

**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, December 2, 2025 at the Heritage Landing Amenity Center, 14571 Heritage Landing Boulevard, Punta Gorda, Florida 33955. It began at 10:00 a.m. and was presided over by Ms. Tara Brady, Chairperson, and James P. Ward as Secretary.

Present and constituting a quorum:

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

Also present were:

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

Audience:

Mary Longares	w/Heritage Landing Amenity Center
John Katrich	Steve Basil
Michael Sands	Barb Knepper
Bradley R. Helneke	Kevin Knepper
Rick Dehlinger	Rich Gase
Linda Carlton	Beth Quinn
Carol Amundson	Brian Quinn
Larry Graham	Danielle Gesquiere
Jean Guise	Paul DeLuca

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

FIRST ORDER OF BUSINESS

Call to Order/Roll Call

The meeting was called to order at approximately 10:00 a.m. All Members of the Board were present, constituting a quorum. Supervisor Hamilton was present via video.

SECOND ORDER OF BUSINESS

Consideration of Minutes

November 4, 2025 - Regular Meeting Minutes

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

On MOTION made by Vickey DeLuca, seconded by Robert Brady, and with all in favor, the November 4, 2025 Regular Meeting Minutes were approved.

Chairperson Brady reviewed the Agenda and asked if there were any public comments regarding the agenda; there were none.

THIRD ORDER OF BUSINESS

Consideration of Resolution 2026-2

Consideration of Resolution 2026-2, a Resolution of the Tern Bay Community Development District Amending the Fiscal Year 2025 Budget which began on October 1, 2024, and ended September 30, 2025, and Fiscal Year 2026 Budget which Began on October 1, 2025 and Ends on September 30, 2026; Providing a Severability Clause; Providing for Conflict and Providing an Effective Date

Mr. Jim Ward: These are two budget amendments, one for fiscal year 2025. As you know we started the transition from the developer to the resident board and we started our operations in the last month or so of fiscal year 2025. Fiscal year 2025 runs from October 1, 2024 through September 30 of 2025, so exhibit A to the resolution simply aligns what was the original budget, which was done more than a year in advance, to the actual expenditures through September 30, 2025. Everything else in the budget amendment, specifically the rates, stay exactly the same. The second portion of this resolution, which is exhibit B, amends the adopted budget for fiscal year 2026. As you recall, when we were doing the 2026 budget, we were just starting operations, and we were kind of guessing at a lot of the numbers we were using for all of the operations within the District. Now that we are in November and we have had a couple of months of operations, I will tell you we will probably end up doing another budget amendment with you in 2026 later in the year because we are still finalizing and finding the costs associated with the operations itself. This budget amendment simply is intended to better reflect what the actual costs are going to be based upon some of the new contracts that we have. For example, the new Entrance IQ and Allied contract. We have added a lot of utility costs to this budget and are finally transitioning the electric meters, the water meters, those kinds of things that are still transitioning, but we are starting to see some of the costs with that. Then we are also refining the budget, for example for the repairs and maintenance of your front entrance. That goes on throughout the budget for your stormwater management system. We have contracts in place for your preserve area maintenance, also for your road scape and your landscaping budgets. As a side note, with respect to the landscaping, we did take bids that were opened yesterday afternoon. We had two bidders. It will require an adjustment to the budget based upon those numbers, but at the end of the day, they were good numbers. A third bidder was unable to bid on a project of this size. At the end of the day, Sunny Grove is the best priced. This was bid the same way we did the Entrance IQ system, where it is a qualification based bid system, so when you actually get these bids next month you will see that, and you will go through and do a full recommendation and the best bidder will be based on both price and qualifications of the bidder that submitted the

bids. Other than that, the budget amendment, I think there are no other changes to it. These numbers are much higher than originally anticipated when we did the fiscal year 2025 budget. You can shoot arrows now, but at the end of the day, the \$800 dollar number which we are living with in the current year, that's not going to be the number going into 2027. I want you to think about that. I anticipate you will have your 2027 budget at your February meeting. We will give you a little longer timeframe to look at it, but it will be substantially more detailed than what you saw last year now that we have a couple of months of real costs. We will also be adding a more robust capital program to the 2027 budget on things we know you are going to have to do which we are not doing now, i.e., during the last couple of months we figured out there are many lake banks in the community that need some restoration work done. That's not an inexpensive project, so we are going to capitalize that over a 4 or 5 year period based upon what we know today and a few other things of that nature.

Ms. Blakely: Can I have a hint about the bids?

Chairperson Brady: That will be a little later. The conversation needs to be about this resolution right now.

Ms. Deluca: This is on the 2025 budget we are closing out on. Since this is the first time we have gone through this. Do you amend the previous budget, so that when we do the audit, we are in alignment? I'm trying to understand the process.

Mr. Ward: So, to directly answer your question, that's exactly what we are doing. Every year we will make an amendment to the prior year's budget to line it up for audit purposes.

