

**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, April 1, 2025, at 10:00 A.M. at the Heritage Landing Golf & Country Club, Clubhouse, 14601 Heritage Landing Boulevard, Punta Gorda, Florida 33955.

Present and constituting a quorum:

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

Also present were:

James P. Ward	District Manager
Meagan Magaldi	District Counsel
Clay Rebol	District Engineer

Audience:

Michael Rossetti
Diane Stewart
Mike Becker
Dave Blakely
Kathi Burke, HOA
Steve Prost (ph)

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 THIS MEETING WERE TRANSCRIBED VERBATIM. ALL VERBATIM PORTIONS
WERE TRANSCRIBED IN *ITALICS*.**

FIRST ORDER OF BUSINESS

Call to Order/Roll Call

Mr. James Ward called the meeting to order at approximately 10:00 a.m. He conducted roll call, and all Members of the Board were present, constituting a quorum.

SECOND ORDER OF BUSINESS

Discussion of Candidate(s) for the vacancy in Seat Two (2) due to the resignation of Mr. David Truxton, [effective February 10, 2025] and whose term is set to expire November 2026

I. Appointment of individual to fill Seat 2

II. Oath of Office**III. Guide to the Sunshine Law and Code of Ethics for Public Employees****IV. Sample of E-filed Form 1 – Statement of Financial Interests; (changes to filing requirements)**

Mr. Ward reported Mr. Truxton, the last Lennar Board Member, resigned from the Board. He stated a few resumes were submitted by individuals interested in filling this position. He explained the Board could fill the vacancy by a simple majority vote. He asked the Board to discuss the matter and appoint a candidate to fill the position.

Ms. Tara Brady indicated she needed some time to review the resumes submitted.

Mr. Ward indicated this matter could be deferred until the next meeting.

The Board agreed to defer the selection of a new Board Member until the next Board Meeting.

THIRD ORDER OF BUSINESS**Consideration of Resolution 2025-4****Consideration of Resolution 2025-4, a Resolution Re-Designating the Officers of the Tern Bay Community Development District**

This Item was deferred until the next meeting as well.

FOURTH ORDER OF BUSINESS**Consideration of Minutes****February 11, 2025 – Regular Meeting Minutes**

Mr. Ward asked if there were any corrections or deletions to the Minutes; hearing none, he called for a motion.

On MOTION made by Tara Brady, seconded by Denise Blakely, and with all in favor, the February 11, 2025 Regular Meeting Minutes were approved.
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FIFTH ORDER OF BUSINESS**Consideration of Resolution 2025-5****Consideration of Resolution 2025-5, a Resolution of the Board of Supervisors approving the Proposed Budget for Fiscal Year 2024 and Setting a Public Hearing for Tuesday, June 6, 2025, at 10:00 A.M. at the Heritage Landing Golf & Country Club, Clubhouse, 14601 Heritage Landing Boulevard, Punta Gorda, Florida 33955**

Mr. Ward stated this resolution started the budget process for Fiscal Year 2026, which began October 1, 2025 and ended September 30, 2026. He explained that this process began early due to deadlines for putting assessments on tax bills or on trim notices. He stated the budget had to be approved no later than July 2025. He stated today the Board would approve the budget; approving the budget would not

bind the Board to anything in the budget, it would only allow the Board to move forward with the budget process and post the notice 60 days in advance as required.

Ms. Brady noted the assessment rate could always be lowered; however, it could not be raised higher than the advertised amount, so it was important to include all possibilities in the budget at this point.

Mr. Ward: This budget is trying to move the operations for the parts of the facilities and assets that are owned by the CDD, but that are now being maintained by your Master Homeowner's Association, into the CDD's budget and this Board's ability to operate and maintain its facilities beginning October 1 of this coming year. We are, as a matter of course, doing a few minor things in the current year. I'm going to briefly go through this very high level budget. I will tell the Board, obviously, none of us have a good idea of what the actual costs are going to be for this District as we move into October 1 of this year. The budget is predicated on some of the contracts that I have seen with your Master Association and the vendors that are already providing the services. These numbers are piggybacked on them. I've raised them somewhat. The problem with those contracts is, I don't always see the specific level of services that are in those contracts, and that is always an issue when you make a transition from an HOA Board, or a developer board, to a CDD. Those service levels are usually substantively different than what you have now, and they are probably going to be substantively different as we go into 2026. The good news is, we do have some significant dollars in our reserve account currently, so I would encourage you to do two things today. One is heed Tara's warning that we need to make the assessment rate as high as we want it to be, because we cannot raise it once it's approved. And two, just recognize there will be a little bit of a backstep with some of the reserves that we have accumulated over the years for this particular CDD. The budget goes basically from \$570,000 to \$1.156 million dollars into fiscal year 2026. It does assume taking over the guardhouse operations including a roving patrol. The HOA budget for that is roughly \$257,000 dollars a year. That is what is budgeted in the fiscal year 2026 budget. It is also one of the line items for which I cannot see exactly what the scope of services is that's being provided by the HOA in the current year. Your stormwater management system is contracted out at \$55,000 dollars a year. I can tell from the existing budget that you have that it really is only covering the spraying of the lakes. It does not really cover much more than that. I can tell by the number, the dollar amount, and the number of acres of lakes you have here, that the number is low. It is extraordinarily low based upon my experience with lake systems of this size and quality in other parts of the state that I am currently managing. I also see in here that there is not much for preserve maintenance or path maintenance or things of that nature that are coming over from the HOA, so I can already tell you that \$55,000 dollars is a very low number that you should discuss as we get into that portion of the program. Your road and street maintenance is roughly \$150,000 dollars a year. There was no maintenance on the bridge specifically. It was \$5,000 dollars a year in your HOA budget. I moved the \$5,000 dollars over, but as you already know, I've contracted with a vendor to do a significant number of repairs on all of the four bridges that are going to start within the next week or so. That's been put out on the District's website, and I believe Tara has been helpful in getting that out to the community. I don't think \$5,000 dollars is a reasonable number for bridge repairs on an ongoing basis. What you also have for the regular maintenance of the road is also a particularly low number which is also included in this budget. Your landscaping services, you are currently spending roughly \$574,000 dollars a year on landscaping. The district owns the landscaping which is along all of the medians and road right-of-way, and I think you have a walkway on either side of it, so that strip of grass between the edge of the curb and the pathway is also the District's. Again, I think the number is low. I can't tell you how much on this one. It doesn't seem too unreasonable compared to what I've seen for the water management system and the roadway system. I did not include in this year's budget any addition to your capital. That is something we should discuss and indicate whether we should put some more into it. This coast has had significant storm

