

**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, March 10, 2022, 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:

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

Also present were:

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| James P. Ward | District Manager |
| Greg Urbancic | District Attorney |
| Charlie Krebs | District Engineer |
| Bruce Bernard | Asset Manager |
| Bill Reagan | FMS Bonds |
| Denise Ganz | Bond Counsel |
| Andrew Gill | Associate of JPWard & Associates. |

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.

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 Supervisor Weber present via video, constituting a quorum.

SECOND ORDER OF BUSINESS

Consideration of Minutes

February 10, 2022 – Regular Meeting

Mr. Ward asked if there were any additions, deletions, or corrections for the Minutes. A few name spelling corrections were suggested. Mr. Ward indicated he would make the requested corrections.

On MOTION made by Ms. Mary LeFevre, seconded by Mr. Alan Refkin, and with all in favor, the February 10, 2022, Regular Meeting Minutes were approved as corrected.

THIRD ORDER OF BUSINESS**Consideration of Resolution 2022-4**

Consideration of Resolution 2022-4, a resolution of the Board of Supervisors of Miromar Lakes Community Development District (i) authorizing the Issuance of its \$6,960,000 Capital Improvement Revenue Refunding Bonds, Series 2022, the proceeds of which will be used, together with other available funds, to refund and redeem its outstanding Capital Improvement Revenue Refunding Bonds, Series 2012 and pay costs of issuance of the Series 2022 Bonds; (ii) designating the Series 2022 Bonds as qualified tax-exempt obligations for purposes of the Internal Revenue Code Of 1986, as amended; (iii) providing for the refunding and redemption of the outstanding Series 2012 Bonds; approving the form of a fifth supplemental trust indenture in connection with the Series 2022 Bonds and authorizing the execution and delivery thereof; (iv) appointing a trustee, paying agent and bond registrar for the Series 2022 Bonds; (v) authorizing the application of the proceeds of the Series 2022 Bonds and certain monies held by the trustee in connection with the Series 2012 Bonds; (vi) providing for redemption of the Series 2022 Bonds; (vii) providing for the negotiated private placement of the Series 2022 Bonds

Mr. Ward explained Resolution 2022-4 authorized the issuance of the Series 2022 bonds, which were the refinancing of the existing 2012 bonds. He introduced Mr. Bill Reagan and Ms. Denise Ganz.

Mr. Bill Reagan with FMS Bonds indicated Ms. Denise Ganz (bond counsel) would review the bond documents for the closing next week. He reported the interest rate was locked in at 2.71%, with the same maturity date of 2032. He noted the percentage of savings was significant at approximately 15%.

Ms. Denise Ganz reported the closing documents were essentially complete; this Resolution would, in effect, approve the authorization and issuance of this bond to refund the 2012 bonds and approve execution and delivery of a supplemental indenture which laid out the terms of the bonds, as well as the escrow deposit agreement. She explained the bond money would be in escrow to pay off the prior bonds at the end of April. She stated the bond would be placed with Hancock Whitney Bank.

Mr. Ward asked if there were any questions; hearing none, he called for a motion.

On MOTION made by Mr. Alan Refkin, seconded by Mr. Pat Reidy, and with all in favor, Resolution 2022-4 was adopted, and the Chair was authorized to sign.

FOURTH ORDER OF BUSINESS**Consideration of Resolution 2022-5**

Consideration Resolution 2022-5, a resolution of the Board of Supervisors of Miromar Lakes Community Development District: (i) relating to the issuance of the District's capital improvement revenue refunding bonds, Series 2022; (ii) Supplementing Resolution 2001-1 (as previously supplemented by Resolution 2012-6), which resolution previously equalized, approved, confirmed, imposed, and levied special assessments on an peculiar to property specially benefited by the District's project; (iii) adopting the Miromar Lakes Community Development District assessment allocation report for capital improvement revenue refunding bonds, Series 2022 prepared by AJC Associates, Inc. and dated March 10, 2022; (iv) adopting and confirming an assessment roll; providing for the update of the Districts assessment records; and (v) providing for severability, conflicts, and an effective date

Mr. Ward explained Resolution 2022-5 was related to the issuance of the actual bonds and was prepared by general counsel.

