

**MINUTES OF MEETING
TERN BAY
COMMUNITY DEVELOPMENT DISTRICT**

The Regular Meeting of the Board of Supervisors of the Tern Bay Community Development District was held on Tuesday, February 3, 2026 at the Heritage Landing Clubhouse, 14571 Heritage Landing Boulevard, Punta Gorda, Florida 33955. It began at 10:00 a.m. and was presided over by Ms. Tara Brady, Chairperson, and James P. Ward as Secretary.

Present and constituting a quorum:

Tara Brady	Chairperson
Denise Blakely	Vice Chairperson
Robert Brady	Assistant Secretary
Vickey DeLuca	Assistant Secretary
Gary Hamilton	Assistant Secretary

Also present were:

James P. Ward	District Manager
Greg Urbancic	District Counsel
Clay Rebol	District Engineer

Audience:

Mary Longares	w/Heritage Landing Amenity Center
Larry C.	Jeanne Parzcale
Jill Auger	Steve & Marna Basil
Dave	Larry & Darlene Graham
Joan & Roger Hess	Steve & A. Rusch
Bryan & Elaine Schumacher	Judy Desrochers
Donna Briere	Rod Bradtmueller

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. Portions of these minutes may be transcribed in verbatim.

FIRST ORDER OF BUSINESS

Call to Order/Roll Call

The meeting was called to order at approximately 10:00 a.m.; all Members of the Board were present, constituting a quorum. Chairperson Brady noted Vickey DeLuca was present via Teams.

SECOND ORDER OF BUSINESS

Notice of Advertisement

Notice of Advertisement of Public Hearings

THIRD ORDER OF BUSINESS**Public Comments****Public Comments for Agenda Items**

Chairperson Brady discussed public comment protocol. She asked if there were any public comments for Agenda Items (other than the public hearings); there were none.

FOURTH ORDER OF BUSINESS**Consideration of Minutes****January 16, 2026 - Regular Meeting Minutes**

Chairperson Brady asked if there were any additions, corrections or deletions to the Minutes; hearing none, she called for a motion.

On MOTION made by Gary Hamilton, seconded by Denise Blakely, and with all in favor, the January 16, 2026 Regular Meeting Minutes were approved.

FIFTH ORDER OF BUSINESS**PUBLIC HEARING****I. RELATED TO THE ADOPTION OF REVISED RULES OF PROCEDURE**

Chairperson Brady: These were old rules written back in 2002. Most of them are statutory requirements and never changed. Every time a statute changes you have to change these, so I'm assuming the attorney at the time just did that. Basically, what we have proposed is removing everything that's in the statute itself because it's covered under the statute and then we won't have to change it every time the statute changes.

a) Public Comment

Chairperson Brady opened public comments and asked twice if there were any public comments; there were none. She closed the public hearing.

b) Board Comment and Consideration

Mr. Greg Urbancic noted the revised rules of procedure in the agenda was not the most recent version. He asked if the most recent version was distributed to those present.

Mr. Ward stated the version in the Agenda was the one being considered.

Mr. Urbancic noted it was the wrong version. He recommended continuing the public hearing and returning with the correct version.

Mr. Ward indicated that was fine; however, he wished to proceed with Board comments. He asked Mr. Urbancic to redline the final version of the revised rules of procedure for consideration at the next public hearing.

Chairperson Brady stated the revised rules of procedure removed everything found in Florida State Statutes; it left in what should be done if a Board Member inadvertently voted on a matter for which they had a conflict of interest; the charge of \$0.25 per page for public records; and public comment protocols.

Mr. Gary Hamilton asked what the CDD charged for PDF files for public records.

Mr. Ward noted the CDD did not charge for PDF copies because it was an electronic transfer.

Mr. Hamilton asked if this needed to be included in the revised rules of procedure.

Mr. Urbancic indicated the final version indicated that public records would be provided according to state statutes and did not refer to charges for public records.

Ms. Vickey DeLuca stated she had a question about statute 190. She asked about the reference indicating the Board was responsible for approving all spending below \$195,000 dollars. She noted she could not find anything included in the rules of procedure regarding this. She stated she could not find anything which gave the District Manager the authority to make expenditures, only the full Board.

Mr. Urbancic: Ultimately, you are going to approve whatever contracts come forward unless you have delegated authority to the Manager, so starting at \$195,000 dollars, that is a competitive bidding threshold, and that's what was left out of these rules effectively. The only thing that the statute doesn't provide is maintenance bidding procedures and that's what will be in the revised rules of procedure, the procedure which will apply to purchases over \$195,000 dollars or whenever else you want to provide them. In terms of delegating authority, it happens in various ways in various districts. It can happen through a general grant of authority by the Board at a meeting. I think we usually put something in the budgetary adoption which gives certain authority. I have other Districts that have emergency spending authority resolutions they put into place. There are various ways that can be done. I can ask Jim what we have in this District, but there are various ways that we get there. More often than not we do a delegation of authority at a meeting to sign contracts or enter into various purchase orders.

Ms. DeLuca: That would be great. I can't find anything on record for us, and I went through the minutes. If we are doing rules of procedure, I think we need to clean this up and talk about what that delegation of authority is, meaning what's that dollar amount because right now the Board is not approving those expenditures.

Mr. Ward: We do a delegation of authority each year in the budgetary adoption resolution. If we want a specific rule we can do that, or we can leave it in the budgetary adoption resolution, or we can indicate in the rule that it will be in the budgetary adoption resolution.

Ms. DeLuca: You are saying if we pull up the budgetary adoption resolution it gives you authority to spend any amount under \$195,000 dollars without asking the Board of Supervisors?

Mr. Ward: As long as it is consistent with the budget, yes. We can flesh that out either in the rules of procedure or the budgetary adoption resolution as we move forward.

Ms. DeLuca: I would like to see that wording exactly.

Mr. Hamilton: To follow up with that, I was (indecipherable). Do we have a Treasurer?

