



**SUMMERSVILLE
COMMUNITY DEVELOPMENT
DISTRICT**

**MIAMI-DADE COUNTY
REGULAR BOARD MEETING
SEPTEMBER 4, 2024
9:00 A.M.**

Special District Services, Inc.
8785 SW 165th Avenue, Suite 200
Miami, FL 33193

www.summervillecdd.org
561.630.4922 Telephone
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AGENDA
SUMMERVILLE COMMUNITY DEVELOPMENT DISTRICT

Kendall Executive Center
8785 SW 165th Avenue, Suite 200
Miami, Florida 33193
Call-In: 877-402-9753 Access ID: 8338134

REGULAR BOARD MEETING

September 4, 2024

9:00 a.m.

- A. Call to Order
- B. Proof of Publication.....Page 1
- C. Establish Quorum
- D. Additions or Deletions to Agenda
- E. Comments from the Public for Items Not on the Agenda
- F. Approval of Minutes
 - 1. June 7, 2024 Special Board Meeting & Public Hearing.....Page 2
- G. Old Business
 - 1. Discussion Regarding HOA Contribution Schedule
- H. New Business
- I. Administrative & Operational Matters
- J. Board Member and Staff Closing Comments
- K. Adjourn

MIAMI-DADE

STATE OF FLORIDA
COUNTY OF MIAMI-DADE:

Before the undersigned authority personally appeared ROSANA SALGADO, who on oath says that he or she is the LEGAL CLERK, Legal Notices of the Miami Daily Business Review f/k/a Miami Review, of Miami-Dade County, Florida; that the attached copy of advertisement, being a Legal Advertisement of Notice in the matter of

SUMMERVILLE COMMUNITY DEVELOPMENT DISTRICT -
FISCAL YEAR 2023/2024 REGULAR MEETING SCHEDULE

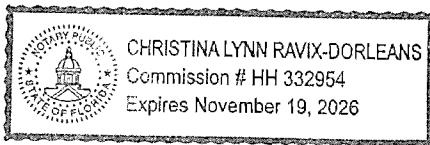
in the XXXX Court,
was published in a newspaper by print in the issues of Miami
Daily Business Review f/k/a Miami Review on

09/25/2023

Affiant further says that the newspaper complies with all
legal requirements for publication in chapter 50, Florida
Statutes.

Sworn to and subscribed before me this
25 day of SEPTEMBER, A.D. 2023

(SEAL)
ROSANA SALGADO personally known to me



**SUMMERVILLE COMMUNITY
DEVELOPMENT DISTRICT
FISCAL YEAR 2023/2024 REGULAR
MEETING SCHEDULE**

NOTICE IS HEREBY GIVEN that the Board of Supervisors (the "Board") of the Summerville Community Development District (the "District") will hold Regular Meetings in the Kendall Executive Center located at 8785 SW 165th Avenue, Suite 200, Miami, Florida 33193 at 9:00 a.m. on the following dates:

- October 4, 2023
- November 1, 2023
- February 7, 2024
- March 6, 2024
- April 3, 2024
- May 1, 2024
- June 5, 2024
- September 4, 2024

The purpose of the meetings is for the Board to consider any District business which may lawfully and properly come before the Board. Meetings are open to the public and will be conducted in accordance with the provisions of Florida law for Community Development Districts. Copies of the Agenda for any of the meetings may be obtained from the District's website or by contacting the District Manager at nnguyen@sdsinc.org and/or toll free at 1-877-737-4922, prior to the date of the particular meeting.

From time to time one or two Board members may participate by telephone; therefore, a speaker telephone will be present at the meeting location so that Board members may be fully informed of the discussions taking place. Said meeting(s) may be continued as found necessary to a time and place specified on the record.

If any person decides to appeal any decision made with respect to any matter considered at these meetings, such person will need a record of the proceedings and such person may need to insure that a verbatim record of the proceedings is made at his or her own expense and which record includes the testimony and evidence on which the appeal is based.

In accordance with the provisions of the Americans with Disabilities Act, any person requiring special accommodations or an interpreter to participate at any of these meetings should contact the District Manager at nnguyen@sdsinc.org and/or toll free at 1-877-737-4922 at least seven (7) days prior to the date of the particular meeting.

Meetings may be cancelled from time to time with no advertised notice.

SUMMERVILLE COMMUNITY DEVELOPMENT DISTRICT

www.summervillecdd.org
9/25

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**SUMMERVILLE COMMUNITY DEVELOPMENT DISTRICT
SPECIAL BOARD MEETING & PUBLIC HEARING
JUNE 7, 2024**

A. CALL TO ORDER

The June 7, 2024, Special Board Meeting of the Summerville Community Development District (the “District”) was called to order at 9:00 a.m. in the Kendall Executive Center located at 8785 SW 165 Avenue, Suite 200, Miami, Florida 33193.

