

# Hammocks Community Association Inc.

Minutes of the Advisory Board of Director's Meeting  
April 9<sup>th</sup>, 2024 – 7:00PM

## 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  
Kristen Gurucharri  
Fernando Figueira  
Juan Franco (ZOOM)  
Don Kearns  
Frank Perez

Jesmany Jomarron, Association Counsel; Corey Tickner, Anthony Serrone, Shirley Arteaga, 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, March 5<sup>th</sup>, 2024.

## 5. Approval of the Previous Meeting's Minutes

MOTION

*To approve the meeting minutes for the Advisory Board of Directors Meeting held on March 12, 2024.*

Motioned by: Idalmen Ardisson

Seconded by: Frank Perez

**Motion Carried Unanimously**

## 6. Receiver's Status Report and Recommendations

- Lawsuits pending –
  - The association has lawsuits still open; some are bigger than others.
  - The smaller lawsuits are foreclosures. These lawsuits are being handled efficiently for a low cost to the Association by an outside law firm.
  - Another \$103,000 was added to the treasury from a settlement that was recently reached in a lawsuit against Gallego's criminal attorneys.
  - There is another ongoing lawsuit that could potentially be settled for a substantial amount of money. If not, we will go to trial. That lawsuit is against Hilton Napoleon and his law firm, Rasco Klock. It is a

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large lawsuit, as the Association is suing for millions of dollars. There was an attempt at mediation, which was not successful. There are many depositions being conducted in this case, including Judge Gersten's deposition on April 29<sup>th</sup> and 30<sup>th</sup> and Hilton Napoleon's deposition on May 18<sup>th</sup>. Judge Gersten and the Association attorney will be at Mr. Napoleon's deposition.

- There was a closed-door legal meeting before our last Advisory Board meeting to discuss confidential legal matters regarding some of these cases as well as other legal matters. Judge Gersten proposes that there be another closed-door legal meeting soon.
- The last lawsuit open is the Cepero lawsuit. The Association won its appeal. The Ceperos are now seeking appellate attorneys' fees, to which Judge Gersten does not believe they are entitled. There is a hearing on April 18<sup>th</sup> with the Bankruptcy Court on the Ceperos' request for appellate attorneys' fees.

## • Fiscal Health

- There are a lot of outstanding maintenance fees that the Association is trying to collect from homeowners. There is currently \$1,743,447.79 outstanding. That number is deceiving as it is the first month in the quarter and there is still time for homeowners to make their payments for the quarter. A different metric Judge Gersten looked at is that last month there was 1,200 that were over 30 days late in paying; currently we are at 861. The association is improving on this front, but it needs to get better. The Association will work with homeowners if they are going through financial hardship. Homeowners can reach out to FirstService Residential to request payment programs from the Association.
- Account updates – We are down to 27 accounts that are under review, which will hopefully be better in May. We had to construct accounts from incomplete or inaccurate financial information, which has been a difficult process.
- There is currently \$4,072,053.28 in the treasury which does not include the \$103,000 that was previously mentioned.

## • Committees

- The committees were reconstituted at the last meeting. Judge Gersten volunteered to do the committee selection process. There will be interviews conducted for candidates of the committees. Homeowners are only allowed to be on one committee unless there are vacant spots that are not volunteered for on a separate committee.

## • FirstService Report – Anthony Serrone

- **Fountain**- The fountain behind the clubhouse has been installed in Water Oak Lake.
- **Quarterly Beach Maintenance** – Aquagenix will start their first round of the Beach Clean up on 4/17/2024. FirstService maintenance crew will do another cleaning in between the quarters. Services include raking the beach, replacing sand, and weeding.
- **Black Creek Center** – The survey for the pool pump was completed and the work from Florida Bright and Blue has commenced. If everything goes according to plan, the Black Creek Center may be open by early May.
- **Water Oaks Center** - FirstService are still working on getting the violations cleared that have been imposed by Miami Dade County. After those are complete, the pool is going to need a lot of work after that in terms of general appearance, pool repairs, etc.
- **Food Truck Fridays** – FirstService has been researching Food Trucks. The food trucks that have been contacted all require a minimum stated amount of money that they will make. The association is responsible for paying any difference in the state minimum and what they make. Wild Lime, The Clubhouse, and Black Creek centers have been discussed as possible options to have the event.
- **Fireworks** – FirstService has reached out to vendors for fireworks. Most of the vendors are already booked. There is one vendor we found with July 4<sup>th</sup> available. The vendor said it

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probably won't be available for much longer. FirstService Residential will be reaching out for sponsorship for the event.

