

**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 Wednesday, March 11, 2026 at the Heritage Landing Amenity Center, 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
Tom	United
Jason Stafford	Sunny Grove
Brian	Yellowstone

**Audience:**

Mary Longares	w/Heritage Landing Amenity Center
Gene	Douglas
Danielle	Mark Van Weid (ph)
Cheryl Pierce	Ed Papal (ph)
Sima & Alan Pucheski	Kris
Lyn	John Katrich
Jeffrey Gordon	Mike Paciulli
Jeff Heintz	EP
Paulette & James	Kristyn Lawson
John Boyer	Dave
Al Vespa	Karen Randolph
Larca Ludeks	Linda Cucharale
LI	Lori Smith
Rick Widerman	Rod Bradtmeuller
Michael	

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 10:03 a.m.; all Members of the Board were present, constituting a quorum.

## **SECOND ORDER OF BUSINESS**

## **Public Comments**

### **Public Comments on Agenda Items**

Chairperson Tara Brady discussed public comment protocol. She asked if there were any public comments for Agenda Items. She reviewed the agenda items as there were not enough paper copies of the agenda available; residents were able to share paper copies.

Mr. Gene \_\_\_\_\_ asked about the bridge repairs.

Mr. Douglas \_\_\_\_\_ stated the irrigation at his home did not work properly. He asked for someone to be sent out who could help get his irrigation system functioning. He noted he was no longer permitted to use his own water to irrigate his lawn and his lawn was dying. He asked who would pay to replace his lawn when it died. He noted one of his vehicles consistently had problems with the license plate reader upon entry and his guests were unable to enter via the back gate. He said he wanted the metal gates to be closed at all times for security purposes.

Ms. Vickey DeLuca asked if Mr. Douglas entered license plate numbers into his app for his guests.

Mr. Douglas \_\_\_\_\_ responded in the negative. He commented he had friends who lived in Riverwood whose sticker opened the Tern Bay gate.

Ms. Sima Pucheski (ph) asked if the proposed bridge pavers would be sufficient to support continued traffic. She asked if the bridge would be strong enough to support pavers. She asked why the metal gates were not closing. She said she felt these should be closed for security purposes. She asked how guests were entering the community. She said the gate arms were inconsistently functioning. She asked about the landscaping bid process. She noted she had issues with Sunny Grove and would not necessarily mind if Sunny Grove was replaced. She said she would appreciate a landscaping company that better understood plants, bugs and the importance of cleaning equipment between properties.

Mr. Mark Van Wied (ph) asked about the possibility of stamped poured concrete as opposed to pavers for the bridges.

Mr. Michael \_\_\_\_\_ (indecipherable).

Mr. Douglas \_\_\_\_\_ noted he had neighbors who also had difficulty with poorly functioning irrigation systems.

Chairperson Brady closed public comments. She stated the CDD was responsible for repairing the bridges; the CDD owned the bridges for the past 20 years. She noted the bridge revitalization project would likely begin at the end of April after the final road lift was

completed. She stated the CDD was technically replacing the four bridges within the community.

Ms. Denise Blakely indicated the bridges were being rebuilt by York Bridges and would have an estimated life span of 20 to 25 years; York built the bridges originally and had extensive experience.

Chairperson Brady noted the CDD would keep all residents' comments in mind when selecting the landscaping company. She stated she believed Sunny Grove, if selected, would hear these problems and reach out to fix said problems; however, problems with resident irrigation systems and personal property landscaping was the purview of the Master HOA and Sunny Grove would remain the vendor for the Master HOA until the Master HOA chose anew. She explained the landscaping RFQ (request for qualifications) sent out by the CDD was for property owned by the CDD (all the roadway landscaping), not homeowner property. She stated she understood there were some technical issues with the gates and if the license plate reader was not properly functioning then the sticker readers would not be turned off April 1. She noted the remaining questions would be answered during agenda item discussions.

### **THIRD ORDER OF BUSINESS**

### **Re-Consideration of Bids**

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

Chairperson Brady called for Board discussion of the bids. She stated every CDD document was posted on the CDD website, all agendas, all contracts, all minutes, all budgets, all financial statements, etc. She noted the Tern Bay CDD website was an excellent resource and included links to attend meetings virtually. She noted the CDD was a government agency established by state statute and the CDD Board Members were not permitted to speak with each other about CDD matters outside of public meetings. She noted the landscaping services included lawn maintenance (mowing), general maintenance (edging and trimming), tree and shrub care, weed and grass care, fertilization, pest control and irrigation. She reported there were four contractors who submitted bids: Juniper, United Land Services, Yellowstone, and Sunny Grove.

Mr. Ward explained the Request for Qualifications process. He stated the Board would now ask clarifying questions of the vendors who were present, discuss the RFQs and would eventually rank the bids. He noted the vendors were only allowed to clarify, not add details not in the RFQ.

Jason Stafford from Sunny Grove was present to answer questions.

