EASTON PARK
COMMUNITY DEVELOPMENT
DISTRICT

APRIL 15, 2021

AGENDA PACKAGE

INFRAMARK
INFRASTRUCTURE MANAGEMENT SERVICES

210 N. UNIVERSITY DRIVE, SUITE 702
CORAL SPRINGS, FLORIDA 33071

Easton Park
Community Development District

Inframark, Infrastructure Management Services
210 North University Drive, Suite 702 • Coral Springs, Florida 33071
Telephone: (954) 603-0033 • Fax: (954) 345-1292

April 8, 2021

Board of Supervisors
Easton Park Community Development District

Dear Board Members:

The regular meeting of the Board of Supervisors of the Easton Park Community Development District is scheduled for **Thursday, April 15, 2021 at 4:30 p.m.** at the Heritage Isles Golf & Country Club, 10630 Plantation Bay Drive, Tampa, Florida. Following is the meeting agenda:

1. **Call to Order/Roll Call**
2. **Audience Comments on Agenda Items**
3. **Approval of the Consent Agenda**
   A. March 2, 2021 Regular Meeting Minutes (Provided by Rizzetta)
   B. Financial Statements – February 2021 (Provided by Rizzetta)
4. **Consideration of Proposals for District Counsel Services**
   A. Gardner, Brewer, Martinez-Monfort
   B. Persson, Cohen & Mooney
   C. Straley, Robin, Vericker
5. **Staff Reports**
   A. District Engineer
   B. District Counsel
   C. Landscape & Irrigation Maintenance
      i. Field Inspection Report
   D. Aquatic Maintenance – Aquatic Systems
   E. District Manager
      i. Discussion of Envera
6. **Supervisor Request**
7. **Adjournment**

Any supporting material for the items listed above not included in the agenda package will be provided as soon as they are available, or they will be distributed at the meeting. I look forward to seeing you at the meeting, but in the meantime if you have any questions, please contact me.

Sincerely,

Mark Vega

Mark Vega
District Manager

cc: Dan Molloy
Tonja Stewart

Third Order of Business

3A.

MINUTES OF MEETING

Each person who decides to appeal any decision made by the Board with respect to any matter considered at the meeting is advised that the person may need to ensure that a verbatim record of the proceedings is made, including the testimony and evidence upon which such appeal is to be based.

EASTON PARK
COMMUNITY DEVELOPMENT DISTRICT

The Regular meeting of the Board of Supervisors of Easton Park Community Development District was held on **Tuesday, March 2nd, 2021 at 4:30 p.m.** at the Heritage Isles Golf & Country Club located at 10630 Plantation Bay Dr, Tampa FL, 33647.

Present and constituting a quorum:

Paul Meier	**Board Supervisor, Chairman**
Arnold Sails	**Board Supervisor, Vice Chairman**
Lisa Murphy	**Board Supervisor, Assistant Secretary**
Perry Blackburn	**Board Supervisor, Assistant Secretary**

Also present were:

Scott Brizendine	**District Manager, Rizzetta & Company, Inc.**
Jason Liggett	**Field Service Manager; Rizzetta & Company, Inc.**
Kevin Wilt	**Representative, Solitude Lake Management**
Tyree Brown	**Representative, LMP**
Steve Small	**Representative, LMP**
Mark Vega	**Representative, Inframark**

FIRST ORDER OF BUSINESS **Call to Order**

Mr. Brizendine called the meeting to order and performed roll call.

SECOND ORDER OF BUSINESS **Audience Comments**

There were no audience comments

THIRD ORDER OF BUSINESS **Consideration of the Minutes of the Board of Supervisors' Regular Meeting held on February 2, 2021**

On a Motion by Ms. Murphy, seconded by Mr. Sails, with all in favor, the Board of Supervisors approved the minutes as amended of the Board of Supervisors' Regular meeting held on February 2, 2021, as presented for the Easton Park Community Development District.

FOURTH ORDER OF BUSINESS **Consideration of the Minutes of the Board of Supervisors' Continued Meeting held on February 4, 2021**

> On a Motion by Ms. Murphy, seconded by Mr. Meier, with all in favor, the Board of Supervisors approved the minutes as amended of the Board of Supervisors' continued meeting held on February 4, 2021, as presented for the Easton Park Community Development District.