Ms. Deluca: Perfect. And then, I know how critical our legal services and engineering services are, and I see we have some large one-time expenses in the 2025 budget for both of them which do not carry forward to the new budget in 2026. Was that a one time expense for when we were taking over those services?

Mr. Ward: From a legal perspective, the \$6,500 dollars is a really low number. I have some CDDs that haven't transitioned yet that have legal expenditures based on the actual work that needs to be done. We have done a lot of bidding this year which has caused a lot of legal expenditures. Going into next year I would probably up your budget for legal services to a more reasonable number for legal, but it's a little hard to guess what the number is going to be when we don't know what the work is going to be for the year in advance. I will raise it next year and will adjust it year to year accordingly. From an engineering perspective, in the 2025 year, we have talked to our District Engineer a lot. Specifically, I have, and I know the Chairman has also, and I never talk to engineers on districts that have not transitioned because we are not doing anything at that point. Your engineering budget is going to go up, and it's going to be based upon what we are doing. I will tell you in about a year and a half, once we get all of the questions answered, where all the land is, who owns what, where the roads are, all the little details, that is going to curve back down again, but at least for the balance of this year and somewhat into next year, you are going to see engineering numbers a little on the higher side.

Ms. Deluca: With engineering, we still have the outstanding question on the pumps and the wells.

Mr. Ward: That's part of the plat process and as soon as that plat has been recorded we will go through the process of transitioning that from wherever it is to the CDD at that point.

Mr. Gary Hamilton: I've done some research on our pumps and wells. I think we might be light on that line item, but as you said going forward, we will probably redo another one of these budget alignments.

Mr. Ward: Correct. I do agree with Gary. We just don't know what the numbers are going to be. I know whoever handles that now has been having some issues with the pumps and the irrigation system. They are expensive to repair and expensive to replace and expensive to maintain, so I assume we are going to have an alignment this year and then going into 2027.

Mr. Hamilton: I think once the plat is done and we find out where it is all going, if it does come back to the CDD at some point, we are going to need some significant additional dollars. We do have pump A, which is pump 1, way up in the north corner. It's functioning on a 15 horsepower pump, and it should be a 40. As we move forward it is going to get changed. That was a Lennar thing at the beginning. They tried to save some money and went with a different company who wasn't really capable of doing what we needed done. The good news is, we are flowing.

Chairperson Brady asked if there were any additional questions; hearing none, she called for a motion.

On MOTION made by Robert Brady, seconded by Gary Hamilton, and with all in favor, Resolution 2026-2 was adopted, and the Chair was authorized to sign.

FOURTH ORDER OF BUSINESS

Consideration of Resolution 2026-3

Consideration of Resolution 2026-3, a Resolution of the Tern Bay Community Development District to Designate Date, Time and Place of Public Hearing and Authorization to Publish Notice of Such Hearing for the Purpose of Adopting Rules of Procedure; and Providing an Effective Date

Mr. Ward: This will cover Resolution 2026-3 and Resolution 2026-4. Districts have a process that you can go through to put a rule in place. It is a more substantive process than just using a resolution which you can rescind or amend on a regular basis. The rule process that we use is for more substantive items that we have within a Community Development District. For example, establishing a rate or fee, which is what one of these resolutions is referring to, or that we use to refine a set of rules that are already in place and related to more substantive issues related to the CDD itself. The process that we go through is pursuant to the administrative procedures act here in the state of Florida, which requires us to advertise these proposed rules. I think there is a 60 day advertising period and then you will have a public hearing when the adoption of the rule moves forward. Both of these are scheduled for February 3, 2026 at 10:00 a.m. here at the Heritage Landing Amenity Center. The first resolution is essentially amending a rule that was done before Lennar took on the CDD. There

is an old set of rules from the 2008 time schedule which is really outdated and inconsistent with what the current law is and has some old procedures in it that we don't need to do. The only thing this first resolution is going to do is just get rid of a lot of that extraneous information and leave in a few points related to the actual administrative operating items that are more substantive. The second resolution does basically the same thing, but this is only going to be related to the access control system. This will provide a public hearing where you will be able to charge a fee, I think we have \$25 dollars in the rule, to register your vehicle in the Entrance IQ system. The rule will be effective like March 15 of next year, so you will have time to put all your vehicles in, but after that time if you, for example, change your cars, and you get a new license plate, and you need to register that new vehicle, or that new license plate, there is a fee of \$25 dollars to do that, per vehicle. That's in part 2 of this resolution. There are no decisions you need to make today. I'm just giving you the prelude of what it is. The public hearings are scheduled for February 3rd of 2026. That is the time when you will take individual public comments on each of those rules from your residents, we will close your public hearing, and then you will deliberate and make a decision regarding whatever aspect of the rule you want to implement or not implement as the case may be. These two resolutions simply allow us to move the process forward toward your public hearings in February.

FIFTH ORDER OF BUSINESS

Consideration of Resolution 2026-4

Consideration of Resolution 2026-4, a Resolution of the Tern Bay Community Development District to Designate Date, Time and Place of Public Hearing and Authorization to Publish Notice of Such Hearing for the Purpose of Adopting Rules of Procedure Relating to Vehicle Registration Fee; and Providing an Effective Date

Chairperson Brady noted the location for the public hearing needed to be changed from the Amenity Center to the Club Room.

