

**BAYSIDE IMPROVEMENT  
AND BAY CREEK**

**COMMUNITY DEVELOPMENT  
DISTRICTS**

**January 23, 2023**

**BOARD OF SUPERVISORS**

**JOINT REGULAR**

**MEETING AGENDA**

**BAYSIDE IMPROVEMENT  
AND BAY CREEK  
COMMUNITY DEVELOPMENT DISTRICTS**

**AGENDA  
LETTER**

# Bayside Improvement and Bay Creek

## Community Development Districts

OFFICE OF THE DISTRICT MANAGER

2300 Glades Road, Suite 410W • Boca Raton, Florida 33431

Phone (561) 571-0010 • Toll-free (877) 276-0889 • Fax (561) 571-0013

January 16, 2023

**ATTENDEES:**

Please identify yourself each time you speak to facilitate accurate transcription of meeting minutes.

Boards of Supervisors

Bayside Improvement and Bay Creek Community Development Districts

Dear Board Members:

The Boards of Supervisors of the Bayside Improvement Community Development District and Bay Creek Community Development District will hold a Joint Regular Meeting on January 23, 2023 at 2:00 p.m., at the Pelican Landing Community Center, 24501 Walden Center Drive, Bonita Springs, Florida 34134. Members of the public may participate in the meeting, via Zoom, at <https://us02web.zoom.us/j/88969163185>, Meeting ID: **889 6916 3185** or via conference call at **1-929-205-6099**, Meeting ID: **889 6916 3185**. The agenda is as follows:

1. Call to Order/Phone Silent Mode/Pledge of Allegiance
2. Roll Call
3. Public Comments: *Agenda Items*

### **JOINT BUSINESS ITEMS**

4. Staff Report: District Engineer – *Barraco and Associates, Inc.*
5. Discussion: Colony Parcels M & N Drainage Design/Permitting
6. Presentation of 2022 Water Quality Monitoring Report – *Johnson Engineering, Inc.*
7. Waterway Inspection Report: January 2023 – *SOLitude Lake Management, LLC*
8. Committee Reports
  - A. PLCA Landscape Committee
  - B. Colony Landscape Committee
9. Consideration of Resolutions Declaring Certain Tangible Personal Property Surplus Equipment and Authorizing the District Manager to Sell or Dispose of Said Equipment as Exeditiously as Possible and Providing for an Effective Date
  - A. Resolution 2023-02, *Bayside Improvement Community Development District*

B. Resolution 2023-03, *Bay Creek Community Development District*

**JOINT BOARD ITEMS**

10. Presentation of Monthly Budget and Year End Projection *(to be provided under separate cover)*
11. Acceptance of Unaudited Financial Statements as of December 31, 2022
12. Approval of December 5, 2022 Joint Regular Meeting Minutes
13. Action/Agenda Items
14. Old Business
15. Staff Reports

A. District Counsel

I. *Gregory Urbancic, Esq., Coleman Yovanovich Koester, P.A.*

- Update: Second Amendment and Restated Bylaws of Pelican Landing Community Association, Inc.

II. *Daniel Cox, Esq.*

B. District Manager: *Wrathell, Hunt and Associates, LLC*

I. Monthly Status Report: Field Operations

II. NEXT MEETING: February 27, 2023 at 2:00 P.M.

○ QUORUM CHECK: *BAYSIDE IMPROVEMENT CDD*

<b>SEAT 1</b>	<b>KAREN MONTGOMERY</b>	<input type="checkbox"/> IN-PERSON	<input type="checkbox"/> PHONE	<input type="checkbox"/> No
<b>SEAT 2</b>	<b>GAIL GRAVENHORST</b>	<input type="checkbox"/> IN-PERSON	<input type="checkbox"/> PHONE	<input type="checkbox"/> No
<b>SEAT 3</b>	<b>WALTER MCCARTHY</b>	<input type="checkbox"/> IN-PERSON	<input type="checkbox"/> PHONE	<input type="checkbox"/> No
<b>SEAT 4</b>	<b>BERNIE CRAMER</b>	<input type="checkbox"/> IN-PERSON	<input type="checkbox"/> PHONE	<input type="checkbox"/> No
<b>SEAT 5</b>	<b>BILL NICHOLSON</b>	<input type="checkbox"/> IN-PERSON	<input type="checkbox"/> PHONE	<input type="checkbox"/> No

○ QUORUM CHECK: *BAY CREEK CDD*

<b>SEAT 1</b>	<b>JERRY ADDISON</b>	<input type="checkbox"/> IN-PERSON	<input type="checkbox"/> PHONE	<input type="checkbox"/> No
<b>SEAT 2</b>	<b>ROBERT TRAVERS</b>	<input type="checkbox"/> IN-PERSON	<input type="checkbox"/> PHONE	<input type="checkbox"/> No
<b>SEAT 3</b>	<b>JIM JANEK</b>	<input type="checkbox"/> IN-PERSON	<input type="checkbox"/> PHONE	<input type="checkbox"/> No
<b>SEAT 4</b>	<b>MARY MCVAY</b>	<input type="checkbox"/> IN-PERSON	<input type="checkbox"/> PHONE	<input type="checkbox"/> No
<b>SEAT 5</b>	<b>GARY DURNEY</b>	<input type="checkbox"/> IN-PERSON	<input type="checkbox"/> PHONE	<input type="checkbox"/> No

16. Supervisors' Requests
17. Public Comments: *Non-Agenda Items*
18. Adjournment

Should you have any questions, please do not hesitate to contact me directly at (239) 464-7114.

Sincerely,



Chesley E. Adams, Jr.  
District Manager

**BAYSIDE IMPROVEMENT  
AND BAY CREEK  
COMMUNITY DEVELOPMENT DISTRICTS**

**6**



November 8, 2022

Chuck Adams  
Director of Operations  
Wrathell, Hunt and Associates  
9220 Bonita Beach Road, Suite 214  
Bonita Springs, FL 34135

**Re: 2022 Water Quality Monitoring Report  
Bayside Improvement CDD/ Bay Creek CDD Water Quality Testing**

Dear Chuck:

This letter provides the results of the 2022 water quality sampling of seven (7) stormwater treatment ponds within the bounds of the Bayside Improvement CDD/ Bay Creek CDD. Copies of the laboratory analytical reports for the water quality samples are attached in Appendix A. Photos of each sample location are provided in Appendix B.

#### **I. PURPOSE & SCOPE OF WORK**

This work was conducted as Task 01: Surface Water Sampling of our existing contract. Each of the ponds selected for sampling are outfall ponds that discharge to the Estero Bay portion of Spring Creek. The locations of the ponds sampled are shown on the attached sampling map.

#### **II. METHODOLOGY**

One (1) wet season surface water quality sampling event was conducted on September 8, 2022, at all seven (7) stormwater treatment ponds. The water quality samples were collected from water that was discharging through the outfall structure of each pond. The sampling event was conducted in accordance with the Florida Department of Environmental Protection (FDEP) Standard Operating Procedures. Benchmark EnviroAnalytical Laboratory (BEA) provided sample containers and performed the laboratory analytical services. The samples were laboratory analyzed for total nitrogen (total Kjeldahl nitrogen + nitrate + nitrite) and total phosphorus.

### III. RESULTS

The total nitrogen (TN) and total phosphorus (TP) concentration values for the 2022 wet season surface water sampling events were compared to results from 2017, 2018, 2019, 2020. No samples were collected by Johnson Engineering in 2021. The concentration values were also compared to State of Florida water quality thresholds for lakes. As a goal, reducing the nutrients to the thresholds for the receiving water (Estero Bay) would be even better. Those comparisons are shown in Table 1. The concentration values shown in **bold** are greater than the thresholds for lakes. Charts of nutrient concentrations for each year sampled are shown in Appendix C.

**Table 1: 2017, 2018, 2019, 2020 & 2022 Wet Season TN and TP Concentration Values**

Site	Total Nitrogen (mg/L)					Total Phosphorus (mg/L)				
	2017	2018	2019	2020	2022	2017	2018	2019	2020	2022
A-1	NS	NS	1.26	1.06	<b>1.86</b>	NS	NS	0.05	0.05	0.05
A-2	<b>2.00</b>	<b>2.17</b>	<b>1.48</b>	<b>2.27</b>	<b>1.99</b>	<b>0.16</b>	<b>0.12</b>	<b>0.10</b>	<b>0.12</b>	<b>0.06</b>
A-16	NS	NS	<b>2.09</b>	<b>1.74</b>	<b>1.90</b>	NS	NS	<b>0.17</b>	<b>0.20</b>	<b>0.06</b>
A-17	<b>1.89</b>	<b>2.27</b>	<b>1.52</b>	<b>1.79</b>	<b>1.62</b>	<b>0.21</b>	<b>0.11</b>	<b>0.33</b>	<b>0.07</b>	<b>0.23</b>
D-8	<b>1.75</b>	<b>1.66</b>	<b>1.79</b>	<b>2.37</b>	<b>2.08</b>	<b>0.11</b>	<b>0.08</b>	<b>0.29</b>	<b>0.08</b>	<b>0.36</b>
D-13	<b>2.10</b>	NS	<b>5.22</b>	<b>1.74</b>	<b>2.14</b>	0.02	NS	<b>0.42</b>	<b>0.27</b>	<b>0.08</b>
F-12	1.12	<b>1.64</b>	<b>1.33</b>	1.20	1.18	0.02	<b>0.09</b>	<b>0.12</b>	<b>0.13</b>	<b>0.13</b>
Lakes Criteria	≤1.27 <sup>(1)</sup>					≤0.05 <sup>(1)</sup>				
Estero Bay Criteria	≤0.63 <sup>(2)</sup>					≤0.07 <sup>(2)</sup>				

NS – Not Sampled

As in previous years, field measurements for temperature, pH, specific conductance, dissolved oxygen, and turbidity were also taken as part the 2022 wet season sampling event. However, that data was not stored properly and is not available to show here. No unusual water conditions were observed during the sampling event.

### IV. CONCLUSIONS

The 2022 wet season TN concentration values for samples collected from ponds A-1, A-2, A-16, A-17, D-8, and D-13 were higher than the State of Florida lakes thresholds and Estero Bay thresholds, which are not to be exceeded more than once in any consecutive 3-year calendar period. The TP concentration values for samples collected from ponds A-17, D-8, D-13, and F-12 were also higher than the lakes thresholds and Estero Bay thresholds. The TP concentrations in lakes A-2 and A-16 were higher than the lakes threshold, but lower than the Estero Bay thresholds.

The TN concentration values for samples from ponds D-8 and D-13 were almost twice as high as the State of Florida lakes threshold. The TP concentration values for samples from ponds D-8, A-17, and F-12 were more than twice as high as the lakes threshold.



Bayside / Bay Creek CDD  
2022 Water Quality Monitoring Report

Please feel free to contact me if you have any questions regarding these sampling activities.

Sincerely,

JOHNSON ENGINEERING, INC.

A handwritten signature in black ink, appearing to read 'Tim Denison', written over a light blue horizontal line.

Tim Denison  
Environmental Scientist



**Legend**

- ▲ Surface Water/Sediment Sampling Sites
- Bayside CDD
- Bay Creek CDD

**Bayside/Baycreek Surface Water Sampling Sites**

Map Id	Latitude	Longitude
A-2	26° 22' 25.984" N	81° 49' 46.700" W
A-17	26° 22' 07.050" N	81° 49' 14.230" W
D-8	26° 22' 09.817" N	81° 48' 43.786" W
D-13	26° 22' 09.817" N	81° 49' 10.966" W
F-12	26° 23' 42.503" N	81° 50' 04.128" W
A-1	26° 22' 11.552" N	81° 49' 21.381" W
A-16	26° 22' 08.932" N	81° 49' 37.091" W

**Note**

1. The Aerial photograph shown was provided by Lee County government and was taken in 2019

D:\001620160316-0224AcGIS\Sampling Sites 2022.mxd

Bayside / Bay Creek  
Lee County, Florida

**JOHNSON**  
ENGINEERING

JOHNSON ENGINEERING, INC.  
2127 JOHNSON STREET  
FORT MYERS, FL 33904-3300-1510  
PHONE: (239) 334-3140  
FAX: (239) 334-3981  
E-MAIL: J.E. @ J.E. ENGINEERING.COM

<b>2022 Sample Map</b>		SCALE	SHEET
DATE	PROJECT NO.	As Shown	1
1/20/2022	2019014022		

**APPENDIX A**  
**LABORATORY ANALYTICAL REPORTS**

## ANALYTICAL TEST REPORT

THESE RESULTS MEET NELAC STANDARDS

Submission Number : 22090466

Johnson Engineering, Inc.  
2122 Johnson Street  
Fort Myers, FL 33901

Project Name : BAYSIDE / BAY CREEK QTLY WQ  
Date Received : 09/09/2022  
Time Received : 14:04  
20160319-022

Tim Denison

Submission Number: 22090466      Sample Date: 09/08/2022  
Sample Number: 001      Sample Time: 11:10  
Sample Description: A-1      Sample Method: Grab

Parameter	Result	Units	MDL	PQL	Procedure	Analysis Date/Time	Analyst
TOTAL KJELDAHL NITROGEN	1.84	MG/L	0.05	0.20	351.2	09/14/2022 15:21	EO
TOTAL PHOSPHORUS AS P	0.045	MG/L	0.008	0.032	365.3	09/12/2022 11:48	YQ
E- COLI BY IDEXX QUANTITRAY	75	#/100 ML	10	10	SM9223B	09/08/2022 13:59	E85086
NITRATE+NITRITE AS N	0.023	MG/L	0.006	0.024	SYSTEAS EASY	09/19/2022 14:05	MV
TOTAL NITROGEN	1.86	MG/L	0.05	0.20	SYSTEAS+351	09/19/2022 14:05	EO/MV

Submission Number: 22090466      Sample Date: 09/08/2022  
Sample Number: 002      Sample Time: 11:40  
Sample Description: A-2      Sample Method: Grab

Parameter	Result	Units	MDL	PQL	Procedure	Analysis Date/Time	Analyst
TOTAL KJELDAHL NITROGEN	1.78	MG/L	0.05	0.20	351.2	09/14/2022 15:22	EO
TOTAL PHOSPHORUS AS P	0.056	MG/L	0.008	0.032	365.3	09/12/2022 11:48	YQ
E- COLI BY IDEXX QUANTITRAY	97	#/100 ML	10	10	SM9223B	09/08/2022 13:59	E85086
NITRATE+NITRITE AS N	0.205	MG/L	0.006	0.024	SYSTEAS EASY	10/07/2022 13:17	MV
TOTAL NITROGEN	1.99	MG/L	0.05	0.20	SYSTEAS+351	10/07/2022 13:17	EO/MV

Submission Number: 22090466      Sample Date: 09/08/2022  
Sample Number: 003      Sample Time: 10:40  
Sample Description: A-16      Sample Method: Grab

Parameter	Result	Units	MDL	PQL	Procedure	Analysis Date/Time	Analyst
TOTAL KJELDAHL NITROGEN	1.80	MG/L	0.05	0.20	351.2	09/14/2022 15:30	EO
TOTAL PHOSPHORUS AS P	0.058	MG/L	0.008	0.032	365.3	09/12/2022 11:49	YQ
E- COLI BY IDEXX QUANTITRAY	31	#/100 ML	10	10	SM9223B	09/08/2022 13:59	E85086
NITRATE+NITRITE AS N	0.103	MG/L	0.006	0.024	SYSTEAS EASY	09/19/2022 14:06	MV
TOTAL NITROGEN	1.90	MG/L	0.05	0.20	SYSTEAS+351	09/19/2022 14:06	EO/MV

**Submission Number:** 22090466      **Sample Date:** 09/08/2022  
**Sample Number:** 004      **Sample Time:** 10:15  
**Sample Description:** A-17      **Sample Method:** Grab

Parameter	Result	Units	MDL	PQL	Procedure	Analysis Date/Time	Analyst
TOTAL KJELDAHL NITROGEN	1.51	MG/L	0.05	0.20	351.2	09/14/2022 16:31	EO
TOTAL PHOSPHORUS AS P	0.229	MG/L	0.008	0.032	365.3	09/12/2022 11:50	YQ
E- COLI BY IDEXX QUANTITRAY	538	#/100 ML	10	10	SM9223B	09/08/2022 13:59	E85086
NITRATE+NITRITE AS N	0.111	MG/L	0.006	0.024	SYSTEAS EASY	09/19/2022 14:07	MV
TOTAL NITROGEN	1.62	MG/L	0.05	0.20	SYSTEAS+351	09/19/2022 14:07	EO/MV

**Submission Number:** 22090466      **Sample Date:** 09/08/2022  
**Sample Number:** 005      **Sample Time:** 09:00  
**Sample Description:** D-8      **Sample Method:** Grab

Parameter	Result	Units	MDL	PQL	Procedure	Analysis Date/Time	Analyst
TOTAL KJELDAHL NITROGEN	1.93	MG/L	0.05	0.20	351.2	09/14/2022 15:32	EO
TOTAL PHOSPHORUS AS P	0.356	MG/L	0.008	0.032	365.3	09/12/2022 11:51	YQ
E- COLI BY IDEXX QUANTITRAY	20	#/100 ML	10	10	SM9223B	09/08/2022 13:59	E85086
NITRATE+NITRITE AS N	0.154	MG/L	0.006	0.024	SYSTEAS EASY	10/05/2022 14:22	EO
TOTAL NITROGEN	2.08	MG/L	0.05	0.20	SYSTEAS+351	10/05/2022 14:22	EO/EO

**Submission Number:** 22090466      **Sample Date:** 09/08/2022  
**Sample Number:** 006      **Sample Time:** 09:45  
**Sample Description:** D-13      **Sample Method:** Grab

Parameter	Result	Units	MDL	PQL	Procedure	Analysis Date/Time	Analyst
TOTAL KJELDAHL NITROGEN	1.71	MG/L	0.05	0.20	351.2	09/14/2022 15:34	EO
TOTAL PHOSPHORUS AS P	0.076	MG/L	0.008	0.032	365.3	09/12/2022 11:52	YQ
E- COLI BY IDEXX QUANTITRAY	10 U	#/100 ML	10	10	SM9223B	09/08/2022 13:59	E85086
NITRATE+NITRITE AS N	0.432	MG/L	0.006	0.024	SYSTEAS EASY	09/19/2022 14:08	MV
TOTAL NITROGEN	2.14	MG/L	0.05	0.20	SYSTEAS+351	09/19/2022 14:08	EO/MV

**Submission Number:** 22090466      **Sample Date:** 09/08/2022  
**Sample Number:** 007      **Sample Time:** 12:15  
**Sample Description:** F-12      **Sample Method:** Grab

Parameter	Result	Units	MDL	PQL	Procedure	Analysis Date/Time	Analyst
TOTAL KJELDAHL NITROGEN	1.17	MG/L	0.05	0.20	351.2	09/14/2022 15:35	EO
TOTAL PHOSPHORUS AS P	0.128	MG/L	0.008	0.032	365.3	09/13/2022 10:11	YQ
E- COLI BY IDEXX QUANTITRAY	110	#/100 ML	10	10	SM9223B	09/08/2022 13:59	E85086

NITRATE+NITRITE AS N	0.014 I	MG/L	0.006	0.024	SYSTEAS EASY	09/19/2022 14:09	MV
TOTAL NITROGEN	1.18	MG/L	0.05	0.20	SYSTEAS+351	09/19/2022 14:09	EO/MV

*Haley Rin*

10/11/2022

Dale D. Dixon Laboratory Director  
 Tülay Tarrisever - Technical Director/QC Officer  
 Haley Richardson - QA Officer

Date

**DATA QUALIFIERS THAT MAY APPLY:**

- A = Value reported is an average of two or more determinations.
- B = Results based upon colony counts outside the ideal range.
- H = Value based on field kit determination. Results may not be accurate.
- I = Reported value is between the laboratory MDL and the PQL.
- J1 = Estimated value. Surrogate recovery limits exceeded.
- J2 = Estimated value. No quality control criteria exists for component.
- J3 = Estimated value. Quality control criteria for precision or accuracy not met.
- J4 = Estimated value. Sample matrix interference suspected.
- J5 = Estimated value. Data questionable due to improper lab or field protocols.
- K = Off-scale low. Value is known to be < the value reported.
- L = Off-scale high. Value is known to be > the value reported.
- N = Presumptive evidence of presence of material.
- O = Sampled, but analysis lost or not performed.
- Q = Sample held beyond accepted hold time.

- T = Value reported is < MDL. Reported for informational purposes only and shall not be used in statistical analysis.
- U = Analyte analyzed but not detected at the value indicated.
- V = Analyte detected in sample and method blank. Results for this analyte in associated samples may be biased high. Standard, Duplicate and Spike values are within control limits. Reported data are usable.
- Y = Analysis performed on an improperly preserved sample. Data may be inaccurate.
- Z = Too many colonies were present (TNTC). The numeric value represents the filtration volume.
- | = Data deviate from historically established concentration ranges.
- ? = Data rejected and should not be used. Some or all of QC data were outside criteria, and the presence or absence of the analyte cannot be determined from the data.
- \* = Not reported due to interference.
- Oil & Grease - If client does not send sufficient sample quantity for spike evaluation surface water samples are supplied by the laboratory.

**NOTES:**

MBAS calculated as LAS; molecular weight = 340.  
 PQL = 4xMDL.  
 ND = Not detected at or above the adjusted reporting limit.  
 G1 = Accuracy standard does not meet method control limits, but does meet lab control limits that are in agreement with USEPA generated data. USEPA letter available upon request.  
 G2 = Accuracy standard exceeds acceptable control limits. Duplicate and spike values are within control limits. Reported data are usable.

**COMMENTS:**

For questions or comments regarding these results, please contact us at (941) 723-9986.  
 Results relate only to the samples.

**Benchmark EnviroAnalytical, Inc.**

1711 Twelfth Street East  
 Palmetto, FL 34221  
 (941) 723-9986  
 (941) 723-6061 fax

Sample Temperature checked upon receipt at BEAS with Temperature Gun ID #7  
 Sample Temperature checked upon receipt at BEA with Temperature Gun ID #258

**Client: Johnson Engineering, Inc**

2122 Johnson Street  
 Fort Myers, FL 33901  
 (239) 461-2458 (Tim Denison)  
 (239) 334-3661 (fax)  
 Report Format Standard by Sample

Project Name: Bayside / Bay Creek Quarterly WQ Analysis  
 Project Number: 20160319-022

Laboratory Submission #: 22090466

Station ID	Total # of Containers per Site	Sample Matrix <sup>2</sup> / Sample Type <sup>1</sup>	Parameters, Preservative <sup>3</sup> , Container Type <sup>4</sup> / Total # of Containers = 14		Laboratory Sample #
			TKN NO <sub>3</sub> -NO <sub>2</sub> T-P T-N	E. Coli	
			1 ml 1:4 H <sub>2</sub> SO <sub>4</sub> pH=2 □ Acid Lot # 22-14	522090157	
			1 x 1/2 Pint Plastic		
				10mg NaThio Lot # 211212	
				1 x 100mL Sterile Plastic	
A-1	2	SW / Grab	Date & Time: 9/8/22 11:10		1
A-2	2	SW / Grab	Date & Time: 9/8/22 11:40		2
A-16	2	SW / Grab	Date & Time: 9/8/22 10:40		3
A-17	2	SW / Grab	Date & Time: 9/8/22 10:15		4
D-8	2	SW / Grab	Date & Time: 9/8/22 9:00		5
D-13	2	SW / Grab	Date & Time: 9/8/22 9:45		6
F-12	2	SW / Grab	Date & Time: 9/8/22 12:15		7

**Note:**  
 1. Sample Type is used to indicate whether the sample is a grab (G) or whether it was a composite (C)  
 2. Sample Matrix is used to indicate whether the sample is being collected for drinking water (DW), groundwater (GW), surface water (SW), grab surface water (SW), solar surface water (SSW), or sediment (SAND) or sludge (SLDR)  
 3. Container Type is used to indicate whether the container is plastic (P) or glass (G)  
 4. Sample must be refrigerated or stored in wet ice after collection. The temperature during storage should be less than or equal to 6°C (42.8°F).  
 5. Filter Preservative has an expiration date that was added to the sample container. List number of preservative used is specific to the bottles included in the kit. NaThio (H2S) and H2O2 do not have expiration dates per the manufacturer. Micro bottles are pre-preserved at manufacturing stage. 400ml vials are pre-sterilized at manufacturing stage.

**Instructions:**  
 1. Each bottle has a label identifying sample ID, preservation procedure contained in the bottle, sample type, date and time of collection, sample volume or amount, and any field number or ID.  
 2. The following information should be added to every bottle label after collection: sample volume or amount, and any field number or ID.  
 3. All bottles not containing preservative must be rinsed with appropriate sample prior to collection.  
 4. The chain of responsibility for the sample starts with the sampling event. Please note type of sampling event on the sample custody form.  
 5. Sample kit has been checked for ID string prior to collection.

**Laboratory Sample Acceptability:**  
 pH < 8 BEA Temperature: 0.4°C  
 BEAS Temperature: 1.6°C

1	Collector & Affiliation (Print & Sign)	Date	Time	Received By & Affiliation (Print & Sign)	Date	Time
1	Jana R. [Signature]	9/8/22	12:15	Kristin Hinton - BEAS [Signature]	9/8/22	1315
2	Relinquished By & Affiliation (Print & Sign)	Date	Time	Received By & Affiliation (Print & Sign)	Date	Time
3	Kristin Hinton - BEAS [Signature]	9/9/22	12:09	Ken Sun [Signature]	9/9/22	1404
4	Relinquished By & Affiliation (Print & Sign)	Date	Time	Received By & Affiliation (Print & Sign)	Date	Time
5	Relinquished By & Affiliation (Print & Sign)	Date	Time	Received By & Affiliation (Print & Sign)	Date	Time
6	Relinquished By & Affiliation (Print & Sign)	Date	Time	Received By & Affiliation (Print & Sign)	Date	Time

BEAS 4

**APPENDIX B**  
**PHOTOGRAPHS**



Appendix B: Bayside/ Bay Creek Water Quality Photographs

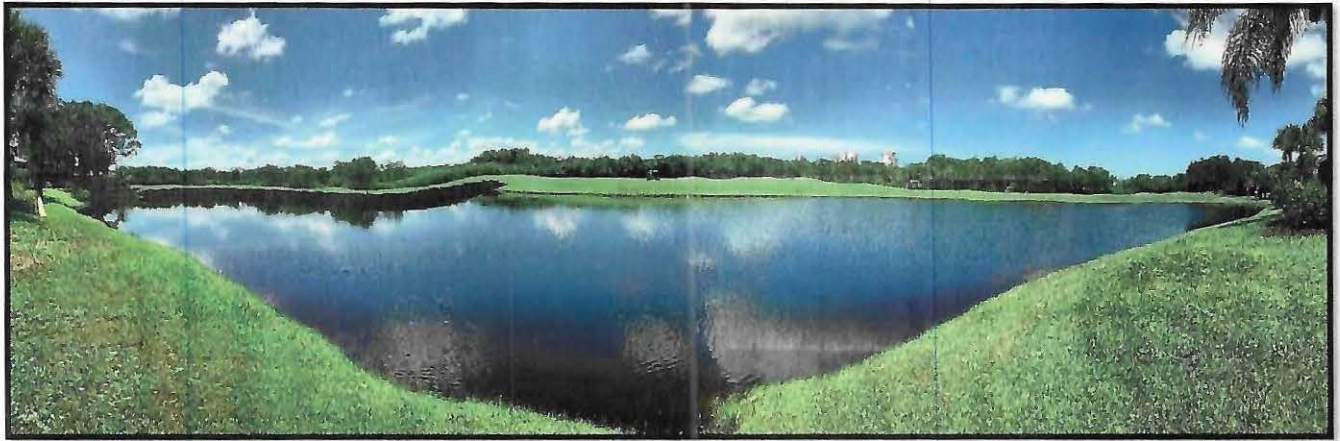


Photo 1: A-1



Photo 2: A-2

Appendix B: Bayside/ Bay Creek Water Quality Photographs



Photo 3: A-16



Photo 4: A-17

Appendix B: Bayside/ Bay Creek Water Quality Photographs



Photo 5: D-8



Photo 6: D-13

Appendix B: Bayside/ Bay Creek Water Quality Photographs

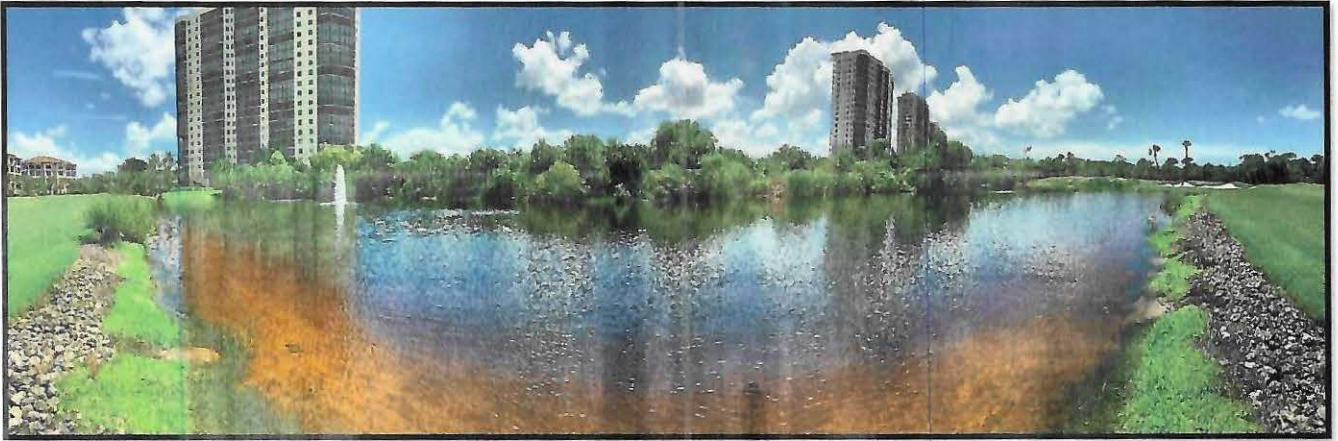
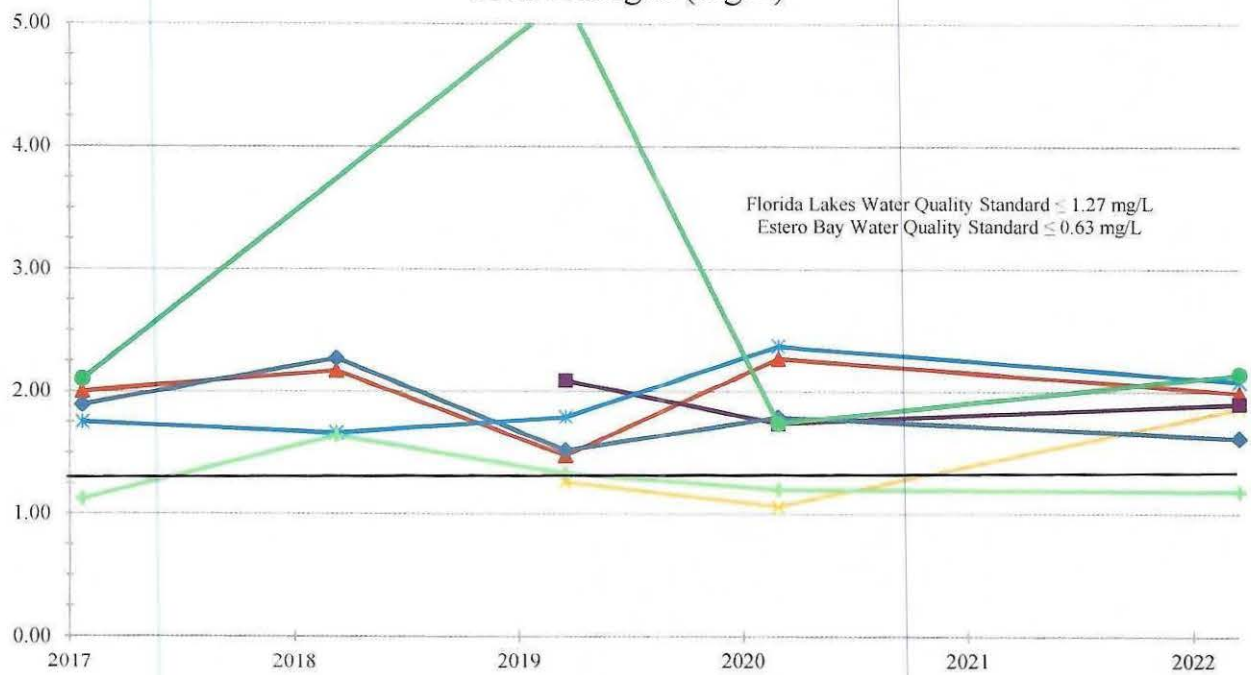


