

MIROMAR LAKES COMMUNITY DEVELOPMENT DISTRICT



AGENDA

SEPTEMBER 9, 2021

PREPARED BY:

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MIROMAR LAKES COMMUNITY DEVELOPMENT DISTRICT

September 2, 2021

Board of Supervisors

Miromar Lakes Community Development District

Dear Board Members:

This Regular Meeting of the Board of Supervisors of the Miromar Lakes Community Development District will be held on **Thursday, September 9, 2021, at 2:00 P.M.** in the Library at the **Beach Clubhouse, 18061 Miromar Lakes Parkway, Miromar Lakes, Florida 33913.**

The following WebEx link and telephone number are provided to join/watch the meeting remotely.

<https://districts.webex.com/districts/onstage/g.php?MTID=e662ba4527bd9fd77f36e573934203408>

Access Code: **179 218 8454**, Event Password: **jpward**

Phone: **408-418-9388** and enter the access code **179 218 8454** to join the meeting.

Agenda

1. Call to Order & Roll Call.
2. Consideration of the Minutes:
 - I. August 12, 2021 – Regular Meeting.
3. **PUBLIC HEARING RELATED TO THE ADOPTION OF RULE 1 REGARDING THE OPERATIONS AND MAINTENANCE OF THE DISTRICT'S STORMWATER MANAGEMENT SYSTEM.**
 - I. Public Comment
 - II. Notice of Advertisement of Public Hearing.
 - III. Board Comment and Consideration.
 - IV. Consideration of Resolution 2021-10, a Resolution of the Board of Supervisors of Miromar Lakes Community Development District adopting Stormwater Management Rules and Policies.

4. Staff Reports.
 - I. District Attorney.
 - II. District Engineer.
 - III. District Asset Manager.
 - a) Operations Report September 1, 2021.
 - IV. District Manager.
 - a. Continued discussion of Agreement with Master HOA to include use of Reserve Funds.
 - b. Financial Statement for period ending August 31, 2021 (unaudited).
5. Supervisor's Requests and Audience Comments.
6. Adjournment.

The first order of business is the Call to Order & Roll Call.

The second order of business is the consideration of the August 12, 2021, Regular Meeting minutes.

The third order of business is the Public Hearing related to the adoption of rules regarding the policies and procedures for the operation and maintenance of the Districts Stormwater Management System.

In addition to the adoption of the rules, the professional staff is nearing completion on the application process and we anticipate this portion of the work to be ready for the October, 2021 Meeting.

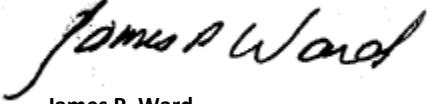
The fifth order of business are staff reports by the District Attorney, District Engineer, and District Asset Manager, including the Operations Report, dated September 1, 2021, and District Manager, including Financial Statement for period ending August 31, 2021 (unaudited).

The fifth order of business is the consideration of the Supervisor's Requests and Audience Comments.

The balance of the agenda is standard in nature, and I look forward to seeing you at the meeting. If you have any questions and/or comments before the meeting, please do not hesitate to contact me directly at (954) 658-4900.

Sincerely yours,

Miromar Lakes Community Development District



James P. Ward
District Manager

Meetings for Fiscal Year 2022 are as follows:

October 14, 2021	November 11, 2021
December 9, 2021	January 13, 2022
February 10, 2022	March 10, 2022
April 14, 2022	May 12, 2022
June 9, 2022	July 14, 2022
August 11, 2022	September 8, 2022

**MINUTES OF MEETING
MIROMAR LAKES
COMMUNITY DEVELOPMENT DISTRICT**

The Regular Meeting of the Board of Supervisors of Miromar Lakes Community Development District was held on Thursday, August 12, 2021, at 2:00 P.M. at the Library in the Beach Clubhouse, 18061 Miromar Lakes Parkway, Miromar Lakes, Florida 33913.

Present and constituting a quorum:

Alan Refkin	Chair
Michael Weber	Vice Chair
Doug Ballinger	Assistant Secretary
Patrick Reidy	Assistant Secretary
Mary LeFevre	Assistant Secretary

Also present were:

James P. Ward	District Manager
Greg Urbancic	District Attorney
Bruce Bernard	Asset Manager

Audience:

All resident's names were not included with the minutes. If a resident did not identify themselves or the audio file did not pick up the name, the name was not recorded in these minutes.

**PORTIONS OF THIS MEETING WERE TRANSCRIBED VERBATIM. ALL VERBATIM PORTIONS WERE
TRANSCRIBED IN *ITALICS*.**

FIRST ORDER OF BUSINESS

Call to Order/Roll Call

District Manager James P. Ward called the meeting to order at approximately 2:00 p.m. He conducted roll call; all Members of the Board were present, constituting a quorum.

SECOND ORDER OF BUSINESS

Consideration of Minutes

July 8, 2021 – Regular Meeting

Mr. Ward noted there were blanks for names of speakers. Discussion ensued regarding corrections which needed to be made and who was speaking when.

Mr. Ward stated the corrections would be made.

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51
52
53 **On MOTION made by Mr. Doug Ballinger, seconded by Ms. Mary**
54 **LeFevre, and with all in favor, the July 8, 2021, Regular Meeting**
55 **Minutes were approved as amended.**

56
57 **THIRD ORDER OF BUSINESS**58 **Old Items**59 **I. Agreement with Master HOA to include use of Reserve Funds**

60
61 Mr. Ward indicated he and Mr. Urbancic worked on this Agreement and provided the Board with
62 both a clean and a redline version. He asked Mr. Urbancic to review the Agreement. He noted the
63 Agreement had not yet been reviewed by the Master Association's attorney.

64
65 Mr. Urbancic reviewed the HOA/CDD Facilities Maintenance Agreement otherwise known as "The
66 Landscaping Agreement." He indicated the revisions were in section 3 and 4 primarily. He
67 explained the HOA would serve as a service provider and the landscaping could not be insured, but
68 in the event of a tropical storm or hurricane the Association had a responsibility to restore and
69 replace any damaged landscaping. He indicated a provision was also included which required the
70 HOA to create a reserve for the costs of landscaping and this was to be updated on a periodic basis.
71 He stated section 4B limited the HOA's ability to use the reserves; the reserves would not be utilized
72 for everyday maintenance, only for significant capital replacements. He stated the provisions
73 regarding who would be the representing entities in this process were cleaned up. He noted the
74 term was extended, and general document cleanup was conducted. He indicated eVerify was also
75 added. He noted the primary changes were clarified what happened in a casualty event and added
76 a reserve schedule; the rest of the changes in the agreement were not as material.

77
78 Ms. Mary LeFevre stated she felt the Agreement was excellent.

79
80 Mr. Doug Ballinger asked if the Agreement would come before the Board again after it was reviewed
81 by the HOA's attorney.

82
83 Mr. Urbancic responded in the affirmative. He indicated he recommended waiting to approve this
84 Agreement until the HOA had a chance to review and comment.

85
86 Mr. Pat Reidy asked if the landscaping reserves would be based upon the reserve study being
87 conducted.

88
89 Mr. Urbancic responded in the affirmative. He noted once the reserve study was completed the
90 numbers would be filled into the Agreement.

91
92 Mr. Reidy commented on paragraph 3A noting "as" needed to be added in the fourth line up from
93 the bottom of the paragraph. The correction was made.

94
95 Mr. Ward stated there was no action required for this Item; the Board would be kept updated.

96 **II. Discussion of Master Stormwater System Rules of Procedure**

95 Mr. Ward indicated the Stormwater Rules were scheduled for public hearing in September and the
96 public hearing was being advertised; however, a Resolution officially setting the public hearing date
97 needed to be adopted. He indicated Mr. Urbancic would include a title in the record and the Board
98 would be asked to adopt the resolution by title to set the public hearing date.
99

100 Mr. Urbancic indicated the resolution would be Resolution 2021-9, a resolution of the Board of
101 Supervisors of Miromar Lakes Community Development District to designate a date, time, and place
102 of public hearing, and authorization to publish notice of such hearing for the purpose of adopting
103 Stormwater Management Rules and Policies and providing an effective date. He explained the
104 Resolution said the public hearing would be held at the Beach Club House on September 9, 2021, at
105 2:00 p.m. (at the next Regular Meeting). He explained due to advertising requirements, Mr. Ward
106 had begun the advertising process.
107

108 Mr. Ward asked if there were any questions.
109

110 Mr. Reidy commented on the Stormwater System Rules and Procedures. He noted he read if a
111 resident correctly installed rip rap according to the CDD regulations, the CDD would accept the
112 maintenance responsibility of the homeowner installed rip rap. He noted it also read maintenance
113 would only be done within the easement area. He asked if, as such, it would be the homeowner's or
114 HOA's responsibility to maintain any rip rap outside of the easement area, even if approved by the
115 CDD. He stated it would be difficult to know what portion of the rip rap the CDD was responsible
116 for, and what portion was the responsibility of the homeowner. He noted also, when repairs were
117 being done, two parties would be involved which was complicated. He asked if this would be
118 difficult to manage.
119

120 Mr. Ward responded in the affirmative. He stated the CDD needed to consider if there were major
121 storm damage, agreeing to fix the rip rap even if above the LME (lake management easement) line.
122 He noted following the last storm event, when the CDD repaired the damaged rip rap, it was a
123 relatively minor repair. He noted on an ongoing basis, for regular maintenance, the CDD would have
124 to work with the residents regarding maintaining the rip rap above the LME line. He indicated he
125 did not feel this would be an insurmountable complication, but this was what was stipulated in the
126 rules.
127

128 Mr. Ballinger asked if language should be included stating if the CDD deemed it necessary, the CDD
129 could complete the maintenance and bill a proportionate amount to the homeowner.
130

131 Mr. Ward noted this had been considered; however, the enforcement mechanism for a CDD was
132 poor. He explained it was difficult for the CDD to levy a fine on a resident and collect said fine.
133

134 Mr. Ballinger stated if the language were in place and it became a problem, the language might
135 provide the means of taking action if needed in the future.
136

137 Mr. Urbancic explained the challenge was the CDD did not have property rights to work outside of
138 the maintenance easement. He stated he felt the CDD would need to address this type of situation
139 on an ad hoc basis.
140

141 Mr. Mike Weber discussed various situations noting there would be times when the CDD would be
142 required to work outside of the maintenance easement, the complications which would arise as a
143 result, and the inconsistencies involved.