Mr. Ward indicated the change would be made.

Chairperson Brady called for a motion for both Resolution 2026-3 and Resolution 2026-4.

On MOTION made by Robert Brady, seconded by Denise Blakely, and with all in favor, Resolution 2026-3 and Resolution 2026-4 were adopted, and the Chair was authorized to sign.

SIXTH ORDER OF BUSINESS

Staff Reports

I. District Attorney

Mr. Greg Urbancic: The Legislative Session is about a month away, so we will be updating you once that gets rolling, probably more in the first quarter of the year once we get a fix on what's being proposed. There are a couple bills out there which will affect us and there is still one pending that would get rid of the goals and objectives process we have in place. We will see if that one passes. I will update you on anything else. I

know Jim has a final reminder on ethics training for this calendar year. I haven't seen a bill yet that touches that, so we might be stuck with that again for next year.

II. District Engineer

Mr. Clay Rebol: We are in final plat review at the County and Staff has said we have a good chance to get it recorded before the end of the year. We are working on a couple minor items with them, so we are working through those and will hopefully get that wrapped up here soon.

Mr. Hamilton: What's the real issue? We have been hearing about this plat and going through the committees and getting signatures for months now. It seems every time we come up with our meeting it's going to be "by the end of the month." What's going on?

Mr. Rebol: There are a couple of things, Gary. Number 1, it's a very complicated plat for the County. Number 2, they have had a complete turnover of Staff at the County in the platting department, so they have all new people reviewing a complicated plat that they haven't done before. It's really just been dragging. We have had meetings with them to stay on top of them. I don't like to point the finger, but it's been a County issue with regard to getting the plat through.

Mr. Hamilton: And we are thinking it's going to be the end of the year?

Mr. Rebol: We had a meeting with them a month ago, and we had some minor comments; we resubmitted; it's in their hands. I know we have Christmas break in there, so that could create a problem, but yes, they thought it could be recorded before the end of the year.

III. District Manager

- a. Annual Ethics Training Reminder - due before December 31, 2025.**
- b. Asset Managers Report - November 2025**
- c. Access System Transition Update**
- d. Financial report for the period ending October 31, 2025 (unaudited)**

Chairperson Brady reported the holiday lights were up; the access system emails were sent; eight cameras were installed; the license plate reader, additional equipment, new gates, signs, etc., were installed. She reported the old sales center would be the welcome center for now and would house security personnel who would help residents with setting up if needed and answer any questions. She reported regarding signage, new speed limit signs were going up (25 mph throughout the community except 15 mph at roundabouts). She said she believed the golf cart community application would be on the County Commission Agenda in January. She reported the bridge repairs were on schedule to be completed in January or February; the landscaping contract went out; and there was a new map for landscaping. She discussed the landscaping boundaries on the map. She indicated a couple lake banks were repaired; there were many more in need of repair and the CDD was working on the issue. She stated the algae was low, shoreline growth was being treated, and work

would be done to remove the construction debris from the lakes moving forward. She reported the USDA removed 32 hogs thus far; the USDA came out a couple times a week checking the areas for damage and continued efforts to trap the feral hogs. She stated the cane toad and tadpole activity slowed with the cooler weather and over 10,000 tadpoles, baby toads, adult toads, and egg strands were removed from the lakes. She noted midge fly spraying commenced.

Ms. Deluca: Thank you for the maps. It appears as if the only littoral shelves in Tern Bay are on phase 1 which is on the front as indicated for these maps.

Chairperson Brady: The maps are incorrect. He has to add the rest of them in there. They missed the whole lake number 8, between 8 and 9, it is not there. And I'm pretty sure there is a littoral shelf on 7, and there is one other one. They are working on adjusting that, looking at the plans and getting that corrected.

Ms. Deluca: Okay. That would be great. I've downloaded phase 2 and it's not indicated on the plots with Southwest Florida Water Management that those are littoral shelves, so I just wanted -

Chairperson Brady: The golf course lakes were part of phase 1, not phase 2.

Mr. Ward: We will check that out. We will check the permit and see what it says.

Mr. Hamilton: Are the lake numbers on the map that you sent out correct?

Chairperson Brady: Those are just numbers that we put on there so everybody had one map with the same numbers on it. Those are numbers we just gave them.

Mr. Hamilton: Are we going to get those accepted or is it going to be a part of the plat we are waiting on?

Chairperson Brady: Those are just numbers for your personal use and for when we are talking about lakes, so everybody is talking about the same lake.

Mr. Ward: We will put those maps on the website, so residents will be able to get the maps, and everybody will be talking on the same page. That's the idea.

Discussion ensued regarding the maps and the lake numbers.