Ms. DeLuca noted the Sunny Grove RFQ indicated there would be 15 laborers on site 16 days a week.

Jason indicated it should have read 16 days a month, so four days a week.

Mr. Gary Hamilton said if Sunny Grove billed based upon the line items, the number would not add up to the RFQ total; there would be a \$7,000 dollar deficit in the CDDs favor.

Mr. Ward explained the project was bid on a line item basis, so the vendor would only be paid for the work done; for example, if the vendor did not fertilize every month it would not be paid for fertilization for that month.

Jason concurred; the CDD would only pay Sunny Grove for services rendered.

Ms. Blakely noted bridges often became overgrown and unwalkable. She asked if maintaining the vegetation around the bridges was included with vendor services.

Mr. Ward stated generally the vegetation around the bridges was part of the preserve area and was maintained outside of the context of this particular contract.

Chairperson Brady disagreed saying the bridge was a continuation of the sidewalk, not part of the preserves. She said she understood the vegetation growing underneath the bridges might not be included but the bushes alongside should definitely be included.

Ms. Blakely asked if seasonal plantings were included.

Mr. Ward stated seasonal plantings were not included in this contract. He explained seasonal plantings were bid out separately as the CDD was able to get a much better price by doing so.

Mr. Robert Brady asked if the vendors located out of the area would be able to respond to any emergency services, such as a branch being down.

Mr. Ward noted United and Yellowstone were the non-local vendors.

Mr. Tom \_\_\_\_\_ with United indicated United had a branch within 35 minutes of Tern Bay to respond to special requests.

Mr. Brian \_\_\_\_\_ with Yellowstone indicated Yellowstone had a branch in Fort Myers (within 30 minutes of Tern Bay) and could respond to special requests.

Ms. Blakely asked why Yellowstone's irrigation costs were so much higher than the other vendors.

Brian with Yellowstone responded he would find out and provide the requested information to Mr. Ward.

Ms. DeLuca asked if the vendors had any projects similar in size and scope to Tern Bay.

No one from Juniper was present to answer questions.

Tom with United indicated United had a project in Naples it would be beginning soon which was similar in size and scope. He stated United serviced Valencia Del Sol which was a

community with 650 homes; United maintained the homes, common areas, bridges and roadways.

Brian with Yellowstone reported Yellowstone maintained Treviso Bay for the HOA and Golf Course, Isles in Collier Preserve (over 1,000 doors and common areas), as well as other large communities in Tampa, Sarasota, Jacksonville, etc.

Jason with Sunny Grove stated Sunny Grove maintained Heritage Landing (Tern Bay) for many years. He noted Sunny Grove also maintained many similar communities throughout the area. He indicated Sunny Grove was a privately owned, local company with over 800 employees.

Mr. Gary Hamilton discussed the worker compensation numbers for each vendor: Juniper 1.1, United 0.79, Yellowstone 0.98, and Sunny Grove 1.2; the lower the number the better. He discussed how the State of Florida applied worker compensation numbers. He asked about the companies' safety policies.

Tom from United discussed United's safety policies: daily equipment inspections, gate checks, high visibility vests, safety glasses, ear plugs, hard hats, and bimonthly regional manager inspections.

Brian with Yellowstone noted he could answer the irrigation equipment cost question: irrigation issues were identified as the biggest issue in the community; this was how the irrigation materials and labor costs were determined. He stated Yellowstone just held its annual Safety Rodeo; Yellowstone held daily crew meetings, daily equipment checks, daily blade sharpening and equipment cleaning, safety vests required. He noted safety was taken very seriously by Yellowstone.

Jason with Sunny Grove noted Sunny Grove's worker compensation number was actually 1.07. He discussed Sunny Grove's safety program: weekly toolbox talks, safety protocol reviews, equipment checks monthly, regular blade sharpening, all equipment was less than 4 years old, reflective clothing, steel toe boots, safety glasses, ear protection, regular water breaks, and other typical safety protocols.

Mr. Hamilton noted United had a plant replacement guarantee. He asked if the other companies had the same. He asked if the plant replacement guarantee was for the entire term of the contract.

Tom from United indicated the plant replacement guarantee came into effect if it was deemed the plant failed to thrive due to a lack of maintenance issue such as irrigation, pests, fertilization, etc. He said typically plants were guaranteed for 18 months after installation.

Chairperson Brady noted the guarantee was only for the duration of the contract; if the CDD ended the contract and obtained a new vendor, then plant guarantees became void upon contract expiration.

Tom from United responded Chairperson Brady was correct.

Brian with Yellowstone indicated Yellowstone had the same policy, but plants were not guaranteed if deemed to fail due to an act of God such as a storm event or freeze. He noted plants installed by Yellowstone would be guaranteed for the life of the maintenance contract.