144

145 Mr. Ward agreed the problem was difficult and these problems would not be solved with a single
146 rule. He stated he felt the Rule was 90% of the way there in terms of setting the course for the
147 District. He indicated the Rule could always be amended in the future if a better more consistent
148 solution were discovered.

149

150 Mr. Ballinger commented on the need for the word "is" on page 6, 8th line up from the bottom:
151 "following installation the requesting owner, or the requesting owner's successor in title will be
152 responsible for the maintenance of all rip rap installed unless and until the rip rap [is] accepted by
153 the District."

154

155 Mr. Urbancic indicated the word "is" would be added.

156

157 Ms. LeFevre asked where in the document it read the CDD would accept rip rap installed by a
158 homeowner.

159

160 Mr. Ward responded the rules provided what could be done by a homeowner within the LME as an
161 encroachment into the easement. He explained residents would be required to come before the
162 CDD requesting permission to encroach into the easement.

163

164 Mr. Reidy stated Section 5 discussed rip rap installation and CDD maintenance. He discussed again
165 the difficulty in determining where the easement ended, and a homeowner's property began. He
166 discussed the CDD maintaining the rip rap, ensuring the maintenance was completed, and the
167 possibility of simply ignoring where the LME line was and continually maintaining all rip rap for the
168 sake of the Miromar Lakes development. He noted this came down to funding, however. He stated
169 he felt these rules and procedures were a good first step in figuring out how best to handle the
170 situation.

171

172 Mr. Ward agreed. He stated with this rule and the procedures being written, the CDD would have
173 an excellent starting point from which to manage the District. He stated from there, the District
174 would evaluate and address individual situations as they arose. He reported Mr. Charlie Krebs was
175 preparing a map showing where all rip rap in the system was located, what was owned and
176 maintained by the CDD, what was owned by residents and in sufficient shape for the CDD to accept,
177 and what rip rap owned by residents was in poor condition (not acceptable). He stated Mr. Krebs
178 would also prepare a database and map of all encroachments within all of the LMEs within the
179 District. He stated once these maps and database had been completed the District would decide
180 how best to fix any problems. He reported a set of guidelines were being developed which would
181 explain the process to obtain approval for easement encroachments. He noted an agreement with
182 the HOA was being drawn up in which the HOA would agree not to approve any encroachments into
183 LMEs without approval from the District. He noted this agreement with the HOA should solve most
184 of the difficulties in enforcing the rules regarding LME encroachments.

185

186 Ms. LeFevre stated she understood this rule was intended to make the control elevation line more
187 understandable.

188

189 Mr. Ward stated the term control elevation was no longer used in the document.

190
191 Ms. LeFevre stated she wondered if the replacement term and definition were any better:
192 "generally speaking from the mean high-water line down." She stated she felt this was just as
193 confusing. She noted something which was a little more definitive would be preferred.

194
195 Mr. Ward stated he would review this with Mr. Urbancic and try to improve the term and definition.
196 He asked if there were any questions; hearing none, he called for a motion.

197
198 **On MOTION made by Mr. Pat Reidy, seconded by Mr. Doug Ballinger,
199 and with all in favor, Resolution 2021-9 was adopted, and the Chair
200 was authorized to sign.**

201
202 **FOURTH ORDER OF BUSINESS**

Staff Reports

203 **I. District Attorney**

204
205 No report.

206
207 **II. District Engineer**

208
209 Mr. Ward indicated Mr. Charlie Krebs was absent due to his wife experiencing car trouble.

210
211 **III. Asset Manager**

212
213 **a) Operations Report August 1, 2021**

214
215 Mr. Bernard reported on Lake Bank permits. He stated the District would be able to pull the
216 permit. He stated cane toad removal continued. He noted over 7,500 cane toads had been
217 removed over a period of 10 months.

218
219 **IV. District Manager**

220
221 **a) Financial Statement for period ending July 31, 2021 (unaudited)**

222
223 Mr. Ward stated financially he would do a quick year end projection at the next meeting. He
224 reported he was working on a way to contact the condo associations regarding the process.

225
226 Ms. LeFevre noted her copy of the financial statement was cut off.

227
228 Mr. Ward indicated he would send out new copies of the Financial Statement.

229
230 Mr. Reidy asked about the Balance Sheet payable for \$29,750 dollars.

231
232 Mr. Ward stated this was probably on the wrong line and probably belonged one line up. He
233 indicated he would double check.

236
237 Mr. Weber stated at the last meeting, discussion was held regarding developing procedures for
238 financial reporting. He asked if the financial reporting question had been resolved.
239
240 Mr. Reidy stated his question last month was regarding how much detail the Board wished to see
241 in the financial reporting. He stated his feeling was he did not need to see a lot of detail; he was
242 content seeing the Balance Sheet and P&L monthly as this enabled him to review expenses and
243 ask questions as needed. He noted he was a CPA and worked in auditing and felt this was
244 appropriate.
245
246 Mr. Weber stated he felt it might be good to include footnotes regarding major expenditures in
247 the financials.
248
249 Discussion ensued regarding footnotes.
250
251 Ms. LeFevre stated her comment last month was, she did not wish to micromanage the financials,
252 but she would like to see any expenses which were an exception to the approved budget, come
253 before the Board separately.
254
255 Mr. Bernard explained anything operational which came in above and beyond the approved
256 budget would come before the Board for approval.
257
258 Ms. LeFevre stated she understood this; however, she wished to see any expenditure, even if
259 approved through the budget, if it were an exception in any way, to come before the Board.
260
261 Mr. Ward stated there were no exceptions which did not come before the Board.
262
263 Mr. Bernard explained any funds which were not expressly spent in exactly the way approved by
264 the Budget would come before the Board for approval, including if funds were moved from one
265 operational expense to another.
266
267 Ms. LeFevre stated she felt the new rules and approval processes being developed would most
268 likely resolve the expenditure exceptions she was referring to as her concerns had arisen due to
269 the rip rap repair being done for homeowner installed rip rap which was in violation to a previous
270 CDD rule.
271
272 Mr. Ward expressed his understanding and stated that particular problem had been corrected. He
273 noted he would work to accommodate Mr. Weber's request.
274
275 Mr. Reidy stated the budget for Fiscal Year 2022 had been approved and included a fairly sizeable
276 contingency number. He stated he would like to see any contingency expenditures come before
277 the Board for approval. He asked about the work being done at the botanical park.
278
279 Mr. Weber responded the sewer lines were being repaired.
280
281
282 **FIFTH ORDER OF BUSINESS** **Supervisor's Requests and Audience Comments**
283

284 Mr. Ward asked if there were any Supervisor's requests; there were none. He asked if there were any
285 audience members present on audio or video with any questions or comments; there were none.

286

287

288 **SIXTH ORDER OF BUSINESS**

Adjournment

289

290 Mr. Ward adjourned the meeting at 2:40 p.m.

291

292 **On MOTION made by Ms. Mary LeFevre, seconded by Mr. Doug**
293 **Ballinger, and with all in favor, the meeting was adjourned.**

294

295

296 **Miromar Lakes Community Development District**

297

298

299

300 **James P. Ward, Secretary**

Alan Refkin, Chairman

DRAFT

**STORMWATER MANAGEMENT
RULES AND POLICIES
FOR
MIROMAR LAKES COMMUNITY DEVELOPMENT DISTRICT**

Section 1. Short Title, Authority and Applicability

a. This document shall be known and may be cited as the “Stormwater Management Rules and Policies for Miromar Lakes Community Development District”.

b. The Board of Supervisors (the “**Board**”) of Miromar Lakes Community Development District (the “**District**”) has the authority to adopt rules and policies pursuant to Chapter 190 of the Florida Statutes, as amended.

c. These rules and policies shall be applicable to all those property owners, community and condominium associations, persons or entities who are served by, or are utilizing, the master stormwater management system operated by the District.

Section 2. Background, Intent, Findings and Purpose

a. The District was created pursuant to the provisions of Chapter 190, Florida Statutes (the “**Act**”) and was established to provide for ownership, operation, maintenance, and provision of various public improvements, facilities and services within its jurisdiction. The purpose of these rules and policies (individually, each a “**Rule**” and collectively, the “**Rules**”) is to describe the various policies of the District relating to stormwater management.

b. Definitions located within any section of the Rules shall be applicable within all other sections, unless specifically stated to the contrary.

c. A Rule of the District shall be effective upon adoption by affirmative vote of the Board. After a Rule becomes effective, it may be repealed or amended only through the rulemaking procedures specified in these Rules. Notwithstanding, the District may immediately suspend the application of a Rule if the District determines that the Rule conflicts with Florida law. In the event that a Rule conflicts with Florida law and its application has not been suspended by the District, such Rule should be interpreted in the manner that best effectuates the intent of the Rule while also complying with Florida law. If the intent of the Rule absolutely cannot be effectuated while complying with Florida law, the Rule shall be automatically suspended.

d. The District is the operating entity responsible for the long-term operation and maintenance of the master stormwater management system servicing the property located within the boundaries of the District (the “**Master Stormwater System**”). The District owns certain real property and other improvements which comprise the Master Stormwater System. The District also has various easement rights throughout Miromar Lakes enabling the District to operate and maintain the Master Stormwater System. Such easement rights including, without limitation, those arising by way of plat (i.e. platted drainage easements (DEs) and lake maintenance easements

(LMEs)), separately granted and recorded easements, and Section 22.4 of the Declaration of Covenants, Conditions, Restrictions and Easements for Miromar Lakes Beach and Golf Club recorded in Official Records Book 3343, Page 294 of the Public Records of Lee County, Florida, as has been amended. The stormwater lakes, ponds, control structures, lake interconnect piping, littoral plantings and natural wetlands are all integral parts of the Master Stormwater System. The owners and residents of real property within the District play an integral part in keeping the Master Stormwater System functioning properly. The failure of all or a portion of the Master Stormwater System due to improper actions of third-parties could result in significant damage or harm to real property, personal property and/or homes with the District.

