

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

The Regular Meeting of the Board of Supervisors of the Miromar Lakes Community Development District was held on Thursday, August 10, 2023, at 2:00 P.M. in the Library at the Beach Clubhouse, 18061 Miromar Lakes Parkway, Miromar Lakes, Florida 33913.

Present and constituting a quorum:

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

Absent:

Alan Refkin	Chair
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Also present were:

James P. Ward	District Manager
Charlie Krebs	District Engineer
Greg Urbancic	District Attorney
Bruce Bernard	Asset Manager
Richard Freeman	Asset Manager

Audience:

All residents' 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.

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, with the exception of Supervisor Refkin, constituting a quorum.

SECOND ORDER OF BUSINESS

Consideration of Minutes

July 13, 2023 – Regular Meeting Minutes

Mr. Ward asked if there were any additions, deletions, or corrections for the Minutes.

Ms. Mary LeFevre asked for the word previously to be added to the Minutes on line 55.

Mr. Ward indicated this would be done.

On MOTION made by Mary LeFevre, seconded by Mike Weber, and with all in favor, the July 13, 2023, Regular Meeting Minutes were approved as amended.

THIRD ORDER OF BUSINESS**Public Hearing****Discussion of request from Florida Gulf Coast University (FGCU) for the extension of their existing dock**

Mr. Ward: This is a request from FGCU for an extension of their existing dock. I put in your Agenda package the agreement that currently exists between FGCU and the various parties for what they want to do. I did get an email from them that kind of explained it, but I forgot to include it in your Agenda package, so I will ask Charlie to explain what they want to do. You don't have to approve anything today. It's just kind of getting thoughts and I can provide that information back to FGCU and then we can go from there.

Mr. Charlie Krebs: What FGCU is requesting is to upgrade their existing boat ramp. It's located along their shoreline adjacent to the residential beach. They have a dock that's already there and the boat ramp they were using was basically the asphalt ended and they drove across their beach to put their boat in the water. It sounds like from the email since Ian came in, it messed up the shoreline and they would like to have a dedicated boat ramp and facility there to put their boats in and out of the water. The request is located in an area in that agreement that, as I read it, it sounds like there is not a lot of control that the CDD has over that. This is basically an area that's under the control and supervision of the University when it comes to the water activities. Since it doesn't encroach on any of the CDD lands, I'm not sure how much the CDD can object or opine on it. Where they are putting it in the email that Jim sent me, is where they have been putting their boats in and out of the water, they've just never had a formal boat ramp and it looks like that's what they are wanting to do now.

Mr. Mike Weber: They are just looking for a boat ramp? Not a boat dock?

Mr. Krebs: This one comes out designed for a boat ramp and pavement from the existing drive to the boat ramp. They are going to permit it through South Florida. It talks about a dock reconfiguration. They have a dock there now, so I am assuming they are going to reconfigure that, so it works with the boat ramp, but what I saw did not tell me that they were trying to lengthen the boat ramp into the lake any. It sounds like this is all tied to trying to upgrade their launching facility, so it is more usable.

Mr. Weber: The area outlined in red, that's what they are talking about?

Mr. Krebs: Right. That's where they have been driving across the beach to put their boats in and out in the past. It's just never been a formal ramp. Like Miromar just constructed at the North Entrance.

Mr. Weber: I personally don't see any problem with that. I can picture what they are talking about.

Mr. Doug Ballinger: Would this in any way conflict with what we know about the use of the lake with the Lake Use Committee rules that are in place? It wouldn't violate any of those right?

Mr. Krebs: Not that I am aware of. Like I said, as I read through the use agreement, in this area there is a distance off the shoreline that is basically under the control of the University. This falls within that distance.

Mr. Weber: What you are saying is that this may not even require our approval because it's not CDD property anyway, correct?

Mr. Krebs: The CDD owns the lake, but I think by this agreement the University has rights that we cannot infringe on, and I would leave that to Greg to expand on.

Mr. Greg Urbancic: Jim and I were talking a few weeks ago that this Agreement is impossible to understand and interpret. I'll just be frank, this thing has been hanging around since the early 2000s and every time I read it, I still don't understand it. Essentially it outlines what you can and can't do and I think Charlie's outline is as good as it can be in terms of as long as they are in compliance with the terms of the Agreement, then we really have nothing to enforce because they have those rights to do what it says under this Agreement in terms of what they can do in terms of docks and ramps and things. So, as long as they are in compliance, and it looks like they are in compliance, I think we just have to stand down on that.