- **Every Door Direct Mail** – FirstService has obtained quotes for printing and sending a “Hammocks Bulletin” to go out to the entire community at minimal costs.
- **Playground Equipment** – The ACC is determining the best place to put the already purchased equipment. FirstService has looked for old surveys from Miami Dade to create a new survey, if needed.
- **Comcast** – There have been discussions surrounding signing a contract with Comcast, they offer a certain amount of money for signing a marketing or bulk contact with them.
- **Board Liaison Update – Idalmen Ardisson**
  - Idalmen Ardisson was appointed as the Board Liaison for projects. She has been meeting with Anthony Serrone (FirstService) every Tuesday. The Chantarelle Wall painting has been complete, and the Association saved \$3,500 by doing the project in house.
  - **Fencing** - the fences that have fallen down and are in the worst condition have been identified to be repaired in the fencing project. Anthony, Shirley, and Idalmen have done a survey to triage the remaining fences that need repair, paint, replacement, etc.
  - **Lighting** – FirstService and Idalmen Ardisson have a meeting with a representative to further the conversation of FPL replacing the light pole fixtures so that they can re-claim the responsibility of maintaining the lights.
  - **Beach** – Clean up will start on 4/17/2024. FirstService Residential will do a second cleaning in the middle of the quarter.
  - **Water Tank** – FirstService will clean up the water tank that the association owns so that we can complete the power washing project in the community.
  - **Wild Lime Center** – Idalmen Ardisson inspected the Wild Lime Center and the furniture. Equipment there is worn down and in need of a replacement. Judge Gersten would like quotes to replace the aforementioned.
- **Homeowner Request for Agenda Item** – There was a request for an agenda item from a homeowner regarding a memorial plaque being placed on a bench. Judge Gersten took it out of the Advisory Board of Directors’ hands and made a determination to not add it onto the agenda.

## 7. Committee Reports

### 7a. Architectural Control Committee

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

- There was no ACC meeting as a quorum was not met. The meeting was rescheduled for 4/10/2024.

### 7b. Finance Committee

Pete Cabrera Presented on behalf of the Finance Committee.

- Judge Gersten vetting candidates for the Finance Committee. The first meeting is 4/17/2024. The financial documents can be found on the website. Member equity at the end of 2023 was 3.5 million. In February 2024 our income was \$529,000, and we are supposed to get \$556,000 per month from the maintenance fees. The delinquencies outstanding are \$1.3 million. The upcoming months we are going to have to pay the court order for legal fees, accounting fees, etc. so we have to make sure we account for that. The Finance Committee has to keep an eye on insurance policies as we are spending a lot of money for our current policies. Tree trimming is an expense that the Finance Committee is going to ask Judge Gersten to use the member’s equity fund for since the contract is going to put us over budget.
  - Don Kearnes – At the next Advisory Board meeting Don will be putting on a topic that would bring money into the treasury.

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## 7c. Fining Committee

Anthony Serrone presented on behalf of the Fining Committee.

- No updates for the Fining Committee. The Advisory Board will direct FirstService on 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.

- The Green Wise Group contract has been signed and they will start trimming the trees on June 1, 2024. The Landscaping Committee will reach out to Turf for a proposal on removing 28 dead trees and 78 tree stumps around the community, if approved. The current budget for the tree trimming in 2024 is \$139,000. The contract with Green Wise is \$261,000 so we have to find where that money is going to come from. Another issue that the Landscaping Committee will discuss is Hurricane Season. If we have a Hurricane contract, the company we hire will come to the property immediately after a hurricane to start debris clean up. The topic of landscaping as it relates to violations was brought up as a concern for the Committee to look into. Another project that has been brought to light is the bike paths where the roots are pushing up the bike path trails and creating a hazard.
  - Frank Perez – Frank walked with FirstService Residential to identify and mark off areas of concern as it relates to the aforementioned. Quotes will be produced to resolve this issue.

## 7e. Neighborhoods Committee

Kristen Gurucharri presented on behalf of the Neighborhoods Committee.

- Fencing was the main update from the Neighborhoods Committee on March 13. FirstService Residential to produce the site maps for where that is supposed to go. The Chantarelle wall painting has been completed. FirstService Residential has created maps for the lights and where they go, and they will be spray painting the poles with the same numbers. Hopefully, we can get some new pool furniture for Wild Lime Center.

## 7f. FirstService and Board Liaison Update

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

## 7g. Security Update – Elite

Presented by Guillermo Lanzas from Elite.

- Elite is modifying their schedule to add a security guard from the time periods of 8pm-4am to monitor lake areas using a motorized vehicle. Elite has a good relationship and communication with Miami-Dade Police Department that they will utilize once we have off duty police officers patrolling neighborhoods.

## 8. Old Business

- **No Old Business**

## 9. New Business

### 9a. Review Date and Times of Committee Meetings

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MOTION

*To advise the Receiver to move the Advisory Board of Directors meeting to the fourth Tuesday of each month, to move the Landscaping committee meetings to the 1<sup>st</sup> Tuesday of the month, to move the Fining Committee Meetings to the first Thursday of the month, to move the Finance Committee Meetings on the second Tuesday of the month, to move the Neighborhoods Committee to the third Tuesday of each month, and to move the ACC to the third Thursday of the month.*

Motioned by: Pete Cabrera

Seconded by: Fernando Figueira

Discussion:

- Pete Cabrera brings the motion to the floor in order to have the Finance Committee meeting prior to the Advisory Board of Directors meeting so they can present the most accurate financial information.
- Kristen Gurucharri does not agree to the change as she has made plans to for The Neighborhood Committee Meetings to be on Wednesdays and the meeting always follows the Advisory Board Meeting.
- Idalmen Ardisson does not agree with the motion as the community is used to the days of the month the meetings are currently on and suggests having FirstService provide their financial package earlier to accommodate the Finance Committee.

