

**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, September 4, 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
Steven Bachenberg	Assistant Secretary
Allen Soucie	Assistant Secretary

Also present were:

Justin Faircloth	District Manager
Albert Lopez	District Engineer ( <i>Remotely</i> )
David Landers	CPH Consulting ( <i>Remotely</i> )
Bianca Miller	CPH Consulting ( <i>Remotely</i> )
Matthew Drake	SOLitude Lake Management
Mason Maher	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**

- Mr. Bachenberg requested that *CDD Parking Discussion* to be added as Item 9C.

There being no further amendments,

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**

**Public Hearings for Adoption of Fiscal Year 2026 Budget**

**A. Fiscal Year 2026 Budget Discussion**

The public hearings were opened for comment. There were no comments from the audience. The hearings were closed.

**B. Consideration of Resolution 2025-04, Adopting Fiscal Year 2026 Budget**

- Mr. Hubbard discussed the Fiscal Year 2026 Budget, explained the need for the budget increase, and answered questions from the audience.

On MOTION by Mr. Hubbard, seconded by Mr. Bachenberg, with all in favor, Resolution 2025-04, Relating to the Annual Appropriations of the District and Adopting the Budget for the Fiscal Year Beginning October 1, 2025, and Ending September 30, 2026, and Referencing the Maintenance and Benefit Special Assessments to be Levied by the District for Said Fiscal Year; and Providing for an Effective Date, was adopted. (4-0)

**C. Consideration of Resolution 2025-05, Levying Assessments for Fiscal Year 2026**

There being no comments or questions,

On MOTION by Mr. Arcurie, seconded by Mr. Soucie, with all in favor, Resolution 2025-05, Levying and Imposing Non-Ad Valorem Maintenance Special Assessments for the District and Certifying an Assessment Roll for Fiscal Year 2025-2026; Providing a Severability Clause; and Providing for Conflict and Providing an Effective Date, was adopted. (4-0)

**SIXTH ORDER OF BUSINESS**

**SOLitude Lake Management**

**A. Monthly Inspection & Service Reports**

*The record shall reflect Mr. Mason Maher and Mr. Matthew Drake of SOLitude Lake Management joined the meeting.*

- Mr. Maher reviewed the inspection reports with the Board. Concerns with algae were discussed. Mr. Maher noted that the technician could be more aggressive on the treatment of algae. Mr. Maher noted cutting would begin on Lakes 30A & 30B.

**B. Update on Status of Approved Plantings Lake 2 Railroad Vine**

- It was noted the Lake 2 railroad vine plantings had been completed.
- Mr. Hubbard discussed the need to fight torpedo grass, but at the same time damage is being done to lake bank plantings due to overspray. Mr. Maher noted he would address this concern with the technicians.
- Mr. Faircloth noted that November 13, 2025 had been set as the date for the next quarterly inspection, but also recommended the SOLitude technician be present as well so maintenance could be reviewed. Mr. Hubbard requested Mr. Kevin Schaal be invited to attend the inspection as well.

**C. Water Testing Overview & Recommendations**

- Mr. Drake discussed the services SOLitude could provide for water testing. Mr. Soucie noted he would follow up with Mr. Drake for further questions. The Board agreed this item would be discussed at the November meeting.

*The record shall reflect Mr. Maher and Mr. Drake exited the meeting.*

**FIFTH ORDER OF BUSINESS**

**Engineer’s Report**

**A. Revised Proposal for 2026 Stormwater System Review**

- Mr. Faircloth noted the revised proposal exceeds the prior motion of the Board slightly. Mr. Lopez discussed the proposal and noted CPH could reduce administrative time on the proposal and adjust, if absolutely necessary.

On MOTION by Mr. Hubbard, seconded by Mr. Soucie, with all in favor, the prior motion to approve the Proposal for 2026 Stormwater System Review, was revised to a not to exceed amount of \$8,040, with Supervisor Bachenberg to attend the review in spring 2026, once the lake levels decrease and structures are revealed. (4-0)

**B. Next Scheduled Water Test Event – September 2025**

- Mr. Landers noted that the planned testing would occur on September 10, 2025 with September 17, 2025 being the weather back up date. Mr. Soucie confirmed he could attend the meeting dates.

*The record shall reflect CPH Consultants exited the meeting.*

**SEVENTH ORDER OF BUSINESS**

**Legal Update**

There being no report, the next order of business followed.

