

**MINUTES OF MEETING
WEST PORT
COMMUNITY DEVELOPMENT DISTRICT**

The Board of Supervisors of the West Port Community Development District held a Regular Meeting on February 9, 2021 at 12:00 p.m., at the Centennial Park Recreation Center, 1120 O'Donnell Boulevard, Port Charlotte, Florida 33953.

Present were:

Jim Harvey	Chair
Paul Martin	Assistant Secretary
Candice Smith	Assistant Secretary
Christian Cotter	Assistant Secretary

Also present were:

Craig Wrathell	District Manager
Michael Szymonovicz (via telephone)	Wrathell Hunt and Associates LLC
Jere Earlywine	District Counsel
Matthew Morris	District Engineer
Tim Martin	Forestar

FIRST ORDER OF BUSINESS

Call to Order/Roll Call

Mr. Wrathell called the meeting to order at 12:05 p.m. Supervisors Harvey, Martin, Smith and Cotter were present, in person. One seat was vacant.

SECOND ORDER OF BUSINESS

Public Comments

No members of the public spoke.

THIRD ORDER OF BUSINESS

Consider Appointment to Fill Unexpired Term of Seat 2; Term Expires November, 2024

- **Administration of Oath of Office to Newly Appointed *Supervisor (the following to be provided in a separate package)***

- A. **Guide to Sunshine Amendment and Code of Ethics for Public Officers and Employees**
- B. **Membership, Obligations and Responsibilities**
- C. **Financial Disclosure Forms**
 - I. **Form 1: Statement of Financial Interests**
 - II. **Form 1X: Amendment to Form 1, Statement of Financial Interests**
 - III. **Form 1F: Final Statement of Financial Interests**
- D. **Form 8B – Memorandum of Voting Conflict**

This item was deferred.

FOURTH ORDER OF BUSINESS

Consideration of Resolution 2021-05, Designating a Chair, a Vice Chair, a Secretary, Assistant Secretaries, a Treasurer and an Assistant Treasurer of the West Port Community Development District, and Providing for an Effective Date

This item was deferred.

FIFTH ORDER OF BUSINESS

Consideration of Resolution 2021-06, Amending Resolution 2020-36, Which Adopted the District’s Fiscal Year 2020/2021 Budget, and Resolution 2020-37, Which Levied O&M Assessments for Fiscal Year 2020/2021; Authorizing a Deficit Funding Agreement; Certifying an Amended Assessment Roll; Addressing Conflicts; and Providing for a Severability Clause and an Effective Date

Mr. Earlywine presented Resolution 2021-06. This Resolution amends the previously adopted budget and assessment Resolutions and contemplates that the O&M Assessments would only be posted against certain developed lands that have been sold to builders and the balance would be deficit-funded through a tri-party deficit funding agreement where the parties would share any excess costs in the budget on an as-needed basis.

Discussion ensued regarding the deficit funding agreement, percentage splits, administrative costs, shared Master O&M costs, Special Revenue Funds, the Assessment Table, Forestar, Kolter and the HOA.

Mr. Wrathell stated the District would contract with the HOA to maintain the common areas inside the gates. Mr. Harvey stated the percentages are 62% for KL West Port, LLC, 23% for Forestar and 15% for KL JAK WP LLC. Mr. Earlywine would add the percentages into the Deficit Funding Agreement, clarify that they apply to only the master improvements, address each of the neighborhoods separately and prepare a CDD/HOA Maintenance Agreement. The Methodology would also require modification.

On MOTION by Mr. Harvey and seconded by Mr. Paul Martin, with all in favor, Resolution 2021-06, Amending Resolution 2020-36, Which Adopted the District’s Fiscal Year 2020/2021 Budget, and Resolution 2020-37, Which Levied O&M Assessments for Fiscal Year 2020/2021; Authorizing a Deficit Funding Agreement; Certifying an Amended Assessment Roll; Addressing Conflicts; and Providing for a Severability Clause and an Effective Date, as amended, was adopted.

SIXTH ORDER OF BUSINESS

Consideration of Matters Regarding Master Assessments

A. Restated Master Engineer’s Report and 2021 Supplemental Engineer’s Report

Mr. Morris reviewed the Master Engineer’s Report and the 2021 Supplemental Engineer’s Report for Assessment Area Three and noted the relevant information on each page.

B. Restated Master Special Assessment Methodology Report and Third Supplemental Special Assessment Methodology Report

Mr. Wrathell reviewed the Appendix Tables, on Pages 20 through 27 of the Restated Master Special Assessment Methodology Report and Third Supplemental Special Assessment Methodology Report. Table 5 would be revised to reflect different Equivalent Residential Units (ERUs) per unit for the different product types different from the existing ERUs. Table 11 was

consistent with the exact par amount of bonds and annual debt assessment being targeted for Assessment Area 3.

