Agenda Page 1

Oak Creek Community Development District

Board of Supervisors

- □ David Gerald, Chairman
- □ Sam Watson, Vice Chairman
- □ Ryan Gilbertsen, Assistant Secretary
- □ Adam Silva, Assistant Secretary
- □ Lisa Vaile, Assistant Secretary

- □ Mark Vega, District Manager
- □ Lindsay Whelan, District Counsel
- □ Robert Dvorak, District Engineer

Meeting Agenda February 8, 2021 – 6:00 P.M.

- 1. Roll Call
- 2. Presentations for New District Counsel Representative......Page 2
- **3.** Public Comments (3) minute time limit
- 4. Acceptance of District Counsel Resignation......Page 30
- 5. Motion for New District Counsel Representation
- 6. Adjournment

Next Meeting March 8, 2021

District Office: 2654 Cypress Ridge Road, Suite 101 Wesley Chapel, FL 33544 Meeting Location: Inframark Office 2654 Cypress Ridge Road, Suite 101 Wesley Chapel, FL 33544

www.oakcreekcdd.org



PERSSON, COHEN & MOONEY, P.A.

ATTORNEYS AND COUNSELORS AT LAW

David P. Persson** Andrew H. Cohen Kelly M. Fernandez* Maggie D. Mooney* R. David Jackson* Regina A. Kardash* Lori M. Dorman * Board Certified City, County and Local Government Law ** Of Counsel

Telephone (941) 306-4730 Facsimile (941) 306-4832 Email: djackson@swflgovlaw.com

Reply to: Lakewood Ranch

January 27, 2021

VIA E-MAIL

Oak Creek Community Development District c/o Mark Vega, District Manager Inframark Infrastructure Management Services 2654 Cypress Ridge Boulevard, Suite 101 Wesley Chapel, Florida 33544 mark.vega@inframark.com

Re: Oak Creek Community Development District

Dear Mark:

On behalf of the law firm of Persson, Cohen & Mooney, P.A., please allow this correspondence to serve as our proposal to provide District Attorney services for the Oak Creek Community Development District. Our firm and I appreciate the opportunity of being considered for the position.

Persson, Cohen & Mooney, P.A. currently represents thirty (30) community development districts ("CDDs") across southwest Florida, with our primary focus on resident-controlled districts. In addition, our firm serves as counsel to several other local governmental entities and special districts including Holiday Park Recreation District, Tri-Par Estates Park and Recreation District and various fire districts. Further, Ms. Fernandez is the City Attorney for the City of Venice and Ms. Mooney is

Lakewood Ranch 6853 Energy Court Lakewood Ranch, Florida 34240 Venice 236 Pedro Street Venice, Florida 34285 the Town Attorney for the Town of Longboat Key, while Ms. Kardash is the Town Attorney for the Towns of Indian Shores and Belleair Shore.

I have been practicing law for over twenty years and have been an attorney with the firm for over seven years. During that time, I, and the other members of the firm, have represented numerous local government clients throughout the southwest Florida region. In fact, most of our firm's attorneys have been practicing local government law for well over ten years. We currently have six attorneys working full-time for our firm while Mr. Persson is semi-retired, but maintains an "Of Counsel" affiliation with the firm. In addition, Persson, Cohen & Mooney, P.A., has two legal assistants, one working in each office.

As noted in our firm's letterhead, I am Board Certified by the Florida Bar in City, County and Local Government Law as are Ms. Mooney, Ms. Fernandez, and Ms. Kardash. Currently, approximately ninety-five percent (95%) of my personal practice is dedicated to local government work for the firm's community development district, municipal, fire district, and other special district clients. My legal practice, along with the practices of my colleagues, all concentrate on the areas related to the potential representation of the Oak Creek Community Development District including, but not limited to, attending Board meetings, preparing and reviewing contracts and other legal documents, providing legal opinions, research, and handling matters related to public records and the Sunshine Law. In addition, my partner, Mr. Cohen, has performed numerous bond validations and represented multiple CDDs in the issuance and refinancing of bonds as well as the implementation and revisions to assessments for both bond debt and operations and maintenance.

If given the opportunity to represent the District, I would serve as primary counsel and Mr. Cohen would serve as my primary back-up. Both Mr. Cohen and I work out of our firm's Lakewood Ranch office. I would respectfully submit that my relatively close proximity to the District as well as our firm's background in representing community development districts and other local government entities would be an asset and benefit to our representation of Oak Creek Community Development District. In addition, as you will see on my enclosed résumé, my undergraduate degree is from the University of Florida in Civil Engineering and I have prior work experience in the Office of General Counsel with the Southwest Florida Water Management District, a combination which I believe to often be beneficial to our community development district clients in working with their District Engineer and handling many of their issues.

