

Hammocks Community Association Inc.

Minutes of the Advisory Board of Director's Meeting
May 14th, 2024 – 7:00PM – Clubhouse and ZOOM

1. Call to Order

The meeting of the Advisory Board was called to order by Judge David Gersten at 7:01 pm.

2. Pledge of Allegiance

Everyone stood and recited the pledge of allegiance.

3. Determination of a quorum

Present: Receiver Judge Gersten is present therefore Quorum is established.

Idalmen Ardisson
Pete Cabrera
Fernando Figueira (ZOOM)
Don Kearns
Frank Perez

Jesmany Jomarron, Association Counsel; Anthony Serrone, Melissa Diaz, Alyson Theale;
FirstService Residential.

Judge Gersten formally appoints Anthony Serrone, with FirstService Residential, as Secretary for the purpose of taking minutes.

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, May 10th, 2024.

5. Approval of the Previous Meeting's Minutes

MOTION

To approve the meeting minutes for the Advisory Board of Directors Meeting held on April 19, 2024.

Motioned by: Pete Cabrera

Seconded by: Frank Perez

Motion Carried Unanimously

6. Receiver's Status Report and Recommendations

• Recovery Efforts

- Rasko Klock – Hilton Napoleon – There have been many depositions that have been conducted for this case. Judge Gersten has been deposed twice. Judge Gersten was present at Hilton Napoleon's deposition. It is possible to settle that case, but it must be extremely reasonable for The Hammocks, or it is going to trial. A trial can be set for July, depending on how judge calls the trial calendar.
- Criminal Lawyers – So far, we have settled for \$350,000 that has gone to our treasury. Last meeting it was announced that we received an additional \$103,000 into the treasury. We may

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settle the case with the Hermida law firm. If we do not have a settlement, then we will be going to trial in October.

- **Vendor lawsuits** – The case is set for January of next year.
- **Cepero Case** – We initially won the appeal and then the Judge reversed the ruling. We are waiting for the bankruptcy Judge to give a ruling.
- **Other Cases** – We have been in some foreclosure cases that the Association has an interest in and could collect money from.
- **Collection Efforts-**
 - The Board understands the importance of collecting dues that are delinquent to the Association. Currently, there is \$1,169,320.26 in delinquent funds that are past due by 90 days. If any homeowner is experiencing financial hardships, there are programs that the Association has created to help avoid lien foreclosure. FirstService Residential has been sending letters out to advise homeowners that they need to pay. The Receiver and The Board of Directors are vetting collections agencies to hand off collections to. By next month collections could be up and running. All homeowners can reach out to FirstService Residential for payment plans. Judge Gersten has been approving all those requests.
 - Disputed accounts – There are still 61 accounts under review. Last month there were 27 that were under review. FirstService Residential is diligently reviewing all accounts. If your ledger is incorrect, please reach out to FirstService Residential to submit the required documentation to fix your ledger.
 - In the bank we currently have \$3,921,386.52.
- **Committees**
 - Judge Gersten interviewed the candidates for the committees to avoid any potential favoritism. Judge Gersten interviewed 11 potential candidates for the committees. The committee members are as follows:
 - Neighborhoods Committee – Maria Lopez-Peralta – Oakwood Estates, Chris Recicar - Spicewood, Yolima Tyler- Corella, Karolyn Demery - Skylark, Frank Morrison – Chantarelle Ravina, Ana Laura Morales – Paseo 1. Kristen Gurucharri is the Chair of the Committee, Fernando Figueira - Haciendas
 - Fining – Diego Espinosa and Karen Wright.
 - Architectural Control Committee – Eliana Arratia
 - Finance Committee – Pete Cabrera, Frank Morrison, Evelio Aleman, Katherine Johnson.
 - Judge Gersten’s recommendation is that there is an independent selection of committee members to avoid any appearance of favoritism or impropriety. Judge Gersten can serve as the monitor for the selection of the Committees if he stays on as monitor. Judge Butchko has already appointed Judge Gersten to continue on as the election monitor without a definite end date.
- **Hammocks community association bill of rights**
 - We had a legislative update in October given by Representative Juan Carlos Porras who talked about changes to the Homeowner’s Association Act. Judge Gersten analyzed the act and did not think it encompassed enough. The Hammocks Bill of rights is being drafted and will contain more rights for the homeowners of The Hammocks and will provide more protection for The Hammocks’ homeowners than what the state law

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offers. This will be finalized and submitted to Judge Butchko by the next board meeting. Some of the items in the bill of rights, as a preview:

