

**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 January 26, 2026 at 2:00 p.m., at the Pelican Landing Community Center, 24501 Walden Center Drive, Bonita Springs, Florida 34134. Members of the public could participate via Zoom, at <https://us02web.zoom.us/j/84137772934>, and conference call at 1-929-205-6099, Meeting ID: 841 3777 2934 for both.

**Present for Bayside Improvement CDD:**

Walter McCarthy	Chair
Gail Gravenhorst	Vice Chair
Bernie Cramer	Assistant Secretary
Karen Montgomery	Assistant Secretary
Dean Francis	Assistant Secretary

**Present for Bay Creek CDD:**

James Janek	Chair
Robert Travers	Vice Chair
Mary McVay	Assistant Secretary
Gary Durney	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
Andy Nott	Superior Waterways, Inc.
Paul Kemp	Field Manager
Jim Hoppensteadt	Pelican Landing General Manager
Frank Kinzie	Resident
Scott Andre	Resident
Alan Smith	Resident
Dean Francis	Resident

**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**

For Bay Creek CDD all Supervisors were present.

For Bayside Improvement CDD, all Supervisors were present.

Mr. McCarthy stated Mr. Cramer requested a report of what transpired at the meeting with The Colony Foundation. The information will be given during the Sixth Order of Business.

**THIRD ORDER OF BUSINESS**

**Public Comments: Agenda Items**

No members of the public spoke.

**JOINT BUSINESS ITEM**

**FOURTH ORDER OF BUSINESS**

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

- **Update: NW Corner Coconut/US 41 Drainage**

There was no report.

This item will be removed from future agendas.

**FIFTH ORDER OF BUSINESS**

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

Mr. Nott presented the monthly Treatment Report. Water levels are dropping which will require additional manpower to address exposed bank banks. He expects some plant damage due to cooler weather.

Regarding issues with easement access, Mr. Nott stated the technicians are ensuring they are working on the correct easements in the correct order and recording those areas.

Mr. Durney asked if any work needs to be done in the ponds now that the water levels have dropped. Mr. Nott did not recommend doing any planting.

**SIXTH ORDER OF BUSINESS**

**Presentation/Discussion: Rolls Docks Use for Potential Paddle Boat Amenity (Joseph Winterberger)**

Mr. McCarthy stated that Mr. Winterberger asked for this item to be on the agenda, but he is not present. Mr. Cramer stated that he spoke to Mr. Winterberger, who is his neighbor, about attending the meeting. He encourages the Boards to keep an open mind on this matter.

This item was deferred to the next meeting.

**SEVENTH ORDER OF BUSINESS**

**Committee Reports**

**A. PLCA Landscape Committee**

General Manager Jim Hoppenstead stated he is sourcing applications for the Landscape Committee and just one short of presenting them to the Committee. He, Mr. Durney, Charlie Morgan and Mr. Kemp discussed several projects with the landscape architect that they might be able to start on. He and Mr. Adams discussed being in the position to start smaller to mid-size CDD projects, such as the circles and the Pennyroyal berm, which are within the guidelines of the Landscape Agreement.

Mr. Cramer asked why there is no representative from the Bayside CDD on the Committee. Mr. Adams stated no one volunteered. Mr. Cramer nominated Mr. Francis to the PLCA Landscape Committee. Mr. Francis was asked to complete the PLCA application.

**B. Colony Landscape Committee**

- **Colony Maintenance Concern (Gail Gravenhorst)**

Ms. Gravenhorst presented the Colony Landscape Committee Report indicating that the Board of Directors of The Colony were unhappy with the appearance of the sod and the annual flowers and received several negative complaints from residents. She asked Mr. Adams about

producing a method of how certain issues are taken care of, determining a maintenance matter versus a capital improvement, and determining what entity is responsible for each. Mr. Adams stated discussions included replacement of turf in high profile areas that will support the continued growth of turf and changing out shaded areas that will no longer support growth of turf with plant materials. He suggests The Colony budget for this expense and the CDD handle maintenance. It was noted that the flowers will be removed and replaced with pentas the first week of February. Mr. Adams suggested utilizing a water truck to help new plantings and during drought conditions.

Discussion ensued regarding the suggestion of dividing the costs 50/50 for plantings that have aged out and a suggestion of The Colony Committee about coordinating efforts with the PLCA Committee, via its landscape architect.