Photo 7: F-12

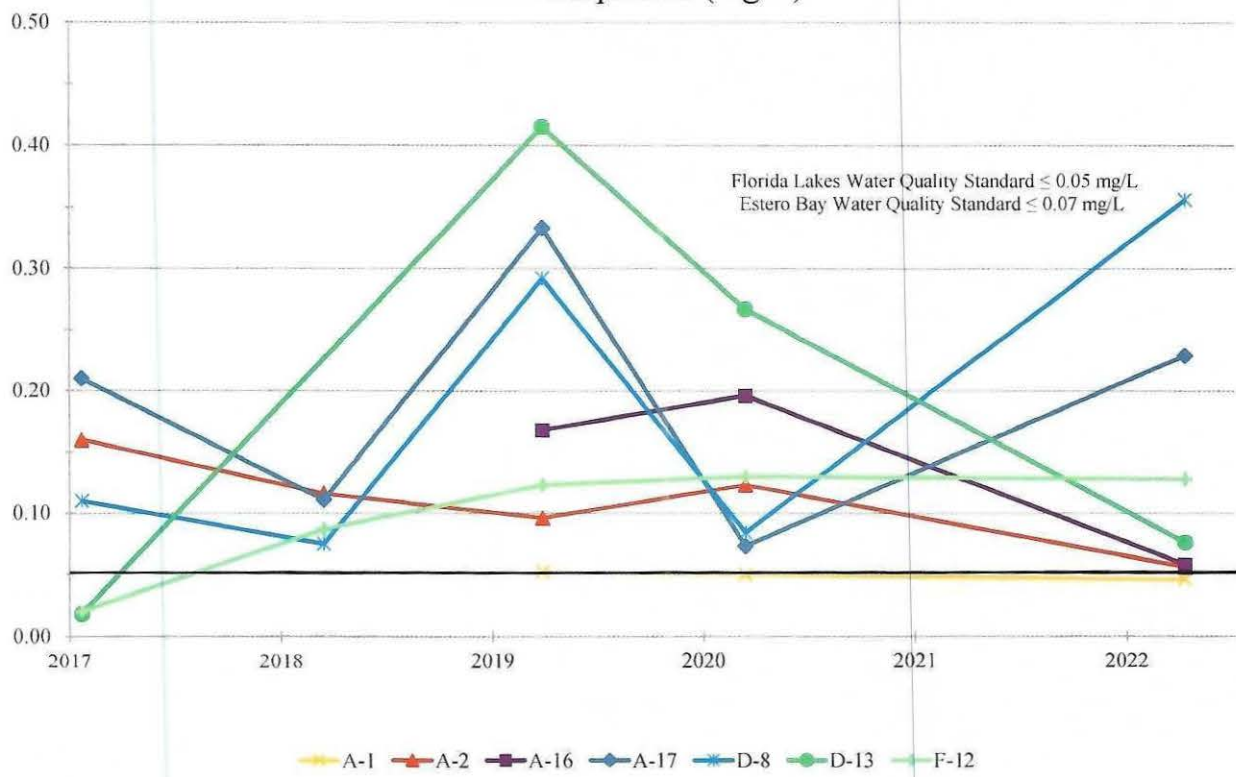
**APPENDIX C**  
**NUTRIENT CONCENTRATION CHARTS**

### 2017-2022 Bayside/Bay Creek CDD Total Nitrogen (mg/L)



A-1 A-2 A-16 A-17 D-8 D-13 F-12

### 2017-2022 Bayside/Bay Creek CDD Total Phosphorus (mg/L)



**BAYSIDE IMPROVEMENT  
AND BAY CREEK  
COMMUNITY DEVELOPMENT DISTRICTS**

**7**



# SOLITUDE

LAKE MANAGEMENT



## Bayside/Baycreek CDD Waterway Inspection Report

---

**Reason for Inspection:** Routine Scheduled

**Inspection Date:** 2023-01-04

**Prepared for:**

Cleo Adams, Assistant District Manager  
Wrathell, Hunt & Associates, LLC  
9220 Bonita Beach Road, Suite #214  
Bonita Springs, FL 34135

**Prepared by:**

Ean Sims, Field Operations Manager, Aquatic Biologist

Ft. Myers Field Office  
SOLITUDELAKEMANAGEMENT.COM  
888.480.LAKE (5253)

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Site: A-7

Comments:

Site looks good

Pennyroyal  
Shoreline is well maintained.  
Algae and submersed vegetation  
are at controlled levels.



Action Required:

Routine maintenance next visit

Target:

Species non-specific

Site: A-8

Comments:

Site looks good

Pennyroyal  
Shoreline is well maintained.  
Algae and submersed vegetation  
are at controlled levels



Action Required:

Routine maintenance next visit

Target:

Species non-specific

Site: A-9

Comments:

Site looks good

Pennyroyal  
Shoreline is well maintained.  
Algae and submersed vegetation  
are at controlled levels. Some  
erosion observed along S side of  
the lake.



Action Required:

Routine maintenance next visit

Target:

Species non-specific

Site: A-11

Comments:

Site looks good  
Pennyroyal  
Shoreline is well maintained.  
Algae and submersed vegetation  
are at controlled levels



Action Required:

Routine maintenance next visit

Target:

Species non-specific

Site: A-12

Comments:

Treatment in progress  
Pennyroyal  
Browning of torpedograss was  
observed from previous  
treatment. Algae and submersed  
vegetation are at controlled levels



Action Required:

Routine maintenance next visit

Target:

Species non-specific

Site: A-18

Comments:

Normal growth observed  
Capri  
Shoreline is well maintained.  
Algae is at controlled levels.  
Some Bacopa was observed.  
Treat as needed.



Action Required:

Routine maintenance next visit

Target:

Submersed vegetation

Site: C-3

Comments:

Site looks good  
Longlake  
Shoreline is well maintained.  
Algae and submersed vegetation  
are at controlled levels



Action Required:

Routine maintenance next visit

Target:

Species non-specific

Site: C-4

Comments:

Site looks good  
Heron Point  
Shoreline is well maintained.  
Algae and submersed vegetation  
are at controlled levels.



Action Required:

Routine maintenance next visit

Target:

Species non-specific

Site: D-6

Comments:

Requires attention  
Baycrest: Shoreline is well  
maintained. Spot treat  
torpedograss as needed. Treat for  
Alligator weed and Pennywort.



Action Required:

Routine maintenance next visit

Target:

Submersed vegetation

## Site: D-8

### Comments:

Normal growth observed

Baycreek

Spot treat patches of torpedograss in edge of bulrush. Treat for algae.

### Action Required:

Routine maintenance next visit

### Target:

Surface algae



## Site: D-9

### Comments:

Requires attention

Baycreek: Shoreline is well maintained. Spot treat Nightshade within littorals. Submersed vegetation is at controlled levels. Treat for algae.

### Action Required:

Routine maintenance next visit

### Target:

Surface algae



## Site: D-11

### Comments:

Normal growth observed

Cottages

Spot treat minimal torpedograss and pennywort. Algae and submersed vegetation are at controlled levels.

### Action Required:

Routine maintenance next visit

### Target:

Shoreline weeds



Site: T-1

**Comments:**

Requires attention

Southbridge  
Treat as needed for torpedograss and Alligator weed. Algae is at controlled levels.

**Action Required:**

Routine maintenance next visit

**Target:**

Alligatorweed



Site: E-1

**Comments:**

Site looks good

Palm Colony  
Shoreline is well maintained. Algae and submersed vegetation are at controlled levels

**Action Required:**

Routine maintenance next visit

**Target:**

Species non-specific



Site: E-2

**Comments:**

Site looks good

Palm Colony  
Shoreline is well maintained. Algae and submersed vegetation are at controlled levels.

**Action Required:**

Routine maintenance next visit

**Target:**

Species non-specific



## Site: E-3

### Comments:

Site looks good

Palm Colony  
Shoreline is well maintained.  
Algae and submersed vegetation  
are at controlled levels.

### Action Required:

Routine maintenance next visit

### Target:

Species non-specific



## Site: E-4

### Comments:

Site looks good

Sand Piper  
Shoreline is well maintained.  
Algae and submersed vegetation  
are at controlled levels

### Action Required:

Routine maintenance next visit

### Target:

Species non-specific



## Site: E-5

### Comments:

Site looks good

Sand Piper  
Shoreline is well maintained.  
Algae and submersed vegetation  
are at controlled levels.

### Action Required:

Routine maintenance next visit

### Target:

Species non-specific





Site: F-3

Comments:

Normal growth observed

Tuscany Isle  
Shoreline is well maintained.  
Monitor and treat as needed for Bacopa and algae.

Action Required:

Routine maintenance next visit

Target:

Submersed vegetation



Site: F-8

Comments:

Normal growth observed

Merano  
Shoreline is well maintained.  
Monitor and treat as needed for bacopa.

Action Required:

Routine maintenance next visit

Target:

Submersed vegetation



Site: F-12

Comments:

Site looks good

Sorrento  
Shoreline is well maintained.  
Algae and submersed vegetation are at controlled levels

Action Required:

Routine maintenance next visit

Target:

Species non-specific



**Site:** F-14

**Comments:**

Site looks good

Florencia  
Shoreline is well maintained.  
Algae and submersed vegetation  
are at controlled levels.



**Action Required:**

Routine maintenance next visit

**Target:**

Species non-specific

**Site:** F-15

**Comments:**

Site looks good

Florencia  
Shoreline is well maintained.  
Algae and submersed vegetation  
are at controlled levels



**Action Required:**

Routine maintenance next visit

**Target:**

Species non-specific

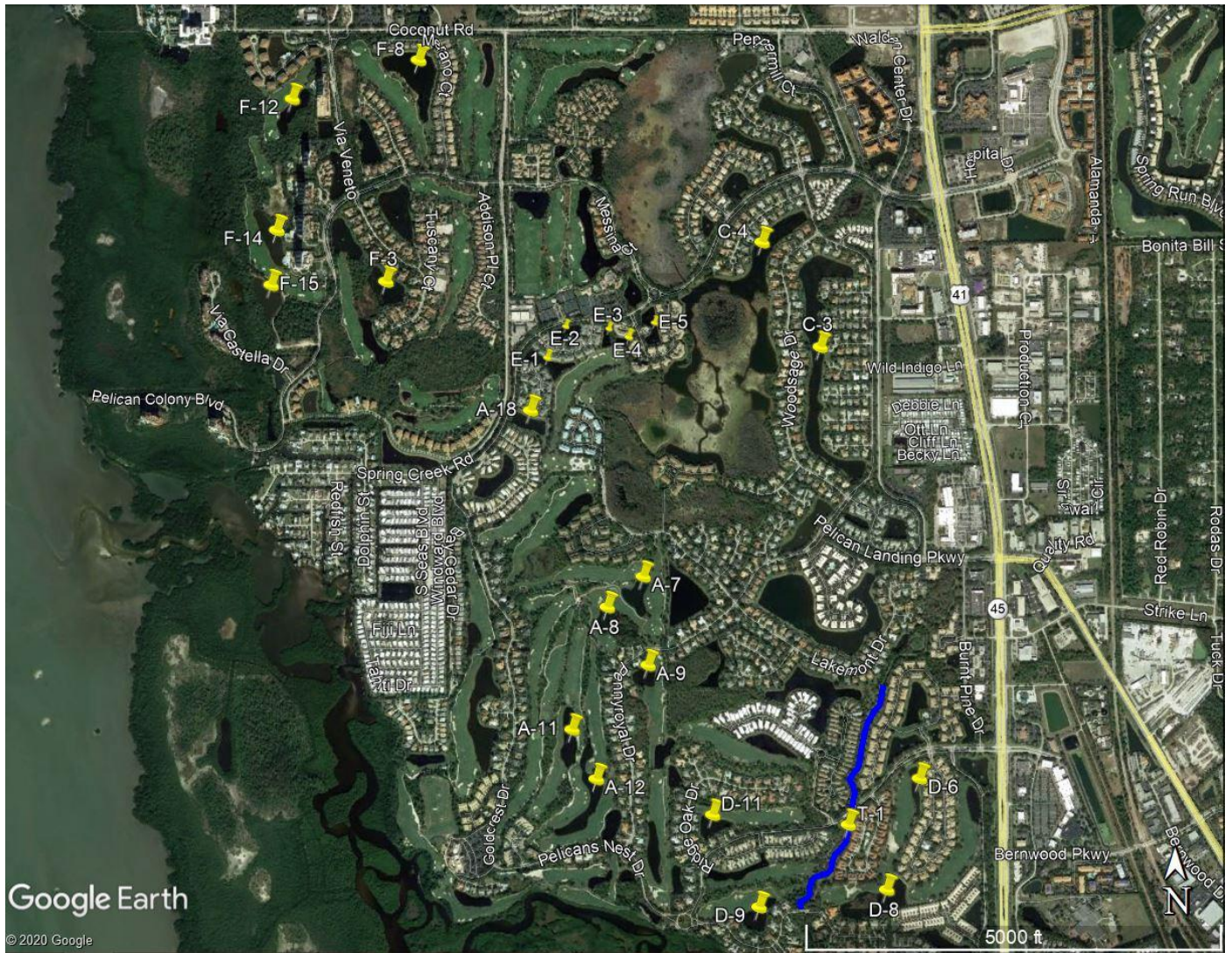
**Management Summary**

- This month's activities have been standard lake maintenance.
- We continue to add beneficial bacteria to the four outfall lakes A-2, A-17, D-8, F-12. We also add bacteria to F-1, F-6, F-16, E-4 and E-5 to help reduce nutrients that cause algae blooms.
- Overall the lakes in this inspection were well maintained.
- Now that the season has transitioned out of the summer/rainy season it is likely that the littorals will begin to enter into winter dormancy. This is triggered by lower temperatures, less rain and sunlight. There may be an increase in brown coloration and a thinning of littorals during this time. This is a normal part of the littoral life cycle, dormancy usually lasts until the spring.

**Additional Observations:**

- Various wildlife species were observed on site including pelicans, blue herons, alligators, egrets, etc.

Site	Comments	Target	Action Required
A-7	Site looks good	Species non-specific	Routine maintenance next visit
A-8	Site looks good	Species non-specific	Routine maintenance next visit
A-9	Site looks good	Species non-specific	Routine maintenance next visit
A-11	Site looks good	Species non-specific	Routine maintenance next visit
A-12	Treatment in progress	Species non-specific	Routine maintenance next visit
A-18	Normal growth observed	Submersed vegetation	Routine maintenance next visit
C-3	Site looks good	Species non-specific	Routine maintenance next visit
C-4	Site looks good	Species non-specific	Routine maintenance next visit
D-6	Requires attention	Submersed vegetation	Routine maintenance next visit
D-8	Normal growth observed	Surface algae	Routine maintenance next visit
D-9	Requires attention	Surface algae	Routine maintenance next visit
D-11	Normal growth observed	Shoreline weeds	Routine maintenance next visit
T-1	Requires attention	Alligatorweed	Routine maintenance next visit
E-1	Site looks good	Species non-specific	Routine maintenance next visit
E-2	Site looks good	Species non-specific	Routine maintenance next visit
E-3	Site looks good	Species non-specific	Routine maintenance next visit
E-4	Site looks good	Species non-specific	Routine maintenance next visit
E-5	Site looks good	Species non-specific	Routine maintenance next visit
F-3	Normal growth observed	Submersed vegetation	Routine maintenance next visit
F-8	Normal growth observed	Submersed vegetation	Routine maintenance next visit
F-12	Site looks good	Species non-specific	Routine maintenance next visit
F-14	Site looks good	Species non-specific	Routine maintenance next visit
F-15	Site looks good	Species non-specific	Routine maintenance next visit



**BAYSIDE IMPROVEMENT  
AND BAY CREEK  
COMMUNITY DEVELOPMENT DISTRICTS**

**8B**

Colony to CDD  
01/16/2023

The Colony Foundation BOD met Monday January 16. A follow up meeting was established on January 26, 2023.

Among the items discussed were Bay Club renovations and the paving project underway by Bonness extending from the North Entrance (Coconut Gate) to the Bay Club.

A camera was installed at the center fountain circle to better manage traffic at the Tuscany/Bellagio Fountain.

Street sign repair due to lan damage has been ordered and is in the process of being repaired.

Money was appropriated for a parking lot near the North Entrance gatehouse to provide better parking access to gate employees.

Nickolas Hoops reported weekly inspections but it did not include landscaping in his reports.

The CFB and BCBE are discussing entrance and exit procedures that will be applied when construction begins. They anticipate for it to begin next quarter. Construction employees will be able to utilize the M&N area for parking during the first phase. Workers will be bussed in for tower #2.

Bob Loos, a CFB member shared a purposed drainage for storm water drainage for M&N:

*I requested that the purposed drainage for the towers be put on the January 23, 2023 agenda so that the Supervisors could have a better prospective on the future storm water management impact.*

**BAYSIDE IMPROVEMENT  
AND BAY CREEK  
COMMUNITY DEVELOPMENT DISTRICTS**

**9A**

**RESOLUTION 2023-02**

**A RESOLUTION BY THE BOARDS OF SUPERVISORS OF THE BAYSIDE IMPROVEMENT COMMUNITY DEVELOPMENT DISTRICT AND THE BAY CREEK COMMUNITY DEVELOPMENT DISTRICT DECLARING CERTAIN TANGIBLE PERSONAL PROPERTY SURPLUS EQUIPMENT AND AUTHORIZING THE DISTRICT MANAGER TO SELL OR DISPOSE OF SAID EQUIPMENT AS EXPEDITIOUSLY AS POSSIBLE AND PROVIDING FOR AN EFFECTIVE DATE**

**WHEREAS**, the Boards of Supervisors of both the Bayside Improvement Community Development District and Bay Creek Community Development District (collectively the "Districts") own certain tangible personal property as more fully described in Exhibit "A", attached herein, and

**WHEREAS**, said tangible personal property is no longer useful to the Districts and;

**WHEREAS**, the Districts desire to declare said equipment on Exhibit "A" as surplus property and;

**WHEREAS**, the Districts desire to authorize the District Manager to sell or dispose of said equipment as appropriate,

**NOW, THEREFORE, BE IT RESOLVED BY THE BOARDS OF SUPERVISORS OF THE BAYSIDE IMPROVEMENT COMMUNITY DEVELOPMENT DISTRICT AND THE BAY CREEK COMMUNITY DEVELOPMENT DISTRICT;**

**Section 1.** The above recitals are true and correct and incorporated herein as if set forth in full herein.

**Section 2.** The District Manager is hereby authorized to take the necessary and appropriate steps to sell at auction or dispose as appropriate, said property.

**Section 3.** All sections, or parts thereof, which conflict herewith, are, to the extent of such conflict, superseded and repealed. In the event that any portion of this Resolution is found to be unconstitutional or improper, it shall be severed herein and shall not affect the validity of the remaining portions of this Resolution.

**Section 4.** This Resolution shall take effect immediately upon its adoption.



**PASSED AND ADOPTED** this 23rd day of January, 2023 by the respective Boards of Supervisors of the Bayside Improvement Community Development District and Bay Creek Community Development District, Lee County, Florida.

**BAYSIDE IMPROVEMENT COMMUNITY  
DEVELOPMENT DISTRICT**

---

Secretary/Assistant Secretary

---

Chair/Vice Chair, Board of Supervisors

**BAY CREEK COMMUNITY DEVELOPMENT  
DISTRICT**

---

Secretary/Assistant Secretary

---

Chair/Vice Chair, Board of Supervisors

EXHIBIT "A"

<b>Year</b>	<b>Make</b>	<b>Model</b>	<b>Serial Number</b>	<b>Mileage</b>	<b>Hours</b>
2006	Ford	F-350 with Tymco Street Sweeper Body	1FDWF36P76ED85112	135,019	6,500
2006	Ford	F-250	1FTSW205X6EB82140	48,937	
2006	Kawasaki	Mule 600	JK1AFEB146B504046		5,392
2009	Kawasaki	Mule 4000	JK1AFCP129B500420		6,292
2009	Kawasaki	Mule 4000	JK1AFCP169B500419		5,627
2014	Jacobsen	Tri-King	67146 01696		1,160
2016	Kawasaki	Mule 600	JK1AFEB18GB529582		2,008

**BAYSIDE IMPROVEMENT  
AND BAY CREEK  
COMMUNITY DEVELOPMENT DISTRICTS**

**9B**

**RESOLUTION 2023-03**

**A RESOLUTION BY THE BOARDS OF SUPERVISORS OF THE BAYSIDE IMPROVEMENT COMMUNITY DEVELOPMENT DISTRICT AND THE BAY CREEK COMMUNITY DEVELOPMENT DISTRICT DECLARING CERTAIN TANGIBLE PERSONAL PROPERTY SURPLUS EQUIPMENT AND AUTHORIZING THE DISTRICT MANAGER TO SELL OR DISPOSE OF SAID EQUIPMENT AS EXPEDITIOUSLY AS POSSIBLE AND PROVIDING FOR AN EFFECTIVE DATE**

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**WHEREAS**, said tangible personal property is no longer useful to the Districts and;

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**WHEREAS**, the Districts desire to authorize the District Manager to sell or dispose of said equipment as appropriate,

**NOW, THEREFORE, BE IT RESOLVED BY THE BOARDS OF SUPERVISORS OF THE BAYSIDE IMPROVEMENT COMMUNITY DEVELOPMENT DISTRICT AND THE BAY CREEK COMMUNITY DEVELOPMENT DISTRICT;**

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**Section 4.** This Resolution shall take effect immediately upon its adoption.

**PASSED AND ADOPTED** this 23rd day of January, 2023 by the respective Boards of Supervisors of the Bayside Improvement Community Development District and Bay Creek Community Development District, Lee County, Florida.

**BAYSIDE IMPROVEMENT COMMUNITY  
DEVELOPMENT DISTRICT**

\_\_\_\_\_  
Secretary/Assistant Secretary

\_\_\_\_\_  
Chair/Vice Chair, Board of Supervisors

**BAY CREEK COMMUNITY DEVELOPMENT  
DISTRICT**

\_\_\_\_\_  
Secretary/Assistant Secretary

\_\_\_\_\_  
Chair/Vice Chair, Board of Supervisors

EXHIBIT "A"

<b>Year</b>	<b>Make</b>	<b>Model</b>	<b>Serial Number</b>	<b>Mileage</b>	<b>Hours</b>
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2006	Ford	F-250	1FTSW205X6EB82140	48,937	
2006	Kawasaki	Mule 600	JK1AFEB146B504046		5,392
2009	Kawasaki	Mule 4000	JK1AFCP129B500420		6,292
2009	Kawasaki	Mule 4000	JK1AFCP169B500419		5,627
2014	Jacobsen	Tri-King	67146 01696		1,160
2016	Kawasaki	Mule 600	JK1AFEB18GB529582		2,008

**BAYSIDE IMPROVEMENT  
AND BAY CREEK  
COMMUNITY DEVELOPMENT DISTRICTS**

**UNAUDITED  
FINANCIAL  
STATEMENTS**

**BAYSIDE IMPROVEMENT AND BAY CREEK  
COMMUNITY DEVELOPMENT DISTRICTS  
FINANCIAL STATEMENTS  
UNAUDITED  
DECEMBER 31, 2022**



**BAYSIDE IMPROVEMENT AND BAY CREEK  
COMMUNITY DEVELOPMENT DISTRICTS  
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**BAYSIDE IMPROVEMENT AND BAY CREEK  
COMMUNITY DEVELOPMENT DISTRICTS  
COMBINED BALANCE SHEET  
GOVERNMENTAL FUNDS  
DECEMBER 31, 2022**

	<u>General Fund</u>		
	General Fund 001 & 101	General Fund 002	Total Governmental Funds
<b>ASSETS</b>			
Cash			
SunTrust	\$ 142,662	\$124,545	\$ 267,207
FineMark MM *	295,749	83,005	378,754
FineMark ICS *	-	4,696	4,696
Accounts receivable (clearing fund)	1,054,247	318,464	1,372,711
Due from other funds			
Bayside general fund 001	9,118	-	9,118
Bayside general fund 002 - The Colony	16,365	-	16,365
Prepaid expense	130	-	130
WC deposit	1,806	-	1,806
Deposits	125	555	680
Total assets	<u>\$ 1,520,202</u>	<u>\$ 531,265</u>	<u>\$ 2,051,467</u>
<b>LIABILITIES &amp; FUND BALANCES</b>			
<b>Liabilities</b>			
Bayside - general fund 001	-	11,630	11,630
Bay Creek - general fund 101	9,119	4,735	13,854
Due to Bayside - enterprise fund 401	1,408	-	1,408
Due to Bay Creek - enterprise fund 451	2,690	-	2,690
Total liabilities	<u>13,217</u>	<u>16,365</u>	<u>29,582</u>
<b>Fund Balances</b>			
Unassigned	<u>1,506,985</u>	<u>514,900</u>	<u>2,021,885</u>
Total fund balances	<u>1,506,985</u>	<u>514,900</u>	<u>2,021,885</u>
Total liabilities, deferred inflows of resources and fund balances	<u>\$ 1,520,202</u>	<u>\$ 531,265</u>	<u>\$ 2,051,467</u>

**BAYSIDE IMPROVEMENT AND BAY CREEK  
COMMUNITY DEVELOPMENT DISTRICTS  
COMBINED STATEMENT OF REVENUES, EXPENDITURES,  
AND CHANGES IN FUND BALANCES  
GENERAL FUNDS 001 & 101  
FOR THE PERIOD ENDED DECEMBER 31, 2022**

	Current Month	Year to Date	Annual Budget	% of Budget
<b>REVENUES</b>				
Assessment levy - net	\$ 1,053,255	\$ 1,138,107	\$ 2,486,540	46%
Interest	27	84	500	17%
Street sweeping	-	-	13,000	0%
Total revenues	<u>1,053,282</u>	<u>1,138,300</u>	<u>2,500,040</u>	46%
<b>EXPENDITURES</b>				
<b>Administrative</b>				
Supervisors	1,776	3,068	19,377	16%
Engineering	-	2,756	15,000	18%
Legal	624	1,624	18,000	9%
Audit	-	-	15,000	0%
Management	3,500	10,500	42,000	25%
Accounting & payroll	1,400	4,200	16,799	25%
Computer services	420	1,260	5,040	25%
Assessment roll preparation* <sup>1</sup>	8,476	8,476	8,476	100%
Telephone	79	238	950	25%
Postage & reproduction	181	325	1,350	24%
Printing & binding	410	1,230	4,918	25%
Legal notices and communications	-	272	1,125	24%
Office supplies	227	525	750	70%
Subscriptions & memberships	-	263	263	100%
ADA website compliance	-	158	253	62%
Insurance* <sup>1</sup>	-	18,546	17,770	104%
Miscellaneous (bank fees)	226	588	6,750	9%
Total administrative	<u>17,319</u>	<u>54,029</u>	<u>173,821</u>	31%
<b>Field management</b>				
Other contractual	3,150	9,450	37,799	25%
Total field management services	<u>3,150</u>	<u>9,450</u>	<u>37,799</u>	25%
<b>Water management</b>				
NPDES program	-	-	3,165	0%
Other contractual services: lakes	28,063	42,093	200,661	21%
Other contractual services: wetlands	16,336	17,142	37,980	45%
Other contractual services: culverts/drains	12,660	14,530	37,980	38%
Other contractual services: lake health	545	1,526	6,330	24%
Aquascaping* <sup>1</sup>	-	-	18,990	0%
Capital outlay	-	-	9,495	0%
Repairs and maintenance (aerators)	71	152	9,495	2%
Total water management services	<u>57,675</u>	<u>75,443</u>	<u>324,096</u>	23%

**BAYSIDE IMPROVEMENT AND BAY CREEK  
COMMUNITY DEVELOPMENT DISTRICTS  
COMBINED STATEMENT OF REVENUES, EXPENDITURES,  
AND CHANGES IN FUND BALANCES  
GENERAL FUNDS 001 & 101  
FOR THE PERIOD ENDED DECEMBER 31, 2022**

	Current Month	Year to Date	Annual Budget	% of Budget
<b>Street lighting</b>				
Electricity	3,586	6,983	40,000	17%
Hurricane light repair	-	3,289	-	N/A
Contractual services-lightpole	7,318	13,712	40,000	34%
Total street lighting services	<u>10,904</u>	<u>23,984</u>	<u>80,000</u>	30%
<b>Landscaping</b>				
Supervisor	10,471	29,903	126,500	24%
Personnel services	73,927	217,464	1,048,759	21%
Capital outlay	-	22,487	40,000	56%
Fuel	-	-	25,000	0%
Repairs and maintenance (parts)	4,777	19,359	35,000	55%
Insurance* <sup>1</sup>	-	16,480	15,287	108%
Minor operating equipment	89	295	20,000	1%
Horticulture dumpster	5,850	23,450	30,000	78%
Employee uniforms	2,554	8,255	33,000	25%
Chemicals	764	7,289	58,000	13%
Flower program* <sup>2</sup>	-	50,673	125,000	41%
Mulch program* <sup>2</sup>	40,514	79,654	77,000	103%
Plant replacement program* <sup>2</sup>	1,940	1,940	40,000	5%
Other contractual - tree trimming* <sup>1</sup>	-	-	6,330	0%
Other contractual - horticulturalist	-	-	2,000	0%
Other contractual - training	-	150	1,500	10%
Maintenance tracking software	-	-	3,500	0%
Unbudgeted contractual services	-	-	76,000	0%
Fountain maintenance	60	163	9,999	2%
Office operations	2,164	5,243	23,000	23%
Monument maintenance	-	-	15,000	0%
Total landscaping services	<u>143,110</u>	<u>482,805</u>	<u>1,810,875</u>	27%
<b>Roadway</b>				
Personnel	795	2,382	8,546	28%
Repairs and maintenance - parts	-	-	44,309	0%
Insurance	-	1,807	1,583	114%
Total roadway services	<u>795</u>	<u>4,189</u>	<u>54,438</u>	8%

**BAYSIDE IMPROVEMENT AND BAY CREEK  
COMMUNITY DEVELOPMENT DISTRICTS  
COMBINED STATEMENT OF REVENUES, EXPENDITURES,  
AND CHANGES IN FUND BALANCES  
GENERAL FUNDS 001 & 101  
FOR THE PERIOD ENDED DECEMBER 31, 2022**

	<u>Current Month</u>	<u>Year to Date</u>	<u>Annual Budget</u>	<u>% of Budget</u>
<b>Parks &amp; recreation</b>				
Utilities	770	2,310	9,000	26%
Operating supplies	328	328	1,000	33%
Total parks & recreation	<u>1,098</u>	<u>2,638</u>	<u>10,000</u>	26%
<b>Other fees &amp; charges</b>				
Property appraiser	-	-	3,625	0%
Tax collector	-	5,359	5,358	100%
Total other fees & charges	<u>-</u>	<u>5,359</u>	<u>8,983</u>	60%
Total expenditures	<u>234,051</u>	<u>657,897</u>	<u>2,500,012</u>	26%
Excess/(deficiency) of revenues over/(under) expenditures	819,231	480,403	28	
Fund balances - beginning	687,754	1,026,582	980,260	
Fund balances - ending	<u>\$ 1,506,985</u>	<u>\$ 1,506,985</u>	<u>\$ 980,288</u>	

\*<sup>1</sup> Typically an annual expense.