Mr. Ward reminded the Board to complete the ethics training before the end of the calendar year. He noted the ethics training was self-reporting and should be indicated as completed upon the Form 1 filed in 2026. He stated the transition to the Access Control System was approximately 90% completed; all the new facilities for Entrance IQ and Allied personnel were in place. He reported the Welcome Center was open and ready and Sunday would be an open house from 9 a.m. until 2 p.m.; there would be 6 or 7 Allied personnel on site to answer questions in the Welcome Center (the old Lennar Sales Center). He indicated the Welcome Center would be manned Monday through Friday from 9 a.m. until 5 p.m. with Allied personnel. He said hopefully the

transition would start at midnight on Sunday; the old Ramco system would be out of operation as of Sunday night and the new Entrance IQ system would be in place at 12:01 a.m. Monday morning.

Chairperson Brady asked if staff would change on Sunday as well.

Mr. Ward explained the staff change from Ramco to Entrance IQ and Allied was being worked out with Ramco and it should be at some time on Sunday.

SEVENTH ORDER OF BUSINESS

Public Comments

Chairperson Brady asked if there were any resident comments. She discussed the standard 3 minute protocol for residents' comments. She indicated she would listen to all comments, make note of questions, and then answer the questions after all public comments were finished.

Ms. Jean Guise asked if the transponder would remain the same with the transition to Allied from Ramco. She asked if the only change would be the app. She asked if the budget was provided to the residents before the meeting and where she could find the budget for review.

Mr. Brad Helneke asked if the CDD had a balance sheet and a month to month statement which was accessible to residents. He asked if the CDD owned assets and/or liabilities; if so, how long would the CDD be required to pay for said assets and/or liabilities. He asked if there was an election for CDD Supervisors.

Mr. _____ asked when and if the wall would be built on hole 8.

Ms. Danielle Gesquiere asked if there would be a community vote regarding whether or not the dock would be built; she asked if building the dock would be an additional liability to the community and would increase insurance costs.

Mr. Larry Graham stated Sunny Grove mowed his yard but did not do a very good job; he recommended the CDD select a different company who might do a better job to manage the community's landscaping.

Mr. Paul DeLuca asked for clarity regarding who mowed around the ponds and who was responsible for this landscaping.

Mr. Kevin Knepper asked if the CDD was arranging for the planned paving for Heritage Landing Blvd and if so, when would it be done. He asked about the road reflectors. He noted the transition to Entrance IQ would require homeowners to send out QR codes to all visitors to register for entry. He asked if there was an easier method of visitor enrollment. He stated in terms of the number 8 pond, no one understood where the line was and getting the engineer to assist would help move the project forward.

Mr. Brian Quinn asked if the collection of 32 feral hogs was for the entire year. He asked which lakes or ponds had bank repairs done. He asked when the map with the lake numbers would be available on the CDD website. He asked if the CDD acquired the Welcome Center.

Mr. Rich Gase asked how Lennar could build a community in which it was not clearly understood who owned and was responsible for which amenities/property.

Ms. Carol Amundson asked if obtaining a single landscaping estimate for the entire community was considered; after which the expenses could be allocated to the CDD and the HOA as appropriate.

Ms. Linda Carlton asked if the CDD Board would be present at the meet and greet on Sunday December 7. She asked about how much the 30-year bond payment assessment was, as well as the admin cost. She asked whether the admin cost covered every other CDD expense. She asked if all past meetings were recorded and whether the residents had access to these recordings.

Mr. John Katrich noted the CDD website was still not functioning properly. He stated he did not receive an email about today's CDD meeting with a link to attend. He indicated he did not see any information about today's meeting on Facebook either. He said he felt this was a problem in terms of encouraging owners to participate.

Chairperson Brady stated she would now answer questions. She indicated meetings were typically included in the HOA emails, but she noticed Mary did not include today's meeting in the Friday email. She said the CDD would ask Mary again to include future meeting dates in the newsletter email. She noted the meeting dates and agendas were also posted on the CDD website; the CDD chose to stay off Facebook. She noted all past meeting minutes were available for perusal on the CDD website. She noted in terms of taxes (bond payments), different homes paid different amounts depending on property size. She indicated \$800 dollars of the bill was for maintenance costs which was for everything the CDD maintained. She noted this amount would likely go up a little next year based on the increased costs for maintenance. She indicated Ms. Carlton could reach out to Mr. Ward who could tell her how much remained on the bond and how many more years of payment were left. She stated the CDD would not be at the meet and greet as the CDD was a government agency and could not gather outside of an advertised meeting; the meet and greet was not an authorized, advertised CDD meeting. She indicated the CDD did not look at obtaining a single quote for landscaping the entire community, but possibly in the future this could be considered. She explained the Lennar plat process: the first part of the development was platted over 20 years ago through a different developer; the CDD had a basic idea what was the CDD's and what was the HOA's but until the plat was finalized and recorded some of the actual lines were not set in stone. She noted the CDD owned every lake, the HOA owned the lake banks, the CDD owned the streets to the edge of the right-of-way, etc. She stated the CDD owned the streets, but not the parking easements in front of the condominiums or Coach Homes. She stated the CDD did not own Coach Home streets. She asked Clay Rebol if Lennar planned to give the Coach Home streets to the condos or the Master HOA.

