

Hammocks Community Association, Inc.

Minutes of the Board of Directors' Meeting
December 10, 2024 – 7:00PM – Clubhouse and ZOOM

1. Call to Order

The meeting of the Board of Directors was called to order by Don Kearns at 7:03pm

2. Pledge of Allegiance

Everyone stood and recited the Pledge of Allegiance.

3. Determination of a quorum

Present: Don Kearns
Idalmen Ardisson
Pete Cabrera
Frank Perez
Fernando Figueira arrived at 7:20pm
Kristen Gurucharri
Juan Franco- ZOOM

Judge David Gersten, Jesmany Jomarron, Eric Thompson - Association Counsel; Anthony Serrone.

4. Proof of Notice of Meeting

Anthony Serrone advised that Management posted notice for the meeting on all the bulletin boards throughout the community and on the association website on **Friday December 6th, 2024**.

5. Approval of previous Board meeting minutes

Idalmen Ardisson stated that the minutes are incorrect, and that management needs to revise the minutes.

6. Adoption of 2025 Budget

Don Kearns -In judge Gersten report to Judge Butchko it was stated that a budget needs to be put together and adopted by tonight and distributed to the homeowners. Don Kearns' position is no increase for the master association budget and is advocating that the winnings that the Judge has procured go back to the homeowners. The increase in insurance to be offset by the surplus. For the neighborhood budget, Don is advocating for a zero percent increase.

MOTION

To adopt the 2025 budget with no increase for the master and neighborhood budgets

Motioned by: Idalmen Ardisson

Seconded by: Kristen Gurucharri

Discussion:

- **Pete Cabrera** recommends looking at DK 1R.
- **Don Kearns – Legal** – is all new to us with in a court monitored scenario. FL Law hasn't changed enough to offer us the protection we deserve. Judge Butchko decided to continue to oversee the restoration of

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the community. The Monitor makes sure your interests are protected. A new board could be elected, and it would be hard to get them out if they have bad intentions. Judge Gersten said that we can do an a la carte service or a flat retainer fee of \$30,000 per month, which is far less than the receiver fees. Jesmany Jomarron has offered a retainer of 20k – 25k for retainer per month. This will produce level billing, if things calm down and we are paying too much, we can try to negotiate for the price to go down. We must have the monitor per Judge Butchko.

Kristen Gurucharri – Expanded on the legal services. The Association is being billed by the hour by the legal team, and we still need a lot of assistance from the attorneys. The retainer would be a cap on the funds that they can charge, it does not mean that he is going to spend that money. Same thing for Mr. Jomarron. For them to charge additional money, it would have to be authorized by the board. Keeping the budget at \$740,000 for legal does not mean we are going to reach it but is the max we will spend with the retainers.

Don Kearns – This is not something that they do at their firms, we asked for help from them, and they were able to accommodate.

Idalmen Ardisson – The social events are calculated with having the fireworks for the fourth of July and January when it should only be July 4th, 2024. Those are two calculations that must be recalculated.

Don Kearns – We have switched insurance agents, and we think they will be more responsive and have better options to lower the insurance cost. After the two hurricanes hit FL, in addition to the losses against the insurance from The Hammocks, the insurance agent is expecting a cost of 1.5 million. We won't know until we get close to policy renewal. Salaries and management services should go away so there are no contractors with affinity.

Pete Cabrera – Mentioned the differences between the different versions of the budget. DKR1 with surplus would get us to the same maintenance fees as last year would. Use \$689,352 of the money that was awarded back to the association from the efforts of Judge Gersten and the legal team. Without using the surplus, the maintenance fees would be \$238.69 which is a \$26.31 increase over last year which breaks down to \$8.77 more per month.

Don Kearns – Now that Chicky found the discrepancy in the budget for the fireworks, there will be even less of the surplus that would be paid. There are a lot of people who are having financial hardships, so the association is taking this into account to help its residents. A lot of people are on fixed income, and we need to keep them in mind.

Don Kearns – If we did not make a surplus contribution the assessment would be 238.69.

Idalmen Ardisson – I agree for us to keep the maintenance fees the same. I don't think it's a responsible thing to raise it.

Fernando Figueira – I am confused about the word surplus. We had 9 million stolen from us and we recovered \$4 million which means we are in the hole for \$5 million. The fact that everyone went through hardships in the association is not a reason to give everyone \$35 reduction per quarter but has a huge impact by economies of scale. Between our legal and insurance expenses we are paying about 2.1 million. I appreciate the sentiment and the well wishes of the board, but I think it is impractical for the community. The property values and aesthetics of the committee are funded with the finances of the community. Without them we will not accomplish this. The true budget put forward originally was more realistic at about \$7 million. I don't agree with using the "surplus". The money awarded to the Association to placate homeowners is a disservice. Every aspect of life has increased, to continue for another year I think we need to be more realistic.