FIFTH ORDER OF BUSINESS **Consideration of Operations & Maintenance Expenditures for January 2021**

> On a Motion by Mr. Meier, seconded by Ms. Murphy with all in favor, the Board of Supervisors approved the Operations & Maintenance Expenditures for January 2021 ($54,828.47) for the Easton Park Community Development District.

SIXTH ORDER OF BUSINESS **Staff Reports**

A. District Engineer:

Not Present. No Report.

B. District Counsel:

The Board discussed a formal agreement for complete IT and a possible addendum to be drafted by District Counsel. The Board would like to discuss the possibility of an RFP for District Counsel Services. Discussion ensued.

> On a Motion by Mr. Meier, seconded by Ms. Murphy with all in favor, the Board of Supervisors authorized staff to submit an RFP notice for District Counsel services for the Easton Park Community Development District.

C. Landscape & Irrigation Maintenance:

1. Presentation of Field Inspection Report

Mr. Liggett reviewed the field inspection report with the Board along with the responses from LMP. The Board discussed several landscape options that they would like presented at the next meeting.

D. Aquatic Maintenance-Aquatic Systems:

1. Presentation of Waterway Inspection Report.

Mr. Witt, a representative from Solitude Lake Management, reviewed the waterway inspection report with the Board. A discussion ensued regarding the changes that have taken place since the inspection on 2/18/2020.

E. District Manager:

Mr. Brizendine informed the Board that the next meeting will be held on Tuesday, March 15th, 2020 at 4:30 pm. at the Heritage Isles Golf & Country Club. A discussion ensued regarding the process of transferring files over to Inframark.

SEVENTH ORDER OF BUSINESS **Consideration of Resolution 2021-03, Appointing a District Manager**

Mr. Brizendine presented Resolution 2021-03 to the Board, which will approve the district management agreement with Inframark and appoint their new District Manager.

> On a Motion by Mr. Sails, seconded by Ms. Murphy, with all in favor, the Board of Supervisors Adopted Resolution 2021-03, for the Easton Park Community Development District.

EIGHTH ORDER OF BUSINESS **Consideration of Resolution 2021-04, Designating Officers of the District**

Mr. Brizendine presented Resolution 2021-04 to the Board, which will re-designate officers of the District. The Board named Paul Meier as Chairman, Arnold Sails as Vice Chairman, and Lisa Murphy and Perry Blackburn as Assistant Secretaries, Mark Vega was appointed Secretary, Stephen Bloom was appointed treasurer, and Alan Baldwin was appointed assistant treasurer.

> On a Motion by Mr. Sails, seconded by Ms. Murphy, with all in favor, the Board of Supervisors Adopted Resolution 2021-04, for the Easton Park Community Development District.

NINTH ORDER OF BUSINESS **Consideration of Resolution 2021-05, Designating a Registered Agent and Registered Office**

Mr. Brizendine presented Resolution 2021-05 to the Board, which will designate Dan Molloy as the District's registered agent and the registered office as Brooks, Sheppard & Rocha, PLLC.

> On a Motion by Mr. Sails, seconded by Ms. Murphy, with all in favor, the Board of Supervisors Adopted Resolution 2021-05, for the Easton Park Community Development District.

TENTH ORDER OF BUSINESS **Consideration of Resolution 2021-06, Authorizing Actions Relating to Bank Accounts**

Mr. Brizendine presented Resolution 2021-06 to the Board, which would designate authorization and actions relating to the accounts of the District.

On a Motion by Mr. Sails, seconded by Ms. Murphy, with all in favor, the Board of Supervisors Adopted Resolution 2021-06, for the Easton Park Community Development District.

ELEVENTH ORDER OF BUSINESS **Consideration of Resolution 2021-07, Appointing a District Manager**

Mr. Brizendine presented Resolution 2021-07 to the Board, which designating the time and date for the regular meetings of the Board of supervisors for the Fiscal Year 2020-2021.

On a Motion by Mr. Sails, seconded by Ms. Murphy, with all in favor, the Board of Supervisors Adopted Resolution 2021-07, for the Easton Park Community Development District.

TWELFTH ORDER OF BUSINESS **Supervisor Requests**

Ms. Murphy would like a follow-up on the security contract with complete IT.