Mr. Rebol responded the Master HOA would be taking the Coach home streets.

Chairperson Brady stated the Coach Home streets were not platted as public roads; therefore, the Master HOA would take on responsibility for them.

Discussion ensued regarding the Coach Home streets; and Lennar not reaching out to the Master HOA yet regarding the Coach Home streets.

Mr. Rebol indicated he would speak with Lennar regarding getting in contact with the Master HOA.

Chairperson Brady explained the CDD purchased the Welcome Center from Lennar to ensure a shopping center or other unwanted entity was never built on the Welcome Center property.

Discussion ensued regarding the Welcome Center; Lennar offering the Welcome Center trailer to the Master HOA but not the land; the CDD being a government entity and having the ability to purchase land; the CDD paying \$80,000 dollars for the Welcome Center and land.

Mr. Ward: I discussed purchasing the Welcome Center with you several months ago. It is coming out of the bond proceeds. It is not coming out of existing operating revenue. It is within the constraints of what we can use existing bond proceeds for.

Chairperson Brady agreed the CDD discussed this several months ago and had been concerned about the parcel staying with Lennar and Lennar building something on the land which would not benefit the community.

Ms. ____54:11: What is your threshold to have Board approval for something like that?

Mr. Ward: Acquisition of infrastructure included in bond proceeds, just by virtue of the fact that they are within the bond proceeds, does not require board action because bond proceeds are already allocated for acquisition of infrastructure, such as a roadway, a gatehouse, etc. If it's an acquisition of something inside our operating account then it gets included in the budget. The Board includes it in the budget process, approves it, and then we just implement that budget.

Mr. ____55:01: Since as of now, Sycamore Court, which I live on is not part of the CDD maintenance, shouldn't my \$800 dollar maintenance cost be less than everyone else's?

Chairperson Brady: I would say no because, for example, I'm in a Verandah home and it doesn't cover what's in front of my condo either. It's the CDD and every unit is part of the CDD, so it would be the same thing as saying someone who doesn't live on a lake shouldn't pay as much because they don't have a lake behind their property. It's not what your property abuts, it's what the CDD owns and everything that they own they maintain. The asset doesn't have to abut your specific property to give you a benefit.

Mr. ____: I get what you're saying, but you have to drive on the street to get to your garages. I don't. I drive on Sycamore Court to get to my home.

Chairperson Brady: You have to drive on Heritage Landing Blvd to get to Sycamore Court, so that's how you benefit. The Master HOA, as that gets done, will be the ones who actually do the maintenance of Sycamore Court.

Mr. _____56:38: So, the CDD acquired the Welcome Center building and two acres? And are there plans to do something with the two acres?

Chairperson Brady: Yes, the CDD acquired the building and two acres, but no, there were no plans. For right now it's going to be used to house the Entrance IQ person who will help assist people and nothing will be done to the land.

Ms. Blakely asked if the CDD might sell the property to the Master HOA.

Mr. Ward: Any government in Florida, if they want to dispose of an asset, the Board had to declare it a surplus and then put it up for auction or sale but selling to a specific individual or entity was not permitted under Florida Law.

Ms. Blakely asked what would happen to the trailer (Welcome Center building) after the transition to Allied was complete.

Mr. Ward stated the Allied transition would be ongoing; there would always be new residents and renters coming into the community; Allied personnel would always be needed on site.

Chairperson Brady noted it was important to have a separate location to send residents and visitors aside from the guardhouse to prevent backup at the guardhouse gate entrance.

Discussion ensued regarding the Welcome Center; keeping the Welcome Center open to provide a point of contact for residents and visitors alike; renters visiting the Welcome Center to register their license plates for entry; and setting up an account on the app to include vehicles, license plates, regular guests, etc.

Chairperson Brady: I set up my information on the app this morning. I got my code emailed to me within minutes and I was all set up. It has the place in there for your vehicles, license plates, and then your license plate reader is what will get you through. You can enter guest's names in there. It does give you a QR code that you can give to your guest and then when they show up to the gate, they just hold up that QR code and they scan it instead of pulling out their driver's license and doing all of that. So, while yes, it's a QR code, it will go much faster than them having to pull out their driver's license like they do now. The QR codes have to be refreshed. It actually will send your guest a QR code and then when they get here, they can open it and use that QR code, or they can present their driver's license and gain entrance in that way. Renters are going to register with their license plate for the length of their rental contract.

Discussion ensued regarding rental agreements versus guests who stay for a week or so; how long it took to approve license plate changes (1 hour to a day or two); the data in the Ramco system being incorrect; correcting the incorrect Ramco data with the switch to the new system; and the Allied personnel being on site to fix any issues.

Chairperson Brady: The blue road reflectors are for the fire hydrants and as far as the final lift, that is a Lennar project. Lennar has to do the final lift. Clay, do you know if they have that ready?

Mr. Rebol: I believe they have the contract awarded, but I do not have the exact timing on the final lift.

