

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

The Regular Meeting of the Board of Supervisors of the Miromar Lakes Community Development District was held on Thursday, April 13, 2023, at 2:00 P.M. in the Library at the Beach Clubhouse, 18061 Miromar Lakes Parkway, Miromar Lakes, Florida 33913.

Present and constituting a quorum:

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

Also present were:

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

Audience:

Heather Chapman	Master HOA
David Salko	

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, constituting a quorum.

SECOND ORDER OF BUSINESS

Consideration of Minutes

March 9, 2023 – Regular Meeting Minutes

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

Discussion ensued regarding a blank in the minutes and who was speaking when.

On MOTION made by Mary LeFevre, seconded by Mike Weber, and with all in favor, the March 9, 2023, Regular Meeting Minutes were approved as amended.

THIRD ORDER OF BUSINESS

Consideration of Resolution 2023-1

Consideration of Resolution 2023-1, a resolution of the Board of Supervisors of the Miromar Lakes Community Development District approving the Proposed Budget for Fiscal Year 2024 and Setting a Public Hearing for Thursday, July 13, 2023, at 2:00 P.M. at the Beach Clubhouse, 18061 Miromar Lakes Parkway, Miromar Lakes, Florida 33913 on the Proposed Budget

I. Detention Area Plan

II. Erosion Rip-Rap Plan (Fiscal Year 2024 Capital Plan)

III. Fiscal Year 2024 Budget Discussion

Mr. Ward indicated this was the continued discussion of the Proposed Budget for Fiscal Year 2024. He noted the discussion left off at the three detention basins in Miromar and the rip rap erosion. He stated Bruce Bernard put together a report regarding what the detention basins looked like, and locations, including photographs. He noted location one and location two were within a very large berm area and if this was what each normally looked like and the detention areas were typically unseen, he did not see a need to embark upon a detention improvement program for these two detention basins. He reported detention area 3, location 5, in Laguna, when he first saw it, it was dead and gone; however, now it looked pretty good, and he felt there was no need for any continued improvement. He noted the HOA had already taken some steps to make some improvements to the slopes and hedges of detention area 3. He suggested simply monitoring detention area 3 as well as continued maintenance.

Discussion ensued regarding the detention areas, how the detention areas were typically maintained, and how the detention areas looked during dry season as opposed to during wet season.

Mr. Ward noted the budget was prepared without funds for detention area improvements.

The Board agreed the detention area looked much improved.

Mr. Ward indicated a map was provided showing where the rip rap erosion was located and the priority of needed restorations. He indicated this was still in the budget and was what would be implemented in 2024 as a part of the program.

Mr. Ballinger asked about the Ravenna permits.

Mr. Charlie Krebs indicated he went through the permits and determined who was listed on the permits and he was going into these permits to see if the transfer documents were included. He noted some of the permits claimed the CDD was the owner and operator; however, the permit itself was never transferred, so, the CDD was the owner and operator of the overall system, and some of

them the CDD was listed as the primary, but the internal was listed as the Master Association, so he was still working to discover what the CDD had and what more needed to be transferred.

Mr. Ward asked if he was talking about internal drainage systems.

Mr. Krebs explained he was looking into every application which was applied for. He noted even early on there were some which Alico pulled and Miromar Lakes pulled very early, but the CDD did a large transfer in 2015/2016 and grabbed a whole group of these overall applications for the golf course, overall master water management system, etc. He indicated he had not looked at Ravenna yet, but he would have this information soon. He stated he had found nothing which said the CDD transferred it.

Mr. Ward noted there were three, Ravenna, St. Moritz, and Bella Vista.

Mr. Krebs stated San Marino also had not been transferred, but he was working with San Marino. He noted when the process was started years ago, it was understood Ravenna was not turned over. He explained at that time the CDD was working with Ravenna to turn it over, but there was something in the HOA documents which prevented the turnover.

Mr. Ward explained Ravenna required 100 percent consent of condominium owners to agree to the turnover, including the mortgage holders. He noted easements were offered to Ravenna, but Ravenna asked for the CDD to use its eminent domain powers to take the property, but this was not something the CDD was willing to do. He explained at this point Ravenna would never transfer over unless it wished to make the transfer in the form of an easement, but he believed the consent of the owners would still be needed to obtain the easements.

Mr. Greg Urbancic agreed.

Discussion continued regarding Ravenna; the poor condition of the Ravenna shoreline; Ravenna wishing to retain control of certain portions of the shoreline even if transferred over to the CDD; and the SFWMD not holding the CDD accountable for Ravenna's shoreline as the CDD was not the permittee for Ravenna.

Ms. LeFevre asked what the downside was of leaving Ravenna alone.

Mr. Ward stated the downside was there a group of residents with a serious risk of damage to property as a result of this problem. He indicated he was sympathetic to this argument, and if the CDD could get the lakeshore transferred it should.

Mr. Refkin noted there was a period of at least six months where at every single CDD meeting Ravenna was discussed and the CDD did everything possible to get this transferred over to the CDD, but Ravenna was not willing or cooperative. He stated while he was sympathetic, the exacerbation of the situation was caused by Ravenna's failure to turn this over to the CDD.

Mr. Krebs explained the permit went with the land, and the landowner would be the permittee, or the HOA Board, not the CDD.

Mr. Ward stated he felt the CDD was safe in terms of the responsibilities of the permit for Ravenna.

Discussion continued regarding the poor condition of Ravenna's shoreline, the lake bank erosion, and the rip rap; the difference between Ravenna's and Bellini's willingness to work with the CDD in terms of property transfer; and who the president of Ravenna's HOA was.

