

**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, May 6, 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
Greg Urbancic	District Counsel
Clay Rebol	District Engineer

Audience:

Gary Hamilton
Chris Benton
Mike Davila
Darlene Graham
Jeanne Parziale
John Briere
Linda Kender
Dick Wade
Paul and Lynn Harwood
Douglas and Michele Knight
Anthony and Iliana Kiernan
Deb Savage
Lynne _____
Rory Kohl
Roger and Kathy Smith
John Luciano
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. He reviewed when members of the public would be given opportunities to speak during the meeting.

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 two applications were submitted by individuals interested in filling the open position on the Board and he also received an email from Mr. Paul McPherson who expressed an interest in the position. He noted Mr. McPherson was unable to attend today's meeting. 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 asked if the individuals who submitted resumes were present. Mr. Gary Hamilton was present; Mr. Nelson was not present. She asked if the Board wished to defer this Item until the next meeting.

Discussion ensued regarding asking the applicants to attend the meeting for questions. The Board agreed that the applicants should be required to be present for consideration.

Mr. Ward indicated he would inform the applicants they were required to attend the meeting in June if they wanted to be considered for the position.

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

THIRD ORDER OF BUSINESS

Consideration of Resolution 2025-7

Consideration of Resolution 2025-7, 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

April 1, 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 Robert Brady, seconded by Vickey DeLuca, and with all in favor, the April 1, 2025 Regular Meeting Minutes were approved.

FIFTH ORDER OF BUSINESS**Discussion on Proposed Budget****Discussion on Proposed Fiscal Year 2026 Budget**

Mr. Ward stated the primary purpose of today's meeting was to continue the discussion of the proposed fiscal year 2026 budget. He indicated changes were made from the initial meeting with respect to the budget. He stated the assessment rate was proposed at \$950 dollars.

Ms. Tara Brady explained the proposed budget was the highest maximum budget to allow the Board room to move forward with projects suggested by residents, as well as necessary maintenance items. She explained the budget could always be lowered, but not raised, so the budget was estimated at a high number. She said the assessment rate was proposed at \$950 dollars with a maximum cap rate at \$1200. She explained after discussion of the budget today the number might be lower for the June meeting. *What is in here as the fiscal year 2026 budget, the \$1.483 million dollars, was collecting the entire \$950. If we collect \$950 dollars it will be \$1,483,906 million dollars in revenue. The Board Supervisor fees we have budgeted in here \$2,400 dollars, but if we do, I would like to budget for if we have 12 meetings, once we get going, I hope we don't have to meet every month, but if we have 12 and we have a full 5 member board, it will be \$12,000 dollars, correct? Let's fix that. Let's adjust that to say \$12,000 dollars. The management is in there for \$50,000 dollars. Audit services, we discussed that at the last meeting, \$6,600 dollars, and then accounting and the assessment roll is \$27,300 dollars. Rebate fees is \$1,000 dollars, and that has to do with the bonds we have for the work that was done. Legal advertising, \$1,500 dollars. Trustee services for the bonds is \$8,000 dollars. Dissemination agent services which is for our SEC reporting for bonds is \$6,000 dollars. Tax collector fees says \$50 dollars. Isn't it supposed to be 3% of what we collect?*

Mr. Ward: They send us a bill for \$50 dollars for postage. The balance of it is 3% and they take that out before they send us the money and we account for that with another line item.

Ms. Brady: So, the \$50 dollars is for them putting the assessment on the tax bill, and then they also take 3% of what they collect, and you will see them take that out on the back side. We have bank fees, we have postage for if we have to do more mailings (\$150 dollars), \$36,000 dollars for insurance, \$250 dollars for meeting room, agendas books and copies is \$300, website maintenance is \$2,400 dollars, \$175 dollars for the department of economic opportunity. \$6,500 dollars for the attorney, \$10,000 dollars for the engineer. Subtotal of \$186,000 dollars for standard normal operating expenditures. All of that looks good to me. Now we will go into taking over projects from the HOA. Guardhouse operations. What we put in here was the number from the contract that they have right now, so they have \$240,000 dollars. I think we need to verify this number. Can we ask Mary to get that, so I have the right number in here? Then the electricity and water for the guardhouse was \$2,400 dollars, \$6,000 dollars for janitorial, and \$6,500 for the maintenance of the units. By how often the gates get broken I think that number should be increased, and we will get the actual number for the guardhouse so we can throw that in there.