Mr. ____: They told me it was scheduled to begin this week or next week.

Chairperson Brady: The next question was about the map of the lakes. It is on the Agenda Packet for today which is posted on the website, but we will have a separate map posted by the end of the week for the ponds with the lake numbers.

Mr. Ward: I think that's already on the website. Although, the website is down at the moment.

Chairperson Brady: Okay. If it is not on the website, it will be by the end of the week. The bank repairs were not on a golf hole lake. It was on one of the other lakes. I will find exactly which lake it was. It looks like it was on the back side of lake 12. There are several lakes where there is a 2 foot washout on the side of the bank that just crumbles in. Technically, the banks are owned by the Master HOA, but because they are crumbling into the lakes, we have gone in and fixed those.

Discussion ensued regarding the lake bank erosion.

Chairperson Brady: The 32 hogs were collected by the USDA since the first of October when the USDA took over the contract. They have gotten 32 hogs since then. I think our prior contractor got around 40 hogs total over many months. So, since the CDD took it over, around 75 hogs were removed from the area. Mowing around the ponds is the Master HOA responsibility. Normally the ponds should only be mowed, and I think all you guys were ever doing before was once a month. The pond mowing is not like beautification mowing, so the pond mowing should not be done as often as house mowing. Normally, to County standards, retention ponds are mowed once a month.

Ms. DeLuca: At the Sunny Grove meeting here a couple of weeks ago, they confirmed it was once a month. It's a Bahia grass which is different from the St. Augustine in our yard.

Chairperson Brady: What we have noticed, and one reason one of the contractors backed out was he did not have the double equipment and what is happening, and you'll notice this behind almost every house, Sunny Grove mows everything with the same mowers, so they mow the Bahia, they have the seeds, they have the weeds, they have all of that, and then they come up and mow the St. Augustine. If you go out behind the condos, it's all Bahia now. It's all weeds and barely any of the St. Augustine is left because the mower mows the bank and then comes up and mows the other lawn and they don't clean the machines. I will say personally, I think Sunny Grove in the last month and a half has stepped up with how they are mowing because they realized it was not being properly managed before and they were getting away with stuff that they shouldn't, but as you leave the main entrance the first set of bushes, those little wisps were about 3.5 feet long because they had not trimmed that and I kind of lost my mind on them one day. I feel personally that it does look a little bit better than it had been. In

terms of the dock and pathway, we have not made any decisions regarding putting a dock or anything in like that. We have had residents come to meetings and ask if we were going to build what is in the original plan and we talk about what we could put out there at the end of the pathway, if we could do anything, but there is no future plans right now to put a dock or anything out there, but we could contemplate doing the original plans. I don't know if we would put it to a vote of the residents, but we would have conversations to see what the residents would like.

Discussion ensued regarding the Lennar original plans for a lookout tower and dock; the potential for a lookout tower and dock increasing insurance costs for liability; the CDD having no plans to build a lookout tower or dock at this time; and the CDD doing due diligence in terms of liability potential prior to making any plans to construct any docks or lookout towers.

Ms. _____ 1:14:01: Someone cut out a section of the trees, a path through the trees.

Chairperson Brady: We have to look at the plat to see who actually owns that land.

Mr. Ward: She is saying a resident did this?

Chairperson Brady: Yes, remember at the last meeting the property owner said he had to cut back into that area a whole bunch. Now they are saying that he cut actual trees down.

Ms. DeLuca: I asked at the last meeting who owned that, and Jim, you said it looks like the Golf Board, and so, again, we need to see the plat. The final plat, Clay, that you are working with, does it still show the lighthouse and the dock on what we are waiting to get approved?

Chairperson Brady: The plat does not show it. The plat is different than plans. The plans and everything originally showed it, but the plat shows what was actually developed. So, it only shows the canoe launch, and because the canoe launch was already built we have to maintain that pathway, so we will never let that pathway close. We have to maintain access to the kayak/canoe launch. We don't have to build a dock or a tower of any kind. The wall on hole 8: the conversation that has been had is that once engineer plans are done, those engineer plans will come to the Board, the CDD will sign off on it, and then the Golf Board will get the permits. As of right now, there are still no engineer plans, so the CDD is not holding anything up. They surveyed the land but there are no plans. We are waiting for the Golf Board to hire an engineer, create plans and get permit applications to submit to SWFMD and the County.

Discussion continued regarding the wall at hole 8; the Golf Board engineering plans; why the Golf Board needs approval from the CDD, SWFMD and County; and the CDD not delaying the Golf Board plans in any way.

Chairperson Brady: They do not have any plans. They have a hand drawing of what they want to do, but you cannot take that to the County to get permits. You have to show what it's doing to the water, is the pond still capable of maintaining what it was supposed to, is it going to hold more water, all of that, based on what our permit requirements are, and they have to have engineer designed plans. You can't just take a hand sketched drawing to the County to get a permit.

Mr. Hamilton: Isn't Clay the engineer for both the CDD and the Golf Board?

