

**MINUTES OF MEETING
HERITAGE BAY
COMMUNITY DEVELOPMENT DISTRICT**

The regular meeting of the Board of Supervisors of the Heritage Bay Community Development District was held Thursday, November 7, 2024 at 9:00 a.m. at the Heritage Bay Clubhouse, located at 10154 Heritage Bay Boulevard, Naples, Florida 34120.

Present and constituting a quorum were:

Edwin Hubbard	Chairperson
F. Jack Arcurie	Vice Chairperson
Stephen Bachenberg	Assistant Secretary
Allen Soucie	Assistant Secretary

Also present were:

Justin Faircloth	District Manager
Mark Vega	Regional Director, Inframark (<i>Remotely</i>)
Albert Lopez	District Engineer (<i>Remotely</i>)
Bailey Hill	SOLitude Lake Management
Mason Maher	SOLitude Lake Management
Various Residents	

Following is a summary of the discussions and actions taken.

FIRST ORDER OF BUSINESS

Call to Order/Roll Call

Mr. Faircloth called the meeting to order, and called the roll. A quorum was established.

SECOND ORDER OF BUSINESS

Approval of Agenda

The following amendment was requested by Mr. Hubbard:

- Item 9B. Single Family Pool Washout Concern.

On MOTION by Mr. Arcurie, seconded by Mr. Bachenberg, with all in favor, the Agenda for the Meeting was approved, as amended. (4-0)

THIRD ORDER OF BUSINESS

Public Comments on Agenda Items

There being no public comments, the next order of business followed.

FOURTH ORDER OF BUSINESS

Organizational Matters

A. Oath of Office for Newly Elected Supervisors Via General Election for Seats 1 & 2

Mr. Faircloth, a Notary Public of the State of Florida, administered the Oath of Office to Mr. Hubbard in Seat 1 and Mr. Arcurie in Seat 2.

B. Consideration of Resolution 2025-01 – Election of Officers

- Mr. Arcurie nominated Mr. Hubbard to serve as Chairperson.
- Mr. Soucie nominated Mr. Arcurie to serve as Vice Chairperson.

On MOTION by Mr. Arcurie, seconded by Mr. Soucie, with all in favor, Resolution 2025-01, Electing Officers of the District, with Mr. Hubbard as Chairperson, Mr. Arcurie as Vice Chairperson, Mr. Faircloth as Secretary, Ms. Popelka as Treasurer, Ms. Montagna as Assistant Treasurer, and Mr. Bachenberg and Mr. Soucie as Assistant Secretaries, was adopted. (4-0)

TENTH ORDER OF BUSINESS

Manager’s Report

G. Inframark Field Management Services Discussion

The Board was in agreement to address the item at this time.

- Mr. Vega provided an update and noted that Mr. Faircloth would serve in the role as the Field Manager for the District. The Board thanked Mr. Vega for the update and noted they were in favor of the decision.

FIFTH ORDER OF BUSINESS

Engineer’s Report

A. September Water Quality Monitoring Review – September 3 & 4

Mr. Lopez reviewed the report with the Board.

- Mr. Soucie commented on the report, and inquired whether CPH could spread out the D.O. samplings in future reports.
- The Board requested staff review Lake 15 closely during the next quarterly report on November 14, 2024, and notate any observations.

SIXTH ORDER OF BUSINESS

SOLitude Lake Management

A. Monthly Inspections & Service Reports

The reports were presented for review by the Board.

Ms. Hill distributed her monthly report and reviewed it with the Board.

- Ms. Hill noted she was being promoted, and her position will be replaced in the near future, but she was remaining with the company should she be needed for any reason.
- B. Progress in the Control of Torpedo Grass**
 - Discussion ensued, with it being noted work was still needed, but great improvement had been made.
- C. Removal of all California Willow in Lake 4 Littoral Shelf – Northwest Corner**
 - Ms. Hill noted the water levels need to decrease before the work is completed. They were hoping the work could be done in November, but it may have to be done in December or later.
- D. Lake 19 Proposal**
 - Mr. Hubbard requested SOLitude provide a written plan at the December meeting for addressing concerns with Lake 19 going forward.

SEVENTH ORDER OF BUSINESS

Legal Update

- A. Update on Potential to Challenge FEMA Ruling Precluding Return of Funds From Hurricane Irma**
 - Mr. Faircloth reviewed the response from Mr. Ettore. The Board was in agreement for staff to seek recommendations for next steps, while also inquiring about costs and the possibility for a successful outcome.

