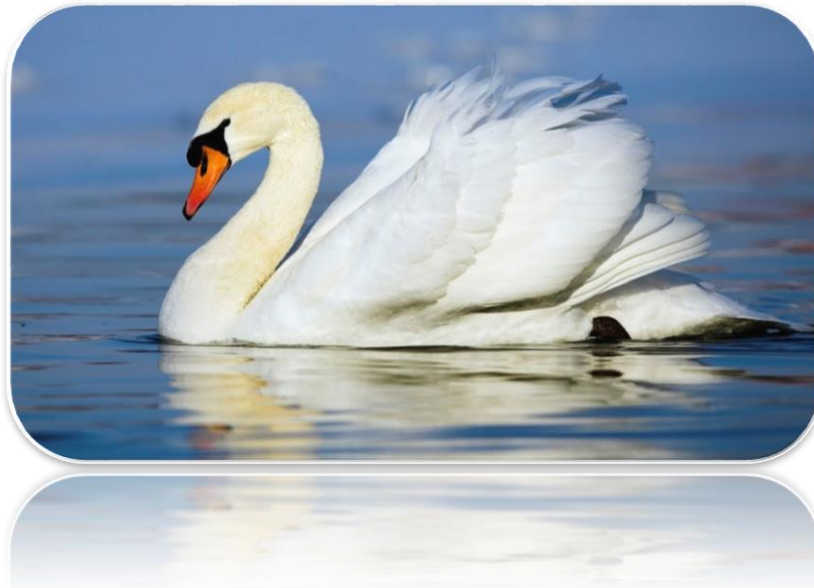


MIROMAR LAKES COMMUNITY DEVELOPMENT DISTRICT



REGULAR MEETING AGENDA

MAY 13, 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

May 6, 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, May 13, 2021** at **2:00 P.M.** in the Library at the **Beach Clubhouse, 18061 Miromar Lakes Parkway, Miromar Lakes, Florida 33913.**

The venue for this meeting is the Beach Clubhouse, in the Library, and was specifically chosen such so that the District will be able to meet the social distance guidelines for this meeting for Board Members/Staff, while accommodating an additional five (5) audience members.

Please ensure that all in attendance bring and wear masks during the meeting.

With the limitation for people in the meeting room, the District is requesting that audience members please use the WebEx link and telephone number below to join the Board Meeting.

The venue is requiring the District to enforce the limitation on attendance for audience members.

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

Weblink:

<https://districts.webex.com/districts/onstage/g.php?MTID=e98dfb516c419158ac352c43ea07d37b7>

Access Code: **129 230 2525**

Event password: **Jpward**

Call in information if you choose not to use the web link:

Phone: **408-418-9388** and enter the access code **129 230 2525** to join the meeting.

The link to the meeting will also be posted on the District's web site: www.Miromarlakescdd.org.

The Agenda is as Follows:

1. Call to Order & Roll Call.
2. Consideration of Minutes:
 - I. April 8, 2021 – Regular Meeting
3. Discussion of Ravenna Condominium proposed transfer the water management system that serves Ravenna.
4. Staff Reports
 - I. District Attorney
 - II. District Engineer
 - III. District Asset Manager
 - a) Operations Report May 1, 2021
 - IV. District Manager
 - a) Reported Number of Registered Voters as of April 15, 2021
 - b) Financial Statement for period ending April 30, 2021 (unaudited)
5. Supervisor’s Requests and Audience Comments
6. Adjournment

The Second Order of Business is the Consideration of the April 8, 2021 Regular Meeting Minutes.

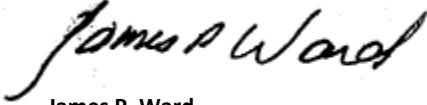
The Third Order of Business is a discussion of the Ravenna water management system proposed to be transferred to the CDD. As we discussed at the last meeting, this item arose due to the financial impact that the condition of the lake banks requiring funding to repair the lake banks. The estimate that one of the CDD’s vendors provided for this work was approximately \$120,000. The information was conveyed to the Association, along with a need by the Association to make a decision on this matter in time for this meeting. Attached are some of the e-mails and outline the items that are outstanding on this matter.

The fourth order of business is a continuing discussion related to the District’s Fiscal Year 2022 Budget.

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 2021 are as follows:

April 8, 2021	May 13, 2021
June 10, 2021 Public Hearing	July 8, 2021
August 12, 2021	September 9, 2021

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

10 The Regular Meeting of the Board of Supervisors of Miromar Lakes Community Development District was
11 held on Thursday, April 8, 2021, at 2:00 P.M. at the Beach Clubhouse, 18061 Miromar Lakes Parkway,
12 Miromar Lakes, Florida 33913.
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Present and constituting a quorum:

Alan Refkin	Chairperson
Michael Weber	Vice Chair
Doug Ballinger	Assistant Secretary
Patrick Reidy	Assistant Secretary
Mary LeFevre (arrived late)	Assistant Secretary

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Also present were:

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

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Audience:

Mike Conner	Calvin, Giordano, and Associates
Tim Byal	

42 All resident's names were not included with the minutes. If a resident did not identify themselves
43 or the audio file did not pick up the name, the name was not recorded in these minutes.
44
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**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, with the exception of Supervisor LeFevre, constituting a quorum.

SECOND ORDER OF BUSINESS

Consideration of Minutes

March 11, 2021 – Regular Meeting

Mr. Ward asked if there were any corrections or additions to the March 11, 2021 Minutes.

48 Discussion ensued regarding corrections to the March 11, 2021 Minutes including name and word
49 corrections. Discussion ensued regarding the blanks/indecipherable areas within the Minutes.

50

51 *Mr. Ward: They are going to remain "indecipherable" unless whoever is speaking can correct it on the*
52 *record, or they will need to speak up and say clearly what it is. Then the audio will pick it up. If the audio*
53 *doesn't pick it up there is no way for us to transcribe that tape.*

54

55 *Mr. Ballinger: For instance, on line 360, "Mr. Bernard: (indecipherable)" whatever. He's here. Should he*
56 *explain exactly what he said and then that would be going into the minutes instead? It seems like this*
57 *happens in two or three different places.*

58

59 *Mr. Bernard: There I said, "We had an independent vendor."*

60

61 *Mr. Ballinger: And then, on 363, "Mr. Weber: (indecipherable)."*

62

63 *Mr. Weber: I don't recall exactly what I said at this point.*

64

65 Discussion continued regarding the Minutes and the difficulties with the audio.

66

67 *Mr. Ward: We seem to have this continual problem with these minutes. There are two ways to do minutes.*
68 *One is, these are pretty much a verbatim transcript. We can do a summary set of minutes which basically*
69 *just has your motions and seconds and if there is a larger discussion, we can kind of try to summarize that*
70 *in the file. We started this with the COVID meetings because we were all on video and it was easier to do*
71 *the transcriptions that way. Now that we are back to in-person meetings, it is a little harder because you*
72 *are not sitting like where I'm sitting, where the audio is picking up my voice because I'm so close to it. Mike*
73 *Weber it's not going to pick up well. Bruce it's not going to pick up well. You can see him doing another*
74 *audio recording today just to solve this problem. So, we can do the two ways, but when you do a verbatim*
75 *set of minutes, they are very hard. The other problem that I would recommend you try to solve, if you are*
76 *going to speak, say your name first. That will solve the problem with who is talking. It is hard to pick up*
77 *an inflection in a voice if you don't know exactly who the person is, and you haven't listened to them for a*
78 *long time. It's hard to know that voice, I will try to keep it this way, but we will try to maybe organize this*
79 *a little better, and I will try to get another microphone to hook up to this.*

80

81 Discussion ensued regarding summary minutes versus verbatim minutes. It was decided to return to
82 summary type minutes.

83

84 Mr. Ward asked if there were any additional corrections, additions, or deletions to the March 11, 2021
85 Minutes; hearing none, he called for a motion.

86

87 **On MOTION made by Mr. Doug Ballinger, seconded by Mr. Alan Refkin,**
88 **and with all in favor, the March 11, 2021 Regular Meeting Minutes were**
89 **approved as amended.**

90

91 Mr. Ward asked if the Board would permit Ms. Racquel McIntosh to proceed with the Audited Financial
92 Statements prior to Item 3 and Item 4. The Board approved; the Agenda was rearranged accordingly.