Mr. Clay Rebol: Yes. We originally started with a hand sketch, but that doesn't work for what we want to do. It's been a process. We've gone out there. We've gotten a survey. At that point, they still couldn't show us where they needed the wall. So, that's when the stakes were put in the ground, we went back out there, resurveyed those stakes that were put in the ground (where they wanted to put the wall), so, now we have that information. We can compare that to the track lines within the development, and we will have to put a full set of engineering plans together to submit to the District and the County. We have the information now. I need to talk to Jim and verify everything is good, and we will start to put the plans together.

Mr. Ward: Nobody is holding anybody up in this process. Clay just got the information, so nothing has really started. He just got the information about where the wall is supposed to go. He put survey stakes in to show where they are, and that's about as far as it's gone. He has to make a full set of plans at this point. Nobody has held anything up. We just got this information.

Mr. Rebol: To get all the permits to the District, we will need to put our plans and calculations together, submit the report to the District (SWFMD); they have a 30 day review cycle. If they make any comments, which they usually do, you're going to have another round of review from them. You are probably looking at 3 to 4 months at least. I have to go through the Water Management District first, get their approval, and then we would go to the County after that.

Chairperson Brady: Reality, I would estimate you are looking at 5 to 6 months before a final permit is done for the project.

Ms. ____: How long before Clay gets the plans to the CDD for approval?

Mr. Ward: Clay is the District Engineer for the CDD. He does not have to submit it for approval. He has to basically approve his own work. All he is really doing is working with the Golf Board to make sure it gets done the way they want it done and he knows what the CDD requirements are. The plans do not need to come to the CDD Board for review, but I don't care if they do if you want them to.

Chairperson Brady: We don't have to have a Board vote to approve that. If the District Engineer says it's okay, then it's fine. And as long as SWFMD approves the permit, because that's in our name, then it's fine. Okay, continuing, election. The Board Members here are elected on the ballot in November, when we have an election, in even years. Vickey, Gary and I are up for reelection in 2026 and then Denise and Robert are up for reelection in 2028. We are elected by voters.

Mr. Ward: You have to be a qualified elector who resides in the CDD District. A qualified elector is a citizen of the United States, a resident of the State of Florida, not a convicted felon and registered to vote here in Charlotte County.

Chairperson Brady: It's not like with the HOA where all 1,530 houses get a vote and it's not all of Charlotte County. It's only residents of Tern Bay who are registered to vote.

Mr. Ward: If you vote and your husband votes, then your household gets two votes.

Chairperson Brady: You go wherever you normally vote during elections, and it will be on the same big ballot. So, if they are not Florida residents or Florida voters or residents of Tern Bay, they don't vote for the CDD Board Members.

A Male Audience Member asked: If you own several properties, so you get several votes?

Mr. Ward: No, you get one vote. It's just like a general election. You get one vote per person. If you have four people in your home who are registered voters, that home will get four votes.

Ms. ____: Are there term limits?

Mr. Ward: Not for CDDs. Generally, not for local county or city either.

Chairperson Brady: The next question was the balance sheet, what we own, and liabilities. The fiscal documents are all on the website. We own the roads. We own the pipes; we own all the catch basins. We own basically all the infrastructure except for the water and sewer. When that was built, that was turned over to Charlotte County.

Mr. Ward: You can get all that on the website. The audited financial statements are there. The monthly financial statements for the CDD are there also. Sorry the website is down. We did not get hacked; we got barraged with a ton of emails which took it down. The original bonds which basically covered stage 1, I think the par amount of those is under \$1 million dollars at this point. The remaining bonds, which covers essentially everything other than phase 1, (phase 1 is the 69 or 70 units up there), the par debt is \$28 million dollars. We are taking in \$2 million dollars a year on those bonds, and the other is the maintenance part of it. The website is www.ternbaycdd.org. The website should be up and running in the next hour or so.

Chairperson Brady: In June we held a special budget hearing. That budget, as well as that notice, was mailed to every property owner at that time, and then we held a special meeting just to go over that budget and that's where we had long in depth conversations about increasing the rate, what we were going to do, what we were taking over. I think the original proposal was to raise it to \$927 dollars for maintenance, and after discussion I recommended we put the number at \$800, so again, the same thing will have to be done this year.

Mr. Ward: We do not mail the budget itself. We mail the notice.

Mr. ____: Is the CDD building up reserves?

Mr. Ward: Not yet. That's one of the things we will need to do going forward. There are not enough reserves in the CDD now that we are handling all of these operations.

Discussion ensued regarding every resident registered through the Ramco system receiving emails regarding the change over to Allied; the details of the change from the transponder to license plate readers not being included in the email, but being on the app.

Chairperson Brady noted as long as your license plate number was in the app, the license plate reader would pick up the number and allow entry without the need of a transponder. She stated the transponders would no longer work after midnight Sunday night.

Mr. _____ noted the midge flies were back.