Mr. Greg Urbancic explained the assessment process including resolutions, public hearings, etc. He stated this Resolution contemplated a “bring down resolution” which tailored the final assessments to the bonds issued. He stated a final assessment resolution was adopted in late 2000, and again in 2012 when the bonds were refinanced; today the same would be done, a supplemental assessment report, prepared by AJC Associates, would be adopted. He explained Resolution 2022-5 adopted the supplemental assessment, allocation report, and reset the assessments based upon the allocation report. He stated from this, the District would update the assessment records and when the assessments were placed on the tax rolls going forward, these new numbers would be utilized.

Mr. Pat Reidy noted when this process was completed, \$112,836 dollars would go into an interest reserve, which he assumed was for the November 2022 date.

Mr. Ward agreed and explained the funds to pay off the bonds would go into an escrow fund and once closed, the bonds would be called.

Ms. Ganz noted the bonds would be paid out of the escrow account on May 1, 2022.

Mr. Reidy indicated he understood. He noted there were \$246,000 dollars in costs to pay the bank, attorney, etc.

Mr. Ward concurred. He asked what the call date was on the 2012 bonds.

Ms. Ganz responded the call date for the 2021 bonds was May 1.

Mr. Reidy asked why \$112,836 dollars was going into a reserve account for interest.

Ms. Ganz explained the assessments were collected in advance, and to the extent any additional assessment came in, it would go into the revenue account or to pay cost of issuance. She explained, just to be safe, to ensure the District had enough to pay the interest, the interest was funded through an escrow account for this year.

Mr. Ward asked if there were any questions; hearing none, he called for a motion.

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| <p>On MOTION made by Mr. Doug Ballinger, seconded by Mr. Alan Refkin, and with all in favor, Resolution 2022-5 was adopted, and the Chair was authorized to sign.</p> |
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FIFTH ORDER OF BUSINESS

Consideration and Discussion

Consideration and discussion on long-term midge fly population control through fishery management

Mr. Ward noted Mr. David Beasley with Solitude was present via video.

Mr. Bruce Bernard introduced Mr. Beasley.

Mr. David Beasley with Solitude explained the tentative plan had two phases: Phase 1 was to collect information to prioritize how to reach the District's goals of achieving a sustainable water body which had a reasonable midge population, or no midge population, with decent fishing and good aesthetics. He stated the first step was to electrofish the water body and understand what was out of balance. He explained electrofishing was a process of running electricity into the water safely, stunning the fish temporarily, collect data on the fish including weight, length, species, how many in each size, class, etc. He stated following this a plan could be developed to reduce the number of unwanted fish, stock desirable fish, and/or improve the quality of the lake. He stated currently the District was spending over \$20,000 dollars annually to mitigate the midge flies in the area. He noted midge flies became a problem with poor water quality and/or a fish population which was out of balance; therefore, there were long term solutions which could be implemented to solve the midge fly problem while at the same time improving fishing in the lake. He stated he hoped to get approval to electrofish on March 21st, 2022 and from there a more concrete approach could be determined.

Mr. Mike Weber thanked Mr. Beasley for the report outlining what to expect. He noted it would be important to have a timeline for each of the action items for the purpose of reporting to the community, as well as budgeting purposes. He stated he hoped some of the new costs for this plan would replace some of the current midge fly costs to eventually constitute a savings; this would be important to keep in mind while preparing the budget. He asked if this project was the CDD's responsibility or shared with the Master Association.

Mr. Pat Reidy asked if Mr. Beasley's proposal was only for Miromar Lakes, or was it also for Wild Blue, Esplanade and Miromar Lakes.

Mr. Beasley responded the proposal was for Miromar Lakes and Esplanade.

Mr. Bernard concurred.