Mr. ____13:09: Does that Ramco include the security driving around the complex or is that separate?

Ms. Brady: We are going to go through everything and then we will open it up for public comment. The next line item is stormwater management services. This is one that I 100% want to take back from the HOA. We have had issues with the water. We have issues with the contract. They are not picking up trash and all of that kind of stuff. I definitely want to take over. We own those ponds. We are responsible for the permits and everything, so I want to make sure we keep those maintained correctly.

Ms. ____ 14:12: Does the lift station fall under stormwater management services?

Mr. Ward: It is with Charlotte County.

Ms. Brady: This is just all of the stormwater ponds which includes all ponds on the golf courses, all ponds behind the condos, every basic retention pond that we have in here. There is \$55,000 dollars in there now. That is what they have been paying approximately. I am working with the County on a stormwater pond maintenance program. I'm hoping to get them to kick in some money for water quality, but I can tell you that \$55,000 dollars is not a good number. That number should be more like \$75,000 dollars to \$100,000 dollars easily to maintain them the correct way. I'm sorry, I skipped one. Stormwater management \$55,000 dollars is for the preserve area. So, that is removal if we have downed trees, keeping the path to the kayak launch clear, installing the no trespassing and watch out for wildlife signs, etc. I noticed there is a separate hog removal line here in the preserve area, and then there is another line for common area hogs. So, there is \$15,000 dollars on this one and then there is \$40,000 dollars on the bottom.

Mr. Ward: I probably just forgot we had two line items.

Ms. Brady: So, I would say remove it from here, because when we say common area, that's everywhere. So, we will remove the \$15,000 dollars out of this. Let's talk about preserve area maintenance. We had some people at the last meeting ask about putting shell down where it gets really wet on the path. We had a note that the original plans call for a little picnic area. The kayak racks we had talked about doing, as well as the pier which was in the original plans. Would we want to put something away to maybe do a cost estimate on what we could get a permit for, could we get a permit to put shell down, would it need to be a boardwalk, would we want to put anything else in there for maintenance of the preserve area? I'm asking about budgeting money for either permitting or to see what it would cost to do this and what would be required.

Ms. ____ 17:58: You're asking to fund a study to see what it would cost. I think, again, (indecipherable). I'm not sure how many people use it, but right now we're all just trying to get through (indecipherable) but having that information would be good to help us decide what to put on the budget next year.

Ms. Brady: Clay, do you have an estimate for what it would cost to do the path out to the lake and what would be required by the County? I can't imagine them being okay with us just putting crushed shell down because water runs across it, I think it would have to be a little boardwalk under which the water could flow. What would be a good estimate of what could be permitted out there?

Mr. Clay Rebol: It would cost a couple of thousand dollars to figure out what could be done out there.

Ms. Brady: We are going to remove that \$15,000 dollars. I would say put \$2,500 dollars in there for –

Mr. Ward: This would fall under your general engineering line item. We have \$10,000 dollars budgeted for that line item. We can up it to \$12,500 dollars or leave it at \$10,000 dollars. I think either one is fine.

Ms. Brady: I personally would like to see it broken up, so we know what that engineering is for.

Mr. Ward: We do break it up.

Ms. Brady: Okay, so, we will say \$12,500 dollars for engineering. That's going to take the preserve area maintenance down to \$40,000 dollars. Then if we go to the lake bank and the littoral shelf, we have \$110,000 dollars in there. \$50,000 dollars rotating to clean all of the silt from the drainage structures. I think that's a very good number. And \$50,000 dollars for periodic maintenance of the ponds which I think is too low, so, I think that \$110,000 dollars for the lakes probably should be taken up to \$160,000 dollars. I think \$50,000 dollars for aquatic weed control, littoral shelf plant monitoring, lake bank maintenance, water quality testing, is not enough; I think \$100,000 dollars should be the budget for that. And hopefully I can get the County to chip in for water quality. They just did all the testing of the lakes for us for nothing. Hopefully with the outcome of that they will help chip in because they have some grants.

Ms. ____ 22:07: The lakes are in really bad shape, and we all know that. Does that \$100,000 dollars include the cleanup of all of the dead stuff?

Ms. Brady: So, the ponds always look beautiful. What we are going to struggle with is we have people that want them to be completely clear of everything, but you really don't want your ponds to be completely clear. You want the flowers and the cattails, and the littoral shelf keeps stuff from going in the pond and helps filter the water. We are never going to make everybody happy. They are not as bad as people think they are. I definitely think \$100,000 dollars would clean some up.