Mr. Ward: Yes. That's me. I'm the Secretary and Treasurer. It's not like an HOA, it's a government entity, so in the sense that you operate as a government entity you appoint those positions to staff level members for CDDs because they are so small, I end up having the role as the records custodian, the treasurer, the secretary of the Board, that sort of thing. In larger governments you have a City or County Clerk, and sometimes the Clerk is the Treasurer of the County. Larger organizations spread those positions out separately. Simply because you have rules under the Sunshine Law, and you cannot talk to each other, you have very little ability to handle a managerial role as a Board Member in a government.

Chairperson Brady: It's in the resolution when we appoint the Board Member positions every year.

Ms. DeLuca: When do we do that?

Mr. Ward: You usually do the resolutions appointing your officers after elections. Your next election will be November of this year. Right after that election, if you add a new board member, the board members become a Chairperson, Vice Chairperson, Assistant Secretaries, and I become the Secretary and Treasurer. That's just normal sequence, but you can do it any time. The statute doesn't limit you to just those times.

Discussion continued regarding when the Officers of the Board were appointed; and having the ability to reappoint the Officers of the Board at any time.

Ms. Denise Blakely asked if the \$195,000 dollar cap amount could be lowered to provide the Board with more awareness about spending.

Chairperson Brady: You can, but I want to be very cautious. You could turn around and say Jim doesn't have approval to do anything without full Board approval, but we will get absolutely nothing done because we have to meet to do that approval and we are not an HOA, so we can't talk to each other. The way we want to run this is like a government. If you think about it as a government, you have your board of commissioners or city council, and you have a city manager who is responsible for the day to day. We as the Board set policies and then you give your day to day staff the approval to go do what we are saying to do. That's how it has been run. That's personally how I would want to continue to run it because I don't want to tie hands and not be able to get things done because we didn't have a meeting or couldn't get a quorum and frankly, we are

volunteers who sit here and do policy. They do this for a living and do this every day. You have faith in that person doing that job. But that is a discussion you could have, and you could set it up however you want to set it up.

Ms. Blakely stated she felt the Board needed more awareness about what was going on financially.

Ms. DeLuca agreed. She noted it was a very different board than it was 18 months ago when there were virtually no expenses. She said she spent hours researching statute 190 trying to better understand what it was and what her responsibilities were. She noted the Board was responsible to the residents and transparency was important.

Chairperson Brady stated the Board received financial data monthly. She noted the public hearing would be continued to the next meeting and more discussion could be had under Supervisor's Requests.

Ms. DeLuca asked if this resolution established a spending budget for Jim or was it in a purchasing power or spending resolution. She noted it sounded like a spending limit should be in the rules of procedure.

Mr. Urbancic explained the Board could do either. He said most boards established the spending limit in a separate resolution because it may change over time and you may find it was not working, and having to come back and do another public hearing and advertise for a public hearing became a little tedious. He indicated typically it would be established in the budget resolution passed for a particular fiscal year, or there was a separate resolution which discussed what authority the Manager had, or the Chair had to deal with emergency expenditures or expenditures that might happen between meetings. He would recommend creating a separate resolution for ease of amendment if deemed appropriate.

c) Consideration of Resolution 2026-5, a Resolution of the Board of Supervisors Adopting Rules of Procedure; Providing for Severability, Conflicts and an Effective Date

Chairperson Brady called for a motion to continue.

On MOTION made by Denise Blakely, seconded by Vickey DeLuca, and with all in favor, the Public Hearings were continued to March 3, 2026.

II. RELATING TO ESTABLISHING A FEE FOR VEHICLE REGISTRATION AND GATE ACCESS

Chairperson Brady noted this public hearing was regarding establishing a fee for vehicle registration and gate access after April 1, 2026. She noted this fee would not apply to anyone who was registered in the system before April 1, 2026.

Mr. Ward: The way this was intended to work, within the EntrancelQ system you can put in your new car, if you buy a new car or rental vehicle or whatever it is, so as long as you are putting it in the EntrancelQ system there is no fee. None whatsoever if you change your car or whatever, as long as you have the same plate you are good to go. Even if you get a new plate, if you put it in the EntrancelQ system you are good to go. If you are a new resident coming in, you just bought your house or you are renting, we have to set you up in the EntrancelQ system, so that's the only time you would make the payment to the CDD. It is extremely limited.

a) Public Comment

Chairperson Brady asked if there were any public comments or questions.

Ms. _____ asked if the fee was \$10 or \$25 dollars.

Chairperson Brady responded the fee was \$25 dollars.

Ms. _____ asked who oversaw the security company.

Mr. Ward responded he oversaw the security company.

Ms. _____ asked about trespassers. She noted anyone could get in the gate regardless of registration with EntrancelQ.

Chairperson Brady explained this public hearing was specifically for new owners or renters registering cars into the system. She stated while it was not part of the public hearing, yes, the roads were public roads and anyone could gain entry; however, this did not make them trespassers because the roads were public roads. She said homeowners were not required to register with EntrancelQ; homeowners could stop at the security gate to gain access to the development as opposed to registering with EntrancelQ. She noted registering with EntrancelQ was simply a way to gain entry without having to stop at the security gate and provide identification and any new residents registering after April 1, 2026 would have to pay \$25 dollars.

Ms. Blakely noted the roads were public roads, but the amenities were not public amenities; anyone could drive on the roads, but only residents could use the amenities.

Chairperson Brady asked if there were any additional public comments; there were none. She closed public comments.

b) Board Comment and Consideration

Chairperson Brady asked if there were any Board comments.

Mr. Greg Urbancic asked if the intent was to modify the rules, changing the date from March 1, 2026 to April 1, 2026.

Chairperson Brady stated the resolution she was looking at had a blank for the date.

Mr. Urbancic noted the rules themselves, internally, had the determination date as March 1, 2026.

Mr. Ward indicated the date should be April 1, 2026.

Mr. Urbancic stated he would change the date.

Ms. DeLuca asked if vehicles should include golf carts. She said she felt golf carts should be included.

Chairperson Brady noted she used her golf cart to enter and exit the community regularly without accessing the gate, so she would not have thought to register her golf cart. She said if a resident wished to register a golf cart to access the gate then it should be registered.

Discussion continued regarding whether golf carts should be registered; golf carts did not have license plates; and golf carts used the bike path as opposed to the roads.

Ms. DeLuca stated the roads were public and golf carts should be registered.