Ms. Heather Chapman, of the Master HOA, indicated Ravenna's HOA Vice President contacted herself about the rip rap.

Mr. Ward indicated Ms. Chapman was welcome to invite Ravenna's HOA Vice President to reach out to the CDD.

Ms. LeFevre asked about the criteria used for determining whether rip rap was in need of repair or proactive maintenance.

Mr. Bruce Bernard discussed what he looked for in terms of areas which needed rip rap, when repair was needed, when maintenance was needed, which areas needed more maintenance or repair than others, and how rip rap was repaired or maintained.

Ms. LeFevre asked if any of the rip rap on Mr. Bernard's map was below the control line.

Mr. Bernard responded in the affirmative.

Ms. LeFevre noted the document indicated the CDD would not accept responsibility for maintenance of the rip rap if it were below control elevation.

Mr. Ward stated he thought this had been amended, but he would double check and fix it if necessary.

Mr. Bernard noted the money earmarked for the rip rap would not be spent until after hurricane season. He noted this was to ensure if there was damage during a hurricane, the CDD would have funds available to make necessary repairs, and if there were no hurricane damage then the funds would be spent on the rip rap program as shown.

Mr. Ward stated he updated the budget; the assessment rate would stay the same, the capital reserves would change next year and the CDD would have roughly \$1,180,000 dollars in total reserves (this was less the cash needed for operating from October through December) making the CDD's total cash position \$1,477,000 dollars by September 30, 2024. He noted this Budget did not need to be approved until next month.

The Board decided to wait until the next meeting for budget approval.

FOURTH ORDER OF BUSINESS

Consideration of Letter of Termination

Acceptance of Letter of Termination of Contract between AJC Associates, Inc., and Miromar Lakes Community Development District for preparing the District's annual Assessment Rolls.

Mr. Ward indicated Items 4 and 5 were companion items. He explained Alice Carlson, whom he had known for 40 years, had decided to retire and she was submitting her six months' notice for contract termination. He noted his firm, JPWard and Associates, did this work for all his other clients, so he added an amendment to his contract to take this responsibility over at the same scope and same rate as Ms. Carlson (fifth order of business). He asked if there were any questions; hearing none, he called for a motion.

On MOTION made by Mary LeFevre, seconded by Alan Refkin, and with all in favor, the Letter of Termination of Contract between AJC Associates, Inc., and Miromar Lakes Community Development District for preparing the District's annual Assessment Rolls was accepted.

FIFTH ORDER OF BUSINESS

Consideration of Agreement Amendment

Consideration of amending agreement with JP Ward and Associates, to include preparation of the Assessment Roll

Mr. Ward asked if there were any questions; hearing none, he stated if the Board wished to hire him for this responsibility it should make a motion.

On MOTION made by Alan Refkin, seconded by Mary LeFevre, and with all in favor, the agreement with JP Ward and Associates was amended to include preparation of the Assessment Roll.

SIXTH ORDER OF BUSINESS

Staff Reports

I. District Attorney

No report.

II. District Engineer

No report.

III. Asset Manager

a) Operations Report April 1, 2023

Mr. Bernard stated the wetland contractor began the wetland fishery planting installation and it would take approximately two weeks to complete the job. He noted 82,000 plants were being installed one by one.

Discussion ensued regarding the method of planting; the half foot to two foot depth of planting; the types of plants being installed; and the low number of carp in the lake.

Mr. Bernard stated next year more plants would be installed, along with an artificial reef, then electrofishing would be done to remove the large bass from the lake, and following this the little fish would be restocked. He noted this would be done over the next few years.

Mr. Ballinger asked if the plant growth in the channel would be trimmed.

Mr. Bernard responded in the negative.

Mr. Ballinger stated he could not fish in the channel without getting his hook snagged on something green almost immediately.

Mr. Bernard asked if the plants were visible above water.

Mr. Ballinger responded in the affirmative. He stated he wondered if people were dumping clippings into the channel.

Mr. Bernard indicated the CDD did not handle anything with the mowing around the channel.

Ms. Chapman indicated no one had been able to mow since the hurricane. She noted access to this area was recently regained but if Mr. Ballinger saw something green and growing underwater, it was not lawn clippings.

Mr. Bernard stated he and Mr. Beasley (Solitude) would take a look at the channel.

Mr. Reidy asked about how grass nutrients were contained in terms of lake absorption.

Ms. Chapman responded (indecipherable).

Mr. Bernard reported on May 2, 2023 there would be an inspection by the County and State on the NDPDS report last year. He stated they would be checking CDD outfalls and the construction sites. He noted the outfalls all looked good, but the construction sites had work which needed to be done.

IV. District Manager

- a) Important Board Meeting Dates for Balance of Fiscal Year 2023:**
 - 1. June 8, 2023, meeting moved to June 5, 2023, at 2:00 P.M.**
 - 2. Public Hearings: Fiscal Year 2024 Budget Adoption – July 13, 2023, at 2:00 P.M**
- b) Financial Statements for period ending March 31, 2023 (unaudited)**

No report.

SEVENTH ORDER OF BUSINESS

Supervisor's Requests and Audience Comments

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

Mr. Refkin asked if Mr. Weber still had a snail problem.

Mr. Weber responded in the negative.

Mr. Ward asked if there were any audience members present in person, or on audio/video with any questions or comments; there were none.

EIGHTH ORDER OF BUSINESS

Adjournment

Mr. Ward adjourned the meeting at approximately 2:40 p.m.

On MOTION made by Alan Refkin, seconded by Mike Weber, and with all in favor, the meeting was adjourned.

Miromar Lakes Community Development District



James P. Ward, Secretary



Alan Refkin, Chairman