Our firm would propose to provide services to the District on an hourly basis. As shown in the requested Rate/Fee Sheet, our firm's rate of compensation for all hourly work that we would perform including, but not limited to, contract review, research, consulting and attendance at meetings is currently \$285.00 per hour for attorney time (applicable to all attorneys in our firm). We do not bill clients for incidental costs. Bond related transactions would typically be billed on a flat rate.

I have included résumés of Mr. Cohen, Ms. Mooney, Ms. Fernandez, Ms. Kardash, and myself. Also, a list of the firm's community development district clients has been provided, along with a list of other local governments Persson, Cohen & Mooney, P.A., currently represents. In addition, a representative sample of references with contact information has also been provided.

Persson, Cohen & Mooney, P.A., would like to thank you and the Board for your consideration of our firm's proposal. We look forward to the opportunity to discuss our potential representation of the Oak Creek Community Development District further and to answer any additional questions you may have at the Board of Supervisors meeting on February 8.

Sincerely,

PERSSON, COHEN & MOONEY, P.A.

Roy David Jack ng

R. David Jackson

RDJ/ag Enclosures

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PERSSON, COHEN & MOONEY, P.A.			
ATTORNEYS AND COUNSELORS AT LAW			

R. DAVID JACKSON 6853 Energy Court, Lakewood Ranch, Florida 34240 Tel: (941) 244-5351 E-Mail: djackson@swflgovlaw.com

Practice areas include: Governmental Law, Special Districts and Environmental Law

Education: Stetson University College of Law Gulfport, Florida Juris Doctorate, 1999

> University of Florida Gainesville, Florida B.S. Civil Engineering, 1994

Qualifications:

- Board Certified in City, County and Local Government Law
 - Over 20 years of legal practice
 - Representation of public and private clients on a variety of issues including, but not limited to, civil and administrative proceedings
 - Lecturer on Florida's Public Records and Sunshine Laws
 - Formerly served as Assistant General Counsel to the Southwest Florida Water Management District

Affiliations:Florida Bar AssociationUnited States Patent and Trademark Office, registered AttorneyChair - Leadership Manatee Board of GovernorsMember, Executive Board of Directors - Braden River Soccer Club and
the United Soccer Association

PERSSON, COHEN & MOONEY, P.A. ATTORNEYS AND COUNSELORS AT LAW				
	Practice areas include: Governmental Law, Special Districts and Community Association collections			
Education:	University of Florida College of Law Gainesville, Florida Juris Doctorate, 1996			
	New College (Honors College for the State University System) Sarasota, Florida B.A. Political Science, 1993			
Qualifications:	 Over 24 years of legal practice Representation of multiple special districts across Southwest Florida Representation of numerous community associations in the collection of past-due assessments Lecturer on community association collections and Florida's Public Records, Ethics and Sunshine laws 			
Affiliations:	 Florida Bar Association; Sarasota County Bar Association Trustee of the Hershorin Schiff Community Day School Board of Trustees 			
Awards:	Evan J. Yegelwel Book Award in Environmental Law, Spring 1996			

bbbb				
PERSSON, COHEN & MOONEY, P.A. Attorneys and counselors at law				
685	MAGGIE D. MOONEY 3 Energy Court, Lakewood Ranch, Florida 34240 Tel: (941) 306-4730 Fax: (941) 306-4832 E-Mail: mmooney@swflgovlaw.com			
	Practice areas include: Local Government and Special Districts, Zoning and Land Use Law			
Education:	University of Florida College of Law, Gainesville, Florida J.D. and Certificate in Environmental & Land Use, 2001			
	Florida State University, Tallahassee, Florida, B.S. in Communications, Cum Laude, 1997			
Qualifications:	 Board Certified in City, County and Local Government Law Represented private and government clients before all courts in Florida, including Florida federal district Courts Lecturer on Florida's Public Records and Sunshine Laws, Ethics Laws, Public Procurement, the Legislative Process, Special Districts, Intergovernmental Relations and Conflict 			
Affiliations:	The Florida Bar, May 2001 - present Florida Bar City, County and Local Government Section, Executive Council Board Member (2011-2014) Manatee and Sarasota County Bar Associations Sarasota County Bar Association's Local & State Government Section			
Awards:	Biz941 Magazine's "Top 25 People to Watch" (2009) Government/Cities/Municipalities by Super Lawyers Magazine (2011-2015) "AV" Rated by Martindale Hubbell			



PERSSON, COHEN & MOONEY, P.A.

