

**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, September 12, 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
Richard Freeman	Asset Manager
John Baker	Atwell Engineering

**Audience:**

Heather Chapman	HOA
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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**

**August 8, 2024 – Public Hearing and 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 Mary LeFevre, seconded by Doug Ballinger, and with all in favor, the August 8, 2024 Public Hearing and Regular Meeting Minutes were approved, as corrected.**

**THIRD ORDER OF BUSINESS****Staff Reports****I. District Attorney**

No report.

Mr. Alan Refkin asked about Austenfeld (ph) and the boulders which Miromar (Master HOA) was going to take the lead on. He asked about the status.

Mr. Greg Urbancic stated he knew Mark Geschwendt received a voicemail from the property owner who was unhappy about receiving a letter from Miromar Development. He stated a conference call was attempted but he was unable to participate, so he did not know if a conference call was held; this was all the information he had. He stated he understood there was some response which needed to go back to the property owner, but he did not know if the call was made.

Mr. Refkin stated from what he understood there was no action on the property owner's part to remove it, so the choice he was going to be given was to keep it there but pay for the permitting and/or releases which could cost the property owner as much as \$25,000 dollars. He stated, however, South Florida Water Management District would go after the CDD not the property owner.

Mr. Urbancic stated if the property owner was not going to voluntarily comply with going through the permitting or the removal, then it may be a situation where the CDD would have to send a demand letter as the CDD might be found in noncompliance and then would say "you go chase the property owner." He said he thought the response Miromar initially received was, "Hey, I talked to so and so" and "they sort of blessed it," but he did not think the CDD was involved in the "so and so."

Mr. Refkin stated he knew the Master HOA had the budget (indecipherable), but ultimately the CDD had responsibility for this. He noted if the property owner took responsibility and paid for it then it would take the burden off the CDD, but if not, and the CDD took no action, the CDD would still have liability with South Florida Water Management District.

Mr. Urbancic stated if the conference call did not happen, a call would be needed to find out where Miromar Development was and what steps they planned to see if it was still in alignment with what the CDD wanted to do.

Mr. Weber stated he thought there was discussion at the last meeting about putting rip rap throughout that whole area and then putting beach above the rip rap.

Mr. Refkin agreed, but since that meeting there had been no further discussions in that direction, nor regarding removing the boulders, so whatever direction was chosen, hopefully there would be an action step to get a resolution, either to get rip rap, or get permitting on their part which would take the CDD off the hook, but barring that, hopefully with Mr. Urbancic's help the issue could be forced.

Mr. Weber agreed this could not simply be ignored.

Mr. Refkin agreed because the liability fell on the CDD. He indicated Mr. Mark Geschwendt was the perfect person to handle this situation.

Mr. Urbancic stated he was unaware whether rip rap was being discussed.

Mr. Ward stated he was unaware of a rip rap discussion.

Mr. Refkin stated a resolution was important.

Mr. Ward stated he could help. He stated based upon what the homeowner indicated this was all permitted through the County, so Staff was researching to see if the homeowner had the correct permits from the County to do what he did, including whether he got a dock and shore permit, and whether he did anything with the South Florida Water Management District with respect to the permit. He stated it would take another month to get through this process. He noted once this was known a gameplan could be developed. He stated he would keep the Board posted.

Mr. Refkin thanked Mr. Urbancic and Mr. Ward.

Mr. Urbancic stated based on what was discovered, he was sure to coordinate with Miromar Master HOA.

## **II. District Engineer**

No report.

## **III. Asset Manager**

### **a) Asset Managers Report September 1, 2024**

Mr. Richard Freeman reported the cane toad traps were installed last week, and he would provide an update regarding the effectiveness of these traps next month. He reported MRI began the inspection of all the storm drain structures and outfalls throughout the District owned by the CDD and a report should be back within 6 weeks. He stated once the report was submitted, decisions could be made regarding how to move forward.

Mr. Weber stated the during last heavy rain it flooded again in front of the entrance into Verdana (ph).

Mr. John Baker stated he had it inspected, and it came back as the system was clean, but the inspector did say that because the lake levels were so high, and were so high over the outfall pipe, the pressure was going to take a little while to go down.

Mr. Weber stated this was what he was referring to last month when he said it seemed like more of an infrastructure problem than a cleaning problem.