Chairperson Brady stated golf carts did not have license plates and did not need to be registered.

Ms. DeLuca indicated county law required golf carts to have license plates.

Chairperson Brady indicated this was only if the golf carts were being driven on roads outside of the community. She noted the community would be a golf cart community and she felt it was unnecessary to register golf carts. She said if the community was deemed a golf cart community it would be unnecessary to have the golf carts registered with license plates.

Ms. DeLuca said she felt this needed to be verified and the community was not a designated golf cart community yet.

Mr. Ward asked Ms. DeLuca to clarify her position.

Ms. DeLuca: I'm saying that I did research on what it means to become a golf cart community within Charlotte County and what's needed. What Tara's saying is different than what I've found on Charlotte County's website. We should table this to a different discussion. I was just asking if vehicles should include golf carts. Then my only other question is, when we choose April 1, 2026, based on the latest information from EntrancelQ we are still missing 20% of our residents, which is about 300 residents. How are we going to notify them that the \$25 dollar fee will be in effect if they do not register in EntrancelQ by April 1, 2026. How are we taking care of that 20%?

Mr. Ward: That's why we moved it to April 1 to give a little more time to get some kind of a notification, whether it's electronic or by snail mail, out to those residents who have not signed up for the EntrancelQ system.

Ms. DeLuca: I'm very concerned about the 20% that we don't have and how we can get notice to them, so we don't get complaints that they did not know about the \$25 dollar charge.

Mr. Ward: I know Vickey raised the issue of golf carts, but within the context of this rule, it's covered, even though it's not explicit, because it says, "including without limitation a car, truck or motorcycle." I think it would cover it if needed to the extent that golf carts are going to have license plates and need to be put in the system. That's the way this rule reads.

Mr. Urbancic: I agree. If it's a motorized vehicle and it's required to have a license plate, then it's covered by that vehicle definition.

Mr. Ward: Yes, so if there is a new owner coming in with a golf cart or any other kind of motorized vehicle and they want it registered in the EntrancelQ system, then they would pay the fee.

Ms. ____ suggested stronger wording in the email communication with the residents who have not registered yet. She noted some residents did not understand the importance of registering with EntrancelQ.

Mr. Ward stated he would try to explain the importance of registering with EntrancelQ.

Discussion continued regarding the residents who had not yet registered; the need for a strongly worded communication; residents believing that they were already in the system and were automatically registered with Entrance IQ; residents finding out after April 1 the importance of registering when they could not get through the gate; not wanting to create a backup at the gate due to residents not being registered; the license plate reader being operational; the RFID reader being obsolete; RFID stickers could be removed from vehicles; the \$25 dollar fee going to the CDD; the \$25 dollar fee being in place to prevent abuse, not as a revenue generator; the residents entering the information into the EntrancelQ system via the app; registration with EntrancelQ not being labor intensive for employees; EntrancelQ verifying applicants' residency before approval; residents being required to bring a copy of a lease or deed to EntrancelQ for verification; and new residents arriving after hours causing complications which would have to be worked through.

Ms. DeLuca asked whether the CDD really needed to charge any fee at all for registration. She said if registration was not labor intensive and the CDD was already paying EntrancelQ why should any fee be charged.

Mr. ____ asked if this resolution was only for the \$25 dollar fee. He asked (indecipherable).

Chairperson Brady: It's for all of that. If they get entered in EntrancelQ, renters can go through the owner side.

Mr. _____ noted some felt renters should not be allowed to use the owner's side to gain entry.

Chairperson Brady: I personally have no problem with renters going through the owner's gate. If this Board wants to say we don't want renters going in here, that's up to you guys.

Mr. _____: *But when they are only here for a month?*

Chairperson Brady: When they show the lease, they are only in the system for the time of the lease, and they cannot come back through the owner's gate after the lease is up, unlike the old system where renters got that card and could still come in today.

Mr. _____: *So, if we approve 2026-6 -*

Chairperson Brady: It includes exhibit A which is attached.

Mr. Ward: I don't have a particularly strong opinion about whether you implement the \$25 dollars or not. I think it's really minimal in the context of the fee structure and administratively it's going to be a bit of a pain to deal with. I have it on the agenda simply because it might prevent some difficulties with people trying to get through the process. It might prevent a little misuse of the system, but I don't have a strong opinion regarding whether or not we do this. It is extremely minimal in the context of your budget.

Ms. DeLuca: We don't have a point of sale system, so we are going to have to take an expense to accept payments. We can't make everyone bring in a check or cash. Cash is even more detrimental. That's why I said I'm not in favor of this resolution.

Discussion ensued regarding the difficulty of collecting a \$25 dollar fee, especially from those who rented to multiple tenants over the year; and EntrancelQ being substantially electronic substantively reducing the personnel time needed for registration.

Mr. Ward noted owners had the ability to enter renters into the owner's personal EntrancelQ app, and if said owner did not remove the renter from the app, the renter would continue to have access after the lease was up.

Ms. Blakely asked if there were a way to require homeowners to remove renters from the app.

Mr. Ward noted there was no way to track that.

Chairperson Brady indicated EntrancelQ could track when a guest last visited, and a bulk deactivation could be performed after a certain amount of time passed, for example, if a renter had not entered the premises for a year, through bulk deactivation, the renter's access could be removed.

Ms. Blakely asked if this would be monitored by EntrancelQ and then brought before the Board for consideration.

Mr. Ward responded in the affirmative; he would get the reports from EntrancelQ.

Mr. ____ stated only the honest landlord would be charged the \$25 dollar fee; the dishonest landlord would work around it; therefore, it was more like those who followed the rules were being penalized.

Mr. Ward noted the EntrancelQ system was really new, but the reporting was strong. He said he was just starting to get used to the reporting system and he believed there were alternative ways in which to deal with some of the problems which might arise. He said the Board could make decisions on a going forward basis.

c) Consideration of Resolution 2026-6, a Resolution of the Board of Supervisors Adopting Establishing a Fee for Each Owner's or Renter's Vehicle to Permit Gate Access to the Community; Providing for the Cost; Providing for Conflict; Providing for Severability and an Effective Date

Chairperson Brady asked if any Board Member would make a motion to approve the Resolution; no motion was made, the Resolution failed.