events this year. I've seen some of my CDDs in the southern part of the state get hit with \$300,000 dollars on one lake bank restoration program. I don't know what you spent on hurricane cleanup last year because we did not do it. Probably not much from what I can tell from the community. I'm just trying to explain this is something that I took out, but I think we should discuss putting something back in here for next year. That is my short version of the budget for 2026.

Ms. Brady: First what I did was I went onto the HOA website, and I pulled every contact that we currently have and I gave that to Jim so he could start working on this. What I think we need to talk about is, while I definitely want to take over the roads, the pipes, the ponds, that kind of stuff, the landscaping, we had that conversation at the last meeting. Do we just take everything, or do we try to slowly take everything? I would say in most instances, whatever we end up raising our rate, in reality the HOA should lower theirs because they are not spending that anymore. The way certain things are being maintained and paid without question, those kinds of things, are my concern with leaving stuff with the HOA. The pond maintenance, I just had a meeting with Tim the General Manager, as well as Brandon Moody, who is the Water Quality Manager for the County because he contacted me to say they do testing at the bridge. For some reason, for the last three years, between November and February, the ammonia level spiked more than three times higher, so they tested upstream closer to the road thinking maybe something was coming down, but it's not. We are trying to figure out – there is an old historic spring in here that we think is the number 17 lake or number 18 lake, and that might be producing it. It could be coming from some of the wells that we water with. So, they are going to come in and do more in-depth testing of the ponds. They are going to test some of the water coming out of the wells. In doing that, part of our conversation was how we maintain the lakes. I asked Mary last week to get something from the pond professionals showing exactly what they did the last time. They still haven't provided that. I have the invoices that we pay, but literally it just says, "pond maintenance." I want to get a good handle on this and work with the County. They are working on community pond outreach because a lot of people complain that they want the grass cut all the way down to the ponds. Well, having those cattails at the edge of the ponds in a lot of instances is good. We talked about different ways to aerate the ponds a little bit better, possibly putting in some bubblers and fountains in some areas, as well as different plants we could put in there, and how we maintain the ponds. The County will help us with that. They also can help do that program. So, we will work with them to come up with a program, but to Jim's point, that \$55,000 dollars is not adequate to maintain it for good water quality. Did you have a different number that you wanted to plug in there?

Mr. Ward: Let's talk about the overall number for a second. The rate generated by my first swipe at this is \$763 dollars a unit a year which is a \$300 dollar increase.

Ms. Brady: So, a \$300 dollar increase would take everything away from the HOA and in theory that should then go down \$300 dollars. I am also not stupid, and I know once they have been collecting it, they are not going to want to stop collecting it, but then I think whoever is on that Board would then have to justify it.

Ms. DeLuca: What I think is interesting as well is that we can put that assessment on the tax bill where the HOA cannot. Are CDD assessments tax deductible?

Mr. Ward: Operating taxes are deductible. Your capital assessment is not.

Ms. Brady: But the whole non ad valorem is not.

Mr. Ward: The piece of the non-ad valorem that's the CDD's is two parts. One is operations, and one is capital. Operations is deductible. The capital piece is a complicated answer. For purposes of what you're doing today, the operating piece, whatever you want it to be, that is deductible.

Ms. Brady: I didn't think any of the non-ad valorem taxes were deductible.

Ms. DeLuca: If we did a special assessment would it come across as a separate line item on our taxes? I still don't understand what's deductible.

Mr. Ward: The operating piece of your tax bill for the CDD is deductible. Your capital is comprised of two parts, principal on the bond, and interest due. The interest component of the yearly piece that's on the bond is tax deductible. The principal goes against the basis of your home for the purpose of a sale. That's the real answer to the question. In reality, most everybody just deducts the whole thing.

Ms. DeLuca: I agree something needs to be done because they are killing the stock in the ponds and it's killing the water and they are not pulling it, although it's in the contract, as well as cleaning around the ponds once a month.

Ms. Brady: We are paying for it, and it's not being done.

Ms. DeLuca: Yes, so I'm glad we are addressing it.

Discussion ensued regarding the importance of properly maintaining the ponds; the problem with the ammonia levels and what might be causing the elevated ammonia levels; and the spring that was an old well which burst.

Ms. Brady: I'm okay with presenting a \$300 or \$400 dollar increase for the purpose of getting people here and having these conversations. We can always lower it.

