

**MINUTES OF MEETING
LAKES BY THE BAY SOUTH
COMMUNITY DEVELOPMENT DISTRICT**

A regular meeting of the Board of Supervisors of the Lakes by the Bay South Community Development District was held on Tuesday, April 22, 2025, at 9:30 a.m. at Isles at Bayshore Club, 21864 S.W. 93rd Path, Cutler Bay, Florida.

Present and constituting a quorum:

Michele Harris	Chairman (via telecommunications)
Ana Jo	Vice Chairman
Maggie Coon	Assistant Secretary
Timothy Moon	Assistant Secretary
Dorothy Morales	Assistant Secretary

Also present were:

Juliana Duque	District Manager
Scott Cochran	District Counsel
Terry Glynn	GMS
Jennifer Lora	FirstService Residential
Jesus Lorenzo	GMS
Rafael Casals	Town of Cutler Bay
Alfredo Quintero	Town of Cutler Bay
Yenier Vega	Town of Cutler Bay
Several Residents	

FIRST ORDER OF BUSINESS

Roll Call and Pledge of Allegiance

Ms. Duque called the meeting to order, called the roll, and led the Pledge of Allegiance.

SECOND ORDER OF BUSINESS

Approval of the Minutes of the March 25, 2025, Meeting

Ms. Duque: The next time is the approval of the minutes of the March 25, 2025 meeting. This is the moment to present any additions, corrections, or deletions to those minutes. If there are none, a motion to approve them will take place.

Mr. Cochran: I have a few. On page 3, on the 11th line from the top the first word of that line is assets that should be assessments. On page 5, on the 7th line up from the bottom, the word on the far-right side of the page is permit and before that is says classified, it should be Class V permit. Then on page 16, on the 5th line up from the bottom I am talking it says, "I am just wondering is aware of an institute" That word should be entity instead of institute. That is it.

Ms. Duque: Not hearing anything else, a motion to approve them with the changes will take place.

On MOTION by Ms. Jo seconded by Mr. Moon with all in favor, the minutes of the March 25, 2025 Meeting with changes indicated were approved.

THIRD ORDER OF BUSINESS

Discussion of:

A. Drain System – Town of Cutler Bay

B. SFWMD – Landscape Maintenance Easement

Ms. Duque: Lets move forward to discussion of the drain system with the Town of Culter Bay. As was requested by the Board of Supervisors during our last meeting we have present today and joining us over the teleconference Yenier Vega, Alfredo Quintero and Mr. Rahael Casals from the Town of Cutler Bay. I will let the Board of Supervisors provide their concerns in reference to the drain system and the removal of the trees and for them to provide us with their feedback.

Ms. Jo: I believe this was a concern of what you had repair on one of the homes because of the drainage system. In this case I understand that the area that was fixed that is under the name of Dade County or the Association?

Ms. Duque: With regard to the roads, responsibility lies with the county and the Town of Cutler Bay; the CDD is not involved in their maintenance. However, it is important to note that the CDD is responsible for maintaining the drainage system. Although the District does not own the drainage system, our District engineer has confirmed that maintenance remains the CDD's responsibility.

Ms. Jo: I am in agreement with that. The issue is the tree rooting is what is causing the uplifting so in this case we requested to see if we could do something regarding the tree. In this case the city said you cannot remove the tree but in this case it is going to be

a recurring event so basically that was the main issue for the Board. We are fixing it, but you are not allowing us to remove the tree. In this case this is not the only incident because I know that around the area there has been a few issues like that. In this case if the city could approve us to remove those trees where we have those issues would be of great help.

Ms. Duque: Anna, just to clarify for the record and for everyone's understanding: the CDD is not responsible for removing the tree in question. Maintenance of trees within that particular right-of-way falls under the responsibility of the HOA, not the CDD. If the tree needs to be removed, the HOA must obtain the necessary permit from the Town of Cutler Bay before proceeding. This was discussed by the Board.

Ms. Harris: I think our main problem was when we first talked about this we were basically told too bad if we let you remove this one tree that is causing problems then everybody is going to want to remove a tree. Which is really not a response at all. It is a slap in the face to us as a Board and as citizens of the Town of Cutler Bay and voters of the Town of Cutler Bay. We are not asking to remove every tree. We don't want to remove every tree. We love our trees. I am a big tree hugger myself but if a tree is causing damage that is going to constantly repeat because Lennar planted trees wherever. I had this happen to myself with a \$3,000 water bill because they planted an oak tree that the root expanded. We need some type of leeway here to say don't take out all the trees but if you can prove something is causing you trouble, we understand if we let you do one you might take them all down. That is not a response. That is not what we expect from in your case appointed leaders and furthermore our elected officials that we elect that appoint you.

