

**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 February 23, 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
Shane Willis	Operations Manager
Greg Urbancic	District Counsel
Wes Kayne (via phone/Zoom)	District Engineer
Andy Nott	Superior Waterways, Inc.
Jim Hoppensteadt	Pelican Landing General Manager
Norman LaRose	Resident
Joseph Winterberger	Resident
Pete Griffin	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.

**THIRD ORDER OF BUSINESS**

**Public Comments: Agenda Items**

No members of the public spoke.

**BAY CREEK CDD ITEMS**

**FOURTH ORDER OF BUSINESS**

**Acceptance of Resignation of Robert Travers [Seat 2]**

This item was presented following the Eighteenth Order of Business.

**FIFTH ORDER OF BUSINESS**

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

**A. Candidates**

**B. Administration of Oath of Office (the following will be provided in a separate package)**

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

These items were presented following the Eighteenth Order of Business.

**SIXTH ORDER OF BUSINESS**

**Consideration of Resolution 2026-04, Electing and Removing Officers of the District and Providing for an Effective Date**

This item was presented following the Eighteenth Order of Business.

**JOINT BUSINESS ITEMS**

**SEVENTH ORDER OF BUSINESS**

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

Mr. Kayne stated proposals were submitted to Mr. Adams to commence the National Pollutant Discharge Elimination System (NPDES) Municipal Separate Storm Sewer Systems Annual Reporting for Cycle 9. The annual sluice gate inspection and reporting will be underway in the next couple of months.

**EIGHTH ORDER OF BUSINESS**

**Treatment Report: January 2026 – Superior Waterway Services, Inc. (Andy Nott)**

Mr. Nott presented the monthly Treatment Report. Due to low water levels, crews continue treating spikerush and weeds growing up on the lake banks down to the water line and algae blooms. Some lakes will require additional treatments, such as Lake E8. Due to freezing weather causing fish kills, dead fish were removed from Lakes E12 and A29.

Mr. Nott reviewed areas of the lake where use of bacopa is beneficial and when it causes algae growth and requires treatment; there are no other plant alternatives.

**NINTH ORDER OF BUSINESS**

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

Resident Joseph Winterberger discussed his involvement in multiple waterway initiatives. On behalf of the Water Sports Committee, he distributed a presentation, with supporting documents, to potentially consider initiating a new “Pontoon Paddle Boats” water sports amenity, for use at the Bay Creek CDD roll docks and that everyone can use. The cost would be about \$75,000. The submerged land lease that the State assigned to Pelican Landing is tied in with the submitted land lease at the Spring Creek docks, which has restrictions that no internal combustion motors can be moored at the roll docks. There are electric ponton paddle boats.

Mr. McCarthy recalled that the PLCA and CDD decided in 2009 to assess everyone a certain amount to be used on capital projects within the community, such things like this, but did not execute an agreement. He supports Bay Creek proceeding with this.

Discussion ensued regarding the condition of the area, ability to run power in the future, Board Members’ recollection of past discussions of the area and potential parking issues.

**On MOTION for Bay Creek by Mr. Janek and seconded by Ms. McVay, with all in favor, approving, in concept, a new “Pontoon Paddle Boats” water sports amenity; authorizing Mr. Winterberger to enter into discussions with the PLCA to determine the PLCA’s position on whether to proceed and, if successful, authorizing the CDD to work with Mr. Winterberger on a Maintenance Agreement with the PLCA, was approved.**

**TENTH ORDER OF BUSINESS**

**Committee Reports**

**A. PLCA Landscape Committee**

Mr. Francis stated the Committee’s first meeting dealt mostly with organizational matters, including approving and sending out bids for two of the circles to see proof of concept and receiving a few responses. The Landscape Architect requested percolation tests to ensure the drainage system is functioning properly; he is having difficulty finding companies that will do this as a stand-alone project. Mr. Hoppensteadt stated that percolation tests are being added to the Master Plan. Regarding plant material, Mr. Francis stated another thing to consider is when the Landscape Architect has ideas for certain plants that the landscapers do not have access to.

**B. Colony Landscape Committee**

Ms. Gravenhorst presented the Colony Landscape Committee Report. The Colony Board wants to hold a Workshop with the Bayside CDD Board and Management before its March 16, 2025 meeting to discuss the Landscape Agreement funding and responsibility matters in detail.