*Chairperson Brady: You are telling me if we have a five year contract and you plant a tree your first month here, and it dies four years later, you will warranty a tree for four years?*

*Brian: If it failed due to lack of maintenance, yes.*

Jason with Sunny Grove stated Sunny Grove had a similar policy; plants killed by an act of God (lightning, flood, freeze, drought, hurricanes, etc.), things Sunny Grove had no control over, would not be guaranteed; however, if Sunny Grove's lack of maintenance or a labor mistake (mowed over a bush, etc.) caused a plant to fail it would replace the plant. He noted the new install plant replacement guarantee was for 3 months on shrubs and 6 months on trees and palms.

Ms. DeLuca asked about vendor response time after hurricanes and other storm events.

Tom indicated United would have a preapproved amount for cleanup after storm events, so once it was deemed safe United would send an account manager to survey the damage and work teams would be out within a week.

Brian indicated Yellowstone would send out crews as soon as it was deemed safe and travel was possible, typically between 24 and 36 hours, to begin cleanup. He noted Yellowstone would send in resources and manpower from its other locations to assist as well.

Jason indicated Sunny Grove had cleaned up Tern Bay after storm events, so Tern Bay was familiar with Sunny Grove's post storm cleanup. He noted Sunny Grove had 800 employees between Tampa and Fort Myers, resources were not an issue, and crews were sent out as soon as the roads were safe.

Mr. Hamilton noted irrigation in this contract was for CDD owned property only. He stated he wondered if Yellowstone understood irrigation maintenance was only for CDD owned property, not for the entire community.

*Mr. Ward: When you look at these bids, you do have to look at the totals. In this particular instance, I think it's less important because we are paying monthly for irrigation and landscaping, so that monthly cost divided by 12 is it. I looked at Sunny Grove and I looked at Yellowstone, because they are sitting in front of me. If you add those two numbers together they are not far off in terms of the totals, so the monthly fee for just those two items is not that different.*

*Mr. Hamilton: The main reason I brought it up is because the question was asked about irrigation and if their number was skewed and they didn't understand the scope, then their number would have been significantly less.*

Discussion ensued regarding irrigation; exactly what the vendor would be maintaining in terms of irrigation; and the map illustrating the irrigation areas owned by the CDD to maintained by the vendor.

Mr. Ward thanked the vendors for attending the meeting and answering questions.

Ms. Blakely asked about tree trimming.

*Chairperson Brady: United included tree trimming once a year with no limitations and Yellowstone included it up to 15 feet.*

*Mr. Ward: The RFQ required them to trim the trees up to 15 feet once a year. That's included in the bid. Anything over that height we usually contract separately for.*

Chairperson Brady asked if Sunny Grove included tree trimming.

*Jason with Sunny Grove: If it's within 15 feet and the normal keeping it off the sidewalks. The normal routine maintenance is included. He discussed the difference between tree trimming and normal tree maintenance; tree maintenance was included in the contract; tree trimming required a certified arborist and was billed separately.*

Chairperson Brady asked United to clarify how often it would trim the trees over the sidewalks up to 7 feet for pedestrians and 15 feet over the streets. She noted she felt it would require trimming more than once a year.

Tom responded United would trim the trees over the sidewalks and roads as needed.

Ms. Blakely asked if litter cleanup would be included with the services.

Tom responded United would definitely clean up litter and trash from the lawns and shrubberies and plant beds as a part of routine maintenance.

Brian with Yellowstone responded the same.

Jason with Sunny Grove responded the same.

Ms. Blakely thanked the vendors for coming out to answer questions.

Mr. Hamilton stated he hoped the CDD would have an asset manager to better supervise the vendors going forward.

Chairperson Brady stated she felt the landscaping looked much better since the CDD took over the supervision of the vendors. She discussed her experience managing landscaping contracts for the County.

Mr. Ward asked the Board to fill out the evaluation criteria sheets, and he would tabulate the scores.

Chairperson Brady noted the bid totals did not align with the line item amounts in the RFQs. She asked why this was the case. She asked the vendors to review the numbers.

Discussion ensued regarding the RFQs, bid line items, and bid totals.

*Mr. Ward: If those numbers on a per unit basis are right, you use those for purposes of the biddings, and the total becomes the total in the contract. If there is a math error in the document we would adjust that to the actual price they bid on a line item basis.*

Discussion continued regarding the bids and totals, and possible future contract cost increases.

*Mr. Ward: The costs will be based on the line items even if there was a mistake in the totals. I think when you do an RFQ, it's not 1, 2, 3, 4 lowest price to highest price, you have the ability of the Board to determine how you want to assign that. If you think the number is way too low, there is no reason to write them as number one. For example, if vendor A gave you a price half the price you know it's going to cost, they don't have to be ranked number one in terms of price. You make that determination.*

Discussion ensued regarding how to rank the bids; points of consideration included personnel, resumes, equipment, price, company location, whether the company was present to answer questions, experience, quality of properties currently managed by the bidders, and trust in ability to adequately maintain the landscaping throughout the community.

