

**KENLAND POINTE CONDOMINIUM II, INC.
MINUTES BOARD OF DIRECTORS MEETING
20 OCTOBER 2022**

Call To Order

The Board of Directors Meeting was called to order at 8:07 p.m. on 20 October 2022 poolside and via zoom.

Attendance

Board members in attendance:

- Alejandro Otero, President
- Armando Rodriguez, Vice-President
- Celia Suarez, Treasurer
- Nicole Peter, Secretary
- Adriana Pascual, Director

Quorum was established.

Also, in attendance:

- Donna Goldstein, Property Manager, Phoenix Associated, LLC
- Maritza Cuadra, Property Manager, Phoenix Associated, LLC
- Roughly 35+ property owners of Kenland Pointe II in person and via zoom

Proof of Notice

Proof of Notice of the meeting was posted and emailed on 18 October 2022.

Approval of Minutes

Alejandro Otero made a motion to reaffirm the three previous Board of Directors Meeting minutes of 19 May 2022, 23 June 2022 and 04 August 2022 mentioned in the 26 August 2022 Board of Directors Meeting minutes. Armando Rodriguez seconded the reaffirmations.

Alejandro Otero made a motion to approve the following minutes with the amendments detailed below which were seconded by Armando Rodriguez:

2022-08-26 Special Board Meeting Minutes

- Celia Rodriguez corrected to Celia Suarez

2022-09-05 Board Meeting Minutes

- Celia Rodriguez corrected to Celia Suarez
- Sentence "Armando Otero made a motion to cancel the special assessment placed on August 4, 2022" corrected to "Alejandro Otero made a motion to cancel the special assessment placed on August 4, 2022".

2022-09-16 Emergency Board Meeting Minutes

- Celia Rodriguez corrected to Celia Suarez
- Adriana Pascual, Secretary corrected to Adriana Pascual, Director

Treasurer's Report

Celia Suarez presented an overview of funds disbursed during 2021/2022 where the Association received no tangible benefits as detailed below. These actions were taken prior to the establishment of the new Board in September 2022.

- Payments to Regosa Engineering for Building P. Roof was never completed and left to deteriorate for almost a year. Total: US\$178,482
- Payments to Global Consulting Elevators for obtaining bids, contracting elevator company and supervising elevator construction. Only documentation received by the Association is an excel spreadsheet and a contract with Connection Elevators (see last item). Total US\$39,375
- Payment to Duarte Clean Drain on 6 October 2022 for an unpaid balance of US\$7,025 on plumbing services for water leaks in building P. Leaks still exist as evidenced by building P water bill still being almost three times that of building Q. Lien was filed in July 2021 and no action was taken to contact the vendor or correct the problem for over a year. Total: US\$11,526
- Deposit paid to Connections Elevator upon signing of contract for \$319,578 in June 2022 at a time when the Association did not have the funds, nor the approval to obtain such funds through a bank loan or special assessment to fulfill its contractual obligation. Total: US\$10,000
- Contingent liability for balance of 25% required deposit to Connections Elevator on above mentioned contract. Letter received from Connections' attorney claiming payment of US \$69,895.

The grand total of funds paid or payable for which no benefits were received amounts to US\$309,278.

President's Report

Alejandro Otero presented a general overview of the Association's affairs including an update on the status of each of the main supplier contracts as follows:

a. Phoenix Associated LLC contract (Property Management)

Phoenix Associated LLC contract will be terminated effective 31 December 2022 to be paid out per contract. L&C Royal Management will be hired for Accounting effective 01 November 2022, and for Management Services effective 01 January 2023. See Motion b. approved below.

b. Dynamic Accounting

Dynamic Accounting resigned early October 2022. L&C Royal Management will be hired for Accounting effective 01 November 2022, and for Management Services effective 01 January 2023. See Motion c. below.

c. Attorney

Alberto Acuña resigned as Association Counsel in September 2022 and Raymond Carrero was hired to represent the Association.

d. Kenland PoA (4 Associations)

The Presidents of the 4 Associations have approved the contractor contract for the renovation of the Clubhouses and bathrooms. The start date and exact timeline of the works are yet to be confirmed due to a current shortage of supplies.