Ms. Duque: Do I have any other comments from the Board of Supervisors? Not hearing any Alfredo, Yenier or Mr. Casals would you like to comment?

Mr. Casals: Thanks. I am the Town Manager, Rafael Casals. You have Alfredo Quintero, Public Works Director and Yenier Vega. Michele we usually don't say too bad, too sad, and slap in the face that is not how we roll. I have been here 18 years. Thirteen of them as Town Manager. Our biggest thing is yes we are also tree huggers. We want to protect the trees. You are actually right. Wrong tree, wrong place, wrong location 100%. The trees there our main goal is to save that type of canopy so if there is a way to work around that with some type of, we certainly don't want to get the point of removing every

tree we understand that right but at the same time we want to make sure that we protect the canopy we are trying to protect the same canopy that you are trying to protect as well. We don't want to be a town without trees. We plant trees all the time. I know in this particular case by me getting briefed by both Alfredo and Yenier it is a tree that is literally adjacent to a storm drain right? Welcome to our world. We have over 40,000 storm drains in town. We get those all the time especially with sidewalks too. We do in there and fix sidewalks and then in five years we are fixing sidewalks. We could say the same thing about the trees. I think the biggest thing is maybe working with the HOA and an arborist to see what mitigation efforts can be done to maybe root prune some of those trees. The last thing you want to do is to remove the tree. If there is no other choice if we have something from the landscape arborist that says that can't be done or with the health of the tree the pruning can't be done then give us something like that and we will work with you. Again it is not too bad, too sad, get rid of the tree. We want to work with you guys.

Ms. Harris: Rafael just so you know that is what we were told. I have been a resident, I just turned 64 so I have been a resident of Cutler Ridge for 64 years which is now Cutler Bay. I was there when hurricane Andrew happened, and we had no trees left. It was a very sad experience, but Lennar has a habit of just planting trees where they don't belong.

Mr. Casals: Michele you just got my response so I hope we can work on that. I understand we want to protect the canopy.

Ms. Harris: Juliana weren't we told it had to be removed that was really the only way.

Ms. Duque: What we were told in the email is that the HOA would need to obtain a permit for the removal of the tree, but as soon as the Town of Cutler Bay reviewed the permit application, the response was most likely going to be a denial. That is the information we received in the email.

Mr. Casals: Received from who?

Mr. Quintero: I sent that response in regard to the apron that was uplifted because unfortunately trees do uplift concrete aprons, concrete sidewalks all the time. Just last year the Town spent probably over \$100,000 on sidewalk repairs in your particular neighborhood for trees that were uplifting sidewalks. Now based on what I am just telling

you are going to remove all those trees because they are uplifting sidewalks? This was a large number of sidewalks that we had to replace. I imagine that in five years we are going to be on the same boat. The town's policy is to preserve trees. It is our policy to preserve them. Yes trees will continue to uplift sidewalks. Once we replaced a sidewalk we root prune the sidewalk and hopefully that will prevent or slow down the sidewalks from being uplifted. To my point if I were to do that then I would be removing the trees because of the sidewalks that got uplifted then you would literally have no trees. You can walk around your neighborhood, and you can tell which sidewalks I replaced. I replaced them just last year. Let's say we do allow this tree to be removed. It is an expense proposition for you all. If you want to remove this tree and we allow it you have to replace the canopy. The tree has a value, and that value is provided by Miami-Dade County DERM. You either have to replace the canopy or you have to pay into Miami-Dade County tree fund or maybe even both. As an example we are not exempt from that. The town sometimes has to remove trees. We are doing some drainage projects in several neighborhoods. Some are in Lakes by the Bay and just recently for the removal of three trees the Town had to pay \$8,000 towards the tree fund and this is to improve the storm drainage infrastructure. So yes we will work with you if really want to remove this tree and we grant it just keep in mind that you have to replace the canopy or pay into that tree fund. I do agree there was a lady on your Board that was mentioning that wasn't the only tree. The trees are also uplifting the driveway approaches which are the responsibility of the owner to maintain. This is just the world we live in. If we want to have trees there is going to be uplifts. There is no way around it. We have to replace them periodically. I recommend do not remove the trees.

Ms. Harris: Alfredo we understand that. I live in the Cove where you do not have responsibility for our trees, or our streets and we have just gone through an expensive part of shaving all of the sidewalks because the oak trees are lifting up the sidewalks. It is something that we constantly have to do. We have homeowners because of the idiocy of Lennar who planted trees that don't belong in that spot, and they are uplifting the pavers, the plumbing. I myself had a \$3,000 plumbing bill because they put the wrong in there. I understand what you are saying but I also understand we have to have common sense with this and as voters we are asking our officials to have common sense.

