

**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, February 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:

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

Absent:

Alan Refkin	Chair
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Also present were:

James P. Ward	District Manager
Greg Urbancic	District Attorney
Charlie Krebs	District Engineer
Bruce Bernard	Asset Manager
Bill Reagan	FMS Bonds

Audience:

Robert Brlas	Resident
Dale Lichy	
Rick Pearce	
Dave White (ph)	

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 the exception of Supervisor Refkin, constituting a quorum.

With consensus of the Board, Audience Comments were taken at this point.

Mr. Robert Brlas: discussed the increasing difficulties with midge flies in his neighborhood which included clogged pool equipment and stained surfaces.

Mr. Dale Lichy discussed the increasing difficulties with midge flies. He noted his pool was unusable when the midge flies were present. He stated his neighbors were experiencing midge fly difficulties as

well. He asked the CDD to address the midge fly problem. He noted midge flies would eventually reach the entire community.

Mr. Brlas stated he had articles about midge flies and their life cycle and which indicated certain minnows would eat midge fly larvae. He noted midge flies had to be addressed during the larvae stage and we as residents cant handle something like that.

Mr. Rick Pearce discussed the midge flies.

Mr. Dave White (ph) stated he lived in Wild Blue and was working with the fishery's biologist, David Beasley. He indicated he spoke with Carl Barocco (ph) who mentioned an interlocal agreement between the CDDs. He noted he was also working with Vista Blue's CDD. He discussed a potential interlocal agreement between the CDDs regarding fisheries. He noted his District was also experiencing midge fly difficulties and that he was working with the Master HOA and CDD in this regard. He stated Mr. Beasley suggested solutions to the midge fly problem.

Mr. Tom Fischer (ph) asked for an update on the potential fish enhancement and vegetation improvements to bring the lake back up to previous standards of clarity.

Mr. Bruce Bernard addressed the midge fly situation first. He stated Solitude came in and sprayed for midge flies every two weeks which was the maximum. He agreed the midge flies needed more than spray to be eliminated. He noted Dave Beasley, from Solitude, the District's aquatic vendor, who was putting together the fishery plan, would be coming to the CDD Meeting next month to discuss a plan for Miromar Lakes and Esplanade Lakes. He noted an interlocal CDD agreement could be considered. He stated once the plan was received the CDD could decide how it would like to move forward.

Mr. Ward stated the goal was to obtain a proposal to hire a company to develop a plan. He noted this was not a short term fix, it was the start of the process.

Mr. Bernard noted the plan would include a timetable and the steps in the process. He noted Solitude currently sprayed every two weeks for midge flies; spraying began in December and typically continued through March.

Mr. Weber asked if Solitude could spray more often or could a larger quantity of spray be used.

Mr. Bernard discussed potential midge fly solutions including aeration of the lake (unrealistic for Miromar Lakes' large lake sizes) and adding fish to the lake. He noted the carp previously ate the midge fly larvae, but now, with no carp in the lake, the larvae were able to grow into flies.

Mr. Weber noted the CDD was aware of the midge fly problem. He discussed his difficulties with the midge flies.

Discussion ensued regarding midge flies and the problems midge flies could cause.

Mr. Bernard noted last year 10,000 bluegill minnows were put in the lake and the midge flies were still a problem.

Discussion ensued regarding adding more minnows to the Lake; Esplanade owning the lake; Mr. Beasley developing a midge fly mitigation plan; the type of spraying being done for the midge flies; and the type of spraying being done for lake vegetation.

Mr. Weber asked the CDD to move forward regarding the midge fly problem with purpose.

Mr. Ward explained his goal was to have a plan with clear deliverables to present to the Board including cost estimates next month. He stated this would be done quickly so the costs could be included in next fiscal year's budget.

Mr. Brlas asked if the residents could help in terms of information collection, etc.

Mr. Bernard responded this was unnecessary; the District understood the midge fly problem. He stated hopefully in 30 days a plan with options would be presented to the Board and the Board could decide how it wished to address the midge fly problem.

Mr. Weber noted the Board, being residents in the community, and fellow fishermen, had the same difficulties with the midge flies and with the lake, and as such would work diligently to address the problems. He noted, regarding fish enhancement of the lakes, the District was obtaining a permit for 2,500 carp; however, the District had no intention of putting carp in the lake at this time. He noted the permit was being obtained for possible future use, only if necessary. He thanked the residents for coming in to speak with the CDD. He noted the Meeting Minutes were on the CDD website for perusal and residents could review the minutes to see how these issues progressed. He noted the residents were welcome to continue attending meetings as well for updates. He stated the CDD was committed to addressing these problems. He stated he was excited to hear about the potential fishery.