Mr. Ward: The rate is \$763.33 for this particular budget. We can always go down from that number. Going up, as Tara says, is difficult to do. It will give us a conversation point.

Ms. Brady: Then at the next meeting we can go into more detail.

Mr. Ward: We can go into more detail at that point in time if you would like. Just remember we've got to stay under that number.

Ms. Brady: Do you think it should go up a little more because you only put in \$55,000 dollars for the ponds?

Mr. Ward: Yeah. We have a cap rate in place. A cap rate means the amount of the assessment we can levy without having to do mailed notice to everybody. Mailed notice costs a fortune so we tend to try not to do it. That number is \$953.92. If you want, what I would do is, put it at \$953.92 for this budget, and then bring it down if you want to bring it down. That would be a number we could never go over without doing mailed notice. That is the other alternative.

Ms. Brady: What are your thoughts? Because if we want to talk about doing some additional things, maybe having that, and then that way if people come to the meetings, we will know how much it would cost to do that and get those estimates.

Mr. Brady: What are the other items and costs that we are considering taking?

Ms. Brady: Everything that Jim just went over took us to the \$765, but that only includes \$55,000 dollars for pond maintenance, which we think is low. We did add street sweeping in there, but street sweeping is minimal.

Mr. Ward: To give you an understanding of the total dollars, \$953 generates an additional \$145,000 dollars. So, in terms of this budget it's not a ton of cash to generate.

Ms. Brady: I would say we advertise for that and then get people here and get opinions on what they want to do and what they don't want to do because, again, we can always lower it.

A female member of the Audience asked a question that was indecipherable.

Ms. Brady: What I have found is, we can ask. I am so happy we have this many more people than we have had in the past. We can ask, but until they get the notice that we're doing the public hearing, people won't come until they get that. I will ask Mary to put it out there again. She did put the bridge thing out for me, so that was good. I will ask Mary to email it to everybody because it does affect everybody.

Mr. Ward: The proposed budget will be on our website. I will put a little writeup of when the public hearing is on the homepage of the website. Then you can get it out to the community as you deem appropriate.

Ms. Brady: We can always lower the budget. Let's do it for \$950.

Mr. Ward: Okay.

Ms. Brady: Any comments from the public?

Mr. Mike Becker: You say when the tax bill comes out it will show it on there, but this is for the HOA isn't it?

Ms. Brady: No, this is for the CDD that is on your tax bill. It's on the back. It's the non-ad valorem that's on your tax bill.

Mr. Becker: You're going to raise it \$400 dollars a month?

Ms. Brady: No. It's \$400 dollars a year. And in essence, the HOA fees should be lowered because they are not going to be doing it anymore. Again, I will say, I've never seen an HOA lower its fees, but that will be a lot of money for them to have to justify not lowering it.

Mr. Becker: So, the CDD takes care of the ponds and such?

Ms. Brady: The CDD takes care of the infrastructure, the roads and ponds, we own them, so we are in the process of taking it all over from Lennar and the HOA. So, all the street signs, the traffic lights, the roads, the drainage pipes, the ponds, the landscaping, and all of that.

Mr. Becker: The HOA here, how much do they have in reserves?

Ms. Brady: I have no idea; however, sitting behind you is Kathi who is the resident currently on the HOA Board. The rest of the HOA Board is Lennar. When the meeting is over if you want to get with Kathi, she can help you with all HOA questions.

Ms. Burke: How are the owners notified of the CDD meetings?

Ms. Brady: Mary sent it in the email blast to residents. It's posted on the CDD website, the list of when the CDD is meeting, and I post it on Facebook.

Ms. ____: Last night I posted a Facebook because I –

Ms. Brady: I posted it on the one that has the pink background, and I posted it on the golf one. I might have posted it in three.

Ms. ____: Is there any way for owners to be notified by email?

Ms. ____: It's in the Friday email that Mary sends out.

Ms. ____: Would it be too much trouble to send out one that says CDD meeting? Because when you get a big email you just kind of miss it sometimes.

Ms. Brady: I can ask the HOA if they can do that. We don't have people's emails, so we, as the CDD Board, cannot do it.

Discussion continued regarding sending email notice out to residents regarding CDD meetings.

Ms. Brady: Currently, Matt from Lennar, the President of the HOA, has to approve all emails that Mary sends out. After the last CDD meeting, it did a recap of everything we discussed and sent it to Mary and asked her to email it out to everybody. Well, Matt was on vacation, so she didn't email it out. I won't lie. I was kind of upset because that following Tuesday before Matt came back, the Golf Board sent an email out saying "Hey, the CDD's not allowing us to do this anymore." Well, I had already explained that, but Mary sent the Golf Board's email before she sent ours. I sent the bridge one to her though, and I'm pretty sure she sent that one out. So, I think we are on a good track now. Unless we have an issue, the meeting is the first Tuesday of the month.

Mr. Dave Blakely: This is the first time I've heard these numbers, but they seem really light, so I support the increase. We don't want to go cheap. We've got to keep everything maintained. I think all those numbers seem reasonable to make sure we have the right things done. I also have a concern about what Lennar has done with the lift. It's a really bad job that they did on the asphalt. And also, on all the sidewalk repairs. Right outside my house, the guys finished it with their hands, and it looks horrible. I don't think that's what we want here. And I run and walk around the neighborhood, and there are main sidewalk areas that have been done poorly. They don't mix the concrete correctly and it looks very bad.

