

**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 March 17, 2023 at 11:00 a.m. at Lennar Homes, 5505 Blue Lagoon Drive, Miami, Florida.

Present and constituting a quorum were:

Teresa Baluja	Chairperson
Carmen Orozco	Vice Chairperson
Raisa Krause	Assistant Secretary
Vanessa Perez	Assistant Secretary
Brett Benson	Assistant Secretary

Also present were:

Luis Hernandez	District Manager
Michael Pawelczyk	District Counsel

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
October 21, 2022 Meeting**

Mr. Hernandez: Moving on, we have Approval of Minutes of the October 21, 2022 Meeting. This would be the time to make any changes, corrections, additions, or deletions. If there are none, a motion to approve them would be in order.

On MOTION by Ms. Baluja seconded by Ms. Krause with all in favor, the Minutes of the October 21, 2022 Meeting were approved as-presented.

THIRD ORDER OF BUSINESS

**Consideration of Resolution
#2023-01 Adjusting Terms of
Office of the Board of Supervisors**

Mr. Hernandez: Next we have Consideration of Resolution #2023-01 Adjusting Terms of Office of the Board of Supervisors. Just for clarification of the record, when we

start to convert to electing Board members through the general election run by Miami-Dade County, we need to be on an even-year cycle. This resolution will take care of that so that when those seats go up for election, Seat #1, Seat #2, and Seat #5 will now expire in November 2024, and Seat #3 and Seat #4 will now expire in November 2026. With all of that being said, unless anyone has any questions, a motion to approve Resolution #2023-01 would be in order.

On MOTION by Ms. Baluja seconded by Ms. Krause with all in favor, Resolution #2023-01 Adjusting Terms of Office of the Board of Supervisors was approved.

FOURTH ORDER OF BUSINESS

Consideration of Resolution #2023-02 Approving the Proposed Fiscal Year 2024 Budget and Setting the Public Hearing

Mr. Hernandez: Moving on, next we have Consideration of Resolution #2023-02 Approving the Proposed Fiscal Year 2024 Budget and Setting the Public Hearing. Before we consider the resolution, let's take a look at the budget. This proposed budget presents that the assessment levels and expenditures will be able to remain at the same level as the prior year with no increases, and the District will be able to operate and fulfill all of the items of concern. With that being said, unless anyone has any comments or questions, we can move on to the actual resolution. The recommendation and request would be to set the budget public hearing to be held on May 19, 2023 at 11:00 a.m. at this location, Lennar Homes, which is our regular meeting date and time, and it will also coincide with the other meetings we have already scheduled that day.

Mr. Pawelczyk: Is that too late, Tery?

Mr. Hernandez: She needs to be done by 11:30 a.m. so we will be able to keep this one at 11:00 a.m. and have Sedona Point CDD be the last one at 11:15 a.m. I already took that into consideration.

Mr. Pawelczyk: This one might have residents show up?

Mr. Hernandez: Yes, this particular CDD may possibly have residents show up for the public hearing.

Mr. Pawelczyk: I was just thinking that if she has to leave by 11:30 a.m., that might be cutting it too closely timing-wise.

Ms. Baluja: I am not leaving. I have to be here still, but I have to be done with the CDD meetings by 11:30 a.m.

Mr. Hernandez: We will make sure that everything starts on time so that it will not be an issue.

Ms. Baluja: And everyone else should be here, too, so you should still have quorum even without me.

Mr. Hernandez: So, with that being said, and once again, just for clarity of the record, the resolution will be filled in to read that the public hearing will be held on May 19, 2023 at 11:00 a.m. at Lennar Homes, located at 5505 Blue Lagoon Drive, Miami, Florida. Unless anyone has any comments on that, a motion to approve Resolution #2023-02 would be in order at this time.

On MOTION by Ms. Baluja seconded by Ms. Krause with all in favor, Resolution #2023-02 Approving the Proposed Fiscal Year 2024 Budget and Setting the Public Hearing was approved; and the public hearing was scheduled to be held on May 19, 2023 at 11:00 a.m. at 5505 Blue Lagoon Drive, Miami, Florida.

FIFTH ORDER OF BUSINESS

Consideration of Engagement Letter with Berger, Toombs, Elam, Gaines, & Frank to perform the Audit for Fiscal Year Ending September 30, 2022

Mr. Hernandez: Moving forward, next we have Consideration of Engagement Letter with Berger, Toombs, Elam, Gaines, & Frank to perform the Audit for Fiscal Year Ending September 30, 2022. At this point, it would be appropriate to approve the engagement letter so that it can be executed.

On MOTION by Ms. Baluja seconded by Ms. Krause with all in favor, the engagement letter with Berger, Toombs, Elam, Gaines, & Frank to perform the audit for fiscal year ending September 30, 2022 was approved.

SIXTH ORDER OF BUSINESS

Staff Reports

A. Attorney

Mr. Hernandez: Moving forward to Staff Reports. Mike?

