

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

The Board of Supervisors of the West Port Community Development District held a Regular Meeting on January 11, 2022 at 12:00 p.m., at the Centennial Park Recreation Center, 1120 Centennial Boulevard, Port Charlotte, Florida 33953 and via conference call at 1-888-354-0094, Participant Passcode: 943 865 3730.

Present were:

Jim Manners	Assistant Secretary
Paul Martin	Assistant Secretary
Candice Smith	Assistant Secretary

Also present were:

Kristen Suit	District Manager
Jere Earlywine (via telephone)	District Counsel
Jessica Friday (via telephone)	Property Management
James Ratz (via telephone)	Forestar Group Inc.

FIRST ORDER OF BUSINESS

Call to Order/Roll Call

Ms. Suit called the meeting to order at 12:02 p.m. Supervisors Manners, Martin and Smith were present, in person. Supervisors Cotter and Harvey were not present.

SECOND ORDER OF BUSINESS

Public Comments

There were no public comments.

THIRD ORDER OF BUSINESS

Ratification of Change Orders

Ms. Suit presented the following Change Orders previously executed by the Chair:

- A. No. 27: Stark Sullen Grading, Inc. [West Port Pod B, H and A]**
- B. No. 28: Stark Sullen Grading, Inc. [West Port Pod B, H and A]**

On MOTION by Mr. Martin and seconded by Mr. Manners, with all in favor, Stark Sullen Grading, Inc., Change Orders No. 27 and No. 28, were ratified.

FOURTH ORDER OF BUSINESS

Ratification of Charlotte County Utilities Service Agreement

Ms. Suit presented a draft of the Charlotte County Utilities Service Agreement, including Exhibits A, B and C. The Agreement is for 145 Equivalent Residential Connections (ERCs) for water and 156.6 ERCs for sewer.

Mr. Earlywine pointed out that the calculations were for 172 units and the Agreement was not fully executed by Charlotte County, as they are awaiting a payment from the Accounting Department.

On MOTION by Mr. Martin and seconded by Mr. Manners, with all in favor, the Charlotte County Utilities Service Agreement, was ratified.

In response to Mr. Martin’s question regarding the payment allocation on the Utilities Service Agreement, Mr. Earlywine stated the CDD should obtain consideration for the \$400,000 that would be disbursed and the CDD’s Acquisition Agreement contemplates that the CDD could keep the credit and document it. Mr. Martin would inform Brian that the reimbursements should be forwarded to the CDD for allocation to an asset, such as a stormwater pond or landscaping.

FIFTH ORDER OF BUSINESS

Ratification of Easement Agreement (Northwest Stormwater Pond and Additional Drainage Rights)

Ms. Suit presented the Easement Agreement (Northwest Stormwater Pond and Additional Drainage Rights between Continental 611 Fund LLC and the West Port CDD. Mr. Earlywine stated the Easement Agreement contemplates the new ponds.

On MOTION by Mr. Martin and seconded by Mr. Manners, with all in favor, the Easement Agreement (Northwest Stormwater Pond and Additional Drainage Rights), between Continental 611 Fund LLC and the West Port CDD, was ratified.

SIXTH ORDER OF BUSINESS

Ratification of Amended and Restated Easement (Irrigation Ponds)

Ms. Suit presented the Amended and Restated Easement for the Irrigation Ponds.

Discussion ensued regarding the L-shaped pond, the type of easement at Pond G and pond ownership. Mr. Earlywine would review the final version of the document and make any revisions. He recommended approval in substantial form.

On MOTION by Mr. Martin and seconded by Mr. Manners, with all in favor, the Amended and Restated Easement for the Irrigation Ponds, in substantial form, was approved.

SEVENTH ORDER OF BUSINESS

Update: Memorandum of Stormwater Reporting Requirements

Ms. Suit stated the District Engineer would present a work authorization for preparation of the Stormwater Needs Analysis Report at the next meeting.

EIGHTH ORDER OF BUSINESS

Consideration of Resolution 2022-01, Making Certain Findings; Waiving a Portion of Rule 1.3(1), Rules of Procedure; Providing for Reasonable Notice of Board Meetings; Providing a Severability Clause; and Providing an Effective Date

Mr. Earlywine presented Resolution 2022-01. He explained that, going forward, the CDD's Annual Meeting Schedule would be advertised once annually in a local publication. Special meetings, not on the advertised Meeting Schedule, would be advertised as needed. Also, the meeting dates would be posted on the CDD website.

On MOTION by Mr. Martin and seconded by Mr. Manners, with all in favor, Resolution 2022-01, Making Certain Findings; Waiving a Portion of Rule 1.3(1), Rules of Procedure; Providing for Reasonable Notice of Board Meetings; Providing a Severability Clause; and Providing an Effective Date, authorizing the Chair to execute, was adopted.

