

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

The Regular Meeting of the Miromar Lakes Community Development District's Board of Supervisors was held on Thursday, March 8, 2018, at 2:00 p.m. at the Beach Clubhouse, 18061 Miromar Lakes Parkway, Miromar Lakes, Florida 33913.

Board members present and constituting a quorum:

Dr. David Herring	Chairman
Mr. Doug Ballinger	Vice Chairman
Mr. Alan Refkin	Assistant Secretary
Mr. Michael Weber	Assistant Secretary

Board members absent:

Mr. Burnett Donoho	Assistant Secretary
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Staff present:

James Ward	District manager
Greg Urbancic	District Counsel
Paul Cusmano	Calvin Giordano & Associates
Bruce Bernard	Calvin Giordano & Associates
Charlie Krebs	District Engineer
Mike Conner	Calvin Giordano & Associates

Audience:

Tim Byal	Miromar Development Corporation
Mike Risso	Resident

1. Call to Order & Roll Call

Mr. Ward called the meeting to order at 2:35 p.m. A roll call determined all members of the Board were present with the exception of Supervisor Donoho.

2. Consideration of Minutes

a) January 11, 2018 Regular Meeting Minutes

Mr. Ward stated the minutes had been distributed previously and asked if there were any deletions, corrections or additions to the minutes.

Corrections included Mr. Risso's name needed to be added to Page 1, the word coast should be changed to cost on Page 4, Capri should be changed to Caprini on Page 5.

Mr. Ward called for a motion.

Motion was made by Mr. Refkin and seconded by Dr. Ballinger to approve the minutes of the January 11, 2018, meeting, and with all in favor, the motion was approved.

3. Consideration of Resolution 2018-3

Mr. Ward said Item 3 on the agenda was the consideration of Resolution 2018-3 as modified which basically approved the actions of the Board from the last meeting. He said there were some changes to this resolution since documents were being added. He said these additional documents had been sent to the Board earlier in the day. He asked Mr. Urbancic to explain the changes.

Mr. Urbancic explained the Resolution memorialized the acceptance of those documents related to Lake 5. He said there were some documents from the developer and the HOA, which were Part 1, related to the shoreline and the light. He said Part 2 was the Bellini documents. He displayed a map and showed the areas being affected by Part 1. He said Part 2 was not shown on the map, but he showed where the areas would be. He stated those were the internal documents for Bellini, and the internal portion was what had been added to the Resolution. He said Mr. Risso had already signed the relevant documents, and there was a license agreement to allow Bellini to operate and maintain the fountain in the lake.

The Board reviewed the map and its different areas and received further clarification and explanation. In summary, it was said the map was indicating the maintenance of two additional areas, the shoreline including the riprap, was now the CDD's responsibility.

Mr. Ward asked if there were any further questions. He said the Board had actually approved this at the last meeting.

Mr. Ward called for a motion to approve Resolution 2018-3 ratifying Board approval at the January 11, 2018 meeting to accept the lake maintenance easement along Miromar Lakes Unit X (Bellini), and assignment of dedication from the Master HOA for Unit XVII – Costa Maggiore – Phase 1, and finally the assignment of reservations from Miromar Development, for lake maintenance easements of Unit IX – Anacapri and Castelli, Unit X –

Volterra, Unit IX (Open Space) Tracts A,B,C – Anacapri and Castelli, and open space in Unit X – Volterra.

Motion was made by Dr. Herring and seconded by Mr. Weber to approve Resolution 2018-3 as described above, and with all in favor, the motion was approved.

Mr. Urbancic said the license agreement to allow the operation of the fountain, which had been explained, needed approval by the Board. He called for a motion

Motion was made by Mr. Refkin and seconded by Mr. Ballinger to approve the license agreement as described above, and with all in favor, the motion was approved.

4. Staff Reports

- a) District Attorney – No report.
- b) District Engineer – No report.
- c) Asset Manager

Mr. Bernard reported on the Hurricane Irma cleanup. He said there were 337 trees that went down, and these would be replaced with 72 trees in this year’s budget. He said next year additional trees would be replaced. He reported there was still \$310,000 in repairs to do, which were not as critical as those which had been done. He said the final cost for repairs from Hurricane Irma would total just over one million dollars. He said cleanup would be completed in the next two weeks. He added he had submitted 50 % of reimbursable bills to FEMA, and the rest would be submitted by the second week in August.

Mr. Refkin asked if the bills were the ones the CDD was responsible for. Mr. Bernard responded the trees all were the responsibility of the CDD.

Mr. Refkin asked about Item 6, the golf course trees. Mr. Bernard explained the inside of the golf course was maintained by the golf course, but the CDD owned the berm where the trees were located.

Mr. Bernard pointed out many of the trees had been up righted along I-75. He said the report showed there were 164 trees down, but 110 had been up righted and saved.

Mr. Bernard was asked if the bills submitted to FEMA would be reimbursed. He explained first the CDD had had to qualify to get reimbursement. Once they

qualified, then all the required information had been submitted. He also stated there would only be 50% reimbursement, and he estimated submitting bills totaling \$450,000.

Mr. Bernard continued shoreline restoration would soon be completed. He said all inspections had been completed on the drains, and he was waiting for a report from the contractor in order to know what needed to be done in the next three years to keep up with the cleaning as had been done in the past.

Mr. Bernard said replanting would begin with Ben Hill Griffin Parkway in the first phase, and next year's budget would finish the second phase.

Dr. Herring said he thought the medians on Ben Hill Griffin were unsightly and needed attention. He said internal areas looked pristine, but the medians were not.

