

**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 Joint Public Hearings and a Joint Regular Meeting on September 11, 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>, and via conference call at 1-929-205-6099, Meeting ID: 841 3777 2934 for both.

Present for Bayside Improvement CDD:

Walter McCarthy	Chair
Bernie Cramer	Assistant Secretary
Gail Gravenhorst	Assistant Secretary
Karen Montgomery	Assistant Secretary

Present for Bay Creek CDD:

James Janek (via phone/Zoom)	Chair
Gary Durney	Assistant Secretary
Jerry Addison	Assistant Secretary
Mary McVay	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
Frank Savage (via phone/Zoom)	Barraco and Associates, Inc.
Jason Collins (via phone/Zoom)	IDSQ Engineering/City of Bonita Springs Contractor
Paul Kemp	Field Manager
Andy Nott	Superior Waterway Services, Inc.
Cheryl Hughes	Pelican Landing Landscape Committee Chair
Bill Dietz	Pelican Landing Eco Club Advisory Group
Ted Gravenhorst	Resident
Dean A. Francis	Resident
Bill Ribble	Resident
Bradley "Brad" Warne	Resident
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 2:01 p.m.

All present recited the Pledge of Allegiance.

SECOND ORDER OF BUSINESS

Roll Call

For Bay Creek CDD, Supervisors McVay, Durney, Addison were present. Supervisor Janek attended via zoom. Supervisor Travers was not present.

For Bayside Improvement CDD, Supervisors Montgomery, Cramer, McCarthy and Gravenhorst were present. One seat was vacant.

On MOTION for Bay Creek by Ms. McVay and seconded by Mr. Durney, with all in favor, authorizing Mr. Janek’s attendance and full participation via phone/Zoom, due to exceptional circumstances, was approved.

THIRD ORDER OF BUSINESS

Public Comments: Agenda Items

Resident Bill Riddle discussed his reasons for supporting the appointment of Cheryl Hughs to fill the vacant seat on the Bayside CDD Board, which he made in a prior meeting.

Resident Dean Francis offered to provide a PDF of the Florida Institute Hurricane Preparedness handbook and information on Star Links Internet Satellite Kit to post on the website. Mr. McCarthy directed him to contact the PLCA, since they are responsible for hurricane preparedness in coordination with the CDDs.

Resident Ted Gravenhorst asked for clarification regarding certain Fiscal Year 2026 Budget items. He echoed Mr. Riddle’s comments about appointing Ms. Hughs. He was asked to hold his comments on the budget until the public hearing.

JOINT BOARD ITEM(S)

FOURTH ORDER OF BUSINESS

Consideration of Resolutions Ratifying the Actions of the District Manager in Re-Setting the Date of the Fiscal Year 2025/2026 Budget Public Hearing; Providing a Severability Clause; and Providing an Effective Date

A. Resolution 2025-07, Bay Creek Community Development District

On MOTION for Bay Creek by Mr. Janek and seconded by Ms. McVay, with all in favor, Resolution 2025-07, Ratifying the Actions of the District Manager in Re-Setting the Date of the Fiscal Year 2025/2026 Budget Public Hearing; Providing a Severability Clause; and Providing an Effective Date, was adopted.

B. Resolution 2025-06, Bayside Improvement Community Development District

Mr. Adams stated it was necessary to reset the Public Hearing date, as the printer did not send the Bay Creek CDD mailed notices in a timely manner.

On MOTION for Bayside by Ms. Montgomery and seconded by Mr. McCarthy, with all in favor, Resolution 2025-06, Ratifying the Actions of the District Manager in Re-Setting the Date of the Fiscal Year 2025/2026 Budget Public Hearing; Providing a Severability Clause; and Providing an Effective Date, was adopted.

JOINT PUBLIC HEARING

FIFTH ORDER OF BUSINESS

Joint Public Hearing on Adoption of Fiscal Year 2025/2026 Budget

A. Proof/Affidavit of Publication

Mr. McCarthy asked if Mr. Urbancic reviewed the affidavit of publication for legal sufficiency. Mr. Adams replied affirmatively.