ATTORNEYS AND COUNSELORS AT LAW

	KELLY M. FERNANDEZ 236 Pedro St., Venice, FL 34285 Tel: (941) 306-4730 Fax: (941) 306-4832 E-Mail: kfernandez@swflgovlaw.com
	Practice areas include: Governmental Law, Zoning and Land Use, and Community Association Law
Education:	University of Florida College of Law, Gainesville, Florida J.D., with honors, May 2003
	University of Florida, Gainesville, Florida B.S. in Wildlife Ecology and Conservation, May 2000 Minors in Zoology and Agriculture & Natural Resources Ethics & Policy
Qualifications:	 Board Certified in City, County and Local Government Law Represents governmental entities, community development districts and community associations in Southwest Florida Handles litigation within the administrative and state courts Previously represented the Florida Department of Community Affairs in growth management and emergency management matters Lectures on various local government issues
Affiliations:	The Florida Bar, October 2003 – present Florida Bar City, County, and Local Government Section Florida Bar Environmental and Land Use Law Section Executive Council, 2006-2012 Sarasota County Bar Association Junior League of Sarasota Impact100 SRQ Leadership Sarasota Class of 2018
Awards:	Florida Bar Environmental and Land Use Law Section's Judy Florence Memorial Outstanding Service Award, 2006

PERSSON, COHEN & MOONEY, P.A.				
	REGINA ANN KARDASH 6853 Energy Court Tel: (941) 306-4730 Fax: (941) 306-4832 E-Mail: rkardash@swflgovlaw.com			
	Practice areas include: Government Law and Land Use			
Education:	Stetson University College of Law International Law Focus Gulfport, Florida Juris Doctorate, 2007			
Qualifications:	Florida Southern College Humanities, concentrations in Art History and Theology Lakeland, Florida, Bachelor of Arts Cum Laude, 2002			
Quanneations.	 Board Attorney, Homeless Leadership Alliance of Pinellas Special Magistrate, City of Palmetto Town Attorney, Indian Shores and Belleair Shore Board Certified in City, County and Local Government Law 			
Affiliations:	The Florida Bar, 2009 – present Federal Middle District of Florida, 2010 – present St. Petersburg Bar Association, 2008 – present Clearwater Bar Association, 2014 – present Florida Association of Women Lawyers, 2010 – present Past President – Pinellas Chapter Statewide – Legislative Affairs Director 2019-2020			
Awards:	2013 Leaders in the Law Award Recipient Sixth Judicial Circuit Pro Bono Recognition, Honorable Mention, 2015 & 2016			

Community Development Districts

- Aqua One Community Development District Bradenton, Florida
- Bobcat Trail Community Development District North Port, Florida
- Buckhead Trails Community Development District Palmetto, Florida
- Cone Ranch Community Development District Parrish, Florida
- Copperstone Community Development District Parrish, Florida
- Covington Park Community Development District Apollo Beach, Florida
- Cross Creek Community Development District Bradenton, Florida
- Cypress Creek of Hillsborough County Community Development District Ruskin, Florida
- Greyhawk Landing Community Development District Bradenton, Florida
- Heritage Lake Park Community Development District Port Charlotte, Florida

Heritage Harbour South Community Development District Bradenton, Florida

- Heritage Isles Community Development District Tampa, Florida
- Heritage Oak Park Community Development District Port Charlotte, Florida
- Highlands Community Development District Wimauma, Florida
- K-Bar Ranch II Community Development District Tampa, Florida

- Laguna Lakes Community Development District Ft. Myers, Florida
- Lake St. Charles Community Development District Riverview, Florida
- Lakewood Ranch Community Development District 2 Lakewood Ranch, Florida
- Lakewood Ranch Community Development District 4 Lakewood Ranch, Florida
- Lakewood Ranch Community Development District 5 Lakewood Ranch, Florida
- Lakewood Ranch Community Development District 6 Lakewood Ranch, Florida
- Legends Bay Community Development District Manatee County, Florida
- Lexington Community Development District Parrish, Florida
- Mandarin Grove Community Development District Palmetto, Florida
- Meadow Pointe II Community Development District Wesley Chapel, Florida
- Stoneybrook at Venice Community Development District Venice, Florida
- University Place Community Development District Bradenton, Florida
- Venetian Community Development District Venice, Florida
- Waterlefe Community Development District Bradenton, Florida
- Wildcat Preserve Community Development District Parrish, Florida