Discussion ensued regarding the pond and lake maintenance; removal of the dead materials from the ponds and lakes; \$100,000 dollars being enough to cover cleaning of dead materials from the lakes; concern regarding the fish beds in the lakes; and this being the drought season which was why the water levels were low.

Ms. Brady: Next is the road and streets. This covers the electric we have for all of the lights, \$110,000 dollars. We have added \$5,000 dollars for bridge maintenance, \$7,500 dollars for streetlights and signs, \$5,000 dollars for street sweeping. It was requested that we add the holiday lights and decorations at the front entrance; we have that in here for \$12,000 dollars and \$5,000 dollars for miscellaneous repairs. I'd rather be safe than sorry. I would put miscellaneous repairs at \$10,000 dollars because I know how many potholes are out there. The final lift should go on that next set of roads in the next six months, I would say by the time they are done building, so it shouldn't be that bad, but I also know we need to clean the storm pipes and drains, and I'd rather have a little extra in there. I know there is one drain on Long Meadow which floods, and I asked the developer to clean it before the hurricane; they assured me they did, but I heard they did not actually check them. She continued to discuss the potholes which she felt needed repair. She said she would like the Engineer to check the roads before the CDD took them over to ensure they were in good condition before the bonds were released.

Mr. Ward indicated the roads already had been transferred.

Ms. Brady: I don't want them to put the final lift before we figure out if there really is (indecipherable). I think we should up the miscellaneous repairs from \$5,000 dollars to \$10,000 dollars. That includes incorporating street sweeping once a month, and that will help with the drainage issues and help keep the pipes clean too.

Ms. ____ 28:26: The only thing I'd like to say is about the streetlights, as well as the south entrance. I've spent the last month inspecting all 215 streetlights; 17 of them were not working. These have been reported to FPL. Tara, you were talking about the lack of lighting at the south entrance. The streetlights aren't the issue; the main entrance has uplighting that illuminates the signs. We know we have electricity out there because the gate has electricity too. I know it wouldn't be much, but there are a lot of residents, especially during the winter months when we are at full capacity, to get some of that additional lighting in there. Maybe we could cover it with the streetlight budget. I'm just asking a question.

Ms. Brady: I agree with you that the south entrance needs to be lit a little more, especially knowing that it will start to be used a lot more once the traffic light is out there; however, once the traffic light is out there, there will probably be more lights on the road there but coming in and around the circle could use better lighting.

Discussion ensued regarding the need for lighting around the circle; other areas where extra lighting would be useful; and adding \$15,000 dollars for lighting to ensure the south entrance was properly lit.

Mr. Ward indicated he could add \$15,000 dollars to the property line item for lighting improvements.

Ms. Brady: The landscaping contract has \$465,000 dollars; this is the number we pulled from Sunny Grove as the best estimate for the common area that we would take over, not including the amenities center and the homes. I will say, I personally don't think we should take over the landscaping contract because the HOA still has to do the amenity center and all of the single family homes, and I think we probably would get a better deal doing it all together. I would say that we would direct the HOA, if we can come up with a maintenance agreement with them, to keep the landscaping but I would like to see the common area and at least the perimeters of our properties treated for the grubs, because if we treat it for the grubs, there is no food for the hogs, and that will assist in keeping them at bay. That would be one contingent I have. What are your thoughts?

Discussion ensued regarding the benefits of grub treatment; the HOA keeping the landscaping being more cost effective; hog trapping; the map of the district and what the HOA owned versus what the CDD owned; concern regarding what the landscaper was using for fertilizer and pesticide; clearly outlining what the landscaper should and should not use for fertilizer and where the fertilizer should be placed.

The Board agreed the HOA should have the landscaping contract.

Ms. ____ 37:54: How would we get an agreement with the HOA before our meeting next month?

Ms. Brady: We won't. I have tried for a little over a year now to get the HOA Board to sign a maintenance agreement, but with Lennar being in charge, they will not sign. So, I can tell you this. They have the contract already. If we don't put it in our budget, I can't see the HOA stopping doing it because they have been doing it, but we could leave it in the budget so it's there and if we don't do it, we could take that money and move it to a different line item if we needed it for something.