Mr. Casals: And I think Michele part of the common sense would be the process. I am a big process person right. Have your HOA through their landscaper, through their arborist submit the DERM application. It is a partnership with us and DERM and as Alfredo mentioned then it becomes more of a financial decision at that point. Miami-Dade County DERM ultimately has the jurisdiction as well for any type of removal. We are not exempt. We had to pay. We are paying \$22,000 right now to a tree mitigation fund for our Legacy Park that is right next door to Publix where you will see a bunch of trees that are being removed right now. It is an old tree farm that is full of arsenic there, so we are not exempt either. I had to sign a check for \$22,000 in addition to the \$8,000 that Alfredo was mentioning. Run it through the process and you will see from landscape arborist because it has to be joint effort with Miami-Dade County DERM and lets deal with this one and see what that is. It maybe an expensive proposition. Go through the process.

Ms. Harris: We will work on that process but in the meantime I would like to have better responses from our paid officials.

Mr. Casals: My response is going to be, and these two gentlemen work for me on the food chain. Alfredo is a certified arborist, and it is going to be that we are always going to try to protect the canopy at all costs. I don't expect too bad, too sad, your bad, no. It is going to be we are going fight to protect that tree. That is the response, and you are getting it from me as well.

Ms. Harris: That is fine if it was said what you said but that is not what was said just so you know.

Mr. Casals: That is why the guys are on the call and that is why I am here. Not often do I come to your meetings to talk about a tree.

Ms. Duque: Michele and Rafael, the main objective here is to ensure both entities continue working together. As discussed, there's a clear need for collaboration, and I believe the entire Board recognizes that there is a process involved. I've seen this process firsthand with other Districts, especially when coordinating with DERM and Miami-Dade County. The key point is that the CDD is committed to complying with all drainage system regulations and the new standards established by Miami-Dade County. As you may know, the Board recently approved a project to map the entire drainage system, which has now been integrated into the District's GIS system. You can view this mapping and related

information on the District's website. Today, the Board is also considering digitizing additional data, including landscape and tree inventories, which will also be accessible online. I want to emphasize that this Board is making every effort to follow all protocols and requirements set forth by Miami-Dade County, especially in light of the updated regulations on stormwater management and drainage systems that take effect March 31, 2025. Our goal is to ensure we are in full compliance and to do things the right way. We also want to make sure that when we take the initial steps, we have your support for the subsequent ones, as we have in the past. Michele and Ana wanted to highlight the importance of ongoing cooperation as we move through these processes. We understand there are protocols and requirements that must be met, both from your side and from the County, and we are committed to working together to address them. That is the central point we want to convey.

Mr. Casals: And look you guys know the history, we always want to work together and again Juliana any time you need me to go before the Board and not just talk about a tree but what is going on in town or whatever I do that all the time with Homeowner Associations. I am the rumor killer as I tell all the time. We want to work closely with you guys. In fact something as simple as you guys trying to map out your drainage, we have it we mapped it out already. Yenier has it already. We did a GIS system already so it might you save you guys a bunch of money to just reach out to Yenier. We have that already mapped.

Mr. Vega: It is actually color GIS everybody has access to it.

Mr. Casals: It is just a matter of communicating. We mapped that out.

Ms. Duque: Interesting.

Mr. Casals: Is that the first time we ever got asked that question, Alfredo?

Ms. Duque: If I spoke with you and you were able to provide all of the mapping completed by the Town of Cutler Bay, would you be able to share everything that has been done with us as well?

Mr. Casals: It is public record.

Ms. Duque: Ok, good to know. Do you already mapped the streetlights?

Mr. Casals: The streetlights are a special taxing district we are not in that business, so we don't do the streetlights unfortunately.

Mr. Vega: You just search Cutler Bay GIS and the first thing that comes up, this is our town, you go down to storm drainage, it is all there.

Mr. Casals: We had to map that out for part of our process that everybody gets to enjoy, flood insurance discount of 35%, that is part of our process of what we had to do and that is what Alfredo and Yenier do. We paid to map that out years ago.

Ms. Duque: The report also provides information on the last time the system was cleaned. Do you also have details regarding the specific pipes and types of structures within the system? Is all of that information included in the system as well?

Mr. Vega: Yes. It will provide you with the type of structure that will give you the attribute for the dimension of the pipe and then the location for it. As far as maintenance it is not going to show you maintenance.

Ms. Duque: Does it show pictures of the area too?

Mr. Vega: No. It is overlaid over google earth.

Ms. Duque: Just so you're aware, our system contains more comprehensive information. Yenier, if you log into our system, you'll be able to access much more detailed data. It includes specifics about the pipes, inspection photos, and documentation of all maintenance programs conducted over the past year. You'll also find information on the vendors we've used for these services, along with other details that may not be available in your current records.