SIXTH ORDER OF BUSINESS

Re-Consideration of Bid

Re-Consideration of the Award of Bid for Landscaping Services in the District, and Rescind the bid awarded at the January 6, 2026, Meeting

Mr. Ward noted at the last meeting the Board awarded the bid for landscaping to Sunny Grove Landscaping, the current vendor. He stated after the Board Meeting he went through the original RFP and discovered a number of anomalies and he felt there was not sufficient information to make a decision at the last board meeting. He asked for a motion to rescind the award of the bid to Sunny Grove Landscaping. He indicated after rescension the RFQ process would be used to obtain new bids which would allow the Board to better evaluate the bidders based on price and qualifications. He asked if there were any questions; hearing none, he called for a motion.

On MOTION made by Tara Brady, seconded by Gary Hamilton, and with all in favor, the bid awarded to Sunny Grove was rescinded.

Mr. Gary Hamilton: We paid an asset manager to recommend to us as a Board their approval. That bothers me because I don't think they did a very good job. It bothers me that it was recommended by a professional asset manager to us something that was subpar. I just want to go on record saying that.

Mr. Ward: I'm squirming in my seat a little because I don't like it either. I take some responsibility here for not reading this as closely as I should have read it when we did it

originally and I could tell from the process that we used before that there were two requests for proposals that were put together from different projects that were used and that was a problem too. At the end of the day, we all make mistakes and I apologize to you profusely for that. I do think this is a better process that we are going to go through. Obviously, we will implement better procedures, so this won't happen in the future.

Mr. Robert Brady: Is it even legal to rescind it?

Mr. Ward: It is legal to rescind it because I did not go through the secondary steps of actually signing any contracts. I don't think these vendors are going to file a protest request because they are going to want to do the job. The prices are what they are, but the new RFP has a much better definition of the scope and a better way to price this. I think you are going to get different information and different numbers going forward on how this will be done with a better definition of some of the services. I think you are going to see this a little differently including how they submit the qualification information to us and adding some additional information on individual scopes we may need on an individual basis.

Mr. Brady said he felt this could have been done much better.

Mr. Ward agreed indicating this was why it was on the agenda, to fix the situation and better identify the services needed. He apologized again.

Discussion ensued regarding the RFQ process, filling out the form properly, providing all requested information, and bidders also being evaluated based on whether this was done correctly and thoroughly.

Ms. Blakely asked if the vendors could make presentations to the Board.

Mr. Ward stated he had not intended that to be done, but if the Board preferred, the vendors could be requested to make presentations.

Ms. DeLuca asked if the vendors had enough time to provide the requested information. She noted Mr. Ward did an excellent job revising the RFQ. She asked if the vendors should be provided additional time to ensure the Board received quality responses.

Mr. Ward stated he would like to have a little more time, but he did not want to push the process back to the April meeting. He said if the Board wished to provide some additional time for the vendors, perhaps the meeting could be pushed out two weeks or a special meeting could be held.

The Board agreed.

Ms. DeLuca stated in terms of scoring she felt understanding the scope of the RFP should be 20 points and personnel should be 15 points because in the landscaping business personnel changed on a regular basis.

Chairperson Brady stated she felt the equipment was the most important thing and it was labeled "personnel and equipment" so she felt the points for personnel and equipment

should be high. She felt having the correct equipment was more important than understanding the scope of the RFP.

Ms. DeLuca asked for the section to be changed to reflect equipment as opposed to listing personnel. She said she agreed the equipment was important.

Mr. Hamilton agreed the personnel turned over too often to be listed; only the management team should be required to be listed.

Discussion ensued regarding whether the Board should hold an extra meeting just for landscaping versus having one long meeting for landscaping and budget; how much time there was to work on the budget; the meeting calendar; the mulch and annuals not being included in the RFQ; the RFQ including tree trimming, pest control, fertilization, and mowing.

Mr. Ward: I put in here the trimming of the trees as they are supposed to be. The HOA contract had them done separately, but we know when they are supposed to be done, so we put them in here and identified separately when you are going to trim the larger trees. They are trimmed by size. What I took out was the mulch and the annuals because I know we can buy that from vendors for much less than we can within the context of this contract.

Discussion continued regarding when the next Board Meeting to discuss landscaping should be held and whether one or two meetings were needed next month.

Chairperson Brady stated she wanted a resolution that the Board Members no longer be paid. She noted every meeting costs the CDD \$1,000 dollars to pay the Board Members, which was another reason why she did not want to hold two meetings next month.

Mr. Ward stated the way statute worked, the Board Members were paid \$200 dollars per meeting. He said this was an individual decision, not a group decision; therefore, adopting a resolution saying the Board Members would not be paid did not hold weight under the law.

Mr. Urbancic agreed; the Board Members could waive payment individually, but a resolution stating the Board would not take a salary would not work.

Discussion ensued regarding whether the Board Members should accept payment; the size of the budget being large; the importance of budget review; and the Board having a responsibility to take whatever time was necessary to examine and discuss the budget and landscaping contracts.

Chairperson Brady agreed; she just wished to spend the time during one meeting as opposed to meeting twice.

The Board discussed the matter and agreed to hold a regular meeting on March 3 to discuss the budget and meet again on March 11 to discuss landscaping.

Discussion ensued regarding whether the vendors should be present at the March 11 meeting. The Board asked for the vendors to be available for questions virtually during the March 11 meeting.

Mr. Ward stated he would ask the vendors to participate virtually. He indicated if he had trouble obtaining the room at 10 a.m. on March 11th he would contact the Board.

SEVENTH ORDER OF BUSINESS

Discussion

Discussion of the Fiscal Year 2027 Budget and Budget Process

Chairperson Brady: This year we have gotten a lot of bids. We have a better idea and understanding of what we have taken over and what we are going to have to do. To be very clear, the \$800 dollars a year we are paying now will not cover what we are required to do. I want to have a lot of input again. We did a couple inputs last year with the community to come up with a guestimate of what we were thinking. As we have stuff now we want to go through it again. I'd like it to be a long process with a lot of community involvement.