THIRTEENTH ORDER OF BUSINESS **ADJOURNMENT**

On a Motion by Mr. Sails, seconded by Ms. Murphy, with all in favor, the Board of Supervisors adjourned the meeting at 5:43 p.m. for the Easton Park Community Development District.

Assistant Secretary

Chairman / Vice Chairman

3B.

Rizzetta & Company

Easton Park
Community Development District

Financial Statements
(Unaudited)

February 28, 2021

Prepared by: Rizzetta & Company, Inc.

eastonparkcdd.org
rizzetta.com

Easton Park Community Development District

Balance Sheet
As of 2/28/2021
(In Whole Numbers)

	General Fund	Reserve Fund	Debt Service Fund	Total Governmental Funds	General Fixed Assets Account Group	General Long-Term Debt Account Group
Assets						
Cash In Bank	98,304	0	0	98,304	0	0
Investments	255,332	0	573,253	828,586	0	0
Investments--Reserves	0	129,058	0	129,058	0	0
Accounts Receivable	20,244	0	15,573	35,817	0	0
Prepaid Expenses	0	0	0	0	0	0
Deposits	2,735	0	0	2,735	0	0
Due From Other Funds	0	0	0	0	0	0
Due From Others	0	0	0	0	0	0
Amount Available in Debt Service	0	0	0	0	0	588,827
Amount To Be Provided Debt Service	0	0	0	0	0	4,671,173
Fixed Assets	0	0	0	0	7,566,140	0
Total Assets	376,615	129,058	588,827	1,094,500	7,566,140	5,260,000
Liabilities						
Accounts Payable	1,345	0	0	1,345	0	0
Accrued Expenses Payable	10,930	0	0	10,930	0	0
Due To Other Funds	0	0	0	0	0	0
Revenue Bonds Payable--Long Term	0	0	0	0	0	5,260,000
Total Liabilities	12,275	0	0	12,275	0	5,260,000
Fund Equity & Other Credits						
Beginning Fund Balance	75,106	129,046	264,478	468,630	7,566,140	0
Net Change in Fund Balance	289,234	12	324,349	613,595	0	0
Total Fund Equity & Other Credits	364,340	129,058	588,827	1,082,225	7,566,140	0
Total Liabilities & Fund Equity	376,615	129,058	588,827	1,094,500	7,566,140	5,260,000

Easton Park Community Development District

Statement of Revenues and Expenditures
001 - General Fund
From 10/1/2020 Through 2/28/2021
(In Whole Numbers)

	Annual Budget	YTD Budget	YTD Actual	YTD Variance	Percent Annual Budget Remaining
Revenues					
Interest Earnings					
Interest Earnings	0	0	6	6	0.00%
Special Assessments					
Tax Roll	536,850	536,850	541,228	4,378	(0.81)%
Total Revenues	536,850	536,850	541,234	4,384	(0.82)%
Expenditures					
Legislative					
Supervisor Fees	12,000	5,000	4,400	600	63.33%
Financial & Administrative					
Administrative Services	4,800	2,000	2,000	0	58.33%
District Management	27,830	11,596	11,596	(0)	58.33%
District Engineer	5,000	2,083	0	2,083	100.00%
Disclosure Report	1,100	1,100	0	1,100	100.00%
Trustees Fees	3,658	2,042	2,042	0	44.18%
Assessment Roll	5,000	5,000	5,000	0	0.00%
Financial & Revenue Collections	5,000	2,083	2,083	(0)	58.33%
Accounting Services	18,000	7,500	7,500	0	58.33%
Auditing Services	4,000	0	0	0	100.00%
Arbitrage Rebate Calculation	500	500	900	(400)	(80.00)%
Miscellaneous Mailings	1,000	417	397	20	60.32%
Public Officials Liability Insurance	2,537	2,537	2,421	116	4.57%
Legal Advertising	1,000	417	1,896	(1,479)	(89.55)%
Bank Fees	300	125	116	9	61.33%
Dues, Licenses & Fees	175	175	175	0	0.00%
Website Hosting, Maintenance, Backup (and Email)	4,000	1,667	1,269	398	68.28%
Legal Counsel					
District Counsel	5,000	2,083	4,050	(1,967)	19.00%
Security Operations					
Security System Monitoring and Maintenance	5,800	2,417	964	1,453	83.38%
Dedicated Internet Service	1,500	625	531	94	64.56%
Electric Utility Services					
Street Light Bond	600	250	600	(350)	0.00%
Street Lights	114,000	47,500	46,057	1,443	59.59%
Utility - Fountains	5,000	2,083	2,451	(368)	50.97%
Utility - Round About Lights	500	208	188	21	62.44%