e. The overall stormwater management system within the District is permitted through South Florida Water Management District (“SFWMD”), U.S. Army Corps of Engineers (“ACOE”) and Lee County, and the regulations of such governmental bodies control the design, operation and use of the Master Stormwater System. Notwithstanding such permitting, consistent with the regulations of such entities, there are certain practices and actions that can be controlled to enhance the effectiveness of the Master Stormwater System and improve the overall function and aesthetic value of the Master Stormwater System. As further background, the District has recently undertaken and completed substantial restoration of the lake shorelines throughout the District in response to both long-term, uncorrected erosion and also significant damage caused by Hurricane Irma. Such restoration work was undertaken by the District in accordance with applicable SFWMD and Lee County permits. These Rules are intended to allow for property owners to understand their responsibilities, ensure proper maintenance of the Master Stormwater System, and to avoid such significant and costly widespread restoration in the future.

f. In terms of SFWMD, the overall stormwater management system was originally permitted in 1999 under SFWMD Environmental Resource Permit #36-03568-P (“Original Permit”). Since the issuance of the Original Permit and as development within the District has progressed, there have been various modifications to the Original Permit that have been approved and issued by SFWMD. The Original Permit, as modified, is collectively referred to herein as the “SFWMD Permit”. The stormwater management system under the SFWMD Permit is broken up into five (5) drainage basins. Generally speaking, drainage basins 1, 2, 3 and 4 are located on the west side of Ben Hill Griffin Parkway and drainage basins 5 and 6 are located on the east side of Ben Hill Griffin Parkway. Drainage basins 5 and 6 were combined into one drainage basin when the old Rinker mine lake (commonly referred to as the North Lake) and the south recreational lake for Miromar Lakes (commonly referred to as the South Lake) were connected under SFMWD Permit 36-03568-P-04, Application 031211-5.

g. The District has an ownership interest in various designated lake tracts throughout Miromar Lakes (each individually, a “Lake Tract” or collectively, the “Lake Tracts”), which ownership interests are either fee simple or an easement interest. Attached hereto and made a part hereof as Exhibit “A” is a map of the District reflecting the various drainage basins and also the Lake Tracts operated by the District. The delineation of Lake Tracts is, however, only one part of the composition of the Master Stormwater System. In addition, it is customary throughout Miromar Lakes that immediately landward of each Lake Tract, there is a 20' lake maintenance easement (“LME”) dedicated to the District that allows the District to access the lakes for purposes that include: (i) maintenance of the lake and related stormwater improvements; (ii) installation and

maintenance of various lake bank improvements such as installation of rip rap or other lake bank stabilizing materials; and (iii) installation of littoral plants.

Section 3. Lake Area Maintenance Responsibilities

a. With respect to those lake areas owned or operated by the District that are part of the Master Stormwater System, the following shall apply:

i. Except as otherwise provided herein, the District will be responsible for maintenance of the following: (1) each Lake Tract and (2) any improvements owned and operated by the District within an LME associated with a Lake Tract. The maintenance of the District will include maintenance of the lake bank against normal erosion and deterioration. For purposes of these Rules “normal erosion and deterioration” means erosion or deterioration caused by (A) seasonal ground water fluctuations; (B) wave action along the shoreline from the wind or boating; (C) drainage from rain events (but excluding improperly controlled runoff from upland property); (D) tropical storm or hurricane events causing abnormal wave action.

ii. The District is responsible for the maintenance of littoral plants within littoral zones designated pursuant to applicable permits. Adjacent Owners (defined below) shall not alter, modify, or remove littoral plants within applicable littoral zones without the prior, written approval of the District, which approval may be withheld in the District’s discretion. Further, Adjacent Owners shall not place any landscaping other than grass (together with any accompanying irrigation) in an LME.

iii. The District shall not be responsible for beach areas or beach maintenance. Beach areas and beach maintenance shall be the responsibility of Miromar Lakes Master Association, Inc. or other neighborhood association designated such responsibility.

iv. The District shall not be responsible for any docks that are installed into an LME or Lake Tract or any damage to an LME or Lake Tract caused by any such dock. The Owner of the dock shall be responsible for operation and maintenance of the dock and responsible for any damage to an LME or Lake Tract caused by the dock.

v. Each property owner adjacent to a Lake Tract (whether it be a private property owner and/or a community association) (an “**Adjacent Owner**”) shall be responsible for the maintenance of its property adjacent to the Lake Tract (excluding any improvements owned and operated by the District in the LME on the Adjacent Owner’s property, which are the maintenance responsibility of the District). The Adjacent Owner will be responsible for preventing against erosion and damage to the lake bank located in the Lake Tract and/or the LME caused by uncontrolled runoff or discharge, construction activities or other upland activities on the Adjacent Owner’s property that may accelerate erosion. An Adjacent Owner is not permitted to install any improvements within an LME or Lake Tract without the prior approval of the District, which the District may withhold in the District’s discretion. Any improvements so installed without the approval of the District will be deemed by the District a non-approved encroachment and the District may require removal and restoration of the LME and/or Lake Tract at the owner’s sole cost and expense. Except as otherwise provided, only grass and accompanying irrigation are

permitted within an LME. Encroachments into an LME may be applied for and considered by the District pursuant to separate procedures established by the District; provided, however, that any encroachment into an LME (including, without limitation, hardscaping, walkways or pavers) will only be considered in situations involving a showing of hardship by the owner. For clarity, the maintenance activities of the Adjacent Owner will include, without limitation, maintenance of the following: (i) grass located within the LME together with any accompanying irrigation; (ii) any encroachment into an LME that has received approval from the District; (iii) boat docks; and/or (iv) rip rap placed by the Adjacent Owner that has not been accepted by the District for maintenance. All maintenance by an Adjacent Owner must be in accordance with the SFWMD permit and other applicable federal, state, and local laws, codes, ordinances, regulations and permits. Attached hereto and made a part hereof as **Exhibit “B”** are various example sketches showing various common scenarios showing the allocation of maintenance responsibilities between the District and an Adjacent Owner.

b. In the event an Adjacent Owner fails to undertake and complete the maintenance required under this Section, the District shall have the right to complete such maintenance and either charge or assess the Adjacent Owner for the cost of such work. Further, if such Adjacent Owner's failure to complete the maintenance required hereunder results in damage to property of the District, the District reserves the right to charge or assess the Owner for the cost of any such damage.

Section 4. Drainage Directly into Lakes

a. Runoff from normal rain events, tropical storms and hurricanes originating from impervious surfaces such as roofs, gutters and downspouts, may cause significant lake bank erosion and washouts throughout the District and may otherwise affect the proper operation of the Master Stormwater System. Based upon prior experiences of the District, undertaking corrective action for such events may result in the District expending significant sums of money to restore the Master Stormwater System (including lake banks) to maintain compliance with applicable permits and ensure public safety. This Section is intended to establish a rule and policy relating to the installation and use of gutters and downspouts which are designed to discharge via overland flow or otherwise directly into the District's lakes in order to ensure the preservation of property and the proper functioning of the Master Stormwater System. The purpose of this Section is so that the District and all property owners remain in compliance with the SFWMD Permit and Lee County permits and regulations.

b. Pursuant to the SFWMD Permit, stormwater may not be discharged directly into the recreational lakes. The recreational lakes are reflected on Exhibit “A”. Any property owner whose property is located adjacent to a lake that is the responsibility of the District to maintain (either recreational lake or otherwise) and who is seeking or attempting to discharge stormwater by gutters/downspouts and/or other improvements directly into such lake must follow the procedures set forth herein. The requesting owner (“**Requesting Owner**”) shall submit a request to the District for the applicable installation, including the Requesting Owner's proposed plans. The District will review whether any additional permitting through SFWMD and/or Lee County is required for the installation of such improvements. If additional permitting is required, then the Requesting Owner shall be solely responsible for the cost and expense of any additional planning,

design, engineering and permitting required for the installation of such improvements. Further, the District will review the request and advise the Requesting Owner on the manner in which the installation shall be made so as to minimize potential negative impacts to the Master Stormwater System or the District's maintenance thereof. The Requesting Owner shall be solely responsible for all costs and expenses relating to the installation of the improvements. All work shall be performed and completed consistent with applicable permits and approvals. Once the installation is made, the Requesting Owner (or the Requesting Owner's successor in title) will be responsible for the maintenance of the improvements, even any improvements that might be located within a Lake Tract.

Section 5. Rip Rap Installation and Maintenance

a. Rip rap is installed in various areas within the District. The installation of rip rap is strictly controlled by applicable federal, state, and local laws, codes, ordinances, regulations and permits. For example, on all internal water management lakes within the District, Lee County regulations currently permit no more than twenty percent (20%) of shoreline to be encumbered by rip rap. The District applied for, and received, an administrative amendment to the applicable zoning ordinance (referred to as ADD201500070) that allows maximum of sixty-five percent (65%) of the shorelines of those portions of the recreational lakes located within the boundaries of the District to be encumbered by rip rap or other hardened shore treatment. The installation of new rip rap in an LME and/or Lake Tract will be controlled by the District is subject to the written approval of the District, which approval may be withheld in the District's discretion.

b. Any property owner whose property is located adjacent to a Lake Tract maintained by the District and who desires to install rip rap in either the Lake Tract and/or LME adjacent to the Lake Tract must follow the procedures set forth herein. The requesting owner ("Requesting Owner") shall submit a request to the District for approval of the installation of rip rap, including the Requesting Owner's proposed plans. The District will review (i) whether the installation of rip rap as proposed is acceptable to the District in its discretion and (ii) whether any additional permitting through SFWMD, Lee County or ACOE is required for such installation of such rip rap. If additional permitting is required, then the Requesting Owner will be solely responsible for the cost and expense of any additional planning, design, engineering and permitting required for the installation of such improvements. If the installation is approved by the District, the approval will be subject to such condition imposed by the District and the District will advise the Requesting Owner on the manner in which the installation of the rip rap shall be made so as to minimize potential negative impacts to the Master Stormwater System or the District's maintenance thereof. The Requesting Owner shall be solely responsible for all costs and expenses relating to the installation of the improvements. All work shall be performed and completed consistent with applicable permits and approvals. Following installation, the Requesting Owner (or the Requesting Owner's successor in title) will be responsible for the maintenance of all rip rap installed unless and until the rip rap is accepted by the District for maintenance. The Requesting Owner shall notify the District when the installation of the rip rap is complete and the District will inspect the installation to make certain the work is completed consistent with the applicable permits and approvals, including the District's approval. Once the installation is deemed complete to the satisfaction of the District, the District will formally accept responsibility for maintenance of the rip rap installed in the Lake Tract and/or LME. Notwithstanding any acceptance by the

District, the Requesting Owner will remain responsible for all rip rap installed outside the Lake Tract and/or LME.