Mr. Ward reported points were calculated as follows: United 458 points, Sunny Grove 453 points, Yellowstone 436 points, and Juniper 360 points.

Discussion continued regarding the best vendor to handle the community's landscaping; points considered were the number of employees available to work, keeping the community looking as good as it did today, Sunny Grove doing a good job currently, the benefits of choosing a local company, the number of workers available to be on site, resident complaints about Sunny Grove in the past, and number of labor hours each vendor would work per week.

The Board chose to ask additional questions of Sunny Grove and United, the top two ranked vendors.

Mr. \_\_\_\_\_ asked about the number of workers who would be on site weekly.

Jason stated Sunny Grove had a production manager, account manager, 6 person mow team, 6 person trim team, 4 person weed team, and 4 person irrigation team. He noted there were 6 full teams in the community at all times and Sunny Grove had the advantage of moving resources from the HOA project over to the CDD project whenever needed, and vice versa. He stated workers would be on site for the CDD project four days a week. He noted the production manager was present all week, the main account manager was only present part time, and the irrigation supervisor was present all week. He noted employees worked 10 hour days, four days a week.

Discussion ensued regarding the number of hours worked by the various Sunny Grove laborers, managers, technical personnel (irrigation), etc.

Tom with United discussed his personnel and when each would be on site. He noted the number of laborers on site would fluctuate with the seasons as needed.

Discussion ensued regarding the number of hours worked by United laborers, managers, technical personnel, etc.

*Mr. Ward: This is a very big project and to try to say we are only going to have a crew three days a week or more is unrealistic. I think that's difficult to do. We get questions, comments, complaints, concerns, every day of the week. I understand how United does it, but I think that's a little difficult for us.*

Discussion ensued regarding the possibility of cutting back on the number of managers on site to save money; this being unrealistic and likely the CDD would end up paying more money for Richard to make up the difference; whether the CDD should have an asset manager on site to manage the various vendors for the community; and the importance of having workers on site five days a week.

*Mr. Ward: We need people here on the ground actually doing the job, and while I'm sure United does a great job, to say I'm only going to be here three days a week in the winter months because that's all you might need, that's going to be a difficult thing. You've got four days of no one on site. You have to have people here constantly. This is a huge landscaping job. Sunny Grove is here five days a week.*

Mr. Ward asked the Board to rank the vendors.

Discussion ensued and the Board decided to rank Sunny Grove number 1 and United number 2.

**On MOTION made by Vickey DeLuca, seconded by Denise Blakely, and with all in favor, Sunny Grove was ranked number one and United was ranked number two.**

**FOURTH ORDER OF BUSINESS**

**Discussion**

**Discussion of opening of Metal Gates and Gate Arms**

Ms. DeLuca noted a resident expressed concern about the gate arms being left up at the exit making it difficult to get in and out of her subdivision.

Chairperson Brady stated the arms were not supposed to be left up.

Discussion ensued regarding what was discussed at the previous meeting regarding the gates; the metal gates were to be left open from dawn to dusk; and the gate arms were to be down at all times.

The Board agreed the gate arms were never to be left open at the front gate or back gate; the metal gates were to be left open from dusk to dawn at the front gate and back gate.

Ms. Blakely explained the metal gates were being left open to preserve the lifespan of the gates and the mechanism.

## **FIFTH ORDER OF BUSINESS**

### **Discussion**

#### **Discussion of Golf Cart Operations on District Roadways**

Ms. Blakely stated golf carts at speeds under 20 mph were not legally allowed on the roads according to state statute and county ordinance. She discussed how efforts had been made to turn Tern Bay into a golf cart community; however, with the new laws in place, golf carts could not be driven on the road under any circumstance unless it was titled, insured and registered with the DMV. She noted if any golf cart was titled, insured, and registered with the DMV it could be driven on the road whether Tern Bay was a golf cart community or not. She noted the Sheriff's Department could ticket golf carts found driving without a license plate. She noted the application to make Tern Bay into a golf cart community was still being considered by the County, and if it were approved, residents would be able to drive golf carts in the community under 20 mph, but not over 20 mph unless the golf cart was registered with the DMV. She stated she posted this information on the Tern Bay CDD website.

Chairperson Brady stated golf carts still required rearview mirrors, and other safety features, and no one under 18 could drive the golf carts.

Discussion continued regarding not needing a license plate and registration for a golf cart if it was driven under 20 mph; how much it cost to get a golf cart registered; making the community a golf cart community would make it easier to drive a golf cart in the community legally; the information about the golf carts and applicable laws being on the CDD website; whether the law specified a golf cart had to be registered if it was capable of going over 20 mph; the unlikelihood of police coming into the community and pulling over golf carts if the community were a golf cart community; the new golf cart laws being created more for the downtown Punta Gorda area as opposed to inside residential communities; and educating the community about the new golf cart laws.

