

**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, August 8, 2024, 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	Chairperson
Michael Weber	Vice Chair
Patrick Reidy	Assistant Secretary
Mary LeFevre	Assistant Secretary
Doug Ballinger	Assistant Secretary

Also present were:

James P. Ward	District Manager
Greg Urbancic	District Attorney
Charlie Krebs	District Engineer
Richard Freeman	Asset Manager

Audience:

Heather Chapman	HOA
Erin Dougherty	HOA

All residents' 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

July 11, 2024 – Regular Meeting Minutes

Mr. Ward asked if there were any additions or corrections to the Minutes.

A few corrections were made.

On MOTION made by Michael Weber, seconded by Doug Ballinger, and with all in favor, the July 11, 2024 Regular Meeting Minutes were approved, as corrected.

THIRD ORDER OF BUSINESS

Public Hearings

PUBLIC HEARINGS – FY 2025 BUDGET AND SPECIAL ASSESSMENTS

Mr. Ward reported yesterday the Landscape Planting Program for Miromar Lakes was received from the Master HOA; this Program included all Miromar Lakes including the CDD’s facilities. He called for discussion before the public hearing was opened. He noted the total amount the Master HOA expected to spend was \$459,000 dollars through the end of this calendar year, and of this total \$317,000 dollars was related to CDD facilities. He stated almost all CDD facilities were under the agreement; he did not see anything which included the berm along the perimeter of the Esplanade community, but everything else was included.

Mr. Mike Weber asked if the CDD should ask the Master HOA to include this berm.

Mr. Ward responded in the affirmative; the berm should be brought to the attention of the Master HOA. He noted the berm should be included at some point, but it would not be an issue this year because it was still in the development stages.

Mr. Weber stated he was concerned the Master HOA wanted to do this all now, and it was hurricane season. He stated he was worried a hurricane could destroy the new landscape. He asked why the Master HOA wanted to start now rather than wait a few months.

Mr. Greg Urbancic stated Mark Geschwendt and Mark Battaglia indicated the bidding process was still underway, and the plan was to start on the I-75 berm and get through it as it was possible. He stated there were limiting factors such as availability of materials, labor, and time. He stated he understood what Mr. Weber was saying, and certainly the Master HOA recognized hurricane season was an issue.

Mr. Ward stated he felt the Program looked good.

Ms. Mary LeFevre agreed. She thanked the Master HOA for its efforts.

Mr. Ward asked if there were any additional comments; there were none. He explained the Public Hearing process noting there were two public hearings, the first related to the Budget itself.

I. FISCAL YEAR 2025 BUDGET

I. Public Comment and Testimony

Mr. Ward called for a motion to open the Public Hearing.

On MOTION made by Alan Refkin, seconded by Mary LeFevre, and with all in favor, the Public Hearing was opened.

Mr. Ward asked if there were any members of the public present with any comments or questions with respect to the Fiscal Year 2025 Budget; there were none. He noted there were no members of the public present on audio or video. He called for a motion to close the Public Hearing.

On MOTION made by Alan Refkin, seconded by Mary LeFevre, and with all in favor, the Public Hearing was closed.

II. Board Comment and Consideration

Mr. Ward asked if there were any questions or comments from the Board. He noted the assessment rate was at the cap rate of \$739.98; the increase of the assessment rate from last fiscal year would go into reserves.

Discussion ensued regarding the importance of building the reserve fund; the potential for a decrease in the assessment rate next fiscal year; the potential for hurricane damages this hurricane season; the damage caused by the category 1 hurricane which recently landed in the north of Florida; and the consistent increase of costs.

Mr. Doug Ballinger asked about a storm drain; he asked if it had recently been cleaned. He asked if it was the CDD's responsibility to clean the storm drain.

Mr. Ward stated the CDD had a program in place which cleaned the storm drains every three years or so based upon a report from MRI; MRI provided a report indicating the percentage of fullness of each of the storm drains. He stated the CDD went in and cleaned the drains which were 50 percent or more full/clogged. He noted in reality, the CDD should clean the drains at 10 percent full because if a drain was clogged up to 50 percent it could be a disaster in a storm situation. He stated in next year's budget the program would be reevaluated and re-budgeted to bring the storm drain cleaning program to a better place; this was a priority for Miromar Lakes, as well as his other CDDs for next year.

Mr. Ballinger asked if the drain he was wondering about was inspected this year.

Mr. Richard Freeman responded in the negative; it would be inspected and cleaned next year.

Mr. Ballinger stated this specific drain was problematic and needed to be cleaned.

Mr. Freeman indicated an emergency cleaning could be done.

Mr. Ballinger stated this would be a good idea because this particular area flooded.

Discussion continued regarding this particular drain which was problematic; checking the drain and cleaning the drain if necessary; and the possibility of this being a structural issue within the drain as opposed to a cleaning issue.

Mr. Freeman indicated he would evaluate the drain.

Discussion continued regarding the drain report provided by MRI; how many storm drains were between 10 percent and 50 percent clogged; and certain drains needing to be checked annually as opposed to every three years.

Mr. Ward stated the drain program was a priority and would be based on the needs of the community as opposed to the cost, and then the budget would be evaluated.

Mr. Refkin asked when the new infrastructure would be transferred to the CDD.

