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, September 22, 2026, at the Heritage Landing Amenity Center, 14571 Heritage Landing Boulevard, Punta Gorda, Florida 33955. It began at 10:00 a.m. and was presided over by Ms. Tara Brady, Chairperson, and James P. Ward as Secretary.

Present and constituting a quorum:

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

Absent:

Gary Hamilton	Assistant Secretary

Also present were:

James P. Ward	District Manager
Greg Urbancic	District Attorney
Richard Freeman	District Asset Manager
Clay Rebol	District Engineer
Vivian Carvalho	Senior District Manager w/PFM
Racheal Meade	Assistant District Manager w/ PFM
Cori Dissinger	Assistant District Manager w/PFM

Audience:

Mary Longares	w/Heritage Landing Amenity Center
Heather C.	w/Heritage Landing
Yader Portocarrero	w/FPL Streetlighting team (by phone)
Jason Stafford	w/Sunnygrove
Linda Dennes	Deb Savage
Lenore Infonti	Sylvia Schmacker
Stuart Fitzgibbon	George R. Landis, Sr.
Jim Trch	Char Laursen
Rick Waske	Terri Dulin
Tracy Rohes	Pete Morris
Paul & Lynn Harwood	Roger & Denise Deering
Doung & Michele Knight	Rosanne & Frank Accardi
Nick Davis	Rob Gaumer
Nick Nazzareno	Anna Bruins
Mark Hale (Terraces)	Lindsey Heavener
Caryl FitzGibbon	Paulette & James
Sue	Jeff
Linda	Lyn
Joan Savidge	Dan Richards

Jeffrey Gordon	Maureen McMullen
Daniel Forte	Roger Kovalec
Steve Trask	Glen Perry
Frank	Bo Puffer
Ovidio Irizarry	Thomas Eshcoff
Ashley McClurg, Terrace 5 condo board	
Weis	Cathleen A
Rich Gase	Joe Vaske
KC	Linda
Gail Kurpisz	J
Al Vespa	Mary
Jean Turgeon	Jeffrey Gelman
Katherine Burke	Mike Reece
Rod	Gail
Debora Dean	Kris
Jamie Maddux	Diane Stuart

All residents' names were not included with the minutes. If a resident did not identify themselves or the audio file did not pick up the name, the name was not recorded in these minutes. Portions of these minutes may be transcribed in verbatim.

FIRST ORDER OF BUSINESS Call to Order/Roll Call

Mr. Ward called the meeting to order at approximately 10:00 a.m.; all Members of the Board were present, with the exception of Supervisor Hamilton, constituting a quorum.

SECOND ORDER OF BUSINESS Notice of Advertisement

Notice of Advertisement of Public Hearings and Regular Meeting

THIRD ORDER OF BUSINESS Public Comments

Public Comments on Agenda Items

Mr. Ward reviewed public comment protocols. He explained the questions and comments would be written down and answered after all public comments were made. He asked if there were any comments or questions regarding items on the agenda.

Mr. Stuart Fitzgibbon thanked the CDD Board. He stated he and his neighbors were pleased with the new streetlights and would like to see additional streetlights installed. He thanked the Board for its efforts regarding the landscaping as well.

Ms. Anna Bruins asked why the proposals for flower beds along Heritage Landing Blvd from Sunnygrove were rejected, what could be done to get the proposals approved and when the flower beds could be replanted. She said in front of her condo building there were flower

beds which needed attention. She said she understood the CDD was waiting for the plat to determine who was responsible for maintaining these flower beds. She asked about interim maintenance plans for these flower beds to ensure the beds remained at the same standard as the rest of the development.

Mr. Ward explained the landscaping within the condominium areas including near garages, and anything outside of Heritage Landing Blvd was the responsibility of the HOA. He noted the CDD knew the plat was going to indicate the areas not a part of Heritage Landing Blvd would be maintained by the local association.

Mr. Steve Trask thanked Mr. Ward and the Board for assisting with the swale issue with Lennar. He stated he hoped the proposed six streetlights would be installed in Verandah 3. He noted it was very dark in Verandah 3 at night.

Mr. Nick Davis asked if there was a publication which indicated what the Master Association and the CDD each were responsible for, so residents could direct questions and concerns to the proper entity.

Mr. Ward stated the plat was finalized and reported at the County level; the final step in the process was for the County Property Appraiser to take the plat, assign separate property identification numbers, and assign ownership interest based on what was identified on the plat. He stated he did not know if the Property Appraiser had gone through the plat and done this yet; it could take a month to complete, but soon it should be available to view on the Property Appraiser website.

Ms. Ashley McClurg stated she was on the Terrace 5 condo board. She thanked the CDD for researching the streetlight situation and putting together the proposal. She said she had been trying for two years to get streetlights in, and she hoped the CDD Board would approve the proposal.

FOURTH ORDER OF BUSINESS Discussion

Discussion of Florida Power & Light (FPL) Street lights

Mr. Ward asked Mr. Yader Portocarrero with FPL to present the FPL streetlight proposal.

Mr. Yader Portocarrero stated he recently transitioned into his role with the FPL Streetlighting Team covering the southwest portion of Florida. He stated in June he and Vickey DeLuca spoke about areas across the community which needed illumination, as well as safety and security issues. He explained he worked with Ms. DeLuca and Richard Freeman to verify light locations and make it as cost effective as possible for the community by tying the lights into existing infrastructure. He stated a plan was developed for Birchwood Court, Verandah and Terrace Homes. He said Birchwood Court should be fully installed and was taken care of by Lennar. He stated the streetlight plan for Terrace homes and Verandahs was engineered by his team, and a proposal was prepared for the Board to approve. He noted the proposal included six streetlights at Verandahs and four streetlights at Terrace Homes. He stated there would be no upfront costs for installation; there would be a monthly fee for the lights. He

stated FPL would fully own and maintain the streetlights. He indicated it would cost $350 dollars a month for the ten extra streetlights. He stated if the agreement was signed today, installation would take place in January.