Section 6. Maintenance of Inlets and Storm Drains

a. The District will maintain those storm drains and inlets that are a part of the overall stormwater management system that (i) are located within property owned by the District, platted drainage easements (DEs) in favor of the District and/or other separately recorded drainage easements in favor of the District and (ii) have been conveyed to the District for operation and maintenance. As of the date of these Rules, not all storm drains and inlets in every neighborhood or condominium within the District have been turned over to the District. If storm drains and inlets have not been turned over to the District, the applicable owner of such storm drains and inlets (whether it be Miromar Lakes Master Association, Inc., a neighborhood association, or condominium association) shall be responsible for their operation and maintenance.

b. For any neighborhood or condominium that desires to turn over its storm drains and inlets to the District, the District will accept the storm drains and inlets for operation and maintenance upon completion of the following: (i) the storm drains and inlets must be tested and inspected by the District Engineer and determined to be in good and proper working order; (ii) any deficiencies identified in the District Engineer's inspection in subsection (i) must be fully corrected by the applicable neighborhood or association; (iii) the storm drains and inlets must be transferred by bill of sale acceptable to the District; (iv) the District must be provided easement or other ownership rights necessary for operation and maintenance of the storm drains and inlets; and (v) the applicable neighborhood or condominium must bear all costs of the transfer including the costs of the inspection, any corrective work and any costs of the District including legal and other engineering costs associated with the transfer.

Section 7. Compliance with Laws

All property owners, community and condominium associations, persons or entities who are served by, or are utilizing, the Master Stormwater System shall, in addition to these Rules, be obligated to comply with all applicable federal, state, and local laws, codes, ordinances, regulations and permits including, without limitation, all permits issued by SFWMD for the operation and use of the Master Stormwater System.


Section 8. Enforcement

The District shall have any and all rights available under the Act and Florida law to enforce the provisions of these Rules. The District's staff including, without limitation, the District Manager shall have the authority to act on behalf of the District with respect to the enforcement of these Rules including, without limitation, taking any actions necessary to the enforcement and/or prosecution of violations of these Rules consistent with Florida law. In addition to, and not as a limitation on the District, the District shall have the right to notify SFWMD, Lee County or any other appropriate regulatory body of a violation of these Rules or any existing permits issued by any such regulatory body.

Section 9. Effective Date

These Rules shall be effective upon their adoption.

Exhibit “A”
Drainage Basin Map



<u>BASIN #</u>	<u>CONTROL</u>	<u>MIN ROAD</u>	<u>MIN FFE</u>	<u>CONTROL STRUCTURE</u>
1	17.50	19.50	21.50	6' WIDE SHARP CRESTED WEIR @ EL=18 6' W x 0.65' H V-NOTCH @ EL=17.50 REC. BODY: BASIN2
2	16.75	18.75	21.50	6' WIDE SHARP CRESTED WEIR @ EL=17 6' W x 0.83' H V-NOTCH @ EL=16.75 REC. BODY: BASIN3
3	16.00	18.30	21.50	8' WIDE SHARP CRESTED WEIR @ EL=16 8' W x 0.46' H V-NOTCH @ EL=16.00 REC. BODY: I-75 SWALE

<u>BASIN #</u>	<u>CONTROL</u>	<u>MIN ROAD</u>	<u>MIN FFE</u>	<u>C O A</u>
4	16.00	19.20	22.00	
5	18.00	20.00	22.00	((R
6	18.00	20.00	22.00	2 2 R

2' W x 1.78' H SHARP CRESTED WEIR @ EL=18.22
2' W x 0.22' H V-NOTCH @ EL=18.00
EC. BODY: ADJACENT SLOUGH * REPRESENTS LAKES NOT OWNED BY MIROMAR LAKES CDD



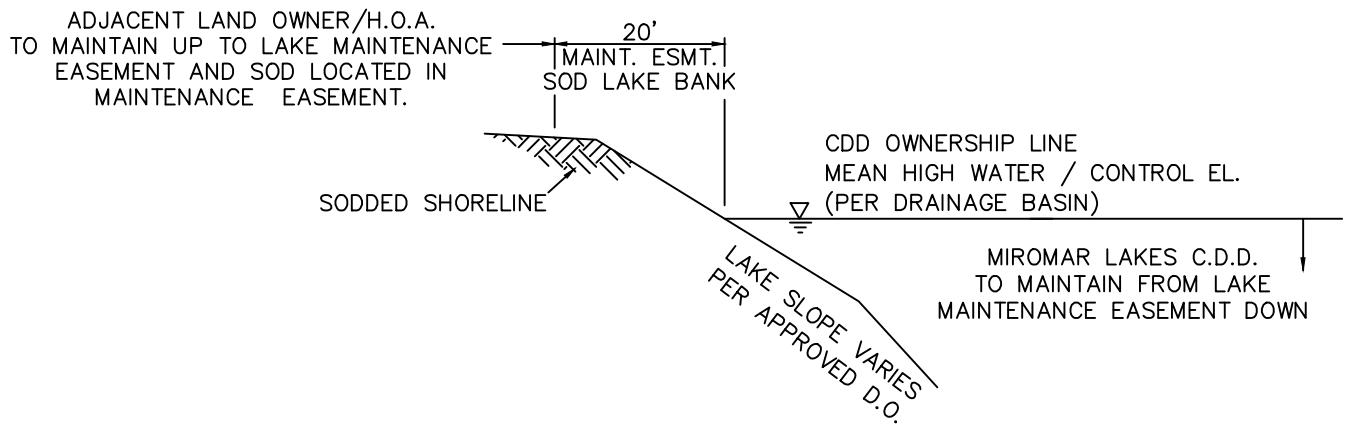
6200 Whiskey Creek Drive
Fort Myers, FL. 33919
Phone : (239) 985-1200
Florida Certificate of
Authorization No.1772

MIROMAR LAKES - CDD DRAINAGE EXHIBIT

Exhibit “B”
Examples of the Division of Maintenance Responsibility

Exhibit B-1

This example depicts the typical case of a sodded shoreline adjacent to a Lake Tract and illustrates the division of maintenance responsibility between the District and the Adjacent Owner.



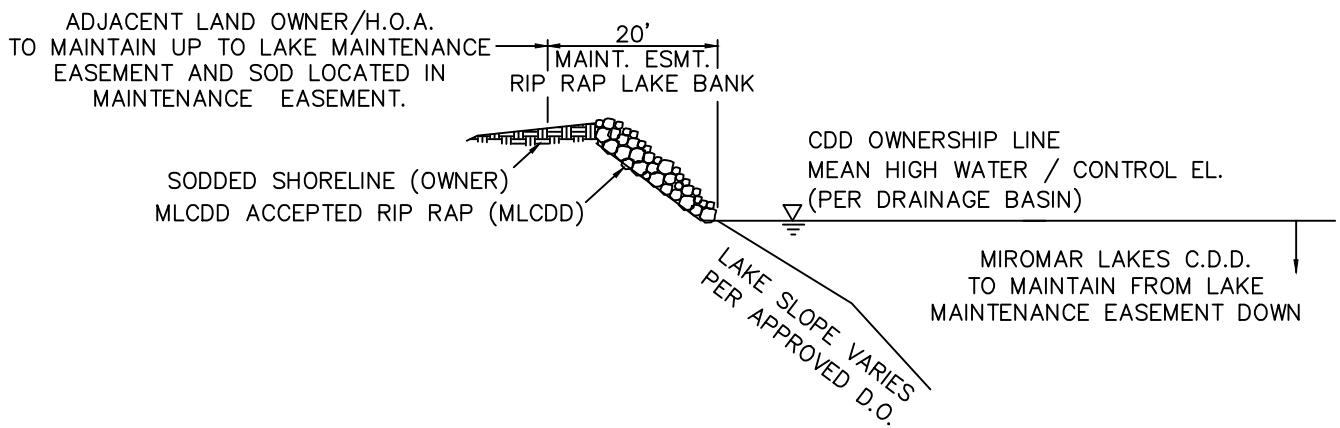
TYPICAL STORMWATER LAKE SECTION

N.T.S.

NOTE 1: NO OWNER SHALL PLACE ANY IMPROVEMENTS ON OR
WITHIN A LAKE MAINTENANCE EASEMENT WITHOUT PRIOR APPROVAL
OF MIROMAR LAKES COMMUNITY DEVELOPMET DISTRICT. APPROVAL
OF SUCH IMPROVEMENTS DOES NOT MEAN MLCD DSHALL MAINTAIN
SUCH IMPROVEMENTS

Exhibit B-2

This example depicts the typical case where rip rap has been placed within the Lake Maintenance Easement adjacent to a Lake Tract by an Adjacent Owner (or predecessor), which rip rap has been accepted by the District for maintenance. The division of maintenance responsibility between the District and the Adjacent Owner is illustrated.