Mr. Beasley stated he assumed Esplanade would split the cost with Miromar Lakes.

Mr. Ward noted this proposal had not gone before the Esplanade Board at this point in time; therefore, he could not make any representations as to what the Esplanade Board would or would not do. He noted he would present this proposal to the Esplanade Board but was presenting it to Miromar Lakes first. He noted the numbers here were large for both Districts and it would be good to proceed slowly and obtain better quantifiables in terms of what this would or would not accomplish. He stated he did not know whether it was unreasonable to spend \$30,000 dollars in midge fly mitigation, nor did he know whether spending \$200,000 dollars to \$300,000 dollars over a two to three year period (as proposed by this plan) was reasonable. He stated it would be a good idea to start with the study, but he was unsure about the rest of the numbers.

Mr. Doug Ballinger stated it seemed the majority of the money proposed to be spent would be for stocking fish, between \$150,000 dollars to \$200,000 dollars.

Mr. Beasley concurred but noted this was hypothetical; there may not necessarily be that many fish required. He noted the \$150,000 dollar to \$300,000 dollar discrepancy which was very broad had more

to do with bass genetics and fish improvement. He stated the lower number was likely more accurate for the District's application.

Mr. Ballinger asked how this number was determined.

Mr. Beasley explained this was an average; basically, he took the one time action item section in step 2, looked at these numbers, and pulled an average out of these numbers. He stated it was important to understand this was just so the District understood what it could be getting into. He noted he rarely made estimates before conducting the initial survey, but he understood it was important to have this conversation before the District spent the funds on the initial survey to ensure the District understood the situation. He noted whether the District had \$10,000 dollars or \$100,000 dollars to spend a year, it was important to prioritize the items, and determine what was realistic before moving forward. He stated there were things which the community could accomplish as well, for example, the anglers who lived in the community could accomplish the necessary fish harvesting just by doing what they enjoyed (fishing) and save up to \$60,000 dollars a year in fish harvesting fees. He stated there were other ways to stretch dollars as well. He noted in general, aquatic vegetation played a huge role, as well as the number of bass in the lake, as both had a significant impact on the number of small fish in the lake, which in turn had a significant impact on the success of midge fly mitigation and improved fishing.

Mr. Ballinger stated the midge fly problem was an immediate problem which the District needed to contend with. He noted if minnows took care of midge flies the District had not stocked enough in the lake 6 months ago as the District still had a problem.

Mr. Bernard stated if there were too many big mouth bass in the lake eating the minnows, the minnows would not survive to eat the midge flies. He noted, also, there was no vegetation in which the small fish could hide.

Mr. Beasley agreed noting the fishermen wished there were more bass in the lake; therefore, he would not say the lake had too many bass, but something was out of balance. He stated it was quite possible this lake had multiple issues impacting the situation, while others caused a ripple effect. He noted the difficulties were most likely tied to the lack of vegetation, the lack of food sources for smaller fish, the number of predators, etc.; basically, a combination of several issues. He stated a balance needed to be established.

Mr. Ballinger asked if the midge fly problem was originating 10 to 12 feet off of the bank.

Mr. Beasley responded in the negative; this was not necessarily the case, but it would create a refuge for small fish to have vegetation which grew in water less than 8 feet deep and typically extended 10 to 12 feet out from the bank. He noted periphyton or plankton grew on these plants which served as food for the small fish as well. He stated if a flourishing small fish population could be cultivated the small fish would search out the midge fly larvae as a food source as well. He stated there should be some monitoring of the midge larvae as well, to better understand where the midge flies were coming from which could be done by grabbing sediment samples to look for larvae. He noted in the short term the District would need to continue with its current midge fly deterrent program; however, it would make sense in the long term to bring the lake to a healthier state and at some point, there would be a cost savings in this regard. He noted it would take several years to get the lake back to a balanced state. He noted no matter the District's budget, it would come down to the District's tolerance for vegetation and where the vegetation would be located, as vegetation was very inexpensive and highly benefited the

small fish in the fishery. He stated partnering the vegetation with the bass population was important. He discussed other line items, such as the fish feeding stations.

