

**MINUTES OF MEETING  
SAN SIMEON  
COMMUNITY DEVELOPMENT DISTRICT**

The regular meeting of the Board of Supervisors of the San Simeon Community Development District was held on August 18, 2023 at 11:00 a.m. at Lennar Homes, 5505 Blue Lagoon Drive, Miami, Florida.

Present and constituting a quorum were:

Teresa Baluja  
Vanessa Perez  
Brett Benson

Chairperson  
Assistant Secretary  
Assistant Secretary

Also present were:

Luis Hernandez  
Andrew Gill  
Michael Pawelczyk  
Marc Szasz

District Manager  
Governmental Management Services  
District Counsel  
Lennar Homes

**FIRST ORDER OF BUSINESS**

**Roll Call**

Mr. Hernandez called the meeting to order and called the roll.

**SECOND ORDER OF BUSINESS**

**Approval of Minutes of the May 19, 2023 Meeting**

Mr. Hernandez: The next item for the Board to consider is Approval of Minutes of the May 19, 2023 Meeting. This would be the time to make any changes, corrections, additions, or deletions. If there are none, then a motion to approve them would be in order at this time.

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| On MOTION by Ms. Baluja seconded by Ms. Perez with all in favor, the Minutes of the May 19, 2023 Meeting were approved as-presented. |
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**THIRD ORDER OF BUSINESS**

**Acceptance of Audit for Fiscal Year Ending September 30, 2022**

Mr. Hernandez: The next item on the agenda for the Board to consider is Acceptance of Audit for Fiscal Year Ending September 30, 2022. I have reviewed it and

there are no items of concern, so based on that, I will be asking the Board to accept the audit for the District's records.

On MOTION by Ms. Baluja seconded by Ms. Perez with all in favor, the audit for fiscal year ending September 30, 2022 was accepted.

## **FOURTH ORDER OF BUSINESS**

### **Staff Reports**

#### **A. Attorney -Discussion of 2023 Legislative Update & Ethics Training Memorandums**

Mr. Hernandez: Staff Reports. Mike?

Mr. Pawelczyk: The only item I have is that the legislative update and ethics training memorandums have been included in your agenda packages. If anyone has any questions, just let me know. Since most of the rest of the Board members have heard about this at other CDD meetings, except for Brett, I will just mention this really quickly, which is that you will be required to do the four hours of ethics training starting January 1, 2024. It is a self-reporting training that you can do at your desk in the comfort of your own home. We will be sending some links that will help you meet that requirement sometime after Christmas. Either my office or GMS will provide that. I have already explained it to the rest of the Board members multiple times so I am trying not to spend too much time going over it again, but if you have any questions after you read through these just let me know. That is all I have.

Mr. Hernandez: Thank you very much.

#### **B. Engineer**

There not being any report, the next item followed.

#### **C. Field**

Mr. Hernandez: You have been provided with the field report from GMS as to what is going on. The only item that has not been listed is that there is a resident who has been sending emails to the CDD requesting that the debris in the median on the outside streets be picked up. The resident has been informed that the District does not have any cleanup responsibility in any of those areas. The lady is extremely upset with the condition of those areas. We have been in contact with the city and county since

they are who are responsible for that area and that is as much as I know right now. The community seems to be in really good shape. People throwing garbage have been causing some issues, but otherwise, everything seems to be in good condition. I also want to report and let the Board know that at the last meeting, the Board was asking for the Ramblas to authorize to enter into an agreement with the District for the portion that pertains to the entrance of the Ramblas subdivision. They have opted out, which means there will need to be a reduction in the assessments and the District will stop providing services at that entrance. At the same time, there are some trees that need to be removed. There is a proposal from the vendor for the amount of \$6,225.00 and the recommendation is to remove what needs to be taken out and replant some Podocarpus to cover and finish everything in the District property. Based on that, the recommendation from staff is to approve this proposal. The District does have the funds within the budget, so no harm or concerns will affect that.

Ms. Baluja: Okay.

Mr. Hernandez: Can I take that as a motion?

Ms. Baluja: Yes.

Mr. Hernandez: Thank you very much.

On MOTION by Ms. Baluja seconded by Ms. Perez with all in favor, the proposal from Equator Landscaping for landscaping work was approved for an amount of \$6,225.00.

#### **D. CDD Manager**

##### **1) Discussion of Financial Disclosure Report and Reminder to File Annual Form**

Mr. Hernandez: For the Manager, first item that we have is that we just need to remind Raisa to file her form. We will be addressing that today.

##### **2) Consideration of First Amendment to District Management Contract with Governmental Management Services - South Florida, LLC**

Mr. Hernandez: The next item is the First Amendment to the District Manager Contract with Governmental Management Services – South Florida, LLC. As indicated before, this amendment has nothing to do with the fees or services provided. This is just being done to include needed language as per the Florida Statutes, so based on

that understanding, I will be asking for a motion to approve the amendment, which will also authorize it to be executed.

On MOTION by Ms. Baluja seconded by Ms. Perez with all in favor, the First Amendment to the District Manager Agreement with Governmental Management Services – South Florida, LLC was approved.