Fire Districts

Bonita Springs Fire Control & Rescue District Lee County, Florida

Cedar Hammock Fire Control District Manatee County, Florida

East Manatee Fire Rescue District Manatee County, Florida

Lealman Fire District Pinellas County, Florida

Manatee County Fire Chief Association Manatee County, Florida

Myakka City Fire Control District Manatee County, Florida

North River Fire District Manatee County, Florida

Parrish Fire Rescue District Manatee County, Florida

Southern Manatee Fire District Manatee County, Florida

Trailer Estates Fire Control District Manatee County, Florida

West Manatee Fire Rescue District Manatee County, Florida

Other Special Districts

Holiday Park - Park and Recreation District Sarasota County, Florida

Lehigh Acres Municipal Services Improvement District Lee County, Florida

Tri-Par Estates Park & Recreation District Sarasota, Florida

Westchester Special Dependent District Hillsborough County, Florida

Firm Municipal Clients

Town Attorney for Belleair Shore Pinellas County, Florida

Town Attorney for Town of Longboat Key Manatee/Sarasota County, Florida

City Attorney for City of Venice Sarasota County, Florida

Town Attorney for Town of Indian Shores Pinellas County, Florida

Special Magistrate for City of Bradenton Manatee County, Florida

Special Counsel for City of North Port Sarasota County, Florida

Special Magistrate for City of Palmetto Manatee County, Florida

Board Counsel for City of Punta Gorda Building and Code Enforcement Boards Charlotte County, Florida

Board Attorney for City of Sarasota Nuisance Abatement Board Sarasota County, Florida

<u>Other</u>

Pinellas County Homeless Leadership Board Pinellas County, Florida

References

- Edward F. Lavallee, City Manager City of Venice
 401 West Venice Avenue
 Venice, Florida 34285

 (941) 882-7398
 elavallee@venicegov.com
- Anne Ross, Executive Director Lakewood Ranch Community Development Districts 8175 Lakewood Ranch Boulevard Bradenton, Florida 34202 (941) 907-0202 anne.ross@lwrtownhall.com
- Jeffrey S. Hoyle, Fire Chief Cedar Hammock Fire Control District 5200 26th Street West Bradenton, FL 34207 (941) 727-2070 jhoyle@chfr.org

Rate/Fee Sheet

Persson, Cohen & Mooney, P.A.	
All Attorneys	\$285.00/hour
Includes all legal work (legal representation, contrac at meetings, etc.) except for work regarding bond-re	, , ,
Bond-Related Transactions	Flat Rate
Incidental Costs (copies, basic postage, etc.)	No Charge



Sender's Email:aulaino@gbmmlaw.com

January 13, 2021

Oak Creek Community Development District 210 N. University Drive, Suite 702 Coral Springs, FL 33071 Attn: David Gerald

Re: Proposal for Engagement as Counsel

Dear Members of the Board of Supervisors:

Thank you very much for considering the law firm of Gardner, Brewer, Martinez-Monfort, P.A. ("GBMM") to represent the Oak Creek Community Development District (the "CDD") in the capacity as general counsel. We appreciate the opportunity to present this proposal for general counsel services.

Our firm has many years of experience representing community associations and community development districts – including Cheval West CDD and Arbor Greene CDD. We pride ourselves on our client service and ability to be available to our clients. To that end, we approach new representations thoughtfully with the intent of never letting quantity of clients impact our quality of service. We provide this proposal because we are confident we can provide Oak Creek CDD with top tier representation.

Our community association team is comprised of the following individuals:

J. Stephen Gardner, Esq. – Mr. Gardner is the senior partner at Gardner Brewer Martinez-Monfort, P.A. and has been involved in community association law for over 40 years. He has been practicing in Tampa since the early 1970s, principally in the area of real estate and community association law. He has formed and drafted documentation for many subdivisions, condominiums, CDDs and other real estate developments. He has also represented community associations and CDDs for many years, including Cheval West CDD which Mr. Gardner helped form and has represented since. He has been AV rated for over 30 years by Martindale Hubbell legal rating service and has been selected as one of *Florida Trend* magazine's Legal Elite and Super Lawyer in Florida.

Amanda M. Uliano, Esq. – Ms. Uliano has worked with the GBMM Community Association Team since 2013 and has taken on primary representation of many of our community association clients, including Arbor Greene CDD. A graduate of the George Washington University and Duke

University School of Law, Ms. Uliano has a background in complex commercial litigation and has assisted our association clients on various litigation matters as well as general counseling.

Deva Arthur, FRP - Ms. Arthur has worked in the legal field for over 30 years. She graduated from Seton Hall University and received her degree in paralegal studies from Keiser College. She has been working with community associations at our firm since 2008 and has a wonderful working relationship with the managers and board representatives.

Gwen Lisboa, FRP – Ms. Lisboa has worked with Steve Gardner as his paralegal for over 35 years. She has acquired a significant knowledge of the law, in general, and those statutes affecting community development districts and community associations, in particular. She is an excellent document drafter and has been deeply involved in the preparation of numerous declarations, amendments, contracts, rules and regulations, etc.