Mr. Reidy asked if moving forward with the first study would help Mr. Beasley better identify project costs.

Mr. Beasley responded in the affirmative. He noted the purpose of the first study was to provide numbers. He noted it was important to remember that the budget could be cut in half while still having a tremendous impact. He noted the timeframe could be impacted by a reduced budget, but the impact could still be tremendous.

Mr. Ward stated he was willing to commit Esplanade to pay half of the \$9,000 dollars. He agreed the first study should be done.

Discussion ensued regarding the potential cost of this project in its entirety and pursuing the initial study to better understand the numbers.

On MOTION made by Mr. Doug Ballinger, seconded by Mr. Alan Refkin, and with all in favor, spending \$4,500 dollars to proceed with electrofishing was authorized.

Mr. Beasley thanked the Board.

Mr. Ballinger asked how many different places Mr. Beasley would conduct his electrofishing study.

Mr. Bernard explained Mr. Beasley would select several locations to conduct the study at different times in different zones of the lake.

Mr. Ballinger asked if the study would be conducted in areas where the midge flies were congregating.

Mr. Bernard explained the midge fly larvae were not in deep water where a boat would go. He explained Mr. Beasley would evaluate the fish population to determine how the lake was out of balance.

Mr. Reidy noted Mr. Beasley was explaining vegetation needed to be planted to protect the small fish while the small fish ate the midge fly larvae, but this would take time.

Discussion ensued regarding the areas in which the midge flies were the thickest; possible causes of midge flies; other communities suffering from midge fly difficulties; Miromar Lakes suffering from midge fly difficulties for several years; the benefits of establishing a fishery in the lake; and the benefits and problems of carp fish stocking.

Mr. Weber noted at last month's meeting residents attended with concerns regarding midge fly issues, water quality and fishing issues. He stated he was concerned about managing residents' expectations moving forward. He stated it was important to manage expectations regarding the timetable, as well as costs. He noted a plan was needed in this regard.

Mr. Reidy asked how this could be accomplished. He stated he did not disagree but wondered how this could be done.

Mr. Weber stated trying to communicate with the residents was always an issue. He suggested asking the HOA Presidents to distribute information to their respective communities.

An un-named speaker stated an Master HOA eblast could be made available to the CDD as a means of communication.

Mr. Weber stated he appreciated that.

Ms. Mary LeFevre stated she agreed with moving forward with this study, but she wondered how many residents were really invested in the condition of the lake. She stated she was concerned the portion of residents who were not invested in the lake would not be pleased with the District investing funds in this sort of endeavor.

An un-named speaker stated the overall health of the water body should be equally important to every resident. He noted while the out of balance properties of the lake were only affecting certain residents currently, if left unmanaged the problems would spread.

Mr. Alan Refkin asked how long it would take to get the results of the electrofishing study.

Mr. Bernard indicated the results would be available within 60 days.

SIXTH ORDER OF BUSINESS

Staff Reports

I. District Attorney

Mr. Urbancic noted the Legislative Session was winding down and he would provide a full report once he had some clarity. He noted the sovereign immunity increase was defeated, but there were two others pending. He stated he would provide an update when the bills were no longer pending.

II. District Engineer

a) Stormwater Reporting Update

Mr. Charlie Krebs reported he tallied the pipes throughout the neighborhoods, and he would send Mr. Ward a draft report with the total linear feet of pipe for review.

III. Asset Manager

a) Operations Report March 1, 2022

Mr. Bruce Bernard reported thousands of toad larvae were being removed from the lakes. He noted medium size toads were still being caught and disposed of, but there were not as many toads as previously, and the focus was primarily on removing the larvae from the lakes. He noted he was pleased with the progress of the various crews removing the larvae.

Mr. Ward noted cane toad control was a split cost between the CDD and HOA.