Chairperson Tara Brady stated she thought this was a good proposal; the community needed these lights. She said the lights were supposed to be installed before, and it was very dark in these areas. She stated Verandah 1 was extremely dark, the last light was at the end of Black Beauty, and the next light was at the intersection of Terrace 1. She stated there were no lights at the entrance to Verandah 1 and it was extremely dark. She noted when Verandah 1 was built there was a conduit sticking up at the driveway which said FPL, so she believed there originally was supposed to be a light there, and it was possible there was a conduit there as well. She said she felt the Verandah 1 area should be considered for light installation at this time as well. She noted there were four buildings with 12 units each which had no streetlights. She asked for a light to be installed at the entrance as a minimum.

Ms. Vickey DeLuca stated the proposal before the CDD could be executed immediately if the CDD agreed and over 250 homes would receive streetlights soon. She said she would be happy to start the process over again for the other homes Chairperson Brady had in mind, meet with Mr. Portocarrero, and obtain a proposal for these other homes. She said this was not a "one and done" with FPL.

Chairperson Brady stated she would like Mr. Portocarrero to look into the situation.

Mr. Portocarrero indicated he would be happy to take a look. He asked for an aerial screenshot of the area with a pin location.

Ms. Denise Blakely discussed areas she felt needed additional streetlights behind Verandah 3 by the trash bin, Birchwood Court entranceway near the bridge, and the main roundabout missing light.

Chairperson Brady stated the bridge near Birchwood Court was the CDD's responsibility to illuminate, but there was no money in the budget at this time.

Discussion continued regarding the bridge and the lighting needed; and where additional street lighting was needed: between light 5 and 6, between light 13 and 14.

Ms. DeLuca said the CDD needed to decide if it wanted to move forward with the proposal today, get the proposed lights installed and then consider additional lights, or did the CDD wish to send the proposal back and redesign. She said if the CDD sent the proposal back, the lights would not be installed in January, it would take approximately 60 to 90 days to redesign.

Mr. Richard Freeman stated he spoke with Mr. Portocarrera and there was no cost to the District if there was a transformer near where the light would be installed. He said if there were no transformer the CDD would have to pay to run the electric to the site.

Mr. Portocarrera indicated it cost approximately $12 a linear foot to run electric for FPL.

Chairperson Brady said she was willing to make a motion to approve the proposal and look at adding one more streetlight if there was a transformer there, or get the cost for that additional light, as well as the lights in Verandah 1.

Discussion ensued regarding streetlight installation being free if there were a transformer at the streetlight location.

Ms. DeLuca said she would pursue adding more streetlights where needed in the community. She indicated she welcomed input regarding where additional streetlights were needed.

Ms. Blakely asked if there was a map of the streetlights in the community.

Mr. Ward stated there was a streetlight map on the website.

Discussion ensued regarding what streetlights were supposed to be located where; who decided where to install streetlights initially (Lennar); the areas which needed streetlights more than others; whether or not there were streetlights which were "owed" to the community from Lennar; Lennar not owing the community any streetlights; whether there was an FPL map showing where lights were supposed to be; and why Lennar did not install lights everywhere throughout the community.

Mr. Ward: This community has been here a relatively long time. For whatever reason, Lennar decided to put in lights which were a standard FPL lighting system. They don't charge you for the lights; they get it back in the monthly fee. It is what it is. You can look in your budget, and you can see that there is an electric bill that we pay every month to FPL for all of these lights that they have put in. The lights that were in the original plan that was done, even in the FPL plan there was no obligation by Lennar or the CDD; if you don't want to put a light in, you don't have to put a light in. I think this is a great step. We get 250 homes that get lights right now. There are some that are missing. We will try to figure out which ones they are and see if they can be added as long as there are transformers there. If there is not, obviously that's a cost we will need to consider. This, I think, is a great plan to get done and approved today so we can get this moving forward. Denise will work with everybody to figure out specifically the lights that are missing and we will figure out a solution. That's a great plan for today and a great plan for how to move this process forward.

On MOTION made by Tara Brady, seconded by Vickey DeLuca, and with all in favor, the FPL proposal was approved and direction to look into adding a streetlight at the entranceway on Birchwood Court and in Verandah 1.

Mr. Ward thanked Mr. Portocarrera for his assistance and work on this project.

FIFTH ORDER OF BUSINESS Presentation

Presentation on EntranceIQ transponders/Amazon deliveries

Mr. Ward: Robert Beeline and one of his staff members was anticipated to be on the call today to discuss the higher-level issues with respect to the EntranceIQ system. I think from my perspective, as a manager, I'm not going to go through all of these details with you, but I wanted to point out something to you. As a manager, I take a look at this, and I know we took this over basically October 1 of last year but remember we were still transitioning from the Ramco system to the EntranceIQ system. We were in the Ramco system from October 1 through the end of January, I think. So, if you look at the 9 month statistics, there have been 180,000 vehicles that have come through the front and back gates. I was personally astounded at that number. Especially when everybody says summer is here, people go away. Not true in this instance. We are seeing substantial traffic going through both of the gates, even in the summer months. Even with the visitor traffic in the system, we have had over 55,000 vehicles in the 9 month period registered in the system. We are still working through some issues with respect to this. 90 percent of the residents are registered. Some residents don't want to register. That is an option. If they choose not to do that we don't require them to do that, they just have to go through the visitor gate. But 80 percent of the residents are actively using the EIQ Connect which is your app that you have that you can get text messages from. And one other statistic that I think is interesting, 73 percent of the residents are using QR codes also. If you remember the original discussion we had with EntranceIQ, we talked about both the license plate and the transponder system. We have a significant part of the community using just their license plates, but many residents still prefer to use the QR codes. If you look financially at what we did, from October 1, basically through February which is when we were in the Ramco system, we went through something like 10,000 transponders. From then until now we only bought 5,000 transponders for the system, and we still have a significant amount of those left. Many people are not using the transponders like they used to, but they do want them and they use them. We make sure, going forward, we don't give them out anymore, you can't put them in baggies and give them to your friends. We put them on the cars and make sure they are both registered on a going forward basis. When I saw this presentation that EntranceIQ put together for you, I thought I would go through the higher level of statistics. I'm going to leave the rest of this presentation for another time. We will schedule this for your next board meeting. I just wanted you to get the feel of the number of people and cars coming through the system in a 9 month period. Frankly the Allied Staff has done an amazing job, especially Heather with respect to making sure the residents are logged into the system. We are getting all of that done on a regular ongoing basis.

