

RESOLUTION 2021-09

A RESOLUTION RATIFYING AND AFFIRMING THE AMENDED CONTRACT, RENEWAL YEAR, AND IRRIGATION ADDENDUM BETWEEN HARMONY COMMUNITY DEVELOPMENT DISTRICT AND SERVELLO & SONS, LLC, FOR THE PROVISION OF LANDSCAPE GROUNDS MAINTENANCE AND IRRIGATION SERVICES

WHEREAS, the Harmony Community Development District (hereinafter the “District”) is special and single-purpose local government created by Chapter 190, Florida Statutes, and established by County Ordinance being situated within Osceola County, Florida; and

WHEREAS, on July 10, 2017, the District entered into an Initial Agreement with Servello & Sons, LLC (“Servello”), for the provision of landscaping services for a two-year term ending on September 30, 2019 with the option for two (2) one-year renewals.

WHEREAS, on December 19, 2019, the District and Servello executed an Amended Agreement to remove certain properties from the scope of services for a term beginning October 1, 2019 and ending September 30, 2020, pursuant to the provisions of section VII of the Initial Agreement and Section 287.057(13), Florida Statutes; and

WHEREAS, the Parties collectively continued to perform on the Amended Agreement through the present-day and are now in the second renewal year beginning October 1, 2020 and ending September 30, 2021.

WHEREAS, on April 8, 2021, the Parties executed an Irrigation Addendum to the Amended Contract, for Servello to provide irrigation maintenance services in exchange for a greater fee from the District.

WHEREAS, the District now desires to ratify and affirm the Amended Agreement, and second renewal year including the irrigation addendum; and

NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF SUPERVISORS OF THE HARMONY COMMUNITY DEVELOPMENT DISTRICT OF OSCEOLA COUNTY, FLORIDA;

1. Recitals. The recitals so stated are true and correct and by this reference are incorporated herein.

2. Authority for this Resolution. This Resolution is adopted pursuant to the provisions of Florida law, Chapter 190, *Florida Statutes*.

3. Approval and Ratification of the Amended Agreement, Renewal Term and Irrigation Addendum. The District finds it to be in its best interest to, and hereby does, approve and ratify the District's executed Amended Agreement, Second Renewal Term, and Irrigation Addendum. The total amount being \$489,206.03 for the current contract year.

4. Severability. If any section or part of a section of this Resolution is declared invalid or unconstitutional, the validity, force and effect of any other section or part of a section of this Resolution shall not thereby be affected or impaired unless it clearly appears that such other section or part of a section of this Resolution is wholly or necessarily dependent upon the section or part of a section so held to be invalid or unconstitutional.

5. Conflicts. All resolutions or parts thereof in conflict herewith are, to the extent of such conflict, superseded and repealed.

6. Effective Date. This Resolution shall take effect immediately upon its adoption.

PASSED AND ADOPTED this 26th day of August, 2021, by the Board of Supervisors of the Harmony Community Development District, Osceola County, Florida.

Teresa Kramer
Chair

Bob Koncar
District Manager (acting)