B. PROOF OF PUBLICATION

Ms. Nguyen presented proof of publication that notice of the Special Board Meeting had been published in the *Miami Herald* on May 20, 2024, and May 27, 2024, as legally required.

C. ESTABLISH A QUORUM

Ms. Nguyen determined that the attendance of Chairwoman Barbara Tomas, Vice Chairman Bryan Rosales and Supervisor Larry Gordon constituted a quorum and it was in order to proceed with the meeting.

Staff in attendance included: District Manager Nancy Nguyen of Special District Services, Inc.; and General Counsel Ginger Wald of Billing, Cochran, Lyles, Mauro & Ramsey, P.A.

Also in attendance were: Moisses Riusech and Vidhaly Verges (via conference call) of Affinity Management Services, LLC.

D. APPOINTMENT OF SUPERVISORS TO VACANT SEATS (SEATS 2 & 4)

This item was not required at this time.

E. ADMINISTER OATH OF OFFICE AND REVIEW NEW BOARD MEMBER DUTIES AND RESPONSIBILITIES

This item was not required at this time.

F. ELECTION OF OFFICERS

This item was not required at this time.

G. ADDITIONS OR DELETIONS TO THE AGENDA

There were no additions or deletions to the agenda.

H. COMMENTS FROM THE PUBLIC FOR ITEMS NOT ON THE AGENDA

There were no comments from the public for items not on the agenda.

I. APPROVAL OF MINUTES

1. April 3, 2024, Regular Board Meeting

Ms. Nguyen presented the minutes of the April 3, 2024, Regular Board Meeting and asked if there were any changes.

There being no changes, a **motion** was made by Mr. Gordon, seconded by Mr. Rosales and passed unanimously approving the minutes of the April 3, 2024, Regular Board Meeting, as presented.

NOTE: Ms. Nguyen recommended Old Business, Item 1. Discussion Regarding Landscape Responsibility be discussed.

NOTE: At approximately 9:29 a.m., Ms. Nguyen recessed the Special Meeting and simultaneously opened the Public Hearing.

J. PUBLIC HEARING

1. Proof of Publication

Ms. Nguyen presented proof of publication that notice of the Public Hearing had been published in the *Miami Herald* on May 20, 2024, and May 27, 2024, as legally required.

2. Receive Public Comments on Fiscal Year 2024/2025 Final Budget

Ms. Nguyen opened the public comment portion of the Public Hearing to receive comments on the 2024/2025 fiscal year final budget and non-ad valorem special assessments. Ms. Nguyen presented two (2) assessment increase objection emails received from Diego Ramirez and Karla Pineda who both reside in the same home. There being no additional comments, Ms. Nguyen closed the public comment portion of the Public Hearing.

3. Consider Resolution No. 2024-03 – Adopting a Fiscal Year 2024/2025 Final Budget

Ms. Nguyen presented Resolution No. 2024-03, entitled:

RESOLUTION NO. 2024-03

A RESOLUTION OF THE BOARD OF SUPERVISORS OF THE SUMMERVILLE COMMUNITY DEVELOPMENT DISTRICT APPROVING AND ADOPTING A FISCAL YEAR FINAL 2024/2025 BUDGET INCLUDING NON-AD VALOREM SPECIAL ASSESSMENTS; AND PROVIDING AN EFFECTIVE DATE.

Ms. Nguyen stated that the document provides for approving and adopting the fiscal year 2024/2025 final budget and the non-ad valorem special assessment tax roll. She explained that during the April 3, 2024, Regular Board Meeting, the Board approved an assessment increase of \$88.74 per unit, per year, to allow for an increase in landscape service costs. Ms. Nguyen stated that the Board agreed to increase the landscape service contribution to the HOA, as such, the budget line amounts need to be adjusted to allocate \$58,000 to the HOA Contribution (Landscape) budget line. Ms. Nguyen presented her allocation suggestions, which were agreed to by the Board. A discussion ensued, after which:

A **motion** was made by Mr. Rosales, seconded by Ms. Tomas and unanimously passed to approve and adopt Resolution No. 2024-03, as amended (move \$2,502 from the Pressure Cleaning budget line, \$8,150 from the Sidewalks (Milling & Replacement) budget line, and \$29,555 from the Maintenance Contingency budget line to the HOA Contribution (Landscape) budget line for a total of \$58,000 on the HOA Contribution (Landscape) budget line; thereby setting the 2024/2025 final budget and non-ad valorem special assessment tax roll.

NOTE: At approximately 9:34 a.m., Ms. Nguyen closed the Public Hearing and simultaneously reconvened the Special Meeting.

K. OLD BUSINESS

1. Discussion Regarding Landscape Responsibility

Ms. Nguyen explained that following the April 3, 2024, Regular Board Meeting, Ms. Vidhaly Verges, the HOA Manager, the Summerville Homeowner's Association (the HOA) Board of Directors, and she obtained the landscape costs for the District owned tracts. Ms. Nguyen stated she was made aware last Thursday, by a contractor, that the HOA terminated their contract with the landscaper and the new landscaper was Trimscape Corp (Trimscape).