Mr. Robert Brady: When all of this started, I voted for EntranceIQ on the assumption that the transponders were all going away and it was all going to be LPR. Now, reading these statistics, there are more people using the transponders than the LPR. Why is that?

Mr. Ward: If you look at the screen, if you look at the RFP itself, these are the key areas that you awarded the bid on with respect to EntranceIQ: ensuring that the gatehouse visitors had correct access; we had a resident application that was both web based and a phone application which we have not implemented; vehicle access and license plate reporting and reporting in the system. I think it's been extraordinarily well done over the last 9 months. So, vehicle access, EntranceIQ did not say in their RFQ that we would be able to get rid of the transponders. And as a matter of fact, if you look at the way the system operates we really can't do that. There are vehicles out there that have specialty plates that the cameras cannot read and other vehicles with license plates the reader cannot read due to spare tires or height or other things.

Mr. Brady stated if the residents with plates which could not be read had to stop 5 times and back up and go to the visitor gate the plate cover would come off real fast.

Ms. Vickey DeLuca stated the most important part was the RFP that the board approved did not have an LPR requirement. She said she even asked if the system would integrate with transponders. She noted EntranceIQ indicated the system would run on the transponders so as not to disrupt the community.

Ms. Denise Blakely stated she understood the EntranceIQ system would temporarily use transponders for the merge so as not to affect the community, but the CDD wanted the transponders to be gone, because who knew who Lennar gave transponders to. She noted multiple construction vehicles had transponders into the community, and she wanted to eliminate those transponders and eliminate access to people who were not residents of the community. She said it would be a slow transition, but the transponders were supposed to be gone.

Chairperson Brady stated while she understood the CDD reversed it and was allowing the transponders, the CDD 100 percent said it was getting rid of transponders, which was why Mr. Ward sent out emails saying the transponders were going to be turned off many times. She said that was the original intention. She noted things changed, and the CDD had to change with it. She stated she understood the transponders could not be eliminated completely for certain reasons, but it was the original intent. She said she wanted to be sure going forward the people obtaining transponders were paying for the transponders. She stated the CDD should be recuperating that cost.

Ms. DeLuca asked if Chairperson Brady remembered when Lennar gave one free transponder and additional transponders were $10 dollars each.

Chairperson Brady stated she remembered getting two transponders and the two extra transponders were $20 dollars each. She said for those who used the license plate reader it would always be free, but residents who insisted on having a transponder should be required to pay for the transponder.

Ms. Blakely agreed.

Ms. DeLuca agreed. She asked if the CDD could charge for the transponders.

Mr. Ward said he had to put something in place at the Board level, some kind of a rule to set a fee structure and an administrative process had to be put in place for purposes of collecting the funds.

Chairperson Brady asked Mr. Ward to move forward with that and bring it back to the board along with the cost of the transponders.

Mr. Ward stated it took 60 to 90 days to go through the rule-making process, but he would get it started.

Ms. Blakely noted that at this point only residents received transponders; renters, guests, construction workers, etc., would not be able to get a transponder; only homeowners.

Mr. Ward stated security stopped handing out transponders to non-homeowners many months ago.

Discussion ensued regarding the transponders which belonged to unknown individuals.

Mr. Ward stated EntranceIQ turned off the transponders which belonged to unknown individuals and it was very messy; many residents complained vociferously and the transponders had to be turned back on immediately. He stated a more complicated process of transitioning the older transponders to the new system would need to be done; just turning off 1,500 transponders was not a good idea at this time. He noted it was going to be very difficult to figure out who had the 1,500 transponders.

Ms. Blakely said EntranceIQ was supposed to slowly turn off the transponders, and then the residents would come up to the office because their transponder did not work anymore, and the office would get the residents situated with the new system.

Mr. Ward: There are over 1,000 transponders and we don't know who they are. It's not simply turning them off and people will walk up to the office. That's not right to your residents. We've got the system. It's operating extremely well at this point. I understand your concern, but at the end of the day you can't just turn off more than 1,000 people's old transponders off for whatever reason. We will put this on the next agenda. As a part of the EntranceIQ discussion next month you can make the decision if you want to turn them off. You can send a notice out to the community saying you are going to turn them off on such and such a date and we can deal with it at that point.

Ms. Carvalho: Just because I've had the experience of transitioning over to this type of system. I think when the time comes, it's extremely important that you have the option of transponders and what that process is in terms of cost associated with replacement, so that you start that paper trail. Keep that in mind, when making that change don't do it drastically without having the process in place in case there are residents who still want to have transponders.

Mr. Brady noted the CDD discussed this point many times in the past, there was a person at the front office in place to assist residents; this was supposed to be transitioned over already.

Ms. Blakely said EntranceIQ was supposed to slowly shut down the transponders and residents would slowly come to the office, but this did not happen and more transponders were purchased.

SIXTH ORDER OF BUSINESS Presentation

Presentation from Sunnygrove on landscaping suggestions going into 2027

Mr. Ward stated Jason Stafford with Sunnygrove landscaping would speak.

Mr. Jason Stafford stated he had been working with Richard Freeman on some options for landscaping and put together a few proposals. He stated there was a lot of damage from the frost and the drought throughout South Florida. He noted there were some changes to the proposals created two months ago because the landscaping had changed in the past two months, for example, part of the budget was earmarked for sod replacement, but the sod was looking much better today, and it would not be needed. He discussed the things he felt needed to be done soon, such as dead palm trees, plant replacement in the front, etc. He said he felt planting larger natives on the berms would be a better use of funds as opposed to sod replacement. He noted those areas of sod failed the first time, so maybe try something different this time. He stated proposal 1 was to get the plants and palms replaced. He recommended proposal 1 as it was. He stated proposal 2 was pine removal, and he recommended this as well. He stated proposal 3 was not as relevant now as it was; he recommended revisiting proposal 3. He stated proposal 4 was muhly grass to go with number 3; again, he recommended revising proposal 4. He stated proposal 5 was a recommendation to add more muhly grass and less sod; this eliminated approximately 4,500 square feet of sod from the previous proposal. He stated he recommended looking again at the sod replacement proposals to see what kind of condition the sod was currently in before moving forward. He said water restrictions would be lifted, hopefully, October 1, at which point the ponds would be full, rain was abundant, and it was time to get the new plants in before winter. He recommended approving the first two proposals, let him and Mr. Freeman work on a sod versus plant proposal to present at next month's meeting, and if approved the next proposal could be expedited. He reviewed the proposals and discussed areas in which he believed muhly grass instead of sod would be appropriate. He stated he made a proposal to rip out the landscaping at the back gate and plant sweet viburnum which were very hardy; this would cost approximately $20,000 dollars. He said this could be done, or the old cocoplums could simply be replaced for approximately $12,000 dollars. He suggested putting funds together to address the back gate landscaping at a future date. He said replacing the cocoplums which could again die in a freeze might not be a good idea.