Mr. Ward: My thought process is that we would, with respect to the budget, have a February meeting and a March meeting, basically both of those are workshops for you for your budget. It's important to know we have a 60 day schedule ahead of that in order to adopt the budget. You have to approve a budget and then 60 days later by statute is the earliest we could do the adoption. You would have February, March, April and May in order for a budget discussion, and then adopt the budget at the June 2, 2026 meeting. That's the process. It's important to remember what I told you last year. If you approve your budget it does not bind you to it. It just sets the maximum you can do and when you go to your public hearing you can always reduce it, but you cannot go over what you approved. Because the number is so much higher than the current year, depending on what you do this month and next month, will trigger whether we have to do mailed notice or not. If you go over the cap rate, which is \$960 in this District, then it triggers mailed notice to the residents. If you are under the cap rate you do not have to send mailed notice. Keep that in mind as you are going through the budget process. I suspect because this is a difficult budget this year, we are going to have to adjust the time schedule. June is not a hard and fast date. We can always go into July for an adoption if necessary. This is designed to give you a lot of time to go through the details of the budget.

Chairperson Brady: The first round draft based on what we are currently paying for things is in the agenda. This past year the assessment rate was \$960 on the mailed notice and then in the discussions we all agreed we did not want to go over \$800 dollars. So, last year it was \$800 dollars a year for maintenance. It's looking right now, without any cuts or additions to it, to be \$1,509 dollars. It is like a \$700 dollar increase we are looking at right now for the year. That's one reason we want this out there now. This is posted on the website in the agenda, so everybody can go on and look and when we post the budget it's literally broken down in every single line item, so you can see what it is and where it's going. So, please look at it.

Ms. DeLuca: Jim, since this is a workshop I would like to request seeing all the contracts that are signed that make up this budget. For example, I can see all the contracts that the HOA had that the transitioned to us. I don't know what the hog contract is. I don't know what the cane toad contract is, the littorals, the ponds. I would like to see all the contracts that we have that make up in this budget and understand them. Take the Asset Manager, we have \$97,000

dollars in Asset Manager fees. I know we approve them at an hourly rate, but I want to understand how we get to \$97,000 dollars. I need more information please. Is that possible?

Mr. Ward: Absolutely. We can do that. I will either include them in the agenda packages or, I don't normally post these on the website, but I will see how we can get these up on the website.

Ms. DeLuca: We need them in the next week in order to prepare for the March meeting. These numbers are hard for me to understand. It's hard for me to understand the significant increase without understanding the contracts.

Mr. Ward: Okay. We can do that.

Ms. DeLuca: I don't know how much of the \$1,500 dollar number we are contractually bound to.

Mr. Hamilton: There are a lot of numbers the CDD is not contractually bound to but were included based on past experience or what we are looking forward to for next year. I think we are being pretty liberal on some of these, and I think we can dial back a number of these items. Our budget last year was \$1.95 million dollars and this year we are looking at \$2.3 million dollars this year.

Ms. DeLuca agreed.

Discussion ensued regarding certain items being overestimated; tree trimming and mulching providing budgetary wiggle room; and how to begin reviewing the budget.

Mr. Ward: One of the things that is driving the number, what is included in here that was not included in last year's budget, is the operations and maintenance of your irrigation system. That is something I had a discussion with the HOA about. They would like to continue to maintain that irrigation system. Once the plat gets recorded the irrigation system is to transition to the CDD. That is one thing, if they would like to do that I would certainly recommend letting them. I don't think it's a bad idea and we would be able to take that out of the budget. That's \$175,000 dollars. We would take that out of the budget, and we would do an agreement with the HOA that they would maintain that. The only thing is we should have the agreement ready immediately because we have to make sure that's signed off on before we finalize the approval of the budget.

The Board agreed to let the HOA maintain the irrigation system.

Mr. _____ indicated he spoke with the Master HOA and the Golf HOA to find out (indecipherable); there was discussion about turning it over to the CDD.

Chairperson Brady: If we are going to do an agreement with the HOA, which I have no problem with, can we get the SWFMD permits out of our names and put them in the Master HOA's name?

Discussion ensued regarding taking the permits out of the CDD's name; the eight or nine capped wells; and the remaining functioning wells.

Mr. Ward: Normally we would put a provision in the agreement that the other entity would have responsibility for maintaining the facility pursuant to the terms and conditions of the permit. If they did not do that we would then be able to go in and repair or restore the asset and charge it back to them. That's the way I normally see it done rather than changing the names of the permits over to another entity, especially a South Florida permit, especially when at the end of the day, you still own the facilities.

Chairperson Brady: I would say tell Greg to start the agreement. Would it be with the Golf HOA or the Master?

Mr. Ward: I would prefer the agreement be with the Master HOA and however they want to manage the process, it is up to them.

The Board agreed the agreement could be with the Master HOA.

Mr. Ward indicated Mr. Urbancic would move forward with the agreement. I think that will be a very big chunk. The electric alone on that system is \$55,000 dollars. Some of these numbers will change. I will give you a revised budget at your next meeting which will contemplate us doing that. It's \$175,000 dollars of your budget. It will have a substantive impact on what we are doing.

Ms. DeLuca: Last week at the Master HOA meeting, the Master was looking at installing fiber throughout the community which could help with the cameras. I know we have the number at \$8,000 dollars and I did not know if you were aware of the transition to fiber which would help with equipment and timing.

Mr. Ward: Tim mentioned that early on, but I had not heard anything recently.

Discussion ensued regarding installing fiber throughout the community; needing approval from the CDD and the County to install fiber; some of the costs going down and some going up in the budget.

Ms. Blakely asked how the budget could go up when so many costs went down.

Mr. Ward: Fiscal Year 2026 was a learning year. We started at 0 and went to 1,000 mph. We did have a lot of extra cash in the system which we used to fund getting things back together. In the anticipated year end column, there were a lot of things done which are not regular maintenance, they were just fixing a lot of things or replacing a lot of things, like the entranceways, camera systems, the gate mechanisms, etc., but that's kind of what you saw in our current fiscal year. We replaced a lot of materials, so it's very hard to look at the fiscal year 2026 budget, in the anticipated year end column, and then the fiscal year 2027 budget. I think the better way to do it would be to do like Vickey and Gary suggested, look at where your contracts are, where we need to be, and figure out what the budget needs to be. In 2026, if you remember, we guessed at numbers.

