

**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 May 19, 2025 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/84137772934>, or via conference call at 1-929-205-6099, Meeting ID: 841 3777 2934 for both.

Present for Bayside Improvement CDD:

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

Present for Bay Creek CDD:

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

Also present:

Chuck Adams	District Manager
Cleo Adams	District Manager
Greg Urbancic (via phone/Zoom)	District Counsel
Wes Kayne (via phone/Zoom)	District Engineer
Paul Kemp	Field Manager
Andy Nott	Superior Waterway
Debbie McKenna (via phone/Zoom)	Resident/PLCA Board President
Paula Rush	Resident/PLCA Treasurer and Board Liaison
Cheryl Hughes	Resident/Pelican Landing Landscape Committee Chair

Members of the public

FIRST ORDER OF BUSINESS

Call to Order/Phone Silent Mode/Pledge of Allegiance

Mr. McCarthy called the meeting to order at 2:00 p.m. All present recited the Pledge of Allegiance.

SECOND ORDER OF BUSINESS**Roll Call**

All Supervisors were present for both CDDs.

THIRD ORDER OF BUSINESS**Public Comments: Agenda Items**

No members of the public spoke.

JOINT BUSINESS ITEM(S)**FOURTH ORDER OF BUSINESS****Staff Report: District Engineer – Barraco and Associates, Inc.**

There was no report.

Mr. Janek asked why a survey crew has been on Greenview Drive over the last four of five days. Mr. McCarthy stated it is a PLCA matter.

FIFTH ORDER OF BUSINESS**Treatment Report: April 2025 - Superior Waterway Services, Inc. (Andy Nott)**

Mr. Nott presented the monthly Treatment Report and reported the following.

- Lakes A19 and A20 are almost going dry; the lakes were treated to remove undesirable plant material, due to low water levels, and will be treated again.
- Irrigation Lake E-8 was treated for submersed weeds and will be treated as needed. The lake looks a lot better.
- Crews raked Lake E-15 to remove exposed plant material due to low water levels, which might need to be repeated if the water levels continue to recede.

SIXTH ORDER OF BUSINESS**Committee Reports**

Mr. Cramer introduced new PLCA President Debbie McKenna, who is attending via zoom.

A. PLCA Landscape Committee

Ms. Hughes stated that the Pennyroyal berm work was suspended pending further direction from its new Board Member, who has a master's in Landscape Architecture, to ensure

the PLCA is moving in the correct direction, which might involve updating all the circles. The Committee hopes to finalize its decisions at the next meeting and implement plans by July 1, 2025, subject to receiving Mr. Kemp's permission.

Discussion ensued regarding the plans to fill in missing plants at Bay Creek Pelican Nest Drive, determining which projects are PLCA or Bay Creek CDD expenditures, considering other projects at Bay Cedar and Pepper Mill, the Committee's less expensive way to purchase and install plants since the new Board Member can purchase materials at wholesale prices, and working closely with Mr. Kemp to direct these projects.

Mr. Kemp stated that most projects are delayed, due to the lack of rain and concerns that new plantings will not survive.

Mr. Cramer questioned if purchasing materials at wholesale prices might be a conflict of interest when it comes to obtaining bids. Ms. Hughes stated that was already discussed with District Management and it is a work in progress.

Mr. McCarthy stated the Special Magistrate for Code Enforcement determined at the May 15, 2025 hearing that the lighting fixtures at the Tides homes are non-compliant and they have until June 19, 2025 to bring them into compliance.

B. Colony Landscape Committee

Ms. Gravenhorst distributed and presented The Colony Landscape Committee Report. She noted the following:

- The Colony Foundation Board formally thanked Mr. Nicholson for his years of service on the CDD Board and contributions to the CDD over the last ten years.
- The Colony advised Mr. Loos that it will not monitor all the stormwater systems until next year and is asking for inspections to be conducted every two years instead of every three years, due to failures in Addison and at Palermo Pelican Colony Boulevard.

Mrs. Adams stated that stormwater inspections are on a three-year rotation cycle. The Colony's systems were inspected and cleaned in 2023 and major repairs were completed in 2024 and 2025. Phases 1 and 2 were cleaned in 2022 and are due again this year, but the budget is depleted. Regarding budget, Mr. Adams stated he will secure proposals, for budgeting purposes, and discuss potential changes at the upcoming Budget Workshop.