93

94

95 **THIRD ORDER OF BUSINESS****Consideration of Audited Financial Statements**

96

97 **Consideration of the Acceptance of the Audited Financial Statements for the Fiscal Year ended**
98 **September 30, 2020.**

99

100 Mr. Ward indicated Racquel McIntosh with Grau and Associates would present the Audited Financial
101 Statements.

102

103 Ms. Racquel McIntosh with Grau and Associates reviewed the Audited Financial Statements for the Fiscal
104 Year ended September 30, 2020. She indicated Grau and Associates had an unmodified/clean opinion of
105 the Financial Statements, which meant Grau believed the Financial Statements were presented fairly in
106 all respects. Ms. McIntosh indicated the notes to the financial statements did not change significantly for
107 the year. She reported on page 22 was the Budget to Actual Report for the General fund. She stated the
108 Board adopted a Budget of \$688,760 dollars; revenues came in a little under due to the collection of less
109 assessments than expected, and with expenditures, the District overspent by approximately \$27,000
110 dollars due to the lake erosion projects. She reported Grau also had an unmodified opinion regarding the
111 District's Compliance with Florida Statute 218.415 which meant Grau believed the District complied in all
112 material respects with the requirements of Florida Statute 218.415. She asked if there were any questions.

113

114 Mr. Ward thanked Ms. McIntosh and asked if there were any additional questions; there were none.

115

On MOTION made by Mr. Patrick Reidy, seconded by Mr. Michael Weber, and with all in favor, the Audited Financial Statements for the Fiscal Year ended September 30, 2020 were accepted.

116

117

118

119

120 Discussion ensued regarding the original 2020 budget for lakeshore restoration; overages; and answering
121 questions Supervisor Mr. Reidy had around their impact to the Budget.

122

123 Mr. Bernard discussed expenses including the stormwater inspections spurring unexpected repairs, the
124 unexpected cane toad difficulties, and other unanticipated costs.

125

126 Mr. Refkin noted there would always be unanticipated costs and funds for unanticipated costs should be
127 planned for through the budget.

128

129 Mr. Ward noted the Board had reassigned the \$100,000 dollars in reserve monies knowingly; however, it
130 did essentially mean the District spent almost \$150,000 dollars more than was budgeted for in 2020.

131

132 Mr. Reidy discussed the importance of increasing the reserves for purposes of emergency preparedness.
133 He stated he believed the District was behind in its free cash balance.

134

135 Mr. Refkin asked if a study was being conducted to determine what the reserve balance should be.

136

137 Mr. Ward stated a number of years ago the District had a solid cash fund balance. He noted the litigation
138 with Alico depleted the cash fund balance and it has taken years to recuperate some of this cash fund
139 balance. He stated three months of free cash were necessary to run the District, plus the reserves. He
140 stated Patrick Reidy was correct; in terms of cash analysis the situation was not ideal; however, it was
141 substantively better than when the District was in litigation with Alico. He discussed the anomalies with

142 midge flies and cane toads and stormwater improvements. He noted while the District was not in the
143 best cash position, the situation was improving. He stated with respect to the reserves, the District did
144 have some funds. He noted a firm was hired to evaluate the reserves and asset restoration costs.

145
146 Mr. Refkin noted it was important to have a professional determine what the reserves should be and work
147 towards this goal; however, he understood the results from this study would not be available until October
148 2021 which meant the District had to plan the 2022 budget without this information.

149
150 Mr. Weber agreed; the study numbers would be utilized for the 2023 budget. He stated he believed the
151 District should still attempt to increase the reserves in the 2022 budget. He suggested if the District were
152 about to go over budget, the matter be brought before the District for approval or refusal. He suggested
153 considering budget contingency funds outside of the reserves to address unanticipated costs.

154
155 Mr. Ballinger stated he did not see the \$100,000 dollar reserve which Mr. Reidy was referring to.

156
157 Mr. Reidy explained his point was the \$100,000 dollars which was supposed to go into reserves was spent.
158 He further discussed the funds and suggested reviewing the necessary cash balance and expenditures,
159 and anything which came in as excess be applied for emergency funds. He suggested further addressing
160 this when the budget was discussed.

161
162 Mr. Ward indicated a Budget Amendment was done for the \$100,000 dollars for Fiscal Year 2020.

163
164 Mr. Reidy disagreed. He asked if the \$100,000 dollars was collected from the homeowners.

165
166 Mr. Ward responded in the negative; this money came from cash. He explained when a budget
167 amendment was done \$100,000 dollars, cash was moved into the lake bank erosion budget.

168
169 Discussion ensued regarding the \$100,000 dollars spend to cover lake bank erosion; the budget; the
170 auditor's report; and the audit numbers being accurate.

171
172 It was agreed to move on to the next order of business.

173
174

175 **FOURTH ORDER OF BUSINESS**

175 **Consideration of Study**

176 177 **Discussion of Asset Restoration Costs**

178 179 **a) Landscape Assets**

180 **b) Stormwater Assets**

181
182 Mr. Ward indicated Mr. Bernard's firm completed two reports: the replacement costs for landscape
183 assets and the replacement costs for stormwater assets. He noted these reports would feed into the
184 reserve study which would be conducted during the summer.

185
186 Mr. Mike Conner with Calvin, Giordano and Associates presented the landscape asset report.

187
188 Supervisor LeFevre joined the meeting at this point (40:40).

189

190 Mr. Conner reported the existing landscaping areas were evaluated, along with the irrigation system
191 and the berms along the roadways, and the total Landscape Assets equaled \$5,374,000 dollars. He
192 stated understanding there would probably not be total loss due to a natural disaster, replacement
193 costs were listed item by item and it was also noted that after Hurricane Irma there was approximately
194 \$11,000 dollars in irrigation costs and approximately \$270,000 dollars in clean-up costs and some
195 planting replacements were done as well.

196
197 Mr. Weber asked if the estimated asset cost was the cost to replace the asset or the value of the asset.

198
199 Mr. Conner responded it was the value of the asset; however, the replacement cost was roughly the
200 same as the value of the asset. He stated if all the landscaping and irrigation were to be destroyed it
201 would cost approximately \$5,374,000 dollars to replace it. He explained the replacement landscaping
202 would not include full grown 12-inch diameter trees for example, however, the landscaping could be
203 replicated with new 3-inch diameter trees, palms, shrubs, ground cover, etc. to start over, and noted
204 the basic type of landscaping and layout of the landscaping could be replicated.

205
206 Mr. Refkin thanked Mr. Conner and indicated the Report was very well done.

207
208 Mr. Ballinger asked how much was spent to replace the landscaping following Hurricane Irma. Mr.
209 Bernard responded \$270,000 dollars. Mr. Ballinger asked what percentage of the landscaping was
210 replaced. Mr. Bernard responded 10% to 15%. Mr. Ballinger noted these numbers could be used to
211 calculate the necessary reserve. Mr. Bernard stated a major storm could easily cause 40% to 50%
212 damage; Irma was rated a category 1 storm.

213
214 Discussion ensued regarding Hurricane Irma and how hard Irma hit the Miromar Lakes area; the clean-
215 up involved after Irma; most of the \$270,000 dollars being spent on clean-up, not replacement
216 landscaping; replacing many trees after Irma; and the benefits of determining how much money
217 should be held in reserve for emergency situations such as hurricanes.

218
219 Mr. Refkin stated in determining the reserve budget it was important to consider the new areas which
220 would be accepted by the CDD as these areas would become the responsibility of the District.

221
222 Mr. Bernard reviewed the Stormwater Assets which totaled approximately \$8,915,000 dollars. He
223 noted worst case scenario repair and replacement costs should be approximately \$900,000 dollars.
224 He noted Irma stormwater cleanup cost \$367,000 dollars.

225
226 Mr. Refkin asked about the lake dredging as related to CDD responsibilities. Mr. Bernard stated the
227 CDD would only be responsible for dredging in Lake #6. Mr. Refkin asked if the CDD should keep this
228 in mind for the future. Discussion ensued regarding the lake dredging; the causes which led to past
229 lake dredging; possible causes of future lake dredging; where the past lake dredging occurred; and
230 where Lake #5 and Lake #6 were located.

231
232 Mr. Ward asked Mr. Conner to incorporate the comments made on the replacement cost concept
233 into the Report to ensure it was codified in the document when the document was given to the
234 reserve company. Mr. Conner agreed.