NINTH ORDER OF BUSINESS

Consideration of Resolution 2022-02, Adopting a Policy Governing Wayfinding Signs; Authorizing an Agreement and Accepting a Bill of Sale for Wayfinding Signs; Addressing Operations and Maintenance Expenses; Providing a Severability Clause; and Providing an Effective Date

Ms. Suit presented Resolution 2022-02. Mr. Earlywine explained that the CDD is acquiring signage from the Developer, at no cost, and setting up a policy so that individual builders can apply to be on the signage so their neighborhoods are recognized. The builders must pay for any operation and maintenance (O&M) of the wayfinding signs.

On MOTION by Mr. Martin and seconded by Mr. Manners, with all in favor, Resolution 2022-02, Adopting a Policy Governing Wayfinding Signs; Authorizing an Agreement and Accepting a Bill of Sale for Wayfinding Signs; Addressing Operations and Maintenance Expenses; Providing a Severability Clause; and Providing an Effective Date, was adopted.

TENTH ORDER OF BUSINESS

Consideration of Resolution 2022-03, Granting the Chairperson the Authority to Execute Real and Personal Property Conveyance and Dedication Documents, Plats and Other Documents Related to the Development of the District's Improvements; Approving the Scope and Terms of Such Authorization; Providing a Severability Clause; and Providing an Effective Date

Ms. Suit presented Resolution 2022-03. Mr. Earlywine stated the purpose of the document is to authorize the Chair and other officers, including the Vice Chair and Secretaries in the absence of the Chair, to execute documents in between meetings.

On MOTION by Mr. Martin and seconded by Mr. Manners, with all in favor, Resolution 2022-03, Granting the Chairperson the Authority to Execute Real and Personal Property Conveyance and Dedication Documents, Plats and Other Documents Related to the Development of the District’s Improvements; Approving the Scope and Terms of Such Authorization; Providing a Severability Clause; and Providing an Effective Date, was adopted.

ELEVENTH ORDER OF BUSINESS

Acceptance of Unaudited Financial Statements as of November 30, 2021

Ms. Suit presented the Unaudited Financial Statements as of November 30, 2021.

On MOTION by Mr. Martin and seconded by Mr. Manners, with all in favor, the Unaudited Financial Statements as of November 30, 2021, were accepted.

TWELFTH ORDER OF BUSINESS

Consideration of October 12, 2021 Regular Meeting Minutes

Ms. Suit presented the October 12, 2021 Regular Meeting Minutes.

On MOTION by Mr. Martin and seconded by Mr. Manners, with all in favor, the October 12, 2021 Regular Meeting Minutes, as presented, were approved.

THIRTEENTH ORDER OF BUSINESS

Staff Reports

A. District Counsel: *K.E. Law Group, PLLC*

Mr. Earlywine noted that Staff would facilitate a second bond issuance on the Forestar parcels in June and present a Delegation Resolution at the March meeting. Mr. Earlywine asked if the Board wished to execute another bond issuance on the Kolter side in 2022. Mr. Martin

replied affirmatively and stated in May or June. Mr. Earlywine would send an email with the unit counts.

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

There was no report.

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

- **NEXT MEETING DATE: February 8, 2022 at 12:00 P.M.**
 - **QUORUM CHECK**

The February meeting was cancelled. The next meeting would be held on March 8, 2022.

FOURTEENTH ORDER OF BUSINESS

Board Members' Comments/Requests

Mr. Martin asked if the CDD should ask the lake maintenance contractor to expand their proposal to include the lakes in the Forestar section of the property.

Mr. Ratz stated it makes sense to include that in the CDD but the current agreements should be reviewed. The HOA typically maintains the lake banks, whether it is for themselves or through an agreement between the CDD and the HOA. It would make sense for the HOA maintenance contractor to maintain the lake banks and the aquatics contractor to maintain the aquatics aspect.

Asked if that was part of the Master CDD that Forestar is being assessed for, Mr. Ratz stated the CDD should be responsible for aquatics maintenance and the HOA should be responsible for lake bank mowing.

Ms. Suit would email the current contracts to District Counsel for Mr. Earlywine to match up the contracts with the latest real estate records. Asked about responsibility for grass mowing, Mr. Ratz stated it would be best for the CDD to be responsible for it but, if no document addresses grass mowing, then the Board could decide which entity controls it.

FIFTEENTH ORDER OF BUSINESS

Public Comments

There were no public comments.

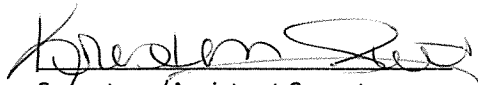
SIXTEENTH ORDER OF BUSINESS

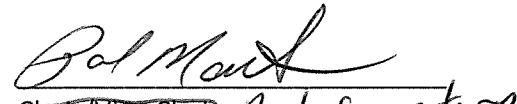
Adjournment

There being nothing further to discuss, the meeting adjourned.

On MOTION by Mr. Martin and seconded by Mr. Manners with all in favor, the meeting adjourned at 12:35 p.m.

[SIGNATURES APPEAR ON THE FOLLOWING PAGE]


Secretary/Assistant Secretary


~~Chair/Vice Chair~~ Asst. Secretary