Easton Park Community Development District

Statement of Revenues and Expenditures
001 - General Fund
From 10/1/2020 Through 2/28/2021
(In Whole Numbers)

	Annual Budget	YTD Budget	YTD Actual	YTD Variance	Percent Annual Budget Remaining
Utility - Irrigation	4,000	1,667	1,301	366	67.47%
Stormwater Control					
Fountain Service Repairs & Maintenance	2,000	833	346	487	82.70%
Aquatic Maintenance	30,120	12,550	12,550	0	58.33%
Invasive Plant Removal	20,000	8,333	6,125	2,208	69.37%
Lake/Pond Bank Maintenance	2,500	1,042	0	1,042	100.00%
Stormwater System Maintenance	1,000	417	0	417	100.00%
Other Physical Environment					
Property Insurance	2,171	2,171	1,870	301	13.86%
General Liability Insurance	2,819	2,819	2,691	128	4.54%
Entry & Walls Maintenance	1,000	417	0	417	100.00%
Landscape Maintenance	145,000	60,417	51,152	9,265	64.72%
Irrigation Repairs	5,000	2,083	12,899	(10,816)	(157.97)%
Ornamental Lighting & Maintenance	1,500	625	0	625	100.00%
Field Operations	7,800	3,250	3,250	0	58.33%
Rust Prevention	7,140	2,975	2,975	0	58.33%
Landscape Replacement Plants, Shrubs, Trees	20,000	8,333	12,746	(4,413)	36.26%
Landscape - Mulch	11,400	4,750	13,350	(8,600)	(17.10)%
Landscape - Annuals	18,500	7,708	4,509	3,199	75.62%
Holiday Decorations	24,600	24,600	24,600	0	0.00%
Road & Street Facilities					
Sidewalk Repair & Maintenance	1,000	417	4,800	(4,383)	(380.00)%
Contingency					
Miscellaneous Contingency	1,000	417	200	217	80.00%
Total Expenditures	536,850	245,231	251,999	(6,768)	53.06%
Excess of Revenue Over (Under) Expenditures	0	291,619	289,234	(2,385)	0.00%
Excess of Rev./Other Sources Over (Under) Expend./Other Uses	0	291,619	289,234	(2,385)	0.00%
Fund Balance, Beginning of Period	0	0	75,106	75,106	0.00%
Fund Balance, End of Period	0	291,619	364,340	72,721	0.00%

Easton Park Community Development District

Statement of Revenues and Expenditures

005 - Reserve Fund

From 10/1/2020 Through 2/28/2021

(In Whole Numbers)

	Annual Budget	Current Period Actual	Budget To Actual Variance	Budget Percent Remaining
Revenues				
Interest Earnings				
Interest Earnings	0	12	12	0.00%
Total Revenues	0	12	12	0.00%
Excess of Revenue Over (Under) Expenditures	0	12	12	0.00%
Excess of Rev./Other Sources Over (Under) Expend./Other Uses	0	12	12	0.00%
Fund Balance, Beginning of Period	0	129,046	129,046	0.00%
Fund Balance, End of Period	0	129,058	129,058	0.00%

Easton Park Community Development District

Statement of Revenues and Expenditures

200 - Debt Service Fund

From 10/1/2020 Through 2/28/2021

(In Whole Numbers)

	Annual Budget	Current Period Actual	Budget To Actual Variance	Budget Percent Remaining
Revenues				
Interest Earnings				
Interest Earnings	0	30	30	0.00%
Special Assessments				
Tax Roll	413,001	416,368	3,367	0.81%
Total Revenues	413,001	416,399	3,397	0.82%
Expenditures				
Debt Service				
Interest	183,001	92,050	90,951	49.69%
Principal	230,000	0	230,000	100.00%
Total Expenditures	413,001	92,050	320,951	77.71%
Excess of Revenue Over (Under) Expenditures	0	324,349	324,349	0.00%
Excess of Rev./Other Sources Over (Under) Expend./Other Uses	0	324,349	324,349	0.00%
Fund Balance, Beginning of Period	0	264,478	264,478	0.00%
Fund Balance, End of Period	0	588,827	588,827	0.00%