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236

237 **FIFTH ORDER OF BUSINESS**

Consideration of Resolution 2021-2

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Consideration of Resolution 2021-2 approving the Proposed Budget for Fiscal Year 2022 and Setting a Public Hearing for Thursday, June 10, 2021 at 2:00 P.M. at the Beach Clubhouse, 18061 Miromar Lakes Parkway, Miromar Lakes, Florida 33913 on the Proposed Budget

Mr. Ward explained he was required to submit a budget to the CDD Board prior to June 15th annually; the Board was required to approve the budget in order to set the public hearing date (scheduled for June 10, 2021). He noted the Board was required to adopt a budget prior to September 15; however, this had to be done no later than the 31st of August in order to get the assessments on the rolls. He explained Lee County had a deadline date of August 31ST to receive the assessment rolls and it took several weeks to prepare the rolls for Lee County after the Budget was approved. He stated approving this proposed budget did not bind the Board to any costs or programs set in the budget; but did bind the CDD to the proposed maximum assessment rate. He noted this proposed budget did not need to be approved until next month. He apologized for the errors in the cell formulas; he had an update to a program which deleted many of the formula's.

Mr. Ward reviewed the proposed budget. He indicated the District's budget was fund-based and included the 2012 bonds (refinanced 2000 bonds) and 2015 bonds (refinanced 2008 bonds). He discussed the bond funds, debt service funds, assessments which paid the debt service on the bonds, the separate fund balances being held in separate bank accounts, early redemptions for bond issues due to assessment prepayment, and the effects of large prepayments. He asked if there were any questions regarding the 2012 bonds; there were none. He discussed the 2015 bonds which included a lot of undeveloped land; certain units were anticipated to be constructed; and Miromar paid a relatively high share of the debt service on this bond issue. He noted the developer planned to prepay a large amount of debt service for next year; he did not know the amounts yet, but it would change the numbers in the budget. He stated a firm calculated the prepayment numbers which in turn were reviewed with the developer. He stated he completed the actual financials, but the calculations on rates and prepayment amounts were done by the firm.

Mr. Ward reviewed the General Fund budget. He indicated he included the costs of operation and maintenance of the landscaping program. He noted that currently the Master homeowner's association handled the landscaping program. He reviewed the costs of taking over the landscaping program, the adverse effect this would have on the overall assessment rate (an assessment increase of \$467.64 per unit which would require resident notification). He stated with respect to the rest of the budget, it has remained relatively consistent; there were changes in terms of capital improvements and capital restorations which would not need to be completed next year.

Mr. Refkin discussed the potential assessment increase of \$467 dollars, the new berms, the existing berms, and Miromar currently being responsible for berm and landscaping maintenance. He indicated the new berms would be added to the existing landscape maintenance contract with Miromar upon acceptance. Mr. Ward agreed.

Mr. Reidy stated the CDD did not want to take over responsibility for the landscape maintenance. He recommended removing this section from the budget. Discussion ensued regarding the landscaping maintenance contract; the difficulties with the maintenance being done properly; contacting the master homeowner's association in this regard; and leaving the responsibility for landscape maintenance with the master homeowner's association.

286 Mr. Tim Byal stated he felt the surface water management system should be under the responsibility of
287 the CDD and landscaping maintenance should be in the HOA's purview. He stated if the CDD took over
288 the landscaping maintenance, and the fee structure had to be reorganized, the residents would be
289 confused. He stated the HOA was capable of managing the landscaping.

290

291 Mr. Refkin agreed. He suggested a representative of the HOA and the CDD meet bimonthly to discuss
292 landscaping maintenance issues.

293

294 Mr. Byal discussed the potential increase in resident assessments if the CDD included potential
295 landscaping replacement as part of the reserve funds.

296

297 Mr. Weber asked, if there were another Irma, would the Master HOA use its reserves to replace the
298 damaged landscaping; if so, the CDD did not need to include funds for this in the reserves.

299

300 Mr. Byal stated he understood the landscaping was technically owned by the CDD; however, he believed
301 the HOA was responsible for holding landscaping reserves. He indicated the HOA had \$9 million dollars
302 in reserve. He stated he believed when the HOA took on responsibility for the landscaping, this included
303 the responsibility for replacement of the landscaping. He noted HOA monies and CDD monies were both
304 owned by the residents and it was just a matter of what was the most efficient way to take care of the
305 community on behalf of the residents.

306

307 Mr. Weber asked if this meant that the CDD could rely on the Master HOA to cover any damage to
308 landscaping in the event of a storm. He stated if this were the case a landscaping reserve study would be
309 unnecessary.

310

311 Mr. Byal responded in the affirmative. He suggested formalizing this arrangement. He stated there was
312 no reason, based on the capacity of the Association relative to the CDD and the reserves, for the CDD to
313 be responsible for landscaping reserves. He noted if the CDD were responsible for landscaping reserves
314 a heavier assessment would be needed to establish the needed reserves which would be doubling the
315 contingency funds in essence and unnecessary.

316

317 Mr. Weber agreed.

318

319 Mr. Greg Urbancic stated the landscaping agreement with the Master HOA did indicate the HOA was
320 responsible for maintenance repair and replacement. He stated the contract did not go into detail
321 regarding storm damage specifically, but he felt it was intended to be comprehensive. He noted an
322 amendment could be added to make this clear if the Board and Association so chose. He discussed his
323 experience with other CDD's and Associations, and the difficulties which had arisen. He stated if the
324 agreement with the Association were ever terminated the reserves for the landscaping would remain with
325 the Association and the District would have no reserves for landscaping. He commented it has been his
326 experience that it was very difficult for a CDD to obtain FEMA funds to assist with landscaping repair
327 following a natural disaster if an HOA were the responsible party for landscaping replacement.

328

329 Mr. Ward stated the landscaping could be removed from the Budget; however, he would suggest
330 completing the reserve study with landscaping included to provide a basis for discussion. He
331 recommended amending the Agreement.

332

333 Mr. Weber agreed with Mr. Byal's points regarding the landscaping reserves. He agreed the Agreement
334 should be amended to prevent misunderstandings.

335
336 Mr. Ward stated the reserve study could be separated into two sections: one for landscaping and one for
337 stormwater.

338
339 Discussion ensued regarding the HOA's landscaping budget; providing the HOA's landscaping budget line
340 item to the CDD; the HOA's reserve amounts (\$5 million for hard assets and \$4 million unallocated); the
341 possibility of losing the HOA reserves upon change of HOA management; the funding alternatives if
342 reserves were not present for emergency situations; the difficulties which could arise while holding large
343 reserve balances during change of management; and the assessment which could be levied if the HOA
344 reserves disappeared.

345
346 Mr. Ward noted the landscaping portion of the budget would be removed and the assessment would be
347 reduced accordingly. He indicated he would review the budget as it stood without the landscaping. He
348 reported there was the overall administrative/legislative portion of the budget which would be reduced
349 from \$148,500 dollars to \$133,200 dollars for the year. He discussed why the stormwater management
350 budget had reduced slightly. He discussed the cane toad budget and midge fly budget and explained that
351 both of these services have had an increase in cost geometrically and that he could not predict what the
352 cost would be in fiscal year 2022.

353
354 Mr. Weber noted this was why contingency funds were needed.

355
356 Mr. Ward stated in the past, contingencies were included for every line item; this practice was forgone
357 due to the assessments needing to be inflated to cover the contingencies; now, cash reserves were utilized
358 for contingencies instead. He stated he believed this was a good decision except in the case of the midge
359 fly and cane toad problem. He indicated a contingency for these two items might be appropriate, or the
360 Board could move forward with the budget understanding it may go over budget \$30,000 to \$40,000
361 dollars next year for midge fly or cane toad.

362
363 Mr. Reidy discussed the budget for stormwater, midge flies, and cane toads. He agreed a contingency
364 was a good idea and recommended \$50,000 dollars be assigned as a contingency fund to cover overages.
365 He explained it was important for \$100,000 dollars to go into the reserves and the District could not afford
366 to absorb \$30,000 dollars to \$50,000 dollars for underfunded budget items. He indicated he was
367 uncertain if \$50,000 dollars was even enough of a contingency. He stated he did not wish to approve the
368 budget today if the District could not raise the assessment rate without further discussion.

369
370 Mr. Ward reviewed the assessment rate: the base assessment was currently \$427 dollars per unit; every
371 \$100,000 dollars added to the budget increased the assessment rate by \$64 dollars per unit.