MOTION

*To table this topic pending the outcome of the conversation with FirstService as to whether they can provide the financial package earlier.*

Motioned by – Frank Perez

Seconded By: Idalmen Ardisson

Vote – Motion carries 6-1. Pete Cabrera votes against the motion.

## 9b. Storm Drains

*To renew the quotes for the storm drains with the companies that have provided them and identify those drains that need to be jet cleaned and those that do not need to be jet cleaned by the next Advisory Board of Directors Meeting.*

Motioned By – Idalmen Ardisson

Seconded By - Pete Cabrera

Discussion

- Idalmen Ardisson brings this topic to revisit and resolve this issue before the rainy and hurricane season comes. The project was brought up last year and needs to be completed. Miami Dade should clean their drains as well in conjunction with our clean to maximize the effects.
- Pete Cabrera advises that we need to consider that this is not in the budget for 2024

Vote – 6-0. Motion carries. Juan Franco abstains.

## 9c. Meeting Minutes

MOTION

*To advise the receiver to condense the meeting minutes to the standard style of meeting minutes per Robert's Rules*

Motioned By: Idalmen Ardisson

Seconded By: Frank Perez

- Pete Cabrera stated that he agrees as the minutes as a transcript utilizes a lot of time and 22 pages is a lot to read.
- Don Kearnes states that he believes Anthony Serrone's time is better spent managing the property instead of spending hours typing minutes every week.

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- Idalmen Ardisson expressed a concern that if we only put motions we will not know what happened in the conversation that lead to a motion. Possibly we could condense but summarize the minutes.

**Motion Carries Unanimously**

## 9d. Wild Lime Center

- Judge Gersten and Idalmen Ardisson discussed getting new furniture in the Receiver's Report.

## 9e. Topic from Adagio Board President – Chris Christodolou

- Chris Christodoulou is requesting that The Hammocks Master Association make their Fining Committee available to local associations such as Adagio. Adagio cannot find volunteers for the Fining Committee and cannot afford to pay for legal counsel to enforce the rules and regulations in the documents. Chris states that the association will do all the work leading up to the hearing of the Fining Committee to enforce the Rules and Regulations.
- Don Kearns brought up that this was done in the past but it was put on hold because there was a concern that the Master was overstepping its boundaries. There is a rule in the revised Hammocks rules dated January 28, 2014 stating that the Master can charge the Local a fee to assist in enforcing their rules and regulations.

MOTION

***Assist the community of Adagio in enforcing the violations contingent that they do a majority of the work.***

**Motioned By – Fernando Figueira**

**Seconded By – Pete Cabrera**

**Discussion**

- Pete Cabrera had a concern regarding who is in charge of determining the fee mentioned above and the manpower it would take to help enforce the rules and regulations.
- Fernando Figueira mentioned that there would not be a fee as the property management team would not be doing the inspections. Adagio would be just utilizing the Fining Committee.
- Idalmen Ardisson asked Chris to clarify what it is he is asking from the community.
- Chris Christodoulou clarified that he just needs to use the Fining Committee to determine if a fine should be imposed.

MOTION

***To table the request to research the issue further.***

**Motioned By – Idalmen Ardisson**

**Seconded By – Frank Perez**

**Motion carries 6-1. Fernando Figueira only Board member opposed.**

## 9f. Security Contract Update- Don Kearns

- We have a finite budget to work with for security of \$850,000. We have discussed the security contract with Elite that fits into the budget that will still allow for us to hire Miami Dade Off Duty police to supplement the Security Company. All forty communities will be patrolled including the lakes, as well. There will be a vehicle that will be dedicated to the lake area patrol. We want to get this accomplished ASAP.

## 10. Owner's Comments on Agenda Items

- **Lilian Bernal – Heron at The Hammocks** – There are many problems at Heron of the Hammocks including that most of the owner are investors, the association giving out violations frequently, the local association is not doing what they are supposed to do, etc.
- **Laura Chevel – Cedar Landing**

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- Suggested we look for store with overstock inventory for the furniture at Wild Lime as it will be cheaper.
- **Eliana Arratia** – There is a large parking issue in The Hammocks. Residents are parking all over the grass. The Advisory Board is aware of this issue and working to resolve it.
- **Analaura Morales – Paseo I**
  - Mimosa lake that fountain has not been working for a while. Management is aware and getting second opinion on what the issue is Analaura wanted to know when the poles were going to be numbered. They should be numbered by the end of May. Wanting to know when the poles will be numbered. Analaura asked what can be done about Heron as it looks terrible. The Hammocks is not responsible for the issues that Heron is going through. That is a local association issue.

## 11. Adjournment

**Motioned By:** Idalmen Ardisson

**Seconded By:** Kristen Gurucharri

**Motion Carries Unanimously.**

Meeting of the Advisory Board of Directors was adjourned at 10:34pm