\*<sup>2</sup> Typically a seasonal expense.

**BAYSIDE IMPROVEMENT AND BAY CREEK  
COMMUNITY DEVELOPMENT DISTRICTS  
COMBINED STATEMENT OF NET POSITION  
ENTERPRISE FUNDS 401 & 451  
DECEMBER 31, 2022**

	Bayside Improvement Enterprise Fund 401	Bay Creek Enterprise Fund 451	Total Enterprise Funds 401 & 451
<b>ASSETS</b>			
<b>Current assets:</b>			
Cash			
Wells Fargo	\$ 634,528	\$ -	\$ 634,528
SunTrust	158,358	17,207	175,565
Accounts receivable (customers)	-	3,177	3,177
Due from Bayside general fund 001	1,120	596	1,716
Due from Bay Creek general fund 101	289	2,093	2,382
Due from Bay Creek enterprise fund 451	88,008	-	88,008
Accounts receivable (clearing fund)	106,434	37,881	144,315
WC deposit	104	35	139
Total current assets	<u>988,841</u>	<u>60,989</u>	<u>1,049,830</u>
<b>Noncurrent assets:</b>			
Capital assets			
Property, plant and equipment	1,950,208	18,320	1,968,528
Irrigation system	-	596,951	596,951
Less accumulated depreciation	(1,551,410)	(546,653)	(2,098,063)
Total capital assets, net of accumulated depreciation	<u>398,798</u>	<u>68,618</u>	<u>467,416</u>
Total noncurrent assets	<u>398,798</u>	<u>68,618</u>	<u>467,416</u>
Total assets	<u>1,387,639</u>	<u>129,607</u>	<u>1,517,246</u>
<b>LIABILITIES</b>			
<b>Current liabilities:</b>			
Unearned revenue	3,294	-	3,294
Customer deposits	47,825	12,189	60,014
Due to Bayside enterprise fund 401	-	88,008	88,008
Total current liabilities	<u>51,119</u>	<u>100,197</u>	<u>151,316</u>
<b>NET POSITION</b>			
Net investment in capital assets	398,798	68,618	467,416
Unrestricted	937,722	(39,208)	898,514
Total net position	<u>\$ 1,336,520</u>	<u>\$ 29,410</u>	<u>\$ 1,365,930</u>

**BAYSIDE IMPROVEMENT AND BAY CREEK  
COMMUNITY DEVELOPMENT DISTRICTS  
COMBINED STATEMENT OF REVENUES, EXPENSES  
AND CHANGES IN FUND NET POSITION  
ENTERPRISE FUNDS 401 & 451  
FOR THE PERIOD ENDED DECEMBER 31, 2022**

	Current Month	Year to Date	Annual Budget	% of Budget
<b>OPERATING REVENUES:</b>				
<b>Charges for services</b>				
Assessment levy - net	\$ 143,984	\$ 154,966	\$ 338,510	46%
Irrigation	38,310	119,204	506,896	24%
Total operating revenues	<u>182,294</u>	<u>274,170</u>	<u>845,406</u>	32%
<b>OPERATING EXPENSES:</b>				
<b>Administrative services</b>				
Supervisor's fees	592	1,022	6,459	16%
Engineering fees	-	919	4,999	18%
Legal	208	541	6,000	9%
Audit	-	-	5,000	0%
Management	1,367	4,101	16,403	25%
Accounting & payroll	467	1,400	5,600	25%
Computer services	140	420	1,680	25%
Utility billing	3,653	7,309	33,500	22%
Telephone	25	77	311	25%
Postage & reproduction	60	108	450	24%
Printing and binding	136	409	1,639	25%
Legal notices and communications	-	91	375	24%
Office supplies	76	175	251	70%
Subscription and memberships	-	88	87	101%
ADA website compliance	-	52	147	35%
Insurance* <sup>1</sup>	-	6,182	6,038	102%
Miscellaneous	99	220	2,250	10%
Total administrative services	<u>6,823</u>	<u>23,114</u>	<u>91,189</u>	25%
<b>Field management services</b>				
Other contractual services	1,051	3,151	12,600	25%
Total field management services	<u>1,051</u>	<u>3,151</u>	<u>12,600</u>	25%
<b>Water management services</b>				
NPDES program	-	-	1,835	0%
Other contractual services: lakes	16,269	24,405	116,339	21%
Other contractual services: wetlands	9,472	9,940	22,020	45%
Other contractual services: culverts/drains	7,340	8,424	22,020	38%
Other contractual services: lake health	316	885	3,670	24%
Aquascaping* <sup>1</sup>	-	-	11,010	0%
Capital outlay	-	-	5,505	0%
Repairs and Maintenance (Aerators)*	41	88	5,505	2%
Total water management services	<u>33,438</u>	<u>43,742</u>	<u>187,904</u>	23%

**BAYSIDE IMPROVEMENT AND BAY CREEK  
COMMUNITY DEVELOPMENT DISTRICTS  
COMBINED STATEMENT OF REVENUES, EXPENSES  
AND CHANGES IN FUND NET POSITION  
ENTERPRISE FUNDS 401 & 451  
FOR THE PERIOD ENDED DECEMBER 31, 2022**

	Current Month	Year to Date	Annual Budget	% of Budget
<b>Landscape services</b>				
Other contractual - tree trimming	-	-	3,671	0%
Total landscape services	-	-	3,671	0%
<b>Roadway services</b>				
Personnel	343	1,027	4,954	21%
Repairs and maintenance - parts	-	-	25,691	0%
Insurance	17	1,351	2,499	54%
Total irrigation supply services	360	2,378	33,144	7%
<b>Irrigation supply services</b>				
Personnel	6,709	19,218	82,651	23%
Reclaimed water	-	15,771	75,646	21%
Repairs and maintenance - parts	1,322	6,846	25,000	27%
Insurance* <sup>1</sup>	-	11,847	11,500	103%
Minor operating equipment	-	-	75,945	0%
Meter costs	1,551	1,984	7,500	26%
Other contractual services	2,431	3,580	9,000	40%
Electricity	-	14,252	95,000	15%
Pumps & machinery	1,858	20,631	50,000	41%
Depreciation	4,876	14,628	60,000	24%
Total irrigation supply services	18,747	108,757	492,242	22%
Total operating expenses	60,419	181,142	820,750	22%
Operating income/(loss)	121,875	93,028	24,656	
<b>Nonoperating revenues/(expenses):</b>				
Interest income	199	510	500	102%
Total nonoperating revenues	199	510	500	102%
Change in net position	122,074	93,538	25,156	
Total net position - beginning	1,243,856	1,272,392	1,264,474	
Total net position - ending	<u>\$ 1,365,930</u>	<u>\$ 1,365,930</u>	<u>\$ 1,289,630</u>	

\*<sup>1</sup> Typically an annual expense.

\*<sup>2</sup> Typically a seasonal expense.



**BAYSIDE IMPROVEMENT  
COMMUNITY DEVELOPMENT DISTRICT  
BALANCE SHEET  
GOVERNMENTAL FUNDS  
DECEMBER 31, 2022**

	General Fund		Total Governmental Funds
	001	The Colony 002	
<b>ASSETS</b>			
Cash			
SunTrust	\$ 114,256	\$124,545	\$ 238,801
FineMark MM	64,150	83,005	147,155
FineMark ICS	-	4,696	4,696
Accounts receivable (clearing fund)	839,028	318,464	1,157,492
Due from other funds			
Bayside general fund 002 - The Colony	11,630	-	11,630
Prepaid expense	130	-	130
WC deposit	1,462	-	1,462
Deposits	125	555	680
Total assets	<u>\$ 1,030,781</u>	<u>\$ 531,265</u>	<u>\$ 1,562,046</u>
<b>LIABILITIES &amp; FUND BALANCES</b>			
<b>Liabilities</b>			
Due to other funds			
Bayside - general fund 001	-	11,630	11,630
Due to other governments (Bay Creek)			
Bay Creek - general fund 101	9,119	4,735	13,854
Bay Creek - enterprise fund 451	596	-	596
Due to Bayside - enterprise fund 401	1,120	-	1,120
Total liabilities	<u>10,835</u>	<u>16,365</u>	<u>27,200</u>
<b>Fund balances</b>			
Unassigned	<u>1,019,946</u>	<u>514,900</u>	<u>1,534,846</u>
Total fund balances	<u>1,019,946</u>	<u>514,900</u>	<u>1,534,846</u>
Total liabilities and fund balances	<u>\$ 1,030,781</u>	<u>\$ 531,265</u>	<u>\$ 1,562,046</u>

**BAYSIDE IMPROVEMENT  
COMMUNITY DEVELOPMENT DISTRICT  
STATEMENT OF REVENUES , EXPENDITURES,  
AND CHANGES IN FUND BALANCES  
GENERAL FUND 001  
FOR THE PERIOD ENDED DECEMBER 31, 2022**

	Current Month	Year to Date	Annual Budget	% of Budget
<b>REVENUES</b>				
Assessment levy - net	\$ 838,223	\$ 903,838	\$ 2,004,182	45%
Interest	5	19	404	5%
Street sweeping	-	-	10,494	0%
Miscellaneous	-	109	-	N/A
Total revenue	<u>838,228</u>	<u>903,966</u>	<u>2,015,080</u>	45%
<b>EXPENDITURES</b>				
<b>Administration services</b>				
Supervisors	888	1,534	9,689	16%
Engineering	-	2,236	12,171	18%
Legal	506	1,318	14,605	9%
Audit	-	-	7,500	0%
Management	2,840	8,520	34,079	25%
Accounting & payroll	1,136	3,408	13,631	25%
Computer services	341	1,022	4,089	25%
Assessment roll preparation* <sup>1</sup>	6,877	6,877	6,877	100%
Telephone	64	193	771	25%
Postage & reproduction	147	264	1,095	24%
Printing & binding	333	998	3,990	25%
Legal notices and communications	-	221	913	24%
Office supplies	184	426	609	70%
Subscriptions & memberships	-	213	213	100%
ADA website compliance	-	128	205	62%
Insurance* <sup>1</sup>	-	9,273	8,885	104%
Miscellaneous (bank fees)	190	484	5,477	9%
Total administration services	<u>13,506</u>	<u>37,115</u>	<u>124,799</u>	30%
<b>Field management</b>				
Other contractual services	2,556	7,668	30,670	25%
Total field management services	<u>2,556</u>	<u>7,668</u>	<u>30,670</u>	25%
<b>Water management</b>				
NPDES program	-	-	2,568	0%
Other contractual services: lakes	22,770	34,154	162,816	21%
Other contractual services: wetlands	13,255	13,909	30,817	45%
Other contractual service: culverts/drains	10,272	11,790	30,817	38%
Other contractual services: lake health	442	1,238	5,136	24%
Aquascaping* <sup>1</sup>	-	-	15,408	0%
Capital outlay	-	-	7,704	0%
Repairs and maintenance (aerators)	58	123	7,704	2%
Total water management services	<u>46,797</u>	<u>61,214</u>	<u>262,970</u>	23%

**BAYSIDE IMPROVEMENT  
COMMUNITY DEVELOPMENT DISTRICT  
STATEMENT OF REVENUES , EXPENDITURES,  
AND CHANGES IN FUND BALANCES  
GENERAL FUND 001  
FOR THE PERIOD ENDED DECEMBER 31, 2022**

	Current Month	Year to Date	Annual Budget	% of Budget
<b>Street lighting</b>				
Electricity	2,910	5,666	32,456	17%
Hurricane light repair	-	2,669	-	N/A
Contractual services-lightpole	5,938	11,126	32,456	34%
Total street lighting services	<u>8,848</u>	<u>19,461</u>	<u>64,912</u>	30%
<b>Landscaping</b>				
Supervisor	8,496	24,262	102,642	24%
Personnel	59,974	176,420	850,963	21%
Capital outlay	-	18,246	32,456	56%
Fuel	-	-	20,285	0%
Repairs & maintenance (parts)	3,842	15,674	28,399	55%
Insurance* <sup>1</sup>	-	13,344	12,404	108%
Minor operating equipment	72	239	16,228	1%
Horticultural dumpster	4,747	19,027	24,342	78%
Employee uniforms	2,072	6,698	26,776	25%
Chemicals	620	5,914	47,061	13%
Flower program* <sup>2</sup>	-	41,116	101,425	41%
Mulch program* <sup>2</sup>	32,872	64,631	62,478	103%
Plant replacement program* <sup>2</sup>	1,574	1,574	32,456	5%
Other contractual - tree trimming* <sup>1</sup>	-	-	5,136	0%
Other contractual - horticulturalist	-	-	1,623	0%
Other contractual - training	-	122	1,217	10%
Maintenance tracking software	-	-	2,840	0%
Unbudgeted contractual services	-	-	61,666	0%
Fountain maintenance	49	132	8,114	2%
Office operations	1,756	4,254	18,662	23%
Monument maintenance	-	-	12,171	0%
Total landscaping services	<u>116,074</u>	<u>391,653</u>	<u>1,469,344</u>	27%
<b>Roadway services</b>				
Personnel	645	1,933	6,934	28%
Repairs & maintenance - parts	-	-	35,953	0%
Insurance	-	1,463	1,284	114%
Total roadway services	<u>645</u>	<u>3,396</u>	<u>44,171</u>	8%
<b>Parks &amp; recreation</b>				
Utilities	739	2,218	8,640	26%
Operating supplies	246	246	960	26%
Total parks & recreation	<u>985</u>	<u>2,464</u>	<u>9,600</u>	26%

**BAYSIDE IMPROVEMENT  
COMMUNITY DEVELOPMENT DISTRICT  
STATEMENT OF REVENUES , EXPENDITURES,  
AND CHANGES IN FUND BALANCES  
GENERAL FUND 001  
FOR THE PERIOD ENDED DECEMBER 31, 2022**

	Current Month	Year to Date	Annual Budget	% of Budget
<b>Other fees &amp; charges</b>				
Property appraiser	-	-	3,480	0%
Tax collector	-	4,217	5,144	82%
Total other fees & charges	-	4,217	8,624	49%
Total expenditures	189,411	527,188	2,015,090	26%
Excess/(deficiency) of revenues over/(under) expenditures	648,817	376,778	(10)	
Fund balances - beginning	371,129	643,168	601,448	
Fund balances - ending	<u>\$ 1,019,946</u>	<u>\$ 1,019,946</u>	<u>\$ 601,438</u>	

\*<sup>1</sup> Typically an annual expense.

\*<sup>2</sup> Typically a seasonal expense.

**BAYSIDE IMPROVEMENT  
COMMUNITY DEVELOPMENT DISTRICT  
STATEMENT OF REVENUES , EXPENDITURES,  
AND CHANGES IN FUND BALANCES  
GENERAL FUND 002 - THE COLONY  
FOR THE PERIOD ENDED DECEMBER 31, 2022**

	Current Month	Year to Date	Budget	% of Budget
<b>REVENUES</b>				
Assessment levy - net	\$ 322,610	\$ 346,272	\$ 771,356	45%
Interest & miscellaneous	7	22	500	4%
Total revenues	<u>322,617</u>	<u>346,294</u>	<u>771,856</u>	45%
<b>EXPENDITURES</b>				
<b>Administrative services</b>				
Accounting & payroll	782	2,345	9,380	25%
Computer services	285	852	3,411	25%
Assessment roll preparation* <sup>1</sup>	1,150	1,150	1,150	100%
Field management	1,185	3,552	14,211	25%
Total administrative services	<u>3,402</u>	<u>7,899</u>	<u>28,152</u>	28%
<b>Street lighting services</b>				
Contractual services - light poles* <sup>1</sup>	-	-	5,000	0%
Total street lighting services	<u>-</u>	<u>-</u>	<u>5,000</u>	0%
<b>Landscaping maintenance services</b>				
Personnel services	30,390	87,474	353,704	25%
Other contractual - horticulturalists	-	-	1,500	0%
Other contractual - training	-	-	1,500	0%
Rentals & leases	-	-	20,000	0%
Fuel	-	4,146	9,000	46%
Repairs & maintenance (parts)	633	1,733	15,000	12%
Insurance* <sup>1</sup>	-	2,687	3,000	90%
Horticulture dumpster	-	-	16,000	0%
Miscellaneous equipment	42	128	2,500	5%
Chemicals	993	993	17,000	6%
Flower program* <sup>2</sup>	-	23,071	66,000	35%
Mulch program* <sup>2</sup>	-	15,165	40,500	37%
Plant replacement program* <sup>2</sup>	400	3,472	40,000	9%
Other contractual - tree trimming* <sup>2</sup>	-	-	10,000	0%
Monument maintenance	-	-	3,000	0%
Total landscaping maintenance services	<u>32,458</u>	<u>138,869</u>	<u>598,704</u>	23%

**BAYSIDE IMPROVEMENT  
COMMUNITY DEVELOPMENT DISTRICT  
STATEMENT OF REVENUES , EXPENDITURES,  
AND CHANGES IN FUND BALANCES  
GENERAL FUND 002 - THE COLONY  
FOR THE PERIOD ENDED DECEMBER 31, 2022**

	<u>Current Month</u>	<u>Year to Date</u>	<u>Budget</u>	<u>% of Budget</u>
<b>Fountain services</b>				
Operating supplies	15,501	33,094	140,000	24%
Total fountain services	<u>15,501</u>	<u>33,094</u>	<u>140,000</u>	24%
Total expenditures	<u>51,361</u>	<u>179,862</u>	<u>771,856</u>	23%
Net increase/(decrease) of fund balance	271,256	166,432	-	
Fund balance - beginning	243,644	348,468	334,835	
Fund balance - ending	<u>\$ 514,900</u>	<u>\$ 514,900</u>	<u>\$ 334,835</u>	

\*<sup>1</sup> Typically an annual expense.

\*<sup>2</sup> Typically a seasonal expense.

**BAYSIDE IMPROVEMENT  
COMMUNITY DEVELOPMENT DISTRICTS  
STATEMENT OF NET POSITION  
ENTERPRISE FUND 401  
DECEMBER 31, 2022**

	Bayside Improvement Enterprise Fund 401
<b>ASSETS</b>	
<b>Current assets:</b>	
Cash	
Wells Fargo	\$ 634,528
SunTrust	158,358
Due from Bayside general fund 001	1,120
Due from Bay Creek general fund 101	289
Due from Bay Creek enterprise fund	88,008
Accounts receivable (clearing fund)	106,434
WC deposit	104
Total current assets	988,841
<b>Noncurrent assets:</b>	
Capital assets	
Property, plant and equipment	1,950,208
Less accumulated depreciation	(1,551,410)
Total capital assets, net of accumulated depreciation	398,798
Total noncurrent assets	398,798
Total assets	1,387,639
<b>LIABILITIES</b>	
<b>Current liabilities:</b>	
Unearned revenue	3,294
Customer deposits	47,825
Total current liabilities	51,119
<b>NET POSITION</b>	
Net investment in capital assets	398,798
Unrestricted	937,722
Total net position	\$ 1,336,520

**BAYSIDE IMPROVEMENT  
COMMUNITY DEVELOPMENT DISTRICT  
STATEMENT OF REVENUES, EXPENSES  
AND CHANGES IN FUND NET POSITION  
ENTERPRISE FUND 401  
FOR THE PERIOD ENDED DECEMBER 31, 2022**

	Current Month	Year to Date	Budget	% of Budget
<b>Operating revenues</b>				
Charges for services:				
Assessment levy - net	\$ 106,186	\$ 113,974	\$ 253,882	45%
Irrigation	24,483	75,960	325,000	23%
Total operating revenues	<u>130,669</u>	<u>189,934</u>	<u>578,882</u>	33%
<b>Operating expenses</b>				
<b>Administrative services</b>				
Supervisors	296	511	3,230	16%
Engineering	-	689	3,750	18%
Legal	156	406	4,500	9%
Audit	-	-	2,500	0%
Management	1,025	3,076	12,303	25%
Accounting & payroll	350	1,050	4,200	25%
Computer services	105	315	1,260	25%
Utility billing	2,740	5,482	25,125	22%
Telephone	19	58	233	25%
Postage & reproduction	45	81	338	24%
Printing and binding	102	307	1,229	25%
Legal notices and communications	-	68	281	24%
Office supplies	57	131	188	70%
Subscription and memberships	-	66	65	102%
ADA website compliance	-	39	110	35%
Insurance* <sup>1</sup>	-	3,091	3,019	102%
Miscellaneous	83	174	1,688	10%
Total administrative services	<u>4,978</u>	<u>15,544</u>	<u>64,019</u>	24%
<b>Field management services</b>				
Other contractual services	788	2,363	9,450	25%
Total field management services	<u>788</u>	<u>2,363</u>	<u>9,450</u>	25%
<b>Water management services</b>				
NPDES program	-	-	1,376	0%
Other contractual services: lakes	12,202	18,304	87,254	21%
Other contractual services: wetlands	7,104	7,455	16,515	45%
Other contractual services: culverts/drains	5,505	6,318	16,515	38%
Other contractual services: lake health	237	664	2,753	24%
Aquascaping* <sup>1</sup>	-	-	8,258	0%
Capital outlay	-	-	4,129	0%
Repairs and maintenance (aerators)*	31	66	4,129	2%
Total water management services	<u>25,079</u>	<u>32,807</u>	<u>140,929</u>	23%



**BAYSIDE IMPROVEMENT  
COMMUNITY DEVELOPMENT DISTRICT  
STATEMENT OF REVENUES, EXPENSES  
AND CHANGES IN FUND NET POSITION  
ENTERPRISE FUND 401  
FOR THE PERIOD ENDED DECEMBER 31, 2022**

	Current Month	Year to Date	Budget	% of Budget
<b>Landscape services</b>				
Other contractual - tree trimming	-	-	2,753	0%
Total landscape services	-	-	2,753	0%
<b>Roadway services</b>				
Personnel	257	770	3,716	21%
Repairs and maintenance - parts	-	-	19,268	0%
Insurance	13	1,013	1,875	54%
Total irrigation supply services	270	1,783	24,859	7%
<b>Irrigation supply services</b>				
Personnel	5,032	14,413	61,988	23%
Repairs and maintenance - parts	1,206	5,349	18,750	29%
Insurance* <sup>1</sup>	-	8,885	8,625	103%
Surplus RCS Water-Bayside	-	-	75,945	0%
Meter costs	987	1,312	5,625	23%
Other contractual services	1,823	2,685	6,750	40%
Electricity	-	10,689	71,250	15%
Pumps & machinery	1,393	15,473	37,500	41%
Depreciation	3,626	10,878	45,000	24%
Total irrigation supply services	14,067	69,684	331,433	21%
Total operating expenses	45,182	122,181	573,443	21%
Operating income/(loss)	85,487	67,753	5,439	
Nonoperating revenues/(expenses)				
Interest income	199	509	375	136%
Total nonoperating revenues	199	509	375	136%
Change in net position	85,686	68,262	5,814	
Total net position - beginning	1,250,834	1,268,258	1,168,389	
Total net position - ending	<u>\$ 1,336,520</u>	<u>\$ 1,336,520</u>	<u>\$ 1,174,203</u>	

\*<sup>1</sup> Typically an annual expense.

**BAY CREEK  
COMMUNITY DEVELOPMENT DISTRICT  
BALANCE SHEET  
GOVERNMENTAL FUNDS  
DECEMBER 31, 2022**

	General Fund	
	101	Total Governmental Funds
<b>ASSETS</b>		
Cash		
SunTrust	\$ 28,406	\$ 28,406
FineMark MM	231,599	231,599
Accounts receivable (clearing fund)	215,219	215,219
Due from other governments - Bayside Improvement		
Bayside general fund 001	9,118	9,118
Bayside general fund 002 - The Colony	4,735	4,735
WC deposit	344	344
Total assets	\$ 489,421	\$ 489,421
<b>LIABILITIES &amp; FUND BALANCES</b>		
<b>Liabilities</b>		
Due to other governments - Bayside Improvement		
Bayside - enterprise fund 401	288	288
Due to Bay Creek - enterprise fund 451	2,094	2,094
Total liabilities	2,382	2,382
<b>Fund balances</b>		
Unassigned	487,039	487,039
Total fund balances	487,039	487,039
Total liabilities and fund balances	\$ 489,421	\$ 489,421

**BAY CREEK  
COMMUNITY DEVELOPMENT DISTRICT  
STATEMENT OF REVENUES , EXPENDITURES,  
AND CHANGES IN FUND BALANCES  
GENERAL FUND 101  
FOR THE PERIOD ENDED DECEMBER 31, 2022**

	Current Month	Year to Date	Annual Budget	% of Budget
<b>REVENUES</b>				
Assessment levy - net	\$ 215,032	\$ 234,269	\$ 482,324	49%
Interest	22	65	98	66%
Street sweeping	-	-	2,506	0%
Total revenues	<u>215,054</u>	<u>234,334</u>	<u>484,928</u>	48%
<b>EXPENDITURES</b>				
<b>Administration services</b>				
Supervisors	888	1,534	9,689	16%
Engineering	-	520	2,829	18%
Legal	118	306	3,395	9%
Audit	-	-	7,500	0%
Management	660	1,980	7,921	25%
Accounting & payroll	264	792	3,168	25%
Computer services	79	238	951	25%
Assessment roll preparation* <sup>1</sup>	1,599	1,599	1,599	100%
Telephone	15	45	179	25%
Postage & reproduction	34	61	255	24%
Printing & binding	77	232	928	25%
Legal notices and communications	-	51	212	24%
Office supplies	43	99	141	70%
Subscriptions & memberships	-	50	50	100%
ADA website compliance	-	30	48	63%
Insurance* <sup>1</sup>	-	9,273	8,885	104%
Miscellaneous (bank fees)	36	104	1,273	8%
Total administration services	<u>3,813</u>	<u>16,914</u>	<u>49,023</u>	35%
<b>Field management fees</b>				
Other contractual	594	1,782	7,129	25%
Total field management	<u>594</u>	<u>1,782</u>	<u>7,129</u>	25%
<b>Water management</b>				
NPDES program	-	-	597	0%
Other contractual services: lakes	5,293	7,939	37,845	21%
Other contractual services: wetlands	3,081	3,233	7,163	45%
Other contractual service: culverts/drains	2,388	2,740	7,163	38%
Other contractual services: lake health	103	288	1,194	24%
Aquascaping* <sup>1</sup>	-	-	3,582	0%
Capital outlay	-	-	1,791	0%
Repairs and maintenance (aerators)	13	29	1,791	2%
Total water management	<u>10,878</u>	<u>14,229</u>	<u>61,126</u>	23%

**BAY CREEK  
COMMUNITY DEVELOPMENT DISTRICT  
STATEMENT OF REVENUES , EXPENDITURES,  
AND CHANGES IN FUND BALANCES  
GENERAL FUND 101  
FOR THE PERIOD ENDED DECEMBER 31, 2022**

	Current Month	Year to Date	Annual Budget	% of Budget
<b>Street lighting</b>				
Electricity	676	1,317	7,544	17%
Hurricane light repair	-	620	-	N/A
Contractual services-lightpole	1,380	2,586	7,544	34%
Total street lighting	<u>2,056</u>	<u>4,523</u>	<u>15,088</u>	30%
<b>Landscape services</b>				
Supervisor	1,975	5,641	23,858	24%
Personnel services	13,953	41,044	197,796	21%
Capital outlay	-	4,241	7,544	56%
Fuel	-	-	4,715	0%
Repairs and maintenance (parts)	935	3,685	6,601	56%
Insurance* <sup>1</sup>	-	3,136	2,883	109%
Minor operating equipment	17	56	3,772	1%
Horticulture dumpster	1,103	4,423	5,658	78%
Employee uniforms	482	1,557	6,224	25%
Chemicals	144	1,375	10,939	13%
Flower program* <sup>2</sup>	-	9,557	23,575	41%
Mulch program* <sup>2</sup>	7,642	15,023	14,522	103%
Plant replacement program* <sup>2</sup>	366	366	7,544	5%
Other contractual - tree trimming* <sup>1</sup>	-	-	1,194	0%
Other contractual - horticulturalist	-	-	377	0%
Other contractual - training	-	28	283	10%
Maintenance tracking software	-	-	660	0%
Unbudgeted contractual services	-	-	14,334	0%
Fountain maintenance	11	31	1,886	2%
Office operations	408	989	4,338	23%
Monument maintenance	-	-	2,829	0%
Total landscape services	<u>27,036</u>	<u>91,152</u>	<u>341,532</u>	27%
<b>Roadway services</b>				
Personnel	150	449	1,612	28%
Repairs and maintenance - parts	-	-	8,357	0%
Insurance	-	344	299	115%
Total roadway services	<u>150</u>	<u>793</u>	<u>10,268</u>	8%
<b>Parks &amp; recreation</b>				
Utilities	31	92	360	26%
Operating supplies	82	82	40	205%
Total parks and recreation	<u>113</u>	<u>174</u>	<u>400</u>	44%

**BAY CREEK  
COMMUNITY DEVELOPMENT DISTRICT  
STATEMENT OF REVENUES , EXPENDITURES,  
AND CHANGES IN FUND BALANCES  
GENERAL FUND 101  
FOR THE PERIOD ENDED DECEMBER 31, 2022**

	<u>Current Month</u>	<u>Year to Date</u>	<u>Annual Budget</u>	<u>% of Budget</u>
<b>Other fees &amp; charges</b>				
Property appraiser	-	-	145	0%
Tax collector	-	1,142	214	534%
Total other fees & charges	-	1,142	359	318%
Total expenditures	44,640	130,709	484,925	27%
Excess/(deficiency) of revenues over/(under) expenditures	170,414	103,625	3	
Fund balances - beginning	316,625	383,414	378,811	
Fund balances - ending	<u>\$ 487,039</u>	<u>\$ 487,039</u>	<u>\$ 378,814</u>	