372
373 Mr. Reidy stated as a homeowner he wanted to be certain the CDD was financially stable and able to
374 address issues within the District as said issues arise. Discussion ensued regarding the shared cost of the
375 cane toad expenses with Miromar.

376
377 Mr. Bernard noted the cane toads were already becoming bothersome and were being collected and the
378 lakes were being skimmed to remove the eggs.

379

380 Mr. Refkin asked if the cane toad budget amount took into consideration the new north area. Mr. Bernard
381 responded in the negative. Mr. Refkin indicated these areas should be included because eventually these
382 areas would also need treatment.

383
384 Mr. Ward reported at year end the District would have approximately \$400,000 dollars in cash balance.
385 Discussion ensued regarding this number. Mr. Ward stated at year end there would be \$265,000 dollars;
386 of these \$265,000 dollars, at year end, \$190,000 dollars should be "reserved" which left \$75,000 dollars
387 plus the \$83,000 dollars. Discussion ensued regarding the numbers; an anticipated cash balance of
388 \$349,000 dollars at year end; the budget numbers; the inadequacy of the cash balance; contingency
389 amounts; necessary operating costs; and increasing the assessment to increase the reserves.

390
391 Mr. Reidy asked about the discount for early payment line item (\$49,000 dollars).

392
393 Mr. Ward explained the early payment discount was 4% of whatever the total assessment was and would
394 be calculated accordingly.

395
396 Mr. Reidy stated there were \$95,000 dollars in reserves for the general fund; there were basically no
397 contingencies. He asked the Board if a contingency should be added to the stormwater category and
398 whether the \$95,000 dollar reserve should be increased. He noted if there was a storm this year the
399 District would really suffer.

400
401 Mr. Ward stated the question was how much cash the Board wanted to add; if it were \$100,000 dollars,
402 \$64 dollars would be added to the assessment rate; if it were \$200,000 dollars, \$128 dollars would be
403 added to the assessment rate.

404
405 Discussion ensued regarding the assessment rate; how much of an assessment increase the residents
406 would approve; gradually building up the reserves over time; potential stormwater damage due to
407 possible hurricanes; the use of special assessments to cover storm damage; what a reasonable increase
408 of the assessment rate was; whether the residents would oppose a \$64 assessment increase; the need of
409 a \$200,000 dollar increase (\$128 dollar assessment increase) with \$100,000 dollars assigned to a
410 contingency fund and the other \$100,000 dollars assigned to the reserves.

411
412 Mr. Ward indicated a \$128 dollar assessment rate increase was not unreasonable.

413
414 Mr. Reidy stated as a homeowner, if he asked the CDD how much money it had set aside for emergencies
415 and the answer was \$100,000 dollars, he would be disappointed.

416
417 Mr. Refkin agreed. He suggested the possibility of procuring a \$1 million dollar bond issue to keep in
418 reserves which would cost the residents less annually.

419
420 Mr. Ward stated the District could not do a bond issue for the purpose of raising cash for reserves; this
421 was not legal.

422
423 Mr. Urbancic indicated in theory the District could open a line of credit for this purpose. He noted this
424 was not the best option, but it was an option. He indicated doing a bond issue to cover emergency
425 expenses would depend on the extent of the expenses, what the market was like, and the length of the
426 term. He noted there might be some bank financing which would be fairly readily available in the case of
427 an emergency.

428

429 Mr. Ward agreed this was true; the problem was this kind of financing took up to four months to procure
430 and if funds were needed in an emergency situation, it was needed immediately, not in four months.

431

432 Mr. Weber suggested a minimum increase of \$200,000 dollars to this budget with the subsequent increase
433 to the maximum assessment rate. He noted the assessment rate could be decreased in the future but
434 could not be increased past the maximum assessment rate approved today.

435

436 Discussion ensued regarding the appropriate increase; the importance of not going over budget; the
437 difficulty in knowing what problems might arise causing cost increases in the future; raising the \$427 dollar
438 assessment rate to \$555 dollars.

439

440 Mr. Ward noted he would calculate the proper assessment number based upon how much the Board
441 wished to add into the budget. Discussion ensued regarding how much to add to the budget; the
442 difficulties with Ravenna and the District not having a maintenance easement along the lake in Ravenna;
443 and the other areas in the District which were problematic.

444

445 Mr. Refkin asked how much it cost to fix Sienna and Bellini.

446

447 Mr. Bernard responded it cost \$140,000 dollars to fix Bellini and \$90,000 dollars to fix Sienna.

448

449 Mr. Refkin noted Ravenna would cost approximately the same. Discussion ensued regarding adding a line
450 item of \$120,000 dollars to fix Ravenna.

451

452 Mr. Ballinger asked if Mr. Ward spoke with Rose.

453

454 Mr. Ward responded in the affirmative. He noted Ravenna only had 60 residents; adding \$120,000 dollars
455 to the budget only for Ravenna would equal a \$2,000 dollar per unit assessment for the Ravenna residents.

456

457 Discussion ensued regarding whether the CDD should be responsible for fixing Ravenna.

458

459 Mr. Ward explained the District was in place to operate a drainage system and was supposed to do so.
460 He stated this type of maintenance program was too large for an individual community within Miromar
461 Lakes. He stated the CDD was obligated to do what was right for the community which was why it spent
462 between \$600,000 dollars and \$800,000 dollars to fix the lake bank shore erosion. He noted this was
463 rather expensive but was also required by the South Florida Water Management District.

464

465 Mr. Refkin explained this was only done in order to bring the lakes up to standard. It was agreed once
466 this was done the responsibility to fix any lake bank problems would fall back onto the property owners.
467 He noted if Ravenna installed something defective along the lake bank, it was not the responsibility of the
468 CDD to correct this mistake.

469

470 Discussion ensued regarding what fell under the responsibilities of the homeowner versus the CDD; and
471 who owned the land and easements.

472

473 Mr. Ward explained the Ravenna HOA owned the property extending halfway out into the lake; the CDD
474 did not own this land. He noted Ravenna's attorney has opined 51% of the vote of the Ravenna residents

475 were required in order to deed the property to a governmental agency. He indicated at this point he did
476 not believe any vote was taken.

477
478 Mr. Urbancic indicated the last he heard Ravenna had taken the position of wanting to deed the land to
479 the CDD under threat of condemnation as it did not want to take a vote.

480
481 Mr. Ward agreed and indicated the CDD refused to pursue condemnation.

482
483 Discussion ensued regarding land only being given to the CDD in perfect condition; only accepting the land
484 from Ravenna if it were in perfect condition; and the CDD not having enforced this in the past.

485
486 Mr. Ward explained the idea was to fix Ravenna as the funds became available and the roof drain issue
487 would become a nonissue once the other repairs were done. He stated Ravenna was no different than
488 Bellini or any other community for which the CDD spent money to fix the lake, other than the dollar value
489 was substantively higher at this point.

490
491 Discussion ensued regarding Ravenna versus Bellini; and the CDD legally not being permitted to make any
492 repairs on Ravenna property until the property was deeded to the CDD.

493
494 Mr. Ward explained the difficulty was the regulatory permit with South Florida Water Management
495 District was owned by the CDD and the CDD was, according to South Florida Water Management District,
496 responsible for this property. He stated if South Florida Water Management District required any repairs
497 to be completed it would look to the CDD to make said repairs. He stated historically the CDD fixed the
498 shorelines throughout Miromar Lakes; after the shoreline was fixed the property owners became
499 responsible for any new repairs which were needed.

500
501 Discussion ensued regarding Ravenna deeding property to the CDD; whether the CDD was responsible for
502 storm damage of the shoreline; erosion caused by house downspouts being the responsibility of
503 homeowners; the CDD maintaining the shoreline annually to prevent major issues; the next storm not
504 causing as much damage due to the shoring up of the lake bank areas; the possibility of adding a
505 contingency to the budget for Ravenna; the Board being responsible for ensuring the CDD was financially
506 viable; residents being upset if the assessment suddenly skyrocketed due to the CDD not having enough
507 reserves to cover emergencies; where exactly the rip rap was located (within easements); the majority of
508 rip rap not being located on CDD property; and whether the CDD should repair damage to rip rap not on
509 CDD property following a storm.