Mr. Vega: We are actually in the process of going to a new software system that is going to run the entire town. One of the things is it is going to provide a more robust management system. Remember we won't just keep track of the ones in Isles of Bayshore I have to track 8,000 structures.

Ms. Duque: When you start working on the new platform, I think you'll find it very similar to what we currently have. This should be helpful for you, Yenier. Just log into the Lakes by the Bay website, and you'll be able to access all the information you need there.

Mr. Vega: Ok, I will get with you and take a look at it.

Mr. Casals: Juliana have us on the agenda every once in a while just to let you know what is going on in town. We are getting ready to do the big mitigation project right next to the Publix Shopping Center there. That is going to be a \$12,800,000 removal of

arsenic. It is going to be 3,300 truckloads that will be occurring. You guys might get some calls about it.

Ms. Duque: Ok, we appreciate that.

Mr. Casals: At the same time I proposed something that is unique to Cutler Bay, I proposed something twice a year I call it open mike night to the town manager. I don't sing karaoke but what I do is provide an update to the residents and get that interactive feedback. We would love to share it with you or share it with your residents when we do that. Again it is conversation all the time of what is going on in Cutler Bay. There is a lot of great things going on in terms of drainage projects, a lot of improvements going on adjacent and around your community just to give you a lot of information. Everybody has a busy schedule, who is going to call in and log on the third Wednesday of the month at the town council meeting we understand that. I always like going to the Homeowners Association, to the CDDs, and to the private boards to let them know what is going on in town.

Ms. Duque: Thank you. I appreciate that information.

Mr. Casals: I guess to wrap up the tree issue, the HOA with either an arborist or landscaper or whomever submit the permit, get reviewed by DERM, get reviewed by the town and then that way you can make that financial decision, like Alfredo said in terms of the canopy.

Ms. Duque: We will do that. We will circle back to the HOA and start the process that was mentioned. I appreciate that.

Mr. Casals: We will do them one at a time.

Ms. Duque: Thank you Rafael, Thank you Yenier, Thank you Alfredo. Do I have any other comments or questions from the Board? No. Thank you so much for being here today.

Mr. Casals: Thank you guys for having us.

Ms. Duque: Sometimes it's helpful to have representatives present so we can address issues on the spot. The email we received was clear-everyone has read it, and we've heard directly from them regarding the tree removal process. They assured us they will follow all necessary procedures, and it's important to note that DERM's requirements for tree removal are becoming increasingly strict. As Michele and Ana pointed out, the

goal here isn't to remove all trees, but to address only those specific trees that are causing problems-particularly where their proximity to drainage pipes makes even root pruning or installing a root barrier impossible, as the roots are already intruding into the system. That's the main concern. With that in mind, we'll coordinate with the HOA, since obtaining permits and handling tree removal is ultimately their responsibility. This is a shared responsibility, and we'll do our part to address the issues. I will reach out to the property manager again to update them on our actions and the Board's requests, and we'll proceed from there.

Ms. Jo: Let's get in touch with them so at least we can work together.

Ms. Duque: The next item on the agenda is the South Florida Water Management District (SFWMD) landscape maintenance easement. As you may recall, we discussed this at our last meeting. Since then, we have received additional communication from Gabriella, which I have printed and provided to you. To summarize, there is an Environmental Resource Permit (ERP) associated with this property, and the permit specifies that, as a condition of transfer, the operating entity must agree to be perpetually bound by all terms and conditions of the permit, including all compliance requirements. As a result, the CDD is now responsible for maintaining the 25-foot easement area in accordance with the permit. I have reviewed this with Scott, who has also discussed it with his office. Scott, would you like to provide any additional information to the Board?

Mr. Cochran: South Florida Water Management District provided some additional documentation. If you guys remember there was some discussion at the last meeting. The name of this non-existent entity called Lakes by the Bay South Commons looks like that was the name of the project it wasn't supposed to be the name of an entity. It was connected to a particular permit number. Basically this went back to 2010 before our office was District counsel. Based on the documents we were provided with it looked like that had been the intention all along is that eventually that permit would get transferred to the CDD as the operating entity under the permit. Once the CDD took over as the operating entity it would be subject to those various requirements that accompanied the permit. One of them is the maintenance of this 25-foot upland buffer they call it, like the easement. Everything we saw looked like the District had actually requested them to transfer the permit and they had transferred the permit to the CDD as the operating entity. We didn't

find anything else subsequent to that, that would indicate anything changed. Based on everything we were able to find it looks like the CDD would be the party responsible for doing the maintenance of that area.

Ms. Duque: The only additional thing here is if you would like to further investigate this then that means you would authorize Scott's office to do a title search.

Mr. Cochran: That would be the next step but like I said we saw some maps that indicated that little stripe, it was in the field report it looks like it was taken from the property appraiser's thing, the highlighted area matches up with site plans that showed that particular sliver of property was going to be owned by a different entity but maintained by the CDD. Everything that we found seems to be consistent but if you guys wanted to be 100% sure we would have to do a title search which would mean some expense and some time.