Mr. Ward explained once the infrastructure was completed it would be turned over to the CDD. He asked if there were any additional comments or questions; there were none.

III. Consideration of Resolution 2024-4, a resolution of the Board of Supervisors adopting the Annual Appropriation and Budget for Fiscal Year 2025

Mr. Ward called for a motion to approve the budget beginning October 1, 2024 and ending on September 30, 2025.

On MOTION made by Alan Refkin, seconded by Doug Ballinger, and with all in favor, Resolution 2024-4 was adopted, and the Chair was authorized to sign.

b) FISCAL YEAR 2025 IMPOSING SPECIAL ASSESSMENTS; ADOPTING THE ASSESSMENT ROLL

Mr. Ward indicated this public hearing was related to the imposition of the special assessments for the general fund and it adopted the assessment roll.

I. Public Comment and Testimony

Mr. Ward called for a motion to open the Public Hearing.

On MOTION made by Mary LeFevre, seconded by Patrick Reidy, and with all in favor, the Public Hearing was opened.

Mr. Ward asked if there were any members of the public present with any comments or questions regarding the assessment rate; there were none. He noted there were no members of the public present on audio or video. He called for a motion to close the Public Hearing.

On MOTION made by Alan Refkin, seconded by Mary LeFevre, and with all in favor, the Public Hearing was closed.

II. Board Comment and Consideration

He asked if there were any questions or comments from the Board; there were none.

III. Consideration of Resolution 2024-5, a resolution of the Board of Supervisors imposing special assessments, and adopting an assessment roll

Mr. Ward called for a motion.

On MOTION made by Michael Weber, seconded by Doug Ballinger, and with all in favor, Resolution 2024-5 was adopted, and the Chair was authorized to sign.

FOURTH ORDER OF BUSINESS

Consideration of Resolution 2024-6

Consideration of Resolution 2024-6, a Resolution of the Board of Supervisors adopting designating dates, time, and location for regular meetings of the Board of Supervisors for Fiscal Year 2025

Mr. Ward stated the meeting dates were at 2:00 p.m. on the second Thursday of each month in the Library at the Beach Clubhouse. He explained the Board was not bound to the dates, time, and location; these could be adjusted as the Board deemed appropriate. 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, Resolution 2024-6 was adopted, and the Chair was authorized to sign.

FIFTH ORDER OF BUSINESS

Staff Reports

I. District Attorney

Mr. Urbancic stated there was a new law indicating for any contract the CDD entered into, an affidavit saying the contracted company was not involved with human trafficking was required. He noted this would be handled by staff.

II. District Engineer

Mr. Charlie Krebs indicated he spoke with Mark Battaglia at Miromar Development. He stated the neighborhood of Lugano on the peninsula was dealing with the aftermath of Hurricane Ian; Lugano planned to submit permits to modify the permit for the beach to have the whole area rip rap, removing the beach entirely. He stated he asked Mr. Battaglia to have someone make a presentation to the Board regarding these changes if approved.

Mr. Ward asked if this was the beach where the lake bank was modified unbeknownst to the CDD.

Mr. Krebs responded this was the beach where it was supposed to be all beach which the Master HOA was going to maintain, but there were residents which modified the shoreline against what the approved permits allowed. He explained they were trying to find a way to bring everyone into

compliance and make the residents happy and planned to follow Miromar's lead by removing the beach, build a rip rap shoreline with a beach up top so it would be less impacted by waves.

Mr. Refkin asked if this was the area where the resident installed a wall.

Mr. Krebs responded in the affirmative, the Austinfelt house.

III. Asset Manager

a) Asset Managers Report August 1, 2024

No report.

IV. District Manager

a) Financial Statement for period ending July 31, 2024 (unaudited)

Mr. Reidy asked about the \$5,000 dollar spent on the fish and the artificial reefs. He asked if all the money was spent on installing the artificial reefs.

Mr. Freeman stated a portion of the spend was for the artificial reef.

Mr. Weber asked about the cane toad traps.

Mr. Freeman indicated the cane toad traps were never implemented.

Mr. Ward stated he would meet with Mr. Freeman after the meeting to discuss the cane toad traps as these needed to be installed.

SIXTH ORDER OF BUSINESS

Public Comments

Public Comments: - Public comment period is for items NOT listed on the agenda, and comments are limited to three (3) minutes per person and assignment of speaking time is not permitted; however, the Presiding Officer may extend or reduce the time for the public comment period consistent with Section 286.0114, Florida Statutes

Mr. Ward asked if there were any audience comments; there were none.

SEVENTH ORDER OF BUSINESS

Supervisor's Requests

Mr. Ward asked if there were any Supervisor comments.

Mr. Weber asked whether Ms. LeFevre spoke with Marie Kitsberg.

Ms. LeFevre responded in the affirmative; Ms. Kitsberg indicated Bella Vista intended to move forward with the drainage.

EIGHTH ORDER OF BUSINESS

Announcement of Next Meeting

Next Meeting – September 12, 2024

NINTH ORDER OF BUSINESS

Adjournment

The meeting was adjourned at approximately 2:25 p.m.

On MOTION made by Mary LeFevre, seconded by Michael Weber, and with all in favor, the meeting was adjourned.

Miromar Lakes Community Development District



James P. Ward, Secretary



Alan Refkin, Chairman