B. Consideration of Resolutions Relating to the Annual Appropriations and Adopting the Budget for the Fiscal Year Beginning October 1, 2025 and Ending September 30, 2026; Authorizing Budget Amendments; and Providing an Effective Date

Mr. McCarthy opened the Joint Public Hearing.

Resident Ted Gravenhorst asked how The Colony streetlighting project will be completed with only \$5,000 budgeted for Fiscal Year 2026. Mr. Adams stated funds were collected in Fiscal Year 2025. The project will be completed next week and expensed before September 30, 2025, except for 15 light poles, which will necessitate a Fiscal Year 2025 Budget Amendment.

Mr. Adams discussed budget items for culverts and drains, The Colony Revenues budget and converting the lighting to LED lights, changing the utility billing cost-share amounts based upon the actual bills, changing the rates to build up fund balance, preparing a Fiscal Year 2025 Budget Amendment and determining if other budget amounts are sufficient.

Mr. Adams was asked to implement a process with the PLCA to review all CDD-related communications before the PLCA sends. Ms. McVay asked Staff to have the PLCA Manager attend the next meeting.

Mr. McCarthy closed the Joint Public Hearing.

- I. Resolution 2025-08, Bay Creek Community Development District**
- II. Resolution 2025-07, Bayside Improvement Community Development District**

On MOTION for Bay Creek by Ms. McVay and seconded by Mr. Durney with all in favor, Resolution 2025-08, Relating to the Annual Appropriations and Adopting the Budget for the Fiscal Year Beginning October 1, 2025 and Ending September 30, 2026; Authorizing Budget Amendments; and Providing an Effective Date, was adopted.

On MOTION for Bayside by Mr. Cramer and seconded by Ms. Montgomery, with all in favor, Resolution 2025-07, Relating to the Annual Appropriations and Adopting the Budget for the Fiscal Year Beginning October 1, 2025 and Ending September 30, 2026; Authorizing Budget Amendments; and Providing an Effective Date, was adopted.

BAY CREEK CDD ITEMS

SIXTH ORDER OF BUSINESS

Public Hearing to Hear Comments and Objections on the Imposition of Special Assessments for Operational and Maintenance for Fiscal Year 2025/2026 Pursuant to Florida Law

- A. Proof/Affidavit of Publication**
- B. Mailed Notice(s)**
- C. Consideration of Resolution 2025-09, Making a Determination of Benefit and Imposing Special Assessments for Fiscal Year 2025/2026; Providing for the Collection and Enforcement of Special Assessments; Certifying an Assessment Roll; Providing for Amendments to the Assessment Roll; Providing a Severability Clause; and Providing an Effective Date**

Mr. McCarthy opened the Joint Public Hearing.

Mr. Adams stated the Bay Creek General Fund assessment increase is about \$73 per door. The Bayside CDD assessment increase is \$13.23 per door plus an additional \$6.78 increase per door for Common and Administration costs.

Mr. McCarthy closed the Joint Public Hearing.

On MOTION for Bay Creek by Ms. McVay and seconded by Mr. Addison, with all in favor, Resolution 2025-09, Making a Determination of Benefit and Imposing Special Assessments for Fiscal Year 2025/2026; Providing for the Collection and Enforcement of Special Assessments; Certifying an Assessment Roll; Providing for Amendments to the Assessment Roll; Providing a Severability Clause; and Providing an Effective Date, was adopted.

BAYSIDE IMPROVEMENT CDD ITEMS

SEVENTH ORDER OF BUSINESS

Consideration of Resolution 2025-08, Making a Determination of Benefit and Imposing Special Assessments for Fiscal Year 2025/2026; Providing for the Collection and Enforcement of Special Assessments; Certifying an Assessment Roll; Providing for Amendments to the Assessment Roll; Providing a Severability Clause; and Providing an Effective Date

On MOTION for Bayside by Ms. Montgomery and seconded by Mr. Cramer, with all in favor, Resolution 2025-08, Making a Determination of Benefit and Imposing Special Assessments for Fiscal Year 2025/2026; Providing for the Collection and Enforcement of Special Assessments; Certifying an Assessment Roll; Providing for Amendments to the Assessment Roll; Providing a Severability Clause; and Providing an Effective Date, was adopted.