- C. Resolution 2021-07, Declaring and Confirming Master Special Assessments; Designating the Nature and Location of the Proposed Improvements; Declaring the Total Estimated Cost of the Improvements, the Portion to be Paid by Assessments, and the Manner and Timing in Which the Assessments are to be Paid; Designating the Lands Upon Which the Assessments Shall be Levied; Providing for an Assessment Plat and a Preliminary Assessment Roll; Addressing the Setting of Public Hearings; Providing for Publication of this Resolution; and Addressing Conflicts, Severability and an Effective Date**

Mr. Earlywine presented Resolution 2021-07.

Discussion ensued regarding potential dates for the Assessment Public Hearing and the Delegation Award Resolution meeting. The Delegated Award meeting would be March 9, 2021 and the Assessment Public Hearing would be April 6, 2021.

On MOTION by Mr. Harvey and seconded by Mr. Paul Martin, with all in favor, Resolution 2021-07, Declaring and Confirming Master Special Assessments; Designating the Nature and Location of the Proposed Improvements; Declaring the Total Estimated Cost of the Improvements, the Portion to be Paid by Assessments, and the Manner and Timing in Which the Assessments are to be Paid; Designating the Lands Upon Which the Assessments Shall be Levied; Providing for an Assessment Plat and a Preliminary Assessment Roll; Addressing the Setting of Public Hearings for April 6, 2021 at the Centennial Park Recreation Center, 1120 O'Donnell Boulevard, Port Charlotte, Florida 33953, at 12:00 p.m.; Providing for Publication of this Resolution; and Addressing Conflicts, Severability and an Effective Date, was adopted.

SEVENTH ORDER OF BUSINESS

Consideration of Matters Regarding Assessment Area Three Bonds, Assessments & Project

- A. Restated Master Engineer’s Report and 2021 Supplemental Engineer’s Report**
- B. Restated Master Special Assessment Methodology Report and Third Supplemental Special Assessment Methodology Report**

C. Resolution 2021-08, Authorizing the Issuance of Not Exceeding \$ _____ West Port Community Development District, Special Assessment Bonds, Series 2020 (Assessment Area Three) (the “Bonds”)

These items were deferred to the March meeting.

EIGHTH ORDER OF BUSINESS

Discussion: Alternate Meeting Location for June 8 and July 13 Meeting Dates (Conflict with Summer Camp)

Mr. Wrathell stated that the current meeting location would be unavailable in June and July and it was necessary to find another meeting location. Mr. Morris suggested contacting Charlotte County for meeting spaces. Mr. Wrathell would ask Ms. Gillyard to contact Mr. Morris for assistance.

NINTH ORDER OF BUSINESS

Acceptance of Unaudited Financial Statements as of December 31, 2020

Mr. Wrathell presented the Unaudited Financial Statements as of December 31, 2020.

On MOTION by Mr. Harvey and seconded by Mr. Cotter, with all in favor, the Unaudited Financial Statements as of December 31, 2020, were accepted.

TENTH ORDER OF BUSINESS

Consideration of January 11, 2021 Special Meeting Minutes

Mr. Wrathell presented the January 11, 2021 Special Meeting Minutes.

On MOTION by Mr. Paul Martin and seconded by Mr. Harvey with all in favor, the January 11, 2021 Special Meeting Minutes, as presented, were approved.

ELEVENTH ORDER OF BUSINESS

Staff Reports

A. District Counsel: *Hopping Green & Sams, P.A.*

There being nothing further to report, the next item followed.

B. District Engineer: *Morris Engineering and Consulting, LLC*

There being nothing further to report, the next item followed.

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

- **NEXT MEETING DATE: March 9, 2021 at 12:00 P.M.**

- **QUORUM CHECK**

The next meeting would be held on March 9, 2021 at 12:00 p.m.

TWELFTH ORDER OF BUSINESS

Board Members' Comments/Requests

Mr. Morris responded to questions regarding final acceptance of the Phase 2 Infrastructure, construction, utility turnover, landscaping bids, roadways and lake bank maintenance. The Phase 1 work was completed, except for the lift station, fencing, final concrete work and landscaping.

THIRTEENTH ORDER OF BUSINESS

Public Comments

There being no public comments, the next item followed.

FOURTEENTH ORDER OF BUSINESS

Adjournment

There being nothing further to discuss, the meeting adjourned.

On MOTION by Mr. Paul Martin and seconded by Mr. Harvey with all in favor, the meeting adjourned at 1:01 p.m.

[SIGNATURES APPEAR ON THE FOLLOWING PAGE]



Secretary/Assistant Secretary



Chair/Vice Chair