- Oath of vendor doing business with Hammocks – Vendors that work with the Hammocks will have to give an oath under threat of perjury that they have not offered anything of value to the Board of Directors or Homeowners. Contracts can void us if that is present.
- Outside independent, Licensed property management companies for the Hammocks – The Hammocks will not be self-managed ever again.
- **Board Liaison and Property Management Company update- Anthony Serrone and Idalmen Ardisson**
 - **Fencing Project – Anthony Serrone**
 - Recommended as of 4/22/2024.
 - Locations that have been completed
 - Along Hammocks Blvd. and 96th St.
 - Along 96th St. and 147th Ave.
 - Fences near the Cedar Landing entrance sign.
 - The fence in between Juniper and Chantarelle.
 - Fence on the NE corner of Juniper.
 - Currently working on 162nd in between 104th St and 112th St.
 - Any homeowners that will be affected will have a notice given to them by the property management company. Property Management Company is also visiting every home that will be affected to discuss the process in person, as well.
 - **Lighting-**
 - Anthony, Shirley, Judge Gersten, Don, and Chicky have met with Carlos Ayuso from FPL to discuss what can be done to replace the lights on top of the poles that belong to FPL In order for them to reclaim the responsibility of maintenance. They are sending through the proposals for consideration.
 - It was also discussed that there is a process of how to get the poles that do not belong to FPL, to be replaced by FPL and, therefore, FPL would claim the responsibility of maintenance for those poles and lights, as well.
 - **Playground equipment**
 - The ACC voted at the previous Committee meeting to put the previously purchased playground equipment at the Wild Lime Center, where it was originally planned for.
 - The ACC voted at the previous Committee meeting to replace the existing, worn down, outdoor gym equipment by Water Oak Lake with the new equipment that was purchased by the previous board of Directors. We are exploring getting a new survey to replace the equipment with Miami Dade County.
 - The playground equipment company has been contacted to let them know and discuss the next steps.
 - **Fountains**
 - Lake Doctors is going to come out to the property on Friday to troubleshoot the fountains again.
 - FirstService had Lake Doctors and Fuze, look at the electrical box to see why the fountain breakers keep flipping.

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- They have given two different answers as to why the breakers are flipping, so we are looking to get a third and possibly fourth opinion on what is causing this issue.
- **Pools**
 - Wild Lime –
 - Repairs and a leak test are going to be conducted on the pool soon.
 - Water Oak Lake-
 - Working with URI to get the violations that are outstanding corrected with Miami-Dade County.
 - FirstService recently took down the mesh around the fence that was a violation. Also included in this violation is the canopy that was constructed without a permit that will be taken down, hopefully by this Friday.
 - We also must close out two other violations regarding unpermitted change of equipment for the pool pumps, as well as replacing the windows and ventilation in the clubhouse restrooms.
 - Black Creek
 - Repairs have been completed at Black Creek. We are waiting for the permits to clear the city. In the meantime, we are working on making sure everything is as cleaned up as possible for when the city allows us to open the pool.
- **Beaches**
 - The quarterly beach cleanup was completed by Aquagenix in between 4/17/2024 - 4/19/2024.
 - The maintenance team is scheduled to start doing their portion of the cleanup starting the week of May 20-24 and going until completed.
- **Chantarelle Wall Painting.**
 - Completed. Bushes
- **Status of answers to AB for Final Budget Approval.**
 - Working with our contact at FPL to see if he can help shed some light on the issue. He is only in the conversion department for the lights, but he is trying to get us a contact that can help us figure that part out.
- **Idalmen Ardisson- Liaison Report**
 - **Playground Equipment** – The old Board of Directors had the previously purchased playground slated to be installed at the Wild Lime Center. At the ACC meeting, the Committee voted to install it there to save money and add value to the Center and The Hammocks.
 - **Wild Lime Center** – Judge Gersten authorized us to get new furniture for the Wild Lime Center. FirstService Residential and the Board Liaison purchased furniture at a low cost to update the center.
 - **Water Tank** – The Tank is now up and running and will be able to be used for our power washing needs.
 - **Fencing** – Back on track and we are pleased with the workmanship of the company installing the fences.
 - **Pole numbering** – the numbering of the poles will start next Tuesday so that homeowners can identify the poles that are out.

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- **Drainage** – Judge Gersten, Anthony, and Board Liaison met with the drainage company and, hopefully, we will be starting that project soon.