Easton Park CDD
Investment Summary
February 28, 2021

Account	Investment		Balance as of February 28, 2021
The Bank of Tampa	Money Market Account	$	3,465
The Bank of Tampa ICS Op Program:			
Boston Private Bank & Trust Company	Money Market Account		119,294
IBERIABANK a div of First Horizon	Money Market Account		132,573
	Total General Fund Investments	**$**	**255,332**
The Bank of Tampa ICS Capital Reserve Program:			
Boston Private Bank & Trust Company	Money Market Account	$	129,058
	Total Reserve Fund Investments	**$**	**129,058**
Hancock Whitney Series 2017 Reserve	Federated Hermes Gov Oblig #5	$	123,911
Hancock Whitney Series 2017 Revenue	Federated Hermes Gov Oblig #5		449,341
Hancock Whitney Series 2017 Sinking Fund	Federated Hermes Gov Oblig #5		1
	Total Debt Service Fund Investments	**$**	**573,253**

Easton Park Community Development District

Summary A/R Ledger

001 - General Fund

From 2/1/2021 Through 2/28/2021

Invoice Date	Customer Name	Invoice Number	Current Balance
10/1/2020	Hillsborough County Tax Collector	FY20-21	20,243.57
		Total 001 - General Fund	20,243.57

Easton Park Community Development District

Summary A/R Ledger

200 - Debt Service Fund

From 2/1/2021 Through 2/28/2021

Invoice Date	Customer Name	Invoice Number	Current Balance
10/1/2020	Hillsborough County Tax Collector	FY20-21	15,573.43
		Total 200 - Debt Service Fund	15,573.43
Report Balance			35,817.00

Easton Park Community Development District

Aged Payables by Invoice Date
Aging Date - 2/1/2021
001 - General Fund
From 2/1/2021 Through 2/28/2021

Vendor Name	Invoice Date	Invoice Number	Invoice Description	Current Balance
Landscape Maintenance Professionals, Inc.	2/18/2021	158183	Irrigation Repairs 02/21	229.50
Bright House Networks	2/22/2021	046396702122220 02/21	Internet Service 02/21	104.98
Landscape Maintenance Professionals, Inc.	2/23/2021	158239	Irrigation Repairs 02/21	425.00
Landscape Maintenance Professionals, Inc.	2/24/2021	158257	Sod Install 02/21	500.00
Office Dynamics	2/24/2021	00032545	Books Copied/Copies 02/21	85.43
			Total 001 - General Fund	1,344.91
Report Total				1,344.91

Easton Park Community Development District
Notes to Unaudited Financial Statements
February 28, 2021

Balance Sheet

1. Trust statement activity has been recorded through 02/28/21.
2. See EMMA (Electronic Municipal Market Access) at https://emma.msrb.org for Municipal Disclosures and Market Data.
3. For presentation purposes, the Reserves are shown in a separate fund titled Reserve Fund.

Summary A/R Ledger – Payment Terms

4. Payment terms for landowner assessments are (a) defined in the FY20-21 Assessment Resolution adopted by the Board of Supervisors, (b) pursuant to Florida Statutes, Chapter 197 for assessments levied via the county tax roll.

Fourth Order of Business

4A.

Gardner Brewer Martinez-Monfort

Sender's Email:auliano@gbmmlaw.com

April 3, 2021

Easton Park Community Development District
2654 Cypress Ridge Blvd., Suite 101
Wesley Chapel, FL 33544
Attn: Mark Vega

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 Easton Park 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 Easton Park 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.

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

J. Stephen Gardner

/s/ Amanda M. Uliano

Amanda M. Uliano

ACCEPTED AND AGREED TO BY:

EASTON PARK COMMUNITY DEVELOPMENT DISTRICT

By:
Name: _____
Its:

Date: _____

4B

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
Andrew W. Mai
* 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

April 2, 2021

VIA E-MAIL

Easton Park 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: Easton Park 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 Easton Park Community Development District. Our firm and I appreciate the opportunity of being considered for the position.