Forthcoming plans under consideration in 2023 include installing internet and key IT equipment in the Clubhouse. The upgraded space could then potentially be used for income generating activities such as renting out the space for events to bring in additional revenues to the Associations.

e. Special Assessment & Financing

Cancellation of Special Assessment

On 05 September 2022, the New Board cancelled the Special Assessment that was placed on 04 August 2022. The disagreement of the owners with the Special Assessment imposed by the previous Board was evidenced by the fact that 79% of members signed and shared the cost of an attorney to recall the previous Board. The imposition of such high monthly special assessments would have resulted in a) many owners defaulting on their payments, b) the association not receiving sufficient funds to be able to pay its contractual liabilities on all new projects, c) contractors placing liens on the property and projects not being completed and d) many owners falling behind on payments forcing numerous foreclosures.

Although works to the P & Q buildings remain necessary, the new Board takes its fiduciary responsibility very seriously and is therefore prioritizing the works based on funding availability, building code requirements, urgency, cost and timeframe of works and qualifications of bidding vendors. Please see relevant updates below regarding Roofing, Elevators and Fire Alarms.

Financing

To financially accommodate and relieve homeowners, the Board is planning to seek a bank loan to cover the costs of the required works.

The Association has not formally applied for a bank loan yet, however this is a priority the Board will further discuss with L&C Royal, the incoming Property Management company once they have taken over the Association's accounting as of 01 November 2022 and management services starting 01 January 2023.

It is important that all homeowners continue to pay their HoA fees on time and/or any backlogs so that the HoA delinquency rate is reduced in advance of the loan application.

The Board expects to provide a more concrete update on the loan application in the subsequent Board Meetings as relevant.

f. Roofing

The completion of roof repairs remains a top priority for the Association. Therefore, the incoming Board has collected several bids for further consideration as follows (See Motion d. below):

1. Roofing and Construction
2. Green Roofing
3. Precision Roofing
4. Avante

A final decision will be made in the coming weeks once the various proposals have been technically reviewed taking into consideration cost of materials and labor, timeline to complete works and

qualifications of bidding contractors. Pending this analysis and given the urgency of the roof repairs, the Board will then determine a fiscally reasonable and feasible payment mechanism for homeowners i.e. a specific special assessment for the roof repairs or a bank loan.

g. Elevators & Fire Alarms

The Association is currently still under contract with Otis for elevator maintenance and repair.

Under the direction of the new Board, Otis has been prioritizing the resolution of numerous open violations. As of today, all P building violations have been satisfactorily addressed and only 1 violation in the Q building is still pending resolution.

To minimize costs, the Board is seeking to upgrade the current elevators and fire alarms to code rather than installing new elevators.

However, the previous Board signed a contract with Connection Elevators in the amount of \$319,578 in June 2022 at a time when the Association did not have the funds, nor the approval to obtain such funds through a bank loan or special assessment to fulfill its contractual obligation. A deposit was paid to Connections Elevator upon signing of contract in June 2022 in the amount of \$10K. A Letter has been received from Connections' attorney claiming payment of US \$69,895 i.e. the contingent liability balance of 25% to be paid to Connections Elevator on the above mentioned contract.

The Board has already engaged with the Association Attorney and a Specialist in Construction Contracts to discuss options for resolution. The Board will provide an update in the subsequent Board of Directors Meetings as relevant.

h. CBM Maintenance Contract

The various complaints received by homeowners regarding the poor maintenance of the buildings has been raised to CBM. Corrective measures are currently being implemented. The Property Management company and Board will continue to monitor for improvements.