I notice the bridges are being repaired, the walkways. Who is responsible for supervising the work that gets done? Because I think that's the main issue.

Ms. Brady: The bridges we are doing, and I will assure you that I will stop out there and make sure they are doing it right. I had that issue; I called Lennar when they were doing the sidewalks on Long Meadow because they were not doing it right. I will go out there and make sure they are doing it right. For the Lennar stuff, they don't even tell us when they are doing something, so – The bridges are already ours. The streets are technically ours too because it's from the original Tern Bay, but we are not doing the maintenance on them until they put the final lifts on them. The engineer is going out with Lennar to look at things right now and I grabbed him before he went out and said, the basin at hole 7 near the bathrooms, I don't want them to just pour asphalt in there again. There has got to be a leak in the pipe. So, I do have plans myself to note that stuff as I drive around. I've done that a couple of times. That's how I got them to do the crossings. The hard part is, we won't be able to get them to fix everything. I'm trying, but legally we have to accept the ownership no matter what because it's been in the plans that it's going to be ours.

Mr. Dave Blakely: The quality of work is very poor and that's not fair.

Ms. Brady: Yes. I thought the same thing.

Mr. Steve Prost (ph): When work goes out, who writes the bids to go out and get the quotes for the CDD?

Ms. Brady: Mr. Ward.

Mr. Prost: How do you know what to put in the bid? Are you a contractor?

Ms. Brady: For the bridges we hired a consultant that does this to come in and tell us what we needed to do for the bridges.

Mr. Prost: So, who follows up with that?

Ms. Brady: The other stuff was Lennar's doing. Not us. The bridges is the first one where it's ours and we are doing it, and I promise that check will not get written if it's not done right. I can't control what the HOA does. The pond stuff, that's all the HOA.

Mr. Prost: I'm confused about what you do, and what Lennar does, and what the HOA does.

Ms. Brady: Historically, until last November, when I got on this CDD Board, the entire CDD Board was Lennar people. The entire HOA was Lennar people. In essence, the CDD should have been doing all of this maintenance from the beginning because we own the infrastructure. However, because it was a Lennar Board, and the HOA was a Lennar Board, and the HOA sometimes does not have the strict rules that the CDD has because the CDD is a public board, Lennar would just tell the HOA to go do something. So, the HOA would do things for Lennar, and again both boards were Lennar. So, if they didn't want to do something, they didn't do it. So, now that we finally have a full resident board, we are pulling that back so we can start to maintain things the correct way. The engineer is out today with them, looking at all their stuff to see what else they have to fix. That will be good.

Ms. ____ 40:27: *I'm excited about the fountain. (Indecipherable). How do we get a crosswalk by (indecipherable). There is nothing on the road to mark for walking, and that is a busy intersection. Also, Black View could use one. And we could use a ramp. We have to walk through grass to get to the sidewalk. We don't want a sidewalk; we just want a crosswalk.*

Ms. Brady: *If there is no sidewalk it's hard to put a crosswalk because then it's considered a mid-block crossing and that's not a good thing. So, you would want a pad on your side of the road to cross the street?*

Ms. ____: *Yes, for if somebody had a stroller or wheelchair.*

Ms. Brady: *Because you don't have sidewalks on your street at all we wouldn't want to tell people to cross the street where there was no sidewalk. The crosswalks are normally only where there is a sidewalk, but I will get with the Engineer to see if there is anything we can do there. Sycamore has sidewalks.*

Ms. ____ 42:18: *Sycamore has sidewalks, but there is no crosswalk to the golf course or club house.*

Ms. Denise Blakely: *We know that there are sidewalk signs missing from the hurricane, which I see Jim has on the budget. We are walking and making sure we are notating where they are missing. If you see something that's missing, come and tell us or tell Jim. I've had a few people ask me if there would be a possibility of installing speed bumps where the golf carts cross to encourage drivers to stop.*

Ms. Brady: *I would tell you; you do not want speed bumps. I would fight against speed bumps. There are stop signs for the golf carts. I am a golfer. The golf carts should stop, and car drivers are supposed to treat the crossing like a crosswalk, like people were walking, cars should stop for the golf carts. A lot of people do not understand that. I have been hit a couple times almost because people don't stop. It is a crosswalk even though it's a cart path crosswalk, and the carts have the same rights as pedestrians. The cars should stop, but they don't. I wish they would slow down. I will at one point recommend that we lower the speed limit to 20 mph.*

Discussion ensued regarding the speed limit, where there were speed limit signs posted, and putting up additional speed limit signs.

Mr. ____ 45:50 asked about the lake access path.

Ms. Brady: *About 2 months ago we cleared the path. We took the golf cart out there this weekend. You can get all the way down there. I have had people ask if we could put a shell base down to make it a little sturdier because at the end of the path there is a wetland trough. We will never be able to fill that in, but possibly we could put a little boardwalk or something across it. I've had people ask me if we could build the fishing pier which was supposed to be out there from the original plans. That's something, as we are working towards a budget, I would like to get the engineer to see how much it would be to permit that. I want to see how much it would cost to develop the area a little more, put the shell down, put a pathway over the soft area, and possibly put in a floating dock and/or a pier. The original plans have a lookout tower, a park, the fishing pier, and everything. Those were in the plans that Lennar took to the County less than 6 months ago, but Lennar says they are not doing them. And it doesn't say they have to, it just says they may do them.*

A male member of the audience: Are there any plans for the CDD to make any improvements.