Ms. Nguyen presented the District's landscape maintenance service costs as provided to her by Trimescape. She stated that the District's costs with Trimscape were \$6,565 more than with the previous landscaper; however, the overall landscaping service costs for the Summerville community were lower than with the previous contractor. The Board was reminded that they can terminate the Maintenance Agreement with the HOA and assume the landscape maintenance responsibilities for District owned areas, or they can continue with the Maintenance Agreement and increase the HOA contribution. Ms. Nguyen explained that whichever choice they chose, the District would need to increase assessments to obtain the necessary funds for the landscape services.

Ms. Verges stated that she was unaware that the District could choose to perform the services on their own. She further explained that the HOA does not have the funds to pay for the landscaping services.

Ms. Nguyen stated that she reviewed the District's fiscal year 2024/2025 proposed budget and the District will have sufficient funds to increase the HOA landscaping contribution to \$58,000 if the assessment increase is approved by the Board. It was confirmed that the District would continue to contribute \$16,200 per annum for the street lighting. A discussion ensued.

The Board requested that the HOA provide monthly reports to the District Manager which include images of the landscaping services provided. Additionally, they requested that the HOA provide the District Manager with the fertilization and palm and tree trimming schedule.

Ms. Nguyen stated that she confirmed that not all palm fertilization services included in the Maintenance Agreement were provided. As such, the District is owed for those services that were paid for, but not received. Ms. Nguyen will confirm the amount owed to the District and will deduct said amount from the HOA contribution.

A **motion** was made by Ms. Tomas, seconded by Mr. Rosales and unanimously passed approving an amendment to the Landscape Maintenance Agreement between the Summerville Homeowner's Association and Summerville Community Development District to adjust the landscape service contribution to \$58,000 per annum to be paid in quarterly payments; to include the monthly reporting

requirement; and further authorizing the District Manager to execute the same on behalf of the District.

NOTE: at approximately 9:28 a.m., Ms. Tomas excused herself from the meeting room. She returned at 9:29 a.m. All conversations ceased while Ms. Tomas was absent from the meeting room.

L. NEW BUSINESS

1. Consider Resolution No. 2024-04 – Adopting a Fiscal Year 2024/2025 Meeting Schedule

Ms. Nguyen presented Resolution No. 2024-04, entitled:

RESOLUTION NO. 2024-04

A RESOLUTION OF THE BOARD OF SUPERVISORS OF THE SUMMERVILLE COMMUNITY DEVELOPMENT DISTRICT, ESTABLISHING A REGULAR MEETING SCHEDULE FOR FISCAL YEAR 2024/2025 AND SETTING THE TIME AND LOCATION OF SAID DISTRICT MEETINGS; AND PROVIDING AN EFFECTIVE DATE.

Ms. Nguyen provided an explanation for the document. A discussion ensued after which:

A **motion** was made by Mr. Rosales, seconded by Ms. Tomas and unanimously passed to approve and adopt Resolution No. 2024-04, *as presented*; thereby setting the 2024/2025 regular meeting schedule and authorizing the publication of the annual meeting schedule, as required by law.

M. ADMINISTRATIVE & OPERATIONAL MATTERS

1. Staff Report, as Required

Ms. Wald reminded the Board of the qualifying period for the three (3) seats whose terms were expiring in November 2024 [Seat 1 (Barbara Tomas), Seat 3 (Larry Gordon), and Seat 4 (currently vacant)]. The qualifying period for election and/or re-election has been set for Noon, June 10, 2024, through Noon, June 14, 2024.

The Board was also reminded of the importance of electronically completing their individual 2023 Statement of Financial Interests Form 1 through the Florida Commission on Ethics Electronic Financial Disclosure Management System (EFDMS). The deadline for submittal is July 1, 2024.

N. BOARD MEMBER & STAFF CLOSING COMMENTS

Mr. Rosales asked for some clarification on the Sunshine Law. Mr. Rosales asked if it was a violation of the Sunshine Law if a Board Supervisor communicates District information in a community group chat which includes other Board Supervisors. Ms. Wald explained that anytime two or more Board Supervisors communicate matters that will or may come before the District Board for consideration, it is a violation of the Sunshine Law. Mr. Rosales was advised not to communicate or reply to District matters in a chat which includes other Board Supervisors.

Ms. Nguyen stated that unless an emergency were to arise, the District Board will not need to meet again until September 4, 2024, or October 2, 2024.

O. ADJOURNMENT

There being no further business to come before the Board, a **motion** was made by Ms. Tomas, seconded by Mr. Rosales and unanimously passed adjourning the Special Board Meeting at approximately 9:45 a.m.

Secretary/Assistant Secretary

Chairperson/Vice Chairperson