

**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 September 15, 2023 at 11:00 a.m. at Lennar Homes, 5505 Blue Lagoon Drive, Miami, Florida.

Present and constituting a quorum were:

Teresa Baluja	Chairperson
Raisa Krause	Assistant Secretary
Vanessa Perez	Assistant Secretary
Brett Benson	Assistant Secretary

Also present were:

Luis Hernandez	District Manager
Andrew Gill	Governmental Management Services
Michael Pawelczyk	District Counsel
Liza Smoker	District Counsel
Juan Alvarez	District Engineer
Marc Szasz	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
August 18, 2023 Meeting**

Mr. Hernandez: The next item for the Board to consider is Approval of Minutes of the August 18, 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.

On MOTION by Ms. Baluja seconded by Ms. Krause with all in favor, the Minutes of the August 18, 2023 Meeting were approved as-presented.
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THIRD ORDER OF BUSINESS

Acceptance of Conveyance of Drainage System

Mr. Hernandez: The next item on the agenda for the Board to consider is Acceptance of Conveyance of Drainage System. Juan, could you please introduce us to what is being meant by discussing this item for us?

Mr. Alvarez: Yes. If you see the maps in the report in the agenda package, it shows the land the CDD has for the lakes and some easements. The funds from the bonds were for the lakes and lift stations. The CDD never spent any money on the drainage system so it was never acquired by the CDD. So, the CDD does not own it. Some of the land was deeded to the HOAs. There are areas the CDD does own, though and the question is should that be transferred to the CDD, or to the HOAs. If the drainage system is going to be transferred to the CDD, then we would need easements from the HOA. We can work with Lennar on that.

Mr. Hernandez: Sorry to interrupt you, but the part that I think is important for the Board to be aware of is that it is my understanding that everything for the drainage system is still in Lennar's name. The reason that a red flag is being raised on this particular matter is because Miami-Dade County sent a violation notice, and that is when it came up that the drainage system is still in Lennar's name. So, I think the first thing to define is if the intent is to pass the ownership to the CDD, in which case the District will need easements for the maintenance of the drainage system, or if it is going to be conveyed to the different HOAs.

Mr. Pawelczyk: To clarify that, it is the permit that is still in the developer's name. Unless the deed excluded the drainage improvements when you deeded the roads to the HOAs, then the HOAs own that. If you want the CDD to maintain it, you could do so but you would need easements from each HOA.

Ms. Baluja: I think that it makes more sense to have the CDD maintain all of it rather than each HOA, right?

Mr. Pawelczyk: It is more work for the CDD, but you will often have that Subdivision I will maintain their drainage system, but Subdivision II or Subdivision III don't choose to do so.

Ms. Baluja: Right. And then that causes problems.

Mr. Pawelczyk: Yes. One area will cause flooding and then everyone asks why you are not doing anything. If it is not ours, we can't. But then you have the HOA people saying they didn't know they were responsible either. So, it is almost better for the CDD to maintain it and have it so that all of the water goes into our lakes.

Ms. Baluja: Which is also ours. I agree.

Mr. Pawelczyk: Then we would just need a motion authorizing staff to move forward with trying to secure drainage easements from each of the individual communities as-needed.

Ms. Baluja: I think you said one of the neighborhoods didn't have it yet? So, that means the easement would come from Lennar?

Mr. Alvarez: Yes.

Mr. Pawelczyk: As part of this motion, we will prepare that easement for that neighborhood as a starting point with Lennar as the starting party. We will circulate those so that they can be executed, and so that the CDD will be able to maintain the drainage system.

Mr. Hernandez: Not only that, the District does have the funds in the budget for that maintenance. So, is there a motion as we just discussed?

On MOTION by Ms. Baluja seconded by Ms. Krause with all in favor, the conveyance of the drainage system was accepted; and staff was authorized to prepare and have any necessary easements and documentation related to the maintenance of the drainage system executed as-needed.

FOURTH ORDER OF BUSINESS

Consideration of Resolution #2023-06 Amending the Fiscal Year 2024 General Fund Budget

Mr. Hernandez: Moving forward, the next item on the agenda is Consideration of Resolution #2023-06 Amending the Fiscal Year 2024 General Fund Budget. This relates to the fact that the District finally got an answer from the Ramblas. They decided they did not want to grant an easement for maintenance of the entrance. Instead, they chose to take that portion out of the agreement. This resolution takes out the \$3,200 amount out of the District's budget for that. The reason and importance of

doing this right away is because this is a subdivision that changed their mind drastically. Based on that, by approving the resolution, you will be taking the \$3,200 that was being assessed out of the District's budget, hence why it is a budget amendment. Are there any questions about any of that? Hearing none, is there a motion to approve Resolution #2023-06 at this time?

On MOTION by Ms. Baluja seconded by Ms. Krause with all in favor, Resolution #2023-06 Amending the Fiscal Year 2024 General Fund Budget was approved.

FIFTH ORDER OF BUSINESS

Staff Reports

A. Attorney

Mr. Hernandez: Staff Reports. Mike?

Mr. Pawelczyk: Nothing further on this one.

Mr. Hernandez: Thank you very much.

B. Engineer – Acceptance of Engineer's Report FY2023-2024

Mr. Hernandez: The next item on the agenda for the Board to consider is Acceptance of Engineer's Report FY2023-2024. Juan already kind of presented this earlier. Anything else to add to that, Juan?

Mr. Alvarez: No, it is for the master trust indenture that we have to provide to the Trustee. It is going to be submitted to them and we are presenting it to the Board for the District's records.

On MOTION by Ms. Baluja seconded by Ms. Krause with all in favor, the Engineer's Report FY2023-2024 was accepted.

C. Field

Mr. Hernandez: You have been provided with the field report from GMS. The only part I want to highlight is that I got a call and an email with some pictures from the Ramblas, but when you look at the area it is outside of the District, and is actually owned by the HOA. Therefore, they are making the owner of the adjacent parcel responsible for the maintenance. I had a discussion with the president of the

association and explained that the District cannot maintain that area. I will keep the Board posted.

D. CDD Manager

1) Request for Fence Extension

Mr. Hernandez: For the Manager, first item that we have is that I included the letter we passed on about the request for the fence extension. With all of the conversations we had with the Ramblas, they accepted the request from the Board, and they are in the process of getting the permits. I told them before they start building that we need copies of the permits. So, they are working with us.

2) Insurance Policy Renewal

Mr. Hernandez: The next item is the insurance policy renewal. A motion to accept that to indicate the Board has been provided with a copy would be in order.

On MOTION by Ms. Baluja seconded by Ms. Perez with all in favor, the insurance policy renewal was accepted.

SIXTH 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. Krause with all in favor, the check register and unaudited financials were accepted.

SEVENTH ORDER OF BUSINESS

Supervisors Requests and Audience Comments

Mr. Hernandez: Are there any Supervisors' requests at this time? Hearing none, from the audience, we only have Marc. Marc, is there anything you would like to say related to San Simeon?

Mr. Szasz: No.

Mr. Hernandez: Thank you very much for that. There is no one else in our audience here with us today in person or virtually, so we can move on.

EIGHTH 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. Krause with all in favor, the meeting was adjourned.



Secretary /Assistant Secretary



Teresa Baluja (Apr 19, 2024 13:56 EDT)

Chairman / Vice Chairman

04-19-24docstosign-SanSlmeon

Final Audit Report

2024-04-19

Created:	2024-04-19
By:	Robin Friedman (rfriedman@gmssf.com)
Status:	Signed
Transaction ID:	CBJCHBCAABAAPgZw4r82VAJKao7oeJKT1ng91I_I2vcl

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