Mr. Bernard introduced Mike Conner, a Landscape Architect, and asked him to address the issues of the median. Mr. Conner said he had been working with Bright View for a year, and the level median maintenance was not the same as the level on the inside. He said he was trying to get that level up to speed, so it would match more closely. The grass was in rough shape and wasn't being mowed properly. He said now it was being cut shorter and was improving. He said the shrubbery was part of the refurbishment plan, so it had been delayed, but would be improved next year as he would be looking at the shrub beds and replacing what was not looking good.

Dr. Herring thanked Mr. Conner and said he had been hearing for several months about getting new equipment, but he had not seen any improvement.

Mr. Bernard said improvements had begun and then the hurricane came, and Bright View was their hurricane contractor also, so they had been focusing on cleanup. He said this kept them from doing the regular work, and Bright View had not been paid for any regular maintenance by mutual agreement. He said now the staff was back to doing their regular duties and had hired more people. Mr. Bernard said he planned to give them three months more and then go in a different direction.

Mr. Bernard showed the Board drawings of the proposed plantings for the median. These plantings were discussed. Dr. Herring asked if the choices of plants and trees were up to the Board, and Mr. Ward responded affirmatively.

Discussion of the maintenance of this area and clarifications ensued.

have right now, didn't make sense. He said it would make more sense to let it go for the moment, which he did not think would affect property values. A discussion ensued concerning this issue.

Mr. Byal suggested pressure be put on to disband the MSBU as it related to Miromar Lakes. He said the Board needed to articulate the problem, and this might provide them with an opportunity to rectify the problem.

Mr. Byal continued that the proposed landscaping for the median may look hodgepodge relative to everything else along the Parkway. He pointed out these type of plantings were usually done with a long term view.

Dr. Herring commented the District was not obliged to do anything concerning the median. The trees did not have to be replaced.

Mr. Ward said his point was there was no way to negotiate with the County at this time, and if the District improved the median, this would not help the situation.

Dr. Herring asked Mr. Byal if he was offering to bargain on the Board's behalf. Mr. Byal responded he would be the intermediary, but he said coming from the District's Supervisors would hold more value to a commissioner.

Dr. Herring said he agreed with Mr. Ward and liked the concept of doing nothing to the median until the issue was resolved.

Mr. Byal suggested covering the holes with sod would make the median look good for now. Dr. Herring suggested it might be better to leave it unsightly.

Mr. Byal explained the original intention of MSBU and how it had evolved.

Mr. Ward said the District was going to spend a great deal of money on restoring their own capital assets over the next four or five years, and said he was not looking forward to the next budget season, knowing the level of assessments. He said spending money on the median right now was not worth it.

Dr. Herring said he agreed as long as the District did something to get their message across. He suggested a meeting with Commissioner Pendergrass would be a good starting place. Mr. Ward agreed this was a good idea.

A discussion of the possibility of sodding the median ensued. Mr. Ward said he wanted to investigate the cost of doing this before a decision was made.

d) District Manager - No report.

5. Supervisor's Requests and Audience Comment

Mr. Ward called for comments from the audience. A question was asked about the banks which had eroded into the lake area in Sienna, saying the solution did not quite work.

Mr. Bernard responded the solution had worked better than before. He said the hurricane had caused further problems. He continued there was a weir down the stream which only allowed a certain amount of water to go out at a time, which kept the elevation higher on the lakes. He said the weir needed to be lower.

A question was asked if there was any plan to restore the eroded bank. Mr. Bernard said some of the responsibility was on the homeowners, and he explained this. He said his first step would be to drop the elevations and go from there.

Mr. Bernard was asked what the slope of the banks was supposed to be. The response was 4 to 1, which it was not. He said it would help if homeowners could drain water to the front of their properties as they had been informed to do.

Mr. Ward said the problem needed to be solved by Sienna and the District. The District can't fix the drainage problem unless Sienna fixed the roof drain problem.

Mr. Ballinger asked Mr. Krebs if anything was being done downstream from the retention area on the other side of the weir. Mr. Krebs said he knew of nothing that would be done. Mr. Ballinger asked whose responsibility it was. Mr. Krebs said right now the Village of Estero was doing some work to improve the Estero River, and were working with the County. It was stated this area contributed to the District's drainage and erosion problems. It was stated that the Village was addressing this problem.

A question was asked by an audience member concerning the roads in Miromar and if they should flood. He said he had been through three flooding's in Sienna. The comment was made that everywhere else in Miromar functioned very well with the exception of Sienna, and work was being done to see how this could be improved. It was stated that anytime more than 5.5 inches of rain fell in 24 hours, there would be an issue. Several reasons this problem could exist were suggested and whose responsibility it would be to maintain the areas was discussed. A discussion of past issues of this type and the effects of new construction on drainage ensued.

Dr. Herring suggested Sienna needed to investigate whether the drains in their area were pristine as this could help solve the flooding issue. He said the District would be happy to help after this was done.

It was summarized that this discussion had produced two points. One was communities needed to look at storm drainage areas and make sure they were cleaned out. The second point was there was a lack of maintenance of the water past the weir which contributed to the fact that water was not running off fast enough. This meant the lake was sitting at a much higher level than it should for a much longer period of time, which was the

bigger problem. It was suggested a good idea would be to find out the county's timeline for working in this area.

A comment was made that it was either the Master Association or the local HOA who was responsible for cleaning out the drains on a street. The response was that it could be either, but most likely it was the local HOA.

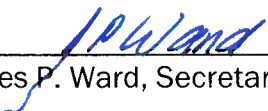
6. Adjournment

Mr. Ward asked for a motion to adjourn.

Motion was made by Mr. Ballinger and seconded by Mr. Refkin to adjourn the meeting, and with all in favor, the motion was approved.

The meeting was adjourned about 3:50 p.m.

Miromar Lakes Community Development District


James P. Ward, Secretary


Dr. David Herring, Chairman