Mr. Richard Freeman stated most of the plantings these proposals focused on were part of the main focal point on the main boulevard. He noted there were many other areas which needed attention, but because of the limits of the budget he focused primarily on these main areas. He stated he could put together a long-term capital plan in which maintenance of existing landscaping would be included, as well as new landscaping projects.

Mr. Brady asked where the money for the projects would come from. He stated at the budget meetings, everyone was whining about cost, so the landscaping budget was cut drastically. *You can see how far those numbers will get us. I'm looking forward to next year when this comes up again.*

Mr. Stafford: That's what we were trying to do, stay within the budgetary confinements and get the best bang for the buck, to Richard's point, in the focal areas. That's why once again, because we are limited, I would like to look at it again to make sure we are getting the best for what we have.

Ms. DeLuca: We have $50,000 dollars in our budget for next year for landscaping. I do think we need to fix the back gate. I went and counted them myself. My question is, the proposal you gave us back in March, 175 times $19 dollars a plant, which was a 3 gallon plant, that's

$3,300 dollars. The removal was $2,800 dollars which was significantly less because we're not removing the whole thing, and some of them don't even have places there, so we are talking less than $5,000 dollars to fix the back gate, not $12,000 dollars.

Mr. Stafford: I was putting in larger plants to fill the holes, so it wasn't looking like this. To her point, absolutely we can put the smaller ones in, and save money, as long as aesthetically the community understands that's going to look like -- it's going to take time to grow in.

Ms. DeLuca thanked Mr. Stafford and said she was in favor of fixing the back gate landscaping for a smaller amount.

Mr. Stafford said he would walk the back gate, get a true count, and do a 3 gallon plant.

Ms. DeLuca asked for the 3-gallon plant option and a slightly larger plan option. She said even if the amount for plants doubled she felt it was a more affordable option.

Mr. Freeman stated the cocoplum was open and exposed to conditions. He said the front hedge was sprayed with vapor guard, the back hedge was not sprayed, and he would look into spraying the back hedge going into next winter.

Mr. Stafford stated he would look at it again and put together a 3 gallon and a 7 gallon option for the CDD to consider.

Chairperson Brady noted the back hedge was not even on the list today, so she would like to move on. She stated on the list today for removal, on page 39, were two cabbage palms south of the Clubhouse past the bridge on the east side. She stated this was golf course property, not CDD property. She said as such the CDD should not be responsible for this. She stated that entire hedge was way past the CDD's right-of-way and even the group of three trees in the front were outside of the CDD right-of-way and the CDD should not be maintaining it. She said, as a minimum remove these from the proposals. She said on the next page, the tree earmarked for removal was a tree on which she always saw the eagles living in and she did not want it taken down.

Discussion ensued regarding the large dead trees which were eagle and bird habitats.

Chairperson Brady stated she understood Mr. Stafford wanted the CDD to move forward with proposal 1 and proposal 2 at a cost of $16,130 dollars, but this cost would be lowered if the tree removals not on CDD property were not included in the proposals. She asked where the other slash pines were located. She noted there were two she did not want the CDD to remove.

Mr. Stafford stated there were three in a clump where Chairperson Brady was referring and there was one by the bridge. He said aesthetically removal of the pines was recommended, but otherwise there was no other reason to remove the pines.

Mr. Freeman recommended taking down a few of the pines which might present a hazard, especially the one next to the bridge which could damage the bridge if it fell.

Chairperson Brady stated she felt the grouping of three pines should be left in place, but if the Board wanted the tree by the bridge removed she would not argue.

Mr. Stafford asked if the Board wanted to remove proposal 2 in full.

Chairperson Brady stated she would approve proposal 2 as long as any work proposed for south of the bridge near the clubhouse was removed from the proposal because that was golf course property.

Ms. DeLuca asked if the 9 trees earmarked for removal were all on CDD property, or was Chairperson Brady correct that some of the trees were on golf course property.

Mr. Freeman stated he would verify the trees were on CDD property.

Ms. DeLuca asked about the mulch. She said mulch would be done throughout the property in the winter, so mulch should not be included in the proposals.

Mr. Freeman indicated he would discuss the mulch in his operations report; mulching would be done mid-November if approved.

Discussion ensued regarding the slash pines, mulching, sable palms and proposal 2.

Mr. Stafford stated he would verify the sable palms were on CDD property.

Ms. DeLuca said proposal 2 was out, and she wanted a proposal for the back gate.

Mr. Stafford indicated this would be done.

Mr. Brady asked how long it would take 3 gallon coco palms to grow in.

Mr. Stafford responded it would take about two years to fill in. He stated the coco palms at the back gate were 15 to 20 gallon plants.

Ms. DeLuca stated she felt Mr. Freeman should put together a plan for landscaping throughout the community. She discussed areas which needed to be addressed. She asked how $50,000 dollars could best be used to improve the landscaping for the residents.