Ms. Brady: We have never discussed that. The only thing we discussed was clearing up the path out which we did two months ago.

A male member of the audience : That's a phenomenal environment, and I think we have to manage it so it maintains it's beauty. We have the opportunity for an incredible experience.

Ms. Denise Blakely: We are trying to get a kayaking club going. We are going out next Saturday to a nearby lake to get people interested in kayaking and then we are hoping to move here.

Ms. Brady: We talked at the last meeting about the possibility of putting some kayak racks out there and just leaving them with a sign saying, leave your kayak at your own risk. We are not responsible for it. The path is located where the golf cart crossing is, between the first set of verandas and the first set of terraces, that path separates into two: the golf cart path itself for the green goes behind terrace one, and if you stay to the left, it dead ends at the opening to the pathway. We are working on getting the signage for the pathway.

A male member of the audience: I don't have a dog, but a lot of people would like to have a dog park.

Ms. Brady: We did not talk about this, but I have a dog, and while I would not take my dog to the dog park, I have had many people ask me about that, and we do have a lot of dogs in the neighborhood. I actually have that in my notes along with that pathway. Here's the thing though, everybody is going to say they want one, but they won't want it near them. I think it could go in next to the maintenance shed. We own that property, and it is not near any homes whatsoever. It would not be a huge park. It would only be a chain link fence with a few benches, and it would not cost much to maintain.

Discussion ensued regarding the golf cart path across the road; the golf carts having a stop sign while the cars did not have a stop sign; the possibility of putting up a sign indicating golf carts have right of way; a manhole cover which was significantly lower than the other manhole covers near the construction area; raising this low manhole cover; making the golf cart crossing a four-way stop; lowering the speed limit to 19.5 mph as opposed to 20 mph to get drivers' attention; asking the Sherrif Department to drive through the neighborhood a couple times at night; and the problem with drivers sneaking in the gate behind legitimate entries.

Ms. Brady: This is one of the reasons I wanted us to take over the guardhouse; however, I want to warn you, our roads are public roads and anybody can access them. A lot of people don't realize that. You can come up to that gate and say let me in, I want to drive around, and legally they have to let you in.

Mr. ____: I understand that, but I feel like if you are supposed to go through the front gate and check in, then you should. We are a gated community. I feel like those back gates should be closed 24 hours a day.

Ms. Brady: We talked about that during the last meeting. Are you okay if I send that out now? There is no reason those construction gates should be open during the week anymore. Contractors can come through the front.

Discussion continued regarding the roads in the community being public roads, the ramifications of having the Sheriff Department patrol the area (showing a presence to deter crime) and shutting the back construction gates.

Ms. Brady indicated she would send an email and have the construction gates closed. *I would not be for putting a four-way stop in at the golf cart crossing, but I am only one person. You would have to do a traffic study to get a four-way stop justified, and in my work history, I cannot see a four-way stop being justified there. I don't think that the traffic counts and speeds would justify a four-way stop, but that would be up to the Board, not just me. An actual traffic study would have to be done; however, we could not just install a four-way stop.*

Mr. Robert Brady: So, how do we get that study done?

Ms. Brady: We discuss it as a Board, and if we want to spend the money to do that study, then we will.

Mr. Robert Brady: Is there any coordination between the CDD and the County as far as the entrance and lighting because if you close off the back entrance you are going to put a lot more traffic on the main entrance and it's already hard to get out the main entrance and make a left hand turn.

Ms. Brady: When we say close it, we just mean it won't be wide open during the day, not that you can't use it. Residents can still use the gate. When I said closed, I meant secured, not turned off. The county has an app where you can send in your complaints. I started taking pictures of the drop-offs along Burnt Store Road (ph) at the exits, to try to get the County to fix them.

Ms. Mary ____: (Indecipherable). I do know they will be putting a light (indecipherable).

Ms. Brady: More people are going to start using the southern exit. For the people who are scared to go out, there will be a working traffic light at the southern entrance, so more people will start using the southern entrance.

Discussion ensued regarding the possibility of a security company patrolling the community as opposed to the police; the benefits of a patrolling security company; the cost of repairing the gate arms; the possibility of putting up a sign indicating there would be a fine for breaking the gate arms; and installing cameras at the gates to gather information regarding who was breaking the gate arms.

Mr. Brady asked about the CDD assessment.

Mr. Ward: The operating assessment is the same for everybody. That's going to be the \$950 dollars, but if you want specifics on your lot, you can go to the District's website, using your parcel ID number, there is a parcel search feature, and it will give you what it is for your particular lot.

Ms. Brady: The CDD is a Community Development District just for Tern Bay and that's all we can spend our money on. Okay, let's go on with the Agenda.

Mr. Ward: I will ask you to adopt Resolution 2025-5 which sets your public hearing date, time and location. It is going to be Friday June 6, at 10:00 o'clock, here. As I mentioned earlier, it will be posted on your website and the budget will go out, and I will amend the budget to include the assessment rate at \$950 dollars.

Mr. Ward asked if there were any additional questions; hearing none, he called for a motion.

On MOTION made by Tara Brady, seconded by Denise Blakely, and with all in favor, Resolution 2025-5 was adopted, and the Chair was authorized to sign.

Mr. Ward indicated he requested this room three weeks ago for the public hearing and was told it would be fine.

Ms. Brady asked for this information to be confirmed.

Discussion ensued regarding the public hearing, the meeting room, and the meeting time and date.