**BAY CREEK  
COMMUNITY DEVELOPMENT DISTRICTS  
STATEMENT OF NET POSITION  
ENTERPRISE FUND 451  
DECEMBER 31, 2022**

	Bay Creek Enterprise Fund 451
<b>ASSETS</b>	
<b>Current assets:</b>	
Cash	
SunTrust	\$ 17,207
Accounts receivable (customers)	3,177
Due from Bayside general fund 001	596
Due from Bay Creek general fund 101	2,093
Accounts receivable (clearing fund)	37,881
WC deposit	35
Total current assets	<u>60,989</u>
<b>Noncurrent assets:</b>	
Capital assets	
Property, plant and equipment	18,320
Irrigation system	596,951
Less accumulated depreciation	<u>(546,653)</u>
Total capital assets, net of accumulated depreciation	<u>68,618</u>
Total noncurrent assets	<u>68,618</u>
Total assets	<u>129,607</u>
<b>LIABILITIES</b>	
<b>Current Liabilities:</b>	
Customer deposits	12,189
Due to Bayside enterprise fund 401	88,008
Total current liabilities	<u>100,197</u>
<b>NET POSITION</b>	
Net investment in capital assets	68,618
Unrestricted	<u>(39,208)</u>
Total net position	<u>\$ 29,410</u>

**BAY CREEK  
COMMUNITY DEVELOPMENT DISTRICT  
STATEMENT OF REVENUES, EXPENSES  
AND CHANGES IN FUND NET POSITION  
ENTERPRISE FUND 451  
FOR THE PERIOD ENDED DECEMBER 31, 2022**

	<u>Current Month</u>	<u>Year to Date</u>	<u>Budget</u>	<u>% of Budget</u>
<b>Operating revenues</b>				
Charges for services:				
Assessment levy - net	\$ 37,798	\$ 40,992	\$ 84,628	48%
Irrigation	13,827	43,244	181,896	24%
Total operating revenues	<u>51,625</u>	<u>84,236</u>	<u>266,524</u>	32%
<b>Operating expenses</b>				
<b>Administrative services</b>				
Supervisors	296	511	3,230	16%
Engineering	-	230	1,250	18%
Legal	52	135	1,500	9%
Audit	-	-	2,500	0%
Management	342	1,025	4,101	25%
Accounting & payroll	117	350	1,400	25%
Computer services	35	105	420	25%
Utility billing	913	1,827	8,375	22%
Telephone	6	19	78	24%
Postage & reproduction	15	27	113	24%
Printing and binding	34	102	410	25%
Legal notices and communications	-	23	94	24%
Office supplies	19	44	63	70%
Subscription and memberships	-	22	22	100%
ADA website compliance	-	13	37	35%
Insurance* <sup>1</sup>	-	3,091	3,019	102%
Miscellaneous	16	46	563	8%
Total administrative services	<u>1,845</u>	<u>7,570</u>	<u>27,175</u>	28%
<b>Field management services</b>				
Other contractual services	263	788	3,150	25%
Total field management services	<u>263</u>	<u>788</u>	<u>3,150</u>	25%
<b>Water management services</b>				
NPDES program	-	-	459	0%
Other contractual services: lakes	4,067	6,101	29,085	21%
Other contractual services: wetlands	2,368	2,485	5,505	45%
Other contractual services: culverts/drains	1,835	2,106	5,505	38%
Other contractual services: lake health	79	221	918	24%
Aquascaping* <sup>1</sup>	-	-	2,753	0%
Capital outlay	-	-	1,376	0%
Repairs and maintenance (aerators)*	10	22	1,376	2%
Total water management services	<u>8,359</u>	<u>10,935</u>	<u>46,977</u>	23%

**BAY CREEK  
COMMUNITY DEVELOPMENT DISTRICT  
STATEMENT OF REVENUES, EXPENSES  
AND CHANGES IN FUND NET POSITION  
ENTERPRISE FUND 451  
FOR THE PERIOD ENDED DECEMBER 31, 2022**

	<u>Current Month</u>	<u>Year to Date</u>	<u>Budget</u>	<u>% of Budget</u>
<b>Landscape services</b>				
Other contractual - tree trimming	-	-	918	0%
Total landscape services	<u>-</u>	<u>-</u>	<u>918</u>	0%
<b>Roadway services</b>				
Personnel	86	257	1,239	21%
Repairs and maintenance - parts	-	-	6,423	0%
Insurance	4	338	625	54%
Total irrigation supply services	<u>90</u>	<u>595</u>	<u>8,287</u>	7%
<b>Irrigation supply services</b>				
Personnel	1,677	4,805	20,663	23%
Reclaimed water	-	15,771	75,646	21%
Repairs and maintenance - parts	116	1,497	6,250	24%
Insurance* <sup>1</sup>	-	2,962	2,875	103%
Meter costs	564	672	1,875	36%
Other contractual services	608	895	2,250	40%
Electricity	-	3,563	23,750	15%
Pumps & machinery	465	5,158	12,500	41%
Depreciation	1,250	3,750	15,000	25%
Total irrigation supply services	<u>4,680</u>	<u>39,073</u>	<u>160,809</u>	24%
Total operating expenses	<u>15,237</u>	<u>58,961</u>	<u>247,316</u>	24%
Operating income/(loss)	36,388	25,275	19,208	
Nonoperating revenues/(expenses)				
Interest income	-	1	125	1%
Total nonoperating revenues	<u>-</u>	<u>1</u>	<u>125</u>	1%
Change in net position	36,388	25,276	19,333	
Total net position - beginning	<u>(6,978)</u>	<u>4,134</u>	<u>96,111</u>	
Total net position - ending	<u>\$ 29,410</u>	<u>\$ 29,410</u>	<u>\$ 115,444</u>	

\*<sup>1</sup> Typically an annual expense.



**BAYSIDE IMPROVEMENT  
AND BAY CREEK  
COMMUNITY DEVELOPMENT DISTRICTS**

**MINUTES**

**DRAFT**

**MINUTES OF MEETING  
BAYSIDE IMPROVEMENT AND BAY CREEK  
COMMUNITY DEVELOPMENT DISTRICTS**

The Boards of Supervisors of the Bayside Improvement Community Development District and Bay Creek Community Development District held a Joint Regular Meeting on December 5, 2022, at 2:00 p.m., at the Pelican Landing Community Center, 24501 Walden Center Drive, Bonita Springs, Florida 34134. Members of the public were able to participate via Zoom, at <https://us02web.zoom.us/j/88969163185> and via conference call at 1-929-205-6099, Meeting ID: 889 6916 3185 for both.

**For Bayside Improvement CDD, present were:**

Walter McCarthy	Chair
Bill Nicholson	Vice Chair
Bernie Cramer	Assistant Secretary
Gail Gravenhorst	Assistant Secretary
Karen Montgomery	Assistant Secretary

**For Bay Creek CDD, present were:**

James Janek	Chair
Robert Travers	Vice Chair
Mary McVay	Assistant Secretary
Gary Durney	Assistant Secretary
Jerry Addison	Assistant Secretary

**Also present were:**

Chuck Adams	District Manager
Cleo Adams	District Manager
Shane Willis	Operations Manager
Dan Cox (via telephone)	District Counsel, Bay Creek CDD
Greg Urbancic (via telephone)	District Counsel, Bayside Improvement CDD
Wes Kayne (via telephone)	District Engineer
Paul Dougherty (via telephone)	SOLitude Project Manager
Mark Puthoff	PLCA General Manager
Bill Packard	Resident/HOA/Landscape Committee
Marvin Hancock	Resident/Vice Chair Privacy Committee
Brian Biittner	Resident/Privacy Committee Member

42 **FIRST ORDER OF BUSINESS**

**Call to Order/Phone Silent Mode/Pledge of  
Allegiance**

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45 Mr. Adams called the meeting to order at 2:00 p.m.

46

47 **SECOND ORDER OF BUSINESS**

**Roll Call**

48

49 For Bay Creek CDD, Supervisors McVay, Travers, Addison, Janek and Supervisor-Elect  
50 Durney were present. For Bayside Improvement CDD, Supervisors McCarthy, Nicholson,  
51 Montgomery and Supervisors-Elect Gravenhorst and Cramer were present, in person.

52 All present recited the Pledge of Allegiance.

53

54 **THIRD ORDER OF BUSINESS**

**Public Comments: *Agenda Items***

55

56 Resident and Vice Chair of the Privacy Committee Marvin Hancock distributed exhibits on  
57 behalf of Mr. Tomlinson, Chair of the PLCA Privacy Committee. He reported that some sidewalks  
58 are settling in Goldcrest and in other areas. The Committee would like the District Engineer to  
59 inspect the sidewalks.

60 Resident and Privacy Committee Member Brian Bittner distributed exhibits and reported  
61 potential sidewalk trip hazards by Goldcrest and in other areas. A construction firm working at  
62 the marina and the island inspected them and felt that the cause is a combination of uplifting by  
63 tree roots and subsidence of the stormwater sewer structure. Since the CDD's stormwater  
64 structure is involved, the purpose of reporting this is to establish communication should this  
65 project proceed and to ask for the District Engineer to inspect the area.

66 Mr. Adams stated he will identify these structures by location and have MRI inspect any  
67 that are the CDD's responsibility and notify Mr. Puthoff of those that are the PLCA's responsibility.

68

69 **BAYSIDE IMPROVEMENT CDD ITEMS**

70 **FOURTH ORDER OF BUSINESS**

**Administration of Oath of Office to Newly  
Elected Supervisors, Gail Gravenhorst [SEAT  
2] and Bernie Cramer [SEAT 4] (*the  
following to be provided in separate  
package*)**

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74

75

76 Mr. Adams, a Notary of the State of Florida and duly authorized, administered the Oath  
77 of Office to Ms. Gravenhorst and Mr. Cramer. Both were already familiar with the following:

78 **A. Guide to Sunshine Amendment and Code of Ethics for Public Officers and Employees**

79 **B. Membership, Obligations and Responsibilities**

80 **C. Financial Disclosure Forms**

81 **I. Form 1: Statement of Financial Interests**

82 **II. Form 1X: Amendment to Form 1, Statement of Financial Interests**

83 **III. Form 1F; Final Statement of Financial Interests**

84 **D. Form 8B, Memorandum of Voting Conflict**

85

86 **FIFTH ORDER OF BUSINESS**

**Consideration of Resolution 2023-01,  
Designating Certain Officers of the District,  
and Providing for an Effective Date**

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90 Mr. Adams presented Resolution 2023-01. Mr. Cramer nominated the following slate:

91

Walter McCarthy

Chair

92

William Nicholson

Vice Chair

93

Chuck Adams

Secretary

94

Bernie Cramer

Assistant Secretary

95

Gail Gravenhorst

Assistant Secretary

96

Karen Montgomery

Assistant Secretary

97

Craig Wrathell

Assistant Secretary

98

No other nominations were made. Prior appointment by the Board for Treasurer and

99

Assistant Treasurer remain unaffected by this Resolution.

100

101

**On MOTION for Bayside by Mr. Cramer and seconded by Mr. Nicholson, with all  
in favor, Resolution 2023-01, Designating Certain Officers of the District, as  
nominated, and Providing for an Effective Date, was adopted.**

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106 **BAY CREEK CDD ITEMS**

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**SIXTH ORDER OF BUSINESS**

**Administration of Oath of Office to Newly  
Elected Supervisor, Gary Durney [SEAT 5]**

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*(the following to be provided in separate package)*

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Mr. Adams, a Notary of the State of Florida and duly authorized, administered the Oath of Office to Mr. Durney. Mr. Durney was already familiar with the following:

- A. **Guide to Sunshine Amendment and Code of Ethics for Public Officers and Employees**
- B. **Membership, Obligations and Responsibilities**
- C. **Financial Disclosure Forms**
  - I. **Form 1: Statement of Financial Interests**
  - II. **Form 1X: Amendment to Form 1, Statement of Financial Interests**
  - III. **Form 1F; Final Statement of Financial Interests**
- D. **Form 8B, Memorandum of Voting Conflict**

**SEVENTH ORDER OF BUSINESS**

**Consideration of Resolution 2023-01, Declaring a Vacancy in Seats 2 and 4 of the Board of Supervisors Pursuant to Section 190.006(3)(b), Florida Statutes; and Providing an Effective Date**

Mr. Adams presented Resolution 2023-01. Mr. Travers and Ms. McVay are currently holdover Board Members in Seats 2 and 4, respectively.

**On MOTION for Bay Creek by Mr. Janek and seconded by Mr. Addison, with all in favor, Resolution 2023-01, Declaring a Vacancy in Seats 2 and 4 of the Board of Supervisors Pursuant to Section 190.006(3)(b), Florida Statutes; and Providing an Effective Date, was adopted.**

Mr. Adams stated that Seats 2 and 4 were up for election at the November 2022 General Election but no one qualified to run for those Seats so it was necessary to declare those Seats vacant. Ms. McVay and Mr. Travers voiced interest in being reappointed to the Board.

**EIGHTH ORDER OF BUSINESS**

**Consider Appointment of Qualified Elector to Fill Unexpired Term of Seat 2; Term Expires November 2026**

145 Mr. Addison nominated Mr. Travers and Ms. McVay to fill Seats 2 and 4, respectively. No  
146 other nominations were made.

147

148 **On MOTION for Bay Creek by Mr. Addison and seconded by Mr. Janek, with all**  
149 **in favor, appointment of Mr. Bob Travers to Seat 2 and Ms. Mary McVay, to Seat**  
150 **4, was approved.**

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152

153 • **Administration of Oath of Office to Newly Appointed Supervisor**

154 Mr. Adams, a Notary of the State of Florida and duly authorized, administered the Oath  
155 of Office to Mr. Durney and Ms. McVay.

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157 **NINTH ORDER OF BUSINESS**

**Consider Appointment of Qualified Elector  
to Fill Unexpired Term of Seat 4; Term  
Expires November 2026**

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161 • **Administration of Oath of Office to Newly Appointed Supervisor**

162 These items were addressed during the Eighth Order of Business.

163

164 **TENTH ORDER OF BUSINESS**

**Consideration of Resolution 2023-02,  
Designating Certain Officers of the District,  
and Providing for an Effective Date**

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168 Mr. Adams presented Resolution 2023-02. Ms. McVay nominated the following slate:

169 James Janek Chair

170 Robert Travers Vice Chair

171 Chuck Adams Secretary

172 Gary Durney Assistant Secretary

173 Jerry Addison Assistant Secretary

174 Mary McVay Assistant Secretary

175 Craig Wrathell Assistant Secretary

176 No other nominations were made. Prior appointment by the Board for Treasurer and  
177 Assistant Treasurer remain unaffected by this Resolution.

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**On MOTION for Bay Creek by Ms. McVay and seconded by Mr. Addison, with all in favor, Resolution 2023-02, Designating Certain Officers of the District, as nominated, and Providing for an Effective Date, was adopted.**

**JOINT BUSINESS ITEMS**

**ELEVENTH ORDER OF BUSINESS**

**Staff Report: District Engineer – *Barraco & Associates, Inc.***

Mr. Kayne stated there was nothing to report.

**TWELFTH ORDER OF BUSINESS**

**Waterway Inspection Report: *SOLitude Lake Management***

The November Monthly Report was included for informational purposes.

• **Consideration of Quarterly Salinity Sampling Services for 12 Sites**

Mr. Dougherty stated salinity testing is scheduled for this month. He reported that the grate at E-12 on Pelican Nest Drive is missing. Mrs. Adams stated she has already addressed this.

Mr. Adams presented a \$2,656 annual salinity testing proposal for quarterly testing, which is part of the monthly report; approval is needed to proceed. Mrs. Adams asked about the benefits of the testing, as none of her other CDDs do it. Mr. Adams recalled previous discussion about the inundation of storm surge water affecting the aquatic plants around the ponds. This testing will let the CDDs know when the lakes have returned to normal salinity so the aquatic planting program can resume. Mr. Dougherty concurred with Mr. Adams' explanation.

Discussion ensued regarding whether what needs to be replanted was identified, the possibility that it will take a year or two before the lakes return to normal salinity and determining the actual standard base line.

Mr. McCarthy felt that testing is not necessary as aquatic planting is not done in two-thirds of the lakes.

**On MOTION for Bayside by Mr. McCarthy and seconded by Ms. Montgomery, with all in favor, tabling consideration of the SOLitude quarterly salinity sampling testing proposal, was approved.**

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**On MOTION for Bay Creek by Mr. Travers and seconded by Ms. McVay, with all in favor, tabling consideration of the SOLitude quarterly salinity sampling testing proposal, was approved.**

Mr. Durney stated the aeration box on Pelican Nest Drive, near Pine Water Drive, is not working and suggested inspecting all the boxes. Mrs. Adams stated she already asked SOLitude to inspect them and to remove debris in the waterways once the water levels drop. This will be an ongoing process. She will ask SOLitude when the systems are scheduled to be reviewed.

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**THIRTEENTH ORDER OF BUSINESS**

**Committee Reports**

- A. PLCA Landscape Committee**
- B. Colony Landscape Committee**

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Ms. Gravenhorst presented discussion items from The Colony Board and The Colony Landscape Committee meetings, at which the CDDs received several compliments regarding post-Hurricane Ian work. The Colony Landscape Committee written report will be presented at the next meeting and will include the horticulturist’s formal report on the recent assessment of the community. The horticulturist advised that the State decreed Melaleucas as invasive so they must be removed, which includes removing them from the preserves. In the horticulturist’s opinion, it is not necessary to engage a specialty company to remove them.

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**FOURTEENTH ORDER OF BUSINESS**

**Update: Unbudgeted Hurricane Cleanup Costs**

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Mr. Adams stated that, overall, the unbudgeted hurricane cleanup costs were slightly over \$70,000 but, and based on earlier discussions, aerators might be added to that amount. Costs were as follows:

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- The Colony: \$60,000 for 12 lights
- The Colony: \$10,000 for two fountains
- Bay Creek: \$500 for removal of a tree from Lake D-4

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Mr. Adams stated that The Colony items were covered under the CCDs’ property insurance, so he expects to recover some of those costs, less the \$10,000 deductible.



247 Mr. Adams responded to Board Member questions about upgrading replacement lights  
248 with a direct barrier on the lamp posts, obtaining proposal and discussing repairing the perimeter  
249 fence with the PLCA and reviewing the property insurance coverage to determine if it covers  
250 electrical system damage to the PLCA’s lighting system.

251 Mr. Nicholson asked if these costs are included in the spending outlook budget. Mr.  
252 Adams stated he is creating an unfunded budget account and new budget line item for Fiscal Year  
253 2023.

254

255 **FIFTEENTH ORDER OF BUSINESS**

**Consideration of Vacation of Drainage  
Easement and Acceptance of Replacement  
Drainage Easement from Pelican Nest Golf  
Course**

256

257

258

259

260 Mr. Adams presented the Vacation of Easement, which involves abandoning a portion of  
261 an existing easement and accepting a new one. The replacement drainage pipe was already  
262 installed. Mr. Urbancic stated he reviewed the document but, prior to knowing the pipe was  
263 already installed, he questioned if specific language should be included specifying the purposes  
264 for which the CDD can use the easement. Mr. McCarthy asked if a re-plat is required. Mr.  
265 Urbancic stated it is not necessary, unless the County has an interest in an easement.

266

267 **On MOTION for Bayside by Mr. McCarthy and seconded by Ms. Montgomery,**  
268 **with all in favor, the Vacation of Drainage Easement and Acceptance of the**  
269 **Replacement Drainage Easement from Pelican Nest Golf Course, subject to Mr.**  
270 **Urbancic receiving an acknowledgement from the City of Bonita Springs not**  
271 **opposing the vacation and replacement and that there is no necessity for a**  
272 **replat, was approved.**

273

274

275 **JOINT BOARD ITEMS**

276 **SIXTEENTH ORDER OF BUSINESS**

**Acceptance of Unaudited Financial  
Statements as of October 31, 2022**

277

278

279 Mr. Adams stated the Monthly Budget and Projection Report was delayed; it will be  
280 presented, with changes including the “Hurricane Ian Recovery” line item, at the next meeting.

281 Mr. Adams presented the Unaudited Financial Statements as of October 31, 2022. Mr.  
282 Durney asked for details about the \$3,392 “Pumps & machinery” expense on Page 23. Mr. Adams  
283 will research the expense and email the answer to Boards.

284 The financials were accepted.

285

286 **SEVENTEENTH ORDER OF BUSINESS**

**Approval of October 24, 2022 Joint Regular  
Meeting Minutes**

287

288

289 Mr. Janek presented the October 24, 2022 Joint Regular Meeting Minutes. Mr. Addison  
290 stated his attendance at the October meeting, via telephone was not recognized. Mrs. Adams will advise  
291 Accounting to pay Mr. Addison for his attendance at the October meeting.

292 The following changes were made:

293 Line 24: Insert “Jerry Addison (via telephone)” and “Assistant Secretary”

294 Line 48: Change “Supervisors Addison and Durney were not present” to “Supervisor  
295 Addison attended via telephone. Supervisor Durney was not present.”

296

297 **On MOTION for Bayside by Mr. McCarthy and seconded by Ms. Gravenhorst,**  
298 **with all in favor, the October 24, 2022 Joint Regular Meeting Minutes, as**  
299 **amended to include today’s changes and any changes submitted to**  
300 **Management, were approved.**

301

302

303 **On MOTION for Bay Creek by Mr. Addison and seconded by Mr. Janek, with all**  
304 **in favor, the October 24, 2022 Joint Regular Meeting Minutes, as amended to**  
305 **include today’s changes and any changes submitted to Management, were**  
306 **approved.**

307

308

309 **EIGHTEENTH ORDER OF BUSINESS**

**Action/Agenda Items**

310

311 The Action Items were updated following the meeting.

312

313 **NINETEENTH ORDER OF BUSINESS**

**Old Business**

314

315 There was no old business.

316

317 **TWENTIETH ORDER OF BUSINESS**

**Staff Reports**

318

319 **A. District Counsel**

320 **I. *Gregory Urbancic, Esq., Coleman Yovanovich Koester, P.A.***

321 **• Update: Capital Expenditure Project Funding**

322 Mr. Urbancic stated he discussed the Boards' concerns with certain language and the  
323 CDDs being named in the initial draft changes to the PLCA'S bylaws with PLCA Counsel. This  
324 resulted in Counsel for the PLCA agreeing to refine the language so that it is clear that the PLCA  
325 is not trying to affect CDD business; the revised version is being circulated to him and the PLCA  
326 Board today.

327 Mr. McCarthy preferred Mr. Urbancic convey the CDDs' position, object to this and ask  
328 for the language to be removed altogether. The Boards concurred with Mr. McCarthy's request.

329 **II. *Daniel Cox, Esq.***

330 Mr. Cox stated, if there is an area that is unstable with littoral plantings, there are some  
331 saltwater tolerant littorals that can be used temporarily until the lakes stabilize.

332 **B. District Manager: *Wrathell, Hunt and Associates, LLC***

333 **I. Monthly Status Report: Field Operations**

334 The Monthly Report was included for informational purposes.

335 **II. NEXT MEETING: January 23, 2023 at 2:00 P.M.**

336 **• QUORUM CHECK: *BAYSIDE IMPROVEMENT CDD***

337 **• QUORUM CHECK: *BAY CREEK CDD***

338 All Supervisors confirmed their attendance at the January 23, 2023 meeting.

339

340 **TWENTY-FIRST ORDER OF BUSINESS**

**Supervisors' Requests**

341

342 Mr. Durney noted talk about trying to relocate the hurricane-damaged butterfly garden  
343 to Bayside's park, which was originally a pump station. In Mr. McCarthy's opinion, that is not  
344 the right place for it, as it would require parking and obtaining a permit from the City. Ms. McVay  
345 suggested relocating it to behind Bay Cedar. Mr. McCarthy believed there are gopher tortoises  
346 on that property and recalled residents were against turning it into a dog park. Mr. Janek agreed

347 with Mr. McCarthy’s opinion about not moving it and stated the plants are flourishing in the  
348 existing area. Mr. Cramer felt that the PLCA should use its resources to clean up the garden.

349 Ms. McVay reported damages to the fishing “roll” dock. Mr. Adams stated he will review  
350 the agreement, as he believes the CDD maintains it and the PLCA is responsible for repairs.

351 Ms. McVay asked if she can receive relief of the \$350 irrigation bill she received. Mr.  
352 Adams stated, as a one-time lifetime request, she can submit the bill to Mrs. Adams to process  
353 for reimbursement.

354 Ms. Gravenhorst asked how the order to address plant replacements is determined. Mr.  
355 Adams stated the criteria is depicted in Paragraph 9 of the Agreement with the PLCA. The same  
356 Agreement with the CDD and the PLCA specifically talks about if it is an “Act of God”, capital  
357 replacement changes to materials because conditions changed.

358 Ms. Gravenhorst asked if there is any major expense or any plants that might need to be  
359 replaced that might impact the budget. Mr. Adams stated there are buffers that can be used.

360 Ms. Gravenhorst referred to recent information she received and asked Mr. Adams if the  
361 cleaning in the mangroves will be taken out of regular crew time so that it does not impact the  
362 budget. Mr. Adams stated, as long as everyone is patient with the process.

363 Mr. Cramer noted Mr. Kucera’s upcoming retirement. The Boards asked Mr. Adams to  
364 coordinate a function.

365

366 **TWENTY-SECOND ORDER OF BUSINESS**

**Public Comments: *Non-Agenda Items***

367

368 There were no public comments.

369

370 **TWENTY-THIRD ORDER OF BUSINESS**

**Adjournment**

371

372

373 **On MOTION for Bay Creek by Mr. Durney and seconded by Mr. Janek, with all in**  
374 **favor, the meeting adjourned at 3:21 p.m.**

375

376

377 **On MOTION for Bayside by Mr. McCarthy and seconded by Mr. Cramer, with all**  
378 **in favor, the meeting adjourned at 3:21 p.m.**

379 **FOR BAYSIDE IMPROVEMENT**

380

381

382

383

384 \_\_\_\_\_  
Secretary/Assistant Secretary

\_\_\_\_\_ Chair/Vice Chair

385

386 **FOR BAY CREEK:**

387

388

389

390

391 \_\_\_\_\_  
Secretary/Assistant Secretary

\_\_\_\_\_ Chair/Vice Chair

392

**BAYSIDE IMPROVEMENT  
AND BAY CREEK  
COMMUNITY DEVELOPMENT DISTRICTS**

**ACTION/AGENDA  
ITEMS**

**BAYSIDE IMPROVEMENT & BAY CREEK CDDs  
ACTION/AGENDA ITEMS**

**ACTIVE / ONGOING – NEW at 12.05.22 MEETING**

1. Mr. Adams: Identify PLCA sidewalk and subsidence of stormwater sewer structures by location, have MRI inspect those that are CDD responsibility and notify Mr. Puthoff of any that are the PLCA's responsibility. **ONGOING**
2. Mrs. Adams: Have SOLitude repair aeration box on Pelican Nest Drive near Pine Water Drive and ask when all systems will be reviewed to ensure they are working properly. **ONGOING**
3. Ms. Gravenhorst to present the Colony Landscape Committee's written report at the next meeting, which will include the horticulturist's formal assessment report. **ONGOING**
4. Mr. Adams: Review property insurance coverage to determine if it covers electrical system damage to the PLCA's lighting system. **ONGOING**
5. Mr. Adams: Create unfunded budget account and new "Hurricane Ian Recovery" budget line item for Fiscal Year 2023. **ONGOING**
6. Mr. Urbancic: Ask City for acknowledgement letter that it does not oppose vacation and replacement of drainage easement and that there is no necessity for a replat. **ONGOING**
7. Mr. Adams: Email details about \$3,392 charged to the "Pumps & machinery" line item to the Boards. **ONGOING**
8. Mrs. Adams: Advise Accounting to pay Mr. Addison for October meeting. **ONGOING**
9. Mr. Urbancic: Convey the CDD Boards' position and request for language about the CDDs to be removed from the PLCA's bylaws to PLCA Counsel. **ONGOING**
10. Mr. Adams: Review Agreement with PLCA to determine who is responsible for fishing "roll" dock repairs. **ONGOING**
11. Ms. McVay: Submit her \$350 irrigation bill to Mrs. Adams to process for reimbursement. **ONGOING**
12. Mr. Adams: Coordinate a function for Mr. Kucera's February retirement . **ONGOING**

**BAYSIDE IMPROVEMENT & BAY CREEK CDDs  
ACTION/AGENDA ITEMS**

**ACTIVE / ONGOING – CARRY OVER FROM 10.24.22 MEETING**

- 1.** Mr. Adams: Have flowway canal close to Terzetto monitored for debris cleanup and obtain proposals from SOLitude and EarthBalance. **ONGOING**
- 2.** Mr. Adams: Ask SOLitude Technicians to monitor the lakes for Grass Carp. **ONGOING**
- 3.** Mr. Adams: Have Accounting recode certain “Fuel” costs from the General Fund 002 to the General Fund 001. **ONGOING**



**BAYSIDE IMPROVEMENT & BAY CREEK CDDs  
ACTION/AGENDA ITEMS**

**ACTIVE / ONGOING – CARRIED OVER OLDER THAN 10.24.22**

1. Mr. Adams: Request PLCA’s landscape plans. Email to Mr. Cramer & Boards. **ONGOING**
2. Mr. Adams: Reformat FY 2023 & 2024 budgets per Motions #1-#9 approved by Boards. Motions list distributed by Mr. Nicholson will be attached to the meeting minutes. **ONGOING**
3. Mr. Adams/Staff: Send meeting items at least 72 hours before meetings. **ONGOING**
4. Mr. Adams: Reinstigate Water Quality Testing of the seven outfall ponds and include fecal bacteria testing and conduct sediment testing every three years. **ONGOING**
5. Mr. Adams: Check with Mr. Kemp on status of trimming trees at the center entrance to help increase lighting viability and email an update to the Boards. **ONGOING**
6. Mr. Adams/Mr. Kayne/Mr. Cox: Work on Water Quality Improvement Plan. **ONGOING**
7. Mrs. Adams: Ask Mr. Kucera to have alarm system at central fountain repaired. **ONGOING**
8. Boards: Notify Mr. Adams if attending non-CDD meetings. **ONGOING**
9. Mr. Kurth/SOLitude: Address mechanical issues on nano-bubbler on Lake E-5. **ONGOING**
10. Mr. Adams: Research docs with PLCA about assisting in FEMA reimbursement. **ONGOING**
11. Bentley: Inspect Pelican Nest/Pinewater utility poles for missing covers. **ONGOING**
12. Mr. Adams: Confirm if Bayside “Irrigation Revenue” amount in Projected Report was correct & prepare Budget Amendment, once invoices for new pumps are processed. **ONGOING**
13. Mr. Zimmerman: Provide documentation to prep Easement Agreement to Pelican Nest Golf Course and Ms. De Lestan’s contact information to Mr. Adams to email to Boards. **ONGOING**
14. Mr. Adams: Schedule a visit with Mr. Zimmerman to see a demonstration of the new straight trimmer and give suggestions for improvement to the BMPs if any. **ONGOING**
15. Mr. Adams: Prep info about Irrigation Rate Increase for HOA newsletter. **ONGOING**
16. Mr. Adams: Email project updates from the PLCA to the Boards. **ONGOING**
17. Staff: Revise Interlocal Agreement with the Village of Estero and negotiate accepting maintenance of a section of CDD-owned road, located outside the gate. **ONGOING**

**BAYSIDE IMPROVEMENT & BAY CREEK CDDs  
ACTION/AGENDA ITEMS**

**COMPLETED ITEMS – RECENT TO OLDEST**

1. Mrs. Adams to present report on the fountains needing repair at the next meeting. Mr. Adams to file insurance claims for that and the decorative lights in the Colony. **COMPLETED 12.05.22**
  
2. Mr. Adams to present a request for Pelican Nest Golf Club to realign the drainage pipe and abandon a portion of an easement and accept a new one, at the December meeting. **COMPLETED 12.05.22**
  
3. Mr. Adams to provide itemized list of unplanned and unbudgeted storm emergency clean-up projects with prices at the December meeting. **COMPLETED 12.05.22**
  