Mr. Ward: We are literally just going into our fiscal year budget. We only have $50,000 dollars for an entire year for a huge landscaping program. If we want to spend a grand here and there now to fix something, who cares, but we need to take a step back and take a holistic look at this entire landscaping system and identify all the areas that need to be improved. Richard can put them on a map, show you where they are, cost these things out and identify how we are going to move forward going into fiscal year 2027. Although I appreciate Jason's work, I am not in favor of spending $50,000 dollars. I'm not really in favor of spending $5,000 dollars, but if you want to spend a couple of grand I don't care. But we really need to take a step back and take a more holistic look at this. We are not going to get this done, I mean everybody thinks we are going to throw $50,000 dollars in fiscal year 2027. That's a drop in the bucket for this project. We need to take a longer more strategic approach to this landscaping plan. It's going

to take a couple of months to do that. It's not going to happen this year. We will fix what we need to fix. $50,000 dollars is a lot of money, but it's not anything in the context of this. When you look at these proposals, I added them all up and it's $50,000 dollars just to do this little bit, and this is nothing. At the end of the day, if you want to fix the back gate, I don't care, but we really need to take a more holistic approach to this entire system.

Ms. DeLuca: I agree. This needs to be done in phases. Maybe take out the dead eyesore stuff and slowly phase in the new things as we can afford it. And then we will know for next year's budget, we will have an idea of what we will need to make this place look like we want.

Mr. Ward: Yes. Look at the entire community. Look at where you are now. Look at all the costs we think we are going to have to deal with over a period of time, and then we can phase it. And we can tell residents this will be done in 2027 or 2028 or 2029 or 2030. It's not going to happen in year one unless you are going to dump a bunch of money into it and I don't think that's a good idea right now.

Ms. DeLuca suggested replacing the grass on Burnt Store Road with muhly grass which was more drought resistant and aesthetically pleasing.

Ms. Blakely said the dead things needed to be removed.

Ms. DeLuca agreed.

Mr. Ward: It's not just Burnt Store Road; it's your whole community. Just because you drive down Burnt Store, everybody drives in the community and they have to see it, so you have to have a more holistic view of this. I will work with Richard, and Richard can work with Jason, and we will do the map thing, but as a Manager, I'm advising you not to spend a ton of money right now. We need to look at this going into the 2027 fiscal year and then going forward. I'm going to make the decision for you, as your Manager, we will do that little bit of back gate stuff is and we are going to spend not as much as we need to, and over the next two or three months Richard is going to develop a larger landscaping plan for us, and we will work cooperatively with him and Jason on doing something on a broader scope for you which I think will allow you to step back and see the bigger picture.

Mr. Brady: So, proposals 1 through 5 are out and we are now concentrating on the hedge at the back gate?

Mr. Ward: As far as I'm concerned at the moment, other than the back gate and if a dead tree if it's going to fall on something that's another issue, but other than that I don't think there's too much more we need to do at this meeting. If I need to change course with you next month I will tell you that, but my recommendation to you is we take a step back and have a larger view of the system.

Ms. DeLuca: If there is one proposal that comes back, it should be proposal 1 on Burnt Store Road, but very specifically where is this going to fix Burnt Store Road. It's hard for us to visualize it on the proposal.

Mr. Ward: I can envision $11,000 dollars on Burnt Store Road, but I'm not seeing a lot of bang for the buck, because it's not that much. I can see us putting that much in, but I can see everybody in the audience going well, you didn't do this and you didn't do that, because there is no large plan here.

Ms. Blakely: Can we get a proposal for the removal of the dead palms for now?

Mr. Ward: I will take care of whatever dead palms need removal if it's not too expensive. I'll just do it. If I don't like the numbers, I'll bring it back to you. How's that?

Ms. DeLuca: Denise, you want the dead palms removed because they are an eyesore?

Ms. Blakely: Yes, but if it costs too much –

Mr. Ward: Let me get the numbers. If it's a dead palm and it's not going to fall anywhere then it's not an issue but let me spend some more time on this issue.

Mr. Brady: The dead palms we have, did they get hit by lightning or did they rot?

Mr. Stafford: If they had Ganoderma, the recommendation would not be to plant another palm because they could just be susceptible to Ganoderma again. The sable palm had Ganoderma. Lightning or the good Lord just took it for the others. They are native palms. They are pretty hardy. With the number of palms you have, overall, very few are having problems. Overall, they are pretty successful. He explained when the palms were removed then Ganoderma would be verified; if Ganoderma was identified then a new palm would not be planted in the same location.

Discussion ensued regarding the location of the sable palms (cabbage palms) on Heritage Landing past the bridge; and putting a yellow tag on the trees which needed removal so the CDD Board Members could drive around and see which trees were marked.

Mr. Stafford indicated he would tag the trees for removal and also use a full site map with the next proposal for better visualization of material locations.

SEVENTH ORDER OF BUSINESS Consideration of Minutes

July 22, 2026 – Public Hearings and Regular Meeting Minutes

Mr. Ward asked if there were any additions, corrections or deletions to the Minutes; there were none.

On MOTION made by Denise Blakely, seconded by Robert Brady, and with all in favor, the July 22, 2026 Public Hearings and Regular Meeting Minutes were approved.

EIGHTH ORDER OF BUSINESS Consideration of Resolution 2026-15

Consideration of Resolution 2026-15, a Resolution of the Tern Bay Community Development District Authorizing the Adoption of the Statewide Mutual Aid Agreement and Providing for an Effective Date

Mr. Ward stated Resolution 2026-15 authorized adoption of the mutual aid agreement which allowed the District to utilize the resources of the Division of Emergency Management in the event of emergencies or storm events. He noted the resources could only be used for public property, but the CDD did have a water management system for which it might be able to obtain resources. He explained this Resolution did not bind the Board to use the agreement. He noted it was a relatively complicated process to obtain the resources with lots of paperwork, but it was good to have the agreement in place just in case. He asked if there were any questions.

Mr. Brady stated he saw no benefit for the community to approve this Resolution. He stated he could see the State using the community as a staging area while the community received nothing in return.

Mr. Ward: This is reciprocal in the sense that you can ask the State for aid if they want to do something. They can't use your community to stage anything and they can't ask you to provide services to another community. It just allows you to garner some State funds in the event you want to. I'm not going to disagree with you about the process; it is a long arduous process, but there is no risk to you if you enter into the agreement.

Chairperson Brady: After Hurricane Ian, we had to do a $500 dollar special assessment to have the debris removed from our community. If we had this in place and had the proper connections at that time with the County, we could have had the County public works come in and remove the debris for absolutely nothing. It would not have cost us a penny and we could have saved everybody the assessment, or a large portion of the assessment. In the 22 years I have worked in emergency management, there has not been one hurricane that we have not done a special agreement where the County enters private communities and removes the debris. They have done it in every single hurricane we have had to remove debris. I personally say we should do it. There is no downfall. We don't have public works, so we're not going to go help other agencies. We would be more on the receiving end of the work.

