

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

The regular meeting of the Board of Supervisors of the Heritage Bay Community Development was held Thursday, June 5, 2025 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
Allen Soucie	Assistant Secretary

Also present were:

Justin Faircloth	District Manager
Albert Lopez	District Engineer (<i>Remotely</i>)
Bianca Miller	CPH Consulting (<i>Remotely</i>)
Cherie Horn	SOLitude Lake Management

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 agenda for the meeting was presented for approval.

- Mr. Faircloth noted there were errors in Exhibit A of the Fiscal Year 2026 Budget, and he would review the corrections during the budget discussion.

There being no amendments,

On MOTION by Mr. Arcurie, seconded by Mr. Soucie, with all in favor, the Agenda for the meeting was approved, as presented. (3-0)

THIRD ORDER OF BUSINESS

Public Comments on Agenda Items

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

FOURTH ORDER OF BUSINESS

Engineer’s Report

A. Water Testing Proposal to Conduct One Testing Event Per Year

- Discussion ensued regarding the water testing proposal.

On MOTION by Mr. Soucie, seconded by Mr. Arcurie, with all in favor, the Agreement with CPH, LLC Environmental Services for water testing services was approved as presented. (3-0)

B. CPH Proposal for Stormwater Management Lakes Assessment

- Mr. Lopez noted the issues with being able to review the stormwater system presently with the current water levels.
- Mr. Faircloth inquired whether CPH would be able to sign off on the engineer's items on the Goals and Objectives Report for the December 2025 Report after their time on site. Discussion ensued, and it was noted how the response can be recorded notating that steps were taken to complete a review, and a plan is being developed to complete it the following year.

On MOTION by Mr. Hubbard, seconded by Mr. Arcurie, with all in favor CPH was authorized to complete a review of 11 control structures on a time and material basis with a report to be presented at the July 2025 Meeting, in an amount not to exceed \$7,000.00 (3-0)

- Mr. Lopez noted that the report would likely not available to be included in the agenda package, but it will be able to distribute during the July 2025 meeting.
- Mr. Faircloth inquired about having a proposal ready for the August meeting for the anticipated work in Fiscal Year 2026, outlining the possibility for camera views, etc. in the proposal.

The record shall reflect Mr. Lopez and Ms. Miller left the meeting.

FIFTH ORDER OF BUSINESS

SOLitude Lake Management

A. Monthly Inspection & Service Reports

Ms. Horn reviewed her report with the Board and answered questions.

- B. Update on Status of Approved Plantings: Littorals Lake 5/Tee 17 and Railroad Vine (4 Locations), Littorals on Lake 20 Shelf**
 - It was noted littorals should be planted now on the planned areas. Mr. Faircloth inquired about paying the outstanding SOLitude invoice for \$2,200.00, and the Board was in agreement to pay the invoice, but SOLitude also owes the District some plants from Lake 4, as they were short.
- C. Review and Approval of the Planting of Beach Sunflower – Tee 27/Lake 19**
 - Ms. Horn discussed the proposal and noted that the Beach Sunflower is technically a shrub and not something that SOLitude would maintain. Ms. Horn recommended planting of littorals instead.

On MOTION by Mr. Hubbard, seconded by Mr. Arcurie, with all in favor, Lake 19 littoral planting by SOLitude Lake Management in an amount not to exceed \$1,140.00, at the rate of \$1.25 per plant to be planted immediately, was approved. (3-0)

Ms. Horn exited the meeting.

SIXTH ORDER OF BUSINESS

Legal Update

- A. Update on Potential to Challenge FEMA Ruling Precluding Return of Funds from Hurricane Irma and Potential for Delay**
 - Mr. Faircloth and Mr. Hubbard discussed the response received from Mr. Ettore and noted that he agreed to stop work on the project until directed to proceed further.
 - The Board discussed term limits pertaining to this item. The Board was in agreement to place this item on hold due to the present political landscape and uncertain future of FEMA.

SEVENTH ORDER OF BUSINESS

Old Business

- A. Update on Proposed Signage for Recreational Lake 30B and Security Support**
 - Mr. Faircloth provided an update on the signage installation for the outfall on Lake 30B.
- B. Infrastructure & Facilities Management Report**

Mr. Faircloth reviewed the Report with the Board, a copy of which was included in the agenda package.
- C. Terrace 3 Drainage Line Installation Update – 2026**

Mr. Hubbard provided an update to the Board.