EIGHTH ORDER OF BUSINESS

Consider Appointment of Qualified Elector to Fill Unexpired Term of Seat 5; Term Expires November 2028

Mr. Cramer nominated Brad Warne to fill Seat 5. The motion died due to lack of a second.

Ms. Montgomery nominated Dean A. Francis to fill Seat 5. The motion died due to lack of a second.

Ms. Gravenhorst nominated Cheryl Hughes to fill Seat 5.

No other nominations were made.

On MOTION for Bayside by Ms. Gravenhorst and seconded by Mr. McCarthy, with Ms. Gravenhorst and Mr. McCarthy in favor and Mr. Cramer and Ms. Montgomery dissenting, the appointment of Cheryl Hughes to fill Seat 5, was not approved. [Motion failed 2-2]

Board Members discussed their nominations and belief that all three candidates are qualified and bring unique skills and knowledge.

- A. Dean A. Francis**
- B. Cheryl Hughes**
- C. Brad Wayne**

The consensus was to re-send an e-blast in November advising of the open Board seat for consideration at the December meeting.

NINTH ORDER OF BUSINESS

Administration of Oath of Office to Newly Elected Supervisor (the following to be provided in separate package)

This item was deferred.

- A. Required Ethics Training and Disclosure Filing**
 - **Sample Form 1 2023/Instructions**
- B. Membership, Obligations and Responsibilities**
- C. Guide to Sunshine Amendment Code of Ethics for Public Officers and Employees**
- D. Form 8B: Memorandum of Voting Conflict for County, Municipal and other Local Public Officers**

TENTH ORDER OF BUSINESS

Consideration of Resolution 2025-04, Electing and Removing Officers of the District and Providing for an Effective Date

This item was deferred.

JOINT BUSINESS ITEM(S)

ELEVENTH ORDER OF BUSINESS

Staff Report: District Engineer – Barraco and Associates, Inc.

- **Consideration of National Pollutant Discharge Elimination System (NPDES) Inspection Report**

This item was an addition to the agenda.

This item was deferred.

Mr. Kayne introduced his colleague Frank Savage, and Jason Collins, of IDSQ Engineering, who is the contractor for the City of Bonita Springs. He shared the City of Bonita Springs’ Traffic and Improvement Project at Pelican Landing Parkway and US 41. The South Florida Water Management District (SFWMD) will require an authorization from the CDD or Letter of No Objection to proceed with the minor modification to the SFWMD stormwater permit.

Ms. McVay voiced her opinion that the proposed improvements are a terrible idea that will cause additional traffic delays accessing the Publix shopping center.

Discussion ensued regarding the project scope and effect on the current traffic patterns.

On MOTION for Bayside by Ms. Montgomery and seconded by Mr. Cramer, with all in favor, the consent to allow change to the Environmental Resource Permit for Parkway and Roadway Improvements by the City and Florida Department of Transportation (FDOT), acknowledging strong reservations about the design and impact on residents of Pelican Landing and the general community, was approved.

TWELFTH ORDER OF BUSINESS

Treatment Report: August 2025 - Superior Waterway Services, Inc. (Andy Nott)

Mr. Nott presented the monthly Treatment Report

- **Water Testing Results**

Mr. Nott distributed and presented the Water Quality Testing Results; the numbers are consistent with prior years. E. coli levels in Lakes A-16 and A-17 were no longer detectable. Ms. McVay asked about testing the salinity levels in order to plant littorals. Mr. Nott stated the levels are relatively safe for the project.

Resident and Pelican Landing Eco Club Advisory Group Member Bill Dietz expressed his opinion that the data looks really good and there is a big difference in the numbers.