Ms. Duque: My concern, as you can see from Gabriella's email, is that they may issue a notice of non-compliance requiring us to address the maintenance. I have already communicated to her that we need some time, since we meet monthly and I need to bring this matter to the Board of Supervisors. Additionally, we do not currently have specific funds allocated for this maintenance, so we would need to approach it gradually. Gabriella is aware of our situation, but I wanted to discuss this with the Board to get your guidance on how you'd like us to proceed. Do you want Scott and his office to conduct a title search, or do you feel the documentation provided to us back in 2010 is sufficient? Both Scott and I have reviewed our records and haven't found anything additional. Ultimately, it's up to the Board to decide how you'd like to move forward.

Ms. Jo: Scott do you feel comfortable saying that yes it is our responsibility?

Mr. Cochran: Yes, like I said every available document that I have seen indicates that. We don't have anything in our files or anything that I have seen that would cut against that. It would really just be if there was something out there in a recorded document that a title search would pop up that would show something else happened. I kind of doubt it. It is up to the Board. I can't say with 100% certainty. Everything that I have seen would indicate that the CDD is the responsible party. I haven't seen anything that causes me to question that.

Ms. Harris: You are 90% positive correct?

Mr. Cochran: If I had to put a number on it that is probably fair. I would say it would be pretty strange for none of us to have anything stating otherwise for the South Florida Water Management District to be coming to us saying this is a permit, you are the responsible party for it so I think it would be a bizarre hail Mary thing if something is out there.

Ms. Harris: I personally don't want to throw any more money into it if you are that certain. We have to do what we have to do.

Ms. Duque: So if the Board allows me perhaps we can appoint someone to start working with Tony. We need to start cleaning areas. I think that we need to show South Florida Water Management District the good faith that we are moving along with this project and that we understood.

Mr. Lorenzo: Tony has already started on the work, and it might be a bit premature, but he was trying to get me a proposal and I guess he started on the work to be able to give a proposal. It is like a jungle back there and it is kind of difficult to provide a proposal. He has done two full days of work.

Ms. Jo: My concern is the area that you mentioned last time I believe it is behind the Tides that you said the accessibility is the issue. The only running on 87th were good at least it is more reachable.

Ms. Duque: Ana they will need to go through either one of the communities on the side and then start walking the area. As soon as the open up the area it is going to be easier. We don't know what they are going to be finding back there.

Ms. Jo: In this case I would say that the amount of money that they will charge is going to be expensive so as you say we need to do it in parts. We need to be concerned with the budget since we didn't allocate any money for this.

Ms. Duque: That is correct. We do have funds just for the Board to know, but we also have many other projects in mind. We need to be very conservative. Do you know when Tony will be able to provide a proposal?

Mr. Lorenzo: I was trying to get an understanding of what he is going to charge per day and see how many days it is going to take them.

Ms. Duque: Let's move forward by appointing Ana to oversee this project, since she has extensive experience with landscaping. If the Board agrees, we can approve an

initial not-to-exceed amount for her to start working with Tony. Based on the progress made within that budget, we can reassess and determine the next steps for subsequent phases. Given the condition of the area, it's clear that a significant amount of work is needed-some sections may even require clearing by hand.

Mr. Moon: Do we have a reference point as far as the not to exceed amount?

Ms. Duque: . When I spoke with Tony a while back, remember we completed the Reserve area as requested. That's the approach we're using now. However, that area was always regularly maintained, so it's not the same situation. As Tony pointed out, it's much easier to bring equipment to an area that has been consistently maintained, compared to having to clear overgrown sections by hand with machetes in areas that haven't been maintained. That's the key difference.

Ms. Jo: In this case I would love for us to have the global amount but that is going to be a tough one. Why don't we start with one section and based on what is going on with that section maybe Tony will be able to give us a global and then we go part by part, project A, B, and C. I think that is the best we can do right now unless anyone has any other suggestions.

Ms. Morales: Does Tony understand that we are not necessarily asking him the whole?

Ms. Duque: Yes he understands.

Mr. Lorenzo: For the last two months I have been talking to him about this just in case we had to visit this.

Ms. Jo: In this case they are asking for a 25-foot buffer. It is a huge area.

Mr. Moon: Along the entire border?

Ms. Jo: Yes.

Mr. Lorenzo: If you go to the top portion on the right that starts with 216. That is the Reserves, and we have already done all of that.

Ms. Harris: What concerns me is we could be looking at six figures here without any type of ballpark. I am very concerned.

Ms. Duque: Michele, that's why I suggested we consider cleaning smaller sections at a time, rather than trying to clear the entire 25 feet all at once. For example, we could start by clearing five or two feet at a time, focusing first on the areas closest to the homes.