Persson, Cohen & Mooney, P.A. currently represents thirty-one (31) community development districts 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 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 seven 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 Easton Park 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 community development districts 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 and Ms. Kardash would serve as my primary back-ups. The three of us work out of our firm's Lakewood Ranch office. I would respectfully submit that our 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 Easton Park 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 $275.00 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.

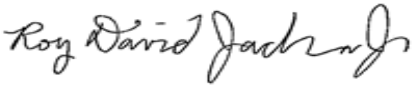
I have included résumés of Mr. Cohen, Ms. Kardash, and myself. Also, a list of the firm's community development district clients has been provided, along with a list of other local

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 Easton Park Community Development District further and to answer any additional questions you may have at the Board of Supervisors meeting on April 15.

Sincerely,

PERSSON, COHEN & MOONEY, P.A.



R. David Jackson

RDJ/ag
Enclosures

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 Association
United States Patent and Trademark Office, registered Attorney
Chair – Leadership Manatee Board of Governors
Member, Executive Board of Directors – Braden River Soccer Club and the United Soccer Association

PERSSON, COHEN & MOONEY, P.A.

ATTORNEYS AND COUNSELORS AT LAW

ANDREW H. COHEN
6853 Energy Court, Lakewood Ranch, Florida 34240
Tel: (941) 306-4730 Fax: (941) 306-4832
E-Mail: acohen@swflgovlaw.com

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

PERSSON, COHEN & MOONEY, P.A.

ATTORNEYS AND COUNSELORS AT LAW

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

Florida Southern College
Humanities, concentrations in Art History and Theology
Lakeland, Florida, Bachelor of Arts Cum Laude, 2002

Qualifications:

- 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

Paseo Community Development District
Fort Myers, 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

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

Other

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.....$275.00/hour

Includes all legal work (legal representation, contract review, research, consulting, attendance at meetings, etc.) except for work regarding bond-related transactions.

Bond-Related Transactions.....Flat Rate

Incidental Costs (copies, basic postage, etc.).....No Charge

4C

STRALEY ROBIN VERICKER
Attorneys At Law

1510 W. Cleveland St.
Tampa, Florida 33606
Tel: (813) 223-9400

Writer's Direct Dial: (813) 901-4945
Writer's E-mail: jvericker@srvlegal.com
Website: www.srvlegal.com

March 3, 2021

Via Email and First Class Mail

Easton Park Community Development District
2654 Cypress Ridge Blvd., Suite 101
Wesley Chapel, FL 33544
Attn: Mark Vega, District Manager

Re: Easton Park Community Development District
Proposal for District Counsel Services

Dear Mark:

Our law firm is pleased to have this opportunity to submit a proposal to serve as District Counsel for the Easton Park Community Development District. Our law firm's practice is focused on the representation of Community Development Districts ("**CDD**"). 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 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 and our lawyers, which is also available on our firm's website at www.srvlegal.com. 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, we can provide legal services efficiently and in a cost-effective manner, and we are proposing a firm rate of $285/hour for the attorneys that would represent Easton Park CDD.

On behalf of the firm, we appreciate this opportunity to submit a proposal to serve as the Easton Park CDD's District Counsel and look forward to meeting with you and the Board of Supervisors in the future.

Sincerely,

John M. Vericker
Board Certified in City, County and Local Government Law

Encls.

Straley Robin Vericker

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]

Education:

- 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)

Straley Robin Vericker

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]

Education:

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

Straley Robin Vericker

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]

Education:

- 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)

Straley Robin Vericker

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]

Education:

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

Straley Robin Vericker

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]

Education:

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

Straley Robin Vericker
Resident Community Development Districts
Hillsborough County, Florida

1. Bahia Lakes CDD
2. Cory Lakes CDD
3. Diamond Hill CDD
4. Forest Brooke CDD
5. Grand Hampton CDD
6. The Hammocks CDD
7. Hawk's Point CDD
8. Heritage Harbor CDD
9. K-Bar Ranch CDD
10. Live Oak No. 1 CDD
11. Live Oak No. 2 CDD
12. Mirabella CDD
13. The Oaks at Shady Creek CDD
14. Palm Bay CDD
15. Panther Trace CDD
16. Panther Trace II CDD
17. Park Place CDD
18. Riverbend West CDD
19. Rivercrest CDD
20. South Fork CDD
21. South Fork East CDD
22. Stonelake Ranch CDD
23. Tampa Palms CDD
24. Waterchase CDD
25. Wynnmere East CDD

Fifth Order of Business

5Ci.