**EIGHTH ORDER OF BUSINESS**

**Old Business**

**A. Infrastructure & Facilities Management Report**

Mr. Hubbard reviewed the report with the Board and presented recent updates.

- Mr. Hubbard requested staff watch the drainage installations on the coach homes along Lakes 20 and 30A.

**B. Consideration of Resolution 2025-06, Approving Revised Fiscal Year 2026 Meeting Schedule**

- Mr. Faircloth noted that since the Fiscal Year 2026 meeting schedule had been passed via Resolution, a new resolution was necessary to address the May meeting change from May 7, 2025 to May 14, 2025, as previously approved at the July 10, 2025 meeting earlier in the year. Mr. Faircloth also noted that an incorrect meeting schedule had been emailed out and a corrected schedule would be disseminated.

On MOTION by Mr. Bachenberg, seconded by Mr. Soucie, with all in favor, Resolution 2025-06, Rescinding Resolution 2025-03 and Adopting the Revised Annual Meeting Schedule for Fiscal Year 2025/2026, was adopted. (4-0)
--

**NINTH ORDER OF BUSINESS**

**New Business**

**A. Next Field Service Review – November 2025**

- Mr. Faircloth noted the next review would be November 13, 2025.

**B. Fiscal Year 2026 Insurance Proposal Review**

- The Fiscal Year 2026 insurance proposal was presented to the Board for review. No changes were requested.

**C. CDD Parking Lot Discussion**

- Mr. Bachenberg discussed concerns with the current use and storage of roofing materials in the District's parking lot at the front of the community. Mr. Hubbard noted he had provided permission for the Associations to use the parking lot as they really had no other location to stage materials and equipment.
- Discussion ensued on insurance requirements from the Association and/or its contractors for use.
- Mr. Hubbard noted he would send a letter on expectations for use to the various Associations involved and requested Mr. Faircloth send him any recommended insurance language.

**TENTH ORDER OF BUSINESS**

**Manager’s Report**

**A. Approval of the Minutes of the August 7, 2025 Meeting**

There being no additions, corrections or deletions,

On MOTION by Mr. Arcurie, seconded by Mr. Soucie, with all in favor, the Minutes of the August 7, 2025 Meeting were approved, as presented. (4-0)

**B. Acceptance of Financial Report as of July 31, 2025**

- Mr. Faircloth discussed the question on the last financials regarding a legal charge that was incorrectly noted as a CYK expenditure. Mr. Faircloth noted the issue occurred during a reclassification and was the result of human error where the description was listed as a CYK expenditure, but noted the expenditure had been corrected in the current set of financials with the proper description.

On MOTION by Mr. Arcurie, seconded by Mr. Bachenberg, with all in favor, the Financial Report as of July 31, 2025 was approved. (4-0)

**C. Consideration of Fiscal Year 2025 Audit Engagement Letter from Grau & Associates**

On MOTION by Mr. Arcurie, seconded by Mr. Soucie, with all in favor, the Audit Engagement Letter for Fiscal Year 2025 from Grau & Associates was approved, and the Chairperson was authorized to execute said letter. (4-0)

- Mr. Faircloth noted the audit RFP process would be discussed at the next meeting, as it was time to consider another RFP in Fiscal Year 2026.

**D. Presentation of 2<sup>nd</sup> Quarter Website Audit Report**

The report was presented for review by the Board.

**E. Review & Discussion of August 2025 District Manager’s Action Items Report**

Mr. Faircloth discussed the Report with the Board and provided updates.

**ELEVENTH ORDER OF BUSINESS**

**Supervisor Comments**

- Mr. Soucie noted he would contact Mr. Drake to determine whether he could attend one of the testings by SOLitude. Mr. Faircloth noted he could also request to review

one of their reports, as he has used them in the past and believed their reports were somewhat similar.

- Mr. Bachenberg noted his engineering background, and stated he would be willing to manage review of the District's engineering needs and further communication with CPH.

**TWELFTH ORDER OF BUSINESS**

**Chairperson Comments**

- Mr. Hubbard commented on Club work, and fishing concerns around the outfall structure of Lake 30B.

**THIRTEENTH ORDER OF BUSINESS**

**Audience Comments**

- Audience members thanked the Board for the work they do on behalf of the community.

**FOURTEENTH ORDER OF BUSINESS**

**Adjournment**

There being no further business,

On MOTION by Mr. Hubbard, seconded by Mr. Soucie, with all in favor, the meeting was adjourned at 10:57 a.m. (4-0)



Edwin Hubbard  
Chairperson