Ms. Blakely said the law indicated "deputies now have a uniform objective rule, if it can exceed 20 mph it's not a golf cart," and "enforcement will increase for unregistered LSV's being operated as golf carts."

Discussion continued regarding whether the majority of golf carts went more or less than 20 mph; and whether the CDD was "opening a can of worms" by trying to make the community a golf cart community.

*Mr. Ward: You have a public road, you own it and you operate it. How you do that must be consistent with County ordinances. To the extent that the County has an ordinance in place that does that, which it does, and it clearly defines this use of golf carts, we should ensure we are*

*consistent with that ordinance. Irrespective of whether you have to have a plate or not, that's not the issue. The issue is consistency with the law. You have golf carts driving on your roads, which means you need to be a golf cart community, to be consistent with the ordinance.*

Discussion ensued regarding keeping the community informed about the golf cart and LSV rules and regulations; making the community a golf cart community so golf carts (under 20 mph) could legally drive on the roads; the importance of consistency with the law; posting a statement on the website about the golf cart and LSV rules and regulations; whether the CDD wanted to pursue becoming a golf cart community; and determining whether the community wanted to pursue becoming a golf cart community.

Ms. \_\_\_ asked if the CDD could be sued if there were an LSV or golf cart accident in the community.

Mr. Ward responded in the affirmative; even though the roads were public, the roads belonged to the CDD and the CDD could be sued. *We have insurance for these events, but you are going to get sued. You need to give notice to people. You have to tell them.*

*Chairperson Brady: We just passed an eBike ordinance with all of the rules too. I think maybe we just send notification. Well, it will come from Mary. But we send a notification out saying here are the rules for LSVs, here are the rules for eBikes, these are the ordinances in Charlotte County, this is where we are.*

Discussion ensued regarding having a CDD Board Member get their golf cart registered to see what was required.

Ms. DeLuca volunteered to get her golf cart registered and provide the CDD with an update regarding the process.

## **SIXTH ORDER OF BUSINESS**

### **Discussion**

#### **Discussion of decorative pavers and LED lighting for the Bridges**

Chairperson Brady stated she did not think decorative pavers were needed on the bridge approach to slow down traffic. She suggested Permaplast paint that looked like stamped concrete as a possible alternative. She stated lighting along the sidewalks was needed because it was pitch black over the bridges at night.

Discussion ensued regarding the funds for the bridges, lighting, and pavers all coming from bond funds and not impacting the regular operations budget.

Vice Chair Blakely stated the bond funds could not be used to add lighting to the bridges; it could only be used to fix the bridges.

*Mr. Ward: I have probably done a billion dollars' worth of financings in my career. I can tell you as part of a construction project, if you add pavers or lighting to a construction project it's clearly a part of the construction project. I have already talked to Greg about that issue, even before*

*we started this discussion. We are both in agreement that you can. After the fact, I think you are right and it would be problematic at that point, but I think as part of a restoration project, which is part of the road program which was in the original bonds, and we extended that in the 2023 bond series, you can make them part of the project. If you don't want to, I don't care. It doesn't matter, but as a part of the project that's how I would do it because I didn't think it would be appropriate to use operating funds for that.*

*Chairperson Brady: But as a part of that project, it is considered capital infrastructure and can be used out of that bond.*

*Mr. Ward: Yes.*

*Mr. Greg Urbancic: As long as the expenditure is related to the capital improvement project and the District Engineer can certify it as part of the project, which sounds like he should be able to do, I haven't talked with him specifically about that, then it would typically be a good cost.*

*Ms. DeLuca: It says specifically in the bond "the District is responsible for perpetual maintenance of the roadways." It is the only statement that gives us the ability to fund the bridges because we have to maintain them. I guess the next question I have then is -*

*Mr. Urbancic: The reason that covenant is in there is once you fund something with tax exempt bonds you have the obligation to maintain them in perpetuity. That's why that statement is in there. It's not for the use of the construction proceeds. Construction proceeds are for capital improvements.*

*Ms. DeLuca: All the FPL lights are fixed but one, so now the bridges are well lit, and a lot of the lights were out on the bridges, so why are not considering alternatives like solar?*

*Mr. Hamilton: Solar is initially cheaper, but you have to replace them often and they are more expensive long term. He discussed his experience with solar lights around his home. He noted he ended up switching to underground wiring because it was less expensive in the long run. He stated he wasted a lot of money installing solar lights.*

Ms. DeLuca asked why the District would need electric outlets on the bridges.

Chairperson Brady noted other communities lit the bridges and did other things with the bridges.

Discussion ensued regarding whether lighting the bridges for safety was important; whether decorative pavers were important; it being too late to obtain cost estimates for lighting alternatives; and \$106,000 dollars not being a lot of money for lighting for the three bridges.

The Board chose to move forward with lights on the bridges as presented but not to install pavers.

**I. District Attorney**

No report.

**II. District Engineer**

No report.