EASTON PARK

FIELD INSPECTION REPORT

March 29, 2021
Rizzetta & Company
Jason Liggett –Field Services Manager

Rizzetta & Company
Professionals in Community Management

General Updates, Recent & Upcoming Maintenance Events

- Continue to manage irrigation throughout drought times when rain is limited.

The following are action items for LMP to complete. Please refer to the item # in your response listing action already taken or anticipated time of completion. Red text indicates deficient from previous report. **Bold Red text** indicates deficient for more than a month. Green text indicates a proposal has been requested. Blue indicates irrigation. Orange is for Staff issues. **Bold, black & underlined** is information or questions for the BOS.

1. During the inspection LMP was installing new soil amendments to the Annual beds.(Pic 1)

2. **Note for the board there are still Christmas lights on the Ligustrum's on the Entrance side of the main entrance.**

3. At the Main entrance on the inbound side remove weeds from Parsoni Juniper.

4. The anise on the Entrance side of the main entrance are still struggling. Does LMP feel that removing some of the mulch build up on the base will help?(Pic 4>)

5. Treat the Jasmine beds in the center island just inside the main entrance, with a selective herbicide. Removing nay tall weeds.

6. Remove the vines in the Indian Hawthorne just inside of the main entrance in the center island.

7. Improve the vigor in the Loropetalum throughout Pictorial Park Drive.

8. On the inbound side of Pictorial Park drive remove the vines in the plant material right before the Morris Bridge Manor entrance.

9. Check the irrigation at the entrance to Bridge Manor turf areas. Noticed a lot of hot spotting.

10. Treat the Jasmine in the Center island of Pictorial Park drive just passed the Morris Bridge Manor entrance.

11. Check the irrigation in the plant material on Pictorial Park drive on the Maintenance Berm. A lot of the Plant material is starting to Flag.(Pic 11,11a)

12. Turf in the same area as above is showing signs of drought please check these zones as well.

13. Remove the brown in the Philodendron on Pictorial Park drive before the Traffic Circle.

14. The downy Jasmine at the Traffic Circle is showing signs of stress. Is this irrigation related? (Pic 14>)

15. Remove the moss from the Podocarpus hedge in the center island traffic circle. This was on the report last month.

16. During my site visit the crews were removing the mulch from the base of the roses. A lot fo the roses have greatly improved just with recommendations.(Pic 16)

17. Recently installed Firebush is coming back, However there appears to be a few that will need to be replaced. LMP to warranty any material that doesn't repair.(Pic 17)

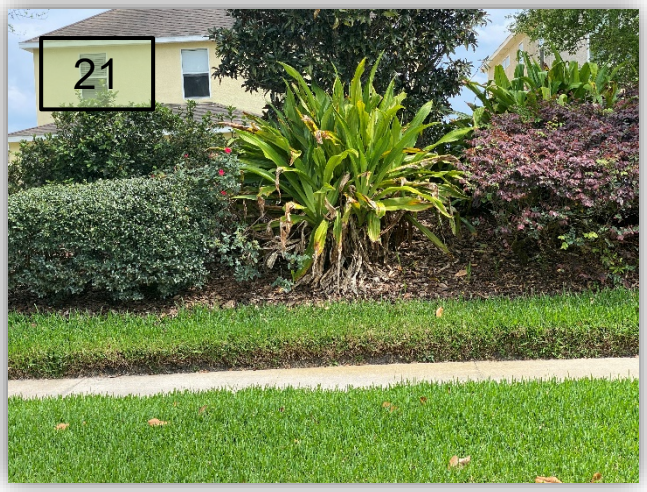
Outbound Pictorial Park Dr.

18. Improve the bed weed control on Pictorial Park drive pas the Roundabout on the Inbound side.(Pic 18)

19. Diagnose and treat the Browning in the Parsoni Juniper past the round about on the inbound side of Pictorial Park Drive.