Mr. Hamilton asked what happened before with the CDD; the CDD had been around for years.

Mr. Ward: A lot of this was in the HOA in 2025. Developers generally back into your assessment rates, they want them at a certain number in the HOA, and then they pick up whatever the operating costs are outside of that budget number in their land development budget numbers. I am guessing based upon what has occurred, even with your Master HOA -

Mr. Hamilton: Around \$900,000 dollars is what was taken out of the Master HOA and put in here. The CDD took the landscaping and the front entrance, and the guard shack, so that number was big. So, our numbers have gone up.

Mr. Ward: That's what I see normally with these transitions. It is what it is regardless of the developer. It's the norm. So, my point is it is very hard to go back and look at what we did in 2026 versus 2027. I think the right way is to see where you want your scopes to be and what the contracts look like and develop your budget from there. That's going to get you the best budget.

Discussion ensued regarding looking at the contracts to see what the CDD's expenses should be in fiscal year 2027; the various items which could go down in cost, such as pipe cleaning and pressure washing the sidewalks; the importance of street sweeping monthly; the items which could possibly be omitted, such as street stripe painting; and what things the CDD had contracts for.

EIGHTH ORDER OF BUSINESS

Staff Reports

I. District Attorney

No report.

II. District Engineer

No report.

III. District Manager

a. Asset Managers Report - December 2025

b. Financial report for the period ending November 30, 2025 (unaudited)

c. Important Meeting Dates for Fiscal Year 2026:

1. Next Meeting: Tuesday, March 3, 2026

No report.

NINTH ORDER OF BUSINESS

Supervisor's Requests

Chairperson Brady asked if there were any Supervisor's requests or questions.

Ms. Blakely asked about the sidewalk and cement repairs being done by the CDD as opposed to Lennar.

Chairperson Brady explained the CDD was responsible for any sidewalk or cement repairs to the area within Phase 1. She discussed where Phase 1 was located.

Discussion ensued regarding sidewalk areas which still needed repair; 195 marked segments of the sidewalk which needed repair; the sidewalk map (would be on the Agenda next month for review); sending any unmarked sidewalk areas which needed repair to Mr. Ward; and when the final lift in Heritage Landing would be done.

Mr. Ward: You haven't asked about the bridges yet. Lennar is scheduled to finish the final lift by the end of February. We reached out to the vendor. We are trying to get a date in March to start the restoration of the bridges. This is a very, very big project, so I can't confirm a date until I see Lennar getting a little further down the road with the final lift of asphalt because if they are behind schedule we are not going to be able to do it in March. We are trying to get a March date. So far it has been okay. They have the time available, but if it gets taken before Lennar gets closer to finishing we might be in the April timeframe before we are able to get to the bridges. We are at the mercy of getting the final lift done before we can really finalize the date. This is a million dollar project we are doing, so it's a really big project.

Chairperson Brady agreed.

Mr. Ward: I will have Mary send out a notice to you all about when we will start the bridges. We will give you a traffic pattern because we are going to have to close roadways to do the bridges. We will give you traffic patterns, dates, everything. That will come from Mary. I don't want to give this to you too early; it is all pending when Lennar finishes the final lift of asphalt.

Ms. ____ asked if the side railing of the bridges would be done as well.

Mr. Ward: We are doing all the wood on all the bridges, and all new woodwork, including the side rails, is all being done. We are going to put lighting on the sides of the bridges because it's really dark and we are going to add some brick pavers at the entrance to each bridge for aesthetic reasons and to slow the traffic a little bit when you go over the bridges.

Chairperson Brady: But it does not include the cart bridges by hole 7 or hole 18, nor are we touching the bridge going into Birchwood.

Mr. Ward: Correct. It's just the four main bridges.

Ms. Blakely: We got a notice from Mary saying that the rear gate didn't work. My question is, shouldn't the people who are already signed up with EntrancelQ have gotten a message from EntrancelQ?

Mr. Ward: I don't know why Mary sent that out because that was not true. I don't know where that came from. If we have a problem with the gates, my office will send it through Mary. We can do text messaging with EntrancelQ, but I haven't set that up yet.

Discussion ensued regarding the gates; how the gate attendants were made aware of problems with the back gate (video monitoring); setting up text alerts through EntrancelQ after the kinks were all worked out; the communication to be sent out to the community regarding creating an EntrancelQ account; and explaining an EntrancelQ account was mandatory if residents wanted to continue to have gate access without registering with the gate attendants.

Ms. DeLuca asked which camera was offline.

Mr. Ward explained the front entrance (owner's entrance) camera was working, it just needed to be moved a little closer to properly read the plate. He stated the cameras worked well, but the location of the camera had to be perfect to read the plates.

Discussion ensued regarding the front gate and cameras and the difficulties getting the cameras properly positioned.

Mr. Ward indicated he would address the problem.

TENTH ORDER OF BUSINESS

Public Comments

Chairperson Brady responded to questions and comments made via chat. She said to call Heather to ask why a rental car plate was not approved if it took more than a day.

Ms. DeLuca noted one of the benefits of EntrancelQ was plates could be approved within minutes; the CDD was paying Allied fulltime to take care of these approvals. She said she felt residents should not have to call someone to get approval; it was one of the reasons the CDD chose to switch to this automated system.

Mr. Ward: They are supposed to be approved quicker than that automatically, so I will work that out with Allied personnel.

Chairperson Brady asked if there were any public questions or comments

Mr. Rod Bradtmeuller noted there was previous discussion about street lighting. He stated he filed a complaint with the regulatory commission and four hours later received a phone call from FPL; an hour later he received a call from (indecipherable). He indicated he was concerned with the lights on Heritage Landing. He stated his experience showed proof of concept that this was a way to handle the streetlight problems. He reminded the Board of its fiduciary responsibilities to the taxpayers and the importance of getting the streetlights fixed. He stated the CDD was paying for a service it was not receiving (from FPL for streetlights) and had also suggested purchasing the bulbs for streetlights to get them relit sooner and this was an irresponsible use of funds.

