

**MINUTES OF MEETING
TIMBER CREEK SOUTHWEST
COMMUNITY DEVELOPMENT DISTRICT**

The Regular Meeting of the Board of Supervisors of the Timber Creek Southwest Community Development District was held on Thursday, June 18, 2026 at the Social Room, Timber Creek Town Center, 11590 Timber Creek Drive, Fort Myers, Florida 33913. It began at 9:30 a.m. and was presided over by Mr. Scott Edwards, Chairperson, and James P. Ward as Secretary.

Present:

Scott Edwards	Chairperson
Dalton Drake	Vice Chairperson
Fernanda Martinho	Assistant Secretary
Ashley Kingston	Assistant Secretary

Absent:

Barry Ernst	Assistant Secretary
-------------	---------------------

Also present were:

James P. Ward	District Manager
Cori Dissinger	District Assistant
Greg Urbancic	District Counsel
Ryan Shute	District Engineer

Audience:

Lilly Hall	Michele Nanna
Brian & Elisabeth Gross	Lori Gonzalez
Elizabeth Parker	Pat Resnyk
Joanne Moyer	Teri Hewitt
Pete	Rob Hewitt
Call-in User 2	Larry Z.
Mike Scobell	Claude Prentice
Brian Gross	Gene Rinderknecht
Lisa Shuttleworth	Ana Fink
Call-in User 3	Frank & Pam Greco
Jon Grain	

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 9:38 a.m. He conducted roll call; all Members of the Board were present, with the exception of Supervisor Ernst, constituting a quorum.

Mr. Ward introduced himself and the Board. He reviewed the public hearing process and discussed the hearing related to the budget and the assessment rate. He discussed public comment protocols.

SECOND ORDER OF BUSINESS**Notice of Advertisement****Notice of Advertisement of Public Hearings and Regular Meeting****THIRD ORDER OF BUSINESS****Consideration of Minutes****April 16, 2026 - Regular Meeting Minutes**

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

On MOTION made by Scott Edwards, seconded by Ashley Kingston, and with all in favor, the April 16, 2026 Regular Meeting Minutes were approved.

FOURTH ORDER OF BUSINESS**PUBLIC HEARINGS****I. FISCAL YEAR 2027 BUDGET**

Mr. Ward briefly reviewed the public hearing process.

a) Public Comment and Testimony

Mr. Ward: We have been working closely with the Master HOA. Your Master HOA has transitioned from a developer-controlled HOA to a resident controlled HOA. In the past all your operations have been handled by the Master HOA within your fee structure associated with the developer-controlled HOA. This year, with the change in the structure of the HOA to resident controlled, we have worked closely with your resident controlled HOA and are moving the assets that belong to the CDD into the CDD's budget. That is the purpose of the budget today because doing that increases your assessments for the CDD because we are now doing operations that have not been done in the past. The budget itself, in a very broad sense, we own and maintain some of the landscaping outside the community, for example along the front entranceway and the landscaping that goes to your guardhouse. We do have some small landscaping areas inside the community which are more open spaces than landscaping areas. We are working with the HOA on whether we will maintain them or the HOA will maintain them; that portion of the landscaping program is still up in the air. Mostly, we maintain your water management system which are all the lakes, the preserve areas, and the drainage pipes which connect your roadways to the drainage system and lakes and then drain out of the community. This public hearing is related to the budget. The assessment rate proposed for next year is \$759.66 per year. It was \$173.92 in the current year. The only reason for the change is the fact that we are now

taking on the operations of the CDD's assets. He opened the public hearing and asked if there were any questions or comments about the budget itself.

An unidentified female audience member asked (indecipherable).

Mr. Ward: The way statute works is we are required to send out a specific notice itself which tells you what the rate is. The budget does not go with that. The budget is posted on the District's website ahead of the Board meetings. That gives you all the operating pieces of the budget itself, but it is a rather long document.

An unidentified female audience member asked if the assessment rate was the same for every homeowner regardless of home type.

Mr. Ward responded in the affirmative.

Mr. Rob Hewitt asked about lake bank maintenance, easements, and homeowner responsibility.