7. Committee Reports

7a. Architectural Control Committee

Idalmen Ardisson presented it on behalf of the Architectural Control Committee.

MOTION

To approve 14 homeowner ACC applications, deny 1 homeowner ACC application, table 1 homeowner ACC application, and give 1 homeowner a preliminary approval on their ACC application as was determined by the Architectural Control Committee at the meeting on May 2nd, 2024.

Motioned by: Idalmen Ardisson

Seconded by: Pete Cabrera

Motion Carried Unanimously

MOTION

To approve the recommendation from the ACC to place the previously purchased playground equipment at the Wild Lime Center as it was originally planned and the gym equipment to replace the old gym equipment that is currently on the side of the Water Oaks Lake.

Motioned By: Frank Perez

Seconded By: Pete Cabrera

Motion Carries Unanimously

MOTION

To approve the 7 recommended color combinations of stucco and trim, as they are listed below, as approved exterior paint color schemes for the 18 Hammocks Community Association managed neighborhoods.

Motioned By: Idalmen Ardisson

Seconded By: Frank Perez

Motion Carries Unanimously

MOTION

To instruct FirstService Residential to do a survey of the aluminum fences within the 18 Hammocks Community Association Managed Neighborhoods.

Motioned By: Idalmen Ardisson

Seconded By: Pete Cabrera

Motion Carries Unanimously

7b. Finance Committee

Pete Cabrera Presented on behalf of the Finance Committee.

Pete Cabrera reported:

- 3.9 million dollars in Cash on Hand
- Net income \$431,000
- \$103,000 was brought into the Treasury in April as a result of a lawsuit settlement.
- The biggest issue that we are facing is the delinquent accounts. The accounts that are 90 days past due equal \$1.1 million which is 589 units. Total there is 1.3 million that is outstanding including 30 and 60 days past due. The Advisory Board of Directors and the Receivership are interviewing collection agencies/attorney to collect these funds.

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- Outstanding projects according to the property management company are estimated to be approximately \$319,000. Project include lighting, pool furniture, asphalt project, etc.
- The equity fund is approximately \$3.5 million dollars.
- The Finance Committee is looking at the variances from the budget such as the legal expenses, tree trimming, etc.
- The draft budget for 2025 should be done by August. This will include the budget for each neighborhood. Hopefully, a final budget will be completed in October, at the latest November.
- The Finance Committee is discussing saving money for capital projects. Finance Committee is looking at an account called a Limited Voluntary Deferred Expenditure Account that will save money but not limit the use of the money to certain things as a reserve account would.

MOTION

To recommend to the Advisory Board of Directors to instruct FirstService Residential to add a Limited Voluntary Deferred Expenditure Account to the Budget for 2025.

Motioned By- Pete Cabrera

Seconded By- Frank Perez

Discussion – Jesmany Jomarron explained what a Limited Voluntary Deferred Expenditure account is and how it is not limited to certain things as a reserve is.

Motion Carries Unanimously

MOTION

To recommend to the Advisory Board of Directors that the roles and responsibilities of the Finance Committee be approved as recommended by the Committee members (Attached to the Minutes)

Motioned By: Pete Cabrera

Seconded By: Idalmen Ardisson

Discussion – Advisory Board of Directors spoke about what the roles and responsibilities of the committee should be and what they should not be per the recommendations of the Finance Committee. Some Board members did not agree with all of the roles and responsibilities as recommended and Pete Cabrera decided to take the list back to the Finance Committee to review and adjust.

Motion does not carry. None in favor.

MOTION

To recommend that the Advisory Board of Directors approve moving the Finance Committee meeting to the First Tuesday of every month.

Motioned By- Pete Cabrera

Second By – Idalmen Ardisson

Motion Carries unanimously

MOTION

To recommend that the Advisory Board of Directors approve moving the Finance Committee meeting to 6pm instead of 7pm

Motioned By – Pete Cabrera

Seconded By – Idalmen Ardisson

Discussion – Clarified that moving the Finance Committee wants to move it earlier so that the meeting does not get out too late.

Motion Carries Unanimously

7c. Fining Committee

Anthony Serrone presented on behalf of the Fining Committee.

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- No updates for the Fining Committee. The Advisory Board will direct FirstService on the violations process and how it is to be carried out. The next Fining Committee Meeting is on 5/18/2024.

7d. Landscaping Committee

Pete Cabrera presented on behalf of the Landscaping Committee.

- Pete Cabrera that the next Landscaping Committee will be held on May 21st, 2024.