Discussion ensued regarding different areas in the community where it flooded when it rained due to the high water levels; how slowly the water receded after rain events; and how a hurricane would damage the area if it came through now.

Mr. Refkin asked whether the lakes could be drained to relieve the water levels.

Mr. Baker responded a dewatering permit would be required and a location to drain the lakes into would be needed; the CDD did not make this decision.

Discussion ensued regarding the water levels in the lakes.

Mr. Baker stated he went to the FGCU baseball stadium control structure and checked the water levels, and it was over 29 inches which was higher than he ever had seen it.

**IV. District Manager**

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

Mr. Ward stated recently state statute was amended to indicate that special districts (CDDs) establish performance measures and standards, reporting its activities and programs. He stated the law became effective July 1, 2024, and the CDD had to report as of September 30, 2024 by December 1, 2024. He stated these measures were reported on the CDD’s website only, there was no external reporting requirement. He indicated Mr. Urbancic prepared goals, objectives, and reporting framework which was very simple and included administrative matters and a report from the Engineer which indicated that the system was evaluated. He asked the Board to approve these standards and if it wished to change the reporting standards next year, then this could be done. He called for a motion to approve the reporting standards.

Mr. Weber asked if anyone would be reviewing the report from a governmental standpoint.

Mr. Ward responded in the negative.

Mr. Weber stated if this was the case then it could be kept simple without any worries.

Mr. Ward agreed.

**On MOTION made by Mary LeFevre, seconded by Patrick Reidy, and with all in favor, the reporting standards were approved.**

**FOURTH 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.

**FIFTH ORDER OF BUSINESS**

**Supervisor’s Requests**

Mr. Reidy stated he spoke with a resident about what was being done with the lakes, and said resident was very interested. He stated he recommended the resident go on the CDD website to obtain more information and the resident wanted to know why the CDD did not push any information out to the residents about what was being done.

Mr. Ward stated it was difficult for the CDD to communicate with the residents because the CDD was not like an HOA with the residents' phone numbers and email addresses; the CDD was limited to mailed notice which was ridiculous these days, or the information was just put on the website then the CDD hoped the residents visited the website. He stated his contact information and Mr. Freeman's contact information was available. He noted residents could even email the CDD Board Members; these emails went through his office.

Ms. LeFevre noted there was a magazine which was sent to all the Miromar Lakes residents, The Stroll magazine. She indicated she believed The Stroll would do an article for the CDD.

Mr. Weber stated there was another source as well, Miromar Residents Only, which was a website for owners in Miromar.

Mr. Refkin stated he followed Miromar Residents Only on Facebook.

Mr. Weber stated Miromar Residents Only could be another communication device for the CDD.

Discussion ensued regarding the Miromar Residents Only website.

Mr. Ballinger asked when the minutes were posted on the CDD website.

Mr. Ward explained the minutes were only posted after the Board approved the minutes. He stated the Agendas were posted 7 days in advance of the meeting. He stated writeups could be posted on the website, but the problem was not many residents visited the CDD website.

Mr. Ballinger asked if the website kept track of the hits the website received.

Mr. Ward responded in the negative.

Discussion ensued regarding the CDD website and how often it was visited; and the difficulty communicating with the residents.

Mr. Weber discussed the importance of communication with the residents of Miromar; and the possibility of hosting quarterly meeting with the various Miromar Lakes HOA Presidents.

Ms. Heather Campbell stated (indecipherable).

Mr. Weber continued to discuss the importance of communication. He noted he would love to see the quarterly meetings begin again.

Mr. Reidy stated this sounded like something the Master Association would need to set up.

Discussion ensued regarding the quarterly meetings held in the past with the HOA Presidents; who wrote the Agenda for those meetings; and organizing new quarterly meetings.

**SIXTH ORDER OF BUSINESS**

**Announcement of Next Meeting**

**Next Meeting – October 10, 2024**

**SEVENTH ORDER OF BUSINESS**

**Adjournment**

The meeting was adjourned at approximately 2:30 p.m.

**On MOTION made by Mary LeFevre, seconded by Alan Refkin, and with all in favor, the meeting was adjourned.**

Miromar Lakes Community Development District

  
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James P. Ward, Secretary

  
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Alan Refkin, Chairman