**III. District Manager**

**a. Important Meeting Dates for Fiscal Year 2026:**

- 1. Next Meeting: Tuesday, April 7, 2026, FY2027 Budget Workshop (9:00 a.m.) & Regular Meeting (10:45 a.m.)**
- 2. Tuesday, June 2, 2026 - Public Hearing FY 2027 Budget**

Chairperson Brady indicated on April 7, 2026, a budget workshop would be held at 9:00 a.m. and a regular meeting would begin at 10:45 a.m. She asked everyone to look at the budget online and come with ideas.

**EIGHTH ORDER OF BUSINESS**

**Supervisor's Requests**

Mr. Hamilton discussed the canoe launch area. He stated it was very swampy and he felt something needed to be done to improve it.

Discussion ensued regarding the budget including funds for maintaining the canoe launch path, but not for improvements; the original community plans including a dock and other improvements, but the CDD not having plans to build such; the golf course improvements not falling under the purview of the CDD.

Mr. Hamilton asked where the Sunny Grove employees would be using the restroom. He suggested discussing the matter with the HOA.

Ms. DeLuca indicated the HOA brought in a port-a-potty and Sunny Grove was using this for the restroom.

Mr. Hamilton stated he would like Mr. Freeman to attend meetings to answer questions.

Chairperson Brady indicated she would move forward with public comments and continue Board discussion after public comments.

**NINTH ORDER OF BUSINESS**

**Public Comments**

Chairperson Brady asked if there were any public comments about non agenda items.

Ms. Danielle \_\_\_\_\_ (ph) asked if the CDD purchased the old sales trailer and charged the residents a \$750 assessment. She asked if nonresidents were issued daily passes upon entering the community. She asked if the plat was done. She asked if the people who were

breaking the gates were being charged to fix the gates. She asked if the CDD installed a dock at the canoe launch path would the general public be permitted to launch canoes and kayaks or would it be a private canoe launch for the residents.

Mr. \_\_\_\_\_ asked about the bridge maintenance and when it would begin. He asked if the bridge project would be an extra assessment to the residents.

Mr. Michael \_\_\_\_\_ 3:05:29 asked for something to be done about the midge flies. He said he was unable to use his lanai for six months out of the year because of the "no-see-ums."

Mr. Rod Bradtmeuller apologized to Mr. Brady for how he spoke to him last week. He asked how the CDD was using tax money to renovate the sales building when it did not own said building.

Mr. Longmeadow stated he felt keeping the iron gates closed would prevent the gate arms from being damaged as often.

Ms. \_\_\_\_\_ asked if visitors needed a reason to enter the community even if the roads were public. She stated she felt drivers should not just be able to enter the community on a whim; this was a private gated community. She asked (indecipherable).

Ms. \_\_\_\_\_ asked if the new bridge would also get lights because it was very dark. She discussed an area of the sidewalk which needed repair.

Ms. Cheryl Pierce discussed an area where the shrubs were overgrown and a driving hazard. She asked for this to be cut back.

Mr. Ed Papal asked (indecipherable).

Ms. Sima Pucheski noted there were huge trees on Burnt Store Road turning right into the back entrance and it was really dark; there was no light and the sign was impossible to see. She asked for something to be done about this. She asked if there were functioning cameras at the back gate. She asked what was planned for the CDD and was the public allowed to make suggestions. She asked what would be done about the dead florals and dead bushes at the back entrance and common areas. She said CDD communication with the public needed improvement. She stated there were bees at the tiki hut. She asked if these could be addressed.

Chairperson Brady noted Ms. Pucheski should speak with the Master HOA about the bees at the tiki. She stated the CDD did not send emails; being a governmental agency all email addresses collected would become public record. She explained the CDD asked Mary to send out email communications to the public with the HOA emails if there was something big happening. She stated the CDD met the first Tuesday of every month; all the meeting dates and times for the year were posted on the CDD website. She indicated the frost killed a lot of the landscaping this year and the CDD would replace whatever did not naturally come back.

Ms. DeLuca noted it would take about 3 months, but the bushes would come back.

Chairperson Brady concurred; the bushes would come back, and if not, they would be replaced. She stated in terms of the trees and lighting at the back gate she believed the sign was lit and the palms were lit.

Ms. Pucheski noted she spoke with Mr. Ward about the lack of lighting on Burnt Store Road and Mr. Ward indicated there was no electricity on Burnt Store Road. She said she hoped there were funds in the budget to light Burnt Store Road.

Chairperson Brady stated electricity and lighting was installed at the back gate six months ago. She said the signs and trees were now well lit. She indicated there were no additional funds for lighting Burnt Store Road. She reported the gates did have cameras.

Mr. Ward concurred; lighting was installed after his conversation with Ms. Pucheski.

Chairperson Brady asked Mr. Ward to address the building question.