Mr. Ward explained with respect to the easements around the lakes, homeowners should be maintaining down to the water's edge. *If you are in a community where your HOA does everything, your Master HOA should be maintaining down to water's edge, and then we pick up from water's edge and into the water. The only time we go onto lake bank is if something happens to the lake bank where it falls in or it needs to be repaired on a larger scale. Then we the CDD will go in and make repairs to the lake bank itself. But the day-to-day mowing is handled by your HOA.*

Ms. Ana Fink asked if the littorals were handled by the CDD.

Mr. Ward responded in the affirmative.

An unidentified male audience member asked if the CDD took care of the preserves.

Mr. Ward responded in the affirmative. He noted the preserves were maintained on a periodic basis, such as quarterly; most of the preserves had reporting requirements to the regulatory agencies and the CDD took care of this as well.

An unidentified male audience member asked about the vendor who maintained the preserves.

Mr. Ward stated he did not know offhand but could get that information.

An unidentified female audience member asked about the pumps in the ponds which did not work.

Mr. Ward: When we started to have this discussion with the Master HOA, we realized that a lot of the aerators, bubblers and fountains that you have in the community are not working properly. It is a rather big program and difficult to go through, but we are in the process of fixing all those aerators, bubblers and fountains now. It's not a short process. It's going to

take us at least 3 or 4 months to get through that. We have to clean out a lot of the areas where those are because they are clogged up with a lot of materials. Once we do that we will get those working for you.

An unidentified female audience member asked if the CDD had been in charge of the lakes and the bubblers.

Mr. Ward responded no, the HOA had been handling the lakes and bubbler maintenance. He indicated the CDD began maintenance of the lakes and bubblers in the last couple of months.

An unidentified female audience member noted the HOA was run by Lennar up until last August.

Mr. Ward concurred.

An unidentified female audience member noted every year there was a problem with the holiday lights and Lennar was supposed to fix this problem. She asked if the CDD would be handling holiday light maintenance from now on.

Mr. Ward: We do have some holiday lighting at the entrance and monument sign going into the fiscal year 2027 budget, so we will be -

An unidentified female audience member stated she understood it was an electrical problem.

Mr. Ward: The CDD is repairing any of the electrical issues currently out there. I think we are doing some upgrades also, so it's a little bit more than just fixing an electrical outlet. Inside the community that would not be the CDD. We have money in the District's budget for any electrical repairs to the lighting, and the lights also.

Mr. Larry Z.: It seems like the wrong entity was paying for certain things that the other entity was supposed to be taking care of.

Mr. Ward: It's very normal in this state, it's not a Lennar thing because I've worked for a lot of developers across the state, when you are building a new community generally the developer through the HOA maintains all of the infrastructure throughout the community and that includes CDD infrastructure. As the community begins to develop and mature towards that maturity point, which is where you are now, when your HOA transitions from the developer to the residents, then the HOA goes through a process determining what it wants to do. Does it want to continue to maintain it, do they want to give it to the CDD? Some HOAs I work with, even though they transitioned, continue to do the CDD's maintenance, and others, like this one, say they want to move it over to the CDD. It's not a Lennar issue. It's just as you mature, things change.

An unidentified male audience member: The problem was now with all of the things that had not been done but should have been done, we end up paying for it and the developer does not. That's the real sore point.

Mr. Ward: I don't really think that's happening. When a community develops and you start having residents come in, the expectation and level of services do change. That's just the norm. When that starts to happen and you have the change between the developer-controlled HOA and a resident controlled HOA we start to redefine the levels of service. I don't think it's appropriate to say Lennar didn't do it right. It's just we are making changes to accommodate what's in the best interests of the community, and that's what is happening in this instance. That happens all the time, all across the state.

An unidentified female audience member: Doesn't it mean though when things aren't properly maintained then the price is higher and things need to be replaced when it could have been fixed to begin with.

Mr. Ward: Not particularly. I don't really see that as a big issue. I've done this for a very long time, and I've never seen a community transition and all of a sudden it's a \$10,000 dollar bill to fix this because it was broken or never really worked right. We are literally tweaking, changing, upgrading, whatever you want to call it the level of services to meet your expectations. Cleaning out the aerators is not something that's expensive. They are working, they are fine, all we are doing is cleaning them out and making sure they work going forward. The things you are worrying are happening are not. We are just making things work better for you going forward.