Mr. Ward: My opinion is, since we've had such an impossible time getting an agreement with the HOA, that you leave it in the budget. These agreements are difficult to do, not because of the HOA, but because of all the requirements they have to meet on our side of the coin, so I think you should leave it where it is. If the HOA wants to come and say they'll do the landscape maintenance we will negotiate an agreement with them, but it's not going to happen in the next month or two. It's probably going to be months of work in order to get that done.

Ms. Brady: To be safe, since they are running over, and we know we want more done, we want the grub treatment, I would say up that number to \$500,000 dollars.

Ms. _____ 39:55: How would it happen if the HOA takes that? Then next year the budget would be lower by that amount, so the residents would get the benefit.

Mr. Ward: Correct. Going into next year. You are going to have to wait until you get the turnover done. I don't know when that's happening but whenever you finish the turnover then we will have to negotiate that agreement with your new HOA Board.

Ms. Brady: Okay, then we have the boars. The tax collector fees come off. So, the only other thing that I wanted to add that I didn't say, one thing I would like to put in the lake item is some money to put some bubblers and maybe a couple of fountains to start because that will help greatly with the water quality. Clay, do you have an estimate on what a fountain would cost?

Mr. Ward: They are like \$6,000 dollars a piece with all the electric that goes in them. Most of my communities are spending \$6,000 dollars to \$8,000 dollars per fountain.

Ms. Brady: I personally know I've had a lot of people asking for fountains. I would say maybe to start with a couple and some bubblers. So, maybe we can put \$75,000 dollars in for this and that will give us a good start. The golf course has asked for one in the driving range, and people have asked for a fountain near the front entrance.

Discussion ensued regarding where to install fountains in the community; and developing a water maintenance plan with the County Water Quality Manager to best determine where bubblers and fountains should be placed.

Mr. Ward: I think you are just budgeting for it at this point.

Ms. Brady: Yes, and the budget won't even begin until October of this year.

Mr. Ward: It is really just a roadmap at this point and changes can always be made.

Ms. Brady: I want to put \$75,000 dollars in the budget for fountains and bubblers for water quality in the lake line item under aeration systems. Is there anything we talked about or that you have that I did not mention? There was nothing. She opened the meeting up for public comments.

Mr. John Luciano indicated he was on the grounds committee. He asked about the pump stations, reclaim water, and irrigation. He noted there was very expensive lawn mower blade sharpening equipment being stored in the pump house.

Ms. Brady stated the pumps which irrigated the golf course were the responsibility of the golf course.

Mr. Ward indicated the reuse system was in the process of being turned over to the CDD; but had not been turned over to the CDD yet. He stated Mr. Luciano had a good point, however, and it should be determined who owned which pump stations. He said he felt the golf course pump should belong to the golf course certainly, but the reuse system needed to be reviewed. He indicated this would be something the CDD would deal with in the future.

Ms. Darlene Graham asked if the guard gate expenses could be mitigated with a virtual guard situation.

Ms. Brady noted this had never been discussed.

Ms. Graham indicated it was simply a suggestion. She thanked Ms. Brady for budgeting to improve the lighting situation. She noted along the sidewalks it was pretty dark in some places, and the lighting should be improved. She asked if bridge maintenance would include an engineer evaluating the integrity of the bridges.

Ms. Brady stated the \$5,000 dollars budgeted for maintenance was for ongoing maintenance; the bridges were very recently evaluated structurally. She noted the bridges were currently being fixed to the structural engineer's standards.

Ms. _____ asked if the CDD would get bids for security services.

Mr. Ward: Here's what the law says, if a contract is over \$195,000 dollars in any 12 month period, then we have to go out to a competitive bid process. So, to the extent that we have contracts of that nature, we will do a more formal competitive bid process. Other than that, under those numbers we do get quotes or proposals from different vendors in order to do that based on a scope that we have to write.

Discussion ensued regarding different security companies and different services offered by said companies.

Mr. _____ stated \$6,000 dollars seemed excessive for guard house janitorial services.

Mr. Ward reminded everyone that the budget numbers were just numbers based on contracts provided to the CDD by the HOA for services the HOA had in the past. He noted these numbers would be adjusted as the services were scoped and priced correctly.

Mr. _____ asked about closing the iron gates at the main entrance.

Ms. Brady: What we talked about was closing the gates at the construction entrance and I'm going back and forth with Lennar. They are still concerned that there is enough construction traffic to keep them open, and the final lift has already been put on this road and some of the others. My plan was to wait until the end of this month when the bridge construction was done and then go look again and see how many more houses they were building and how far along in construction they were before deciding how hard I want to fight. But right now, I can't get them to close the gate. I personally would not want to close the metal gates at the front, and I don't remember that being discussed.