4. Mr. Adams to forward PLCA email about rewriting documents to request CDD start fund capital expenditure projects to Mr. Urbancic and Mr. Cox to review and report their findings at the next meeting. **COMPLETED 12.05.22**
  
5. Mr. Adams to have Mr. Putcoff review PLCA Agreement to determine if service includes clearing the streets in Bay Creek. **COMPLETED 12.05.22**
  
6. PLCA to continue to monitor the height of the newly installed dwarf bougainvillea at the main entrance points and various other areas and to address line of sight concerns. **COMPLETED after 10.24.22 meeting**
  
7. Mr. Kayne to inspect new irrigation piping, “emergency valve”, installed at Lake D-16, “Hurricane #13” and confirm if permits were issued. **MOVED TO COMPLETED 10.24.22**
  
8. Mrs. Adams to research and adjust incorrect coding to The Colony Flower budget line item causing it to exceed budget. **MOVED TO COMPLETED 10.24.22**
  
9. Mr. Adams to coordinate purchase of new street sweeper. **MOVED TO COMPLETED 10.24.22**
  
10. Mr. Adams to request general ledger from accounting and email to Mr. Durney. **MOVED TO COMPLETED 10.24.22**
  
11. Mr. Adams to email the Board the list of independent contractors for the CDDs. **MOVED TO COMPLETED 10.24.22**
  
12. Mrs. Adams to ask SOLitude to inspect and treat algae build up in Lake D-14. **COMPLETED after 08.22.22 meeting**

**BAYSIDE IMPROVEMENT & BAY CREEK CDDs  
ACTION/AGENDA ITEMS**

**COMPLETED ITEMS – RECENT TO OLDEST**

- 13.** WHA to ship via FedEx overnight hard copies of Proposed FY 2023 budget & Projection Reports, to the Board. **COMPLETED after 07.25.22 meeting MOVED TO COMPLETED 08.22.22**
  
- 14.** Mr. Grau to modify the information about the CDDs' sharing the same Developer noted on Page 16, on all future Audited Financial Reports. **COMPLETED after 07.25.22 meeting MOVED TO COMPLETED 08.22.22**
  
- 15.** Ms. McVay request: Mr. Kemp to determine if estimated billing can be implemented until meters are replaced. **COMPLETED after 07.25.22 meeting MOVED TO COMPLETED 08.22.22**
  
- 16.** Mr. Adams to research the "Miscellaneous FEMA/State reimbursement" revenue line item. **COMPLETED after 07.25.22 meeting MOVED TO COMPLETED 08.22.22**
  
- 17.** Mr. Adams: Ask Mr. Cox to memorialize underground and other related provisions in the Easement Agreement to be issued to Pelican Nest Golf Course re: its request to Directional Bore under CDD Land Tract. **COMPLETED after 07.25.22 meeting MOVED TO COMPLETED 08.22.22**
  
- 18.** Mr. Adams to update the existing document clarifying CDD versus HOA responsibilities and email an updated version to the Boards for review. **COMPLETED after 07.25.22 meeting MOVED TO COMPLETED 08.22.22**
  
- 19.** Mr. Adams to confirm for the next meeting that the CDDs' 20-Year Stormwater Management Needs Analysis Report was submitted to the County **COMPETED after 06.27.22 meeting. MOVED TO COMPLETED 07.25.22**
  
- 20.** Mr. Adams to work with Mr. Willis on correcting the formulas in the Monthly Budget and Year End Projected Report and email to the Boards by Friday. **COMPLETED after 06.27.22 meeting MOVED TO COMPLETED 07.25.22**
  
- 21.** Mr. Adams to monitor the assessment level revenues as it was below the 100% projected amount. **COMPETED prior to 07.25.22 meeting MOVED TO COMPLETED 07.25.22**
  
- 22.** Mrs. Adams to contact appropriate parties to address grass clippings at Sites A-7 and A-12. **COMPLETED after 06.27.22 meeting MOVED TO COMPLETED 07.25.22**
  
- 23.** Mr. Adams to provide Mr. Puthoff the vendor list for the Storm Emergency Clean Up plan. **MOVED TO COMPLETED 07.25.22**

**BAYSIDE IMPROVEMENT & BAY CREEK CDDs  
ACTION/AGENDA ITEMS**

**COMPLETED ITEMS – RECENT TO OLDEST**

- 24.** Mr. Adams to research why the “Colony Flower Program” line item was at 200% of budget. **COMPETED prior to 07.25.22 meeting MOVED TO COMPLETED 07.25.22**
  
- 25.** Mrs. Adams to have Bentley Electric check the photo cells of the street lights on Pine Water Boulevard as they stayed on during the day. **COMPLETED after 06.27.22 meeting MOVED TO COMPLETED 07.25.22**
  
- 26.** Mr. Adams: Research a possible error in “Mulch” line item. **06.27.22** Working on issue with Accounting Dept. **COMPETED prior to 07.25.22 meeting MOVED TO COMPLETED 07.25.22**
  
- 27.** Mr. Kucera: address line of sight at entry areas adjacent to US 41. **COMPLETED 07.25.22**
  
- 28.** Mr. Cramer to work with Mr. Puthoff to disseminate information in advance of hurricane season. **COMPLETED 07.25.22**
  
- 29.** Mr. Adams to research a late Bentley Electric invoice in relation to Unaudited Financials. **COMPLETED 07.25.22**
  
- 30.** Mr. Adams to present designs to provide Bayside with well water from The Brooks at the next meeting and present modified permits within the next 60 days. Estimated Completion: First Quarter Fiscal Year 2022. **COMPLETED after 06.27.22 meeting MOVED TO COMPLETED 07.25.22**
  
- 31.** Mrs. Adams to ask Mr. Kucera to facilitate gate repairs. **03.28.22** Proposals being obtained. Mr. McCarthy to email Mrs. Adams contact info of another source to send to Mr. Kucera, along with advising him to obtain a quote from the original contractor. **04.25.22** Contract executed. **COMPLETED after 06.27.22 meeting MOVED TO COMPLETED 07.25.22**
  
- 32.** Mrs. Adams to inform Mr. McCarthy when the conservation area signs will be installed. **COMPLETED 06.27.22**
  
- 33.** Mrs. Adams to forward information regarding the cracked pipe and flooded vault in the central fountain to the insurance company and coordinate repairs. **COMPLETED 06.27.22**

**BAYSIDE IMPROVEMENT  
AND BAY CREEK  
COMMUNITY DEVELOPMENT DISTRICTS**

**STAFF  
REPORTS  
AI**

**SECOND AMENDED AND RESTATED BYLAWS**  
**OF**  
**PELICAN LANDING COMMUNITY ASSOCIATION, INC.**

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SUBSTANTIAL REWORDING OF BYLAWS. SEE GOVERNING DOCUMENTS FOR  
CURRENT TEXT.

SECOND AMENDED AND RESTATED BYLAWS  
OF  
PELICAN LANDING COMMUNITY ASSOCIATION, INC.

1. GENERAL. These are the Second Amended and Restated Bylaws of Pelican Landing Community Association, Inc., ( the "Association"), a Florida not for profit corporation organized for the purposes set forth in the Articles of Incorporation, pursuant to the Florida Not-For-Profit Corporation Act and Chapter 720, Florida Statutes (the "Act"). This document revokes and supersedes all prior Bylaws in their entirety.

1.1 Principal Office. The principal office of the Association is located at 24501 Walden Center Drive, Bonita Springs, FL 34134, unless relocated by resolution of the Board of Directors.

1.2 Definitions. All terms defined in the Declaration of General and Protective Covenants for Pelican Landing, as amended and supplemented from time to time (the "Declaration") are used in these Bylaws with the same meanings as in the Declaration, unless the context clearly requires another interpretation, or unless otherwise defined herein. Other terms used in these Bylaws are defined as follows:

(A) The "Act" means Florida Statutes Chapter 720, the Homeowners' Act, as it may be amended from time to time.

(B) "Governing Documents" means the Declaration, all recorded exhibits thereto and the Rules and Regulation of the Association, all as they may have been and will be amended and supplemented from time to time.

(C) "Neighborhood Association" means a homeowners association as defined in the Act, , a condominium association, any other incorporated entity responsible for the operation of a Neighborhood, or a portion of the Business Properties as provided for in Article III, Section 3, of the Declaration.

(D) "Neighborhood Committee" means an informal organization created and operated as authorized in Article III, Section 3(a), of the Declaration, and further provided in Section 6 below.

(E) "Rules and Regulations" means the administrative rules, regulations, resolutions, policies, guidelines and practices adopted by the Board of Directors of the Association, as amended from time to time.

2. MEMBERSHIP AND VOTING RIGHTS. Every Owner is a Member of the Association. Membership is appurtenant to, and may not be separated from, ownership of a Unit which is subject to being assessed by the Association. Membership shall become effective upon recording a deed or other instrument evidencing legal title to the Unit in the Public Records of Lee County, Florida, and delivery to the Association of a copy of the recorded deed or other instrument evidencing title.

2.1 Voting Rights. The voting rights are set forth in Article III of the Declaration, as supplemented by the Sixty- Eighth Supplement to the Declaration and General Protective Covenants for Pelican Landing recorded at O.R. Book 3052, Page 1817, the Seventy-Third Supplement to the Declaration and General Protective Covenants for Pelican Landing recorded at O.R. Book 3362, Page 2486, as further amended and supplemented, all of the Public Records of Lee County, Florida. All Members shall have the right to vote in all matters except where the Governing Documents provide that a matter shall be voted on only by one or more groups of Members or where voting rights have been suspended as provided by Section 8 of these Bylaws or the Act.

2.2 Voting Interest. The Members of the Association are entitled to one (1) vote for each Unit owned by them. The vote of a Unit is not divisible. If a Unit is owned by one (1) natural person, their right to vote shall be established by the record title to the Unit. If a Unit is owned jointly by two (2) or more natural persons that are not acting as trustees, that Unit's vote may be cast by any one (1) of the Owners. If two (2) or more Owners of a Unit do not agree among themselves how their one (1) vote shall be cast, that vote shall not be counted for any purpose. If the Owner of a Unit is a corporation, the vote may be cast by the president or vice- president of the corporation. If the Unit is owned by a partnership, the vote may be cast by any general partner. If the Unit is owned in trust, the vote may be cast by any one (1) of the trustees. If the Unit is owned by the limited liability company, the vote may be cast by its managing member, or if none, any one (1) of its members.

2.3 Approval or Disapproval of Matters; Electronic Voting. Whenever the decision or approval of the Owner of a Unit is required upon any matter, such decision or approval may be expressed by any person authorized to cast the vote of such Unit at an Association meeting as stated in Section 2.1 above, unless the joinder of all Owners is specifically required. The Association will utilize electronic voting as set forth in the Act for Member votes taken pursuant to the Governing Documents.

2.4 Transfer of Membership. No Member may transfer their Association membership, except as an appurtenance to their Unit. When a member ceases to be an Owner, their membership automatically terminates, but termination does not relieve or release a former Member from liability or obligation incurred under or in any way connected with the Association during the period of membership, nor does it impair any rights or remedies which the Association may have against a former Member arising out of, or in any way connected with, such membership and the covenants and obligations incident thereto.

2.5 Suspension of Membership Privileges. The Board may at any time suspend a Member's membership privileges or voting rights pursuant to the Act as set forth in Section 8 below, but nothing herein shall authorize the Association to deny or prevent ingress to or egress from a Unit or a portion of any Business Property. A suspension shall in no way impair the right and ability of the Association to levy and collect any Assessment or to impose and execute upon any lien described in Article X of the Declaration or these Bylaws.

2.6 Official Records. The Association shall maintain the official records and allow inspection of those records as required by the Act and any Rules and Regulations.

3. MEMBERS' MEETINGS. Meetings of the Members of the Association shall be held at the Principal Office of the Association or at such other suitable place convenient to the Members as may be designated by the Board, either within the Properties or as convenient within Lee County, Florida, as possible and practical. All Members are entitled to attend Members' meetings..

3.1 Annual Meeting. The annual meeting of the Members shall be held during the first calendar quarter of each year, at a day, place and time designated by the Board of Directors, for the purpose of transacting any business duly authorized to be transacted by the Members. The meeting must be held at a location that is accessible to a physically handicapped person if requested by the physically handicapped person who has a right to attend the meeting. [Statutory] Meetings may be held on an electronic platform (i.e. Zoom, Webex, etc.), unless prohibited by law.

3.2 Special Meetings. Special meetings of the Members must be held whenever called by the President or by a majority of the Directors, and must be promptly called by the Board upon receipt of a petition signed by at least ten percent (10 %) of the Members eligible to vote. [NOTE: 10% is statutory]. The petition must state the limited purpose or purposes of the meeting. Business at a special meeting is limited to the items specified in the request, or set forth in the notice of meeting. Notice of a special meeting must be posted in accordance with the Act and must include a description of the purpose or purposes for which the meeting is called.

3.3 Quorum. A quorum at meetings of the Members shall be attained by the presence, either in person or by proxy, of Members entitled to cast at least twenty-five percent (25%) of the Members eligible to vote. To the extent that a voting-representative process is permitted and utilized, a quorum shall be established by voting representatives holding votes of at least twenty-five percent (25%) of all Members eligible to vote. After a quorum has been established at a Members' meeting, the subsequent withdrawal of any Members, so as to reduce the number of voting interests represented below the number required for a quorum, shall not affect the validity of any action taken at the meeting before or after such persons leave.

3.4 Vote Required to Transact Business. The acts or resolutions approved by at least a majority of the votes cast at a duly called meeting at which a quorum has been attained shall be the acts of the Members of the Association, unless a higher vote is specifically required by law, or by the Governing Documents.

3.5 Notice of Meetings. [Statutory] Notice of all Members' meetings must state the time, date, and place of the meeting, and include an agenda for the meeting. The notice of meeting must be mailed to each Member at the address which appears in the official records of the Association, or may be furnished by hand delivery, or by electronic transmission in the manner set forth in Section 617.0141, Florida Statutes, to the extent that a member has consented to receive notices by electronic transmission and has not revoked such consent.

The Notice of Meeting must be mailed, delivered or electronically transmitted at least fourteen (14) days before the meeting, except as otherwise provided in Section 4.3 below. An affidavit of the officer or other person making such mailing shall be retained in the Association records as proof of mailing. Attendance at any meeting by a Member constitutes waiver of notice by that Member unless the Member objects to the lack of notice at the beginning of the meeting. A

Member may waive notice of any meeting at any time, but only by written waiver. The Board has the authority to adopt rules pertaining to the procedure for conspicuously posting meeting notices and agendas.

Notice to the Members of meetings of the Board, meetings of a committee requiring notice in the same manner as meetings of the Board, and annual and special meetings of the Members, may be electronically transmitted in the manner set forth in Section 617.0141, Fla. Stat. (except as limited by the Act and these Bylaws). Notice by electronic transmission is effective: when actually transmitted by facsimile telecommunication, if correctly directed to a number at which the Member has consented to receive notice; or when actually transmitted by electronic mail, if correctly directed to an electronic mail address at which the Member has consented to receive notice. Consent by a Member to receive notice by electronic transmission shall be revocable by the Member by written notice to the Association. Any such consent shall be deemed revoked if: the Association is unable to deliver by electronic transmission two (2) consecutive notices given by the Association in accordance with such consent; and such inability becomes known to the Secretary, Assistant Secretary or other authorized person responsible for the giving of notice. However, the inadvertent failure to treat such inability as a revocation does not invalidate any meeting or other action.

The Member is responsible for providing the Association with notice of any change of mailing address, facsimile number or electronic mail address. To the extent that a Member has provided the Association with a facsimile number or electronic mail address and consented to receive notices by electronic transmission, such information shall be considered an “official record” until the Member has revoked his consent. However, the Association is not liable for an erroneous disclosure of electronic mail address or facsimile number. As used in these Bylaws, the term “electronic transmission” means any form of communication, not directly involving the physical transmission or transfer of paper, which creates a record that may be retained, retrieved, and reviewed by a recipient thereof and which may be directly reproduced in a comprehensible and legible paper form by such recipient through an automated process. An affidavit of the Secretary, an Assistant Secretary, or other authorized agent of the Association that the notice has been given by a form of electronic transmission is, in the absence of fraud, prima facie evidence of the facts stated in the notice. [ Statutory]

3.6 Voting Representatives. [NEW] To the extent that the Declaration requires Member voting by Voting Representatives, those Voting Representatives will merely be the vehicle for delivery and casting of the Members’ votes. The Voting Representatives will not have the ability to cast a vote for a Member unless that Member voted electronically or in person or by limited proxy pursuant to these Bylaws. The Voting Representatives must cast the Members’ votes in same number as if the Members’ individual votes were being counted; it being the intent of this provision that the Voting Representative does not have autonomy to change a Member vote, vote for a Member who has not voted, nor cast all votes based on what a majority of how that Voting Representatives Members voted. Should a designated Voting Representative fail to appear in person at a Members meeting where Voting Representatives are utilized or refuse to vote the Members’ votes as cast, the meeting chair must appoint a different individual to serve in that

capacity for that meeting only, and such individual shall cast the Members' votes as provided by the electronic voting process, limited proxy or meeting ballot as applicable.

3.7 Adjourned Meetings. Any duly called meeting of the Members may be adjourned to be reconvened at a specific later time and date by vote of a majority of the voting interests present in person or by proxy, regardless of whether a quorum has been attained. When a meeting is so adjourned, it shall not be necessary to give notice to all Members of the time and place of its continuance regardless if such are announced at the meeting being adjourned. Any business which might have been conducted at the meeting as originally scheduled may instead be conducted at the continuance, provided a quorum is then present, in person or by proxy.

3.8 Order of Business. The order of business at meetings of the Members shall be substantially as follows:

- (A) Call to order by the President.
- (B) Calling of the roll, certifying of proxies, and determination that a quorum has been attained.
- (C) Proof of notice of meeting or waiver of notice.
- (D) Election of Directors or Announcement of New Directors (when appropriate)
- (E) Reading of minutes and disposal of any unapproved minutes.
- (F) Reports of Officers.
- (G) Reports of Committees.
- (H) Unfinished Business.
- (I) New Business.
- (J) Open Members Forum
- (K) Adjourned.

3.9 Minutes. Minutes of all meetings of the Members and of the Board of Directors of the Association shall be kept in a businesslike manner, and must be available for inspection by Members or their authorized representatives and Board members at reasonable times as an Official Record according to the Rules and Regulations and the Act. Minutes must be reduced to writing within thirty (30) days after the meeting and retained for the time frame required by the Act. At a Board meeting, each vote, or abstention for an asserted conflict of interest, on each matter voted upon by each Director present, must be recorded in the minutes, unless such vote is unanimous and reflected as such in the minutes. For any Member meeting, all voting items must have the tally of votes cast for and against. If Voting Representatives are utilized, the votes cast for and against by each Representative shall be reflected in the minutes.

3.10 Voting Within Each Neighborhood. This Section 3.10 is applicable for votes taken on a Neighborhood-specific issue only, and this Section 3.10 is not implicated for elections nor items at a Members meeting where the entire Membership is entitled to vote. When a vote is taken within a Neighborhood, one (1) indivisible vote may be cast for each Unit of which one or more Members are the Owners, regardless of the number of owners of the Unit, or the manner in which title is held by them. The Association will not accept voting results from a Neighborhood unless the voting results accurately reflect the individual Unit's vote cast for and against an issue. The voting will occur pursuant to the procedure set forth in Section 6 below.

3.11 Parliamentary Rules. Roberts' Rules of Order (latest edition) shall govern the conduct of the Association meetings when not in conflict with the law or the Governing Documents. The President or meeting chair may appoint a Parliamentarian whose decision on questions of parliamentary procedure shall be final. Any question or point of order not raised at the meeting to which it relates shall be deemed waived.

3.12 Action by Members without a Meeting/ Written Consent. Except for the holding of the annual meeting and the election of Directors, any action required or permitted to be taken at a meeting of the Members may be taken by the statutory process of written consent according to the procedures set forth in Florida Statutes Section 617.0701, as it may be amended from time to time. [ Statutory]

3.13 Proxy Voting. [ Statutory] To the extent lawful, any Member entitled to attend and vote at a Members' meeting may establish their presence and cast their vote by proxy. A proxy shall be valid only for the specific meeting for which originally given and any lawful adjournment of that meeting, and no proxy is valid for a period longer than ninety (90) days after the date of the first meeting for which it was given. Every proxy shall be revocable at the pleasure of the person executing it. To be valid, a proxy must be in writing, dated, signed by the person authorized to cast the votes, specify the date, time, and place of the meeting for which it is given, and the original must be delivered to the Secretary by the appointed time of the meeting or adjournment thereof. A photostatic, facsimile, email or equivalent reproduction of a proxy is a sufficient proxy. Holders of proxies need not be Members. No proxy shall be valid if it names more than one (1) person as the holder of the proxy, but the holder shall have the right, if the proxy so provides, to substitute another person to hold the proxy. A Limited Proxy shall be used for membership votes on substantive matters, including, without limitation, amendments to the Governing Documents. A General Proxy may be used only when there is no substantive business to be voted on at a Members' meeting and for purposes of: establishing a quorum; correcting typographical errors with respect to matters being voted on by the Members; and voting on parliamentary matters, including without limitation, a motion to approve minutes or to adjourn the meeting. No general proxy shall be used in connection with a regular election of Directors occurring at the annual meeting. Notwithstanding the foregoing, Members may vote in person at Members' meetings, or if the meeting is held on an electronic platform, by delivering their meeting ballot to a designated location.

3.14 Right to Attend and Speak. [ Statutory] Members have the right to attend all Members' meetings and to speak at any meeting during the Member Comment portion of the agenda. Additionally, the Chairman of the meeting may open any item on the agenda to comments by Members. Members shall have the right to speak for at least three (3) minutes on any item whether at the designated Member Comment portion of the Member meeting agenda or when comments are solicited from Members on an agenda item. Members may record meetings of the Members but may not post such recordings on any website or other media that can be readily viewed by persons who are not Members of the Association. In order to maintain proper order and procedure at any meeting of the Association, the Board may adopt written reasonable rules regarding the right of Members to speak and governing the frequency, duration, and other manner of Member statements.

4. BOARD OF DIRECTORS. The administration of the affairs of the Association shall be by a Board of Directors. All powers and duties granted to the Association by law, as set forth in the Governing Documents, shall be exercised by the Board, subject to approval by or consent of the Members only when such is expressly required by law, or by a provision of the Governing Documents.

4.1 Powers and Duties. The Board shall have the power and authority set forth in the Act, including, but not limited to, carrying out and performing the following functions and duties:

(A) Preparing and adopting annual budgets in accordance with the Declaration;

(B) Acquiring possessory, use or ownership rights in property, real or personal, and entering into agreements with persons relating to the orderly transfer of property to the Association;

(C) Conveying portions of the Properties owned by the Association to any CDD as provided for in the Declaration; cooperating with the DRC, CDD and the owners of the Business Properties in the performance of their respective responsibilities; and performing the duties of the DRC or CDD if so required under the Declaration;

(D) Providing for the operation, care, upkeep, and maintenance of the Areas of Common Responsibility;

(E) Collecting Assessments, depositing the proceeds thereof in one or more depositories selected in the Directors' best business judgment, and using the proceeds to operate the Association;

(F) Levying Special Assessments and Benefitted Assessments in the manner set forth in the Declaration, making Assessments to defray the Common Expenses and Neighborhood Expenses, and establishing the frequency and due dates of the installment payments of the annual Assessments;

(G) Keeping books and records in accordance with generally accepted accounting principles, with detailed accounts of the receipts and expenditures affecting the Association and its administration, specifying the maintenance and repair expenses and any other expenses incurred;

(H) Designating, hiring, and dismissing the personnel necessary for the operation of the Association, the maintenance, repair and replacement of its property and the Areas of Common Responsibility, and, when appropriate, providing for the compensation of such personnel and for the purchase of equipment, supplies, and materials to be used by such personnel in the performance of their duties;

(I) Making repairs, additions, and improvements to, or alterations of, the Areas of Common Responsibility in accordance with the other provisions of the Governing Documents and these Bylaws after damage or destruction by fire, storm or other casualty;



(J) Obtaining and carrying insurance against casualties and liabilities, as provided in the Declaration, and paying the premiums therefor;

(K) Making and amending Rules and Regulations, policies, guidelines, and resolutions governing the use of the General Common Areas and other Areas of Common Responsibility and the operation of the Association; enforcing by legal means the Rules and Regulations and the provisions of the Governing Documents; and imposing such sanctions for noncompliance therewith, as it may deem necessary for the best interest of the Association and its Members;

(L) Establishing and levying reasonable fees for the use of General Common Areas;

(M) Making available to any prospective purchaser of a Unit, any Owner, and any Mortgagee, current copies of the Governing Documents, the Rules and Regulations, and all other official records, and financial statements of the Association, subject to the Association's right to charge a reasonable fee for such copies;

(N) Permitting utility suppliers to use portions of the General Common Area reasonably necessary to the ongoing development or operation of the Properties, including the granting of utility easements over the Common Areas;

(O) Employing professional management agents at a compensation established by the Board to perform such duties and services as the Board shall authorize;

(P) Establishing such standing or temporary committees as it may deem necessary or convenient for the efficient and effective operation of the Association;

(Q) Borrowing money as necessary to perform its other functions subject to approval by the Members, if required; and

(R) Preparing a short-term and/or long-term strategic plan for the future of the Association and Properties;

(S) Performing all other acts not inconsistent with law or the Governing Documents and necessary for the proper functioning of the Association.

4.2 Number/ Composition. The affairs of the Association is managed by a Board of nine (9) Directors elected by Members from the following Voting Groups (defined below):

(A) Two (2) Directors from the Colony Voting Group (Voting Groups 1 and 2).

These two (2) identical Voting Groups have the right to elect two (2) Directors collectively, each of which shall consist of all residential Property Members for residential Properties subject to the Declaration and General Protective Covenants for The Colony at Pelican Landing recorded in Book 2775, Page 3845 in the Official Records of Lee County, Florida, as amended and supplemented from time

to time (the "Colony Declaration"). Each residential Member subject to the Colony Declaration ("Colony Member") may cast one (1) vote on a non-cumulative basis in each Colony Voting Groups election for each Colony Voting Groups Director to be elected at that time.

(B) Four (4) Directors from the Pelican Landing Voting Groups (Voting Groups 3, 4, 5 and 6)

These four (4) identical Voting Groups have the right to elect four (4) Directors collectively, each of which shall consist of all residential Property Members for all residential Properties subject to the Declaration, but whose Units are not subject to the Colony Declaration and not included in E. (iii) below relating to Beach Park Facilities ("Pelican Landing Member"). For clarification purposes, if residential Properties are included in E. (iii) below, then they are not part of the Pelican Landing Voting Groups. Each Pelican Landing Member may cast one (1) vote on a non-cumulative basis in each Pelican Landing Voting Groups election for each Pelican Landing Voting Groups Director to be elected at that time.

(C) One (1) At-Large Director from the Community Voting Group (Voting Group 7).

This Voting Group consists of all Members of the Association with voting rights (including only limited voting rights), both residential and non-residential and Business Properties, and shall elect one (1) Director at large.

(D) One (1) Director elected by the Recreational Property Voting Group (Voting Group 8).

This Voting Group consists of those Properties operated as Pelican's Nest Golf Club and The Colony Golf & Country Club. This Recreational Property Voting Group shall elect one (1) Director. The Director elected by the Recreational Property Voting Group shall be designated by the Board of Governors of Pelican's Nest Golf Club or The Colony Golf & Country Club (either, a "Club") on an alternating basis. It shall be a requirement for qualification and service as a Board member appointed by the Recreational Property Voting Group that such person be, as applicable, (a) an employee or a member in good standing who is a past (but not a current) member of the Board of Governors of either Pelican's Nest Golf Club, Inc. or (b) an employee or a member in good standing who is a past (but not a current) member of the Board of Governors of the Colony Club.

(E) One (1) Director Elected by the Hotel/Conference Center Property Voting Group (Voting Group).

This Voting Group consists of (i) the Hotel Property, (ii) all units submitted by Declarant to a timeshare plan pursuant to Chapter 721 of the Florida Statutes, and (iii) all other Members, if any, whose only right to use General Common Areas

under the Declaration is to access the Beach Park (located at Big Hickory Island, Estero Bay) and Association property (including without limitation, the Association shuttle boats operated for the purpose of conveying passengers to and from the Beach Park, shuttle buses or other transportation, the docks, the parking areas, the improvements and facilities at the Beach Park) either located on, or to the extent used in any manner whatsoever now or in the future to operate, access, use or enjoy the Beach Park (collectively, the "Beach Park Facilities"), except the Community Voting Group. The Director elected by the Hotel/Conference Center Property Voting Group shall be counted as a Director for purposes of determining a quorum and shall have the right to vote only on matters relating to the Beach Park Facilities, including without limitation any and all matters relating to or affecting access to Beach Park Facilities, budgets, cost methodology, operating costs, capital expenditures, policies and procedures, and rules and regulations, but shall have no right to vote on any other matters. Except, as specifically provided in this paragraph, the members of the Hotel/Conference Center Property Voting Group shall have any and all rights they may have under the Declaration and Bylaws.

4.3 Qualifications. Directors must be Members. Spouses may not serve on the Board at the same time and are not eligible to run for election while their spouse is (1) currently serving a term on the Board, or (2) is running for election to the Board, regardless of the number of Units the spouses may own. For Units owned by an entity, a trustee of a trust, partner of a partnership, managing member of a limited liability company and president of a corporation are eligible to run for the Board.

A person who is delinquent in the payment of any fee, fine, or other monetary obligation to the Association on the day that they could last nominate himself or herself or be nominated for the board may not seek election to the board, and their name shall not be listed on the ballot. A person serving as a board member who becomes more than ninety (90) days delinquent in the payment of any fee, fine, or other monetary obligation to the association shall be deemed to have abandoned his or her seat on the board, creating a vacancy on the board to be filled according to law.

A person who has been convicted of any felony in this state or in a United States District or Territorial Court, or has been convicted of any offense in another jurisdiction which would be considered a felony if committed in this state, may not seek election to the board and is not eligible for board membership unless such felon's civil rights have been restored for at least five (5) years as of the date on which such person seeks election to the board. The validity of an action by the Board of Directors is not affected if it is later determined that a person was ineligible to seek election to the Board or that a member of the Board of Directors is ineligible for Board of Directors membership due to having been convicted of a felony. A Director charged by information or indictment with a felony theft or embezzlement offense involving the Association's funds or property must be removed from office, creating a vacancy in the office to be filled according to Florida law until the end of the period of the suspension or the end of the Director's term of office, whichever occurs first. While such Director has such criminal charge pending, he or she may not be appointed or elected to a position as a Director. However, if the charges are resolved without

a finding of guilt, the Director shall be reinstated for the remainder of his or her term of office, if any.

4.4 Term of Office. All Directors currently serve staggered two (2) year terms. As of the effective date of these Second Amended and Restated Bylaws, all Directors shall be elected to three (3) year staggered terms. In order to create these staggered terms, at the 2023 election where five (5) Directors are elected, the three Directors elected with the most votes shall be elected for three (3) year terms except that the Directors elected from Voting Groups 7 and 9 are elected for an initial two (2) year term. At the 2024 election where four (4) Directors are elected, the three Directors with the most votes shall serve three (3) year terms with the remaining Director serving a one (1) year term. Thereafter, all Directors shall be elected for three (3) years. [NOTE: still being discussed as to implementation of staggered three year terms].