510
511 Mr. Ward explained “underlying fee title ownership of property” and “easement overtop of land” were
512 not particularly different. He explained if the CDD had an easement from point A to point B for operating
513 the water management system, and a SFWMD permit over the land indicated the CDD had a responsibility
514 to maintain the property, it did not matter whether the CDD had a deed to the underlying property or an
515 easement on the property, it was the essentially the same.

516
517 Mr. Urbancic explained the issue was whether the CDD had a permit responsibility. He asked about
518 Ravenna’s permits.

519
520 Mr. Charlie Krebs responded he believed the permits indicated the HOA was responsible; when Ravenna
521 went out of construction the permits were transferred to the HOA, not the CDD. He explained in order
522 to transfer the lake and the easements, Ravenna would also be required to file a permit transfer to go

523 from the HOA to the CDD. He noted he was not 100% positive, but he believed this was the case. He
524 indicated he would check. He noted the lake was part of the overall water management system, but the
525 application which covered Ravenna had still not been transferred to the CDD; the CDD did not have
526 ownership of the Ravenna water management system.

527
528 Mr. Ward stated this changed his opinion completely; if this were the case, Ravenna was responsible for
529 its own lake bank restoration and repair.

530
531 Mr. Reidy stated if the Board agreed not to include \$120,000 dollars for Ravenna in the budget, the Board
532 also had to agree to deny Ravenna when Ravenna asked the CDD to pay for the repairs.

533
534 Mr. Ward agreed. He noted the CDD had to decide whether it would cover the Ravenna repairs. He
535 agreed with Mr. Reidy, \$125,000 dollars for Ravenna could be added in the budget in the capital program,
536 \$200,000 dollars could be added for contingencies with \$100,000 dollars for the reserves, and if the CDD
537 decided to remove any of these at or before the public hearing, so be it. He stated if all of these were
538 added to the budget the assessments would go up by approximately \$190 dollars.

539
540 Mr. Ward stated he and Mr. Urbancic could contact Ravenna; however, Ravenna's attorneys were
541 difficult, and he did not expect this situation to be cleared up in two months. He explained he and Mr.
542 Urbancic had been trying to clear this up for 12 months.

543
544 Mr. Weber stated, understanding this, could the CDD come to a decision in time for the budget on what
545 the CDD's position was going to be in regard to Ravenna. Mr. Ward responded in the affirmative.

546
547 Discussion continued regarding Ravenna and the budget.

548
549 Mr. Ward stated if the Board were ready, the appropriate motion was to approve the budget subject to
550 the following changes: removing all of the landscaping, adding \$100,000 dollars for contingencies, adding
551 \$100,000 dollars to the stormwater management reserve line item, and adding \$125,000 dollars to the
552 capital improvement program in the stormwater system for the Ravenna project. He stated the revised
553 budget as approved today would be placed on the May Agenda for discussion. He indicated he and Mr.
554 Urbancic would reach out to Ravenna between now and then to see if there had been any progress. He
555 stated the final decision regarding the budget was required to be made in June.

556

557 **On MOTION made by Mr. Alan Refkin, seconded by Mr. Doug Ballinger,**
558 **and with all in favor, Resolution 2021-2 was adopted as amended, and**
559 **the Chair was permitted to sign.**

560

561

562 **SIXTH ORDER OF BUSINESS** **Consideration of Resolution 2021-3**

563

564 **Consideration of Resolution 2021-3, a Resolution of the Board of Supervisors of Miromar Lakes**
565 **Community Development District Granting the Chairman or the Vice Chairman (In the Chairman's**
566 **absence) the authority to execute that certain Plat of Miromar Lakes – Unit XX – Costa Maggiore – Phase**
567 **3, approving the scope and terms of such authorization.**

568

569 Mr. Ward asked Mr. Krebs or Mr. Byal to discuss this Resolution.

570
571 Mr. Charlie Krebs stated this plat covered the community being developed near the north entrance which
572 consisted of 22 lots. He reviewed the area on the map noting what parcels were required to be included
573 in the plat application by the County.
574

575 **On MOTION made by Mr. Patrick Reidy, seconded by Mr. Alan Refkin,**
576 **and with all in favor, Resolution 2021-3 was adopted, and the Chair was**
577 **permitted to sign.**

578
579

SEVENTH ORDER OF BUSINESS

Staff Reports

I. District Attorney

583 No report.

II. District Engineer

587 No report.

III. Asset Manager

a) Operations Report April 1, 2021

593
594 Mr. Bernard noted he spoke about the cane toads earlier; lake bank restoration would be completed
595 next month; spill prevention information went onto the website and the remainder of the audit
596 went well; a letter was sent to South Florida Water Management District explaining how the CDD
597 would be in compliance in five years.

598
599 Mr. Reidy asked if any progress had been made with the FGCU dewatering agreement.

600
601 Mr. Ward responded in the negative.

602
603 Mr. Reidy asked about the map he requested at the previous meeting. He noted what he received
604 via email was not the correct map. It was agreed the correct map would be located and emailed.
605

IV. District Manager

a) Financial Statements for period ending April 1, 2021 (unaudited)

608
609 No report.

EIGHTH ORDER OF BUSINESS

Supervisor's Requests and Audience Comments

611
612
613
614 Mr. Ward asked if there were any Supervisor's requests; there were none. He asked if there were any
615 audience comments; there were none.
616

617
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630

NINTH ORDER OF BUSINESS

Adjournment

Mr. Ward adjourned the meeting at 4:50 p.m.

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

Miromar Lakes Community Development District

James P. Ward, Secretary

Alan Refkin, Chairman

Draft

Jimward@jpwardassociates.com

From: Reres, Kathleen G. <kreres@shumaker.com>
Sent: Tuesday, November 24, 2020 12:33 PM
To: Greg Urbancic; jimward@jpwardassociates.com
Cc: ron@ingeandassociates.com; Queirolo, Samuel P.; Staine, Christopher A.; Hamilton, Kenya S.
Subject: RE: Proposed transfer between Ravenna Condominium and Miromar Lakes CDD

Hi Gregg,

I understand your position but if we cannot convey clear title to the CDD's satisfaction and the CDD will not accept easements, I'm not sure what other options are available. Moreover if the CDD will not ensure navigability, I believe the changes of a unit owner challenge will go up.

Kathleen G. Reres | Shumaker

Attorney at Law

Bank of America Plaza, Suite 2800

101 East Kennedy Boulevard | Tampa, FL 33602

Direct 813.221.7167 | Fax 813.229.1660

kreres@shumaker.com | [bio](#) | [LinkedIn](#)

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From: Greg Urbancic [mailto:gurbancic@cyklawfirm.com]
Sent: Tuesday, November 24, 2020 12:15 PM
To: Reres, Kathleen G.; jimward@jpwardassociates.com
Cc: ron@ingeandassociates.com; Queirolo, Samuel P.; Staine, Christopher A.; Hamilton, Kenya S.
Subject: RE: Proposed transfer between Ravenna Condominium and Miromar Lakes CDD

Kathleen- I respectfully disagree with your characterization. The manner of conveyance is a concern to us and we have asked about potential options to ensure no issue down the road. While there is no technical consideration, I do not know if a title insurer would rely on that statutory provision to insure ownership on that basis. I talked to First American and their underwriting counsel was reluctant. At the end of the day, Jim and I will need to make a recommendation to the Board and our Board is very risk averse. This was not a situation that the CDD created.

Gregory L. Urbancic

Attorney at Law

Coleman, Yovanovich & Koester, P.A.

The Northern Trust Building

4001 Tamiami Trail North, Suite 300

Naples, Florida 34103

P: 239.435.3535 | F: 239.435.1218

gurbancic@cyklawfirm.com

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From: Reres, Kathleen G. <kreres@shumaker.com>
Sent: Tuesday, November 24, 2020 11:55 AM
To: Greg Urbancic <gurbancic@cyklawfirm.com>; jimward@jpwardassociates.com
Cc: ron@ingeandassociates.com; Queirolo, Samuel P. <squeirolo@shumaker.com>; Staine, Christopher A. <cstaine@shumaker.com>; Hamilton, Kenya S. <khamilton@shumaker.com>
Subject: RE: Proposed transfer between Ravenna Condominium and Miromar Lakes CDD

Good morning Greg,

The CDD's refusal to proceed under Fla. Stat. 718.111(7)(b), refusal to accept easements and refusal to ensure navigability present real problems. I believe the Board is currently exploring its options.