Discussion ensued regarding the metal gates at the front gate and whether it would be beneficial to close the metal gates after every car or leave the metal gates open and use only the gate arm; concerns about security; the camera in place to capture the license plates of people who break the gates; and charging those who break the gates a fee.

Mr. Ward explained the large metal gates were much more expensive to replace as opposed to the gate arm; this was why the large metal gates were left open, to prevent damage to the metal gates. He noted most communities used arm gates for this reason.

Ms. Jackie Smith asked about installing signage saying one vehicle at a time and minimum \$500 dollar damage fee.

Mr. Ward stated fees were difficult for CDDs to enforce and collect, but the signs were easy to install.

Discussion ensued regarding drivers trying to tailgate through the arm gate to avoid having to stop; and putting up a sign indicating only one vehicle at a time was permitted to drive through the gate.

Mr. _____ asked a question which was (indecipherable).

Ms. Brady responded the \$425,000 dollars included the 24 hour guardhouse and the –

Mr. _____ indicated the guards at the guardhouse should not be called security, they were simply individuals who sat for 8 hours a day and got paid. He noted anything which opened and closed often would break, such as the arm gate. He said in terms of the virtual guard he felt it was better to have someone present in person to address any physical concerns with the gate.

Mr. John Luciano asked who paid for the bridge repairs.

Ms. Brady responded the CDD paid for the bridge repairs.

Mr. Luciano asked why Lennar was not contributing to the bridge repair costs. He stated Lennar had more construction traffic going over the bridges than the community had golf carts going over the bridges.

Ms. Brady explained the CDD owned the bridges before Lennar came onto the property.

Mr. Luciano stated Lennar used the bridges and he felt there should be a shared responsibility.

Ms. Brady explained the roads and bridges were public roads and bridges, and there were no signs indicating trucks of a certain weight could not use the bridges. She said she agreed with Mr. Luciano, but there was nothing the CDD could do to get Lennar to contribute.

Ms. Lynne _____ stated she had an issue behind her property where the bank was eroding into the pond. She noted she lost several feet behind her home, and she believed it was a safety hazard for mowers which could fall over into the pond. She said she was unsure who to bring this issue to.

Ms. Brady noted the property Lynne was referring to was owned by Lennar currently; however, the CDD would eventually own the lake.

Ms. Lynne discussed the difficulty she faced trying to find who could fix the problem.

Ms. Brady indicated she would go out and take some pictures.

Ms. Brady and Lynne continued to discuss the lake and erosion issues. Ms. Brady indicated she would have the lake looked at.

Mr. John Briere stated the wood on the bridge was splintered and actually punctured his sister-in-law's radiator and her vehicle had to be towed. He stated the splintering would continue if not fixed. He asked if the splintering would be addressed by the current repairs and maintenance.

Ms. Brady stated most of the splintered wood was being replaced in this round of repairs, and then it would be maintained moving forward.

Mr. Ward indicated the splintered boards were being removed and new boards were being put down. He noted the wood would all be power washed and stained with a clear coat to maintain a natural look.

Ms. Linda Kender discussed the problems with lighting around the condo buildings. She asked if the CDD was responsible for addressing these issues.

Ms. Brady: I know your whole section is like that, and then as you go down, the next section is like that, and the whole new section with the Terraces and the Verandas by the pool are like that. The CDD is paying for the lights that are already installed; however, that property is not CDD property. That road is a drive access that is currently owned by the Master HOA, or Lennar is trying to give it to the Master HOA, they want Lennar to give it to the CDD. I personally would not want to take that because you have covered parking, so if it became public property, you would lose your covered parking because all of that asphalt would become public and anybody could park there. My thought process was those areas should stay with the Master HOA, or they should be turned over to the individual HOAs for them to maintain and do with as they pleased. I would not have a problem paying for the electric, but to install new lights in all of those areas, that's something Lennar should have done when they built it, and they didn't. I think that's going to have to fall with the individual HOAs because it's not CDD owned property.

Discussion continued regarding the problem with poor lighting around the condos, and light installation being expensive.

Mr. Steve Prost (ph) recommended approaching other communities to see how other communities solved similar problems. He noted the CDD was saying once it took over it would do a better job maintaining the facilities, but he wondered what made the CDD better able to maintain facilities than the HOA.

