minutes of the January 23, 2012 meeting and requested any corrections, additions or deletions.
- Several changes were made to the minutes, which will be incorporated into the amended copy of the minutes.

<p>On MOTION by Mr. Rinehart seconded by Ms. Von Blon with all in favor, the minutes of the January 23, 2012 meeting were approved as amended.</p>
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FOURTH ORDER OF BUSINESS

Action Items

There not being any, the next item followed.

FIFTH ORDER OF BUSINESS

District Managers Report

A. Financial Statements

- Mr. Moyer reviewed the financial statements through February 29, 2012, which were included in the agenda package and noted the following:
 - Through February 29th, the District collected 71% of its non-ad valorem assessments. Last time this year the District collected 70%.
 - The District was under budget for administrative and field operation expenditures for the month of February and ahead of budget by \$56,667.

<p>On MOTION by Mr. Colon seconded by Mr. Rinehart with all in favor the February financial statements were approved.</p>

B. Check Register

- Mr. Moyer reviewed the check register from January 1, 2012 to February 29, 2012, which was included in the agenda package.
- There being no questions or comments,

On MOTION by Mr. Colon seconded by Ms. Von Blon with all in favor the check registers for the period January 1, 2012 to February 29, 2012 in the amount of \$284,418.11 were approved.

C. Discussion of General Election and Consideration of Resolution 2012-13 Confirming the District's Use of the Orange County Supervisor of Elections to Conduct the District's Election of Supervisors in Conjunction with the General Election

Mr. Moyer addressed the following:

- The resolution puts the Supervisor of Elections on notice that the CDD wishes to utilize their services to conduct the General Election scheduled for November 6, 2012 and lists the Supervisors and terms of offices.
- The seats up for election are Seat 2, which is vacant; Seat 3, which is held by Mr. Alexander and Seat 4, which is held by Mr. Colon. These Supervisors will need to qualify as if they were running for any public office such as City Council or Commissioner.
- Qualifying information was also provided to the Board. The qualifying period is between Noon on June 4, 2012 and Noon on June 8, 2012. Anyone interested in qualifying must go to the Supervisor of Elections office and pay a filing fee of \$25 and subscribe to a candidate's Oath of Office in order to appear on the ballot.
- If a candidate wishes to file by petition, they need to collect 25 signatures from qualified voters residing within the District and submit to the Supervisor of Elections on or before May 7, 2012.
- If another candidate runs for the same seat as a qualifying Supervisor, there will be an election. If no one runs against the qualifying Supervisor, the Supervisor is automatically elected. In some cases, the CDD did not have an election because no one qualified.

On MOTION by Mr. Colon seconded by Ms. Von Blon with all in favor Resolution 2012-03 Confirming the District's Use of the Orange County Supervisor of Elections to Conduct the District's Election of Supervisors in Conjunction with the General Election was adopted.

SXITH ORDER OF BUSINESS

Staff Reports

A. Attorney

- Mr. Van Wyk reported the following:
 - The costs incurred from the foreclosure are being compiled. The Trustee’s Attorney has no problem paying for these costs, but they have to get consent from the majority of bondholders in order to release funds from the Reserve Account.
 - Resolution 2012-04 was provided to the Board regarding the upcoming mediation as the bank owning the Village Center II parcels appealed the final order of the court. The CDD was granted the posting of the \$500,000 bond in order to proceed with the appeal. As part of the appeal, the court ordered the CDD to proceed with mediation.
 - This resolution appoints Mr. Moyer as the representative of the Board for the purpose of negotiating with the mediator, as required by Statute.

On MOTION by Mr. Colon seconded by Mr. Rinehart with all in favor Resolution 2012-04 Regarding the Upcoming Mediation with Defendant, M&I Regional Properties, LLC and the CDD Arising from an Appeal Filed by Defendant (Case Number 5D12-375); and Delegating Authority to Gary L. Moyer as District Manager to Negotiate on Behalf of the Board at Mediation was adopted.

- The foreclosure is still proceeding. There have been no changes. The CDD received their judgment. The bank is trying to get as much time as they can to try to work out a deal.
- The Interlocal Agreement for the Easterfield Drive construction has been approved by District Counsel and the City in terms of the language. Upon receipt of the final version, the agreement will be executed by the CDD Chairman and provided to the City. The City Commission was in the process of verifying a new permit was not necessary from the Water Management District.