Regards,

Kathleen

Kathleen G. Reres | **Shumaker**
Attorney at Law
Bank of America Plaza, Suite 2800
101 East Kennedy Boulevard | Tampa, FL 33602
Direct 813.221.7167 | Fax 813.229.1660
kreres@shumaker.com | [bio](#) | [LinkedIn](#)

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From: Greg Urbancic [<mailto:gurbancic@cyklawfirm.com>]
Sent: Tuesday, November 24, 2020 10:19 AM
To: Reres, Kathleen G.; jimward@jpwardassociates.com
Cc: ron@ingeandassociates.com; Queirolo, Samuel P.; Staine, Christopher A.; Hamilton, Kenya S.
Subject: RE: Proposed transfer between Ravenna Condominium and Miromar Lakes CDD

Kathleen- I wanted to follow-up as I understood you were speaking to the Board more about this matter. Jim Ward and I spoke on the issues below and we are not comfortable proceeding with a recommendation on the board solely on the basis of relying on the eminent domain language. We are concerned that issues could be raised by a unit owner at some point and it also sets a precedent for other condominiums in the community. If we want to move forward, please let us know what other potential alternative exists to get unit owner authorization to make the conveyances. We understand there are some shoreline concerns from the residents so hopefully they would be supportive of that process. Thanks.

Greg

Gregory L. Urbancic
Attorney at Law

Coleman, Yovanovich & Koester, P.A.
The Northern Trust Building
4001 Tamiami Trail North, Suite 300

Naples, Florida 34103
P: 239.435.3535 | F: 239.435.1218
gurbancic@cyklawfirm.com



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From: Reres, Kathleen G. <kreres@shumaker.com>
Sent: Thursday, November 12, 2020 3:53 PM
To: Greg Urbancic <gurbancic@cyklawfirm.com>; jimward@jpwardassociates.com
Cc: ron@ingeandassociates.com; Queirolo, Samuel P. <squeirolo@shumaker.com>; Staine, Christopher A. <cstaine@shumaker.com>; Hamilton, Kenya S. <khamilton@shumaker.com>
Subject: RE: Proposed transfer between Ravenna Condominium and Miromar Lakes CDD

Good afternoon Greg,

We were not able to locate case law construing Fla. Stat. 718.111(7)(b). We relied upon general language in Fla. Stat. § 190.011(11), which indicates community development districts have the power “to exercise within the district, ... the right and power of eminent domain... for the uses and purposes of the district relating solely to water, sewer, district roads, and water management, specifically including, without limitation, the power for the taking of easements for the drainage of the land of one person over and through the land of another.” It’s not clear that any conditions precedent to condemnation must be satisfied before the CDD can be considered a condemning authority and the triggering transfer rights under 718.111. We don’t believe a membership vote is feasible because the lakes are common elements and there would be a heightened approval threshold.

With respect to your other comments, the Condominium Board is taking them under advisement and I believe they will reach out to the CDD in due time.

Regards,

Kathleen Reres

Kathleen G. Reres | Shumaker
Attorney at Law
Bank of America Plaza, Suite 2800
101 East Kennedy Boulevard | Tampa, FL 33602
Direct 813.221.7167 | Fax 813.229.1660
kreres@shumaker.com | [bio](#) | [LinkedIn](#)

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From: Greg Urbancic [<mailto:gurbancic@cyklawfirm.com>]
Sent: Friday, October 30, 2020 6:14 PM
To: Reres, Kathleen G.; jimward@jowardassociates.com
Cc: ron@ingeandassociates.com; Queirolo, Samuel P.; Staine, Christopher A.; Hamilton, Kenya S.
Subject: RE: Proposed transfer between Ravenna Condominium and Miromar Lakes CDD

Kathleen-

I had the chance to review your comments on the documents and discuss them with Jim Ward.

Initially, there is some concern on our end about the reliance on 718.111(7)(b) relating to the conveyance. Do you have any back-up or authority that would support a CDD would be a condemning authority under the law? The concern is that under Chapter 190 (specifically, Section 190.011) whether a CDD would qualify given that the power under Chapter 190 cannot be exercised without first getting approval by the county. In other words, this proposed conveyance is not being done under the threat of eminent domain and ability of the CDD to ever exercise such power is conditional. Is the process involving a unit owner vote a possibility to provide for a clearer title claim? You can imagine our intent to avoid any issue later.

We reviewed the other comments and while some of the minor comments are okay, there are some that appear problematic from our perspective and we cannot recommend to our board. Some of those items that cannot recommend to the Board:

- + reasonableness standard on material changes as noted in the Deed
- + matters relating to navigability which are outside the purview of the CDD.
- + fountain reservation in the internal lake deed
- + limitations in Sections 2 and 6 of the license agreement

Please let me know what you can provide on the authority question above. Thanks.

Greg

Gregory L. Urbancic
Attorney at Law

Coleman, Yovanovich & Koester, P.A.
The Northern Trust Building
4001 Tamiami Trail North, Suite 300
Naples, Florida 34103
P: 239.435.3535 | F: 239.435.1218
gurbancic@cyklawfirm.com



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From: Reres, Kathleen G. <kreres@shumaker.com>
Sent: Wednesday, October 14, 2020 5:44 PM
To: jimward@jwardassociates.com; Greg Urbancic <gurbancic@cyklawfirm.com>
Cc: ron@ingeandassociates.com; Queirolo, Samuel P. <squeirolo@shumaker.com>; Staine, Christopher A. <cstaine@shumaker.com>; Hamilton, Kenya S. <khamilton@shumaker.com>
Subject: RE: Proposed transfer between Ravenna Condominium and Miromar Lakes CDD

Jim and Greg,

The Association agreed to remove some of the changes in the last draft. The language requiring the Association to indemnify the CDD for damage resulting from the dock and fountain have been added back in. We believe the other changes are either minor or necessary in order to effect a legal transfer and should not prevent the parties from reaching an agreement. The Association would like you both to review. If you have further objections, we would like to discuss the same in a conference call. The Association has agreed to pay Greg's fees related to this transaction.

Regards,

Kathleen

Kathleen G. Reres | **Shumaker**
Attorney at Law
Bank of America Plaza, Suite 2800
101 East Kennedy Boulevard | Tampa, FL 33602
Direct 813.221.7167 | Fax 813.229.1660
kreres@shumaker.com | [bio](#) | [LinkedIn](#)

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From: jimward@jwardassociates.com [<mailto:jimward@jwardassociates.com>]
Sent: Wednesday, October 14, 2020 8:31 AM
To: Reres, Kathleen G.
Cc: ron@ingeandassociates.com; Queirolo, Samuel P.; Staine, Christopher A.; Hamilton, Kenya S.
Subject: RE: Proposed transfer between Ravenna Condominium and Miromar Lakes CDD

Kathleen

My apologies for any confusion – but what we specifically discussed was that if you want to propose language to deal with your concern with the HOA documents related to transferring by deed land to the CDD we could look at that language (with the caveat that for the CDD, this is no an eminent domain taking) – Ravenna is willingly deeding the lake to the CDD.

The other item that we discussed was the fact that the land being deeded was within the HOA common elements – but I want to make sure we are on the same page, that the CDD is NOT bound by any HOA declarations, and as we discussed

there are different attorneys who may have another option on the matter, but for this transaction, the CDD will not be bound by any HOA covenants, and this must be in a document agreed to by Ravena.

All other language other than the above two concepts, as we discussed are not acceptable to the CDD.

Finally, I have removed Greg from this email thread – I am not aware that Ravena has agreed to pay any costs for the CDD's attorney (I may have missed that that, so please excuse me if I did), and as such, we are now at a juncture that Ravena will need to make that commitment in writing.

I hope this helps clarify the CDD's position.
Jim.

TOTAL Commitment to Excellence

	<p>James P. Ward JPWard & Associates LLC Chief Operating Officer</p> <p>(954) 658-4900 Mobile JimWard@JPWardAssociates...</p> <p>2900 Northeast 12th Terrace Suite 1 Oakland Park, Florida 33334</p>
---	---

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From: Reres, Kathleen G. <kreres@shumaker.com>
Sent: Tuesday, October 13, 2020 11:36 AM
To: jimward@jowardassociates.com; gurbancic@cyklawfirm.com
Cc: ron@ingeandassociates.com; Queirolo, Samuel P. <squeirolo@shumaker.com>; Staine, Christopher A. <cstaine@shumaker.com>; Hamilton, Kenya S. <khamilton@shumaker.com>
Subject: Proposed transfer between Ravenna Condominium and Miromar Lakes CDD

Good morning Jim and Gregg,

Attached are draft revisions to the transfer documents that Gregg prepared. Please review and let us know your thoughts.