Directors may not serve for more than two consecutive elected terms unless a gap of at least twelve (12) months has occurred between Board terms. However, if the annual meeting is scheduled for less than twelve months from the prior annual meeting, that time frame shall constitute sufficient time such that a Member may run for the Board even though exactly twelve months has not passed. A Director who has been elected to serve a term is deemed to have served the entire term for purposes of this term-limit rule, regardless of whether that Director served the entire elected term. An appointment to fill a vacant Board seat is not an “elected term” for purposes of calculating term limits. For purposes of calculating the term limits, a Director’s existing term as of the effective date of these Bylaws shall not count toward the term limits.

A Director’s term will end at the annual election at which their successor is to be duly elected, unless they sooner resign or are removed as provided by Section 4.8 below. Directors shall be elected by the Members as described in Section 4.5 below, or in the case of a vacancy, as provided in Section 4.6 below.

4.5 Nominations and Elections. The Members in each Voting Group are entitled to vote in the election of the Director that represents their Voting Group, as well as in the election of any Directors-at-large, for as many Directors as there are regular terms of Directors expiring. The Board of Directors may not appoint a committee for the purpose of nominating candidates for the election of Directors.

4.5.1 Advance Candidacy Requirements, Notice of Annual Membership Meeting and Election Procedures:

(A) Notice of Annual Membership Meeting: Notwithstanding any other notice requirements set forth in the Bylaws, unless otherwise provided by the Board sixty (60) days prior to the Annual Meeting, the following contains the election procedure and requirements for proper notice of the Annual Membership Meeting:

1. Affidavit of Notice: An officer of the Association, or the manager or other person providing notice of the Association meeting, must provide an affidavit or United States Postal Service certificate of mailing, to be included in the Association’s official records,

affirming that all required notices were mailed, or hand delivered and/or electronically transmitted in accordance with this provision.

2. Initial Notice: Sixty (60) days prior to a scheduled election, or on such other date established by the Board, the Association shall mail, deliver, or electronically transmit, to each Member a first notice of the Annual Membership Meeting.

3. Intent for Candidacy & Candidacy Information Sheets: Any Member in good standing who wishes to be a candidate for the Board must file with the Secretary or Management written notice of his or her intent to be a candidate at least 40 full calendar days before a scheduled election. In order to be considered a Member in good standing, the candidate must not owe any assessment obligation to the Association as of the deadline for candidacy submission and must otherwise meet any requirements of Fla. Stats. 720.306 if more restrictive. No person may qualify as a candidate for more than one seat on the Board at any given time. In addition to each candidate being permitted to submit their candidacy information sheet which will be mailed with the Second Notice, the Board will also give each candidate a reasonable and equal opportunity to communicate his or her qualifications to the Members and to solicit votes prior to the noticed Annual Membership Meeting.

Floor Nominations are prohibited except as required by law. Unless other election procedures are adopted by the Board, only those eligible candidates who submitted timely intent for candidacy forms shall be permitted to stand for election and only those advance candidates shall appear on the pre-printed ballot which will be distributed to each Member in advance of the Membership Meeting. There shall be no provision for write-in candidates except as required by law.

4. Second Notice: Written notice of an Annual Membership Meeting must include an agenda, must be mailed, hand delivered, or electronically transmitted to each Member at least 14 days before the Annual Membership Meeting, and must be posted in a conspicuous place on Association property at least 14 continuous days before the annual meeting. The written ballot will be enclosed with the second notice listing in alphabetical order by candidate's last name all eligible candidates.

The agenda for the Annual Membership Meeting & Election will be set by the Board and included in the second notice of meeting. Together with second notice the Association will include a written ballot that lists all eligible candidates and Members shall use this ballot to cast their vote.

If Members have opted in to receive electronic notices for a meeting of the Members, then the Association may notice via electronic means to those Members whose e-mail addresses are included in the Association's official records.

Upon request of a candidate, an information sheet, no larger than 8 1/2 inches by 11 inches, which must be furnished by the candidate at least 35 days before the election, must be included with the mailing, delivery, or transmission of the ballot, with the costs of mailing, delivery, or electronic transmission and copying to be borne by the Association. The Association is not liable for the contents of the information sheets prepared by the candidates. In order to reduce costs, the Association may print or duplicate the information sheets on both sides of the paper.

Unless a Member waives in writing the right to receive notice of the Annual Membership Meeting, such notice must be hand delivered, mailed, or electronically transmitted to each Member. Notice for meetings and notice for all other purposes must be mailed to each Member at the address last furnished to the Association by the Member, hand delivered or electronically transmitted.

5. No Quorum Requirement for an Election with Minimal Ballots Cast; No Election Required if the Number of Candidates equals or is less than Open Seats:

There is no quorum requirement to hold an election at the Annual Membership Meeting so long as at least twenty -five (25%) percent of the Owners of each of the Colony, Pelican Landing, and Community Voting Groups cast a ballot for each Voting Group's election to be valid. If such threshold is not met for a Voting Group by the date of the election, the election shall remain open for that Voting Group for successive periods of seven (7) days each for the casting of additional ballots by Voting Group Members Owners who had not voted cast a ballot until a quorum of votes the threshold is achieved for that Voting Group. In the event that there are only as many (or fewer) eligible candidates pre-qualified for election as there are open seats on the Board, no election shall be held, and the eligible candidates shall automatically become Members of the Board upon adjournment of the annual meeting. Notwithstanding the foregoing, where there are seats to be filled for different terms at the same annual meeting, those who will be seated shall agree amongst themselves in advance of the annual meeting who shall serve the three-year terms and who shall serve the lesser terms. This decision shall be recorded in the minutes of a duly noticed Board of Directors' meeting held in advance of the annual meeting. In the event those who will be seated cannot agree on which among them shall serve the lengthier term, the decision shall be resolved by electing the individual with the most votes to the longer term(s).

4.5.2 Election. Within each Voting Group, Directors shall be elected by a plurality of the votes cast by ballot. The Association shall use electronic voting as provided for in the Act; Proxies shall not be used in elections. In the event of a tie, the Association shall conduct a recount within three (3) business days. In the event of a verified tie after the recount, within two (2) business days, the tie vote shall be broken by agreement among the candidates that are tied or the tie will be broken by lot (i.e. dice, drawing straws) the method to be agreed upon by the tied candidates. Barring an agreement, the Association shall proceed with a runoff election. Notwithstanding the foregoing, a Member who needs assistance in casting the ballot by reason of blindness, disability, or inability to read or write or other reasons as set forth in Section 101.051, Florida Statutes, may obtain such assistance. In the election of Directors, there shall be appurtenant to each Unit as many votes for Directors as there are Directors to be elected in their Voting Group, but no Unit may cast more than one (1) vote for any candidate, it being the intent hereof that voting for Directors shall be non-cumulative. It is permissible for a Unit to cast only one vote for one candidate (bullet voting) or to otherwise vote for less than the number of Directors to be elected in their Voting Group. The Association may conduct elections through an Internet-based online voting system in accordance with the requirements set forth in the Act.

4.5.3 Certification. [Statutory] Within ninety (90) days after being elected or appointed, each newly elected or appointed Director shall certify in writing to the Secretary of the Association that they have read the Governing Documents; that they will work to uphold such

documents and policies to the best of his or her ability; and that he or she will faithfully discharge his or her fiduciary responsibility to the Members. In lieu of this written certification, within ninety (90) days after being elected or appointed, the newly elected or appointed Director may submit a certificate of having satisfactorily completed the educational curriculum administered by a Division-approved education provider within one (1) year before or ninety (90) days after the date of election or appointment. The written certification or educational certificate is valid and does not have to be resubmitted as long as the Director serves on the Board of Directors without interruption. A Director who fails to timely file the written certification or educational certificate is suspended from service on the Board of Directors until he or she complies with the requirements set forth above. The Board of Directors may temporarily fill the vacancy during the period of suspension. The Director's written certification or educational certificate is an official record as set forth in the Act. Failure to have such written certification or educational certification on file does not affect the validity of any Board action.

4.6 Vacancies on the Board. If the office of any Director elected by the Members becomes vacant for any reason other than a recall by vote of the Members at a membership meeting, a majority of the remaining Directors, though less than a quorum as long as at least four (4) elected Directors vote, shall promptly choose a successor or successors, who shall hold office until the next election. Any Director appointed by the Board must be selected from the Members or Voting Group who elected the Director who vacated the position. If the Association fails to fill vacancies on the Board sufficient to constitute a quorum, or if no Director remains on the Board, the vacancy may be filled by the Members (via a special meeting of the Membership) or any Member may apply to the Circuit Court for the appointment of a receiver to manage the Association's affairs, in the manner provided by Florida law.

4.7 Recall. Any Director who is removed from office is not eligible to stand again for election to the Board until the next annual election. A Director who is removed from office shall turn over to the Association within 72 hours any and all records and other property of the corporation in his possession. If a Director who is removed does not relinquish his office or turn over records as required, the circuit court in the county where the Association has its principal office may summarily order the Director to relinquish his office and turn over corporate records upon application of any Member. In any such action, the prevailing party shall be entitled to recover its attorney's fees and costs.

4.8 Removal of Directors. Any or all Directors may be removed with or without cause by a majority vote of the Voting Group eligible to the elect such Director, either by a written petition, or at any meeting called for that purpose, in the manner required by Section 720.303(10) of the Act.

4.9 Board Meetings. Meetings of the Board may be held at such time and place, as shall be determined from time to time by the President or a majority of the Directors. Such location may include an electronic platform (such as Zoom, WebEx, Microsoft Teams), unless prohibited by law. Notice of meetings shall be given to each Director, personally or by mail, telephone, or telegram at least forty-eight (48) hours prior to the day named for such meeting. The meeting must

be held at a location that is accessible to a physically handicapped person if requested by the physically handicapped person who has a right to attend the meeting.

4.10 Notice to Owners. [Statutory] A meeting of the Board of Directors occurs whenever a quorum of the Board gathers to conduct Association business. All meetings of the Board of Directors shall be open to Members except for meetings between the Board and its attorney with respect to: proposed or pending litigation where the contents of the discussion would otherwise be governed by the attorney-client privilege; personnel matters; or those meetings permitted to be closed by the Act.

Notices of all Board meetings shall be posted conspicuously in the Pelican Landing Community Center for at least forty-eight (48) continuous hours in advance of each Board meeting, except in an emergency. In the event of an emergency meeting, any action taken shall be noticed and ratified at the next regular meeting of the Board. In the alternative to the posting requirements discussed above, notice of each Board meeting must be mailed or delivered to each Member at least 7 days before the meeting, except in an emergency. An Assessment may not be levied at a Board meeting unless the notice of the meeting includes a statement that Assessments will be considered and the nature of the Assessments.

Members have the right to speak on any agenda item subject to the reasonable Rules and Regulations adopted by the Board governing the frequency, duration, and other manner of Member statements, (including a sign-up sheet requirement), which Rules and Regulations must be consistent with the minimum requirements of the Act. Members may record meetings of the Board (and any committee) but may not post such recordings on any website or other media that can be readily viewed by persons who are not Members of the Association. Notices of Board of Directors meetings may be given by electronic transmission (to those Members who have so consented) in lieu of mail or hand-delivery, when the latter two (2) methods are otherwise required pursuant to the Act. Tape recording and videotaping of Board of Directors meetings shall be governed by the Rules and Regulations.

4.11 Organizational Meeting. An organizational meeting of a new Board of Directors shall be held within ten (10) days after the election of new Directors at such place and time as may be fixed by the Directors at the time of the meeting at which they were elected. The organizational meeting may be held immediately following the annual meeting, in which case the noticing of such meeting may be effectuated by the Board existing prior to the election.

4.12 Regular Meetings. Regular meetings of the Board shall be held at least quarterly at the Principal Office or other place in Lee County, Florida, according to a predetermined schedule approved by a majority of the Directors. Notice of regular meetings shall be given to each Director, personally or by mail, or electronic transmission, at least two days prior to the day named for such meeting. A schedule of regular meetings shall be posted in a conspicuous place in the Pelican Landing Community Center.

4.13 Special Meetings. Special meetings of the Board may be called by the President, and must be called by the Secretary at the written request of at least one-third (1/3rd) of the Directors. Not less than two (2) days' notice of a special meeting, except in an emergency, shall



be given to each Director, personally or by mail, or electronic transmission, which notice shall state the time, place and purposes of the meeting. Business conducted at a special meeting shall be limited to the items specified in the notice of the meeting.

4.14 Waiver of Notice by Director. Any Director may waive notice of a Board meeting before or after the meeting, and such waiver shall be deemed equivalent to the receipt of notice. Attendance at a meeting by any Director constitutes waiver of notice, unless that Director objects to the lack of notice at the beginning of the meeting.

4.15 Quorum of Directors. A quorum at a Board meeting shall exist when at least a majority of all of the Directors are present at a duly called meeting. Directors may participate in any meeting of the Board, or meeting of an executive or other committee, by means of a conference telephone call, video communication, or similar communicative arrangement whereby all persons present can hear and speak to all other persons. Participation by such means shall be deemed equivalent to presence in person at a Board meeting.

4.16 Vote Required. The acts approved by a majority of the Directors present and voting at a duly called meeting at which a quorum exists are the acts of the Board of Directors, unless approval by a greater number of Directors is required by the Governing Documents, or by law. A Director who is present at a meeting of the Board is deemed to have voted in favor of any action taken, unless that Director voted against such action, or abstained from voting because of an asserted conflict of interest. The vote or abstention of each Director present on each issue voted upon shall be recorded in the minutes. Directors may not vote by proxy. Directors may not vote by secret ballot, except in electing officers.

4.17 Adjourned Meetings. The majority of the Directors present at any meeting of the Board, regardless of whether a quorum exists, may adjourn the meeting to be reconvened at a later specific time and date.

4.18 Presiding Officer. The President of the Association, or in their absence, the Vice-President, shall be the presiding officer at all meetings of the Board of Directors. If neither is present, the presiding officer shall be selected by majority vote of the Directors present.

4.19 Compensation of Directors and Officers. Neither Directors nor officers shall receive compensation for their services as such. Directors and officers may be reimbursed for all actual and proper out-of-pocket expenses relating to the proper discharge of their respective duties.

4.20 Committees. The Board of Directors may appoint from time to time such standing or temporary committees as the Board deem necessary and convenient for the efficient and effective operation of the Association. Any such committee shall have the powers and duties assigned to it in the resolution creating the committee. If required by the Act, committee meetings shall be open to attendance by any Member, and notice of committee meetings shall be posted in the same manner as required for Board meetings, except for such committee meetings between the committee and its attorney with respect to: proposed or pending litigation where the contents of the discussion would otherwise be governed by the attorney-client privilege; personnel matters; or other meetings permitted to be closed under the Act. As of the effective date of these Bylaws,

meetings of any committee or other similar body, when a final decision will be made regarding the expenditure of Association funds, and of the Design Review Committee must be noticed and open in the same manner as required for Board meetings. The present standing committees' include:

(A) Design Review Committee. The Committee has the authority to review and approve or deny plans and specifications for the location, size, type, or appearance of any structure or other improvement, including landscaping, on a parcel in the Association. Should the Committee deny a Member's request, the Member may work with the Committee to achieve an acceptable solution or may appeal the denial to the Board. The Committee does not have jurisdiction over property owned by the Association, CDD, or common areas of the Association.

(B) Finance Committee. The Committee is to oversee the safety and investment of all the Association's funds, oversee the preparation of the annual budget, review monthly financial statements and operations, and review and advise actions on "Requests for Funds.

4.21 Emergency Powers. [Statutory] The Board of Directors, in response to damage caused by an event for which a state of emergency is declared pursuant to Florida Statutes, Section 252.36 in the locale in which the Association is located, may, but is not required to, exercise the following powers:

(A) Conduct board meetings, committee meetings, elections, or membership meetings, in whole or in part, by telephone, real-time videoconferencing, or similar real-time electronic or video communication after notice of the meetings and board decisions is provided in as practicable a manner as possible, including via publication, radio, United States mail, the Internet, electronic transmission, public service announcements, conspicuous posting on the common area, or any other means the board deems appropriate under the circumstances. Notice of decisions may also be communicated as provided in this paragraph.

(B) Cancel and reschedule any Association meeting.

(C) Name as assistant officers persons who are not Directors, which assistant officers shall have the same authority as the executive officers to whom they are assistant during the state of the emergency, to accommodate the incapacity or unavailability of any officer of the Association.

(D) The Board may relocate the principal office or designate alternative principal offices or authorize the officers to do so.

(E) Enter into agreements with local counties and municipalities to assist counties and municipalities with debris removal.

(F) Implement a disaster plan or emergency plan before, during, or following the event for which a state of emergency is declared which may include, but is not limited to, turning on or shutting off elevators; electricity; water, sewer, or security systems; or air conditioners for Association buildings.

(G) Based upon advice of emergency management officials or public health officials, or upon the advice of licensed professionals retained by or otherwise available to the Board, determine any portion of the Association Property unavailable for entry or occupancy by owners, family members, tenants, guests, agents, or invitees to protect the health, safety, or welfare of such persons.

(H) Based upon advice of emergency management officials or public health officials, or upon the advice of licensed professionals retained by or otherwise available to the Board, determine whether the Association Property can be safely inhabited or occupied. However, such determination is not conclusive as to any determination of habitability.

(I) Mitigate further damage, injury or contagion, including taking action to contract for the removal of debris and to prevent or mitigate the spread of fungus, including mold or mildew, by removing and disposing of wet drywall, insulation, carpet, cabinetry, or other fixtures on or within the Association property.

(J) Regardless of any provision to the contrary and even if such authority does not specifically appear in the Declaration, Articles, or Bylaws of the Association, levy special assessments without a vote of the Owners.

(K) Without owners' approval, borrow money and pledge Association assets as collateral to fund emergency repairs and carry out the duties of the Association when operating funds are insufficient. This paragraph does not limit the general authority of the Association to borrow money, subject to such restrictions as are contained in the Declaration, Articles, or Bylaws of the Association.

The authority granted in (A)-(K) of this Section is limited to that time reasonably necessary to protect the health, safety, and welfare of the Association and the owners and their family members, tenants, guests, agents, or invitees, and to mitigate further damage and make emergency repairs.

Notwithstanding paragraphs (A)-(K), during a state of emergency declared by executive order or proclamation of the Governor pursuant to s. 252.36, the Association may not prohibit owners, tenants, guests, agents, or invitees of an owner from accessing the common areas and facilities for the purposes of ingress to and egress from the parcel when access is necessary in connection with:

- (i) The sale, lease, or other transfer of title of a Unit; or
- (ii) The habitability of the parcel or for the health and safety of such person unless a governmental order or determination, or a public health directive from the Centers for Disease Control and Prevention, has been issued prohibiting such access to the Unit. Any such access is subject to reasonable restrictions adopted by the Association.

5. OFFICERS. The executive officers of the Association shall be a President, and a Vice-President, a Treasurer and a Secretary, all of whom must be Directors of the Association. All officers shall be elected annually by majority vote of the Board of Directors. Any officer may be removed, with or without cause, by vote of a majority of all Directors at any meeting. Any person except the President may hold two or more offices. The Board of Directors may, from time to time, appoint such other officers, and designate their powers and duties, as the Board deems necessary to manage the affairs of the Association. If the Board so determines, there may be more than one (1) Vice-President.

5.1 President. The President is the chief executive officer of the Association, and preside at all meetings of the members and the Directors. They are a non-voting, *ex officio* a member of all standing committees, has general and active management of the business of the Association, and sees that all orders and resolutions of the Board are carried into effect. The President is empowered to execute bonds, mortgages and other contracts or documents of the Association, except where such are permitted by law to be otherwise signed and executed, and the power to execute is delegated by the Board of Directors to some other officer or agent of the Association.

5.2 Vice-President. The Vice-President(s) in the order of their seniority shall, in the absence or disability of the President, perform the duties and exercise the powers of the President; and they shall perform such other duties as the Board of Directors shall assign.

5.3 Secretary. The Secretary shall be responsible for ensuring the accurate and complete recording of all votes and minutes of the meetings of the Board and Members in a book or books to be kept for the purpose; they shall perform like duties for the standing committees when required. They shall give, or cause to be given, notice of all meetings of the members and of the Board of Directors, and shall perform such other duties as may be prescribed by the Board or the President. The Secretary shall be responsible for the proper recording of all duly adopted amendments to the Governing Documents. Any of the foregoing duties may be performed by an Assistant Secretary, if one has been designated, or the Association's manager/management company.

5.4 Treasurer. The Treasurer is responsible for the collection, safe-keeping, and disbursement of funds and securities of the Association, the keeping of full and accurate accounts of receipts and disbursements in books belonging to the Association, and the depositing of all monies and other valuable effects in the name and to the credit of the Association in such depositories as may be designated by the Board of Directors. They shall oversee the disbursement of the funds of the Association, keep proper vouchers for such disbursements, and give to the President and Directors, at the meetings of the Board, or whenever they may require it, an account of all transactions and of the financial condition of the Association. Any of the foregoing duties may be performed by an Assistant Treasurer, if one has been designated, or the Association's manager/management company.

5.5 Resignation of Officer. Any Director or Officer may resign his office at any time, in writing, and such resignation shall take effect from the time of its receipt by the Association, unless some later time be fixed in the resignation, and then from that date.

5.6 Indemnification. Every Director and every officer and committee member of the Association shall be indemnified by the Association against all expenses and liabilities, including attorney's fees through all trial and appellate levels, reasonably incurred by or imposed in connection with any proceeding, arbitration, or settlement to which such person may be a party, or in which they may become involved, by reason of being or having been a Director, officer, or committee member of the Association. Notwithstanding the foregoing, in the event of a voluntary settlement, the indemnification provisions herein shall not be automatic and shall apply only when the Board approves such settlement. Notwithstanding anything contained herein to the contrary, in instances where the Director, officer, or committee member admits or is adjudged guilty of willful malfeasance, misfeasance or nonfeasance in the performance of their duties, the indemnification provisions contained herein shall not apply. Otherwise, the foregoing right of indemnification shall be in addition to and not exclusive of any and all rights of indemnification to which such Director, officer or committee member may be entitled by common law or statute.

6. NEIGHBORHOOD COMMITTEES. There shall be a Neighborhood Committee for each Neighborhood which does not have an incorporated Neighborhood Association.

6.1 Purposes and Powers. The primary purpose of the Neighborhood Committee is to provide an informal organization within each Neighborhood that does not have a formal association structure in order to facilitate voting on Association matters, and represent the interests of the Owners within the Neighborhood. As provided in Article III of the Declaration, it is the responsibility of each Neighborhood Committee to determine the nature and extent of special services, if any, over and above those provided to other Neighborhoods, which are to be provided to the Neighborhood by the Association. A Neighborhood Committee may advise the Board on any issue, but shall never have authority to bind the Association.

6.2 Composition of Neighborhood Committee. Each Neighborhood Committee shall consist of three (3) persons elected by the Members within the Neighborhood for a term to be determined by the Neighborhood, and, if no such term is provided, for a period of two (2) years.

6.3 Selection of Committee Members. The members of each Neighborhood Committee are elected by a plurality of the votes cast by Members of Units within that Neighborhood, and such Neighborhood Committee election shall be held at or in conjunction with the annual meeting of the Association utilizing electronic voting.

6.4 Voting by Owners; Neighborhood Meetings; Quorum. Each Neighborhood Committee shall have an annual meeting. The Owners of Units within a Neighborhood holding at least twenty-five percent (25%) of the total votes in the Neighborhood, voting electronically or in person or by proxy, shall constitute a quorum at any meeting of the Neighborhood. At such meetings there shall only be one (1) vote per Unit, to be cast by the same person as provided in Section 2.2 above. Matters requiring a vote shall be decided by a plurality of the votes cast. Notice of each Neighborhood Meeting of the Members which has a Neighborhood Committee may be mailed or hand-delivered to each Member in the Neighborhood, and shall be posted on a bulletin board in the Club or in a conspicuous place on the General Common Areas, at least fourteen (14) days in advance. See also Section 3.10 above.

6.5 Procedural Requirements. In the conduct of its duties and responsibilities, each Neighborhood Committee shall abide by the notice requirements applicable to meetings of the Association Board of Directors.

6.6 Officers. Each Neighborhood Committee shall elect from among its own members a Chairman, who shall preside at its meetings and who shall be responsible for transmitting any and all communications and to the Association, and a Secretary, who shall be responsible for sending notices, taking minutes, and tabulating votes for Neighborhood Meetings.

6.7 Expenses. It is not intended that any Neighborhood Committee or Neighborhood Association be involved in functions which require the Association to expend funds or raise money. However, the Association will assume the costs of notifying Neighborhood Members of meetings of the Association, and providing information and voting materials for Association matters on which the Neighborhood Members will be voting, including elections.

7. FISCAL MATTERS. The provisions for fiscal management of the Association set forth in the Declaration shall be supplemented by the following:

7.1 Depository. The Association shall maintain its funds in such financial institutions and instruments in accordance with any Investment Policy as established from time to time by the Board. Withdrawal of monies from such accounts shall be only by such persons as are authorized by the Board.

7.2 Budget. The Board of Directors shall adopt in advance an annual budget of common expenses for each fiscal year according to the procedures, if any, contained in the Governing Documents and the Act. The proposed budget must reflect the estimated revenues and expenses for the next fiscal year, and the estimated surplus or deficit as of the end of the current year. The budget must set out separately all fees or charges for recreational amenities. A copy of the proposed budget and a notice stating the time, date and place of the meeting of the Board at which the budget will be considered shall be mailed to each Member not less than fourteen (14) days prior to that meeting. The proposed budget shall be detailed and shall show the amounts budgeted by income accounts and expense classifications. The minutes of the Association shall reflect the adoption of the budget, and a copy of the proposed and adopted budgets shall be maintained as part of the financial records of the Association. If an annual budget has not been adopted at the time the first payment for a fiscal year is due, it shall be presumed that the amount of such payment is the same as the last payment plus ten percent (10%), and payments shall be continued at such rate until a budget is adopted and the new payment schedule is calculated, at which time an appropriate adjustment shall be added to or subtracted from each Unit's account.

7.3 Reserves. In addition to annual operating expenses, each proposed budget will include reserve accounts for capital expenditures and deferred maintenance as required for in Section 720.303(6), Fla. Stat. or by the Governing Documents. The amount to be reserved shall be computed by a formula based upon estimated remaining useful life and estimated replacement cost or deferred maintenance expense of each reserve item. Funding formulas for reserves authorized shall be based on either a separate analysis of each of the required assets or a pooled analysis of

two or more of the required assets. The Association may adjust replacement reserve Assessments annually to take into account any changes in estimates or extensions of the useful life of a reserve item caused by deferred maintenance. These reserves must be funded as required by the Act or the Governing Documents, and must be used for the purposes for which they were reserved, unless another use is approved by unanimous consent of the entire Board. A membership vote to use reserves for a non-reserve purpose is only required if mandated by the Act.

Reserves funded under this Section 7.3, and all interest earned on such reserves, shall not be commingled with operating funds (unless combined for investment purposes). Operating and reserve funds may be invested in combined accounts, but such funds shall be accounted for separately, and the combined account balance may not, at any time, be less than the amount identified as reserve funds. Operating and reserve funds may be combined in the Assessments paid by Members, provided that the operating and reserve funds are segregated within 30 days after receipt (unless combined for investment purposes).

7.4 Member Approval of Capital Expenditures. [New section. Currently there is no restriction in the documents on Board authority to borrow for Capital Improvement expenditures]

(A) A Capital Expenditure for this Section 7.4 is defined as an expenditure for a Capital Improvement. A Capital Improvement is defined as an appreciable enhancement in the use, function or appearance to a fixed asset located on Association Property or Common Area under the control of and operated by the Association.

(B) The following actions by the Board must be approved by a majority of the Members who are present and voting (in person, electronically or by proxy) at any Members meeting:

- (i) Borrowing of funds for Capital Expenditures costing in excess of fifteen percent (15%) of the current annual operating budget, inclusive of reserves but excluding budgeted amounts for bulk cable and internet contract(s); or
- (ii) A request to the Community Development District for funding of a Capital Expenditure to Association Property or Common Area under Association control which costs in excess of fifteen percent (15%) of the current annual operating budget, inclusive of reserves but excluding budgeted amounts for bulk cable and internet contract(s). It is the intent of this section that the Association can not circumvent a membership vote by requesting the CDD build such Capital Improvements.

(C) A Member vote to approve a Capital Expenditure in (B) above requires a minimum of thirty (30) days notice to the Members of the Members' meeting to vote, and requires prior approval of a majority of the entire Board of Directors prior to the notice of a Members meeting to approve to Capital Expenditure. Notice of both the Board and Members meetings must include a detailed description of the proposed action or actions, including project costs, proposed funding inclusive of any anticipated special assessments, and the estimated impact on Assessments levied against the Members.

(D) Notwithstanding the foregoing, the following actions do not require Members approval, are exempt from the requirements of Section 7.4 (B), and may be taken by a majority vote of the Board of Directors alone, without the approval of the Members and without restriction as to timeframe:

- (i) Capital Improvements which are funded by existing Association funds, including Reserves. (If the project is partially funded from existing Association funds, the excess costs of the Capital Improvement over that funded from those accounts shall be subject to Member approval pursuant to Paragraph (B) above). It being the intent that only Capital Expenditures where the unfunded excess amount exceeds 15% be subject to Paragraph (B) above.
- (ii) Capital Improvements which are mandated by any applicable governmental authority, by contractual obligations with the Community Development District, by existing easements or other agreements of records, or otherwise mandated by the Association Governing Documents.
- (iii) Capital Improvements made necessary through natural disaster or other casualty loss.
- (iv) Required maintenance items, as the cost of which by their nature do not constitute Capital Expenditures.

(E) The Board of Directors shall have the right to rely on the determination of external, independent auditors in the event of a question as to whether an expenditure is properly defined as a Capital Expenditure.

(F) This member approval requirement for borrowing for certain Capital Expenditures is in addition to any other approval requirement which may exist in the Governing Documents and which may also be applicable to a particular project, such as any special assessment approval requirement. Any multiple voting requirements must be separately delineated items on the voting documents.

7.5 Fidelity Bonds. The Treasurer and all other persons who are authorized to sign checks or have access to or control of Association funds, shall be bonded in such amounts as may be required by law or as otherwise determined by the Board of Directors. The premiums on such bonds shall be a Common Expense.

7.6 Financial Reporting. Within ninety (90) days after the end of the fiscal year, the Association shall prepare and complete, or cause to be prepared and completed by a third party an audit, or other financial statement or report as required by the Act, as amended from time to time. Within twenty-one (21) days after that statement or report is completed or received from the third party, the Association shall mail or hand deliver to each Member a copy of the financial statement or report, as required by the Act, or a notice that a copy of the financial statement or report is available upon request at no charge to the Member.



7.7 Contingency Funds. In addition to the reserves provided in above, or in place of them if the Members so vote, the Board may establish one or more “contingency funds” for contingencies and operating expenses for the Association. The purpose of these contingency funds is to provide financial stability and to avoid the need for Special Assessments on a frequent basis. The amounts proposed to be so reserved shall be shown in the proposed annual budget as a line item in the operating portion of the budget.

7.8 Fiscal Year. The fiscal year for the Association shall begin on January 1st of each year, unless modified by the Board of Directors.