Our firm also consists of additional lawyers versed in land use, corporate matters and litigation that allows us to provide our clients with full service representation. For our CDD clients, we are able to attend meetings as needed, negotiate relationships with vendors and neighborhood associations, review and draft all required notices, contracts, records and the like. We would welcome the opportunity to discuss our qualifications and services in more detail with you.

If retained as counsel, our legal services will be performed at normal hourly rates for attorneys, which currently are in the range of \$325 - \$400 and paralegals currently range \$185 - \$200. All hourly rates are subject to change from time to time generally at the beginning of each year. Our fees for the services to be rendered will be based upon the time spent by our attorneys and paralegal assistants and multiplied by our standard fee rates in effect at the time the services are performed. We are mindful of the costs of legal services and understand that every client wishes to avoid unnecessary expense. Accordingly, we will seek at all times to represent you efficiently and effectively. Whenever practicable, we will have the attorney or paralegal with the lowest hourly rate, but who is best qualified to handle your matter, perform the work required.

The CDD would also be responsible for all costs that we incur in the course of our representation, including, for example, copying, postage, courier services, filing fees and other out-of-pocket expenditures. We will send a monthly invoice detailing our fees and cost disbursements, and unless written arrangements have been made to the contrary, each invoice will be payable upon receipt. Unless additional detail is requested, our invoices will reflect the date services are performed and a brief description of those services. If payment is not received within 30 days from the date of the invoice, interest at the rate of 1% per month shall accrue on the unpaid balance.

Although we do not wish to be overly formal in our relationship with you, we have found it a helpful practice to confirm with our clients the nature and terms of our representation. If you find these proposed arrangements satisfactory, please sign a copy of this letter and return it to us.



David Gerald January 27, 2021 Page 3

Upon our receipt of the signed copy of this letter we will begin work for you. Conversely, if you have any questions or comments concerning any aspect of this letter, please let me know. We are grateful for your having reached out to use, would enjoy the opportunity to work with you and we know that you would be very pleased with our representation of you.

Very truly yours,

/S/ J. Stephen Gardner

/s/ Amanda M. Uliano

J. Stephen Gardner

Amanda M. Uliano

ACCEPTED AND AGREED TO BY:

OAK CREEK COMMUNITY DEVELOPMENT DISTRICT

By: Name: ______ Its:

Date: _____





Erin McCormick

January 28, 2021

Oak Creek Community Development District c/o Mr. Mark Vega, District Manager

Re: Request for Letters of Interest – Legal Counsel Oak Creek Community Development District

Dear Mr.Vega:

In response to the Request for Proposals for District Counsel, please accept this letter of interest and accompanying information, to be provided to the Oak Creek Community Development District Board of Supervisors.

I have represented community development districts as District Counsel for the past 28 years. My experience includes the establishment of community development districts (CDDs), serving as issuer's counsel for bond financing/refinancing of CDD infrastructure and facilities, the merger of existing community development districts, and all aspects of representing CDDs as District Counsel. Much of my current work is with CDDs which have Boards comprised of residents. I also have substantial experience in land use, zoning, and related real estate matters, as well as public contracting, and government law areas.

To give you some background, I began my legal career in 1992, as an attorney with the statewide law firm, Fowler White, Gillen, Boggs & Banker, and worked with that firm for 24 years (Fowler White merged with Buchanan Ingersoll & Rooney in 2014). In January 2016, I left Buchanan Ingersoll, and established my law office, Erin McCormick Law, PA.

Establishing my own law office in 2016 gave me the opportunity to concentrate my practice on the representation of a select group of CDD clients, with the goal of providing highly responsive, focused, and excellent service. Opening my office enabled me to limit the number of clients I represent and take on engagements where there is a strong fit with the expertise and services I can provide after decades of special district representation. I have represented most of my clients for many years. For example, I began representing one of the largest community development districts in Hillsborough County, the Westchase Community Development District, as a young lawyer in 1992, and I continue to serve as its District Counsel.

After discussing the Request for Proposals with your District Manager and conducting my own research about the Oak Creek CDD, I am enthusiastic about this opportunity to respond

Oak Creek CDD January 28, 2021 Page 2

sector different in Poly

to your Request with this letter of interest. I am enclosing for your information a resume with my relevant experience and background, and a list of the CDDs I currently represent. The current hourly billable rate I would propose for this representation is \$360.00 per hour.

I hope to have the opportunity to meet with you as a Board, and I look forward to answering any questions you have.

Very truly yours,

Chin Mc Connick

Erin R. McCormick



Erin McCormick, Esq.