Regarding utilizing a water truck during drought conditions, Mr. Adams recalled discussion about a water wagon at the last meeting.

Discussion ensued regarding emailing The Colony and the PLCA’s Landscape Agreements to everyone, The Colony inserting the frequency of watering for new plantings into the installer’s contract, and the City adopting the Water Management District Water Restriction Guidelines.

**ELEVENTH ORDER OF BUSINESS**

**Consideration of Opus Proposal for Utility Billing**

Mr. Adams presented the Opus and Oaks Energy proposals, the latter of which was emailed the Board last Friday. He compared the costs and scope of services of each against the CDDs’ existing contract with the Coral Springs Improvement District.

Discussion ensued regarding assessments funding administrative costs, District Staff working on transitioning the accounts and setting a public hearing for next month to adopt increases to Bayside’s utility billing penalty tier rates.

**On MOTION for Bay Creek by Mr. Travers and seconded by Mr. Durney, with all in favor, the Opus 21 proposal for Pegasus Single Point Solution Utility Billing, in the amount of \$3.66 per meter per month, was approved.**

**On MOTION for Bayside by Mr. Cramer and seconded by Ms. Montgomery, with all in favor, the Opus 21 proposal for Pegasus Single Point Solution Utility Billing, in the amount of \$3.66 per meter per month, was approved.**

**TWELFTH ORDER OF BUSINESS**

**Discussion/Consideration of Additional Long Term Investments Options for Surplus Operating Funds (under separate cover)**

Mr. Adams discussed Truist Bank and BankUnited’s investment options on Certificates of Deposit (CD) rates with terms of 12, 18, 24 and 36 months. Based on Mr. Adams’ suggestion, Bay Creek’s surplus funds in Truist Bank will be transferred to the BankUnited Insured Cash Sweep (ICS) account, since the rates are comparable, and the excess funds in the Enterprise Fund will be used to open a CD. He will provide an investment earnings spreadsheet to the Board.

**JOINT BOARD ITEMS**

**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. Adjustments to the “Utility billing” budget will be made to reflect that Bay Creek CDD will be responsible for 10% of the overall budget and up to 90% for the Bayside CDD.

The financials were accepted.

**FOURTEENTH ORDER OF BUSINESS**

**Approval of January 26, 2026 Joint Regular Meeting Minutes**

The following change was made:

Line 111: Insert “and pinkas” after “pentas”

**On MOTION for Bay Creek by Mr. Addison and seconded by Ms. McVay, with all in favor, the January 26, 2026 Joint Regular Meeting Minutes, as amended to include this and any changes submitted to Management, were approved.**

**On MOTION for Bayside by Ms. Gravenhorst and seconded by Mr. Francis, with all in favor, the January 26, 2026 Joint Regular Meeting Minutes, as amended to include this and any changes submitted to Management, were approved.**

**FIFTEENTH ORDER OF BUSINESS**

**Action/Agenda Items**

Items 1, 3, 4 and 6 were completed. Only Page 1 was reviewed during the meeting; the remaining pages were updated after the meeting.

Item 3: Mr. Adams will have the CDDs’ letter supporting the storm surge barrier concept signed and sent to Mr. Kinzie. He will email the executed copy to the Board.

**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 still monitoring legislation that could affect CDDs.

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

- **BAY CREEK CDD ITEM: Consideration of Bentley Electric Co of Naples Fl Inc. Proposal 25-418 to Replace/Repair/Add Streetlights**

**This item was an addition to the agenda.**

Mr. Adams distributed and presented Bentley Electric Co of Naples Fl Inc. Proposal 25-418 to replace, repair and add streetlights. He deemed this is a high priority project over other projects and suggested repurposing a portion of the “Fountain services-Refurbishment” budget to fund the project.

**On MOTION for Bayside by Ms. Gravenhorst and seconded by Mr. Cramer, with all in favor, Bentley Electric Co of Naples Fl Inc. Proposal 25-418 to replace, repair and add streetlights, in the amount of \$56,100, and authorizing funding the expenditure of \$56,100 from the Capital Fund, were approved.**

Regarding the downed light by Walden Center Drive, Mr. Adams stated it is a CDD matter. He is working on getting the cement post replaced but expects it to take a while.