Mr. Blakely: So, there really is no drawback to this Resolution.

Mr. Ward agreed there was no downside or drawback to this agreement.

Discussion continued regarding the State Mutual Aid Agreement; there being no downside to the agreement; and the agreement making aid available to the CDD in an emergency event.

On MOTION made by Tara Brady, seconded by Vickey DeLuca, with three in favor and one opposed, Resolution 2026-15 was adopted, and the Chair was authorized to sign.

NINTH ORDER OF BUSINESS Discussion

Discussion of requirements for the use of Littorals in the Water Management System (Lake 8, All Lakes in Phase 1)

Mr. Ward stated this discussion would be skipped for today as there was nothing to add.

TENTH ORDER OF BUSINESS Staff Reports

I. District Attorney

Mr. Urbancic: Following the prior meeting, the plat did get recorded and we did record the drainage easement and the golf cart path easement immediately subsequent to the recording of the plat. Those have been recorded and Jim's office has copies of those. Just a reminder that everyone finalizes their ethics training before the end of the year.

Ms. Blakely: Anything on the welcome center area? Is that still Lennar?

Mr. Ward: That is still in Lennar's name. Greg and I have been talking about getting that moving forward.

Ms. Blakely: That will be something we discuss in the future?

Mr. Ward: I think you already have. We've just got to close on it now.

II. District Engineer

a. SWFWMD Phase I Modification Transfer to Operation

Mr. Clay Rebol: Regarding the SWFWMD certifications, phase 1, which has pretty much been turned over to operation phase, there was a modification within that phase 1 area that was near the Coach Home tract. That permit has not been transferred yet, so we are going to make that transfer submittal to the District, and we need a signature from the CDD to make that submittal, so that's some paperwork there.

Mr. Ward: These are relatively normal and typical transfers that happen constantly between Districts and the Water Management District when updating, changing, modifying, adding to or subtracting from permit authorizations. Usually, they are just signed by the chair as a matter of record, but we now put all of these items on the agenda. The transfer goes from Lennar's name over to the CDD. Do you have any questions?

Ms. DeLuca: Just a recommendation Jim, in the future, it's hard to know exactly what these parcels and these names are, so if they could give us a visual in the future?

Mr. Ward: Okay, Mr. Rebol, in the future, a map of the layout would be helpful for the permit transfers for the Board.

Mr. Rebol: Okay. This is in the original. I believe there are 15 or 16 permits on this site. Some of them run together, and some of them take over old permits and this was one that ran with the phase 1 parcel of the community, so it was just one that stood out that needed to get certified. Even on the certification form, it was set up where the CDD is supposed to get the stormwater on the actual certification, and if it's on the permit, the CDD doesn't have to sign the certification transfer; however, the District's new stance is, even though it says that on their form, they may want you to sign it. So, like Jim said, this is a normal occurrence. It's just a process.

Ms. DeLuca: This is just going to be some ongoing clean up since we got the plat recorded and making sure everything is transferred from Lennar correctly. That's what I'm hearing you say, correct?

Mr. Rebol: That's correct. Yes. Phase 1 is already in your name. This will go into the CDD as well, and then we have two transfers happening in phase 2 as well that are about to be completed. They have already been under review, and we are going to be resubmitting here shortly. That should finalize those two permits within the phase 2 area. When I say finalize, I mean transfer operation into the CDD's name.

Ms. DeLuca: This appears to be Poppy Field, correct?

Mr. Rebol: Correct.

On MOTION made by Vickey DeLuca, seconded by Robert Brady, and with all in favor, the Modification Transfer to Operations was approved.

III. District Manager

- **a. Renewal of USDA Cooperative Service Agreement**
- **b. Goals and Objectives Requirements for CDD's for 2026**
- **c. Commission on Ethics Required Annual Ethics Training Memorandum**
- **d. Asset Manager's Report – July/August 2026, dated September 1, 2026**
- **e. EntranceIQ Report for July 2026**
- **f. Important Meeting Dates for Fiscal Year 2026:**
  1. **Next Meeting: Tuesday, October 6, 2026, Regular meeting**
  2. **Change/Cancel November 3, 2026 Meeting Date (Conflict with General Election)**
- **g. Financial Statement for period ending July 31, 2026 (unaudited)**
- **h. Financial Statement for period ending August 31, 2026 (unaudited)**

Mr. Ward: Your USDA agreement for the wild hog trapping is up for renewal again. The pricing is the same as it was in the prior year. It looks like it's around $25,000 dollars per year. Obviously, we have had great success with the wild hog trapping. We are not getting any complaints since USDA has been on site. The agreement is exactly the same. We cannot make changes to it. It is a standard agreement.

Mr. Brady: Isn't it up to $25,000 dollars?

Mr. Ward: Yes.

Ms. DeLuca: We have $34,000 dollars in the budget for this.

Mr. Ward: Yes, so we have a little bit of money left over we can put into landscaping.

On MOTION made by Robert Brady, seconded by Vickey DeLuca, and with all in favor, the USDA Cooperative Service Agreement was approved.

Mr. Ward: As you recall, we have to establish goals and objectives each year under state law. We use a relatively simple format: did you meet your public meeting compliance requirements pursuant to statute, did you provide access to public records, did you do your annual budget, did you do your annual audit report, those types of things. Obviously we met all of those objectives. The way in which the statute works you approve the fact that we met those statutory requirements. The only reporting we have is to put this on the District's website. There is not any other reporting required. After you approve it today we will then post this immediately on the CDD website. He asked if there were any questions; hearing none, he called for a motion.

On MOTION made by Vickey DeLuca, seconded by Denise Blakely, and with all in favor, the goals and objectives were approved.

Mr. Ward: Remember to do your ethics training this year for the Form 1 which you have to file next calendar year. My team will continue sending you reminders with the ethics training websites available. You can use any that you like. Remember this is a self-reporting requirement.