Erin McCormick

Attorney/President at Erin McCormick Law, PA

Representative Experience:

Special district representation, including community development districts, community redevelopment agency and aviation authority; handling matters including infrastructure financing and construction, real property transactions, development and land use permitting, management and operation, Sunshine laws, interlocal agreements, and contracting

Real estate due diligence, land use, zoning and environmental matters, government permitting, negotiations with state and local governments and third parties

Professional and Community Leadership Experience:

Past and current leadership positions with the Hillsborough County Environmental and Land Use Section (Past Chair), Builders Association of Greater Tampa (Past Chair of Governmental Affairs, Urban Land Institute (Current Member), Commercial Real Estate Women (Current Member); Florida Bar Journal (Past Executive Editor), United Way Women's Leadership Steering Committee (Past Chair), Hillsborough Association of Women Lawyers (Past Board Member), Bay Area Volunteer Lawyer's Program and Attorney Ad Litem (Current)

Work Experience:

Attorney and President at Erin McCormick Law, PA: January 2016 – Present

Shareholder at Buchanan Ingersoll Rooney PC (merged with Fowler White Boggs): 2014 – January 2016

Work Experience (cont.)

Shareholder at Fowler White Boggs PA: March 1992 – 2014

Education:

University of Florida – Frederic G. Levin College of Law

Juris Doctorate, with Honors, 1989-1991

University of Virginia

College of Arts & Sciences, Bachelor of Arts, American Government, 1983-1987

3314 Henderson Boulevard | Suite 103 | Tampa, FL 33609

o: 813.579.2653 | erin@emccormicklaw.com | f: 813.315.6333



Erin McCormick

Erin R. McCormick: Experience Representing Community Development Districts and other Florida Special Districts

Since 1992, I have represented community development districts (CDDs) and other special districts in the State of Florida. With respect to the structural composition of CDDs, I have served as legal advisor in the process of establishing CDDs (both at the local government level, and for larger CDDs, at the State level, through the Florida Land and Water Adjudicatory Commission); expanding and contracting the boundaries of CDDs; dissolving/terminating a CDD; and merging multiple CDD entities into a single CDD.

With respect to the initial organization and governance of CDDs, upon establishment by the developing landowners of a project, I have acted as District Counsel for the issuance of dozens of CDD bond financings. Further, as District Counsel, I have provided advice and guidance in the wide array of issues impacting CDD governing Boards, such as competitive contracting requirements, election and governance issues, Sunshine Law and public records requirements, rulemaking, interlocal agreements with other CDDs and with the general purpose government, contracting with maintenance and other service providers, and numerous other matters that arise as CDDs exercise their statutorily-granted powers and authority.

I have also had the privilege to continue representing multiple CDDs as they transition from landowner-elected Boards of Supervisors ("Boards") to Boards which are elected by the qualified electors residing within the CDD. I have represented one such CDD from its initial organization to its status as one of Hillsborough County's largest CDDs, for over twenty-eight years.

Attached is a list of the current CDDs that I represent, as well as a sample list of some of the CDDs I have represented over the past twenty-eight years.



<u>Current Community Development Districts and Other Special</u> Districts Represented

- Westchase Community Development District, Hillsborough County (merged with Westchase East Community Development District)
- Eastlake Oaks Community Development District
- Fishhawk Community Development District IV, Hillsborough County
- Waterset North Community Development District, Hillsborough County
- Waterset Central Community Development District. Hillsborough County
- Sebring Airport Authority, Highlands County
- Sebring Regional Airport and Industrial Park Community Redevelopment Agency, Highlands County

-Attorneys at Law-

1510 W. Cleveland St. Tampa, Florida 33606 Tel: (813) 223-9400 Writer's Direct Dial: (813) 321-4107 Writer's E-mail: <u>vbabbar@srvlegal.com</u> Website: <u>www.srvlegal.com</u>

January 27, 2021

Via Email

Oak Creek Community Development District c/o Inframark Attn: Mark Vega, District Manager <u>Mark.Vega@inframark.com</u>

Dear Mark:

Our law firm is pleased to have this opportunity to submit a proposal to serve as District Counsel for the Oak Creek Community Development District. Our law firm's practice is focused on the representation of Community Development Districts. We currently represent over 100 CDDs located throughout west central Florida, and are intimately familiar with all phases of CDD operations, from formation, through the issuance of bonds and construction of capital infrastructure, the transition from developer to resident control upon build out of the community, the ongoing representation of resident-controlled districts, and guiding numerous CDDs during bond refundings to achieve savings for the residents.

We are enclosing biographical information about the firm's lawyers which touch upon our qualifications, which is also available on our firm's website at <u>www.srvlegal.com</u>. Our firm currently has five lawyers, one Registered Florida Bar paralegal, and one legal assistant.