An unidentified female audience member: You are saying the aerators have been working and are still working?

Mr. Ward: They are dirty and need to be cleaned out, so we are upgrading them in terms of cleaning them out and making sure they work. That kind of thing.

Discussion continued regarding whether the aerators were working or not; what was necessary to keep the ponds working properly; aerators, bubblers and fountains not being requirements in a water management system; aerators, bubblers and fountains being nice to have; and what was needed in a water management system such as littoral shelves, regular maintenance by spraying, etc.

An unidentified male audience member: In Lee County there is a deep lake management plan that does require some aeration and littorals and other things that the developer installs up front. Once those things are installed different phases of the community get turned over. That's the point at which the association takes over maintenance of those items. Some of those things are required by the County, not necessarily by the District. The County has some different criteria.

An unidentified female audience member: All these things in the infrastructure that we cannot physically see, like in the fountains that have never worked, how do we know that the fountains will work in the future?

Mr. Ward: The CDD is going through a process to make sure everything works. I don't know where you actually have fountains in the community. You have aerators and bubblers

mostly. I mentioned them as a general concept of things that you could put in, but your community has basically aerators and bubblers.

M An unidentified male audience member asked if the CDD planned to plant additional littorals.

Mr. Ward responded in the affirmative. *It will happen over the next year. We are not funded right now. October is the beginning of our fiscal year. Usually, it's a couple of months before we start to get cash in from levying assessments because it's on your tax bills, so I'm guessing we are going to be in the December/January time schedule before we really start gearing up.*

An unidentified female audience member asked if the CDD maintained the back gate circle of trees.

Mr. Ward responded in the negative.

Discussion ensued regarding what the CDD was responsible for; the CDD working on creating a map illustrating where the CDD's assets were located; and the asset map being posted on the CDD's website likely in 60 days.

Mr. Ward asked if there were any additional questions or comments; there were none. He closed the public hearing.

b) Board Comment

Mr. Ward asked if there were any Board questions or comments; there were none.

c) Consideration of Resolution 2026-9, a Resolution of the Board of Supervisors Adopting the Annual Appropriation and Budget for Fiscal Year 2027

Mr. Ward called for a motion.

On MOTION made by Scott Edwards, seconded by Dalton Drake, and with all in favor, Resolution 2026-9 was adopted, and the Chair was authorized to sign.
--

II) FISCAL YEAR 2027 IMPOSING SPECIAL ASSESSMENTS; CERTIFYING AN ASSESSMENT ROLL, AND ESTABLISHING AN OPERATION AND MAINTENANCE ASSESSMENT CAP FOR NOTICE PURPOSES

Mr. Ward indicated this public hearing set into place the assessment rates and set a cap rate.

a) Public Comment and Testimony

Mr. Ward stated the assessment rate for the general fund was \$759.66 dollars per unit per year with a cap rate of \$911.59 dollars. He explained the CDD could

not raise the assessment rate over the cap rate of \$911.59 dollars in future budgets without sending out mailed notice to the community. He opened the public hearing. He asked if there were any questions; there were none. He closed the public hearing.

b) Board Comment

Mr. Ward asked if there were any Board questions; there were none.

c) Consideration of Resolution 2026- 10, a Resolution of the Board of Supervisors Imposing Special Assessments, Certifying an Assessment Roll

Mr. Ward called for a motion.

On MOTION made by Scott Edwards, seconded by Ashley Kingston, and with all in favor, Resolution 2026-10 was adopted, and the Chair was authorized to sign.

d) Consideration of Resolution 2026-11, a Resolution of the Board of Supervisors Establishing an Operation and Maintenance Assessment Cap for Notice Purposes Only

Mr. Ward stated Resolution 2026-11 set the cap rate. He called for a motion.

On MOTION made by Scott Edwards, seconded by Ashley Kingston, and with all in favor, Resolution 2026-11 was adopted, and the Chair was authorized to sign.

FIFTH ORDER OF BUSINESS

Consideration of Resolution 2026-12

Consideration of Resolution 2026-12, a resolution of the Board of Supervisors designating dates, time, and location for regular meetings of the Board of Supervisors for Fiscal Year 2027

Mr. Ward noted the meeting dates would be the third Thursday of each month at 10:00 a.m. at the Lennar Homes, LLC, 10461 Six Mile Cypress Parkway, Fort Myers, Florida 33966. He noted the Resolution did not bind the Board to the use of these dates; it simply set the dates, time, and location; the dates, time or location could be changed and readvertised at the discretion of the Board. He asked if there were any questions; hearing none, he called for a motion.