This way, we address the immediate concerns of residents and gradually continue maintenance until we reach the full 25 feet. This approach is something I can discuss with the South Florida Water Management District, and I don't anticipate any objections since the main concern is the vegetation and plant material near the residences. That's how this issue began, with residents contacting the District about maintenance in those areas. Another option is to proceed in sections, since our current budget doesn't allow for the entire easement to be cleared at once. I believe the South Florida Water Management District understands our budget limitations and will work with us on a phased approach.

Mr. Moon: So two things clarification on the responsibility of each association. Who is responsible for maintaining that back area? I am in the Trellis, and I live in on the perimeter aspect of it. Whoever our landscapers are for Trellis they go back there.

Ms. Duque: That's how it has always been done; either the HOA or the South Florida Water Management District handled it.

Mr. Moon: I don't know why the responsibility would change?

Ms. Duque: Because we received communication from the South Florida Water Management District, I want to clarify the main concern for you, Tim, so you have the full context. The issue centers on the homes in the Tides community, where the backyards border the South Florida Water Management District's property, and there is no direct access to that area. The concern started there-residents from the Tides contacted both the Town of Cutler Bay and the South Florida Water Management District about maintenance of that section, since access is limited. Other sections have historically been maintained either by the HOA or the South Florida Water Management District, as has been done in the past. The first time this issue came to our attention was with the Palms community, when Dottie brought it up. At that time, services had not been provided, and there were complaints from residents. The Board agreed to clean that section, which was a manageable amount of work. Now, a similar issue has arisen with the Tides. When Jesus met with the South Florida Water Management District representative and toured the area, it was noted that some sections are being maintained. For example, in your community, the HOA's landscaper maintains about five feet, but not the full 25 feet required. The main challenge is ensuring proper maintenance in areas where there is no access, as this is necessary for flood control and compliance with District regulations.

Residents' concerns and the lack of access have brought this issue to the forefront, and we are working to address it accordingly.

Mr. Moon: Again where I live there is not 25 feet accessible. I am telling you right now there is about 10 feet of grass on a pretty steep grade and then it is like the preserve area.

Ms. Duque: Tim, what we need to do is address the maintenance section by section. As we move through each area, if we encounter the types of concerns you mentioned, which we already anticipate, we should document them and report back to the South Florida Water Management District. I believe the key is to maintain open communication with them, keeping them informed about our progress and any challenges we face along the way. We can then adjust our approach as needed based on their feedback and guidance.

Ms. Harris: First of all I tried to get back into the meeting. Can you please contact South Florida Water Management District whoever the person is and say this is not in our budget, so we are working with you. We are going to get this started. Which way do they prefer to do this? Do they prefer us to start with just the 10-foot section away from the homes? Do they want us to do one section at a time and then go from there so at least we are working with them?

Ms. Jo: We go little by little and we find out how much that is going to cost us and then we will budget, and we inform them we are working on it. These are the pictures before and after so at least we show that we are working on it.

Ms. Duque: I agree with that. The rest of the Board, Dottie, Maggie and Tim are you agreeing with that?

Mr. Moon: Yes.

Ms. Duque: They agreed to proceed gradually, demonstrating good faith to the South Florida Water Management District. We recognize that maintenance is our responsibility and will begin by clearing the areas closest to the community. I do not recommend starting with the full 25 feet away, as that would be very costly. Instead, we should focus first on removing vegetation near the residences and document our progress with photos to share with the South Florida Water Management District. This approach

will help show our compliance efforts and reduce the risk of receiving non-compliance notice.

Ms. Jo: It think it s a good idea to relay to them that it was not in our budget so that is why we are trying to do it little by little.

Ms. Duque: She already knows that. That is a conversation that we already had with her. She understands.

Ms. Coon: Once this is all cleared we are going to have to maintain it and how often are we going to have to do that.

Ms. Duque: That is going to be an increase for the 2027 budget. That is correct.

Ms. Morales: I think I would have to ask Scott , I have lived in the Reserves for 18 years. They maintained that in the first ten years very regularly and then started going less and less to nothing. I spoke with them. If they are saying it is our responsibility why would we even need to prove to them or as Michele has suggested saying what do think about this job? Why would we need to do that if they are saying it is ours and not theirs? They literally told me too bad, too sad talk to your CDD they are in charge, and they own it.

Mr. Cochran: Well we don't own it.

Ms. Morales: That was their theory is what they told me. It does not belong to them so therefore they do not need to maintain it.

Mr. Cochran: That is what South Florida Water Management said?

Ms. Morales: Yes.