SIXTH ORDER OF BUSINESS

Consideration of Resolution 2025-6

Consideration of Resolution 2025-6, a Resolution of the Board of Supervisors of the Tern Bay Community Development District Re-Designating Dates, Time, And Location For Regular Meetings Of The Board Of Supervisors Of The District; Providing For Conflict; Providing For Severability And Providing An Effective Date

Mr. Ward indicated Resolution 2025-6 moved the Board meeting dates for the balance of the current year to the first Tuesday of each month at 10:00 a.m. at the current location. He asked if there were any questions; hearing none, he called for a motion.

On MOTION made by Tara Brady, seconded by Denise Blakely, and with all in favor, Resolution 2025-6 was adopted, and the Chair was authorized to sign.

SEVENTH ORDER OF BUSINESS

Consideration of Proposals

Consideration of Proposals to provide Audit Services to the District for the Fiscal Years 2025-2029

Mr. Ward stated State law was amended a number of years ago and now required special districts to go through a qualification and price-based process of analysis for audit services. He stated these RFQs were done on a five year basis, so the CDD would retain an auditor for five years, and at the end of five years the CDD would re-advertise and obtain new proposals. He stated the CDD received two proposals, one from Grau and Associates, and the other from Berger Toombs. He indicated over the past 7 to 8 years the prices for these audits decreased dramatically, but along with the price decrease, the number of companies doing these audits also decreased dramatically which was why only two companies submitted proposals. He indicated his team prepared the qualification sheet. He noted Grau submitted \$23,000 dollars for the five year period and Berger Toombs submitted \$32,900 dollars for the five year period. He stated based on qualifications and pricing, he recommended ranking Grau #1 and Berger Toombs #2 and authorizing an agreement between the CDD and Grau and Associates for auditing services from 2026 to 2030. He asked if there were any questions; hearing none, he called for a motion.

On MOTION made by Tara Brady, seconded by Vickey DeLuca, and with all in favor, Grau was rated #1, Berger Toombs was rated #2, and staff was authorized to move forward with an agreement between Grau and Associates and the CDD for auditing services.

EIGHTH ORDER OF BUSINESS

Staff Reports

I. District Attorney

Ms. Megan Megaldi: We are in the middle of a legislative session. Right now, there are some bills that could affect CDD matters. We are currently monitoring those as a firm, and we will be able to provide an update as the legislative session progresses.

Mr. Ward: In Florida, most governments, other than Districts, can advertise on their websites. We have to advertise in the newspaper, which don't really exist too much anymore. The legislature removed that from the legislation as part of the legislative agenda this year. It now has been taken out, so we will still have to do that, along with a few other ridiculous things that we are working through this session.

II. District Engineer

No report.

III. District Manager

a. Wooden Bridge Maintenance – March 31, 2025 – May 14, 2025

1. Road Closures/Detours Map

b. Important Board Meeting Dates for Balance of Fiscal Year 2025

1. Public Hearings: Proposed Budget Fiscal Year 2026 – June 6, 2025

c. Financial Statement for period ending February 28, 2025 (unaudited)

Ms. Brady: We sent out the Facebook post, so the first bridge which was over by the clubhouse, will be closed that first week and is estimated to be shut down April 8 through April 11, and the second bridge, by hole 7, is estimated to be shut down April 14 through April 17. The next one is by Cherry Blossom, and then the one by the Terraces. We will send out notices about the bridges. They are fixing the pedestrian bridge approaches. You will notice they bricked out the concrete for the walkways already. They are going to fix the lip, so we will be ADA compliant. They will be fixing the approaches. They will have different detour signs up. They will be closed 24/7 while they are working on them. The cost was about \$98,000 dollars for all four bridges. For wooden bridges that have not been maintained, we actually made out pretty good.

Ms. Denise Blakely: Is the company who is repairing the bridges going to give us a bid, once they are complete, to tell us if we should have annual maintenance for the bridges?

Mr. Ward: As we move into next year, we will have to identify what the actual maintenance program needs to look like.

Ms. Brady: They are removing the concrete at the pedestrian walks and repouring all of that. They are cutting back the asphalt at the bridge approaches. They are fixing the asphalt on the approach lifts. There are some wood panels that need to be repaired. They are going to power wash the entire bridge and put the waterproof coating on them.

Ms. Blakely: Does that include the boards and nails that are popping up?

Ms. Brady: Yes.

NINTH ORDER OF BUSINESS

Supervisor's Requests

I. Supervisor Tara Brady:

a. Trapping of Boars

b. Fountains for Water Management System

Ms. Brady: For the hogs, they have several traps out. They have moved them around a little bit. They have only gotten six total so far. The racoons like to eat the bait before the hogs can get there and there is video of the hogs hanging out, outside of the traps. They are working on doing some stuff with that. In the budget it says \$7,000 dollars a month for hog removal.

Ms. ____: And they've only gotten six hogs?

Mr. Ward: I think we are only paying \$4,000 dollars at the moment. I just budgeted \$7,000 dollars next year knowing that we are doing it. But yes, the hogs have been elusive at best. They know the traps are out there and they know what they are. There are tons of racoons that are eating the bait. The traps are monitored, so we know how many are out there. We can see them on the video.

Mr. ____ 1:18:24: I just want you all to know, we were paying zero, and we killed more than six hogs.

Ms. Brady: I understand, but we are not allowing somebody to go out with a gun on the property.

Mr. ____: This has been going on for a month. We've got six hogs, and we're paying \$7,000 dollars.