Ms. Brady: I don't know that there's anything that can make one do it better than the other if they all did it correctly. In a perfect world, I would say the HOA could do everything. Pros and cons for it, if the CDD does it, it's on your tax bill, it's tax deductible. I can tell you that I'm working with the County Water Quality Department to make sure we are doing proper pond maintenance. I can just tell you what I've seen done is not acceptable and since the CDD owns the lakes, it's our responsibility to make sure it is done correctly and that's what we are going to do. She discussed the difficulties she faced trying to get the HOA to correct problems in the community. She discussed the difficulties she faced trying to get a

maintenance agreement signed between the HOA and the CDD. She stated as such, the CDD was going to take responsibility for these areas and ensure that maintenance was being done correctly.

Mr. _____ 1:13:50 noted the HOA was being run by Lennar and Lennar was not going to do anything correctly if it was going to cost Lennar money. He said hopefully once the HOA was resident run it would improve.

Mr. Prost stated he did not feel saying “once we get it, it will be better” was a valid argument.

Ms. _____ 1:14:42: Just on budget last year, Lennar spent \$117,000 dollars on hurricane cleanup for which Lennar was not able to apply for any FEMA relief where if the CDD was doing that cleanup there were things which could be done as a CDD which Lennar could not. From that perspective, the CDD goes out and gets bids. From everything I've reviewed, and looking at this budget, there has been no bidding done whatsoever in the last four years on these contracts by the HOA. We are going to be conscious of sending out RFQs or RFPs to be sure to be able to cost effectively answer the residents. So, how is the CDD going to do anything different? Like Jim said, anything over \$195,000 dollars will have RFPs to evaluate and score. He did a wonderful job scoring the RFPs last month for us to be able to understand how the vendors scored against each other in order to make an informed decision regarding which auditing firm to select. There is due diligence there, so when we say better, we are hopefully making more informed decisions.

Ms. _____ 1:16:27: For the grub maintenance around the perimeter for the boars, are you also going to do the strip of land behind Cherry Blossom? Because we did have the pigs in our backyard. Right behind us, they say it's CDD land, it's like a small, wooded area.

Ms. Brady: I don't know the amount of land in that area, and I don't know if that ever gets treated with anything because between the two properties, it is literally just the ditch. I don't know if we will go and treat inside the ditch.

Mr. _____ 1:17:48: How does the CDD determine how much they are going to take over after we turn this development over?

Ms. Brady: Technically it's all CDD responsibility. If we want to make an agreement with the HOA and say we would like them to take on certain responsibilities, the HOA has the right to refuse. We are budgeting right now to take over everything. I personally don't want to take over the landscaping, but again, I'm just one person, but everything else I think should be in control of the CDD, but that will be a discussion after we get through the budget, and we will see if any maintenance agreement can be reached.

Mr. Anthony Kiernan: When you do the proposed budget, I'd like to see what is new maintenance, and what is a transfer of maintenance from the HOA, because it's not all going to transfer from the HOA. Is bridge maintenance in the HOA right now?

Ms. Brady: No.

Mr. Kiernan: So, there are a lot of new costs which you're going to have in the budget. Can you identify these so when we look at the proposed budget, we can see what was being pulled out of the Master HOA and what was new.

Ms. Brady: Well, here is the thing with that, I can say \$300 dollars a year are costs from what your HOA is currently doing, but I can guarantee your HOA fees are not going to go down by \$300 dollars. In essence it should, but it's not going to. We can ballpark it, but we are also estimating correct costs, not exactly what was in their budget. We are also increasing the costs for some things in order to improve the services, so I cannot divide it up line item by line item. I can tell you, when we take the contracts over, we will notify the HOA that they no longer need to do them, and they will stop paying the vendors for the services.

Discussion ensued regarding how to determine what were HOA costs versus preexisting CDD costs versus new CDD costs in the budget; and the assessments being included on tax bills.

Mr. Ward: You will see one line item on your tax bill that has the operating assessment, which is proposed at \$950 dollars, and then you will see a capital assessment which is different based on your lot size. If you want the detail, in November I will put detailed information on the District's website. There is a partial search feature for us. You can go on there, you will be able to see your capital balance, your capital assessment for the year, your operating assessment, so you will have the detail, but not every line on the budget.

Mr. _____ asked a question which was (indecipherable).