Regards,

Kathleen Reres
Kathleen G. Reres | Shumaker
Attorney at Law
Bank of America Plaza, Suite 2800
101 East Kennedy Boulevard | Tampa, FL 33602

Direct 813.221.7167 | Fax 813.229.1660
kreres@shumaker.com | [bio](#) | [LinkedIn](#)

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Memorandum

Date: May 1, 2021
To: James P. Ward- District Manager
From: Bruce Bernard - Field Asset Manager
Subject: Miromar Lakes CDD – April 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 had its contractor (Dragonfly Pond Services) complete the lake bank restoration work within the Valencia neighborhood locations this month. The lake bank restoration portion of the capital improvement program now has been completed for this fiscal year with all aspects of the SWFWMD notice of inspection letter from September 2015 being complete.

Solitude Lake Management is continuing midge fly treatment along the northern shoreline of Lake 5/6 due to additional residential concerns about increased activity of the flies.

Scott's Animal Control and Wild Thing Wildlife Services are actively capturing and removing cane toads, larvae, and tap poles within neighborhoods of Miromar Lakes.

Landscaping

CDD staff discussed and met with the Miromar Lakes developer's staff and inspected identified locations that required additional attention by the landscape maintenance contractor for community. CDD staff will be conducting on-going bi-monthly inspections of landscaping locations with Miromar Lakes in the future.



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J.P. WARD AND ASSOCIATES, LLC.

2301 N.E. 37th ST
FORT LAUDERDALE FL 33308

Lee County – Community Development Districts
FLORIDA

04/15/2021

NAME OF COMMUNITY DEVELOPMENT DISTRICT	NUMBER OF REGISTERED VOTERS AS OF 04/15/2021
Miromar Lakes	1,213
Palermo	0
Esplanade Lake Club	64
Timber Creek Southwest	51

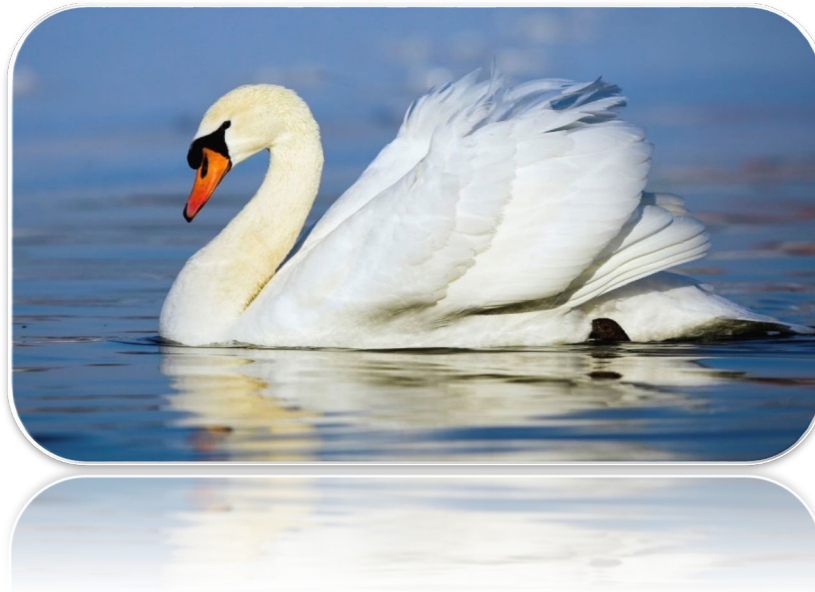
Tammy Lipa – Voice: 239-533-6329

Email: tlipa@lee.vote

Send to: James P. Ward jimward@jpwardassociates.com Phone: 954-658-4900

Cc: Cori Dissinger coridissinger@jpwardassociates.com Phone: 407-913-3545

MIROMAR LAKES COMMUNITY DEVELOPMENT DISTRICT



FINANCIAL STATEMENTS - APRIL 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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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 April 30, 2021

	Governmental Funds						Totals (Memorandum Only)
	Debt Service Funds			Account Groups			
	General Fund	Series 2012	Series 2015	General Long Term Debt	General Fixed Assets		
Assets							
Cash and Investments							
General Fund - Invested Cash	\$ 556,289	\$ -	\$ -	\$ -	\$ -	\$ -	\$ 556,289
Debt Service Fund							
Interest Account	-	-	242,625	-	-	-	242,625
Sinking Account	-	-	445,000	-	-	-	445,000
Reserve Account	-	366,651	404,783	-	-	-	771,434
Revenue	-	841,534	463,587	-	-	-	1,305,121
Prepayment Account	-	13,619	1,683	-	-	-	15,302
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	-	-	-	2,779,482	-	-	2,779,482
Amount to be Provided by Debt Service Funds	-	-	-	15,195,518	-	-	15,195,518
Investment in General Fixed Assets (net of depreciation)	-	-	-	-	36,514,917	-	36,514,917
Total Assets	\$ 556,289	\$ 1,221,805	\$ 1,557,677	\$ 17,975,000	\$ 36,514,917	\$ -	\$ 57,825,688

Miromar Lakes Community Development District
Balance Sheet
for the Period Ending April 30, 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 Governments		-				-
Bonds Payable	-					-
Current Portion	-	-	-	960,000	-	960,000
Long Term	-	-	-	17,015,000	-	17,015,000
Total Liabilities	<u>\$ -</u>	<u>\$ -</u>	<u>\$ -</u>	<u>\$ 17,975,000</u>	<u>\$ -</u>	<u>\$ 17,975,000</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	-	600,101	537,975	-	-	1,138,076
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	195,487			-	-	195,487
Total Fund Equity and Other Credits	<u>\$ 556,289</u>	<u>\$ 1,221,805</u>	<u>\$ 1,557,677</u>	<u>\$ -</u>	<u>\$ 36,514,917</u>	<u>\$ 39,850,688</u>
Total Liabilities, Fund Equity and Other Credits	<u>\$ 556,289</u>	<u>\$ 1,221,805</u>	<u>\$ 1,557,677</u>	<u>\$ 17,975,000</u>	<u>\$ 36,514,917</u>	<u>\$ 57,825,688</u>

Miromar Lakes Community Development District
General Fund
Statement of Revenues, Expenditures and Changes in Fund Balance
Through April 30, 2021

Description	October	November	December	January	February	March	April	Year to Date	Revised - Total Annual Budget	% of Budget
Revenue and Other Sources										
Carryforward	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	-	-	N/A
Interest										
Interest - General Checking	-	5	7	6	6	6	5	34	250	14%
Special Assessment Revenue										
Special Assessments - On-Roll	561	130,551	332,076	17,246	16,438	7,305	14,193	518,371	580,182	89%
Special Assessments - Off-Roll	-	29,747	-	29,747	-	-	29,747	89,241	118,991	75%
Miscellaneous Revenue										
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	607,646	\$ 699,423	87%
Expenditures and Other Uses										
Legislative										
Board of Supervisor's - Fees	1,000	1,000	1,000	800	1,000	1,000	1,000	6,800	12,000	57%
Board of Supervisor's - Taxes	77	77	77	61	77	77	77	520	918	57%
Executive										
Professional Management	3,333	3,333	3,333	3,333	3,333	3,333	3,333	23,333	40,000	58%
Financial and Administrative										
Audit Services	-	-	3,000	-	-	-	-	3,000	4,000	75%
Accounting Services	-	-	-	-	290	(290)	-	-	-	N/A
Assessment Roll Services	-	-	18,000	-	-	-	-	18,000	18,000	100%
Arbitrage Rebate Services	350	1,000	-	-	-	-	100	1,450	2,000	73%
Bond Re-Amortizations	-	-	-	-	-	-	-	-	-	N/A
Other Contractual Services										
Legal Advertising	194	-	-	-	246	-	-	439	1,200	37%
Trustee Services	-	3,400	-	-	-	-	-	3,400	9,500	36%
Property Appraiser/Tax Collector Fees	-	-	-	-	-	1,194	-	1,194	2,000	60%
Bank Services	34	34	49	35	49	33	38	271	500	54%
Travel and Per Diem										
-	-	-	-	-	-	-	-	-	-	N/A
Communications & Freight Services										
Postage, Freight & Messenger	67	51	58	58	50	125	-	409	800	51%
Insurance										
Insurance	6,928	-	-	-	-	-	-	6,928	7,000	99%
Printing & Binding										
Printing & Binding	-	95	-	111	-	277	178	661	2,200	30%
Website Maintenance										
Website Maintenance	50	50	50	50	50	50	50	350	1,200	29%
Office Supplies										
Office Supplies	-	-	-	-	-	-	-	-	-	N/A
Subscription & Memberships										
Subscription & Memberships	175	-	-	-	-	-	-	175	175	100%
Legal Services										
Legal - General Counsel	-	-	215	731	-	1,390	569	2,905	30,000	10%