7.9 Payment of Assessments.

(A) Regular Annual Assessments based on the adopted budget shall be paid on a schedule, either annually or semi-annually as determined by the Board. Failure to send or receive such notice shall not, however, excuse the obligation to pay. If an annual budget has not been adopted at the time the first installment for a fiscal year is due, it shall be presumed that the amount of such installment is the same as the last installment and shall be continued at such rate until a budget is adopted and pro rata Assessments are calculated, at which time any overage or shortage shall be added or subtracted from each Living Unit's next due installment.

Neighborhood Assessments for each Unit's share of Neighborhood Expenses, where the Association provides special services to one or more Neighborhoods, shall be due and payable at such times as determined by the Board. As to all Association assessments, the Board may by resolution establish the place for payment, the method of payment, and a discount for payment of the entire amount of the annual assessments in advance. The Board may also impose a reasonable late payment fee, as may be determined from time to time which shall not exceed \$50.00 or five percent (5%) of the delinquent assessment, or installment thereof, whichever provides the greater penalty. The late payment fee shall be in addition to, and not in place of, interest on all delinquent assessments as provided for in the Declaration.

(B) Notwithstanding the foregoing, if a Unit has been submitted to the condominium form of ownership or to a mandatory membership homeowners association, the Neighborhood Association thereof shall have the duty and responsibility for collecting and timely remitting to the Association Assessments and other charges; provided, however, that the Association may, in its sole discretion, elect to collect due and unpaid Assessments and other charges directly from any Owner personally and may impose a lien against such Owner's Unit for the payment of such assessments and charges which are due and unpaid.

(C) Neighborhood Associations shall not be responsible for collecting "Resale Capital Assessments" (as defined in Section 7.11 below).

7.10 Special Assessments. Special Assessments may be levied by the Board of Directors as authorized when necessary to meet unusual, unexpected, unbudgeted, or non-recurring expenses, or for such other purposes as are authorized by the Governing Documents. A Special Assessment is due on the day specified in the resolution of the Board approving such Assessment. The funds collected must be spent for the stated purpose(s) or returned to the Members in a manner

consistent with the Act. [statutory] An Assessment may not be levied at a Board meeting unless a written notice of the meeting is mailed, delivered, or electronically transmitted (to the extent permitted by law) to the Members and posted conspicuously at Pelican Landing, not less than fourteen (14) days before the meeting. The meeting notice must include a statement that Assessments will be considered at the meeting and provide the nature, estimated cost and description of the purposes for such Assessments. Membership approval shall be required if provided in the Declaration. [NOTE: Currently, special assessment threshold for a member vote is \$50,000. Declaration Article X, Section 4- vote is a majority of all voting interests. This section does not change that \$50,000 threshold].

7.11 Resale Capital Assessments. The Association shall levy a Resale Capital Assessment upon the transferee of a conveyance of every Unit owned by a Member. The amount of the Resale Capital Assessment and the manner of payment shall be as determined by resolution of the Board from time to time; provided, however, all Units similarly situated shall be assessed at a uniform rate. The due date shall be the date of the closing of the conveyance. The Resale Capital Assessment shall, unless the transferor and transferee otherwise expressly agree, be the obligation of the transferee. For purposes of this Section 7.11, the term "conveyance" shall mean the non-exempt transfer of record legal title to a Unit by deed or other authorized means of conveyance with or without consideration. Resale Capital Assessments shall not apply to the Business Properties.

7.12 Estoppel Information. [ Statutory] Unless otherwise provided by the Act, within ten(10) business days after receipt of written or electronic request from an Owner, an Owner's designee, a Mortgagee, or a Mortgagee's designee, the Association shall furnish a written certification (sometimes known as an "estoppel letter") as to whether all assessments and other sums then due from any Unit have been paid, or indicating the amounts then due, as well as the amount of the Resale Capital Assessment. Outstanding assessments and charges, if any, shall be deducted from the seller's account at the closing and transmitted directly to the Association. Unless the parties have expressly contracted otherwise, the Resale Capital Assessment shall be deducted from purchaser's account at the closing and transmitted directly to the Association. The Association shall not be required to transfer memberships on its books, or to allow the exercise of any rights or privileges of membership by a new Owner, or to any person claiming under an Owner, unless and until all assessments and other charges and debts to the Association to which said Owner and his predecessors in title are subject have been paid in full. The Association may charge a reasonable fee for the preparation and delivery of an estoppel certificate, in accordance with Florida Law, as amended. The estoppel certificate shall comply with Florida Statute 720.30851, as amended.

8. COMPLIANCE AND DEFAULT; REMEDIES. In addition to the remedies provided in the Declaration, the following provisions shall apply:

8.1 Obligations Of Members; Remedies At Law Or In Equity; Levy Of Fines And Suspension Of Use Rights. [Statutory]

(A) Each Member and the Member's family, tenants, guests and invitees, are governed by, and must comply with the Act and the Governing Documents. Actions at law or in

equity, or both, to redress alleged failure or refusal to comply with the Act and the Association Governing Documents may be brought by the Association or by any Members against:

1. The Association;
2. A Member;
3. Any Director or officer who willfully and knowingly fails to comply with the provisions of the Act and the Association Governing Documents; and
4. Any family, tenants, guests, or invitees occupying a Unit.

The prevailing party in any such litigation is entitled to recover reasonable attorney's fees and costs. This section does not deprive any person of any other available right or remedy. Disputes subject to presuit mediation under Section 720.311, Fla. Stat. shall not include the collection of any Assessment, fine, or other financial obligation, including attorney's fees and costs, claimed to be due or any action to enforce a prior mediation settlement agreement between the parties. In any dispute subject to presuit mediation where emergency relief is required, a motion for temporary injunctive relief may be filed with a court without first complying with the presuit mediation requirements of Section 720.311, Fla. Stat. An aggrieved party shall serve on the responding party a written demand to participate in presuit mediation pursuant to Section 720.311, Fla. Stat.

(B) The Association may levy reasonable fines or suspend the use rights of a Member, in those cases in which the Member commits violations of the Act or the provisions of the Association Governing Documents, or condones such violations by his family members, tenants, guests and invitees. The fines shall be in an amount deemed necessary by the Board to deter future violations, but in no event shall any fine exceed \$500 per single occurrence or \$500 per day up to \$20,000, except for violations of the Architectural Design Guidelines which fines may accrue as a continuing violation in an amount not to exceed \$500 a day until the violation is rectified up to the maximum amount of \$100,000. Fines may be levied by the Board's representative according to a preapproved schedule of fines subject to the notice and hearing rights set forth below. Fines can be secured by a lien against a Unit only as permitted by the Act. The procedure for imposing such fines or suspensions shall be as follows:

1. A fine or suspension may not be imposed without notice of at least fourteen (14) days to the person sought to be fined or suspended and opportunity for hearing before a committee of at least three (3) Members appointed by the Board who are not officers, directors, or employees of the Association, or the spouse, parent, child, brother or sister of an officer, director or employee, and the notice shall include:
2. A statement of the date, time and place of the hearing;

3. A statement of the provisions of Florida law and the Association Documents which have allegedly been violated; and
4. A short and plain statement of the matters asserted by the Association.
5. The party against whom the fine may be levied or suspension imposed shall have a reasonable opportunity to respond, to present evidence, and to provide written and oral argument on all issues involved and shall have an opportunity at the hearing to review, challenge, and respond to any material considered by the Association. The Owner shall be the party ultimately responsible for payment of a fine, regardless of whether the fine relates to conduct by a tenant, family member, invitee or guest.
6. At the hearing, if the Committee, by majority vote, does not approve the fine or suspension, it may not be imposed. The role of the Committee is limited to determining whether to confirm or reject the fine or suspension levied by the Board. If the proposed fine or suspension is approved by the committee, the Association must provide written notice of such fine or suspension to the Owner, and if applicable, any tenant, family member, invitee or guest. The fine payment is due five (5) days after notice of the approved fine is provided to the Owner and, if applicable, to any tenant, family member, invitee or guest.

8.2 Exceptions to Hearing and Notice Requirements. The notice and hearing requirements of this Section 8.1 do not apply to the imposition of suspensions or fines against an Owner or Occupant because of failing to pay any fee, fine or other monetary obligation due the Association. If such a fine or suspension is imposed, the Association must levy the fine or impose a reasonable suspension at a properly noticed Board meeting, and after the imposition of such fine or suspension, the Association must notify the Unit Owner and, if applicable, the Units Occupant, licensee or invitee.

8.3 Emergency Discretion. The Board shall have the right, but not the obligation, to suspend the enforcement of any fining schedule for a period of time it determines is appropriate due to an emergency, force majeure, or other circumstance where the Board determines continued enforcement under the approved fining schedule will not be equitable or may cause undue hardship.

8.4 Suspension Of Voting Rights. [Statutory].

(A) The Association may suspend the voting rights of a Unit Owner for the nonpayment of any fee, fine, or other monetary obligation due to the Association that is more than 90 days delinquent. A voting interest or consent right allocated to a Unit Owner which has been suspended by the Association shall be subtracted from the total number of voting interests in the

Association, which shall be reduced by the number of suspended voting interests when calculating the total percentage or number of all voting interests available to take or approve any action, and the suspended voting interests shall not be considered for any purpose, including, but not limited to, the percentage or number of voting interests necessary to constitute a quorum, the percentage or number of voting interests required to conduct an election, or the percentage or number of voting interests required to approve an action under the Act or the Governing Documents. The notice and hearing requirements under 8.1 do not apply to a suspension imposed under this subsection. The suspension ends upon full payment of all obligations currently due or overdue to the association.

(B) All voting suspensions imposed pursuant to subsection (A) above must be approved at a properly noticed Board meeting. Upon approval, the Association must notify the Unit Owner and, if applicable, the Unit Owner's occupant, licensee, or invitee by mail or hand delivery.

9. AMENDMENT OF BYLAWS. Amendments to these Bylaws may be proposed and adopted in the following manner:

9.1 Proposal. Amendments to these Bylaws may be proposed either by resolution of the Board of Directors, or by a petition to the Board signed by at least ten percent (10%) of the Members. Once so proposed, the amendments shall be submitted to a vote of the Members at a meeting no later than the next annual meeting for which notice can still properly be given.

9.2 Vote Required. Except as otherwise provided by law, or by specific provision of the Governing Documents, a proposed amendment to these Bylaws shall be adopted if it is approved at any annual or special meeting called for such purpose by at least two-thirds (2/3rds) of the Members present and voting (either casting their vote in person, electronically or by proxy) at the membership meeting. [NOTE: current language is voting representatives for 2/3<sup>rds</sup> of the voting interests]. A proposal to amend, modify, repeal or add to the Bylaws must identify the particular section or sections affected, and give the full text of the amendment, modification, provision repealed, or addition unless required otherwise by the Act. No amendment shall be effective to materially adversely affect any rights or privileges of any Mortgagee without notice to the Mortgagee if required by the Act.

9.3 Amendment by Board. The Board of Directors, by majority vote, may unilaterally amend these Bylaws in any manner reasonably intended to correct drafting or typographical errors or to conform the Bylaws to any applicable statute or local ordinance, provided that such amendments do not adversely affect Owners or Mortgagees to a greater extent than the law to which the Bylaws are being conformed. Such amendments shall not require consent of the Members.

9.4 Certificate; Recording. A copy of each amendment shall be attached to a certificate reciting the facts evidencing proper adoption, which certificate shall be in the form required by law and shall be executed by the President or Vice-President with the formalities of a deed. An amendment is effective when the certificate and copy of the amendment are recorded in the Public Records of Lee County, Florida. The certificate must identify the location in the Public Records where the Declaration was originally recorded.

10. MISCELLANEOUS.

10.1 Gender. Whenever the masculine or singular form of the pronoun is used in these Bylaws, it shall be construed to mean the masculine, feminine or neuter; singular or plural, as the context requires.

10.2 Severability. Should any portion hereof be void or become unenforceable, the remaining provisions of the instrument shall remain in full force and effect.

10.3 Conflict. If any irreconcilable conflict should exist, or hereafter arise, with respect to the interpretation of these Bylaws and the Declaration or the Articles, the provisions of the Declaration or Articles shall prevail over the provisions of these Bylaws.

**BAYSIDE IMPROVEMENT  
AND BAY CREEK  
COMMUNITY DEVELOPMENT DISTRICTS**

**STAFF  
REPORTS  
BI**

## **Landscape:**

We are still mowing every other week, Monday and Tuesday. In The Colony we have continued to remove vegetation that had been effected by Hurricane Ian. There is still more to do as of today. The fountain at the Colony North gate has been repaired. The Tuscan fountain is awaiting a new electrical panel that has been difficult to source. Palm tree trimming started the first week of December and continues as of today. Regular shrub-trimming taking place as well in The Colony, around the gate houses and community entrances. In The Landing hurricane clean up has been continuing as well, all around. Still some remote areas in need of tidying up like along Spring Creek, the Bay Cedar border, and elsewhere. Pine Straw was installed. We stood up some of the fencing along Walden Center Drive. We cleaned up the hedges at the fence lines along Walden Center Drive and the Bay Cedar border abutting Spring Creek Village. The Central Park fountain is flowing again and the PLCA has initiated a landscape refreshment there as well. We are updating the irrigation in the area to efficiently manage the new palette.

## **Irrigation:**

Rain totals have continued to disappoint as lake levels are diminishing slowly. We have turned on all of the wells including the LH2. This one is most productive but also contributes high levels of chlorides to the reserves. As of Monday, December 12th we are on the Phase Two Pumps Schedule, described below. We will very likely be on this schedule until at least June.

I have not yet processed the Zero Consumption Report.

## **Phase Two Pumps Schedule:**

Off - Sunday 10am until Tuesday at 7am

Activities of the Irrigation Department:

1. Sustainability - Our chief objective is to provide a sustainable irrigation water source while managing the watershed between the cycles of the wet and dry seasons, to support a thriving native landscape throughout Pelican Landing and The Colony.
2. Water Management – Sluice gates remained closed.
3. Pumping Stations – The Bay Creek pump station suffered a power outage over the New Years that remains defunct as of today. We have the Bayside station carrying the load in the meantime, providing water in both Districts.
4. Meter Maintenance – We are targeting zero consumption meters for replacement.
5. Alterations – The Central Park medians are getting a landscape refreshment, initiated by the PLCA Landscape committee. We are improving the irrigation there. Also adding bubblers in several places where they've had Pygmy Date Palms installed.
6. Water Quality – Both pump stations' filtration systems fully operational and optimized.
7. Wet Checks – Our team systematically turns on and audits every sprinkler zone in the district, making necessary adjustments and repairs.
8. Reporting - Manage, monitor, and report all incoming and outgoing irrigation water usage, along with sluice gate activities in accordance with our permits issued by South Florida Water Management District.

Regards,  
Paul Kemp  
Irrigation Manager  
[Bayside/Baycreek CDD](mailto:pkemp@whhassociates.com)  
[pkemp@whhassociates.com](mailto:pkemp@whhassociates.com)



## Colony Operations

Completed Jobs						
Name	Leader	Started	Task	Crew	Actual	Team
Cleanup Debris	Don Schroeder	11/28/22 7:00 AM	Cleanup	1	1.15	1.15
Application Annuals	Don Schroeder	11/28/22 8:15 AM	Application	1	2.96	2.96
Cleanup Debris	Don Schroeder	11/29/22 7:00 AM	Cleanup	1	0.85	0.85
Mow Celebration	Don Schroeder	11/28/22 7:00 AM	Mowing	4	11.8	47.2
Application Flowering plants	Don Schroeder	11/29/22 7:56 AM	Application	1	3.81	3.81
Deadhead Geraniums	Don Schroeder	11/28/22 11:14 AM	Other Work	1	7.85	7.85
Mow St. Augustine	Don Schroeder	11/29/22 9:55 AM	Mowing	4	6.01	24.04
Mow St. Augustine	Don Schroeder	11/30/22 7:00 AM	Mowing	1	1.53	1.53
Cleanup Debris	Don Schroeder	11/30/22 7:00 AM	Cleanup	1	0.01	0.01
Application Foliage	Don Schroeder	11/30/22 8:36 AM	Application	1	2.31	2.31
Check Streetlights	Don Schroeder	11/30/22 12:45 PM	Lighting	1	2.88	2.88
Cleanup Debris	Don Schroeder	12/1/22 7:00 AM	Cleanup	1	0.84	0.84
Cut down trees	Don Schroeder	12/1/22 7:00 AM	Other Work	3	1.49	4.47
Remove dead plants from lan	Don Schroeder	11/30/22 7:00 AM	Other Work	2	16.53	33.06
Application Roundup	Don Schroeder	11/30/22 8:36 AM	Application	1	15.62	15.62
Remove dead plants from lan	Don Schroeder	11/30/22 8:37 AM	Other Work	1	14.96	14.96
Cleanup Debris	Don Schroeder	12/2/22 7:00 AM	Cleanup	1	3.7	3.7
Straighten and Shape Bouganvilla	Don Schroeder	12/2/22 7:00 AM	Other Work	3	3.7	11.1
Application Turf	Don Schroeder	12/1/22 7:54 AM	Application	1	6.54	6.54
Cleanup Debris	Don Schroeder	12/5/22 7:00 AM	Cleanup	1	1.4	1.4

## Colony Operations

Coconut Fountain	Don Schroeder	12/5/22 7:00 AM	Fountains	2	2.4	4.8
Repair broken pipe on Bellagio fountain	Don Schroeder	2022-12-05	Fountains	1	0	0
Tuscany Fountain	Don Schroeder	12/5/22 10:26 AM	Fountains	2	2.96	5.92
Deadhead Geraniums	Don Schroeder	12/5/22 8:30 AM	Weeding	1	1.96	1.96
Mow Celebration	Don Schroeder	12/5/22 7:00 AM	Mowing	4	8.78	35.12
Mow Celebration	Don Schroeder	12/5/22 8:53 AM	Mowing	1	6.96	6.96
Park way fountain	Joel Rosa	12/5/22 2:00 PM	Fountains	1	4.77	4.77
Application Turf	Don Schroeder	12/6/22 7:00 AM	Application	4	4.6	18.4
Remove dead plants	Don Schroeder	12/6/22 2:56 PM	Other Work	3	1.13	3.39
Cleanup Debris	Don Schroeder	12/7/22 7:00 AM	Cleanup	1	0.87	0.87
Cleanup Debris	Don Schroeder	12/8/22 7:00 AM	Cleanup	1	1.12	1.12
Straighten Royal Palm	Don Schroeder	12/7/22 7:00 AM	Other Work	3	1.77	5.31
Application Annuals	Don Schroeder	12/7/22 12:36 AM	Application	1	5.85	5.85
Pull weeds in Annual Beds	Don Schroeder	12/6/22 8:01 AM	Weeding	1	15.34	15.34
Cleanup Debris	Don Schroeder	12/9/22 7:00 AM	Cleanup	1	1.68	1.68
Trimming Sabal Palms	Don Schroeder	12/7/22 7:00 AM	Trimming	3	20.38	61.14
Removing Dead tree limbs	Don Schroeder	12/7/22 7:00 AM	Trimming	2	16.21	32.42
Hand prune and shape shrubs	Don Schroeder	12/9/22 7:00 AM	Trimming	3	3.5	10.5
Application Turf	Don Schroeder	12/7/22 7:46 AM	Application	1	6.49	6.49
Mowing celebration	Don Schroeder	2022-12-12	Mowing	4	23.78	95.12
Cleanup Debris	Don Schroeder	12/13/22 7:00 AM	Cleanup	1	0.84	0.84

### Colony Operations

Mow Celebration	Don Schroeder	12/13/22 7:00 AM	Mowing	1	4.02	4.02
Deadhead Geraniums	Don Schroeder	12/13/22 12:45 PM	Other Work	1	1.14	1.14
Mow St. Augustine	Don Schroeder	12/13/22 7:00 AM	Mowing	4	8.91	35.64
Mow St. Augustine	Don Schroeder	12/13/22 11:08 AM	Mowing	1	4.89	4.89
Cleanup Debris	Don Schroeder	12/14/22 7:00 AM	Cleanup	1	0.89	0.89
Application Annuals	Don Schroeder	12/14/22 7:42 AM	Application	1	2.96	2.96
Trimming Sabal Palms	Don Schroeder	12/14/22 7:00 AM	Trimming	2	8.95	17.9
Cleanup Debris	Don Schroeder	12/15/22 7:00 AM	Cleanup	1	1.12	1.12
Application Annuals	Don Schroeder	12/13/22 7:50 AM	Application	1	3.81	3.81
Application Turf	Don Schroeder	12/15/22 7:00 AM	Application	1	3.11	3.11
Remove dead tree limbs	Don Schroeder	12/14/22 7:00 AM	Trimming	2	8.95	17.9
Application Roundup	Don Schroeder	12/13/22 7:57 AM	Application	1	23.9	23.9
Trimming Sable Palms	Don Schroeder	12/15/22 7:00 AM	Trimming	2	8.8	17.6
Cleanup Debris	Don Schroeder	2022-12-16	Cleanup	1	3.11	3.11
Trimming Sable Palms	Don Schroeder	2022-12-16	Trimming	2	3.07	6.14
Cleanup Debris	Don Schroeder	12/19/22 7:00 AM	Cleanup	1	1.77	1.77
Cleanup Debris	Don Schroeder	12/21/22 7:00 AM	Cleanup	1	0.85	0.85
Application Flowering Plants	Don Schroeder	12/21/22 8:00 AM	Application	1	3.72	3.72
Deadhead Geraniums	Don Schroeder	12/21/22 8:10 AM	Other Work	1	6.12	6.12
Check streetlights	Don Schroeder	12/21/22 12:40 PM	Lighting	1	1.9	1.9
Application Roundup	Don Schroeder	12/19/22 8:47 AM	Application	1	7.13	7.13

### Colony Operations

Cleanup Debris	Don Schroeder	12/22/22 7:00 AM	Cleanup	1	1.08	1.08
Trimming Shrubs	Don Schroeder	12/22/22 7:00 AM	Trimming	4	4.05	16.2
Application Turf	Don Schroeder	12/19/22 10:15 AM	Application	1	10.04	10.04
Trimming Sable Palms	Don Schroeder	12/19/22 7:00 AM	Trimming	4	29.05	116.2
Hand prune Shrubs	Don Schroeder	12/22/22 8:10 AM	Trimming	1	7	7
Cleanup Debris	Don Schroeder	2022-12-27	Cleanup	1	1.74	1.74
Roundup	Paul Kemp	2022-12-27	Application	1	7.15	7.15
Cleanup Debris	Don Schroeder	12/28/22 7:00 AM	Cleanup	1	1.78	1.78
Application Annuals	Don Schroeder	12/28/22 10:57 AM	Application	1	3.07	3.07
Clean shop	Don Schroeder	12/29/22 7:00 AM	Cleanup	4	0.64	2.56
Cleanup Debris	Don Schroeder	12/29/22 7:00 AM	Cleanup	1	1.71	1.71
Application Roundup	Don Schroeder	12/28/22 8:56 AM	Application	1	14.31	14.31
Cleanup Debris	Don Schroeder	12/30/22 7:00 AM	Cleanup	1	1.35	1.35
Application Turf	Don Schroeder	12/28/22 2:12 PM	Application	1	11.52	11.52
Removing Dead tree	Don Schroeder	12/30/22 7:00 AM	Other Work	4	4.49	17.96
Hand prune shrubs	Don Schroeder	12/30/22 8:30 AM	Trimming	1	3.17	3.17
Trimming Palms	Paul Kemp	12/27/22 2:12 PM	Trimming	4	26.18	104.72
		<b>11-28 to 12-30</b>			<b>474.78</b>	<b>991.46</b>

## Updates

Item Name	User	Created At	Update Content
<b>Application Foliage</b>	Don Schroeder	29/November/2022 03:49:05 PM	Oleander caterpillars
<b>Application Roundup</b>	Don Schroeder	30/November/2022 11:55:37 AM	Coconut Rd
<b>Tuscany Fountain</b>	Paul Kemp	03/December/2022 07:54:17 AM	Clean up basin and reset submersible lights in preparation of pump replacement.
<b>Check Streetlights</b>	Don Schroeder	30/November/2022 02:18:10 PM	Replaced two bulbs in uplights in Tuscany
<b>Application Turf</b>	Don Schroeder	30/November/2022 03:55:42 PM	Weed Control
<b>Coconut Fountain</b>	Paul Kemp	03/December/2022 07:54:23 AM	Clean up basin and reset submersible lights in preparation of pump replacement.
<b>Application Turf</b>	Don Schroeder	05/December/2022 03:42:01 PM	Fertilize Celebration 16-0-8
<b>Remove dead plants</b>	Don Schroeder	06/December/2022 02:56:19 PM	Bay Club
<b>Trimming Sabal Palms</b>	Don Schroeder	06/December/2022 03:41:17 PM	South Gate towards Las Palmas
<b>Application Turf</b>	Don Schroeder	06/December/2022 03:44:41 PM	Weed Control
<b>Application Annuals</b>	Don Schroeder	07/December/2022 12:36:02 PM	Apply Deadline
<b>Straighten Royal Palm</b>	Don Schroeder	07/December/2022 03:38:13 PM	Addison Place
<b>Hand prune and shape shrubs</b>	Don Schroeder	08/December/2022 03:44:53 PM	Coconut Fountain
<b>Application Annuals</b>	Don Schroeder	13/December/2022 10:38:12 AM	14-14-14
<b>Remove dead tree limbs</b>	Don Schroeder	14/December/2022 03:48:21 PM	South side,Merano to Las Palmas
<b>Trimming Sabal Palms</b>	Don Schroeder	13/December/2022 03:56:04 PM	Messina towards Spring Creek Bridge
<b>Application Annuals</b>	Don Schroeder	14/December/2022 07:43:19 AM	Spray with fungicide and insecticide
<b>Application Turf</b>	Don Schroeder	14/December/2022 03:47:08 PM	Weed Control
<b>Application Turf</b>	Don Schroeder	19/December/2022 06:25:05 AM	Weed Control
<b>Trimming Shrubs</b>	Don Schroeder	22/December/2022 06:17:51 AM	Silver Buttonwood near La Scala
<b>Hand prune Shrubs</b>	Don Schroeder	22/December/2022 06:18:55 AM	Coconut fountain
<b>Application Turf</b>	Don Schroeder	28/December/2022 02:13:25 PM	Weed Control

## Emergent

New Requests								
Name	Submitted	Leader	Type	Assign	Completed	Vendor	Days Since	In Progress
Median east of Tuscany	2022-04-26	Paul Kemp	Landscape	Colony			262	
Across from Belagio	2022-04-26	Paul Kemp	Landscape	Colony			262	
3481 Lake Crest	2022-10-27	Paul Kemp	Landscape	The Landing			78	
Colony north entry	2022-04-26	Paul Kemp	Landscape	Colony			262	2022-09-16
Bay Creek storm drains	2022-12-16	Paul Kemp	Storm Drains	Vendor		MRI	28	
25120 Ridge Oak	2023-01-12	Paul Kemp	Lighting	Vendor		Bentley	1	
Greenview Drive	2023-01-13	Paul Kemp	Lighting	Vendor		Bentley	0	
In Progress Requests								
Name	Submitted	Leader	Type	Assign	Completed	Vendor	Days Since	In Progress
Tuscany Fountain	2022-10-07	Paul Kemp	Fountains	Vendor		Arch Fountains	98	2022-10-17
Well 3940	2022-11-03	Paul Kemp	Irrigation	Vendor		Bullseye	71	2022-11-20
Storm Drain Grates	2022-09-08	Paul Kemp	Storm Drains	Vendor		MRI	127	2022-11-20
Fountain at the Ridge	2022-08-03	Paul Kemp	Fountains	Vendor		Arch Fountains	163	2022-11-20

## Emergent

Pinewater Monument	2022-12-08	Paul Kemp	Lighting	Vendor		Bentley	36	2022-12-16
Bay Cedar privacy hedge on Spring Creek Village	2022-12-07	Paul Kemp	Landscape				37	2022-12-16
Bay Cedar Fence	2022-11-28	Paul Kemp	Other				46	2023-01-13
Sorrento South Lake Fountain F10 Lake	2023-01-09	Don Schroeder	Fountains	Vendor		Superior Water	4	2023-01-13
Cielo in the Colony.	2023-01-10	Paul Kemp	Lakes	Vendor		Solitude	3	2023-01-13
<b>Completed Requests</b>								
<b>Name</b>	<b>Submitted</b>	<b>Leader</b>	<b>Type</b>	<b>Assign</b>	<b>Completed</b>	<b>Vendor</b>	<b>Days Since</b>	<b>In Progress</b>
Bay Cedar End	2022-12-07	Paul Kemp	Landscape	The Landing	2023-01-13		37	
Lakemont west	2023-01-09	Miguel Solis, Paul Kemp	Irrigation	Irrigation	2023-01-13		4	
002 Parkway	2023-01-09	Paul Kemp	Irrigation	Irrigation	2023-01-13		4	
Central Park Lake	2022-11-07	Paul Kemp	Fountains	Vendor	2023-01-13	Arch Fountains	67	2022-11-20
Lake D7	2022-12-16	Paul Kemp	Lakes	Vendor	2023-01-13	Solitude	28	2022-12-16

## Updates

Item Name	User	Created At	Update Content
<b>Median east of Tuscany</b>	Paul Kemp	26/August/2022 09:29:51 AM	Fill out Roho Congos and Crotons at each end of the Oak trees.
<b>Colony north entry</b>	Paul Kemp	26/August/2022 09:30:33 AM	Scoop soil and roots out trouble spots and replace with nice topsoil before replanting with matching bougainvillea. Decide whether drip is appropriate or not.
<b>Colony north entry</b>	Paul Kemp	16/September/2022 09:13:07 AM	Scheduled for the week of Sept 19th.
<b>Across from Belagio</b>	Paul Kemp	26/August/2022 09:31:14 AM	Annual Palmetto Trimming. Cut out the tallest ones. Clear out an area by the fire hydrant, down to the lake, for a future bench installation.
<b>Fountain at the Ridge</b>	Paul Kemp	03/August/2022 04:17:25 PM	Resident reporting poor flow from the nozzles.
<b>Fountain at the Ridge</b>	Paul Kemp	09/September/2022 11:26:45 AM	Getting proposals to replace this shore-mounted fountain with a submersible.
<b>Fountain at the Ridge</b>	Paul Kemp	09/December/2022 09:16:26 AM	Submitted proposal.
<b>Storm Drain Grates</b>	Paul Kemp	08/September/2022 02:50:44 PM	Missing storm gate.
<b>Storm Drain Grates</b>	Paul Kemp	20/November/2022 10:00:42 AM	Spring Creek Road
<b>Storm Drain Grates</b>	Paul Kemp	16/September/2022 09:12:02 AM	Scheduled with MRI for Sept. 20th.
<b>Storm Drain Grates</b>	Paul Kemp	20/November/2022 10:02:12 AM	Awaiting proposals for Spring Creek Road, Pennyroyal monument, and the Control Structure on Woodsage across from the Children's Park.
<b>Storm Drain Grates</b>	Paul Kemp	24/December/2022 09:10:02 AM	Proposal in hand.
<b>Tuscany Fountain</b>	Paul Kemp	17/October/2022 12:04:27 PM	Vault took on water during the hurricane. Motors ate down.
<b>Tuscany Fountain</b>	Paul Kemp	09/December/2022 09:12:57 AM	Promised by vendor Dec 14th.
<b>Tuscany Fountain</b>	Paul Kemp	01/January/2023 01:26:40 PM	Awaiting parts for rebuilding flooded electrical panel in vault.