*Mr. Ward: The CDD originally put together a deal with Lennar that the District would acquire the Welcome Center for a fixed price coming from construction proceeds in the 2023 bond issue. The intent was that the deal would close when the plat was recorded. At that time, the plat was anticipated to be recorded in December 2025. It's been sitting there waiting since that time. At that time, we were just getting started and needed a place to have an individual from Allied to work, adding residents to the EntrancelQ system. Lennar said it was okay for the CDD to use the building, so we did. We turned the electricity on, and we are paying for the electric. The formal indication from Lennar is there is no change to that deal. The only problem is the plat has not been recorded, so we have not been able to close.*

Chairperson Brady noted there were no future plans with that building.

Mr. Ward concurred; there were no future plans other than to use the building for whatever EntrancelQ needed.

Mr. Bradtmueller asked how much money was spent making the building operable.

Mr. Ward stated the CDD turned on the water, sewer and electric; it was cleaned and there was a little bit of painting done, a sign was placed at the front which said, "Welcome Center" and the landscaping was cleaned up a little bit. He said he did not remember the cost, but he could get the number.

Chairperson Brady stated she received an email from Clay that the County gave approval to have the plat signed off, so she could sign off on the plat, but she wanted it to be reviewed by Mr. Ward and Mr. Urbancic first. She said once she signed it, the plat would be done. She stated the Engineer indicated the plat was good. *The plat is going to show each little condo association is its own actual plat, including Birchwood Court. Those roads and that bridge, it is my understanding that all of the condo association roads and bridges are going to the Master HOA. So, that is who would be responsible for the bridges and everything. We are public roads. 100% it means that anybody can walk up to the gate and say they want to enter. They do not have to have a reason. We are technically not a private community for that reason. We have had that conversation many times. There is a gate system so people cannot get into the pool. People*

*are supposed to be checked at the clubhouse when they come in and it's my understanding that nobody from the public can just come into the restaurant, but again, that would be a Master HOA thing. If somebody from the outside wants to come in, we try to get their information, their driver's license, but they could refuse and we can't tell them they can't come in. We just very clearly say you can drive on the roads, but you cannot go in driveways, you can't have access to anything private because then you would be trespassing.*

Mr. \_\_\_\_\_ we can't ask to see a driver's license?

Chairperson Brady explained the gate personnel asked but could not legally require anyone to show a driver's license to gain entry.

Discussion ensued regarding the public having access to the community roads; and the gate guard being a deterrent to random members of the public entering the community without reason.

Chairperson Brady stated in terms of the canoe launch area, it was technically a public area, and it would be turned over to the State as a public park in the year 2040, and then the State would maintain the area. *If the public found out and said, "we want to go back there," yes they can come in and they can go back there. All of our roads are public. There is a CDD easement over the cart path to the property, so yes, the public could go there if they choose.*

Discussion ensued regarding the community not being a private, gated community; the Declaration indicating security was at the homeowners' risk; and what Lennar told purchasers: that this was private, gated, golf cart community, but it was not.

Chairperson Brady stated the four bridges on the main Heritage Landing Blvd were all being rebuilt, all decking and everything was being replaced and lighting was being installed. She noted the funds for the bridge rebuild was coming out of the bonds, so would not be in the operating budget. She noted the bridges would cost approximately \$1.1 million dollars; construction would begin in April. She explained the metal gates were being left open during the day because the wear and tear cost for the metal gates was high. She stated with the cameras the CDD was now able to bill drivers who broke the gate arms for repairs.

Mr. Ward noted since the new EntrancelQ system was installed there were only two instances of damage to the gates, which was excellent.

Chairperson Brady stated the gate guard did not issue day passes. She said possibly people were waiving the QR code on their phones to show EntrancelQ.

Discussion ensued regarding whether guests were required to show a driver's license along with the QR code to gain entry; the gate guards allowing delivery drivers entrance; and the gate guards attempting to gather as much information as possible from visitors prior to entry.

*Chairperson Brady: If they refuse to show a driver's license we have to let them in, but now we know, at this time, this person came in, we have their license plate, and they were in here for this long if something happens. We have a good tracking system.*

Discussion ensued regarding the benefits of the new gate guard system.

Chairperson Brady stated the CDD did not give anyone a \$750 dollar assessment; that assessment was from the Master HOA.

Mr. Ward stated midge fly treatment would have to be added to the budget. He stated the “no-see-ums” were probably midge flies and were coming out of the lakes. He explained there were midge fly problems in some of his other CDDs, so he could come up with a program to treat the midge flies. He explained midge fly treatment programs were not perfect because midge flies were attracted to light, but it was possible to treat them in the lakes before they fully matured which would improve the situation.

Chairperson Brady indicated a price point for midge fly treatment would be obtained and discussed at the next meeting.

Discussion ensued regarding midge flies in the community; the possibility of aerating the lakes to improve the midge fly problem; and where members of the public would park if they wanted to visit the canoe launch as there was no public parking available.