Discussion ensued regarding the higher levels of total nitrogen and phosphorous, some of which is due to runoff from the golf course.

- **Discussion: Easement Access Concerns/Locations**

Mr. Adams stated he and Mr. Nott will prioritize the list and sending letters to homeowners outlining difficulty treating certain lakes due to limited access.

Discussion ensued regarding a Report on the rapid rise in Parkinson disease diagnosis’ in the country and the possible direct correlation with golf course chemicals, and improving communication with residents regarding easements.

THIRTEENTH ORDER OF BUSINESS

Committee Reports

A. PLCA Landscape Committee

Ms. Hughes stated The PLCA BOD approved funding for several projects, including the Bay Ceder Project, the Peppermill berm project, and the north gate area near the entry gate and Waterside entrance. The new Pennyroyal berm project is underway. The hope is to complete all projects before season starts. It was noted that the Bay Ceder Project is 95% completed.

B. Colony Landscape Committee

The Colony Landscape Committee Report was included for informational purposes.

FOURTEENTH ORDER OF BUSINESS

Consideration of Goals and Objectives Reporting FY2026 [HB7013 - Special Districts Performance Measures and Standards Reporting]

Mr. Adams presented the Goals and Objectives Reporting Fiscal Year 2026 Performance Measures and Standards. As the District Engineer’s Annual Inspection of the infrastructure and related systems is pending, it will be necessary to authorize the Chair to approve the findings related to the 2025 Goals and Objectives.

On MOTION for Bayside by Ms. Montgomery and seconded by Mr. Cramer, with all in favor, the Goals and Objectives Reporting Fiscal Year 2026 Performance Measures and Standards, were approved.

On MOTION for Bay Creek by Ms. McVay and seconded by Mr. Addison, with all in favor, the Goals and Objectives Reporting Fiscal Year 2026 Performance Measures and Standards, were approved.

A. Bayside Improvement Community Development District

- Authorization of Chair to Approve Findings Related to 2025 Goals and Objectives Reporting**

On MOTION for Bayside by Ms. Montgomery and seconded by Mr. Cramer, with all in favor, authorizing the Chair to approve the findings related to the 2025 Goals and Objectives Reporting, were approved.

B. Bay Creek Community Development District

- **Authorization of Chair to Approve Findings Related to 2025 Goals and Objectives Reporting**

On MOTION for Bay Creek by Ms. McVay and seconded by Mr. Addison, with all in favor, authorizing the Chair to approve the findings related to the 2025 Goals and Objectives Reporting, were approved.

FIFTEENTH ORDER OF BUSINESS

Consideration of Resolutions Declaring Certain Tangible Personal Property Surplus Equipment and Authorizing the District Manager to Sell or Dispose of Said Equipment as Expediently as Possible and Providing for an Effective Date

- A. Resolution 2025-10, Bay Creek Community Development District**

On MOTION for Bay Creek by Ms. McVay and seconded by Mr. Durney, with all in favor, Resolution 2025-10, Declaring Certain Tangible Personal Property Surplus Equipment and Authorizing the District Manager to Sell or Dispose of Said Equipment as Expediently as Possible and Providing for an Effective Date, was adopted.

- B. Resolution 2025-09, Bayside Improvement Community Development District**

On MOTION for Bayside by Ms. Gravenhorst and seconded by Mr. Cramer, with all in favor, Resolution 2025-09, Declaring Certain Tangible Personal Property Surplus Equipment and Authorizing the District Manager to Sell or Dispose of Said Equipment as Expediently as Possible and Providing for an Effective Date, was adopted.

SIXTEENTH ORDER OF BUSINESS

Acceptance of Unaudited Financial Statements as of July 31, 2025

The Monthly Year-End Forecast will be presented at the September 22, 2025 meeting.

The financials were accepted.