With respect to legal fees and costs, we understand that the Board expects District Counsel to provide legal services in a cost effective and efficient manner. Because of the firm's extensive experience with CDDs and our familiarity with the various issues facing CDDs, we believe we can provide legal services efficiently and in a cost-effective manner. We are also enclosing our firm's current rate sheet reflecting the firm's hourly rates for services.

On behalf of the firm, we appreciate this opportunity to submit a proposal to serve as the Oak Creek CDD's District Counsel, in which we are proposing that I will serve as lead counsel, and look forward to meeting with you and the Board of Supervisors in the future.

Sincerely,

Vívek K. Babbar

Vivek K. Babbar Board Certified in City, County and Local Government Law

Encls.

VIVEK K. BABBAR

Experience:

Vivek K. Babbar is a shareholder with *Straley Robin Vericker*, and has practiced with the firm since 2014. Vivek is Board Certified in City, County and Local Government Law. Vivek serves as lead counsel to numerous community development districts represented by the firm, and has experience in the formation and operation of special districts, construction of public infrastructure, issuance of tax exempt bonds, government contracts, public records law, sunshine law, statutory requirements governing the conduct of public officers, elections laws, competitive bidding, and other aspects of local government law. Vivek has also appeared before various local government boards with respect to CDD issues.

Background:

Vivek is a member of the Hillsborough County Bar Association, the Florida Bar, the Environmental and Land Use Law Section of the Florida Bar, the City, County and Local Government Law Section of the Florida Bar, and the Real Property Probate and Trust Law Section of the Florida Bar. During law school, Vivek externed with the National Oceanic and Atmospheric Administration Office of General Counsel in St. Petersburg, Florida.

[Admitted to the Florida Bar in October 2013]

- University of Florida B.A. in Anthropology (2010)
- University of Florida Levin College of Law, J.D. cum laude (2013)

MARK K. STRALEY

Experience:

Mark K. Straley has practiced law in Tampa, Florida since 1976, and is a shareholder in the law firm, *Straley Robin Vericker* (established 2004). For the past 20 years, Mark has focused his practice on the representation of community development districts (CDDs). He has written and lectured extensively on community development districts and enjoys a statewide reputation with respect to CDDs. Mark is *AV Rated*, the highest rating awarded by the *Martindale-Hubbell* law directory. As one of the first CDD lawyers in Florida, Mark has many years of experience in all facets of special district and local government law, including the formation and operation of CDDs, construction of public infrastructure, issuance of tax exempt bonds, contracts and competitive bidding requirements, sunshine law, public records law, and real property law. In addition to his legal training, Mark also holds a masters degree in public administration. His graduate work focused on public finance, budgeting and the administration of local governments, including special districts.

Background:

Mark is a member of the Hillsborough County Bar Association and The Florida Bar; he is also admitted to practice in the *United States District Court for the Middle District of Florida*, and the *United States Eleventh Circuit Court of Appeals*. Prior to forming his own firm, he was a partner in the statewide law firm, *Akerman Senterfitt* (1991-2004), and also practiced with the *Bush Ross* law firm (1981-1990) and *Holland & Knight* (1976-1980).

[Admitted to the Florida Bar in December 1976]

- Kenyon College, A.B. *cum laude* with high honors in Political Science (1971)
- Wayne State University, M.P.A. (1973)
- University of Michigan Law School, J.D. cum laude (1976)

TRACY J. ROBIN

Experience:

Tracy J. Robin is a native of Tampa, Florida, and a shareholder in the law firm, *Straley Robin Vericker* (established 2004). He is *AV Rated*, the highest rating awarded by the *Martindale-Hubbell* law directory, and focuses his practice in real property, land use, and local government law. Tracy serves as lead counsel to numerous community development districts represented by the firm, and has extensive experience with the formation and operation of special districts, construction of public infrastructure, issuance of tax exempt bonds, contracts, public records law, sunshine law, statutory requirements governing the conduct of public officers, competitive bidding, and other aspects of local government law. Since 1991, he has served as General Counsel to the Hillsborough County City-County Planning Commission, an independent land planning agency created by the Florida legislature to provide comprehensive planning services for unincorporated Hillsborough County, and its three municipalities, the City of Tampa, the City of Temple Terrace, and Plant City, Florida. Tracy also has extensive experience in the area of real property law, which includes commercial real estate transactions, institutional mortgage lending, title insurance, workouts and foreclosure, landlord tenant law, and land use.