As a reminder:

- Rafael, the CBM maintenance employee assigned to the Association, can be identified by his CBM t-shirt.
- Services and tasks to be carried out by CBM are clearly defined in the contract. Homeowners are to refrain from requesting Rafael to carry out personal favors as this is a potential liability for the Association.
- CBM work hours on site are Monday thru Friday from 6 a.m. – 2:00 p.m. and Saturdays from 6 a.m. – 11 a.m.
- It is strictly prohibited for homeowners and tenants to dump large items in the garbage areas.
- Any complaints should be directly raised to the Property Management company for follow up.

i. Security

The Association currently has a designated security guard on site from 10 p.m. – 6 a.m. The services are shared with Kenland Point I Association (KPI).

The Property Management has consolidated an updated list of security companies for further review and consideration as necessary.



Given the recent increase of security incidents, the Association is also considering the implementation of additional deterrence mechanisms, including but not limited to the following:

- Establishment of a Community Watch Committee
- Negotiation with Miami Dade Police to assign a patrol to the Association a few days and hours per week.
- Installation of security cameras
- Increase of signage

Costs associated with these potential options are to be included in the 2023 Association Budget and to be negotiated as relevant with KPI.

j. GRS Landscape Services

Services are being provided as per the contract. No major issues identified at this time.

Manager's Report

Notice of Elections has been mailed to all homeowners.

The deadline for receipt of Board nominations is 03 November 2022. Nominations are to be sent to the address detailed on the form. In addition, though not mandatory, homeowners are encouraged to confirm their nomination via e-mail to Phoenix Association LLC.

Motions for Board Approval

a. Appointment of Secretary

Alejandro Otero made a motion to add an item to the agenda i.e. appointment of the Board Secretary. The motion was seconded by Armando Rodriguez.

Alejandro Otero made a motion to appoint Nicole Peter as Secretary. Armando Rodriguez seconded the appointment. All other Board members were also unanimously in favor. Nicole Peter accepted her appointment as Board Secretary.

b. Motion to Terminate Phoenix Associated LLC contract effective 31 December 2022 to be paid out per contract

Alejandro Otero made a motion to Terminate Phoenix Associated LLC contract effective 31 December 2022 to be paid out per contract. The motion was seconded by Armando Rodriguez. All other Board members were also unanimously in favor.

c. Motion to Hire L&C Royal Management, contract for Accounting effective 01 November 2022, Contract for Management effective 01 January 2023

Alejandro Otero made a motion to Hire L&C Royal Management, contract for Accounting effective 01 November 2022, Contract for Management effective 01 January 2023. The motion was seconded by Armando Rodriguez. All other Board members were also unanimously in favor.

d. Motion to Interview Three of the Roofing Companies Bidding on the Roof Replacement i.e. Roofing and Construction, Green Roofing, Precision Roofing and Avante

Alejandro Otero made a motion to Interview Three of the Roofing Companies Bidding on the Roof Replacement i.e. Roofing and Construction, Green Roofing, Precision Roofing and Avante. The motion was seconded by Armando Rodriguez. All other Board members were also unanimously in favor.

Motion to Adjourn

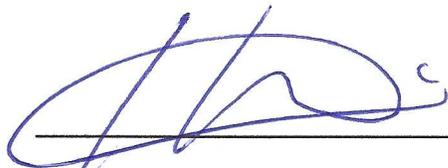
Alejandro Otero made a motion to adjourn the meeting at 9:01 p.m. The motion was seconded by Armando Rodriguez.

The meeting was adjourned without objections.

Approval of Minutes

PRESIDENT:

Signature:



Name:

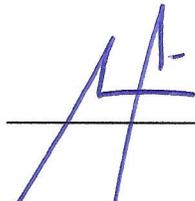
Alejandro Otero

Date:

11/28/2022

SECRETARY:

Signature:



Name:

Nicole Peter

Date:

28/Nov/2022

END

NP 