SEVENTEENTH ORDER OF BUSINESS

Approval of Minutes

- A. July 18, 2025 Joint Budget Workshop**

On MOTION for Bay Creek by Ms. McVay and seconded by Mr. Durney, with all in favor, the July 18, 2025 Joint Budget Workshop Meeting Minutes, as presented, were approved.

On MOTION for Bay Creek by Mr. Addison and seconded by Ms. McVay, with all in favor, the July 28, 2025 Joint Regular Meeting Minutes, as presented, were approved.

B. July 28, 2025 Joint Regular Meeting

The following change was made later in the meeting:

Line 339: Change “Ms. Montgomery” to Ms. McVay”

On MOTION for Bayside by Ms. Montgomery and seconded by Ms. Gravenhorst, with all in favor, the July 18, 2025 Joint Budget Workshop Meeting Minutes, as amended, were approved.

On MOTION for Bayside by Ms. Montgomery and seconded by Mr. Cramer, with all in favor, the July 28, 2025 Joint Regular Meeting Minutes, as amended, were approved.

EIGHTEENTH ORDER OF BUSINESS

Action/Agenda Items

All items remain ongoing.

NINETEENTH ORDER OF BUSINESS

Old Business

There was no old business.

TWENTIETH ORDER OF BUSINESS

Staff Reports

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

There was no report.

Mr. McCarthy asked if publications and mailed notices for the public hearings were legally sufficient. Mr. Urbancic replied affirmatively; including the additional Mailed Notices to Bay Creek CDD property owners.

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

I. Monthly Status Report: Field Operations

II. UPCOMING MEETING DATES:

- **September 22, 2025 at 2:00 PM**
- **October 27, 2025 at 2:00 PM**

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

All Bayside and Bay Creek Supervisors present confirmed their attendance at the September 22, 2025 and October 27, 2025 meetings.

TWENTY-FIRST ORDER OF BUSINESS

Supervisors' Requests

Ms. McVay asked for the vines encroaching the Pelican Nest sidewalk to be trimmed.

Ms. Montgomery stated she did not make the request on Line 339 in the prior meeting minutes. It will be corrected to Ms. McVay.

Mr. Cramer voiced concern about using the beach parking lot as a staging area during hurricane season and suggested utilizing the parcel off Renaissance Drive.

Mr. McCarthy asked Ms. Hughes find out if there is interest duplicating the landscaping at the Coconut Row entrance by the Shadowood wooden bridge.

Ms. Gravenhorst asked for the timers that turn on the lights to be checked.

TWENTY-SECOND ORDER OF BUSINESS

Public Comments: Non-Agenda Items

No members of the public spoke.

TWENTY-THIRD ORDER OF BUSINESS

Adjournment [Bayside Improvement CDD]

On MOTION for Bayside by Ms. Gravenhorst and seconded by Mr. Cramer, with all in favor, the Bayside Improvement CDD meeting adjourned at 4:02 p.m.

BAY CREEK BUSINESS ITEM

TWENTY-FOURTH ORDER OF BUSINESS

Discussion: Irrigation Rate Study

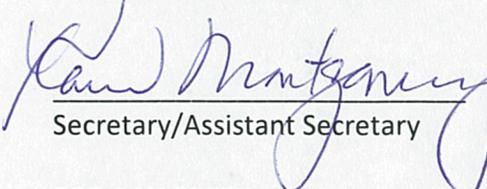
This item was deferred.

TWENTY-FIFTH ORDER OF BUSINESS

Adjournment [Bay Creek CDD]

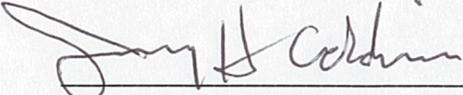
On MOTION for Bay Creek by Mr. Durney and seconded by Mr. Addison, with all in favor, the Bay Creek Improvement CDD meeting adjourned at 4:03 p.m.

FOR BAYSIDE IMPROVEMENT:


Secretary/Assistant Secretary


Chair/Vice Chair

FOR BAY CREEK:


Secretary/Assistant Secretary


Chair/Vice Chair