## Updates

<b>3481 Lake Crest</b>	Paul Kemp	27/October/2022 06:53:28 AM	Gap in Bushes, privacy issue.
<b>Well 3940</b>	Paul Kemp	03/November/2022 07:42:43 AM	Bad motor.
<b>Well 3940</b>	Paul Kemp	04/November/2022 12:35:13 PM	Motor, pump, and meter to be replaced.
<b>Well 3940</b>	Paul Kemp	09/December/2022 09:15:46 AM	Scheduled for the week ending Dec 16th.
<b>Central Park Lake</b>	Paul Kemp	07/November/2022 09:59:59 AM	"The fountain Lights in the main lake at the end of Pelican Parkway are not working."
<b>Central Park Lake</b>	Paul Kemp	09/December/2022 09:14:52 AM	Promised by vendor Dec 14th.
<b>Bay Cedar Fence</b>	Paul Kemp	28/November/2022 10:26:03 AM	multiple neighbors are asking when the black cover will be reinstalled on the fence.
<b>Bay Cedar Fence</b>	Paul Kemp	09/December/2022 09:09:04 AM	Replacement
<b>Bay Cedar End</b>	Paul Kemp	07/December/2022 08:49:19 AM	Handle ficus blown over by Ian.
<b>Bay Cedar privacy hedge on Spring Creek Village</b>	Paul Kemp	09/December/2022 09:09:51 AM	The residents of around 24895 Bay Cedar lack a good visual block of Spring Creek Village, especially adjacent to their commons recreation area (pool & courts). I've met with Paul Kemp at the site to request that hedge height could be allowed to increase and that certain lower areas have additional plantings to fill the gaps.
<b>Pinewater Monument</b>	Paul Kemp	08/December/2022 03:04:35 PM	Light is leaning
<b>Pinewater Monument</b>	Paul Kemp	01/January/2023 01:25:44 PM	And broken.
<b>Lake D7</b>	Paul Kemp	16/December/2022 09:25:28 AM	aerator not functioning.
<b>Lake D7</b>	Paul Kemp	24/December/2022 09:08:43 AM	Solitude -

## Updates

<b>Bay Creek storm drains</b>	Paul Kemp	16/December/2022 09:33:58 AM	Residents reporting slow drainage.
<b>Lakemont west</b>	Paul Kemp	09/January/2023 07:36:11 AM	O'Donnel planting trees.
<b>Sorrento South Lake Fountain F10 Lake</b>	Don Schroeder	09/January/2023 08:25:21 AM	Fountain won't turn on
<b>Sorrento South Lake Fountain F10 Lake</b>	Paul Kemp	09/January/2023 09:17:51 AM	Andy Nott will check it out Monday or Tuesday.
<b>Sorrento South Lake Fountain F10 Lake</b>	Paul Kemp	13/January/2023 06:48:16 AM	Have proposal to replace pump and motor.
<b>002 Parkway</b>	Paul Kemp	09/January/2023 09:18:37 AM	New trees in west end of medians. Need bubblers
<b>Cielo in the Colony.</b>	Paul Kemp	13/January/2023 06:49:14 AM	Lake behind our building and by pool has growing algae. Will you be addressing this?
<b>Cielo in the Colony.</b>	Paul Kemp	13/January/2023 06:51:17 AM	Cielo in the Colony. Hello,  We will have a look.  Regards, Paul Kemp
<b>Cielo in the Colony.</b>	Paul Kemp	13/January/2023 06:53:43 AM	Reported to Solitude.

## Updates

<b>25120 Ridge Oak</b>	Paul Kemp	12/January/2023 02:58:47 PM	<p>There is a street light that is right next to his home, and the transfer station that shines directly into his home. In the past the CDD has added tin foil in the light cover to keep the light directly on the street and not shining into the residents home.</p> <p>A light bulb was recently changed out to a LED light, the tin foil that is still in the light cover was put in the wrong area, and the resident is now getting the light back on his home and not where the light should be going onto the street. The tin foil needs to be in the area that is directly facing the residents home. Please let me know if this is something that you can go out and adjust, and the timeframe for completion.</p>
<b>Greenview Drive</b>	Paul Kemp	13/January/2023 06:54:43 AM	Street lights out toward the circle.

## Landing Production

Upcoming Jobs						
Name	Leader	Crew	Task	Started	Actual	Team
Community Park	Paul Kemp, Miguel Solis	1	Trimming	2022-12-13	0	0
		1		2022-12-13	0	0
In Progress Jobs						
Name	Leader	Crew	Task	Started	Actual	Team
Tennis center	Miguel Solis, Paul Kemp	5	Planting	2022-12-06	0.53	2.65
		5		2022-12-06	0.53	2.65
Completed Jobs						
Name	Leader	Crew	Task	Started	Actual	Team
Pelican landing/flowers	Jorge Montoya	1	Application	2022-11-28	3.05	3.05
Dog stations /trash	Jorge Montoya	1	Cleanup	2022-11-28	1.87	1.87
3480 Cedar Lake Ct.	Paul Kemp, Miguel Solis	2	Cleanup	2022-11-28	0.75	1.5
Scouting ficus	Jorge Montoya	1	Detail	2022-11-30	2	2
Mowing	D. Kucera	7	Mowing	2022-11-28	20.22	141.54
Hand Pulling vines	Jorge Montoya	1	Detail	2022-11-30	5.92	5.92
Coconut monument	Jorge Montoya	3	Planting	2022-12-01	1.2	3.6
Meters route B	Jorge Montoya	1	Irrigation	2022-11-30	10.62	10.62
Turf	Jorge Montoya	1	Application	2022-11-28	5.78	5.78
Dog stations/trash	Jorge Montoya	1	Cleanup	2022-12-02	1.95	1.95
Silver thorns	Jorge Montoya	1	Application	2022-12-02	3.57	3.57
Non-selective/spot treatment	Jorge Montoya	1	Application	2022-11-28	1.89	1.89
Bay Cedar	Paul Kemp	4	Trimming	2022-11-30	14.9	59.6

## Landing Production

Pennyroyal Berm	Miguel Solis, Paul Kemp	4	Trimming	2022-11-30	15.02	60.08
Coconut Rd & N Commons	Paul Kemp	4	Trimming	2022-11-30	15.33	61.32
Bay cedar	Paul Kemp, Miguel Solis	3	Trimming	2022-12-01	16.73	50.19
Greenview Dr	Paul Kemp, Miguel Solis	3	Trimming	2022-11-30	17.91	53.73
Weeding flower beds	Paul Kemp, Miguel Solis	2	Hand Weeding	2022-12-01	12.22	24.44
Dog stations/trash	Jorge Montoya	1	Cleanup	2022-12-06	1.79	1.79
Walden drive berm	Jorge Montoya	1	Application	2022-12-06	2.16	2.16
Non selective	Jorge Montoya	1	Application	2022-12-05	8.08	8.08
Coconut monument	Jorge Montoya	1	Trimming	2022-12-05	0.05	0.05
Broadleaf	Jorge Montoya	1	Application	2022-12-06	1.25	1.25
Walden Center Drive	Paul Kemp, Jorge Montoya	4	Other	2022-12-06	3.18	12.72
Penny royal berm	Jorge Montoya	1	Application	2022-12-08	2.77	2.77
Awabuki	Jorge Montoya	1	Application	2022-12-07	2.49	2.49
41 Monument	Miguel Solis, Paul Kemp	7	Trimming	2022-11-30	14.98	104.86
Pennyroyal Berm	Paul Kemp	4	Trimming	2022-12-05	21.35	85.4
Pennyroyal berm	Paul Kemp	3	Trimming	2022-12-06	9.71	29.13
Greenview	Jorge Montoya	1	Hand Weeding	2022-12-06	24.18	24.18
Penny Colony	Paul Kemp	6	Trimming	2022-12-06	3.01	18.06
Sanctuary medians	Miguel Solis, Paul Kemp	4	Trimming	2022-12-06	4.89	19.56
Pine Straw	Paul Kemp	5	Other	2022-12-06	15.66	78.3
Turf spot treatment	Jorge Montoya	1	Application	2022-12-07	2.84	2.84
Gas up trucks	Jorge Montoya	1		2022-12-07	1.14	1.14

## Landing Production

Hangers	Paul Kemp	2	Trimming	2022-12-07	16.54	33.08
Main Gate	Paul Kemp	2	Cleanup	2022-12-07	0.53	1.06
Shop Trim	Paul Kemp	2	Trimming	2022-12-08	3.09	6.18
Crack and crevice	Jorge Montoya	1	Application	2022-12-08	2.76	2.76
Central Park	Paul Kemp	4	Trimming	2022-12-09	3.52	14.08
Flowers	Jorge Montoya	1	Application	2022-12-12	5.24	5.24
Flowering plants	Jorge Montoya	1	Application	2022-12-14	6.32	6.32
Crack and crevice	Jorge Montoya	1	Application	2022-12-13	4.99	4.99
Ficus	Jorge Montoya	1	Application	2022-12-13	1.09	1.09
Pick up fronds on coconut rd	Jorge Montoya	1	Cleanup	2022-12-14	2.13	2.13
Gas up vehicles	Jorge Montoya	1	Other	2022-12-14	1.28	1.28
Non selective	Jorge Montoya	1		2022-12-13	4	4
Spraying Annuals	Jorge Montoya	1	Application	2022-12-14	3.84	3.84
Dog stations/trash	Jorge Montoya	1	Cleanup	2022-12-15	2.77	2.77
Clean up shed	Jorge Montoya	2	Cleanup	2022-12-16	0.61	1.22
24705 Hollybrier Lane	Paul Kemp, Miguel Solis	4	Planting	2022-11-29	4.71	18.84
Mowing	D. Kucera	7	Mowing	2022-12-12	15.65	109.55
Walden Center	Paul Kemp	4	Trimming	2022-12-12	1.94	7.76
South Gate	Miguel Solis, Paul Kemp	3	Trimming	2022-12-07	6.81	20.43
South Gate	Paul Kemp	4	Trimming	2022-12-13	6.22	24.88
Bougainvillea	Paul Kemp	4	Trimming	2022-12-13	23.8	95.2
Pine Straw	Paul Kemp	5	Other	2022-12-13	1.93	9.65
Sanctuary Medians	Paul Kemp	2	Cleanup	2022-12-13	2.6	5.2
Pine Straw	Paul Kemp	4	Other	2022-12-14	4.49	17.96
Sanctuary Median	Paul Kemp	1	Cleanup	2022-12-14	0.69	0.69
Weeding annuals	Paul Kemp	2	Annuals	2022-12-13	10.94	21.88
Animal Crossing south	Paul Kemp	3	Planting	2022-12-14	4.21	12.63

## Landing Production

PLCA Cocoplum	Paul Kemp	6	Sight-lines	2022-12-14	4.18	25.08
PLCA Cocoplum	Paul Kemp	2	Sight-lines	2022-12-15	1.73	3.46
Round up colony blvd	Jorge Montoya	1	Application	2022-12-14	8.2	8.2
Dead shrubs removal	Jorge Montoya	1	Cleanup	2022-12-15	4.01	4.01
Bay Cedar Border	Paul Kemp	6	Trimming	2022-12-15	6.42	38.52
Hand pulling vines/weeds	Jorge Montoya	2	Hand Weeding	2022-12-15	0.97	1.94
Bay Cedar Border	Paul Kemp	2	Trimming	2022-12-16	4.02	8.04
Dog stations/trash	Jorge Montoya	2	Cleanup	2022-12-19	1.97	3.94
Selective	Jorge Montoya	1	Application	2022-12-19	3.03	3.03
Walden center	Jorge Montoya	2	Application	2022-12-20	2.09	4.18
Replace dog stations canoe park	Jorge Montoya	1	Other	2022-12-19	0.59	0.59
24721 Goldcrest	Miguel Solis, Paul Kemp	1	Cleanup	2022-12-19	0.41	0.41
Bay Cedar Circle	Paul Kemp, Miguel Solis	3	Cleanup	2022-12-13	12.49	37.47
Parkway medians	Paul Kemp	4	Trimming	2022-12-19	4.21	16.84
Goldcrest Drive	Paul Kemp	6	Trimming	2022-12-19	24.84	149.04
Tennis courts	Jorge Montoya	2	Application	2022-12-19	1.65	3.3
Capri area	Paul Kemp	2	Hardwoods	2022-12-19	13.97	27.94
Greenview dr berm	Jorge Montoya	2	Application	2022-12-19	4.13	8.26
41 & Pelican Colony	Paul Kemp	4	Trimming	2022-12-19	12.18	48.72
Pelicanlanding monuments	Jorge Montoya	2	Application	2022-12-21	17.31	34.62
Sweep	Paul Kemp	1	Cleanup	2022-12-22	7.52	7.52
Goldcrest west	Paul Kemp	4	Trimming	2022-12-22	7.74	30.96
Dog stations/trash	Jorge Montoya	2	Cleanup	2022-12-27	11.16	22.32
Lake mont east	Jorge Montoya	3		2022-12-27	2.08	6.24
Meters	Jorge Montoya	1	Other	2022-12-28	8.75	8.75

## Landing Production

Flowers	Jorge Montoya	1	Application	2022-12-29	6.93	6.93
Round up	Jorge Montoya	2	Weeds	2022-12-28	7	14
Walden Center, Drive	Paul Kemp	1		2022-12-29	2.07	2.07
Tennis course round up	Jorge Montoya	1	Application	2022-12-29	3	3
Dog stations/trash	Jorge Montoya	1	Cleanup	2022-12-29	1.17	1.17
Sandpiper greens	Paul Kemp	2	Trimming	2022-12-27	8.41	16.82
Goldcrest east	Paul Kemp	4	Trimming	2022-12-27	17.58	70.32
Goldcrest by Capri	Paul Kemp	4	Trimming	12/21/22 9:00 AM	7.91	31.64
Pennyroyal Berm	Miguel Solis, Paul Kemp	4	Trimming	2022-12-29	13.17	52.68
Tennis Center	Miguel Solis, Paul Kemp	2	Hardwoods	2022-12-29	8.75	17.5
The Ridge	Paul Kemp	4	Trimming	2022-12-21	6.56	26.24
Tennis center	Paul Kemp	1	Planting	12/6/22 10:30 AM	0.6	0.6
Bay Cedar Border Ficus South	Jorge Montoya, Miguel Solis, Paul Kemp	5	Cleanup	2022-12-07	31.25	156.25
				<b>11-28 to 12-29</b>	<b>693.21</b>	<b>2224.74</b>



## Updates

Item Name	User	Created At	Update Content
<b>Pelican landing/flowers</b>	Jorge Montoya	28/November/2022 07:19:59 AM	Fungicide/insecticide
<b>Turf</b>	Jorge Montoya	28/November/2022 10:24:43 AM	Brown Patch
<b>Non-selective/spot treatment</b>	Jorge Montoya	28/November/2022 02:13:08 PM	Pelican colony., waterside,pennyroyal
<b>Non-selective/spot treatment</b>	Jorge Montoya	01/December/2022 01:56:06 PM	Pine water ,the ridge,mystic ridge,pelican nest westside
<b>3480 Cedar Lake Ct.</b>	Paul Kemp	28/November/2022 03:19:32 PM	Debris on berm inside needs to be removed.
<b>3480 Cedar Lake Ct.</b>	Miguel Solis	28/November/2022 03:44:11 PM	
<b>24705 Hollybrier Lane</b>	Paul Kemp	28/November/2022 04:19:40 PM	The bushes along the street next to our house need to be replaced as they are bare.
<b>24705 Hollybrier Lane</b>	Paul Kemp	29/November/2022 08:09:38 AM	Need to trim existing Arbicola to fill-in new ones in between maybe 15 plants.
<b>Meters route B</b>	Jorge Montoya	30/November/2022 07:18:53 AM	Clara's going solo.
<b>Bay Cedar</b>	Paul Kemp	01/December/2022 10:10:53 AM	Trimming arbicolas
<b>41 Monument</b>	Paul Kemp	30/November/2022 01:28:01 PM	Trim the Ficus and lower the top.
<b>Pennyroyal Berm</b>	Paul Kemp	30/November/2022 01:28:51 PM	Trimming the Ficus at the top of the berm.
<b>Coconut Rd &amp; N Commons</b>	Paul Kemp	30/November/2022 01:29:58 PM	Trimming the Arbicola outside the fence.
<b>Greenview Dr</b>	Paul Kemp	30/November/2022 01:30:45 PM	Trimming the Ficus at the top of the berm.
<b>Coconut monument</b>	Jorge Montoya	01/December/2022 07:23:20 AM	Standing ficus on sw corner.
<b>Bay cedar</b>	Paul Kemp	01/December/2022 10:09:06 AM	Trimming fence line.
<b>Silver thorns</b>	Jorge Montoya	01/December/2022 03:58:09 PM	Berm by tennis courts, gold crest, bay cedar, water side, longlake
<b>Non selective</b>	Jorge Montoya	05/December/2022 07:17:09 AM	Pelican nest drive,weeds.
<b>Non selective</b>	Jorge Montoya	05/December/2022 04:11:05 PM	Us 41,Pine water,pelicanlanding Pkwy, burnt pine. Spray non selective
<b>Coconut monument</b>	Jorge Montoya	05/December/2022 01:10:49 PM	Assist ronald with ficus.
<b>Walden drive berm</b>	Jorge Montoya	06/December/2022 06:59:50 AM	Turf brown patch
<b>Pennyroyal berm</b>	Paul Kemp	06/December/2022 07:21:47 AM	Trimming ficus at the top of the berm.
<b>Penny Colony</b>	Paul Kemp	06/December/2022 08:32:16 AM	Trim bushes to improve the sights lines on the intersection of Pennyroyal and Pelican Colony Boulevard.

## Updates

<b>Pine Straw</b>	Paul Kemp	06/December/2022 08:33:17 AM	Fill in the spots missed by contractor.
<b>Pine Straw</b>	Paul Kemp	06/December/2022 08:33:39 AM	The Tides
<b>Pine Straw</b>	Paul Kemp	06/December/2022 08:39:51 AM	Across from Sandpiper Isle
<b>Pine Straw</b>	Paul Kemp	06/December/2022 09:10:21 AM	Heron Point
<b>Pine Straw</b>	Paul Kemp	06/December/2022 09:11:30 AM	Black Rush
<b>Pine Straw</b>	Paul Kemp	06/December/2022 09:11:37 AM	Catbrier
<b>Pine Straw</b>	Paul Kemp	06/December/2022 09:11:57 AM	Wax Myrtle
<b>Pine Straw</b>	Paul Kemp	06/December/2022 09:12:24 AM	Pinewater Circle
<b>Pine Straw</b>	Paul Kemp	06/December/2022 09:13:17 AM	Sanctuary medians, berm
<b>Greenview</b>	Jorge Montoya	06/December/2022 09:10:19 AM	Hand pulling weeds jasmine
<b>Tennis center</b>	Paul Kemp	15/December/2022 06:19:32 AM	Plant 40 Flax Lilies in the medians, Podacarpus around the courts
<b>Tennis center</b>	Paul Kemp	16/December/2022 12:39:14 PM	Plant Podacarpus on west courts.
<b>Tennis center</b>	Miguel Solis	06/December/2022 11:26:10 AM	We are going to need 40 Flax Lily (1 Gallon)
<b>Tennis center</b>	Paul Kemp	12/January/2023 06:57:57 AM	Planted 40 Flax Lilly and 12 podacarpus. Need 10 more podacarpus.
<b>Broadleaf</b>	Jorge Montoya	06/December/2022 12:31:11 PM	Greenview, pelican nest,
<b>Walden Center Drive</b>	Paul Kemp	06/December/2022 12:37:40 PM	Please temporarily stand up the fallen fence, where possible.
<b>Walden Center Drive</b>	Jorge Montoya	07/December/2022 12:49:04 PM	Children's park area
<b>Walden Center Drive</b>	Jorge Montoya	07/December/2022 02:00:44 PM	Fence on Walden Dr complete.
<b>Sanctuary medians</b>	Paul Kemp	06/December/2022 02:01:15 PM	Please trim the bougainvilleas and collect any brown palm fronds.
<b>Pennyroyal Berm</b>	Paul Kemp	07/December/2022 06:49:39 AM	Trimming the fence line at the top of the berm.
<b>Pennyroyal Berm</b>	Paul Kemp	08/December/2022 07:22:02 AM	Children's Park area toward Parkway
<b>Hangers</b>	Paul Kemp	07/December/2022 07:21:48 AM	Trimming off hangers and hardwoods over roadways.
<b>Hangers</b>	Paul Kemp	09/December/2022 10:37:00 AM	Pull Hong Kong stumps from the Sanctuary medians.
<b>Main Gate</b>	Paul Kemp	07/December/2022 07:48:40 AM	Remove fallen Tab.

## Updates

<b>Turf spot treatment</b>	Jorge Montoya	07/December/2022 08:36:13 AM	Brown patch and webworms .
<b>Bay Cedar Border Ficus South</b>	Paul Kemp	07/December/2022 08:50:30 AM	Handle ficus along homes, blown over by lan.
<b>South Gate</b>	Paul Kemp	08/December/2022 07:23:29 AM	Trim the bushes in the medians
<b>South Gate</b>	Paul Kemp	09/December/2022 10:35:08 AM	Trim the medians, inside and out.
<b>Awabuki</b>	Jorge Montoya	07/December/2022 03:53:22 PM	Iron insecticide ,brown spot
<b>Crack and crevice</b>	Jorge Montoya	08/December/2022 12:43:23 PM	Non selective, starting with the cul-de-sacs.
<b>Flowers</b>	Jorge Montoya	08/December/2022 03:33:09 PM	Fertilizer 14-14-14 PLUS snail bait.
<b>Ficus</b>	Jorge Montoya	08/December/2022 03:34:40 PM	Thrips and iron.
<b>Ficus</b>	Jorge Montoya	14/December/2022 09:20:07 AM	Coconut monument, tides,coconut road
<b>Crack and crevice</b>	Jorge Montoya	08/December/2022 03:40:08 PM	Non selective cul-de-sacs continuation.
<b>Crack and crevice</b>	Jorge Montoya	13/December/2022 02:51:05 PM	Crack and crevice includes sidewalks,crossings, curbside, drainage, paver
<b>Flowering plants</b>	Jorge Montoya	08/December/2022 03:38:17 PM	20-20-20 + insecticide.
<b>Flowering plants</b>	Jorge Montoya	12/December/2022 03:28:09 PM	Flowering plants, pelican colony blvd,the tides,Walden dr,heron point,waterside, central fountain, burnt pine, pelican nest dr,
<b>Flowering plants</b>	Jorge Montoya	13/December/2022 09:51:18 AM	Flowering plants, US41 rock features, Greenview, bay creek,canoe park,Park, ridge,mystic ridge,gold crest, bay cedar,
<b>Dog stations/ trash</b>	Jorge Montoya	15/December/2022 11:14:34 AM	Alina sub.
<b>Central Park</b>	Paul Kemp	09/December/2022 10:36:03 AM	Arbicolas are encroaching on the pygmy date palms. Trim the bougainvillea tips.
<b>Walden Center</b>	Paul Kemp	15/December/2022 06:21:01 AM	Trimming the fenceline across from the PLCA
<b>Walden Center</b>	Paul Kemp	16/December/2022 12:35:10 PM	Trimming the fenceline across from the PLCA
<b>South Gate</b>	Paul Kemp	15/December/2022 06:21:33 AM	Trimming the entry medians
<b>Community Park</b>	Paul Kemp	13/December/2022 10:14:43 AM	Trim the Palmettos
<b>Bay Cedar Circle</b>	Paul Kemp	13/December/2022 10:17:35 AM	Pull the dead plants and stumps, smooth out and till. Make ready for new plants.
<b>Bay Cedar Circle</b>	Paul Kemp	16/December/2022 12:36:57 PM	Need to return with a stump grinder and a tiller.

## Updates

<b>Bay Cedar Circle</b>	Paul Kemp	20/December/2022 08:46:09 AM	Please return with stump grinder and tiller.
<b>Bougainvillea</b>	Paul Kemp	13/December/2022 01:35:02 PM	Trimming Bougainvillea around the south gate and the 41 rock feature.
<b>Pine Straw</b>	Paul Kemp	13/December/2022 02:09:41 PM	Capri, North Gate, Waterside, Walden Center
<b>Sanctuary Medians</b>	Paul Kemp	13/December/2022 02:11:17 PM	Pulling out 7 Hong Kong Stumps from lan
<b>Non selective</b>	Jorge Montoya	13/December/2022 03:23:16 PM	Round up coconut road
<b>Non selective</b>	Jorge Montoya	14/December/2022 03:53:12 PM	Coconut road and spring creek rd complete.
<b>Weeding annuals</b>	Paul Kemp	13/December/2022 04:02:30 PM	Hand weed the flower beds
<b>Sanctuary Median</b>	Paul Kemp	14/December/2022 07:27:54 AM	Rolando chipping in, pulling Hong Kong stumps.
<b>Pine Straw</b>	Paul Kemp	14/December/2022 07:29:26 AM	Walden Center. Waterside
<b>PLCA Cocoplum</b>	Paul Kemp	14/December/2022 08:22:26 AM	Sightline - Trim the Cocoplum bordering the sidewalk.
<b>Animal Crossing south</b>	Paul Kemp	15/December/2022 06:24:57 AM	Planting grasses
<b>Spraying Annuals</b>	Jorge Montoya	14/December/2022 04:07:24 PM	Insecticide, fungicide
<b>Round up colony blvd</b>	Jorge Montoya	14/December/2022 04:10:29 PM	In-between shrubs
<b>Round up colony blvd</b>	Jorge Montoya	15/December/2022 08:05:57 AM	Jahova round up training
<b>PLCA Cocoplum</b>	Paul Kemp	15/December/2022 06:23:16 AM	along the sidewalk
<b>Hand pulling vines/weeds</b>	Jorge Montoya	15/December/2022 01:20:48 PM	To windy to spray.
<b>Hand pulling vines/weeds</b>	Paul Kemp	15/December/2022 01:50:42 PM	Please check the berm near the Sanctuary entrance.
<b>Bay Cedar Border</b>	Paul Kemp	15/December/2022 01:48:57 PM	Trimming at the north end.
<b>Dead shrubs removal</b>	Jorge Montoya	15/December/2022 03:13:34 PM	Cocoplum, north gate
<b>Dead shrubs removal</b>	Jorge Montoya	15/December/2022 03:22:50 PM	2 plants
<b>Clean up shed</b>	Jorge Montoya	16/December/2022 10:25:33 AM	Put fertilizer away.
<b>Tennis courts</b>	Jorge Montoya	16/December/2022 10:15:46 AM	Round up/hand pulling weeds.
<b>Walden center</b>	Jorge Montoya	16/December/2022 10:18:36 AM	Round up/ hand pulling weeds
<b>Pelicanlanding monuments</b>	Jorge Montoya	16/December/2022 10:22:12 AM	Round up/pull weeds ,p/u debri

## Updates

<b>Selective</b>	Jorge Montoya	19/December/2022 07:47:23 AM	Broadleaf herbicide
<b>Goldcrest Drive</b>	Paul Kemp	19/December/2022 08:04:29 AM	Starting at the Colony South Gate working toward Bay Cedar , across the Tennis Center.
<b>Parkway medians</b>	Paul Kemp	19/December/2022 09:29:39 AM	Trimming arbutus
<b>Capri area</b>	Paul Kemp	19/December/2022 09:30:52 AM	Trimming live oaks.
<b>Greenview dr berm</b>	Jorge Montoya	19/December/2022 11:33:20 AM	Round up/pull vines
<b>41 &amp; Pelican Colony</b>	Paul Kemp	19/December/2022 12:21:21 PM	Trimming the bushes at the monuments.
<b>24721 Goldcrest</b>	Paul Kemp	19/December/2022 02:04:21 PM	Resident is reporting there is hurricane debris still "on the side of her house." Please have Rigo collect any debris that is on CDD property.
<b>24721 Goldcrest</b>	Paul Kemp	21/December/2022 12:53:32 PM	@Miguel Solis
<b>24721 Goldcrest</b>	Miguel Solis	21/December/2022 01:59:56 PM	
<b>The Ridge</b>	Paul Kemp	21/December/2022 07:40:04 AM	Trimming around the golf crossing
<b>Goldcrest by Capri</b>	Paul Kemp	21/December/2022 02:15:07 PM	Trimming on the east side of Goldcrest, starting south of Bay Cedar, working north.
<b>Goldcrest west</b>	Paul Kemp	24/December/2022 09:21:17 AM	Trimming arbutus
<b>Goldcrest east</b>	Paul Kemp	27/December/2022 07:15:25 AM	Trimming the coco plum at palm colony south.
<b>Lake mont east</b>	Jorge Montoya	27/December/2022 10:41:30 AM	Pull weeds in juniper/ round up
<b>Sandpiper greens</b>	Paul Kemp	27/December/2022 11:46:01 AM	Palmetto's across need to be trimmed off the sidewalk.
<b>Round up</b>	Jorge Montoya	28/December/2022 07:16:45 AM	Pelican landing area
<b>Round up</b>	Jorge Montoya	28/December/2022 07:17:03 AM	Pelican nest
<b>Tennis Center</b>	Paul Kemp	28/December/2022 08:14:08 AM	Rolando and Elirey can trim the oak trees in the medians.
<b>Pennyroyal Berm</b>	Paul Kemp	29/December/2022 07:17:24 AM	Please trim the Copperleaf only
<b>Walden Center, Drive</b>	Paul Kemp	29/December/2022 09:53:40 AM	Trim along the sidewalk behind Heron Cove
<b>Walden Center, Drive</b>	Miguel Solis	29/December/2022 02:08:38 PM	

**BAYSIDE IMPROVEMENT  
AND BAY CREEK  
COMMUNITY DEVELOPMENT DISTRICTS**

**STAFF  
REPORTS  
BII**

**BAYSIDE IMPROVEMENT COMMUNITY DEVELOPMENT DISTRICT  
AND  
BAY CREEK COMMUNITY DEVELOPMENT DISTRICT**

**BOARDS OF SUPERVISORS FISCAL YEAR 2022/2023 JOINT MEETING SCHEDULE**

**LOCATION**

*Pelican Landing Community Center, 24501 Walden Center Drive, Bonita Springs, Florida 34134*

<b>DATE</b>	<b>POTENTIAL DISCUSSION/FOCUS</b>	<b>TIME</b>
<b>October 24, 2022</b>	<b>Regular Meeting</b>	<b>2:00 PM</b>
<b>December 5, 2022</b>	<b>Regular Meeting</b>	<b>2:00 PM</b>
<b>January 23, 2023</b>	<b>Regular Meeting</b>	<b>2:00 PM</b>
<b>February 27, 2023</b>	<b>Regular Meeting</b>	<b>2:00 PM</b>
<b>March 27, 2023</b>	<b>Regular Meeting</b>	<b>2:00 PM</b>
<b>April 24, 2023</b>	<b>Regular Meeting</b>	<b>2:00 PM</b>
<b>May 22, 2023</b>	<b>Regular Meeting</b>	<b>2:00 PM</b>
<b>June 26, 2023</b>	<b>Regular Meeting</b>	<b>2:00 PM</b>
<b>July 14, 2023</b>	<b>Budget Workshop</b>	<b>9:00 AM</b>
<b>July 24, 2023</b>	<b>Regular Meeting</b>	<b>2:00 PM</b>
<b>August 28, 2023</b>	<b>Public Hearing &amp; Regular Meeting</b>	<b>2:00 PM</b>
<b>September 25, 2023</b>	<b>Regular Meeting</b>	<b>2:00 PM</b>