EIGHTH ORDER OF BUSINESS

Old Business

- A. Joint CDD & Club Projects for Summer 2024**
 - i. Lake 1 – North Bank**
 - Mr. Hubbard updated the Board on the progress of work.
 - ii. Rebuild of CS-102 Retention Area**
 - Mr. Hubbard updated the Board on the project.
 - B. Club Plans for Control of Fluff Elevation on a Regular Basis**
 - Mr. Hubbard noted the item remained an open item with the Club.
 - C. Lake 7 West Bank Washout – Satellite Pool Area**
 - D. Club Pools Discharge of Water – Collier County Dewatering Protocol**
- These items were covered earlier in the meeting.

E. Infrastructure & Facilities Management Report
i. Potential Projects for Consideration – Summer 2025

On MOTION by Mr. Hubbard, seconded by Mr. Soucie, with all in favor, the Proposal from CSEI in the amount of \$14,575 for Lake 23 work was approved. (4-0)

- The Board requested staff obtain a proposal from CSEI for the repair and build-up of the north bank of Lake 18.

F. Adherence to HB 7013 – Special Districts’ Performance Measures & Standards

The report was provided for review by the Board.

- Mr. Faircloth noted it would be posted to the website as required next year before the December 1, 2025 deadline.

NINTH ORDER OF BUSINESS **New Business**

A. Presentation of 3rd Quarter Website Audit Report

The report was presented to the Board for review.

B. Single Family Pool Washout Concern

- Mr. Hubbard discussed next steps regarding issues with a single family pool. The Board was in agreement with the chairman sending a letter to the homeowner.

TENTH ORDER OF BUSINESS **Manager’s Report (Continued)**

A. Approval of the Minutes of the September 5, 2024 Meeting

Mr. Faircloth presented the Minutes of the September 5, 2024 Meeting, and requested any additions, corrections or deletions.

There being none,

On MOTION by Mr. Hubbard, seconded by Mr. Arcurie, with all in favor, the Minutes of the September 5, 2024 Meeting were approved, as presented. (4-0)

B. Acceptance of Financial Report as of September 30, 2024

There being no comments or questions,

On MOTION by Mr. Arcurie, seconded by Mr. Bachenberg, with all in favor, the Financial Report as of September 30, 2024 was approved, as presented. (4-0)

i. District Manager Summary Report of All Expenditures to Date – Surface Water Management System

- Mr. Faircloth noted the report was not in the agenda package, however, there was no change in the report from the last distribution.

C. Motion to Assign Fund Balance

There being no comments or questions,

On MOTION by Mr. Arcurie, seconded by Mr. Bachenberg, with all in favor, the Motion to Assign Fund Balance was approved. (4-0)

D. Consideration of Fiscal Year 2024 Audit Engagement Letter

There being no comments or questions,

On MOTION by Mr. Arcurie, seconded by Mr. Soucie, with all in favor, the Audit Engagement Letter with Grau & Associates, or the Fiscal Year Ended September 30, 2024, was approved. (4-0)

E. Field Manager & Supervisors’ Quarterly Report – November 14, 2024

- Mr. Faircloth noted the inspection was set for the following week, and all participants had confirmed their attendance.

F. Report & Discussion of Action Items on District Manager’s September 5, 2024 “Open Items” Report

Mr. Faircloth reviewed the Action Items List with the Board.

ELEVENTH ORDER OF BUSINESS Supervisor Comments

- Mr. Soucie commented on the water quality report by CPH, and the need for possible additional D.O. sample sites.

TWELFTH ORDER OF BUSINESS Chairperson Comments

- Mr. Hubbard updated the Board on homeowner drainage developments on Lake 15.

THIRTEENTH ORDER OF BUSINESS Audience Comments

There being no comments from the audience, the Eleventh Order of Business continued.

ELEVENTH ORDER OF BUSINESS Supervisor Comments

- The Board requested staff obtain a PDF of the District's lakes that would have a diagram of each lake individually on an 8 1/2" x 11" sheet for their use during future inspections for observations.

FOURTEENTH ORDER OF BUSINESS

Adjournment

There being no further business,

On MOTION by Mr. Hubbard, seconded by Mr. Arcurie, with all in favor, the meeting was adjourned at 11:15 a.m. (4-0)



Edwin Hubbard
Chairperson