Ms. Blakely noted the CDD did not purchase bulbs for the streetlights.

Mr. Bradtmeuller said he heard a rumor that the CDD bought the building up front for \$80,000 dollars and that Mr. Ward received \$8,000 dollars from the purchase.

Mr. Ward stated this was not true, completely false. He said he had never in his 40 years in business done anything of the sort.

Mr. Bradtmueller asked how much the CDD paid for the building.

Mr. Ward: We did not pay anything for it yet. The funds are not coming from the operating funds. It's coming from excess construction proceeds that we have that are allocated to Lennar's acquisition financing, but I believe the number was \$80,000 or \$85,000 dollars.

Mr. Steve Basil asked if the street sweeping started.

Chairperson Brady responded in the affirmative. She noted the street sweeping usually swept in the middle of the night.

Mr. Basil noted the gates were down. He asked if the gates would be put back up.

Chairperson Brady responded in the affirmative; the gates were being powder coated and fixed and would be put back up.

Mr. Basil asked about the status of the 25 mph speed limit signs.

Chairperson Brady noted one was installed by the main entrance, the 15 mph signs were installed at the roundabouts, and the County was sending her a list of other places they recommended speed limit sign installation.

Mr. Basil asked how long the Christmas lights would remain on the main street.

Chairperson Brady noted all the Christmas lighting was removed; the Board decided to leave the white twinkly lights up until further notice. She noted a discussion was held and there were mixed opinions about when to take down the white twinkly lights; discussion would continue.

Mr. _____ 2:08:00 asked why the CDD did not go around and mark the sidewalks that needed to be replaced.

Chairperson Brady noted when the contractor was ready to begin repairs, the sidewalks would be marked. She explained Lennar was only repairing the sidewalks in the Phase 2 portion of the community.

Mr. _____ asked who was responsible for overseeing Lennar's sidewalk repairs in Phase 1.

Chairperson Brady explained the CDD would have been, but at that time the CDD was Lennar; however, the CDD was no longer Lennar, and it would be overseeing the sidewalk repairs being done in Phase 2. She noted the CDD would make sidewalk repairs in the Phase 1 area.

Discussion ensued regarding the landscaping bidding process; why an asset manager was needed; speaking with the companies who submitted improper bids to get the bids corrected; Walker Landscaping backing out of the bid process when it found it would have to clean equipment to do the job; Juniper's bid only being 7% more than Sunny Grove's bid; the possibility of Juniper doing better quality work; and the importance of managing the landscaping company.

Mr. ____ 2:11:55 noted he was on the Landscaping Committee for the HOA and there were basically two companies who handled communities of this size in the area: Sunny Grove and Juniper; neither was significantly better than the other, but both would need managing.

Chairperson Brady agreed. She noted the landscaping in the past four months looked much better than it ever did before.

Mr. ____ discussed tree trimming; he asked if it should be included in the contract or contracted out separately.

Mr. Ward: In the new RFQ it is included as a separate line item.

Chairperson Brady: The reason they do it as a separate line item is so, say this month they are crappy and it rains for four weeks and they don't come out and mow, we don't pay for that month. When you submit it as a lump sum you have to pay them no matter what. That's one reason. If their tree trimming comes in too high we can turn around and be like, we are not going to do the tree trimming because we can get it cheaper from this person over here who may be the same subcontractor that they use at that price.

Mr. Ward: We need the individual pieces of it to make a better decision in this bid. That's one of the reasons we separated it a lot more.

Mr. ____: Prior to you people taking over, Lennar set a target HOA fee and then filled in the rest to make it look good for all of us buyers? That's a sucker punch with a crap card. What I want to know, can there be a class action lawsuit against, not just Lennar, Horton and the rest of these schmucks, but what's the State of Florida doing to protect the consumer in this? I think the State of Florida needs to get involved.

Mr. Ward: I am not the lawyer, but I will tell you making change is - well, for example, right now there is legislation going through that makes a lot of changes to the HOA statutes for a lot of reasons that you have probably heard about over the last year or two. The CDD legislation goes through the same thing, although this year, I will tell you, there is not much going on within CDD statutes, but the way you make change is through legislation. If anybody wants to change Community Development Districts you should talk to your legislators, you tell them what the problems are, and they will make the changes to statutes.

Ms. Judy Desrochers asked if the old gate system was terrible. She asked how the decision was made to switch to the new gate system. She asked if the choice was a want to have or a need to have. She said she was worried about the CDD choosing to do big projects which were unnecessary and would add to the CDD fee. She asked if the guard shack was so irreparable it had to be completely redone.

Mr. Ward: Vickey DeLuca was intimately involved in that process and likely had more information, but when we went through the process of looking at all of the assets of the CDD, the original access control which included personnel and technology was over the bid limit for the District, so the District went through a very extensive process of putting together a request for proposals, a very good RFQ process to allow vendors to come in and bid on providing services to you. Ramco did bid on this project along with EntrancelQ, and we had a lot of other vendors who were interested in this project. At the end of the day, the Board, after months of work, evaluated both the EntrancelQ system based on the quality of the proposals submitted and the pricing of that; they did the same for the personnel side of that, and chose the new vendor. The Ramco technology was quite frankly old and outdated.

Ms. Desrochers said she understood replacing outdated technology, but she wondered if the CDD chose the best use of funds.

Ms. DeLuca: One, we had significant issues with Ramco personnel. Number 2 and probably more important, we had no reporting and no technology, so we were running blind. For example, we had a question about someone coming into our community a couple of months ago and instantly Jim could track who that person was who came in, it was an Amazon driver, and within 15 minutes it had been addressed and we knew who it was. So, we feel as if we need to leverage technology in order to help our residents and second of all, EntrancelQ gives us the ability to put in a kiosk system. We are now getting the first reports coming out of EntrancelQ, so for the first two months we have very few people coming in from 10 p.m. until 6 a.m. We can now see those data and statistic points to determine is it more cost effective to put a kiosk in and cut back gate attendant hours. Those are decisions we were never able to make before in order to help our community. So, understand that we had nothing. We simply had somebody checking ID to come in, and we had bar code readers and unfortunately, I hate to say this, we have all seen people stating on Facebook, my barcode reader is in my top kitchen drawer, feel free to take it and use it. That's not what the license plate reader does, nor is it anything our residents wanted. As Jim said, we talked for many months with our residents regarding this and they wanted a more modern system to better manage the people coming into our community. Again, we have public roads and we cannot stop that, but we could not answer the question, how many people are coming in who are not residents or guests? We can now answer those questions. It was through immense resident feedback. I think we held four sessions in which residents came in and provided feedback. We talked, we listened, we had presentations from the vendors, so we had a pretty long cycle on making this decision. And it is paying off now as we can see from the information that Jim has been able to get very quickly for us. I hope that answers your question.