Mr. Bernard noted the stormwater contractor would be starting investigations of the stormwater system shortly. He listed the various communities which would be investigated. He noted the resulting report would illustrate which areas needed to be cleaned. He noted riprap installation began this week near the bridge. He noted in a couple of weeks riprap installation would begin at the golf course. He stated regarding the apple snails which were beginning to make an appearance on riprap, the District was not a catchall for anything which happened on the riprap. He stated the District did not clean or weed eat or pest control the rip rap. He noted the apple snails could be controlled by a fish called a shell cracker. He noted infant apple snails could be hosed off riprap and vegetation into the water, and the infant apple snails would drown; this was also a deterrent.

Mr. Ward asked if this was limited to one particular location.

Mr. Bernard responded in the affirmative.

Discussion ensued regarding where the apple snails were located.

Mr. Ward stated apple snails had never been noticed before; therefore, it was unknown whether the snails would become a nuisance or were an isolated incident.

Ms. LeFevre stated the District needed to know more about the snails.

Mr. Refkin stated it would be nice to know how other communities solved apple snail problems.

Ms. LeFevre asked if the apple snails would have a negative impact on the lake.

Mr. Weber stated he understood apple snails would eat the water plants.

Mr. Refkin stated he would like to get more information about the apple snails before making any decisions.

Mr. Bernard stated the apple snails could be incorporated into the fishery going forward as shell cracker fish would go along with the system.

Mr. Refkin stated it would be important to understand how shell cracker fish would affect the fishery ecosystem.

Mr. Bernard noted there were sprays which could be utilized as well, but he hoped to move away from spraying so many chemicals.

Ms. LeFevre stated perhaps the snails would only eat a little, but perhaps the snails would destroy the vegetation; it was important to understand how the snails would impact the area.

Mr. Bernard stated in regard to the permit for the carp, FWC was hesitant, but Solitude was able to obtain a permit for 1,100 carp if the District chose to stock the lake with carp in the future; the permit would be ready in a few weeks.

Mr. Ward stated the apple snails were limited to a single location at this point. He asked if there was any information regarding how the snails got there.

Mr. Bernard responded in the negative. He stated from what he had read, apple snails typically attached themselves to wetland plants until they grew to maturity; however, these snails were attached to the riprap, and he was unsure how the snails got there. He stated he would investigate and see if there were any apple snails in any other locations. He indicated he spoke with Solitude about the apple snails, but he would also speak with David Beasley about the apple snails to see if the snails could be considered during the study.

Mr. Ballinger asked for an update in this regard next month.

Mr. Ward stated this would be kept on the radar, but no definitive decisions would be made until more information was available.

Mr. Reidy asked about Ravenna and the riprap.

Mr. Ward stated as far as he knew it was a dead issue.

IV. District Manager

a) Financial Statement for period ending February 28, 2022 (unaudited)

Mr. Ward stated he was trying to get the budget to the Board for the April meeting to start the budget process.

SEVENTH 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 members of the audience present in person, or by audio or video, with any questions or comments; there were none.


EIGHTH ORDER OF BUSINESS

Adjournment

Mr. Ward announced the next meeting would be on April 13, 2022, Wednesday, at 4:00 p.m. The meeting was adjourned at 3:15 p.m.

On MOTION made by Mr. Doug Ballinger, seconded by Mr. Alan Refkin, and with all in favor, the meeting was adjourned.

Miromar Lakes Community Development District


James P. Ward, Secretary


Alan Refkin, Chairman

Signature: Alan Refkin
Alan Refkin (Jan 17, 2023 17:05 EST)

Email: arefkin@aol.com


ML - Minutes 03 10 2022 - To be Executed

Final Audit Report

2023-01-17

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| Created: | 2023-01-17 |
| By: | Cori Dissinger (coridissinger@jppwardassociates.com) |
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 Signer arefkin@aol.com entered name at signing as Alan Refkin

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 Document e-signed by Alan Refkin (arefkin@aol.com)

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