Ms. Brady: No, if we do a maintenance agreement, it would be an agreement that the HOA was going to do this work, that the HOA was going to pay to have the work done to certain specifications.

Mr. _____ asked what kind of due diligence the CDD would use to ensure the maintenance was being done properly.

Ms. Brady stated she personally checked if work was being done properly. She discussed the negative feedback she received when she posted CDD updates on social media. She explained she would not be posting information on social media any longer but would ask Mary to send out notices via email regarding certain activities, for example, when the street cleaner would be driving through the neighborhood, so residents could make sure nothing was in the road. She indicated meeting minutes were posted on the CDD website.

Mr. _____ asked a question which was (indecipherable).

Mr. Ward: The District will have to add to its operating team in order to do the bids to ensure work is being properly completed --

Mr. _____: We are rich with resources here in this room and I'm sure that there are people who are willing to volunteer and provide assistance with those types of tasks.

Ms. Brady: This Board is just starting basically, so we are just forming now, and we have one more position to fill and then we will be moving forward. But until just recently, this was run by Lennar. We will do a combination of all of it, because some of the stuff is not a you or me going out to check. Some of it is an engineer has to go out and check. It will be a combination of Jim's staff, a combination of volunteers, a combination of us doing our stuff. We will lean on everybody who has the qualifications.

Mr. ____: *Because you are just forming, there are those who are willing to volunteer, and I think that's something you should consider.*

Ms. Brady: *Agreed.*

Ms. ____ 1:28:20: *asked if there was any responsibility for Lennar to improve the lighting situation. She asked if the lighting was up to code.*

Ms. Brady: *There is no code for lighting in a private development. Okay, with that, we will move forward with these changes, see what the actual rate will be, and then we will have a better understanding come June.*

SIXTH ORDER OF BUSINESS

Staff Reports

I. District Attorney

Mr. Greg Urbancic: *We are continuing to monitor the legislation and interestingly enough, as often happens, a lot of the bills we are watching seemed to just collapse at the last minute, which is probably a good thing. I will have a little more information as we comb through, but some of the bills we were watching did collapse, so that is some good news.*

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 – Friday, June 6, 2025

c. Financial Statement for period ending March 31, 2025 (unaudited)

Mr. Ward: *The bridges are starting to be worked on today. They will run through the middle of June for repairs. You all will see those bridges closed periodically over the next month or so. Watch out for the detour and closed signs as you see them. Your public hearing is June 6, that is the day you will be required to adopt the budget and adopt the assessment rate for fiscal year 2026. And also, remember, those are really cap numbers at this point that we will set. We will make a lot of changes to that as the year goes on, so just expect that to occur.*

SEVENTH ORDER OF BUSINESS

Supervisor's Requests

I. Supervisor Tara Brady:

a. Trapping of Boars

b. Fountains for Water Management System

c. District Ownership Maps

Ms. Brady: Since I put out that notice, we got another 9 hogs, which I believe was that one family which was spotted. It was three females, and some little ones, and I haven't seen that family around since, and hopefully they were the ones causing the most damage. That brings us to 19. We have already talked about fountains, and I don't need the maps included on the Agenda because we have those maps. I wanted to get the Board's opinion regarding taking the roads and the parking lots in the Terraces. The HOA was asking, and I told them what I told you, in my opinion I would not accept those driving easements and parking lots as CDD property. Lennar wants the CDD to take the assets as opposed to the HOA. I think they should either go to the individual HOAs and then when things need to be done, they can get together and contract for resurfacing, or the Master HOA can take it.

The Board discussed the matter and agreed the Master HOA should take the roads and parking lots.

Discussion ensued regarding pulling the golf balls out of the lake; the CDD making an agreement with the golf course regarding pulling golf balls out of the lake with divers and not using a machine because it damaged the lake floor; and the possibility of sharing the income made from selling the balls collected from the lake with the golf course. The Board agreed to move forward with an agreement with the golf course allowing golf ball removal with divers, not machines.

Mr. Urbancic: I would need to make a quick update to remove any sort of mechanical remover and just do it by divers if that's okay. I can send you a revised draft.

Mr. Ward: Please do. Thank you, Greg.

Ms. ____: It would be great to proactively lock the gates shut during the upcoming summer weekends. Memorial day is coming up and if we could make sure that the back gates are secured (Indecipherable).