B. Engineer

There not being any, the next item followed.

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

- Mr. Smith presented the monthly Field Maintenance, Landscaping and Aquatic Maintenance Reports, which were included in the agenda package and available for public review in the District Office during normal business hours and discussed the following:
 - Mr. Wes Cleaves, Area Manager with Girard Environmental addressed the following regarding the Board's concerns about the landscaping:
 - In March there was a transition from every other week mowing to every week. There has also been a transition in new personnel.
 - Some items brought up by the Board were not resolved.
 - Some areas on the property are Girard's responsibility.
 - Crews were out on property on Friday and two crews were out again today.
 - They have some issues with annuals. Mr. Cleaves was speaking to one nursery to find out what they can switch out their annuals with. Due to the weather, their selection of annuals was limited.
 - They are planning to do some mulch replacements shortly.
 - Their new Account Manager is Juan Rosario who has over 20 years experience in the landscape industry. He is currently on the property.
 - The park needs a couple of pallets of sod. This work will be scheduled shortly.
 - He apologized to the Board for any inconveniences and promised to get deficiencies taken care of as soon as possible. He will be back out on property over the coming weeks.
 - Mr. Smith agreed Girard responded well when there were concerns and believes there will be a quick turnaround.

- Mr. Rinehart questioned whether Girard controls the fire ant problem in public areas. *Mr. Cleaves admitted controlling the fire ants have been a problem, but it was their responsibility. They were setting ant baits.*
- Ms. Von Blon expressed concern about the trash and flowers.
- There is an erosion problem in two areas. The erosion is not just behind two or three houses, but all the way around the pond. Mr. Smith reported the cost to repair is \$8 to \$10 per linear foot. They can start with 1,000 feet behind the homes, but this depends on whether or not the Board wants to spend the money or see if the City was responsible. The City owns the pond, but the CDD maintains it. A littoral shelf can be planted once the erosion is repaired.
 - Mr. Moyer recommended holding off on this project for two to three months until all of the non-ad valorem assessments were collected.
 - Mr. Van Wyk questioned whether the CDD maintenance was landscape or pond maintenance and whether this should be a line item in the budget.
 - Mr. Smith believed there was an agreement with the City for landscape maintenance. There was no stormwater maintenance.
 - Mr. Moyer agreed this expenditure should be included in the budget. However, the CDD was \$56,000 under budget and if they continue to be under budget, he was comfortable doing a budget amendment to do the work in this fiscal year.
 - Mr. Colon recalled discussion at a previous meeting about the pond being the responsibility of the CDD.
 - *Mr. Smith will review the agreement with the City and get an estimate on the amount of the repair for budgeting purposes.*
- The swing set arrived on Friday and will be installed the first part of next week.
- All benches and trash cans behind the lake were pressure washed and the remainder of the community will now be pressure washed. Then staff will seal and paint.

- The cost for the doggie pots is \$250 each and another \$50 per month for bags, depending on the usage. Girard can handle the cleanup of the doggie pots or janitorial staff. This expenditure was within budget.
 - *There was consensus from the Board to purchase the doggie pots.*
- Ms. Von Blon pointed out the bridge was dirty. Mr. Smith indicated the bridge was being pressure washed along with the fence railings and columns. The pressure washing should be completed in the next few weeks.

SEVENTH ORDER OF BUSINESS

Other Business – Update on Easterfield Drive

This item was discussed above.

EIGHTH ORDER OF BUSINESS

Supervisor’s Requests and Audience Comments

- Mr. Van Wyk requested the Board authorize compensation for Mr. Moyer to meet with the Attorney for depositions and other matters at his normal hourly rate.

On MOTION by Mr. Colon seconded by Mr. Rinehart with all in favor Mr. Moyer was authorized to be compensated for his time at his normal hourly rate to handle the foreclosure matter.

- Mr. Moyer thanked the Board for providing this compensation.

NINTH ORDER OF BUSINESS

Adjournment

There being no further business,

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

Gary L. Moyer
Secretary

Angel Colon
Chairman