Mr. Cochran: I don't know. All I can say is now they are saying your are the responsible party for maintaining it. This area is not being maintained. It is one of the conditions or we are going to issue a notice of non-compliance that is associated with that permit. They are the ones that would have the authority to issue the notice of non-compliance, so we are trying to talk to them. They have had communication with them, so they understand there is some restraints on us budget-wise. We aren't just going to be able to have 25 feet looking spotless overnight.

Ms. Morales: Then they are going to say we are going to do the Reserves on a regular basis.

Ms. Duque: Based on the Board's direction, our immediate priority should be to begin the maintenance work and start clearing the designated areas. There are still many unknowns, so ongoing communication with the South Florida Water Management District will be important as we move forward. I recommend appointing Ana at this time to take the lead on this project and work with Tony. We will proceed gradually, carefully monitoring costs, and will bring updates and any budget considerations back to the Board of Supervisors. In the meantime, I will notify the South Florida Water Management District that we are initiating this project. We will document our progress with photos to demonstrate our efforts and compliance. As we move ahead, I will keep the Board informed of our progress and any feedback from the District.

Ms. Jo: They have been maintaining that area for some time would it be too crazy to ask them can we share the expense?

Ms. Duque: Ana, as we've discussed with them, their position is that even if the area was previously maintained, the permits and related documents indicate that the responsibility now lies with the CDD. At this point, I need a motion from the Board to appoint Ana to work with Jesus, me, the South Florida Water Management District, and Tony to begin cleaning these areas and report back on our progress. Would the Board like to set a not-to-exceed amount for Ana at this time, or leave the budget to her discretion?

Ms. Jo: Let's talk to Tony and relay information so at least the Board is aware.

Ms. Duque: Ok.

Ms. Harris: We don't have any idea what the preliminary will be so I will say to leave it at Ana's discretion. She knows the budget as well as anybody and let's get started and bring it back to the Board at the next meeting and we will go from there.

On MOTION by Ms. Harris seconded by Ms. Coon with all in favor, a motion to appoint Ana Jo to work with Juliana, Jesus and Tony on the 25-foot buffer clean up with South Florida Water Management District was approved.

FOURTH ORDER OF BUSINESS

Consideration of Resolution #2025-08 District Record Locator

Ms. Duque: The next item is the consideration of Resolution #2025-08 District Record Locator. This was a request from the Board of Supervisors at our last meeting to move all of the District files from this location to our location in Homestead. This resolution is the resolution that states that so a motion will take place.

On MOTION by Ms. Harris seconded by Ms. Jo with all in favor, Resolution #2025-08 District Record Locator was approved.

FIFTH ORDER OF BUSINESS

Staff Reports

A. Attorney

Mr. Cochran: I don't have anything specific to report. We finalized the agreement for the pool lift. We worked on looking this research issue with South Florida Water Management District but beyond that I don't have anything specific to report at this time unless the Board has any questions I can take those.

B. Engineer – Proposal of Digitalization of Additional Infrastructure Data into ArcGIS

Ms. Duque: . The next item is the engineer's proposal for digitizing additional infrastructure data in the ArcGIS system. This was discussed at our last Board meeting. The proposed scope of services includes digitizing the roadway for \$1,250, lighting for \$7,000, landscaping for \$2,250, common areas for \$500, and water for \$1,000. It is up to the Board to decide how to proceed. This project is not urgent and can be put on hold, as our immediate priority is addressing the landscape maintenance. That said, this proposal from Juan Alvarez would further enhance the data we have in our existing ArcGIS system. As we saw today, the Town of Cutler Bay also uses a system, but the information they have is not as comprehensive as what the District currently maintains. Our system is much more complete and detailed.

Ms. Jo: How much is the total?

Ms. Duque: \$12,000.

Ms. Jo: That is good to know. It is not that bad.

Ms. Harris: I want to table this for now.

Ms. Duque: Correct we are going to table it Michele.

Ms. Harris: Thank you.

C. Club Manager – Monthly Report

Ms. Lora: Good morning everyone. I am sorry I am not there my daughter has graduation from the police academy today. I am just going to give a couple of quick updates. The crafts club registration will open mid-May. For the parenting seminars I know Scott you are still waiting for us to be able to get the agreement done. Natalie asked to produce the flyers for the signup and for me to send them to you. Once she sends that to me then we will be able to move forward with the agreement. For our pool the resurfacing inspection took place on March 31st. During the inspection Nicole Cabellaro noted several violations that she would like us to correct. One of them is to place an epoxy on top of the tiles for the bullnose around the main pool to make the slip resistant even though our tiles are specially formulated for the pool. She is requesting that we do that. Another item that she found was that during construction it seems that when Lennar built the jacuzzi our steps are all different sizes. According to 1991's code it no longer in effect. We have to steps that are 8 inches each. We received from McGrath a pictural of the before and after of the steps that we have to see if we can get them to be grandfathered in. If not the correction would be that we would have to demo the stairs and build them up again. That is where we are with that. Meanwhile the jacuzzi has to remain closed because according to her it is a safety issue. Aside from the we experienced some issues with McGrath's office. I just want to keep everybody informed with their response times and other items that we have with them that are pending. We have been sending multiple emails going back and forth so Ana and I met with the company who services the pool at Silver Palms which is the other District that Juliana has and also I met with a company called Patagonia Pools. We are going to try to meet with a couple more companies. Once we have estimates we can discuss it further with the Board and see what direction the Board would like to take with that.