**EIGHTH ORDER OF BUSINESS****Discussion: Storm Surge Barrier Concept**

Bonita Bay resident Frank Kinzie presented a storm surge barrier concept that he, Mr. Andre and City Council Member Chris Corrie developed, which is similar to those in Standford, Connecticut; Providence, Rhode Island; Bedford, New York; Texas; New Orleans, Louisiana; and in the Netherlands, England, etc. Construction would be from Bonita Beach Road to Coconut Road on the western side of all the developments. Since obtaining political support and environmental approval will be challenging, they are encouraging the City Council to hire an Engineering firm to conduct a professional study of the concept and provide a recommendation to the Boards. State and Federal funding would be needed, as the estimated cost is \$300 million to \$500 million, which will likely be less than what the Federal Emergency Management Agency (FEMA) would spend on cleanup costs.

Mr. Kinzie asked the Boards to provide a letter supporting the concept, in addition to individual letters, and he encouraged residents to attend the City Council meeting, once this is on the City's agenda.

Mr. McCarthy suggested both CDDs provide a letter supporting this endeavor. Mr. Kinzie recalled that, in 2018, the Army Corps of Engineers conducted a \$3 million study in developing a \$2.9 billion plan to construct berms and gates, which was later revised to remove the gates and

just the berms were installed, as Collier County voted against the plan due to the aesthetics. He discussed offsetting funding deficiencies by creating a special taxation overlay district in Bonita Springs and assessing only those homes that are protected by the berm. He estimated that assessment would be about \$800 per year and spread out through municipal financing and, if the areas are designated as flood areas, the cost would eventually be less than the homeowners' cost for flood insurance.

**On MOTION for Bayside by Mr. Cramer and seconded by Ms. Montgomery, with all in favor, authorizing the District Manager to prepare a letter in support of the Storm Surge Barrier Concept and asking for the benefit to consider funding, and authorizing the Chair to execute the letter, was approved.**

**On MOTION for Bay Creek by Mr. Addison and seconded by Ms. McVay, with all in favor, all in favor, authorizing the District Manager to prepare a letter in support of the Storm Surge Barrier Concept and asking for the benefit to consider funding, and authorizing the Chair to execute the letter, was approved.**

**NINTH ORDER OF BUSINESS**

**Consideration of Opus Proposal for Utility Billing**

This item was deferred to the next meeting. Mr. Adams will secure two additional proposals.

Discussion ensued regarding the Opus proposal being slightly less than the amount budgeted, including additional services and being user friendly; there being 921 accounts between the two CDDs, with Bayside CDD having over 90% and Bay Creek CDD having just under 10%.

**TENTH ORDER OF BUSINESS**

**Discussion: Tree Plotter App**

Resident Dean Francis gave a PowerPoint presentation about the Tree Plotter App, which can be used to inventory and monitor CDD landscape vegetation. He discussed the benefits of the app, which integrates with the CDDs' Geographic Information System (GIS) mapping program. The cost is \$3,000 per year. Mr. Kemp thinks the software would be something the PLCA could potentially invest in.

It was noted that the app would require manually inputting data and volunteers would be needed.

**BAYSIDE IMPROVEMENT CDD ITEMS**

**ELEVENTH ORDER OF BUSINESS**

**Consideration of Amendment to Irrigation Utility Regulation and Rates and Charges for Utility Service**

- **Consideration of Setting a Public Hearing for March 23, 2026 at 2:00 PM, at the Pelican Landing Community Center, 24501 Walden Center Drive, Bonita Springs, Florida 34134**

Mr. McCarthy stated the purpose of the Public Hearing will be to adopt the Amendment to the Irrigation Utility Regulation and Rates and Charges for Utility Services to comply with the current standards.

**On MOTION for Bayside by Ms. Montgomery and seconded by Mr. Francis, with all in favor, Setting a Public Hearing for March 23, 2026 at 2:00 p.m., at the Pelican Landing Community Center, 24501 Walden Center Drive, Bonita Springs, Florida 34134, on the Amendment to the Irrigation Utility Regulation and Rates and Charges for Utility Service, was adopted.**

**JOINT BOARD ITEMS**

**TWELFTH ORDER OF BUSINESS**

**Consideration of Resolutions Relating to the Amendment of the Annual Budget for the Fiscal Year Beginning October 1, 2024 and Ending September 30, 2025; and Providing for an Effective Date**

Mr. Adams stated that proceeding with the unbudgeted maintenance facility upgrades in Fiscal Year 2025 necessitated the need to amend the budget. This will help avoid a finding in the audits, which are underway.