Ms. Brady: Yes, but we have a licensed insured person doing it the way we want it done.

Discussion ensued regarding the hog trapping services.

Ms. Brady: We are not going to let someone with a gun on CDD property to shoot something because, God forbid, the bullet ricochets and hits a person, that person is going to own the golf course, CDD and everything else.

Discussion continued regarding hog trapping services versus hunting on the property; the possibility of revisiting the hog trapping service; giving the hog traps more time to function properly; the gold standard for hog control being installation of a barbed wire fence around the property; consideration of fence installation; and cost of fence installation versus trapping costs.

Ms. Brady: The first exhibit I have is the boundary line of the property with how many units were on the property. It says 1,562, but 17 are the commercial lots, so it looks like the number of residential units is 1,548.

Mr. Ward: There are 1,516 residential units plus the commercial.

Ms. Brady: Does that include what they took last year to the County?

Mr. Ward: That's the exact number of units that have been, or will be, constructed in the CDD, excluding the commercial parcel. I did that number last year.

Ms. Brady: Last year, they took it to the Board and switched and put some houses in. Here are all of our drainage pipes that we think we have at the moment. This says it's irrigation, but I don't see anything on it. Here are our public right-of-way roads. I think we have 7 miles of road. This is all the mitigation area. He did physically survey the streetlights, and this is a complete list of streetlights that we have in here. She discussed where the streetlights were and were not located. She noted streetlights were installed in the Terrace parking lots, but not by the new Coach houses or the Verandas.

Mr. Ward: I got a PDF of the maps. We are going to separate the maps and put them on the website today or tomorrow.

Ms. Brady: Basically, all of that is what we need to maintain. I would like you to think about the possibility, if we want to, to see what it would cost to put in the dog park, if they want additional things done to the pathway, the speed limit, etc., before the next budget meeting.

Discussion ensued regarding where fountains or bubblers might be placed; installation of a fountain near the entrance, near the range, and near the clubhouse; the ponds having cattails and other plant growth around the edges of the ponds.

Ms. Brady: From a maintenance and a water quality standpoint, you want that littoral shelf, you want cattails around the edges of the pond. It keeps debris from flowing into the ponds. The problem I see here is that you pull the golf balls out. You rake the edge to get the golf balls out. So, you are never going to have a pretty clear edge. You would not be able to have cattails around that pond, so we would have to come up with something for that. As we work with the County's water quality specialist, to see what the maintenance should be around the ponds, we will keep that in mind. You're never going to make everybody happy. Do you have anything else you want us to consider putting in the budget before the next budget meeting? I will say this, personally, I think we need lights. That's going to be a special assessment. That would be a whole separate project, because if there is no electricity run, we are talking hundreds of thousands of dollars to get streetlights.

Mr. Ward: We don't own those streets.

Ms. Brady: I heard a rumor that Lennar is trying to put those streets in our name because they weren't going to give them to the Master HOA because the Master HOA did not want them because then they only have sporadic asphalt. The problem with putting them in the CDD's names is that they are public roads, and the Terraces have covered parking that go with the units, and they would not be able to do that if they put the roads in the CDD name. So, I would say they can't put the roads in the CDD's name. They would have to put them in the HOA's name.

Mr. Ward: And if they want to do streetlights, they can give an easement to the CDD, which is what we have in the other areas, so we can do the FPL system. But we would need an easement and it's going to be expensive.

Mr. Brady: Did the CDD authorize somebody to come in and get the golf balls out of the pond?

Ms. Brady: No. Jim, could you send an email. I don't think everything should come from me. Last year, somebody authorized a machine to come and collect golf balls out of the lakes. It's a little machine, and it rakes the bottom, and they get a ton of balls. The golf course gets money for the balls. There is a concern for me about this. And I get it people are playing golf and it's their balls, and eventually we all pay into that; however, I have concerns because it rakes the bottom, that it possibly a part of why there are not as many fish because it could kill all of the fish beds. It also could be digging up stuff and messing up the water quality. So, I want to ask them not to do that anymore because they don't have an easement in there and they should not.

Mr. Ward: We couldn't give them an easement, but if you want to let them do it, we could do an agreement with them.

Ms. Brady: I would say I don't want it being done by a machine because it could be messing up the water quality. But I'm only one person.

Discussion ensued regarding the machine scraping the bottom of the lakes and messing up the water quality; the machine being a roller which goes across the bottom, not a scraper; the golf course getting \$7,000 dollars for the balls; other golf courses using divers to collect golf balls; diving for golf balls being potentially dangerous; Jim sending an email to the golf course requesting the golf course ask the CDD before scraping the ponds for golf balls; gathering more information about water quality before permitting the golf course to collect balls with a machine; creating an agreement between the golf course and the CDD to allow golf course staff to collect golf balls manually.

Ms. Denise Blakely: Another concern is trash, like under the bridges. Who is responsible for picking that up? Also, the landscaping, the mowers, they just drive over garbage, and it shreds it up and spreads it around even more. Is there a way we can talk to them about it?

Ms. Brady: Well, the mowers are not under us now, but I will say, when we take over that contract, when we put a contract out to bid for mowing, it will be trash picking first and then mowing. At least, I would recommend that.

Ms. Denise Blakely: Did we have it sprayed or is it from the hurricane that all of the vegetation under the bridges died? Which is good because we don't really have to worry about that right now.