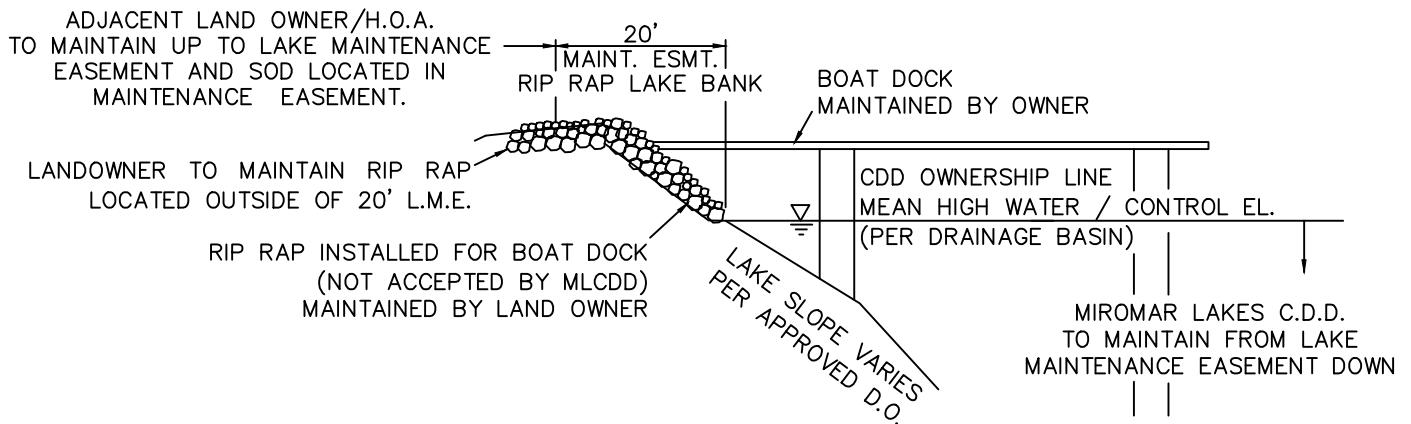
STORMWATER LAKE SECTION WITH RIP RAP

N.T.S.

NOTE 1: NO OWNER SHALL PLACE ANY IMPROVEMENTS ON OR
WITHIN A LAKE MAINTENANCE EASEMENT WITHOUT PRIOR APPROVAL
OF MIROMAR LAKES COMMUNITY DEVELOPMET DISTRICT. APPROVAL
OF SUCH IMPROVEMENTS DOES NOT MEAN MLCDD SHALL MAINTAIN
SUCH IMPROVEMENTS

Exhibit B-3

This example depicts the typical case involving the following conditions: (i) a boat dock has been installed by the Adjacent Owner (or predecessor) that extends into the Lake Tract and (ii) rip rap has been placed within the Lake Maintenance Easement and Lake Tract by the Adjacent Owner (or predecessor), which rip rap has not been accepted by the District for maintenance. The division of maintenance responsibility between the District and the Adjacent Owner is illustrated.



STORMWATER LAKE SECTION WITH LAND OWNER RESPONSIBILITY

N.T.S.

NOTE 1: NO OWNER SHALL PLACE ANY IMPROVEMENTS ON OR
WITHIN A LAKE MAINTENANCE EASEMENT WITHOUT PRIOR APPROVAL
OF MIROMAR LAKES COMMUNITY DEVELOPMENT DISTRICT. APPROVAL
OF SUCH IMPROVEMENTS DOES NOT MEAN MLCDD SHALL MAINTAIN
SUCH IMPROVEMENTS

ANY DAMAGE TO LAKE BANK OR LAKE CAUSED BY THE
INSTALLATION OR MAINTENANCE OF A BOAT DOCK OR RIP RAP
PLACED BY OWNER, SHALL BE THE RESPONSIBILITY OF THE OWNER
TO REPAIR

The News-Press
media group
 news-press.com A GANNETT COMPANY

Attn:

**MIROMAR LAKES CDD
 2301 NE 37TH ST
 FT LAUDERDALE, FL 33308**

STATE OF FLORIDA COUNTY OF LEE:

Before the undersigned authority personally appeared

[Signature], who on oath says that he or she is a Legal Assistant of the News-Press, a daily newspaper published at Fort Myers in Lee County, Florida; that the attached copy of advertisement, being a Legal Ad in the matter of

NOTICE OF RULE DEVELOPMENT BY MIROMAR LAKES COMMUNITY DEVELOPMENT DISTRICT In accordance with Chapters 120 and 190, Florida Statutes, Miromar Lakes Community D

In the Twentieth Judicial Circuit Court was published in said newspaper in the issues of:

08/08/2021

Affiant further says that the said News-Press is a paper of general circulation daily in Lee County and published at Fort Myers, in said Lee County, Florida, and that the said newspaper has heretofore been continuously published in said Lee County, Florida each day and has been entered as periodicals matter at the post office in Fort Myers, in said Lee County, Florida, for a period of one year next preceding the first publication of the attached copy of advertisement; and affiant further says that he or she has never paid nor promised any person, firm or corporation any discount, rebate, commission or refund for the purpose of securing this advertisement for publication in the said newspaper.

Sworn to and Subscribed before me this 8th of August 2021, by legal clerk who is personally known to me.

[Signature]

Affiant

[Signature]

Notary State of Wisconsin, County of Brown

9/19/21

My commission expires

VICKY FELTY Notary Public State of Wisconsin
--

of Affidavits 1

This is not an invoice

**NOTICE OF RULE DEVELOPMENT BY
 MIROMAR LAKES COMMUNITY
 DEVELOPMENT DISTRICT**

In accordance with Chapters 120 and 190, Florida Statutes, Miromar Lakes Community Development District ("District") hereby gives notice of its intention to adopt its proposed Stormwater Management Rules and Policies relating to the operation of the master stormwater management system of the District. The proposed Stormwater Management Rules and Policies address the following relating to the preservation of property and the proper functioning of the master stormwater management system: (i) lake area maintenance responsibilities; (ii) drainage directly into the District's lakes including the installation and use of gutters and downspouts which are discharging via overland flow or directly into the District's lakes and wetlands; (iii) rip rap installation and maintenance; and (iv) the maintenance of inlets and storm drains.

The purpose and effect of the proposed Rules of Procedure is to provide for the proper and efficient operation of the District's master stormwater management system and to maintain compliance with applicable governmental permits and regulations. Specific legal authority for the proposed Rules of Procedure and the adoption of the proposed Rules of Procedure includes, without limitation, Sections 120.54, 190.001, 190.011(5), and 190.011(15), 190.031, 190.035, Florida Statutes. The specific laws implemented in the proposed Rules of Procedure include, but are not limited to, Sections 190.011(5), and 190.011(11), 190.031, 190.035, 190.041, Florida Statutes.

A copy of the proposed Stormwater Management Rules and Policies may be obtained by contacting the District Manager at JPWard & Associates, LLC, 2301 Northeast 37th Street, Fort Lauderdale, Florida 33308, or by calling (954) 658-4900.

Miromar Lakes Community Development District
 James P. Ward
 District Manager
 AD # 4838511

8/8/2021

Attn:

**MIROMAR LAKES CDD
 2301 NE 37TH ST
 FT LAUDERDALE, FL 33308**

STATE OF FLORIDA COUNTY OF LEE:

Before the undersigned authority personally appeared

Paul, who on oath says that he or she is a Legal Assistant of the News-Press, a daily newspaper published at Fort Myers in Lee County, Florida; that the attached copy of advertisement, being a Legal Ad in the matter of

NOTICE OF RULEMAKING REGARDING THE STORMWATER MANAGEMENT RULES AND POLICIES OF MIROMAR LAKES COMMUNITY DEVELOPMENT DISTRICT A public hearing will be conducted b

In the Twentieth Judicial Circuit Court was published in said newspaper in the issues of:

08/09/2021

Affiant further says that the said News-Press is a paper of general circulation daily in Lee County and published at Fort Myers, in said Lee County, Florida, and that the said newspaper has heretofore been continuously published in said Lee County, Florida each day and has been entered as periodicals matter at the post office in Fort Myers, in said Lee County, Florida, for a period of one year next preceding the first publication of the attached copy of advertisement; and affiant further says that he or she has never paid nor promised any person, firm or corporation any discount, rebate, commission or refund for the purpose of securing this advertisement for publication in the said newspaper.

Sworn to and Subscribed before me this 9th of August 2021,
 by legal clerk who is personally known to me.

Paul

 Affiant

Vicky Felty

 Notary State of Wisconsin, County of Brown
9/19/21

My commission expires

of Affidavits 1

This is not an invoice

VICKY FELTY
Notary Public
State of Wisconsin

**NOTICE OF RULEMAKING REGARDING
THE STORMWATER MANAGEMENT
RULES AND POLICIES OF MIROMAR
LAKES COMMUNITY DEVELOPMENT
DISTRICT**

A public hearing will be conducted by the Board of Supervisors of MIROMAR LAKES COMMUNITY DEVELOPMENT DISTRICT (the "District") on Thursday, September 9, 2021 at 2:00 p.m. at Miromar Lakes Beach & Golf Club Beach Clubhouse, 18061 Miromar Lakes Parkway, Fort Myers, Florida 33913. In accordance with Chapters 120 and 190, Florida Statutes, the District hereby gives notice of its intent to adopt proposed Stormwater Management Rules and Policies. The purpose and effect of the proposed Stormwater Management Rules and Policies is to provide for the proper and efficient operation of the District's master stormwater management system and to maintain compliance with applicable governmental permits and regulations. The Stormwater Management Rules and Policies may address the following relating to the preservation of property and the proper functioning of the master stormwater management system: (i) lake area maintenance responsibilities; (ii) drainage directly into the District's lakes including the installation and use of gutters and downspouts which are discharging via overland flow or directly into the District's lakes and wetlands; (iii) rip rap installation and maintenance; and (iv) the maintenance of inlets and storm drains. At the conclusion of the hearing, the Board shall, by resolution, adopt the proposed Stormwater Management Rules and Policies as finally approved by the Board of Supervisors. Prior notice of rule development was published in The News-Press on August 8, 2021.