Chairperson Brady agreed noting spraying for midge flies would be part of ongoing maintenance during midge fly season. She stated the spraying would not get rid of the midge flies completely but would help manage them. She indicated review of the budget was a full Board activity. She reviewed the difference between the Golf Board, HOA and the CDD; the CDD was a government agency, and the Golf Board and Master HOA were not. *You have to think of it like county commissioners with Jim as the city manager. Jim has certain duties he just does daily to run the organization, and then we make the policy decisions. We will review the bids and budget and do that kind of stuff, but the small dollar amount things Jim does on his own as the manager. That's why we have to follow the Sunshine Law.*

A male Audience Member told a story in which he was pulled over for having a lightly tinted cover over his license plate. He said new Florida Law indicated license plates were not permitted to have anything covering or even surrounding license plates with a penalty up to \$500 dollars and six months in jail.

Mr. _____ 1:35:58 asked if Clay had what he needed to make the engineering plans to submit to the County. He asked if Clay could make the engineering plans a priority.

Mr. Ward explained the engineering plans would go to South Florida Water Management District first and once approved by SFWMD the plans would go to the County. He noted SFWMD could take 30 to 60 days to approve the plans, and then it would go to the County. He stated he believed Clay understood the engineering plans were a priority, but he would call Clay to be sure.

Chairperson Brady noted it was important to remember that the Golf Board was paying for these plans, not the CDD; the CDD could not fund anything to do with the wall.

EIGHTH ORDER OF BUSINESS

Supervisor's Requests

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

Ms. Vickey DeLuca: I wanted to mention, I did some research on Mr. Heller's comment at the last meeting regarding draining of the pond on number 8 and 9, that he brought up that Lennar destroyed that pond, and I did some research on SWFMD and I talked to Randy Clark. Randy who is the golf pro here and has been here since we reopened and he gave me a picture of the pond at hole 8 and 9, which is lake b in the SWFMD system, and in SWFMD received two complaints in 2022 about Lennar draining pond 8 and I got the reports where they came out and took pictures of it being drained down to the mud and the weeds grew over. They actually plugged hole 8 in order to build the rest of phase 2. It's duly noted in SWFMD, the destruction that Lennar did to hole 8. So, as you are trying to get permits there, I wanted to share that with you. It's on record and it's on record as well that in phase 2 they have

been moving pumps. To Gary's ear there is a laundry list of complaints that residents have filed in phase 2. It is recorded and there are plenty of pictures of what it looked like before it was drained. I don't know what the CDD should be doing about this because the literally plugged it to build the infrastructure on the back. It is not still plugged. They got the complaints, they refilled it, they plugged it again because they still had to finish phase 2, and they got another complaint, and people were not closing homes because it was a mud pit. Lennar filled it to get the homes closed, and then they put the plug back in to finish the infrastructure that was needed on the back side. Lennar did fundamentally damage that and changed the makeup of the pond.

Mr. Ward: Okay. Thank you. I understand what you're saying.

Ms. Denise Blakely: I have two things. One, the palm light is still out over by the roundabout. And the other thing is the dog garbage bin is still at the (indecipherable).

Chairperson Brady: Yes, I have to give Mary a map of where you want it. She said she put it where the residents asked her to place it.

Ms. Blakely: I would say, there are hedges by the electrical boxes there. Just put it by the hedges by the electrical boxes.

Chairperson Brady: Can you put it on a map where you want it, give it to Jim, and Jim can send it to everybody and then we can have it moved?

Ms. Blakely: Alright.

Mr. Ward: Gary was asking about the streetlights from last month.

Chairperson Brady: We were going to have them repaired, the 15 of them. In the report FPL's lead time was still a long time for repair.

Mr. Ward: The streetlights, we tried to get an electrician out there to do the repairs ourselves. We had one electrician who we thought was going to do it, but everybody declined saying they will not touch an FPL system. The lights have all been reported to FPL, but it's FPL and they will do them when they get to them. They have been taking months to get streetlights repaired and there is nothing we can do other than put the tickets in for repair. There is not even an individual we can call at this point. The lead time sometimes is one month, sometimes it's 4 months. We put the tickets in and sometimes they will show up and sometimes it's months before they show up.

Mr. ____: There is the base of a lightbulb in the bushes at the entrance. It looks like it has been there for a while.

Mr. Ward: Okay. I did not know that. I will put in a ticket.

Mr. Hamilton: We were talking about at some point redoing the electrical wiring at the entrance. One of the things, where I am up here, I've noticed that all the up lights on the trees have been moved from the ground to the base of the trees. What that has done has eliminated

the landscapers from not getting the overgrown bushes away from the lights and also helps prevent them from hitting the electrical cords. It may be something we want to consider as we move forward with the electrical at the entrance.

Mr. Ward: Okay. Will do.

NINTH ORDER OF BUSINESS

Adjournment

Ms. Brady adjourned the meeting at approximately 11:51 p.m.

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

Tern Bay Community Development District

James P. Ward

James P. Ward, Secretary

Tara Brady

[Tara Brady \(Jan 12, 2026 16:00:52 EST\)](#)

Tara Brady, Chairperson

TB - Minutes 12/2/2025

Final Audit Report

2026-01-12

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