On MOTION made by Scott Edwards, seconded by Dalton Drake, and with all in favor, Resolution 2026-12 was adopted, and the Chair was authorized to sign.

SIXTH ORDER OF BUSINESS**Consideration of Resolution 2026-13**

Consideration of Resolution 2026-13, a Resolution of the Board of Supervisors Amending and Superseding Resolution 2021-5 Establishing Policies and Procedures Relating to the Review of Requests for Encroachments into Drainage Easements Dedicated to the District; and Providing for Severability, Conflicts and an Effective Date

Mr. Ward stated Resolution 2026-13 amended a previous resolution (Resolution 2021-5) with respect to the review of requests for encroachments into drainage easements. He explained the policy was being amended to remove the cost estimates which were no longer valid. He asked if there were any questions; hearing none, he called for a motion.

On MOTION made by Scott Edwards, seconded by Ashley Kingston, and with all in favor, Resolution 2026-13 was adopted, and the Chair was authorized to sign.

SEVENTH ORDER OF BUSINESS**Consideration of Resolution 2026-14**

Consideration of Resolution 2026-14, a Resolution of the Board of Supervisors Approving the agreements with PFM Management Services LLC, and PFM Financial Advisors LLC; Authorizing the Chairperson to execute the agreements; providing general authorization; and addressing conflicts, severability, and an effective date

Mr. Ward stated he sold his firm to PFM Management Services LLC and PFM Financial Advisors LLC. He noted he would remain with PFM for a year or so before he transitioned out. He explained Resolution 2026-14 transferred the JPWard and Associates LLC agreement over to PFM. He explained PFM separated his single agreement into two agreements, one with PFM Management Services and one with PFM Financial Advisors; however, the scope of services and fee structures remained the same. He noted the agreements were reviewed by District Counsel. He asked if there were any questions; hearing none, he called for a motion.

On MOTION made by Scott Edwards, seconded by Dalton Drake, and with all in favor, Resolution 2026-14 was adopted, and the Chair was authorized to sign.

EIGHTH ORDER OF BUSINESS**Consideration of Resolution 2026-15**

Consideration of Resolution 2026-15, a Resolution of the Board of Supervisors Re-Appointing the Existing Board Members in Order to Interchange the Existing Seats of Certain Officers of the Timber Creek Southwest Community Development District; providing for severability and invalid provisions; providing for conflict and providing for an effective date

Mr. Ward stated Resolution 2026-15 moved Mr. Edward's Seat from Seat 5 to Seat 3 and Mr. Drake's Seat from Seat 3 to Seat 5 for purposes of transitioning the Board from developer to residents. He asked if there were any questions; hearing none, he called for a motion.

On MOTION made by Scott Edwards, seconded by Ashley Kingston, and with all in favor, Resolution 2026-15 was adopted, and the Chair was authorized to sign.

NINTH ORDER OF BUSINESS

Consideration of Resolution 2026-16

Consideration of Resolution 2026-16, a Resolution of the Board of Supervisors rescinding Resolution 2026-6 in its entirety and setting the Final Landowners Election for November 3, 2026, at 8:15 AM at the offices of Lennar Homes, LLC, 10461 Six Mile Cypress Parkway, Fort Myers, Florida 33966 for a landowners' meeting and election; providing for publication; establishing forms for the landowner election; and providing for severability and an effective date

Mr. Ward stated Resolution 2026-16 set the date of the landowner's election for November 3, 2026 at 8:15 a.m. He explained this date was consistent with state statute. He asked if there were any questions; hearing none, he called for a motion.

On MOTION made by Scott Edwards, seconded by Ashley Kingston, and with all in favor, Resolution 2026-16 was adopted, and the Chair was authorized to sign.

TENTH ORDER OF BUSINESS

Staff Reports

I. District Attorney

Mr. Greg Urbancic reported the increase in the caps for the limited waiver of sovereign immunity was still pending the Governor's signature, but he suspected it would become law. He reminded the Board to file Form 1 before July 1, 2026.