Ms. Duque: Ok, thank you Jen.

Ms. Harris was inaudible at this time.

Ms. Lora: I think so. She is my archnemesiis at this point. *Ms. Lora was inaudible at this time.* I think we received them late yesterday evening in the mail so I will have them ready for Michele if you are not there than maybe Ana can sign them for us. We have collected a total of \$4,070 in party rental fees. I am also sending in this month \$550

at we recuperated in gate hit damages. The only other thing that I have for your attention is the request to declare excess property the two grey bookcases that are in my office. The shelves are warped, and we have already moved all the old meeting minutes to the storage room.

Ms. Duque: I need a motion from the Board.

On MOTION by Ms. Morales seconded by Ms. Jo with all in favor, a motion declaring two grey bookcases as excess property to dispose of was approved.

Ms. Lora: Does anybody have any questions or comments for me?

Ms. Duque: No questions Jen, thank you so much.

Ms. Lora: I am going to excuse myself for the rest of the meeting but if you need anything just call or text me.

Ms. Duque: Enjoy Jen, congratulations.

D. Gate Updates

E. Field Manager – Monthly Report

Mr. Lorenzo: Moving onto page 37 and 38 of the agenda package you will see the landscaping on 38. The Royal palms Terry was reviewing them, so we are going to have Tony service them May or June. There is some irrigation that was completed. On page 39 you will see the retention pond area was cleaned up. The old annuals have been removed, and the agaves have been trimmed. The reason for the delay, the whole idea was to have it in time for Easter, but the plants were too small. They weren't able to plant them in time for Easter, but they will be done this week. He has already removed them, and he has trimmed down the agaves. New plants will go by the end of the week. Moving along on page 41 the South Florida Water Management easement. I am not going to touch on that since we already touched on it. The lakes are doing well. On page 43 you will see the outdoor gym equipment. Everything is completed with the exception of the handles and the bicycle seat. Aside from that everything has been completed. Just to note that the wooden structure that holds in the mulch today I was by there and noticed that some of the wood was damaged or falling apart. Just letting you know we are working on that to see what we can do to repair it. On page 44 I am working with BrightView to have all the lighting at the entrances and the guardhouses as well as the decorative

structures outside the entrance to bring them operational. Some of it is working fine but we are going to make sure they are all the same style of light to match what you have at the entrances. On page 45 you will see the downed light post that was brought down. That has been removed by FPL and reported. It should be reinstalled soon. The sidewalk that you can see on the bottom of page 45 was already replaced. I will have pictures in the next report. That is all for me unless you have any questions.

Ms. Jo: There is an issue with the sprinkler system. I will send that.

Mr. Lorenzo: Ok.

F. CDD Manager

Ms. Duque: I do not have anything additional to report.

SIXTH ORDER OF BUSINESS

Financial Reports

A. Approval of Check Run Summary

B. Acceptance of Unaudited Financials

Ms. Duque: Financial reports, approval of the check run summary is tab A and tab B is acceptance of unaudited financials.

On MOTION by Ms. Harris seconded by Mr. Moon with all in favor, the Check Run Summary and Unaudited Financials were approved.

SEVENTH ORDER OF BUSINESS

**Supervisors Requests and
Audience Comments**

Ms. Duque: Do I have any Supervisor requests? Do I have any audience comments? Thank you so much for being here today. A motion to adjourn will take place.

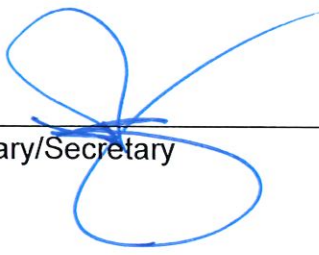
EIGHTH ORDER OF BUSINESS

Adjournment

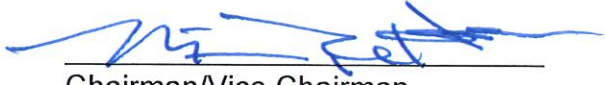
On MOTION by Ms. Jo seconded by Ms. Harris with all in favor, the meeting was adjourned.

April 22, 2025

Lakes by the Bay South CDD



Assistant Secretary/Secretary



Chairman/Vice Chairman