Chairperson Brady discussed the dog park question noting the CDD was willing to install a dog park if the community wished but had no plans at this time to put in a dog park.

Ms. \_\_\_\_\_ asked about the 17 lots at the front of the community.

*Mr. Ward: There is a piece of commercial development which was actually within the boundaries of the Tern Bay CDD. They were originally a part of the bond issue in 2001 or 2002 from the first developer, so they do pay a debt assessment on that bond issue. Plus, they do pay. The 17 units is what we call an equivalent residential unit conversion. They pay as if they were 17 units sitting on that one commercial parcel. The commercial developer pays the CDD an annual capital assessment and then they pay operating and maintenance assessment which was 17 times what you are paying. They do not require our approval to build on that lot. CDDs do not have any land use authority whatsoever. So, to the extent they ever build on that it would go through the County.*

Ms. \_\_\_\_\_ asked about the lake dive and the cost of lake maintenance.

Mr. Ward indicated this could be discussed at the next meeting.

Ms. \_\_\_\_\_ noted four streetlamps were installed by the Terraces and the Verandahs. She asked who authorized this and whether more lamps would be installed. She noted the streetlamps were installed next to the condos on the parking streets.

*Ms. DeLuca: We had 30 streetlights out when I took this over in February. I'm happy to say we are down to one which is right outside the Pro Shop. I will get back to you at the next meeting and let you know what I find out.*

Ms. \_\_\_\_\_ noted most of the storage containers were removed from the golf course maintenance yard; only one was left. She noted this might be a good location for a dog park.

Mr. Ward noted that storage area was going to the golf course as part of the plat.

Ms. DeLuca asked about the phase 1 sidewalk repairs; were these finished.

Mr. Ward stated the sidewalk repairs were not finished, he did not know what portion was left to be repaired.

Ms. DeLuca discussed sidewalk areas which still needed to be repaired and were not marked. She asked if Mr. Freeman walked around the community looking at CDD assets. She noted there was an ADA yellow guide path at Black Cherry and Red Bud which had been broken for two years.

*Mr. Ward: We haven't done any of that because all of that is under Lennar at the moment. They are supposed to finish the sidewalks and the ADA compliance. I did ask Lennar a month or so ago about this and they said they are going to fix it, but I will ask the question and when they are finished, if there is something left undone we will have to go back and take a look.*

*Chairperson Brady: I submitted that a long time ago too to have them fix it.*

*Ms. DeLuca: They also left out the cones.*

*Mr. Ward: They wanted to leave those out until they were finished with all of their work and they could do a full inspection. They were basing that on those cones being in place.*

*Ms. DeLuca: Are we striping the streets? Many of the streets are not striped. They striped the pedestrian crosswalks this week, but we have no center line down our streets.*

*Mr. Ward: It is not required and I don't think Lennar is doing it as part of their final lift work.*

*Chairperson Brady: I will have that conversation with Clay. The last lift they just did, they striped it. My concern was they didn't put the bike path in. In the second half of our development the roads technically aren't wide enough to have the bike path on both sides; however, it is wide enough to shift the road and put the bike path on one side, so we could have a continuing bike path. I talked to Clay about that. He did not tell me they were not going to stripe the road at all. It was my interpretation that they were, so the fact that they haven't could be good. I personally would prefer to have the 10 foot lane and the bike path, so you don't get to the second bridge and then there was no more bike path.*

Discussion continued regarding striping the roads; and a portion of the road which needed better drainage (brought to Clay's attention).

Chairperson Brady indicated she would contact Clay about striping the roads. She asked Mr. Ward to draft a communication to the public about leaving the metal gates open from dawn to dusk, the gate arms would stay down, and draft a correspondence with summarized information regarding gates, golf carts, and e-bikes, including a link to the CDD website and mentioning the meeting on April 7<sup>th</sup> to review the budget.

Ms. DeLuca noted there were a lot of misconceptions about the plan for this development; misconceptions included a lookout tower, dock, office space, hotel, etc. She explained the residents did not understand this was a planning document which gave Lennar the rights to build such things but did not indicate such things would be built or require such things to be built. She explained the CDD was not responsible to build such things either; the CDD was responsible for fulfilling the responsibilities laid out in the bond. She noted the CDD could build a dock, but it did not have to.

Chairperson Brady noted the only thing the CDD had to do was maintain the canoe path because it was already built, it was not required to build a dock at the end of the canoe path.

Mr. Ward explained the development plans included things which were permissible, not required.

Discussion ensued regarding how confusing it was to the residents; and educating the residents about the development plan and how it indicated what was permissible but not required.


**TENTH ORDER OF BUSINESS**

**Adjournment**

Chairperson Brady adjourned the meeting at approximately 1:50 p.m.

**On MOTION made by Vickey DeLuca, seconded by Denise Blakely, and with all in favor, the meeting was adjourned.**

Tern Bay Community Development District

  
James P. Ward, Secretary

  
Tara Brady, Chairperson