Background:

Tracy is a member of the Hillsborough County Bar Association and The Florida Bar; he is also admitted to practice in the *United States District Court for the Middle District of Florida*, and the *United States Eleventh Circuit Court of Appeals*. Prior to forming his own firm, he was a partner in the statewide firm, *Akerman Senterfitt* (1991-2004), and practiced with *Moffitt, Hart & Herron* (1989-1990). Before attending law school, he had a career in the title insurance industry (1975-1986), and served as the Branch Manager for the Tampa office of Lawyers Title Insurance Corporation.

[Admitted to the Florida Bar in April 1989]

- Mercer University, B.A. (Economics & History, 1975)
- Shepard Broad Law Center, Nova Southeastern University, J.D. (1989)

JOHN M. VERICKER

Experience:

John M. Vericker is a shareholder with *Straley Robin Vericker*, and has practiced with the firm since 2005. John is Board Certified in City, County and Local Government Law and he is *AV Rated*, the highest rating awarded by the Martindale-Hubbell law directory. His practice focuses primarily in local government, real property, and land use law. John serves as lead counsel to numerous community development districts represented by the firm, and has significant experience in the formation and operation of special districts, construction of public infrastructure, issuance of tax exempt bonds, government contracts, public records law, sunshine law, statutory requirements governing the conduct of public officers, elections laws, competitive bidding, and other aspects of local government law. John has also appeared in court and before various local government boards with respect to CDD issues. John also represents clients in commercial real estate transactions and foreclosure litigation.

Background:

John is a member of the Hillsborough County Bar Association, the Florida Bar Association, the Environmental and Land Use Law Section of the Florida Bar, the City, County and Local Government Law Section of the Florida Bar, and the Real Property Probate and Trust Law Section of the Florida Bar. He is also admitted to practice in the *United States District Court for the Middle District of Florida*. In May of 2009, John graduated from the Hillsborough County Bar Association Leadership Institute, and he served on the Hillsborough County Bar Association Leadership Institute Executive Committee from 2010-2011. During law school, John served as a law clerk with the Pinellas County Attorney's Office. Prior to attending law school, John was a Senior Coordinator with Seminole County, Florida.

[Admitted to the Florida Bar in September 2004]

- University of Florida Fisher School of Accounting B.S. in Accounting (1997)
- University of Florida School of Forest Resources and Conservation Master of Forest Resources and Conservation, (1999)
- University of Florida Levin College of Law J.D. *cum laude* (2004)

DANA CROSBY-COLLIER

Experience:

Dana Crosby-Collier is a native of Tampa, Florida, and focuses her practice in real property, land use, and local government law. Dana joins the firm with more than 21 years of experience in local government and land use law, having practiced law as an assistant County Attorney for Orange and Polk counties, and as an assistant City Attorney for the cities of Gainesville and Ocoee. Throughout her career, Dana has worked with builders, developers, commercial businesses, elected and appointed officials, and residents on both sides of numerous legal issues.

Background:

Dana is a member of the Florida Bar Land Use and Environmental Law Section and the City County and Local Government Law Section and served as chair of the City County and Local Government Law Section in 2014-2015. Before attending law school in Tallahassee, Dana worked in Washington, DC for several years, working for the U.S. Congress and other policy groups. During law school and following graduation, Dana worked for the Florida Senate.

[Admitted to the Florida Bar in October 1996]

- University of Tampa, B.A., in Political Science, *magna cum laude* (1988)
- Florida State University College of Law, J.D. (1996)

Rate Sheet

Mark Straley	\$355/hour
Tracy J. Robin	\$350/hour
John M. Vericker	\$305/hour
Vivek K. Babbar	\$285/hour
Dana Crosby-Collier	\$285/hour
Lynn Hoodless, Paralegal	\$150/hour
Barbara Williams, Legal Assistant	\$100/hour



Hopping Green & Sams

Attorneys and Counselors

January 12, 2021

VIA ELECTRONIC MAIL AND U.S. MAIL

Board of Supervisors Oak Creek Community Development District c/o Mark Vega, District Manager 2654 Cypress Ridge Blvd., Suite 101 Wesley Chapel, Florida 33544 Mark.Vega@Inframark.com

Re: Termination of District Counsel Services Agreement

Dear Members of the Board:

On behalf of Hopping Green & Sams, P.A. (the "Firm"), District Counsel to the Oak Creek Community Development District ("District"), please accept this letter as notice of the Firm's withdrawal from representation of the District pursuant to the agreement between Hopping Green & Sams, P.A. and the District regarding the provision of district counsel services ("Agreement"). The final date of services and final termination of the Agreement will be effective February 11, 2021. I will, of course, provide assistance as necessary to transition to new counsel for the District.

Hopping Green & Sams, P.A. would like to thank the District and its Board for the opportunity to serve as District Counsel. We wish the District and its residents much success in the future.

Sincerely,

& mosay wherein

Lindsay Whelan District Counsel