Discussion ensued regarding if CDD policies should change, The Colony possibly budgeting \$6,000 to inspect the system, areas already identified in Longlake that need to be addressed, and the PLCA engaging a contractor to clean catch basins before the storm season begins.

SEVENTH ORDER OF BUSINESS

Consideration of Resolutions Approving the Districts' Proposed Budgets for Fiscal Year 2025/2026 and Setting a Public Hearing Thereon Pursuant to Florida Law; Addressing Transmittal, Posting and Publication Requirements; Addressing Severability; and Providing an Effective Date

- A. Resolution 2025-02, Bayside Improvement Community Development District**
- B. Resolution 2025-04, Bay Creek Community Development District**

Mr. Urbancic pointed out there is a revised agenda that shows Section 3 of both Resolutions were revised to indicate the Fiscal Year 2026 Proposed Budget will be submitted to the City of Bonita Springs and Lee County, rather than just to the City.

On MOTION for Bayside by Mr. Cramer and seconded by Ms. Montgomery, with all in favor, Resolution 2025-02, Approving the Districts' Proposed Budgets for Fiscal Year 2025/2026 and Setting a Public Hearing Thereon Pursuant to Florida Law for August 25, 2025 at 2:00 p.m., at the Pelican Landing Community Center, 24501 Walden Center Drive, Bonita Springs, Florida 34134; Addressing Transmittal, Posting and Publication Requirements; Addressing Severability; and Providing an Effective Date, was adopted.

On MOTION for Bay Creek by Ms. McVay and seconded by Mr. Addison, with all in favor, Resolution 2025-04, approving the Districts' Proposed Budgets for Fiscal Year 2025/2026 and Setting a Public Hearing Thereon Pursuant to Florida Law for August 25, 2024 at 2:00 p.m., at the Pelican Landing Community Center, 24501 Walden Center Drive, Bonita Springs, Florida 34134; Addressing Transmittal, Posting and Publication Requirements; Addressing Severability; and Providing an Effective Date, was adopted.

EIGHTH ORDER OF BUSINESS

Consideration of Resolutions Designating Dates, Times and Locations for Joint Regular Meetings of the Board of Supervisors of the District for Fiscal Year 2025/2026 and Providing for an Effective Date

- A. Resolution 2025-03, Bayside Improvement Community Development District**
- B. Resolution 2025-05, Bay Creek Community Development District**

On MOTION for Bayside by Ms. Gravenhorst and seconded by Ms. Montgomery, with all in favor, Resolution 2025-03, Designating Dates, Times and Locations for Joint Regular Meetings of the Board of Supervisors of the District for Fiscal Year 2025/2026 and Providing for an Effective Date, was adopted.

On MOTION for Bay Creek by Ms. McVay and seconded by Mr. Travers, with all in favor, Resolution 2025-05, Designating Dates, Times and Locations for Joint Regular Meetings of the Board of Supervisors of the District for Fiscal Year 2025/2026 and Providing for an Effective Date, was adopted.

NINTH ORDER OF BUSINESS**Consideration of Superior Waterway Services, Inc. Quotation/Proposal for Littoral Planting of Lake A-16**

Mrs. Adams recalled Mr. McCarthy's request for a proposal for Lake A-16. She emailed Mr. Jason Zimmerman and a response is pending as to whether it will interfere with play and, if not, it will be scheduled. The project would not commence until the rainy season.

Ms. McVay asked if the lake behind her residence is being tested for salinity. Mr. Adams stated he will put it on the list.

TENTH ORDER OF BUSINESS**Discussion: Proposal for Lining 24' Pipe (Palermo Project) 2025/2026 Budget Consideration**

Mr. Adams stated the recommendation is to install the liner instead of cutting out and replacing the broken section of pipe, which costs about the same. This is a capital improvement, non-budgeted expense specific to the Bayside CDD. Mr. Cramer asked for the amount to be increased to offset any unknown contingencies in the proposal.

On MOTION for Bayside by Mr. Nicholson and seconded by Mr. Cramer, with all in favor, the MRI UV CIPP Reline Pipe Company, LLC Proposal for Lining 24' Pipe for the Palermo Project, in a not-to-exceed amount of \$42,000, was approved.