News-Press on August 8, 2021.
Specific legal authority for the proposed Stormwater Management Rules and Policies and the adoption of the proposed Stormwater Management Rules and Policies includes, without limitation, Sections 120.54, 190.001, 190.006, 190.01(5), and 190.01(15), 190.035, Florida Statutes. The specific laws implemented in the proposed Stormwater Management Rules and Policies include, but are not limited to, Sections 190.01(5), and 190.01(11), 190.031, 190.035, 190.041, Florida Statutes.

Any person who wishes to provide the District with a proposal for a lower cost regulatory alternative as provided by Section 120.541(1), Florida Statutes, must do so in writing within twenty-one (21) days after publication of this notice to the District Manager at JPWard & Associates, LLC, 2301 Northeast 37th Street, Fort Lauderdale, Florida 33308.

The public hearing may be continued to a date, time, and place to be specified on the record at the hearing. Each person who decides to appeal any decision made by the Board with respect to any matter considered at the public hearing and meeting is advised that person will need a record of the proceedings and that accordingly, the person may need to ensure that a verbatim record of the proceedings is made, including the testimony and evidence upon which such appeal is to be based. At the public hearing, one or more Supervisors may participate in the public hearing by telephone or other electronic means. At the above location, if a public hearing is requested, there will be present a speaker so that any interested party can physically attend the public hearing at the above location and be fully informed of the discussions taking place either in person or by speaker device.

any person requiring special accommodations at this meeting because of a disability or physical impairment should contact the District Office at (954) 658-4900 at least forty-eight (48) hours prior to the meeting. If you are hearing or speech impaired, please contact the Florida Relay Service by dialing 7-1-1, or 1-800-955-8771 (TTY) 1-800-955-8770 (Voice), for aid in contacting the District Office.

A copy of the proposed Stormwater Management Rules and Policies may be obtained by contacting the District Manager at JPWard & Associates, LLC, 2301 Northeast 37th Street, Fort Lauderdale, Florida 33308.

James P. Ward, District Manager
AD # 4838519 8/9/2021

RESOLUTION NO. 2021-10

**A RESOLUTION OF THE BOARD OF SUPERVISORS OF MIROMAR LAKES
COMMUNITY DEVELOPMENT DISTRICT ADOPTING STORMWATER
MANAGEMENT RULES AND POLICIES; PROVIDING FOR SEVERABILITY,
CONFLICTS AND AN EFFECTIVE DATE.**

WHEREAS, Miromar Lakes Community Development District (the “District”) is a community development district that was established pursuant to the provisions of Chapter 190, Florida Statutes by the Board of County Commissioners of Lee County, Florida through the adoption of Ordinance No. 00-17 on September 12, 2000, as amended by that certain Ordinance No. 10-22 adopted on April 27, 2010 by the Board of County Commissioners of Lee County, Florida; and

WHEREAS, Chapter 190, Florida Statutes, authorizes the District to adopt rules to govern the administration of the District and to adopt resolutions as may be necessary for the conduct of District business; and

WHEREAS, the Board of Supervisors finds that it is in the best interests of the District to adopt by resolution the Stormwater Management Rules and Policies attached hereto as Exhibit “A” for immediate use and application; and

WHEREAS, the Board of Supervisors has complied with applicable Florida law concerning the development and adoption.

NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF SUPERVISORS OF MIROMAR LAKES COMMUNITY DEVELOPMENT DISTRICT:

SECTION 1. FINDINGS. The above recitals are true and correct and incorporated herein by this reference.

SECTION 2. ADOPTION OF RULES. The attached Stormwater Management Rules and Policies are hereby adopted pursuant to this Resolution and shall amend, supersede and replace in their entirety those certain Stormwater Management Rules and Policies previously adopted by Resolution 2018-______. These Stormwater Management Rules and Policies shall stay in full force and effect until such time as the Board of Supervisors may amend these rules in accordance with Chapter 190, Florida Statutes.

SECTION 3. SEVERABILITY. If any section or part of a section of this Resolution be declared invalid or unconstitutional, the validity, force and effect of any other section or part of a section of this Resolution shall not thereby be affected or impaired unless it clearly appears that such other section or part of a section of this Resolution is wholly or necessarily dependent upon the section or part of a section so held to be invalid or unconstitutional, it being expressly found and declared that the remainder of this Resolution would have been adopted despite the invalidity of such section or part of such section.

SECTION 4. CONFLICTS. All resolutions or parts thereof in conflict herewith are, to the extent of such conflict, superseded and repealed.

SECTION 5. EFFECTIVE DATE. This Resolution shall be effective immediately upon its adoption.

PASSED AND ADOPTED at a meeting of the Board of Supervisors of Miromar Lakes Community Development District this 9th day of September, 2021.

Attest:

**MIROMAR LAKES
COMMUNITY DEVELOPMENT
DISTRICT**

James P. Ward, Secretary

Alan Refkin, Chairman

Exhibit "A"



Memorandum

Date: Sept 1, 2021
To: James P. Ward- District Manager
From: Bruce Bernard - Field Asset Manager
Subject: Miromar Lakes CDD – August 2021 Report
CGA Project #: 13-5692

Civil Engineering/Roadway & Highway Design
Coastal Engineering
Code Enforcement
Construction Engineering & Inspection (CEI)
Construction Services
Contract Government Services
Data Technologies & Development
Electrical Engineering
Emergency Management
Engineering
Environmental Services
Facilities Management
Geographic Information Systems (GIS)
Indoor Air Quality
Land Development
Landscape Architecture
Municipal Engineering
Planning
Redevelopment
Surveying & Mapping
Traffic Engineering
Transportation Planning
Urban Design
Water/Wastewater
Treatment Facilities
Website Development/ Computer Graphics

GSA Contract Holder

1800 Eller Drive
Suite 600
Fort Lauderdale, FL
33316
954.921.7781 phone
954.921.8807 fax

www.cgasolutions.com

Lake Maintenance

CDD staff has requested its aquatic / lake maintenance vendor (Solitude Lake Management) to submit an application on the behalf of the CDD to the Florida Fish and Wildlife for the possibility of adding a limited number of carp fish to Lake 5/6 within the CDD's surface water management system.

CDD staff and Solitude Lake Management (Solitude) inspected lakes within the golf course for increased treatment over the next two months. The vendor will be addressing areas in Lakes 1B, 3A, 6B, and 6D for grasses removal.

GDH Services sampled the CDD lakes for water quality this month and the reporting will be completed next month on the testing results.

Scott's Animal Control, and Wild Thing Wildlife Services (vendors) continued with the cane toad removal activities this past month within the community.

Asset Management

CDD staff met onsite this month with ML representatives to inspect the CDD's landscape assets. CDD staff noted areas on both the FGCU berm and the Ben Hill Griffin Parkway berms that need additional attention by the vendor, Estate Landscaping.

MIROMAR LAKES COMMUNITY DEVELOPMENT DISTRICT



FINANCIAL STATEMENTS - AUGUST 2021

FISCAL YEAR 2021

PREPARED BY:

JPWARD & ASSOCIATES, LLC, 2301 NORTHEAST 37TH STREET, FORT LAUDERDALE, FL 33308

T: 954-658-4900 E: JimWard@JPWardAssociates.com

Miromar Lakes Community Development District

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<i>Debt Service Fund</i>	
<i>Series 2012 Bonds</i>	<i>6</i>
<i>Series 2015 Bonds</i>	<i>7</i>

*JPWard & Associates, LLC
2301 Northeast 37th Street
Fort Lauderdale, Florida 33308
(954) 658-4900*

Miromar Lakes Community Development District
Balance Sheet
for the Period Ending August 31, 2021

	Governmental Funds			Account Groups		Totals (Memorandum Only)
	Debt Service Funds			General Long Term Debt	General Fixed Assets	
	General Fund	Series 2012	Series 2015			
Assets						
Cash and Investments						
General Fund - Invested Cash	\$ 375,822	\$ -	\$ -	\$ -	\$ -	\$ 375,822
Debt Service Fund						
Interest Account	-	-	-	-	-	-
Sinking Account	-	-	-	-	-	-
Reserve Account	-	366,651	404,783	-	-	771,434
Revenue	-	221,374	521,380	-	-	742,754
Prepayment Account	-	9,368	1,683	-	-	11,051
Due from Other Funds						
General Fund	-	-	-	-	-	-
Debt Service Fund(s)						
Market Valuation Adjustments	-			-	-	-
Accrued Interest Receivable	-	-	-	-	-	-
Assessments Receivable	-	-	-	-	-	-
Accounts Receivable	-	-	-	-	-	-
Amount Available in Debt Service Funds	-	-	-	1,525,239	-	1,525,239
Amount to be Provided by Debt Service Funds	-	-	-	15,484,761	-	15,484,761
Investment in General Fixed Assets (net of depreciation)	-	-	-	-	36,514,917	36,514,917
Total Assets	\$ 375,822	\$ 597,393	\$ 927,846	\$ 17,010,000	\$ 36,514,917	\$ 55,425,978

Prepared by:

JPWARD and Associates, LLC

Miromar Lakes Community Development District
Balance Sheet
for the Period Ending August 31, 2021

	Governmental Funds			Account Groups		Totals (Memorandum Only)
	Debt Service Funds			General Long Term Debt	General Fixed Assets	
	General Fund	Series 2012	Series 2015			
Liabilities						
Accounts Payable & Payroll Liabilities	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -
Due to Other Funds						
General Fund						
Debt Service Fund(s)	-	-	-	-	-	-
Other Developer	-	-	-			
Bonds Payable	-					
Current Portion	-	-	-	0	-	-
Long Term	-	-	-	17,010,000	-	17,010,000
Total Liabilities	<u>\$ -</u>	<u>\$ -</u>	<u>\$ -</u>	<u>\$ 17,010,000</u>	<u>\$ -</u>	<u>\$ 17,010,000</u>
Fund Equity and Other Credits						
Investment in General Fixed Assets	-				36,514,917	36,514,917
Fund Balance						
Restricted						
Beginning: October 1, 2020 (Audited)	-	621,703	1,019,703	-	-	1,641,406
Results from Current Operations	-	(24,310)	(91,857)	-	-	(116,167)
Unassigned						
Beginning: October 1, 2020 (Audited)	265,802			-	-	265,802
Reserve for Water Management System	50,000					50,000
Reserve for Disaster Relief Reserve	45,000					45,000
Results from Current Operations	15,020			-	-	15,020
Total Fund Equity and Other Credits	<u>\$ 375,822</u>	<u>\$ 597,393</u>	<u>\$ 927,846</u>	<u>\$ -</u>	<u>\$ 36,514,917</u>	<u>\$ 38,415,978</u>
Total Liabilities, Fund Equity and Other Credits	<u>\$ 375,822</u>	<u>\$ 597,393</u>	<u>\$ 927,846</u>	<u>\$ 17,010,000</u>	<u>\$ 36,514,917</u>	<u>\$ 55,425,978</u>