To recommend to the Advisory Board of Directors to move the dates of the Landscaping Committee to the third Tuesday of each month.

MOTION

Motioned By: Pete Cabrera

Seconded By: Idalmen Ardisson

Motion Carries Unanimously

- Pete Cabrera reported that Turf is now cutting down approximately 45 dead trees and removing about 103 stumps. Green Wise will begin starting June 1st, 2024. They will be here approximately 14.5 days per month. The planting of trees that was discussed with the County is on hold. The Landscaping Committee has a meeting with the County to discuss the ownership of the Royal Palms in the medians.
- Frank Perez went over the update on the Asphalt project. There are two proposals that have been received for Root pruning and for asphalt replacement to take care of the bike paths/trails where the roots are coming up through the asphalt.

7e. Neighborhoods Committee

Kristen Gurucharri not in attendance to report on the Neighborhoods Committee.

7f. FirstService and Board Liaison Update

Presented by Anthony Serrone and Idalmen Ardisson in the Receiver's Report.

7g. Security Update – Elite

Don Kearns presented the Security Update. All The Hammocks Community Association is now patrolled by Elite Security. Miami-Dade Police Department is going to be patrolling the neighborhoods soon as well.

8. Old Business

- **Comcast Business Agreement** – Comcast gave a presentation on a proposed business agreement with The Hammocks Community Association. They offered either a marketing agreement or a bulk contract with the Hammocks. Each agreement pays The Hammocks a certain amount of money per door if the agreement is signed.

To accept the Comcast offer of a marketing agreement that the association will be compensated for.

MOTION

Motioned By: Idalmen Ardisson

Seconded By: Frank Perez

Discussion – Idalmen Ardisson states that she would like to get Kristen Gurucharri and Juan Franco's opinion on this since they are not in attendance at the meeting. Also, she believes legal should review before any decisions are made. Fernando Figueira shared concerns about exclusivity with a large corporation and that free money sounds tempting but could have hidden terms. The length of the

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contract was discussed as well as the fact that we were already in the middle of one of these contracts even if The Association does not sign another contract.

Withdrawal of Motion

MOTION

To table the discussion until the other Advisory Board of Directors members are able to review the proposal and give their opinions. Also, that the legal team review the contract to ensure that it is in the best interest of The Hammocks Community Association.

Motioned By: Idalmen Ardisson

Seconded By: Frank Perez

Motion Carries Unanimously

9. New Business

9a. Finalization and Official Roll Out of the Violations with Start Date

- FirstService Residential gave a recommendation to the Advisory Board of Directors on how to roll out the violations process. FirstService will post throughout the neighborhood that the violations process is going to be revamped and restarted. Also to let the community know where to get the association documents and rules and regulations. Rules and regulations that will be enforced are landscaping, trash cans out by the curb, commercial vehicles, improper parking, etc.

To approve the Official Roll Out of the Violations as recommended by FirstService Residential.

Motioned By: Pete Cabrera

Seconded By: Idalmen Ardisson

MOTION

Don Kearns asks for a friendly amendment to the motion to add a date that the implementation should begin. June 1st.

Pete Cabrera and Idalmen Ardisson accept the Friendly amendment.

Discussion – it was clarified that the violations will be done within the 18 Hammocks Managed Communities. Also, that the full ACC Manual will be implemented.

Motion Carries Unanimously.

10. Owner's Comments on Agenda Items

- **Maria Alvarez – Chantarelle** – Question about exterior home colors. The new approved colors were supplied to her so that she can submit her application.
- **Luis Garzes – Jasmine** – Said that he has not seen security in his community. We clarified that there is a gate in front of his community, and we need to get the access before we can enter.
- **Jim Keys – Cedar Landing** – made suggestions that the fences that have been replaced need to be painted. Also, to consider putting a concrete fence in its place. Mentioned that the gate doors cannot swing out. Mentioned that there are houses with satellite dishes in front of their house and that it is not allowed. It was clarified that the Association cannot impede someone's right to get signal.

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- **Harris Elliot – Ensenada II** – Reported drains that are blocked by his home which causes flooding when it rains.
- **Lilian Bernal – Heron at The Hammocks** - Brought up issues that are happening at Heron at the Hammocks. It was clarified that those issues are Heron at the Hammocks' Board of Directors to address as the association responsible for representing that community.

11. Adjournment

Motioned By: Idalmen Ardisson

Seconded By: Frank Perez

Motion Carries Unanimously.

Meeting of the Advisory Board of Directors was adjourned at 9:49pm