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

**II. NEXT MEETING DATE: March 23, 2026 at 2:00 PM [Adoption of Bayside Improvement CDD irrigation Rates/Changes**

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

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

**EIGHTEENTH ORDER OF BUSINESS**

**Supervisors' Requests**

Mr. Francis asked about scheduling the Workshop with The Colony Board. Mr. Adams stated he will coordinate and schedule and advertise a Bayside CDD Workshop with The Colony Landscape Committee for March 12, 2026 at 10:00 a.m., at the Bay Club.

▪ **Bayside CDD: Adjournment**

**On MOTION for Bayside by Ms. Gravenhorst and seconded by Mr. Cramer, with all in favor, the Bayside Improvement CDD meeting adjourned at 3:19 p.m.**

Mr. Janek asked for the 6' to 8' plantings to be removed in areas wherever the sidewalks end and walkers file onto the street along Greenview, due to safety reasons and reported a missing arrow sign at the traffic circle at Cosa del Sol. Mr. Adams stated signage is a PLCA matter.

▪ **Acceptance of Resignation of Robert Travers [Seat 2]**

**This item, previously the Fourth Order of Business, was presented out of order.**

**On MOTION by Mr. Addison and seconded by Ms. McVay, with all in favor, the resignation of Robert Travers from Seat 2, was accepted.**

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

**This item, previously the Fifth Order of Business, was presented out of order.**

**A. Candidates**

Mr. Janek nominated Norman LaRose to fill Seat 2. No other nominations were made.

Norman LaRose discussed his reason for wanting to serve on the Board and gave an overview of his contributions to the community and personal and professional backgrounds.

**On MOTION by Mr. Janek and seconded by Mr. Durney, with all in favor, the appointment of Norman LaRose to Seat 2, was approved.**

**B. Administration of Oath of Office (the following will be provided in a separate package)**

Mr. Adams, a Notary of the State of Florida and duly authorized, administered the Oath of Office to Norman LaRose. The following items were provided and explained:

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

**▪ Consideration of Resolution 2026-04, Electing and Removing Officers of the District and Providing for an Effective Date**

**This item, previously the Sixth Order of Business, was presented out of order.**

Mr. Adams presented Resolution 2026-04. The following nominations were made:

James Janek	Chair
Gary Durney	Vice Chair
Norman LaRose	Assistant Secretary
Jerry Addison	Assistant Secretary
Mary McVay	Assistant Secretary

No other nominations were made. This Resolution removes the following from the Board:

Robert Travers	Vice Chair
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The following prior appointments by the Board remain unaffected by this Resolution:

Chuck Adams	Secretary
Craig Wrathell	Assistant Secretary
Craig Wrathell	Treasurer
Jeff Pinder	Assistant Treasurer

**On MOTION by Mr. Addison and seconded by Ms. McVay, with all in favor, Resolution 2026-04, Electing, as nominated, and Removing Officers of the District and Providing for an Effective Date, was adopted.**

Mr. Travers deemed it a great experience working with both the Board Members of both CDDs over the last 10 years and a privilege representing the Bay Creek CDD. Board Members stated he will be missed.

**NINETEENTH ORDER OF BUSINESS**

**Public Comments: Non-Agenda Items**

No members of the public spoke.

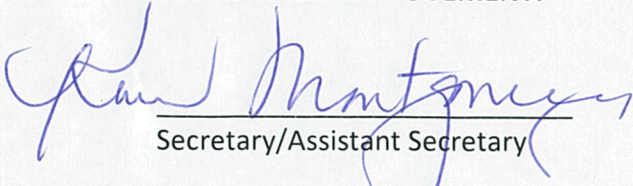
**TWENTIETH ORDER OF BUSINESS**

**Adjournment**

**On MOTION for Bay Creek by Ms. McVay and seconded by Mr. Durney, with all in favor, the Bay Creek CDD meeting adjourned at 3:37 p.m.**

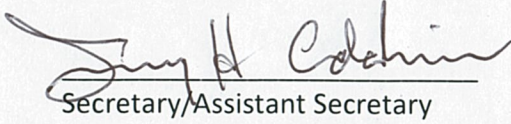
[SIGNATURES APPEAR ON THE FOLLOWING PAGE]

FOR BAYSIDE IMPROVEMENT:

  
Secretary/Assistant Secretary

  
Chair/Vice Chair

FOR BAY CREEK:

  
Secretary/Assistant Secretary

  
Chair/Vice Chair