Prepared by:

JPWARD and Associates, LLC

Miromar Lakes Community Development District
General Fund
Statement of Revenues, Expenditures and Changes in Fund Balance
Through August 31, 2021

Description	October	November	December	January	February	March	April	May	June	July	August	Year to Date	Revised - Total Annual Budget	% of Budget	Notes
Revenue and Other Sources															
Carryforward	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	-	N/A
Interest															
Interest - General Checking	-	5	7	6	6	6	5	5	4	4	4	51	250	20%	Low Interest Rates - will remain low
Special Assessment Revenue															
Special Assessments - On-Roll	561	130,551	332,076	17,246	16,438	7,305	14,193	60,405	1,429	5,887	-	586,092	580,182	101%	Fully Collected
Special Assessments - Off-Roll	-	29,747	-	29,747	-	-	29,747	-	-	29,750	-	118,991	118,991	100%	Fully Collected
Miscellaneous Revenue	-	-	-	-	-	-	-	-	-	-	-	-	0	N/A	
State Revenue Sharing-Emergency Mgmt Assis	-	-	-	-	-	-	-	-	-	-	-	-	0	N/A	
Intragovernmental Transfer In	-	-	-	-	-	-	-	-	-	-	-	-	0	N/A	
Total Revenue and Other Sources:	\$ 561	\$ 160,303	\$ 332,084	\$ 46,999	\$ 16,444	\$ 7,311	\$ 43,945	\$ 60,410	\$ 1,434	\$ 35,640	\$ 4	\$ 705,134	\$ 699,423	101%	
Expenditures and Other Uses															
Legislative															
Board of Supervisor's - Fees	1,000	1,000	1,000	800	1,000	1,000	1,000	1,000	1,000	1,000	1,000	10,800	12,000	90%	On-target
Board of Supervisor's - Taxes	77	77	77	61	77	77	77	77	77	77	77	826	918	90%	On-target
Executive															
Professional Management	3,333	3,333	3,333	3,333	3,333	3,333	3,333	3,333	3,333	3,333	3,333	36,667	40,000	92%	On-target
Financial and Administrative															
Audit Services	-	-	3,000	-	-	-	-	1,000	-	-	-	4,000	4,000	100%	Full year Paid
Accounting Services	-	-	-	-	290	(290)	-	160	(160)	-	-	-	-	N/A	
Assessment Roll Services	-	-	18,000	-	-	-	-	-	-	-	-	18,000	18,000	100%	Full year Paid
Arbitrage/Bond Reamortization	350	1,000	-	-	-	-	100	750	-	-	-	2,200	2,000	110%	No further expenses anticipated
Other Contractual Services															
Legal Advertising	194	-	-	-	246	-	-	-	-	3,037	-	3,476	1,200	290%	Budget and Rule Ads. Price Inc.
Trustee Services	-	3,400	-	-	-	-	-	-	5,859	-	-	9,258	9,500	97%	Full year paid
Property Appraiser/Tax Collector Fees	-	-	-	-	-	1,194	-	-	-	-	-	1,194	2,000	60%	Full year paid
Bank Services	34	34	49	35	49	33	38	48	34	36	64	453	500	91%	
Travel and Per Diem	-	-	-	-	-	-	-	-	-	-	-	-	-	N/A	
Communications & Freight Services															
Postage, Freight & Messenger	67	51	58	58	50	125	-	194	-	62	70	735	800	92%	On-target
Insurance	6,928	-	-	-	-	-	-	-	-	-	-	6,928	7,000	99%	Full year paid
Printing & Binding		95	-	111	-	277	178	200	139	-	115	1,116	2,200	51%	On-target
Website Maintenance	50	50	50	50	50	50	50	50	50	50	50	550	1,200	46%	On-target
Office Supplies	-	-	-	-	-	-	-	-	-	-	-	-	-	N/A	
Subscription & Memberships	175	-	-	-	-	-	-	-	-	-	-	175	175	100%	Full year paid
Legal Services															
Legal - General Counsel	-	-	215	731	-	1,390	569	1,127	1,723	1,141	3,413	10,308	30,000	34%	Anticipate September \$3K Rule Development
Legal - Litigation	-	-	-	-	-	-	-	-	-	-	-	-	-	N/A	
Legal - Center Place - Special Counsel	-	-	-	-	-	-	-	-	-	-	-	-	-	N/A	
Legal - Center Place	-	-	-	-	-	-	-	-	-	-	-	-	-	N/A	
Land Exchange - Salerno	-	-	-	-	-	-	-	-	-	-	-	-	-	N/A	
Other General Government Services															
Engineering Services - General Fund	-	58	-	615	1,193	-	228	-	-	-	(953)	1,140	7,000	16%	Anticipate September \$2k Rule Development
Reserve Analysis	-	-	-	-	-	-	-	12,265	-	-	7,250	19,515	-	N/A	Anticipate September \$2,500
Asset Administration Services	-	-	-	833	-	833	-	1,667	833	-	1,667	5,833	10,000	58%	On-target
Contingencies	-	-	-	-	-	-	-	-	-	-	-	-	-	N/A	

Prepared by:
JPWARD and Associates, LLC

Miromar Lakes Community Development District
General Fund
Statement of Revenues, Expenditures and Changes in Fund Balance
Through August 31, 2021

Description	October	November	December	January	February	March	April	May	June	July	August	Year to Date	Revised - Total Annual Budget	% of Budget	Notes	
	Sub-Total:	12,207	9,097	25,782	6,627	6,288	8,022	5,572	21,870	12,888	8,736	16,086	133,174	148,493	90%	
Hurricane Relief Services																
Engineering Services															N/A	
General Engineering	-	-	-	-	-	-	-	-	-	-	-	-	-	-	N/A	
Water Mgt - Debris Removal															N/A	
Lake Bank Erosion	-	-	-	-	-	-	-	-	-	-	-	-	-	-	N/A	
Landscaping - Debris Removal															N/A	
Landscaping Removal	-	-	-	-	-	-	-	-	-	-	-	-	-	-	N/A	
	Sub-Total:	-	-	-	-	-										
Stormwater Management Services																
Professional Services																
Asset Management	-	3,817	3,817	3,046	3,817	2,983	-	5,967	2,983	-	5,967	32,396	35,800	90%	On-target	
NPDES	-	-	-	-	-	188	-	-	-	-	-	188	2,000	9%	On-target	
Mitigation Monitoring	-	-	-	-	-	-	-	500	-	-	-	500	-	N/A	No Additional	
Utility Services																
Electric - Aeration Systems	-	90	944	511	527	508	497	276	206	-	463	4,023	4,800	84%	On-target	
Lake System																
Aquatic Weed Control	-	4,772	-	9,544	4,772	-	9,544	-	4,772	4,772	9,544	47,720	71,000	67%	\$9.5k anticipated	
Lake Bank Maintenance	-	-	-	-	-	-	-	-	-	-	-	-	3,000	0%	\$0.00 anticipated	
Water Quality Testing	-	-	4,310	-	-	-	-	-	4,660	-	-	8,970	13,840	65%	On-Target	
Water Control Structures	-	-	-	-	22,650	560	-	-	19,500	-	-	42,710	26,000	164%	\$0.00 anticipated (20k prev appd for repair)	
Grass Carp Installation	-	-	-	-	-	-	-	-	-	-	-	-	-	N/A		
Litoral Shelf Barrier/Replanting	-	-	-	-	-	-	-	-	-	-	-	-	-	N/A		
Cane Toad Removal	4,210	5,455	2,645	840	840	-	-	5,350	3,300	-	2,500	25,140	11,000	229%	\$4,800 anticipated	
Midge Fly Control	810	-	3,050	3,050	3,050	-	-	-	-	9,150	-	19,110	9,600	199%	\$0.00 anticipated	
Aeration System	-	-	-	-	-	299	-	-	4,454	-	-	4,753	2,000	238%	\$0.00 anticipated	
Fish Re-Stocking	-	-	-	3,888	10,086	-	-	-	-	-	-	13,974	-	N/A	\$0.00 anticipated	
Wetland System																
Routine Maintenance	-	3,364	-	6,728	3,364	-	8,228	-	3,364	4,864	6,728	36,640	49,100	75%	\$8,300 anticipated	
Water Quality Testing	-	-	-	-	-	-	-	-	-	-	-	-	-	N/A		
Other Current Charges	-	-	-	-	-	-	-	-	-	-	-	-	-	N/A		
Capital Outlay																
Aeration Systems	-	-	-	-	-	-	-	-	-	-	-	-	13,260	0%	\$0.00 anticipated	
Littoral Shelf Replanting/Barrier	-	-	-	-	-	-	-	-	-	-	-	-	6,000	0%	\$0.00 anticipated	
Lake Bank Restoration	-	900	1,350	1,500	10,082	28,918	63,593	20,130	88,280	-	8,220	222,973	-	N/A	\$1k anticipated	
Turbidity Screens	-	-	-	-	-	-	-	-	-	-	-	-	-	N/A		
Erosion Restoration	-	-	-	-	-	-	-	-	-	-	-	-	204,930	0%	Expense In Lake Bank Restoration Line	
Contingencies	-	-	-	-	-	-	-	-	2,425	-	-	2,425	3,000	81%	\$0.00 anticipated	
	Sub-Total:	5,020	18,398	16,115	29,107	59,188	33,456	81,862	32,222	133,945	18,786	33,422	461,521	455,330	101%	
Landscaping Services																
Professional Management																
Asset Management	-	-	-	-	-	-	-	-	-	-	-	-	-	N/A		
Utility Services																
Electric	-	-	-	-	-	-	-	-	-	-	-	-	-	N/A		
Irrigation Water	-	-	-	-	-	-	-	-	-	-	-	-	-	N/A		