Ms. Desrochers: I guess I just hope that now you are realizing what the budget is going to expand to, that we maybe calm down on any new enhancements for a while and let things settle in. Hopefully they will be able to reduce the cost when they put in the kiosk.

Ms. DeLuca: We have reduced the costs. Lennar was paying close to \$500,000 dollars for this, and the CDD has it for less. So, just to be 100% transparent, we have reduced that cost on that line for the residents.

Ms. Blakely: Wasn't it determined that we have to have a guard there 24/7 because we are public roads?

Chairperson Brady: If you have a gate there, yes.

Ms. Blakely: Yes, we cannot go totally automated because we have public roads. There has to be someone there to physically let somebody in.

Ms. DeLuca: Is that true?

Chairperson Brady: You have to have someone able to let somebody in that gate 24 hours a day.

Ms. DeLuca: But we can do it through a remote person right?

Chairperson Brady: Yes, if the remote person can, yes. I know over at Levante they have that where you pull up, you slide your driver's license in and then it opens the gate.

Ms. DeLuca: Okay. That's the kiosk I was talking about.

Discussion ensued regarding the gate guard allowing entry by recognition as opposed to key card access last Friday.

Chairperson Brady noted Mr. Ward would address this problem. She recommended calling Mr. Ward immediately for anything of this nature.

Mr. Bryan Schumacher suggested entering renters under a certain code with certain timeframes of access as opposed to simply deleting anyone who had not accessed the system in a year. He explained he had guests/renters who came for a couple of months annually and this would make it easier for his guests and himself.

Chairperson Brady: I would be livid if a guest I entered in the system was deleted simply because they had not visited me in a year. But to that point, your renters can go get it and then go through the owner's gate. If you put them in as a guest they still can't go through the owner's gate.

Mr. Steve Rausch asked if the fire hydrants were tested annually with a flow test.

Chairperson Brady responded in the affirmative; the utilities department performed annual testing. She stated Charlotte County Utilities owned and maintained all the utilities.

Ms. _____ stated she would love to see the white twinkly lights stay up at least until May; she would love them up all year because it was so dark on the road and the lights were pretty.

Discussion ensued regarding the white twinkly lights and whether they should be up all year round; the uplighting in the roundabout needing repositioning; and the CDD working on the streetlight problem.

Chairperson Brady stated she saw MasTec fixing streetlights, so she was going to drive around and see what was fixed.

Mr. Bradtmueller discussed the streetlights. He noted blue tape meant the light was reported and FPL looked at it, green tape meant the light was reported, FPL put pole numbers on the lights which were fixed. He recommended following his example and filing a complaint with the regulatory commission about streetlights which were out.

Discussion ensued regarding Mary's interactive streetlight map.

Ms. DeLuca indicated she was willing to assist with the streetlight issues.

Chairperson Brady: I emailed my FPL contact last night to see if I could get things moving faster. And I've told residents just go in and submit them because the more people go on and submit it the likelier they are to come out and fix it.

Ms. DeLuca: I'm willing to get the software from Mary so that we can do it ourselves and sit on the phone for whatever time is needed. I'm happy to get with Rod.

Chairperson Brady: Go ahead and do that.

Ms. DeLuca: Okay, I will.

Ms. Blakely: They just fixed one, it took a couple of days, by the lift station. It's super bright. It's brighter than all of the other ones now, so luckily we have shade on order that's coming in.

Discussion ensued regarding which streetlights were fixed, which were in the process of being fixed, and Rod's assistance with getting the streetlights fixed. The Board thanked Rod.

Ms. DeLuca asked when Mr. Ward would be able to send out the contracts.

Mr. Ward responded he would send them out in a day or so.

Mr. _____ asked about the cane toad situation.

Mr. Ward: This is a big issue in my CDDs. In the winter the cane toads die down to basically nothing, so the cost goes to zero, but when you get to the spring and summer months the cost increases exponentially, and they are out there at night not during the day. You will see them at the dusk hours. They will get the tad poles out of the lakes, and the larvae and toads etc. You will see the numbers for January are very low, but you will see in the summer those become huge numbers. I have three communities in southwest Florida where the number of eggs collected in any one month are like 30,000 eggs. It's pretty manual work.

Mr. _____ asked if the CDD could just spray for the toads like for mosquitos.

Mr. Ward: Not for the volume of these things. The volume is unbelievable and the number of toads can be terrible. The more tadpoles and eggs you catch the less the number of toads.

The toads are dangerous; they have a toxic spray which is poisonous. They are very dangerous to animals.

Ms. Blakely: Are we going to go over the balance sheets with the budget?

Mr. Ward: Not really. You are more interested in the income statement than the balance sheet. The balance sheets are really your debt service funds. Let's put it this way, you are not cash rich at the moment.

Ms. DeLuca: Can we put it on the Agenda next month to talk about the spending resolution? I just don't see where there is unlimited spending under \$195,000 dollars. I just don't want us directors exposed because I don't see where we've given unlimited spending to you.

Mr. Ward: Greg, it's in the budget resolution. I'll get Cori and you guys to update it and look at it, and we will go from there at the next meeting.

Ms. DeLuca: Okay, thanks.

ELEVENTH ORDER OF BUSINESS Adjournment

Chairperson Brady adjourned the meeting at approximately 12:43 p.m.

On MOTION made by Gary Hamilton, seconded by Robert Brady, and with all in favor, the meeting was adjourned.

Tern Bay Community Development District


James P. Ward, Secretary


Tara Brady, Chairperson