Prepared by:
JPWARD and Associates, LLC

Miromar Lakes Community Development District
General Fund
Statement of Revenues, Expenditures and Changes in Fund Balance
Through April 30, 2021

Description	October	November	December	January	February	March	April	Year to Date	Revised - Total Annual Budget	% of Budget
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	2,093	7,000	30%
NPDES	-	-	-	-	-	188	-	188	-	N/A
Asset Administration Services	-	-	-	833	-	833	-	1,667	10,000	17%
Center Place	-	-	-	-	-	-	-	-	-	N/A
GIS Services	-	-	-	-	-	-	-	-	-	N/A
Sub-Total:	12,207	9,097	25,782	6,627	6,288	8,209	5,572	73,782	148,493	50%
Hurricane Relief Services										
Engineering Services										
General Engineering	-	-	-	-	-	-	-	-	-	N/A
Water Mgt - Debris Removal										
Lake Bank Erosion	-	-	-	-	-	-	-	-	-	N/A
Landscaping - Debris Removal										
Landscaping Removal	-	-	-	-	-	-	-	-	-	N/A
Sub-Total:	-	-	-	-	-	-	-	-	-	-
Stormwater Management Services										
Professional Services										
Asset Management	-	3,817	3,817	3,046	3,817	2,983	-	17,479	35,800	49%
NPDES	-	-	-	-	-	-	-	-	2,000	0%
Utility Services										
Electric - Aeration Systems	-	90	944	511	527	508	497	3,077	4,800	64%
Lake System										
Aquatic Weed Control	-	4,772	-	9,544	4,772	-	9,544	28,632	71,000	40%
Lake Bank Maintenance	-	-	-	-	-	-	-	-	3,000	0%
Water Quality Testing	-	-	4,310	-	-	-	-	4,310	13,840	31%
Water Control Structures	-	-	-	-	22,650	560	-	23,210	26,000	89%
Grass Carp Installation	-	-	-	-	-	-	-	-	-	N/A
Litoral Shelf Barrier/Replanting	-	-	-	-	-	-	-	-	-	N/A
Cane Toad Removal	4,210	5,455	2,645	840	840	-	-	13,990	11,000	127%
Midge Fly Control	-	-	-	-	-	-	-	-	9,600	0%
Aeration System	810	-	3,050	6,938	3,050	299	-	14,147	2,000	707%
Fish Re-Stocking	-	-	-	-	10,086	-	-	10,086	-	N/A
Wetland System										
Routine Maintenance	-	3,364	-	6,728	3,364	-	8,228	21,684	49,100	44%
Water Quality Testing	-	-	-	-	-	-	-	-	-	N/A
Other Current Charges	-	-	-	-	-	-	-	-	-	N/A

Miromar Lakes Community Development District
General Fund
Statement of Revenues, Expenditures and Changes in Fund Balance
Through April 30, 2021

Description	October	November	December	January	February	March	April	Year to Date	Revised - Total Annual Budget	% of Budget
Capital Outlay										
Aeration Systems	-	-	-	-	-	-	-	-	13,260	0%
Littortal Shelf Replanting/Barrier	-	-	-	-	-	-	-	-	6,000	0%
Lake Bank Restoration	-	900	1,350	1,500	10,082	28,918	63,593	106,343	-	N/A
Turbidity Screens	-	-	-	-	-	-	-	-	-	N/A
Erosion Restoration	-	-	-	-	-	-	-	-	204,930	0%
Contingencies	-	-	-	-	-	-	-	-	3,000	0%
Sub-Total:	5,020	18,398	16,115	29,107	59,188	33,268	81,862	242,958	455,330	53%
Landscaping Services										
Professional Management										
Asset Management	-	-	-	-	-	-	-	-	-	N/A
Utility Services										
Electric	-	-	-	-	-	-	-	-	-	N/A
Irrigation Water	-	-	-	-	-	-	-	-	-	N/A
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%
Disaster Relief Reserve	-	-	-	-	-	-	-	-	45,000	0%
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	\$ 317,159	\$ 699,423	45%
Net Increase/ (Decrease) in Fund Balance	(16,666)	132,389	290,187	11,265	(49,032)	(34,166)	(43,489)	290,487	-	
Fund Balance - Beginning	265,802	249,136	381,524	671,711	682,976	633,944	599,778	265,802	265,802	
Fund Balance - Ending	\$ 249,136	\$ 381,524	\$ 671,711	\$ 682,976	\$ 633,944	\$ 599,778	\$ 556,289	556,289	\$ 265,802	

Miromar Lakes Community Development District
Debt Service Fund - Series 2012 Bonds
Statement of Revenues, Expenditures and Changes in Fund Balance
Through April 30, 2021

Description	October	November	December	January	February	March	April	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	-	N/A
Revenue Account	1	1	0	1	4	3	4	15	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	837,991	937,856	89%
Special Assessments - Off-Roll	-	-	-	-	-	-	-	-	-	N/A
Special Assessments - Prepayments	-	-	-	-	-	-	-	-	-	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	824,879	\$ 949,556	N/A
Expenditures and Other Uses										
Debt Service										
Principal Debt Service - Mandatory										
Series 2012 Bonds	-	-	-	-	-	-	-	-	\$ 510,000	0%
Principal Debt Service - Early Redemptions										
Series 2012 Bonds	-	5,000	-	-	-	-	-	5,000	-	N/A
Interest Expense										
Series 2012 Bonds	-	219,778	-	-	-	-	-	219,778	439,556	50%
Operating Transfers Out (To Other Funds)	-	-	-	-	-	-	-	-	-	N/A
Total Expenditures and Other Uses:	\$ -	\$ 224,778	\$ -	\$ -	\$ -	\$ -	\$ -	224,778	\$ 949,556	N/A
Net Increase/ (Decrease) in Fund Balance	(15,745)	(13,730)	536,830	27,881	26,577	11,813	26,473	600,101	-	
Fund Balance - Beginning	621,703	605,959	592,229	1,129,059	1,156,941	1,183,518	1,195,331	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	1,221,805	\$ 870,552	

Miromar Lakes Community Development District
Debt Service Fund - Series 2015 Bonds
Statement of Revenues, Expenditures and Changes in Fund Balance
Through April 30, 2021

Description	October	November	December	January	February	March	April	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	(15,134)	12,000	-126%
Interest Account	-	0	0	-	-	-	-	0	-	N/A
Prepayment Account	-	0	0	0	0	0	0	0	5,600	N/A
Revenue Account	3	3	2	2	3	3	4	19	7,000	N/A
Special Assessment Revenue										
Special Assessments - On-Roll	478	111,390	283,337	14,715	14,025	6,233	12,110	442,288	495,019	89%
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	\$ 846,055	\$ 938,500	N/A
Expenditures and Other Uses										
Debt Service										
Principal Debt Service - Mandatory										
Series 2015 Bonds	-	-	-	-	-	-	-	-	\$ 450,000	0%
Principal Debt Service - Early Redemptions										
Series 2015 Bonds	-	65,000	-	-	-	-	-	65,000	-	N/A
Interest Expense										
Series 2015 Bonds	-	244,250	-	-	-	-	-	244,250	488,500	50%
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	\$ -	\$ -	\$ -	\$ -	\$ -	\$ 308,080	\$ 938,500	N/A
Net Increase/ (Decrease) in Fund Balance	(17,364)	(197,857)	283,338	14,717	14,029	6,236	434,876	537,975	-	
Fund Balance - Beginning	1,019,703	1,002,339	804,481	1,087,820	1,102,537	1,116,566	1,122,802	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	\$ 1,557,677	\$ -	