Mr. Richard Freeman: I have a couple of things I'd like to request approval on, the first being the palm tree trimming. This year district staff is proposing we only trim the palms and not the hardwoods because of the cost. The cost is $27,000 dollars. If approved, I'd like to move forward with this in early November. This would be throughout all of the District maintained areas.

Mr. Ward: What's in the budget for this?

Mr. Freeman: The budget was $50,000 dollars.

Mr. Ward: Do you do this once a year?

Mr. Freeman: Last year we only did it once in April. Moving forward, this year, since we did the hardwoods last year, I would like to do it in early November and sometime in the early summer months.

Ms. DeLuca: Do you have a tree trimming inventory sheet? Could you share it with us? The one we got last year had 60 trees on it which weren't ours. Let's make sure we have the correct trees. She discussed the trees which were included on the last list but were not CDD trees. She said she would like to look over the list to make sure the CDD was not paying for trees which belonged to other entities.

Mr. Freeman indicated he would update the list and send it. He said next he would like the mulch approved for $29,600 dollars. He said there was $50,000 dollars in the budget for mulch and if approved it would be placed in November.

Ms. DeLuca said she approved.

Ms. Blakely asked if the Board needed to decide what it was going to pull out before moving forward with mulch.

Mr. Ward stated he would focus on getting a little bit of landscaping on the back entrance. He stated he would work closely with Richard before November if anything else would be done, but he believed nothing else would be done. He said mulch could be done in November, and in the winter months a larger landscaping plan would be presented. He said anything dead and dangerous would be removed before the mulch was laid down.

Mr. Freeman noted bridge 3 lighting had been out, but since was repaired.

Ms. DeLuca asked if Sunnygrove could provide a schedule to the CDD. She noted for her home she could visit the Sunnygrove site, and it would say weeding was done in September, so she knew when it would happen. She said she would like to know when things would get done in terms of the landscaping contract. She stated she would even like to post the schedule on the CDD website. She said, for example, Sunnygrove was supposed to trim the shrubbery up to 8 times a year, and it was very overgrown, and it should not be overgrown if it was trimmed 8 times a year. She noted she would like to see on the schedule when Sunnygrove planned to trim the shrubbery and see it was done 8 times a year as per the contract.

Mr. Freeman stated he would work with Mr. Stafford on a schedule.

Ms. Blakely noted there was debris along the walking path and bridges on Heritage Landing Blvd.

Mr. Freeman noted debris removal was on the punch list, and was taken care of, so there was probably new debris, but he would take care of it.

Mr. Brady asked if the bridge lights were on a timer.

Mr. Freeman responded in the affirmative; the lights were on from dusk to dawn.

Discussion ensued regarding when the bridge lights should be on and the possibility of streetlights affecting the photocells on the bridges.

Mr. Freeman stated there were a couple of areas of decking on the bridge that cracked or had loose screws. He stated he was in contact with the vendor and the vendor was working on a schedule to replace the decking.

Ms. Blakely said she was concerned about the quality of the decking. She said there was a lot of splitting.

Mr. Freeman stated the vendor said splitting was normal in certain areas, but in areas where it was meeting with the asphalt it was not normal and had to be fixed. He stated he inspected the decking last Friday. He stated, lastly, on the back gate monument, one of the four foot light fixtures recently installed had some moisture in it and was not working. He noted it was removed and sent to the vendor under warranty and would be replaced.

Chairperson Brady asked if the lights coming in from the north, the main entrance, on the right hand side of the entrance sign were fixed.

Mr. Freeman responded the lights were reported to the electrical vendor on Thursday along with the 4 foot light fixture on the back monument.

Ms. DeLuca noted there was $35,000 dollars in the budget for annuals. She said she felt annuals were out more than they were in. She asked if it would be possible to plant more perennials instead of annuals. She stated she felt the community was constantly dealing with annuals, and beautiful things could be done with perennials.

Mr. Freeman explained it was difficult to maintain annuals in the summer months. He noted the community was in between rotations. He stated he could look into perennials if the CDD wished.

Ms. DeLuca said she felt it would be a good idea.

Ms. Blakely agreed.

Mr. Freeman said he would put something together to present.

Mr. Ward asked the Board to look at the calendar. He said October 6 was only a couple of days away. He noted the next Board meeting was scheduled in November on election day, which was a terrible day for meetings. He said the December meeting was okay. He stated January 5 might also be a bad day. He stated the Board needed to think about what it wished to do for November, December and January. He asked if the Board wanted to meet on October 6. He noted Mr. Hamilton would be back in town and wanted to talk about a lot of things, but if the Board wanted, the meeting in October could be pushed back a week or two.

The Board discussed the matter and wanted to move the meeting dates to October 21, 2026, November 10, 2026, December 8, 2026 and January 12, 2027.

Mr. Ward noted he possibly had other commitments on some of those dates. *Let me figure out these months and then we will come up with a schedule for the balance of your meetings. Right now, we will meet October 21, 2026 and November 3 is off, I will come up with a better date, and obviously, January 5 is off because that's the Tuesday after New Year's Day. We will come up with something for you going forward. I'd like to check our personal calendars and then call each of you individually and figure out what I can do here. But we will meet October 21, 2026 then I will figure it out from there.*

The Board agreed.

Ms. DeLuca asked if it was possible to have a strategic initiatives discussion on what the Board thought needed to happen at Heritage Landing before the budget meetings began in February. She said residents should be able to come in and ask the Board to consider projects. She stated she would rather have discussions amongst the Board Members regarding what needed to be done because the CDD deferred everything which was not mandatory this year.

Mr. Ward stated that was an excellent idea.

The Board agreed.

ELEVENTH ORDER OF BUSINESS Supervisor's Requests

Supervisor Hamilton: Access Control Heritage Landing Report

Mr. Ward asked if there were any Supervisor Requests; there were none.

TWELFTH ORDER OF BUSINESS Public Comments

Mr. Ward asked if there were any public comments or questions about non agenda items. He noted each individual had three minutes to speak.

Ms. Diane Stuart stated on Heritage Landing where the palms were, there was oil or something seeping onto the sidewalk. She asked if the CDD could look at this.

Discussion ensued regarding what it could be.

Mr. Ward stated Staff would look at it. He asked Ms. Stuart not to touch it; it was probably mold.