II. District Engineer

No report.

III. District Manager

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

- June/July - Look for Commission on Ethics email (Form 1 Financial Disclosure)**
- Next Meeting: Thursday, July 16, 2026 - Regular Meeting**

b) Financial Statements for period ending April 30, 2026 (unaudited)

c) Financial Statements for period ending May 31, 2026 (unaudited)

Mr. Ward: Statute requires me to report on the number of qualified electors within the District. You have 1,879 qualified electors as of April 15, 2026. You have already started the transition from landowner's election to a resident board election. There is no action the Board needs to take. Remember your Form 1 is due July 1. Remember to check the box that you did your ethics training for last year. Please get it done by July 1 this year or you will be fined and there is nothing I can do about it. You will get the new ethics training courses in the next couple of months from our office. You will have to do the training again this year for your Form 1 filing in 2027. We will continue to remind you of this.

ELEVENTH ORDER OF BUSINESS**Supervisor's Requests**

Mr. Ward asked if there were any Supervisor's requests; there were none.

TWELFTH ORDER OF BUSINESS**Public Comments**

Mr. Ward asked if there were any public comments.

An unidentified female audience member asked (indecipherable).

Mr. Ward: Correct. I added them to the Agenda.

An unidentified male audience member asked about the interest rates on the bond series.

Mr. Ward responded the 2020 series bonds were in the 2.5 to 4.0 percent range and the 2021 bonds were in the 2.350 to 4.0 percent range. He noted these were excellent rates.

An unidentified female audience member asked if Mr. Ward would be changing his role with the CDD due to the sale of his company.

Mr. Ward indicated he would remain as District Manager.

An unidentified female audience member asked how much was left on the bonds.

Mr. Ward stated the 2020 bonds had a par debt outstanding of \$6.5 million dollars and the 2021 bonds had a par debt outstanding of \$18.9 million dollars. He noted all bonds were for 30 years, so the 2020 bonds went until 2050, and the 2021 bonds went until 2051.

THIRTEENTH ORDER OF BUSINESS**Adjournment**

Mr. Ward adjourned the meeting at approximately 10:16 a.m.

On MOTION made by Dalton Drake, seconded by Ashley Kingston, and with all in favor, the Meeting was adjourned.

Timber Creek Southwest
Community Development District

Signature: James Ward

James Ward (Sep 20, 2026 11:39:01 EDT)

Email: wardj@pfm.com

James P. Ward, Secretary

Signature: Scott Edwards

Scott Edwards (Sep 21, 2026 08:24:04 EDT)

Email: scott.edwards@lennar.com

Scott Edwards, Chairperson

TCS - Minutes 06 18 2026 - final

Final Audit Report

2026-09-21

Created:	2026-09-18
By:	Anastasya Beauchamps (beauchampsa@pfm.com)
Status:	Signed
Transaction ID:	CBJCHBCAABAA-tk9q7ZJ8NtWDCWj6D0CEz25Qux7rmEI

"TCS - Minutes 06 18 2026 - final" History

-  Document created by Anastasya Beauchamps (beauchampsa@pfm.com)
2026-09-18 - 8:22:28 PM GMT
-  Document emailed to scott.edwards@lennar.com for signature
2026-09-18 - 8:22:33 PM GMT
-  Document emailed to James Ward (wardj@pfm.com) for signature
2026-09-18 - 8:22:33 PM GMT
-  Email viewed by James Ward (wardj@pfm.com)
2026-09-18 - 8:22:39 PM GMT
-  Email viewed by scott.edwards@lennar.com
2026-09-18 - 8:22:52 PM GMT
-  Document e-signed by James Ward (wardj@pfm.com)
Signature Date: 2026-09-20 - 3:39:01 PM GMT - Time Source: server - Signature Appearance Selected: TYPE
-  Signer scott.edwards@lennar.com entered name at signing as Scott Edwards
2026-09-21 - 12:24:02 PM GMT
-  Document e-signed by Scott Edwards (scott.edwards@lennar.com)
Signature Date: 2026-09-21 - 12:24:04 PM GMT - Time Source: server - Signature Appearance Selected: TYPE
-  Agreement completed.
2026-09-21 - 12:24:04 PM GMT