Mr. Pawelczyk: I don't really have anything to report. Unless we need to report on the fence issue? The fence was eventually removed and the property was restored. I think field management, either Ben or Jesus, is working on getting some asphalt repaired where the fence posts were.

Mr. Hernandez: They removed the poles and poured concrete over those areas. Now they creating a situation and now they are removing it because it doesn't make any sense to have it there.

Mr. Pawelczyk: We even told them through their lawyer to have them get with GMS to coordinate the restoration of the property to make sure it was done properly, but I don't think that they did that.

Mr. Hernandez: They have been working on it.

Mr. Pawelczyk: So, the only other issue that I have been working on is the landscape maintenance easements for the entrances. All of them were done except for Ramblas I believe. They said they executed it a long time ago, and gave it to someone at Lennar, but we don't think that ever happened. There is no transmittal letter or anything else. Their lawyer has been kind enough to try to work with me to try to get them to re-execute the document, but it is taking some time. Hopefully, by the next time we meet, we will have the executed document finally.

Ms. Baluja: Can't they just re-execute it?

Mr. Pawelczyk: You would think so, but they said they already did. So, I revised the document to add a paragraph to say that this shall replace any other landscape easement that may or may not have been executed by the HOA, and that document is hereby void. Just because if there is one, it predates this one. The only thing it is holding up is for GMS to do any improvements to that entrance, so we are waiting for them to execute so we can do those improvements. I think they are just landscaping improvements, right?

Mr. Hernandez: Yes. Landscaping improvements.

Mr. Pawelczyk: So, that's where we are on that. Their lawyer is trying. He has been very easy to work with. They are very slow.

Mr. Hernandez: The problem is that we have not had any consistency with managers. They have a new person. I sent them an email to show them what we did with the other entrances for the rest of the CDD. Part of what I am going to be doing prior to adopting this proposed budget is send them a letter saying that if they do not sign the agreement, I will request that the CDD stop providing services to that area and we can reduce the cost for that particular property for the Ramblas units, and if they want to be included later on, they will have to wait until the next fiscal year where it can be added back to the budget. My biggest concern is utilizing public funds on a piece of property where were told we would enter into the agreement. As an act of good faith, we have been doing the maintenance, but they have yet to sign the document. Anything else to discuss, Mike?

Mr. Pawelczyk: I don't have anything further.

B. Engineer

C. Manager

Mr. Hernandez: With that being said, we have already covered Attorney and Field, and there is nothing to present from the Engineer or Manager.

SEVENTH ORDER OF BUSINESS Financial Reports

A. Acceptance of Summary of Invoices

B. Acceptance of Combined Balance Sheet

Mr. Hernandez: Moving on, next you have the Financial Reports. Tab A contains the summary of invoices, and tab B has the combined balance sheet. Unless anyone has any questions, a motion to approve the financials would be in order.

On MOTION by Ms. Baluja seconded by Ms. Krause with all in favor, the Summary of Invoices and the Combined Balance Sheet were approved.

EIGHTH ORDER OF BUSINESS Supervisors Requests and Audience Comments

Mr. Hernandez: Are there any Supervisor's requests? Hearing none, I just want to indicate for the record that we do not have any audience here with us today, nor has anyone called in.

NINTH ORDER OF BUSINESS

Adjournment

Mr. Hernandez: Unless anyone has anything else to discuss, a motion to adjourn would be in order.

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



Secretary /Assistant Secretary



Teresa Baluja (May 22, 2023 12:09 EDT)

Chairman / Vice Chairman

05-19-23documentstobesigned-SanSimeon

Final Audit Report

2023-05-22

Created:	2023-05-22
By:	Luis Hernandez (lhernandez@gmssf.com)
Status:	Signed
Transaction ID:	CBJCHBCAABAAwcWp4s4WwQerNxDGfv-mtwZh2SH2bTVp

"05-19-23documentstobesigned-SanSimeon" History

-  Document created by Luis Hernandez (lhernandez@gmssf.com)
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-  Document e-signed by Luis Hernandez (lhernandez@gmssf.com)
Signature Date: 2023-05-22 - 4:06:25 PM GMT - Time Source: server- IP address: 50.196.79.65
-  Document emailed to teresa.baluja@lennar.com for signature
2023-05-22 - 4:06:26 PM GMT
-  Email viewed by teresa.baluja@lennar.com
2023-05-22 - 4:08:27 PM GMT - IP address: 104.28.57.239
-  Signer teresa.baluja@lennar.com entered name at signing as Teresa Baluja
2023-05-22 - 4:09:30 PM GMT - IP address: 104.12.66.99
-  Document e-signed by Teresa Baluja (teresa.baluja@lennar.com)
Signature Date: 2023-05-22 - 4:09:32 PM GMT - Time Source: server- IP address: 104.12.66.99
-  Agreement completed.
2023-05-22 - 4:09:32 PM GMT