Ms. Stuart asked about the snails she found and whether she should get rid of them.

Mr. Ward asked Ms. Stuart to give him her number, and he would call her after the meeting to discuss the snails.

Ms. Denise Deering stated there were a lot of weeds on the sidewalk around Heritage Landing. She noted when she went out the back gate, behind the hedges there was a large piece of metal which was rusting and was unsightly.

Mr. _____ stated it was an electrical box. He noted it was rusted out.

Ms. Deering said the metal was not flat, it was skewed.

Mr. Ward said it was not a CDD issue, that was not CDD property. He stated he guessed it was on the commercial property, but he would look into it.

Mr. Lindsey Heavener stated he understood the preserves were the CDDs. He stated the preserve he was talking about was trees and drainage in between the back of his house and a T Box. He said he briefly spoke with the Master Association and Chairperson Brady about it. He stated the preserve area was full of invasives. He said he had standing water six months out of the year and it was full of mosquitos. He stated he cut and hauled 19 truckloads of poplars out, and pulled out 9 truckloads of construction debris including roofing tiles, cinder blocks, etc. He asked the Board to look into these preserves and develop a plan. He said he was willing to pull out the invasives himself, but he believed the CDD was responsible.

Chairperson Brady stated it was previously believed this property belonged to the golf course, but the plat indicated it belonged to the CDD. She noted the drainage plans indicated there was supposed to be a swale behind Mr. Heavener's home. She said the swale was supposed to direct the water to an outfall pipe and into the lake. She stated the swales either were not done or disappeared. She agreed this was a major issue and needed to be addressed. She said Mr. Freeman had an estimate for removing some of the invasives. She stated she understood the CDD did not have any money, but she also understood this needed to be addressed. She noted it was a mosquito and a rat problem and was an issue the CDD needed to handle. She stated she was not as concerned about the preserve areas which were not near resident homes, but this particular preserve area was right between the golf course and many homes. She said she believed the money needed to come out of reserves to fix this problem. She said she also wanted the swale replaced to eliminate the pooling of water behind these homes.

Ms. Blakely wanted residents to understand the CDD did not know about this problem until after the budget was approved. She said the CDD was managing a budget, but this area did not belong to the CDD until after the plat was recorded and the budget had already been approved.

Mr. Heavener discussed the money he and his neighbors spent attempting to fix the preserves in his backyard. He discussed the rat problem in his backyard. He asked the CDD to keep in communication with him and his neighbors about this issue.

Ms. Blakely asked Mr. Freeman to speak with the wetland preservation vendor and see what it would take to add the swale back to this area.

Mr. Freeman stated this area was added to the CDD's scope of services, and it was included in the budget. He stated the vendor provided quarterly routine maintenance. He explained

when the vendor came out, they did not work in every area, they had sections that they worked.

Ms. Sylvia Schmacker stated she was from Terrace 7 through 11. She asked why she never had her lawn trimmed near the water. She said the only time it was trimmed was when she complained repeatedly. She stated she was told at an HOA meeting that the back hedges died because Sunnygrove sprayed the hedges with the wrong chemical; therefore, she did not think the community should be responsible for replacing the hedge.

An unidentified female audience member asked if there was a standard for the brightness of the lights. She noted some lights were brighter than others and she had a particularly bright white light shining into her backyard. She asked how she could get the shadows out of her backyard.

Ms. DeLuca responded the yellow lights were the original lights; the white lights were the new efficiency LED lights. She noted when the older lights were replaced, the new white lights were installed.

An unidentified female audience member asked if there were a shroud which could be added to direct the light downward so it was not shining into her home as much.

Ms. DeLuca said she was unsure, but she would ask.

Mr. Ward asked if Chairperson Brady had anything to add.

Chairperson Brady stated she answered the questions which were asked online. She noted resident comments and questions included if they had both a license plate and a transponder which one was the system actually reading; slowly deleting the older transponders using the RFID numbers; please make license plates mandatory and shut of transponders; allowing continued use of transponders was enabling bad behavior; a request to review the CDD budget and the CDD bill increases; and would the CDD bill continue to rise by $400 to $600 dollars annually. She stated she responded the budget discussions were ongoing and began early in the year, residents were welcome to attend every meeting. She noted the budget was trimmed to the absolute minimum this year; if residents wanted additional items such as landscaping, lighting, striping, etc., the budget would have to increase. She continued to read residents' comments which included discussion about budget increases, and a request for accountability reports about hogs and cane toads. She stated she explained the asset manager reports provided by Mr. Freeman included details about hogs and cane toads.

Mr. Brady stated most of those residents' questions and comments could be answered by visiting the CDD's website.

Ms. Sylvia Schmacker asked why her question was not answered.

Mr. Ward indicated he did not know the answer to her question but would speak with Ms. Sylvia Schmacker after the meeting and figure it out.

Ms. DeLuca noted if the community wanted to turn off the transponders, it would not only affect the individual whose transponder was shut off, but also the cars behind that individual when the driver with the transponder could not enter. She discussed the traffic nightmare this would cause. She stated it was unfair to penalize those who followed the rules by turning off transponders.

Ms. Blakely: We shouldn't have been told that this program would eliminate transponders which was the main reason some of us wanted to go with it because we wanted the transponders eliminated. Because there are a handful of people who are still using the old transponders.

Ms. DeLuca: I'm not disagreeing with anything you're saying. But I saw it in real time. I'm looking at Char, because she saw it and she said somebody is going to get hurt.

Ms. Blakely: Then send something out on the app that we have that everybody should have access to that says on this say we are shutting off this many transponders, so make sure you get to the welcome center that we are paying for and get set up the appropriate way.

Mr. Brady: Are they coming next month?

Mr. Ward: EntranceIQ is scheduled to come next month, and you can ask these questions at that time if you would like to.

THIRTEENTH ORDER OF BUSINESS Adjournment

The meeting was adjourned at approximately 12:29 p.m.

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

Tern Bay Community Development District

James Ward
James Ward (Oct 30, 2026 11:55:43 EDT)
James P. Ward, Secretary

Tara Brady
Tara Brady (Oct 30, 2026 13:39:12 EDT)
Tara Brady, Chairperson

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Final Audit Report 2026-10-30

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