Prepared by:
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Miromar Lakes Community Development District
General Fund
Statement of Revenues, Expenditures and Changes in Fund Balance
Through August 31, 2021

Description	October	November	December	January	February	March	April	May	June	July	August	Year to Date	Revised - Total Annual Budget	% of Budget	Notes
Repairs & Maintenance															
Public Area Landscaping	-	-	-	-	-	-	-	-	-	-	-	-	-	N/A	
Irrigation System	-	-	-	-	-	-	-	-	-	-	-	-	-	N/A	
Well System	-	-	-	-	-	-	-	-	-	-	-	-	-	N/A	
Plant Replacement	-	-	-	-	-	-	-	-	-	-	-	-	-	N/A	
Other Current Charges															
Lee County Assessments	-	-	-	-	-	-	-	-	-	-	-	-	-	N/A	
Charlotte County Assessments	-	419	-	-	-	-	-	-	-	-	-	419	-	N/A	
Hendry County - Panther Habitat Taxes	-	-	-	-	-	-	-	-	-	-	-	-	600	0%	
Operating Supplies															
Mulch	-	-	-	-	-	-	-	-	-	-	-	-	-	N/A	
Capital Outlay	-	-	-	-	-	-	-	-	-	-	-	-	-	N/A	
Reserves for General Fund															
Water Management System	-	-	-	-	-	-	-	-	-	-	-	-	50,000	0%	Will move to Reserves balances at 09/30
Disaster Relief Reserve	-	-	-	-	-	-	-	-	-	-	-	-	45,000	0%	Will move to Reserves balances at 09/30
Sub-Total:	-	419	-	-	-	-	-	-	-	-	-	419	95,600	0%	
Total Expenditures and Other Uses:	\$ 17,227	\$ 27,914	\$ 41,897	\$ 35,734	\$ 65,475	\$ 41,477	\$ 87,434	\$ 54,093	\$ 146,832	\$ 27,522	\$ 49,508	\$ 595,114	\$ 699,423	85%	Remaining \$53k, Total \$603k, Over \$44k exclude Reserves
Net Increase/ (Decrease) in Fund Balance	(16,666)	132,389	290,187	11,265	(49,032)	(34,166)	(43,489)	6,317	(145,399)	8,118	(49,504)	110,020	-		
Fund Balance - Beginning	265,802	249,136	381,524	671,711	682,976	633,944	599,778	556,289	562,606	417,208	425,326	265,802	265,802		
Fund Balance - Ending	\$ 249,136	\$ 381,524	\$ 671,711	\$ 682,976	\$ 633,944	\$ 599,778	\$ 556,289	\$ 562,606	\$ 417,208	\$ 425,326	\$ 375,822	\$ 375,822	\$ 265,802		

Miromar Lakes Community Development District
Debt Service Fund - Series 2012 Bonds
Statement of Revenues, Expenditures and Changes in Fund Balance
Through August 31, 2021

Description	October	November	December	January	February	March	April	May	June	July	August	Year to Date	Total Annual Budget	% of Budget
Revenue and Other Sources														
Carryforward	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	N/A
Interest Income														
Reserve Account	(16,652)	-	-	-	-	-	3,525	-	-	-	-	(13,127)	7,200	-182%
Prepayment Account	0	-	0	0	0	0	0	0	0	0	0	0	-	N/A
Revenue Account	1	1	0	1	4	3	4	4	1	1	1	22	4,500	0%
Interest Account	-	0	-	-	-	-	-	-	-	-	-	0	-	N/A
Special Assessment Revenue	-													
Special Assessments - On-Roll	907	211,047	536,830	27,880	26,573	11,810	22,944	97,649	2,311	9,516	-	947,468	937,856	101%
Special Assessments - Off-Roll	-	-	-	-	-	-	-	-	-	-	-	-	-	N/A
Special Assessments - Prepayments	-	-	-	-	-	-	-	-	-	-	5,749	5,749	-	N/A
Net Inc (Dec) Fair Value Investments	-	-	-	-	-	-	-	-	-	-	-	-	-	N/A
Operating Transfers In (From Other Funds)	-	-	-	-	-	-	-	-	-	-	-	-	-	N/A
Total Revenue and Other Sources:	\$ (15,745)	\$ 211,048	\$ 536,830	\$ 27,881	\$ 26,577	\$ 11,813	\$ 26,473	\$ 97,653	\$ 2,312	\$ 9,517	\$ 5,750	940,112	\$ 949,556	N/A
Expenditures and Other Uses														
Debt Service														
Principal Debt Service - Mandatory														
Series 2012 Bonds	-	-	-	-	-	-	-	510,000	-	-	-	510,000	\$ 510,000	100%
Principal Debt Service - Early Redemptions														
Series 2012 Bonds	-	5,000	-	-	-	-	-	10,000	-	-	-	15,000	-	N/A
Interest Expense														
Series 2012 Bonds	-	219,778	-	-	-	-	-	219,644	-	-	-	439,422	439,556	100%
Operating Transfers Out (To Other Funds)	-	-	-	-	-	-	-	-	-	-	-	-	-	N/A
Total Expenditures and Other Uses:	\$ -	\$ 224,778	\$ -	\$ 739,644	\$ -	\$ -	\$ -	964,422	\$ 949,556	N/A				
Net Increase/ (Decrease) in Fund Balance	(15,745)	(13,730)	536,830	27,881	26,577	11,813	26,473	(641,990)	2,312	9,517	5,750	(24,310)	-	
Fund Balance - Beginning	621,703	605,959	592,229	1,129,059	1,156,941	1,183,518	1,195,331	1,221,805	579,814	582,126	591,643	621,703	870,552	
Fund Balance - Ending	\$ 605,959	\$ 592,229	\$ 1,129,059	\$ 1,156,941	\$ 1,183,518	\$ 1,195,331	\$ 1,221,805	\$ 579,814	\$ 582,126	\$ 591,643	\$ 597,393	597,393	\$ 870,552	

Prepared by:
JPWard and Associates, LLC

Miromar Lakes Community Development District
Debt Service Fund - Series 2015 Bonds
Statement of Revenues, Expenditures and Changes in Fund Balance
Through August 31, 2021

Description	October	November	December	January	February	March	April	May	June	July	August	Year to Date	Total Annual Budget	% of Budget
Revenue and Other Sources														
Carryforward	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	N/A
Interest Income														
Reserve Account	(19,015)	-	0	0	0	0	3,881	0	0	0	0	(15,134)	12,000	-126%
Interest Account	-	0	0	-	-	-	-	0	0	-	-	0	-	N/A
Sinking Fund Account	-	-	-	-	-	-	-	0	0	-	-	0	-	N/A
Prepayment Account	-	0	0	0	0	0	0	0	0	0	0	0	5,600	N/A
Revenue Account	3	3	2	2	3	3	4	4	2	3	3	31	7,000	N/A
Special Assessment Revenue														
Special Assessments - On-Roll	478	111,390	283,337	14,715	14,025	6,233	12,110	51,539	1,220	5,023	-	500,069	495,019	101%
Special Assessments - Off-Roll	-	-	-	-	-	-	418,881	-	-	-	-	418,881	418,881	100%
Special Assessments - Prepayments	-	-	-	-	-	-	-	-	-	-	-	-	-	N/A
Net Inc (Dec) Fair Value Investments	-	-	-	-	-	-	-	-	-	-	-	-	-	N/A
Operating Transfers In (From Other Funds)	-	-	-	-	-	-	-	-	-	-	-	-	-	N/A
Bond Proceeds	-	-	-	-	-	-	-	-	-	-	-	-	-	N/A
Total Revenue and Other Sources:	\$ (18,534)	\$ 111,393	\$ 283,338	\$ 14,717	\$ 14,029	\$ 6,236	\$ 434,876	\$ 51,543	\$ 1,222	\$ 5,025	\$ 3	\$ 903,848	\$ 938,500	N/A
Expenditures and Other Uses														
Debt Service														
Principal Debt Service - Mandatory														
Series 2015 Bonds	-	-	-	-	-	-	-	445,000	-	-	-	445,000	\$ 450,000	99%
Principal Debt Service - Early Redemptions														
Series 2015 Bonds	-	65,000	-	-	-	-	-	-	-	-	-	65,000	-	N/A
Interest Expense														
Series 2015 Bonds	-	244,250	-	-	-	-	-	242,625	-	-	-	486,875	488,500	100%
Original Issue Discount	(1,170)	-	-	-	-	-	-	-	-	-	-	(1,170)	-	N/A
Operating Transfers Out (To Other Funds)	-	-	-	-	-	-	-	-	-	-	-	-	-	N/A
Total Expenditures and Other Uses:	\$ (1,170)	\$ 309,250	\$ -	\$ 687,625	\$ -	\$ -	\$ -	\$ 995,705	\$ 938,500	N/A				
Net Increase/ (Decrease) in Fund Balance	(17,364)	(197,857)	283,338	14,717	14,029	6,236	434,876	(636,082)	1,222	5,025	3	(91,857)	-	
Fund Balance - Beginning	1,019,703	1,002,339	804,481	1,087,820	1,102,537	1,116,566	1,122,802	1,557,677	921,596	922,818	927,843	1,019,703	-	
Fund Balance - Ending	\$ 1,002,339	\$ 804,481	\$ 1,087,820	\$ 1,102,537	\$ 1,116,566	\$ 1,122,802	\$ 1,557,677	\$ 921,596	\$ 922,818	\$ 927,843	\$ 927,846	\$ 927,846	\$ -	

Prepared by:
JPWard and Associates, LLC