ELEVENTH ORDER OF BUSINESS**Presentation of Monthly Year-End Financial Forecast (under separate cover)**

The Monthly Year-End Financial Forecast was distributed and discussed in conjunction with the Unaudited Financial Statements.

TWELFTH ORDER OF BUSINESS**Acceptance of Unaudited Financial Statements as of April 30, 2025**

Mr. Durney stated he thinks the utility billing processing cost is high. Mr. Adams stated the CDDs contracted with other entities to do the billing. An additional expense was incurred to add an increase escalator rate. He will research it further.

Regarding plans to switch to a different type of mulch and related budget changes, Mr. Adams stated the CDD Boards must decide what to do and obtain approval from the PLCA Board and the Architectural Review Committee (ARC), as the CDDs only maintains that landscaping.

Mr. Durney asked Staff to investigate other electrical repair contractors, given Bentley Electric's workload. Mr. Kemp stated it is difficult to find contractors that rival Bentley Electric.

The financials were accepted.

THIRTEENTH ORDER OF BUSINESS**Approval of April 28, 2025 Joint Regular Meeting Minutes**

On MOTION for Bay Creek by Mr. Durney and seconded by Mr. Janek, with all in favor, the April 28, 2025 Joint Regular Meeting Minutes, as amended to include any changes submitted to Management, were approved.

On MOTION for Bayside by Ms. Montgomery and seconded by Mr. Nicholson, with all in favor, the April 28, 2025 Joint Regular Meeting Minutes, as amended to include any changes submitted to Management, were approved.

FOURTEENTH ORDER OF BUSINESS**Action/Agenda Items**

Items 3, 4, and 5 were completed.

FIFTEENTH ORDER OF BUSINESS**Old Business**

There was no old business.

SIXTEENTH ORDER OF BUSINESS**Staff Reports**

A. District Counsel: Coleman Yovanovich Koester, P.A. [Gregory Urbancic, Esq.]

Mr. Urbancic stated the legislative bills related to advertising and increasing sovereign immunity limits did not pass. He is monitoring other bills that might affect CDDs.

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

I. Monthly Status Report: Field Operations

II. NEXT MEETING DATE: June 23, 2025 at 2:00 PM

- **QUORUM CHECK: BAYSIDE IMPROVEMENT CDD**
- **QUORUM CHECK: BAY CREEK CDD**

All Bayside and Bay Creek Supervisors confirmed their attendance at the June 23, 2025 meeting. Supervisor Janek will participate by telephone.

SEVENTEENTH ORDER OF BUSINESS

Supervisors' Requests

Mr. McCarthy presented Mr. Nicholson with a plaque in recognition of his outstanding service to Bayside CDD. Those in attendance expressed appreciation.

Mr. Janek stated the monument lighting at Costa Del Sol is still not repaired.

Ms. Montgomery asked the Boards to start thinking about potential tariff impacts and increases to budget line items in advance of the budget season.

Ms. Gravenhorst asked if the Bayside meeting with the PLCA Board was scheduled. Mr. Adams stated he will coordinate with the PLCA General Manager.

Mr. Nicholson suggested buying a new or used grinder, which might result in a cost saving. Contracting the work was also suggested. Mr. Kemp will provide a proposal at the next meeting.

EIGHTEENTH ORDER OF BUSINESS

Public Comments: Non-Agenda Items

No members of the public spoke.

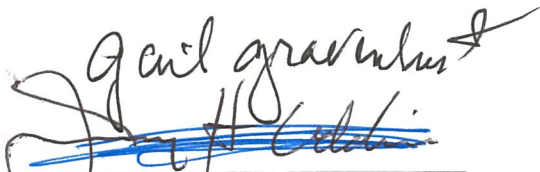
NINETEENTH ORDER OF BUSINESS

Adjournment

On MOTION for Bay Creek by Mr. Addison and seconded by Mr. Janek, with all in favor, the Bay Creek CDD meeting adjourned at 2:51 p.m.

On MOTION for Bayside by Ms. Montgomery and seconded by Ms. Gravenhorst, with all in favor, the Bayside Improvement CDD meeting adjourned at 2:51 p.m.

FOR BAYSIDE IMPROVEMENT:


Secretary/Assistant Secretary


Chair/Vice Chair

FOR BAY CREEK:


Secretary/Assistant Secretary


Chair/Vice Chair