Mr. Weber: The other thing too is, when you look at this agreement, it's dated 2001. It's completely obsolete. I don't know how much of this holds water. It's never been updated apparently.

Discussion ensued regarding the Agreement being outdated and obsolete; and the current request of FGCU being within the limits of the Agreement.

Ms. LeFevre: Alan had indicated something about concern with who would be permitted on the dock, the hours of operation, whether music or alcohol were permitted, etc. We don't have anything to do with that. Those issues are nonissues for us, right? Those are nonissues, so maybe in the minutes we could point that out, because he did bring it up.

Mr. Weber: If that's the case, then why didn't they do it the last time? Why would they back off the last time if they really had control of it. I don't understand.

Mr. Ward: The last time they were building a longer dock that went beyond the 450 feet. It was bigger, wider. This, as I understand it, is just what Charlie said. It's just fixing an area that has been damaged from hurricanes and regular rain events and things of that nature.

Mr. Weber: There was no way they were putting in a 450 plus foot dock.

Ms. LeFevre: I think Alan said that they came in with something and the CDD had a lot of questions, and then we gave them the questions and then they never came back.

Mr. Ward: That is true. It was a much bigger thing that they were doing, and it was not a happening thing for us. This seems to be very quick, simple, and easy.

Ms. LeFevre: Okay.

The Board had no further objections or comments.

Mr. Ward: Okay, I will so advise them.

FOURTH ORDER OF BUSINESS

Consideration of Resolution 2023-5

Consideration of Resolution 2023-5, a resolution of the Board of Supervisors of the Miromar Lakes Community Development District approving the form of Agreement granting non-exclusive perpetual easement; authorizing the Chairman and District Staff to approve revisions and authorize the Chairman to execute the easement; providing for severability and an effective date

Mr. Ward: I thought we were coming to an end on San Marino today, but we are not. They are still not ready to sign off on this, so I am going to pull this item from your Agenda, and we will revisit this next month if they decide they want to move forward with this.

FIFTH ORDER OF BUSINESS

Staff Reports

I. District Attorney

No report.

II. District Engineer

No report.

III. Asset Manager

a) Operations Report August 1, 2023

b) Waterway Inspections Report July 2023

Mr. Richard Freeman: The lake fountain pump motor is being replaced. I'm working with the vendor on the timeframe of when it will be reinstalled. Once I get that, I will update it in my monthly report. If you go to capital, Solitude is recommending it is time that we stock the lake with 375 carp. This will help with the weeds. The proposal to do this is about \$8,000 dollars. If you all agree, the restocking will take place in late September when the water temperatures cool down.

Mr. Weber: What they are saying is that they estimate 230 carp in there already, so we will be adding –

Mr. Freeman: Those carp are pretty much at the end of their lifespan.

Mr. Bruce Bernard: This was also part of our agreement, and we still have the money within this year's budget for this expense. We already have a permit issued for 1,100 carp, so we don't have to get a permit or anything. If you take in the 75 acres around the marina and they are going to go throughout the whole area, so if you take everything, it's hardly anything being stocked compared to what we had; it's 5 percent of what we put in before.

Mr. Ward: If you are all good with it, we are going to proceed forward.

The Board had no objections.

Ms. LeFevre asked a question which was (indecipherable).

Mr. Freeman: (Indecipherable). I went ahead and priced out a new fountain and they are like \$25,000 dollars, so I just went ahead and had this one replaced.

Ms. LeFevre: Since Tim is gone can we just get rid of the fountain? Isn't this Tim's fountain?

Discussion ensued; the discussion and other comments were largely (indecipherable).

Mr. Bernard: When we would have storms, the debris would come off the parking lot and around there and clog the drains since they were so low, and then there would be 3 feet to 3.5 feet of water in the channel, and then we put something to alleviate and let the water get through and not get clogged up.

IV. District Manager

Financial Statement for period ending July 31, 2023 (unaudited)

No report.

SIXTH ORDER OF BUSINESS

Supervisor's Requests and Audience Comments

Mr. Ward asked if there were any Supervisor's requests; there were none. He asked if there were any audience comments or questions; there were none.

SEVENTH ORDER OF BUSINESS

Announcement of Next Meeting

Announcement of Next Meeting – September 14, 2023

EIGHTH ORDER OF BUSINESS

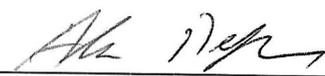
Adjournment

Mr. Ward adjourned the meeting at approximately 2:20 p.m.

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

Miromar Lakes Community Development District


James R. Ward, Secretary


Alan Refkin, Chairman