Ms. LeFevre thanked the residents for attending the meeting and speaking. She asked the residents to remain in touch and continue attending meetings.

Mr. Ward invited the audience members to attend next month's meeting to hear the proposed plan.

Mr. Ballinger stated the CDD was only permitted to do so much by the Florida Wildlife Commission, as well as the South Florida Water Management District. He stated the last time carp were put into the lake, approval from South Florida Water Management District and the Florida Wildlife Commission was required. He noted the District was instructed by these entities regarding the number of carp which could be placed in the lake.

Discussion ensued regarding the number of carp which were placed in the lake; the potential for placement of 2,500 carp through the permit; and the District having no intention of putting 2,500 carp in the lake.

Mr. Bernard explained the District originally planned to obtain a permit to place 250 carp in the lake; however, it was decided to increase the number of carp on the permit to prevent the need to apply for a new permit in the future if additional carp were needed. He noted Mr. Beasley might recommend putting carp in the lake.

Mr. Ward indicated nothing would be done until the new fishery plan and recommendations of the vendor were reviewed.

Discussion ensued regarding the problems caused by the previous carp population; the possibility of obtaining advice from multiple sources as opposed to a single source; the importance of Miromar Lakes and Esplanade coordinating their efforts; and improving the water quality and aesthetics of the lake.

Mr. Bernard stated the lake's water quality was tested regularly (three times a year) by an outside vendor. He noted the water quality was consistently improving.

Mr. Pierce discussed the propensity of rumors. He recommended posting updates of the facts for the residents of Miromar Lakes to prevent rumor spread.

Discussion ensued regarding the rumors spreading throughout the community regarding carp and midge flies and how to prevent the spread of rumors.

Mr. Weber noted that Mr. Ward was District Manager of Miromar Lakes CDD and Esplanade Lakes CDD, coordination of efforts for the shared lake would be simplified.

Mr. Ward agreed. He asked if there were any additional audience questions or comments; there were none.

The Board thanked the audience members for attending and speaking.

SECOND ORDER OF BUSINESS

Consideration of Minutes

January 13, 2022 – Regular Meeting

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

On MOTION made by Ms. Mary LeFevre, seconded by Mr. Doug Ballinger, and with all in favor, the January 13, 2022, Regular Meeting Minutes were approved as corrected.

THIRD ORDER OF BUSINESS

Consideration of Bond Term Sheet

Mr. Ward introduced Mr. Bill Reagan with FMS Bonds.

Mr. Bill Reagan reported the bond refinance process was begun in September and the market had changed in the interim. He stated the community was not completely built out; the developer still owned 15 units or so, and as such there were a few banks who were not interested. He discussed the feedback he received from various banks. He reported Hancock Bank came back with the overall lowest yield of 2.72%. He explained in September the rate was at 2.25%, but the market had gone up since. He stated the offer from Hancock Bank was excellent at 2.72% with no debt service reserve fund requirement. He noted Hancock Bank required placement of the CDD's operating fund account in Hancock Bank, but the CDD could keep its current Trustee. He stated the overall savings would be over 12% per unit which equaled an annual debt service savings on a per unit basis ranging from \$193 dollars to \$77 dollars depending on the unit. He indicated the CDD had 30 days to close.

Mr. Ballinger asked if these rates could go up over the next 30 days. He noted he heard rates were going to go up in March.

Mr. Reagan responded in the negative; these rates were locked in until the closing date. He stated if the CDD did not close in the next 30 days the rates would go up. He stated he did not recommend continuing to shop around; this was a good deal and rates were only going up. He stated any time you could get a 12% savings it was excellent. He stated if the agreement were approved by the CDD today, and the Chair signed the bid for the bank, the management team would get all the paperwork in order and the final paperwork would be brought back to the CDD for finalization prior to the closing date of March 18th, 2022.

Mr. Ward noted a delegation resolution would be done on March 10, 2022 and the closing would be done a few days after. He indicated there was a lot of work to be done in a very short period of time. He noted the decision needed to be made today. He stated this was exactly the same deal he got for another CDD six months ago with the same bank. He noted the rate was a little different, but the basic terms of the deal were the same as he has seen in the past.