D. Veranda 2 Drainage Line Update -2026

Mr. Hubbard provided an update to the Board.

E. Parking Lot – Recommended Next Required Actions and Timing

- The Board discussed the findings from Mr. Bachenberg, and Mr. Hubbard noted that Mr. Bachenberg would possibly have additional information for the July meeting.

EIGHTH ORDER OF BUSINESS

New Business

A. Fiscal Year 2026 Proposed Budget

i. Consideration of Resolution 2025-02, Approving Budget & Setting Public Hearing

- Mr. Faircloth provided updated information for Exhibit A notating the correct balances which were corrected by the accountant.

On MOTION by Mr. Arcurie, seconded by Mr. Soucie, with all in favor, Resolution 2025-02, Approving the Budget for Fiscal Year 2026, setting the Tentative Fiscal Year 2026 Budget with an O&M Assessment set at \$506 per parcel, and Setting a Public Hearing Thereon Pursuant to Florida Law, to be held Thursday, September 4, 2025, at 9:00 a.m. at the Heritage Bay Clubhouse, located at 10154 Heritage Bay Boulevard, Naples, Florida 34120, was adopted. (3-0)

B. Consideration of Resolution 2025-03, Approving Fiscal Year 2026 Meeting Schedule

On MOTION by Mr. Arcurie, seconded by Mr. Hubbard, with all in favor, Resolution 2025-03, Adopting the Annual Meeting Schedule for Fiscal Year 2025/2026, with November 6, 2025 and February 5, 2026, March 5, 2026-Tentative Budget Approval, June 4, 2026, July 2, 2026, August 6, 2026-Budget Public Hearing, and September 3, 2026 meetings planned to be held, and October 2, 2025, December 4, 2025, January 8, 2026 & April 2, 2026 Meetings to be held, if necessary, was adopted. (3-0)

C. Field Service Reviews – Revised Protocol and Timing of Lake Inspections

Mr. Hubbard reviewed the updated protocol with the Board.

D. Review and Approval of Proposed Lake 23 Drainage Installation and Lake Bank Rebuild

On MOTION by Mr. Hubbard, seconded by Mr. Soucie, with all in favor, the Proposal from Copeland Southern Enterprises for Lake 23 work in the amount of \$30,475.00, was approved. (3-0)

NINTH ORDER OF BUSINESS

Manager’s Report

A. Approval of the Minutes of the May 1, 2025 Meeting

Mr. Faircloth requested any additions, corrections or deletions to the Minutes of the May 1, 2025 Meeting.

There being none,

On MOTION by Mr. Arcurie, seconded by Mr. Hubbard, with all in favor, the Minutes of the May 1, 2025 Meeting were approved, as presented. (3-0)

B. Acceptance of Financial Report as of April 30, 2025

On MOTION by Mr. Arcurie, seconded by Mr. Soucie, with all in favor, the Financial Report as of April 30, 2025 was accepted. (3-0)

- The Board requested staff include the Expenditure Report in future financial reports and eliminate the Trend Report going forward.

C. Presentation of First Quarter Website Audit Compliance Report

The Report was presented to the Board for review.

D. Review & Discussion of Action Items on District Manager’s May 1, 2025 Action Items Report

- Mr. Faircloth reviewed the status of action items with the Board.
- Mr. Hubbard noted that Item 21 can be removed from the list going forward.

TENTH ORDER OF BUSINESS

Supervisor Comments

- Mr. Soucie previously contacted CPH, and noted that a change was not necessary for the last Water Quality Report, as the change was minor.

ELEVENTH ORDER OF BUSINESS

Chairperson Comments

- Mr. Hubbard commented on the lakes, cypress trees, signage, littoral plantings and drainage items.

TWELFTH ORDER OF BUSINESS

Audience Comments

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

THIRTEENTH ORDER OF BUSINESS

Adjournment

There being no further business,

On MOTION by Mr. Arcurie, seconded by Mr. Soucie, with all in favor, the meeting was adjourned at 11:25 a.m. (3-0)



Edwin Hubbard
Chairperson