## **FIFTH ORDER OF BUSINESS**

### **Financial Reports**

#### **A. Acceptance of Check Register**

#### **B. Acceptance of Unaudited Financials**

Mr. Hernandez: Moving forward to the Financial Reports, Tab A is Acceptance of Check Register, and Tab B is Acceptance of Unaudited Financials. Unless anyone has any questions, a motion to accept those would be in order.

On MOTION by Ms. Baluja seconded by Ms. Perez with all in favor, the check register and unaudited financials were accepted.

## **SIXTH ORDER OF BUSINESS**

### **Supervisors Requests and Audience Comments**

#### **A. Ramblas Request**

Mr. Hernandez: Are there any Supervisors' requests at this time? Hearing none, once again, we don't have any audience here with us today or virtually, so I will mention that we did receive a request from Ramblas. Remember they installed the fence on District property without permission and we made them remove that. Now the HOA is claiming that a lot of people are passing through that area and they don't have any control because there is no longer a fence there. They did not provide an explanation in their letter, so I provided the area map and was successful in talking with Duviana Santamaria. She explained to me that what they are actually requesting is authorization for them to install the fence, which would be an extension of the one we have currently, going all the way to the water. What I explained to her is if they were to put in the fence, our vendor would have difficulty maintaining that area. She said the HOA would not mind entering into a maintenance agreement with the CDD to maintain the area. The part that I have an issue with is that we have another subdivision that is kind of facing

the same situation, so if we do it on this side, we have to be open to doing it for the other, as well. They are neighboring communities that are going to be affected by all of this, but the end result is how does the Board feel about the request being presented by the Ramblas HOA?

Ms. Baluja: I would prefer that they grant us an easement for our side to go in and maintain it, instead of giving them the responsibility.

Mr. Hernandez: So, they can install the fence as long as they provide access?

Ms. Baluja: Yes, to provide maintenance. We know the maintenance of the lakes and lake banks can be tricky so it is important that it is done correctly. To have one portion of the lake being maintained not identically could affect the rest of the lake. So, I think that is my thing with that, and I think that we cannot give them the approval of the fence until they sign an actual easement. It would have to be through their main gate and down that whole area. Do you think that is reasonable?

Mr. Hernandez: I personally think that, yes. This will give the District the power to maintain the area. The only part I would include is to make sure that the District will have access. If we have any erosion issues, it is extremely likely that we will need to come through the community rather than the lake.

Ms. Baluja: Or the alternative is that they can put a gate within that fence with a lock that only the CDD and HOA have access to. Then we can go through there. I really don't think it is a good idea to split maintenance, though.

Mr. Hernandez: Yes.

Mr. Pawelczyk: Even if you have them put in a gate, you are still going to need an easement because the gate is going to be upland on their property. So, you are still going to need to go onto their property and still need an easement.

Ms. Baluja: Right, I agree, but having the gate as well is better. That way they don't have to drive through their community, too.

Mr. Hernandez: Okay. I will let them know.

Ms. Baluja: And they cannot start any work until that easement is signed.

Mr. Hernandez: Correct. I will make sure in my reply to the HOA that they need to have everything signed before doing anything else.

Mr. Pawelczyk: They will need to provide us with a description unless they want to give an easement of the entire parcel. Otherwise, we will need a survey of the area. I would just let them know that.

Mr. Hernandez: Sure. Perfectly fine.

Mr. Pawelczyk: I think that we need a motion authorizing the request from the Ramblas HOA and execution of the easement since we are approving the fence installation and a description of the location described subject to them doing all of that.

On MOTION by Ms. Baluja seconded by Ms. Perez with all in favor, the request for the fence installation from the Ramblas HOA was approved; subject to the execution of an easement allowing the CDD access to the lake, the HOA also installing a gate at the entrance of the fence in an area that will allow the CDD access to the lake, and then providing a description of the area, and no work would be allowed to start until these were provided.

## SEVENTH ORDER OF BUSINESS      Adjournment

Mr. Hernandez: Unless anyone has any other District business to discuss, a motion to adjourn the meeting would be in order.

On MOTION by Ms. Baluja seconded by Ms. Perez with all in favor, the meeting was adjourned.



Secretary /Assistant Secretary

  
Teresa Baluja (Sep 15, 2023 11:51 EDT)

Chairman / Vice Chairman

# 09-15-23meetingdocumentstobesigned-SanSimeon

Final Audit Report

2023-09-15

|                 |                                             |
|-----------------|---------------------------------------------|
| Created:        | 2023-09-15                                  |
| By:             | Robin Friedman (rfriedman@gmssf.com)        |
| Status:         | Signed                                      |
| Transaction ID: | CBJCHBCAABAxyIMhasybkyJQpDnOqQ9deUIBr4-KRRQ |

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-  Document created by Robin Friedman (rfriedman@gmssf.com)  
2023-09-15 - 3:39:30 PM GMT
-  Document emailed to Luis Hernandez (lhernandez@gmssf.com) for signature  
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-  Document e-signed by Teresa Baluja (teresa.baluja@lennar.com)  
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