20. On Pictorial Park drive in the center island starting at the Clubhouse there is a lot of hot spotting on the turf please check these areas.

21. Remove the dead from the Crinum Liliy on Pictorial Park drive inbound side before the dead end. (Pic 21)



22. Check irrigation in turf around annual bed on Break Rock Drive. A lot of turf is Hot spotting.

23. Check the Vibrnum hedge for irrigation issues on the outbound side of Pictorial Park Drive. The hedge is showing signs of flagging.(Pic 23)

5Ei

MOLLOY & JAMES
ATTORNEYS AT LAW
325 SOUTH BOULEVARD, TAMPA, FLORIDA 33606
TELEPHONE: (813) 254-7157 FACSIMILE: (813) 254-9601

JUDITH L. JAMES

DANIEL L. MOLLOY

March 22, 2021

Hidden Eyes, LLC, d/b/a/Envera Systems
4171 W. Hillsboro Boulevard, Suite 7
Coconut Creek, Florida 33073

Reference: Agreement with Easton Park Community Development District dated January, 2020

Dear Sirs and Madams:

You were notified on December 1, 2020 that the Easton Park Community Development District (the "District") is acting to evoke paragraph 17c of the Agreement referenced above, for termination with cause due to breach by Envera. Your company has had an extended period of time to cure said default. As no action has been taken to cure, the District hereby terminates the Agreement.

The provision of the Agreement giving rise to the default is paragraph 5, which provides in part that "Contractor shall replace or repair all equipment installed by the Contractor free of charge to the District.... Contractor hereby covenants to the District that it shall perform the Work... in an expeditious and economical manner consistent with the best interest of the District" On a number of occasions over the past year, the equipment has been found to be not operating when needed by the District and has not been expeditiously repaired. This lack of inspection and timely repair by Envera has substantially reduced the effectiveness of the system.

Thank you for your attention to this matter.

Sincerely,

Dan Molloy
District Counsel

BERLIN | PATTEN | EBLING
ATTORNEYS AT LAW

Daniel C Guarnieri, Esquire
Attorney at Law

dguarnieri@berlinpatten.com
(941) 954-9991

March 31, 2021

Via US Mail and Email

Daniel L. Molloy
325 South Boulevard
Tampa, FL 33606

Email: dan@mjlaw.us

Re: Agreement with Easton Park Community Development District dtd 1/2020

Dear Mr. Molloy,

I am in receipt of your March 22, 2021 correspondence, which seeks to terminate the parties' Agreement for Security System Installation and Operation/Maintenance Services (the "Agreement"). You have previously expressed a desire to terminate that Agreement for cause on December 1, 2020, stating that you believed repairs had not been expeditiously. On December 11, 2020 I advised that that positon was not accurate, and asked that you advise if there were any issues in need of repair. I did not hear back.

Your more recent communication appears to make the same allegation. It is, of course, impossible to respond to either letter because there is no specific information that I am able to respond to. I have conferred with Envera and they have reported that the turn-around time for the few repairs which have been necessary is within both the company's standard repair time, and within the industry standard for similar services. All of the repairs which have been conducted have been at no charge to your client. On the basis of the above, Envera does not accept the attempt to terminate the agreement for cause.

When I reviewed your client's service history with Envera, I was surprised at the fact that there were very few interactions. Your client has reported only a handful of issues, and those were each responded to quickly. From the service history that I am seeing, there does not appear to be any ongoing problem at the community with an excessive number of service issues, or with any delay in responding to reported issues. If your client is discovering issues that need to be addressed, and is not reporting them, that may be the cause of a perception that Envera's response time is slow. Envera is alerted to the existence of some issues with equipment, but not all. So it

3700 South Tamiami Trail, Suite 200, Sarasota, Florida, 34239
Phone: 941·954·9991; Fax: 941·954-9992
www.berlinpatten.com

is incumbent upon a community to timely report issues that they would like to have repaired. In any event, I believe that better lines of communication may alleviate any perceived issues. I am happy to discuss further, or to set up a direct contact with Envera that your client can communicate with.

Please contact me if you have any questions.

Sincerely,

Daniel C. Guarnieri, Esquire

3700 South Tamiami Trail, Suite 200, Sarasota, Florida, 34239
Phone: 941·954·9991; Fax: 941·954-9992
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