Idalmen Ardisson – I don't feel comfortable when so many people are struggling, to raise these projects.

To adopt the 2025 budget with no increase in neighborhood budgets

MOTION

Motioned by: Kristen Gurucharri

Second by: Idalmen Ardisson

Discussion:

Motion carries unanimously

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Juan Franco left the meeting at 8:21pm

7. Transfer of funds to Neighborhood Capital Improvements (Limited Voluntary Deferred Expenditure)

Don Kearns – When the community was stolen from, everyone lost equally. What we have not considered is that the 18 neighborhoods had put away about \$1.3 million dollars that had been set aside for capital improvement. There is a segment of the community who believe it is an ethical obligation to give this money back from the recovered money.

Kristen Gurucharri – As the Chair of the neighborhood Committee, I am in favor of not raising the neighborhood assessments. The communities have projects that the neighborhoods would like to do. A decrease is not a good option so we can have the funds to do so.

To transfer funds of \$500,000 to the neighborhoods' LVDE accounts.

MOTION

Motioned by: Kristen Gurucharri

Second by: Idalmen Ardisson

Motion Carries 6-0

8. Lake Fountain Purchase/Repair-

To approve a new fountain for Mimosa Lake for approximately \$22,000.

MOTION

Motioned by: Pete Cabrera

Second by: Idalmen Ardisson

Motion Carries 6-0

To approve a quarterly maintenance contract for the cleaning of the fountains.

MOTION

Motioned by: Pete Cabrera

Seconded by: Frank Perez

In favor – Fernando Figueira, Frank Perez, Pete Cabrera

Opposed – Idalmen Ardisson, Don Kearns, Kristen Gurucharri

Motion Does not Carry

9. Committee Reports

a. Architectural Control Committee

Fernando Figueira presented on behalf of the Architectural Control Committee

I. Board approval of Committee Meeting Minutes and applications of the previous ACC Meeting

To approve the 28 applications from the ACC applications and the minutes from the ACC Meeting

MOTION

Motioned by: Fernando Figueira

Seconded by: Frank Perez

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Motion carries 6-0

II. Appeals of application denials – Daney Hoyos and Vilma Tiera

MOTION

To approve the appeal of Daney Hoyos' application and overturn the original denial of the ACC Application submitted

Motioned by: Fernando Figueira

Seconded By: Frank Perez

Motion Carries 6-0

To table Vilma Tieras

FP

KG

Motion 6-0

b. Finance Committee

I. Board approval of Committee Meeting Minutes

MOTION

To approve the meeting minutes of the Finance Committee Meeting.

Motioned by: Frank Perez

Second by: Idalmen Ardisson

Motion Carries 6-0

c. Fining Committee

I. Board approval of Committee Meeting Minutes

MOTION

To table the minutes of the Fining Committee Meeting until corrected.

Motioned by: Don Kearns

Seconded by: Kristen Gurucharri

Motion passes 6-0

d. Landscaping Committee

I. Board approval of Committee meeting Minutes – no quorum no meeting, therefore, not minutes.

e. Neighborhoods Committee

I. Board approval of committee Meeting Minutes

MOTION

To table the minutes of the previous Neighborhoods meeting until they are corrected.

Motioned by: Fernando Figueira

Second by: Idalmen Ardisson

Motion Carried 6-0

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10. New Business

a. Install a Cover over the Water Oaks Pool

To approve FSR to get an emergency cover to \$15,000 to for president to sign.

MOTION

Motioned by: Idalmen Ardicion

Seconded by: Kristen Gurucharri

11. Old Business

a. Status of approved seal coating and mulching projects

Don Kearns- The sealcoating project requires surveys which we are currently getting quotes to have compiled. The mulching project has started for the entrances of the communities.

b. Status of Survey proposals

Don Kearns – Should be drawn up by the next Board Meeting.

c. Zoom Room Technology Proposals

Jesmany Jomarron – Will work with Affinity to get this accomplished.

d. Status of Green Wise Contract

e. Clubhouse Painting

To table clubhouse painting and the Green Wise Contract discussion

MOTION

Motioned by: Idalmen Ardisson

Seconded by: Kristen Gurucharri

Motion Carries 6-0

12. Owner Comments on Agenda Items

13. Adjournment: 9:22pm.

Motioned by: Kristen Gurucharri

Seconded By: Frank Perez.

Motion Carries unanimously