Ms. Brady: I will send an email to Matt telling him that we want the gate closed on Memorial Day weekend, Saturday, Sunday and Monday. Then, the 4th of July, and by then we should be able to have them closed all the time. Matt was really good with me last year on having a security guard at the pool during the holiday weekend. I will see if he can do that for us again.

Ms. ____ discussed the idea of a dog park in the community. She indicated she contacted a woman who organized a community funded dog park through raffles, donations, and other fund raisers. She noted not all residents would want to use the dog park, but for those who did, a fee could be charged by the HOA annually, like \$100 dollars, keycard access to the dog park could be given, and annual verification regarding shot records could be obtained as well. She suggested forming a dog park committee to work on the dog park.

Ms. Brady asked how much the dog park would cost.

Ms. ____ responded she understood it would cost approximately \$24,000 dollars which included fencing, key fobs, Wi-Fi, security cameras, lawn maintenance, irrigation, running water for the dogs inside the park, benches, etc.

Ms. ____ 1:44:53 asked about dog bite liability.

Ms. _____ noted there could be insurance involved. She was unsure.

Discussion continued regarding the dog park and forming a committee in this regard; benches for the community along walking paths; installation of benches by the HOA requiring an agreement with the CDD because the property was owned by the CDD; and the CDD being able to install its own benches.

Ms. Brady recommended telling Mr. Ward where the benches were suggested to be placed and it could be discussed at the next meeting; adding money to the budget for benches would be simple. She stated it was important to consider what type of bench should be installed, where garbage cans should be placed in relation to the benches, who would empty the garbage cans, and what type of shade could be placed near the benches.

Ms. _____ suggested an adopt a bench program.

Discussion continued regarding bench placement; securing the benches to the ground; where the dog park could be placed; what land the CDD owned which could be used for a dog park; and the possibility of using land near the maintenance shed.

EIGHTH 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

Ms. Brady asked if there were any additional public comments.

Ms. Lynn Harwood asked if the work being done on the bridges would include the transition between the wood and the asphalt.

Ms. Brady responded in the negative; she explained it was not considered part of the bridge, but part of the road and it would be fixed when the final lift was put on the road. She said she would see if a little lift could be put there for now until the final lift was placed.

Mr. Dick Wade indicated he was on the golf committee and was looking for approval from the CDD Board to finish the wall on 8.

Ms. Brady stated she spoke with Mike, told Mike what he had to do, and it would be brought to the CDD. She said the golf board wanted to make hole 8 a signature hole and wanted to build a wall around the green. She asked why the golf board chose hole 8 and not hole 6 because hole 6 was across from the amenities center and everyone saw it driving by.

Mr. Wade said hole 6 could be dressed up next year.

Ms. Brady said to build the wall, the golf board needed CDD approval because a portion of the wall ran along the lake and the lake was owned by the CDD. She noted she saw the hand drawn plans which

looked good, but after speaking with the County, a site plan modification, permits, and engineering drawings indicating the wall would not affect the capacity of the ponds were required, but as long as this was all done, she did not see any reason the CDD would deny the request. She noted when the golf board obtained the permits, Mr. Ward would need to sign the permits as the CDD owned the property.

Mr. Wade asked about a road. (Indecipherable).

Ms. Brady indicated the road did not belong to the CDD.

Mr. _____ asked when the traffic light would be installed at the south entrance.

Ms. Brady indicated she did not know but believed it would be within the next two years.

Mr. _____ asked if a traffic light would be installed at the main entrance.

Ms. Brady responded in the negative.

Mr. _____ asked if the residents wanted to fundraise to install a fountain in their lake, would the CDD support their efforts and allow fountain installation.

Mr. Ward responded in the affirmative.

Ms. Linda Kender asked when the turnover took place, would Lennar be responsible for completing the task list her HOA had prepared.

Ms. Brady noted her HOA had a punch list with Lennar also and even after the transition from Lennar to residents took place the punch list was not completed. She said she felt like her HOA would end up finishing the list. She recommended Ms. Kender speak with her HOA's attorney, but she did not believe the Master HOA switching from Lennar to residents would have anything to do with the individual HOA's punch lists.

Mr. _____ asked about (indecipherable).

Ms. Brady explained the budget included obtaining a cost estimate to see what would be needed for permitting. She noted the plans also included a lookout tower.

NINTH ORDER OF BUSINESS

Adjournment

Ms. Brady adjourned the meeting at approximately 12:04 p.m. There was no motion.

Tern Bay Community Development District


James P. Ward, Secretary


Tara Brady, Chairperson