Ms. Brady: The CDD has not done anything with that. And I highly doubt the HOA did anything with that. Some of that you want to cut back, but you don't want to clear it all out because it is filtering the water. But the trash pickup, until we do a contract, maybe we could have a community day to pick the trash up from under the bridges.

Mr. Ward: No.

Ms. Brady: Okay, will you get someone to pick up the trash from under the bridges?

Mr. Ward: Yes, I will get somebody to do it.

Discussion ensued regarding trash pickup and the landscaping company.

Ms. Blakely: This is a minor thing, but we had holiday decorations on the main entrance, but they never put them on the south entrance because it wasn't an entrance at the time.

Ms. Brady: Did I give you that contract?

Mr. Ward: Yes, but I only included what was in the existing contract.

Ms. Brady: Now that you brought that up, I also wanted to say, there is no lighting at the south entrance and I don't care if we just put up solar lights, but the south entrance doesn't have any lighting whatsoever.

Discussion continued regarding the lighting at the south entrance; there being electricity at the south entrance for potential lighting connection; and adding holiday lights and streetlights at the south entrance to the budget for consideration.

A Male Audience Member asked: We have had a lot of problems with midge flies and spiders this year, worse than ever, near the driving range, and the test people said that the bubblers would help in the ponds. So, in addition to the fountains, maybe we could put bubblers in some of these lakes?

Ms. Brady: Yes, the bubblers help aerate the water better than the fountains do. I will say I have a ton more spiders this year than ever before. All of my landscaping is completely covered with spiders. It's bad.

Ms. Blakely: We have algae in our pond. Will bubblers help with that?

Ms. Brady: It will help with the water quality so that the algae doesn't happen the way that it does.

Mr. Ward: In the Districts that I have with midge fly problems, you don't solve them with bubblers. They are chemically treated.

Discussion ensued regarding midge flies.

Ms. Brady: When we do the pond maintenance maybe we can look at treating for midge flies too. The HOA is going to install sporadic park benches in the right-of-way along the sidewalks, so can we make sure that when they do that they put a trash can next to them?

Mr. Ward: Our HOA cannot do that unless they get approval from us to do that.

Ms. Brady: Maybe it's Lennar who is doing it. I'll go ask Mary when this is over. Also, they put doggie stations in our right-of-way. What are we going to do about that?

Mr. Ward: They put doggie stations in our right-of-way?

Ms. Brady: Yes, they are all over. They just added another one recently.

Mr. Ward: We need to have a conversation with the HOA. They can't do this without asking us first.

Ms. Brady: I am 100% sure the HOA did that, not Lennar. I'm all for doing it, but we need to make sure we are doing it the right way. We are taking everything over from the HOA, so now we need to decide whether we are taking over the doggie stations or leaving them with the HOA to deal with. It's not that we don't want doggie stations, but we need that agreement. It's the same thing with the golf balls; we know the balls are being collected, but we still need to make sure it's being done the right way. We aren't going to say you can't do it, but we have to make sure we are budgeting for it correctly and we are accounting for it because it's in our right-of-way. We have to find that balance. That's why I'm so glad that you [the HOA representative] are here now because the HOA prior wouldn't talk to us. Feel free to reach out to me to talk. The residents, not the other Board Members can reach out to me. She explained residents, however, could not call her and tell her what other Board Members have said as this would be a violation of the Sunshine Law; the Sunshine Law prohibited Board Members from communicating with each other directly or through others regarding potential CDD Board topics. She explained Board Members could talk with Jim outside of Board meetings because he was not a Member of the Board; however, Board Members could not talk to each other about Board matters outside of Board meetings. She explained the Board Members could speak with residents about Board matters, just not other Board Members. She noted the CDD Board did not have closed meetings; all meetings were open to the public unless there was a lawsuit. She stated the CDD was very accountable to the State and had many more rules it was required to follow than an HOA.

Mr. Tim Greco: (Indecipherable).

Ms. Brady: It is nice to have one point of communication through you for the whole community.

Discussion ensued regarding email communication with the HOA and community.

Mr. Ward: You have to be careful. If we are thought to be using the HOA as a conduit, then they become subject to the Sunshine Law also, so all of those emails also become ours. We can ask the HOA to do things and if they would like to do that, that's fine, but we have to keep an arms distance from the conduit issue with emails. If someone comes in and says I want to see all those emails, they will have to produce them, so you have to be careful with that particular issue.

Ms. Brady: I don't know that it would be that bad because the HOA is under the Sunshine Law anyway.

Mr. Ward: No, it's not. But, the HOAs would never produce it, and then you are going to get sued because they won't produce it, so we do have to be careful with that.

Ms. Brady: So, even if they sent it to us, and we produced it?

Mr. Ward: That would mean all of the email addresses for the entire community would become a public record. You do not want that.

Mr. Greco: (Indecipherable).

Ms. Brady: Once you confirm that, do you want a person from the CDD to be there to answer any CDD questions if people have them?

Mr. Greco: I'm not going to recommend that. I'm just letting you know (indecipherable).

Mr. Ward: I would not recommend that either.

TENTH ORDER OF BUSINESS

Public Comments

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

Mr. Ward asked if there were any additional public comments; there were none.

ELEVENTH ORDER OF BUSINESS

Adjournment

Mr. Ward adjourned the meeting at approximately 12:10 p.m.

On MOTION made by Tara Brady, seconded by Vickey DeLuca, and with all in favor, the meeting was adjourned.

Tern Bay Community Development District


James P. Ward, Secretary


Tara Brady, Chairperson