Discussion ensued regarding Hancock Bank; moving the District's operations fund to Hancock Bank; and the importance of keeping the current Trustee.

Mr. Ward asked if there were any additional questions; hearing none, he called for a motion to adopt the term sheet subject to approval by the District Manager, District Counsel, and Bond Counsel. He noted the delegation resolution would be scheduled for the March 10, 2022, meeting.

On MOTION made by Mr. Doug Ballinger, seconded by Mr. Pat Reidy, and with all in favor, the term sheet was adopted subject to approval by the District Manager, District Counsel, and Bond Counsel.

FOURTH ORDER OF BUSINESS

Consideration of Resolution 2022-3

Consideration of Resolution 2022-3, a resolution of the Miromar Lakes Community Development District approving the District's post-issuance compliance guide for tax-exempt bonds

Mr. Ward reported there was a plethora of securities and exchange commission rules, as well as federal law, for complying with tax exempt status, all of which the CDD followed with its existing bond issuance. He noted Bond Counsel recommended the CDD have a resolution adopted and in place in this regard in case the CDD were ever audited by the IRS.

On MOTION made by Mr. Doug Ballinger, seconded by Ms. Mary LeFevre, and with all in favor, Resolution 2022-3 was adopted, and the Chair was permitted to sign.

FIFTH ORDER OF BUSINESS

Staff Reports

I. District Attorney

No report.

II. District Engineer

a) Stormwater Reporting Update

Mr. Charlie Krebs reported he was beginning the Stormwater Needs Analysis which he would send to Bruce Bernard for review.

Mr. Ward noted the Stormwater Needs Analysis was the new state requirement due in June 2022.

III. Asset Manager

b) Operations Report February 1, 2022

c) Water Quality Report October 2021

d) Waterway Inspection Report 12/20/2021

Mr. Bruce Bernard stated the quarterly lake report was in; this report inspected the lakes and indicated if anything other than routine maintenance needed to be done. He noted the water quality report showed improvement in District's water quality.

IV. District Manager

a) Financial Statement for period ending January 31, 2022 (unaudited)

Mr. Ward stated the District was at 93% of revenue as of the end of January which was excellent. He stated this meant most residents were paying in November and December; the balance was basically what was due from the developer over the next six months or so.

SIXTH ORDER OF BUSINESS

Supervisor's Requests and Audience Comments

Mr. Ward asked if there were any Supervisor's Requests.

Mr. Reidy asked if Mr. Beasley was with Solitude.

Mr. Bernard responded Mr. Beasley was with Solitude but in a different division; Solitude was local while Mr. Beasley was more country-wide. He stated Mr. Beasley had his own division which handled nothing but fisheries.

Mr. Reidy stated Mr. Beasley would be making a recommendation for a fishery which hopefully would address the District's other issues. He asked about obtaining a second opinion.

Mr. Bernard stated he would take Mr. Beasley's recommendation to Florida water and fish conservation groups for review.

It was suggested Mr. Beasley present different proposals for the Board to consider as opposed to a single plan.

Discussion ensued regarding Mr. Beasley and the potential fishery options and development of an official timeline for implementation.

Mr. Ward suggested waiting until the proposal was received and approved before worrying about an implementation timeline.

Discussion ensued regarding moving forward with the process quickly; the importance of the budget; and equitable distribution of responsibility and cost between the participating parties.

Mr. Ward stated the cost would be divided half and half between the two parties (Miromar Lakes CDD and Esplanade Lake Club CDD) as the two CDDs sharing the lake. He stated he was not in favor of doing an interlocal agreement with other CDDs not neighboring Miromar Lakes. He stated an interlocal agreement would considerably slow the process down and it was important to move quickly with this project.

Mr. Urbancic stated the CDD would spend a lot of time trying to negotiate details and spend money on professional fees in order to enter into an interlocal agreement with outside CDDs.

Discussion ensued regarding interlocal agreements with outside CDDs.

Mr. Ward stated it was important for the CDD to have ownership and operation of the entire water management system. He stated he would keep the CDD updated as things moved forward.

SEVENTH ORDER OF BUSINESS

Adjournment

Mr. Ward adjourned the meeting at 3:21 p.m.

On MOTION made by Ms. Mary LeFevre, 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