- A. Resolution 2026-03, Bayside Improvement CDD**
- B. Resolution 2026-03, Bay Creek CDD**

**On MOTION for Bayside by Mr. Francis and seconded by Mr. Cramer, with all in favor, Resolution 2026-03, Relating to the Amendment of the Annual Budget for the Fiscal Year Beginning October 1, 2024 and Ending September 30, 2025; and Providing for an Effective Date, was adopted.**

**On MOTION for Bay Creek by Mr. Janek and seconded by Mr. Addison, with all in favor, Resolution 2026-03, Relating to the Amendment of the Annual Budget for the Fiscal Year Beginning October 1, 2024 and Ending September 30, 2025; and Providing for an Effective Date, was adopted.**

**THIRTEENTH ORDER OF BUSINESS**

**Acceptance of Unaudited Financial Statements as of December 31, 2025**

Mr. Adams presented the Unaudited Financial Statements as of December 31, 2025. Excess revenue funds in the Bayside CDD Enterprise Fund and the Bay Creek General Fund will be transferred to the Insured Cash Sweep accounts. He is researching alternative investment options and will have the utility percentages allotted for each CDD corrected. Mr. McCarthy asked for the Enterprise Fund "Miscellaneous Fees" to be changed to "Bank Fees."

The financials were accepted.

**FOURTEENTH ORDER OF BUSINESS**

**Approval of December 8, 2025 Joint Regular Meeting Minutes and Public Hearing Minutes**

**On MOTION for Bay Creek by Mr. Janek and seconded by Mr. Addison, with all in favor, the December 8, 2025 Joint Regular Meeting Minutes and Public Hearing Minutes, as amended to include any changes submitted to Management, were approved.**

**On MOTION for Bayside by Ms. Montgomery and seconded by Ms. Gravenhorst, with all in favor, the December 8, 2025 Joint Regular Meeting Minutes and Public Hearing Minutes, as amended to include any changes submitted to Management, were approved.**

**FIFTEENTH ORDER OF BUSINESS**

**Action/Agenda Items**

Item 5 was completed.

The remainder of the List will be updated after the meeting.

**SIXTEENTH ORDER OF BUSINESS**

**Old Business**

There was no old business.

**SEVENTEENTH ORDER OF BUSINESS**

**Staff Reports**

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

Mr. Urbancic stated he is monitoring legislation that could affect CDDs and will provide further updates.

Mr. McCarthy suggested the Board Members take the Florida League of Cities ethics course to complete the required four hours of ethics training, which must be completed by December 31, 2026.

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

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

**II. NEXT MEETING DATE: February 23, 2026 at 2:00 PM**

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

All Supervisors confirmed their attendance at the February 23, 2026 meeting.

**EIGHTEENTH ORDER OF BUSINESS**

**Supervisors' Requests**

Mr. Travers announced his intention to resign at the next meeting.

Mr. Janek stated overgrown flowering plants and trees in the preserve behind 3441 Pointe Creek Court need to be addressed.

Mr. Cramer thanked Mr. Kemp for his help in reporting streetlights that are out.

Mr. Janek reported a recent vehicle accident due to a missing traffic sign at the Costa Del Sol traffic circle. Mrs. Adams stated that is a PLCA matter.

Ms. Gravenhorst asked for the moon lighting on the Boulevard behind the main gate house to be checked. Mr. Kemp stated he already notified the appropriate party.

**NINETEENTH ORDER OF BUSINESS**

**Public Comments: Non-Agenda Items**

Resident Alan Smith asked for the influx of iguanas in the creek to be killed. Mr. McCarthy stated that is a matter for PLCA or the golf courses; it does not involve the CDDs.

Ms. Gravenhorst voiced her opinion that more progress will be made if Mr. Adams and Mr. Kemp attend a few Colony Board meetings to discuss the turf conditions and potentially installing a different type of grass. Mr. Adams suggested the PLCA Landscape Committee engage a Landscape Architect to develop a vision.

**TWENTIETH ORDER OF BUSINESS**

**Adjournment**

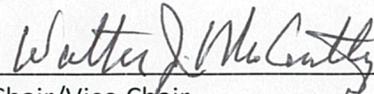
**On MOTION for Bay Creek by Mr. Addison and seconded by Mr. Travers, with all in favor, the Bay Creek Improvement CDD meeting adjourned at 3:25 p.m.**

**On MOTION for Bayside by Ms. Montgomery and seconded by Ms. Gravenhorst, with all in favor, the Bayside Improvement CDD meeting adjourned at 3:25 p.m.**

**[SIGNATURES APPEAR ON THE FOLLOWING PAGE]**

FOR BAYSIDE IMPROVEMENT:

  
Secretary/Assistant Secretary

  
Chair/Vice Chair

FOR BAY CREEK:

  
Secretary/Assistant Secretary

  
Chair/Vice Chair