

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

The Board of Supervisors of the West Port Community Development District held a Public Hearing and Regular Meeting on May 9, 2023 at 12:30 p.m., at the Centennial Park Recreation Center, 1120 Centennial Boulevard, Port Charlotte, Florida 33953.

**Present were:**

Candice Smith	Chair
Paul Martin	Vice Chair
Jim Manners	Assistant Secretary
Christian Cotter	Assistant Secretary

**Also present were:**

Kristen Suit	District Manager
Jere Earlywine	District Counsel
Matt Morris (via telephone)	District Engineer
Andrea Arce	Evergreen Field Operations Management
Jillian Nehus	Evergreen Field Operations Management
James Rantz	Forestar

**FIRST ORDER OF BUSINESS**

**Call to Order/Roll Call**

Ms. Suit called the meeting to order at 12:30 p.m. Supervisors Martin, Manners, Smith and Cotter were present. Supervisor Meath was not present.

**SECOND ORDER OF BUSINESS**

**Public Comments**

There were no public comments.

**THIRD ORDER OF BUSINESS**

**Administration of Oath of Office to Supervisor Greg Meath [SEAT 1] (the following will be provided in a separate package)**

The Oath of Office will be administered to Mr. Meath at or before the next meeting.

- 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**

**FOURTH ORDER OF BUSINESS**

**Consideration of Resolution 2023-06, Approving a Proposed Budget for Fiscal Year 2023/2024 and Setting a Public Hearing Thereon Pursuant to Florida Law; Addressing Transmittal, Posting and Publication Requirements; Addressing Severability; and Providing for an Effective Date**

Ms. Suit presented Resolution 2023-06. She distributed and reviewed the proposed Fiscal Year 2024 budget, highlighting any line item increases, decreases and adjustments, compared to the Fiscal Year 2023 budget, and explained the reasons for any changes.

Discussion ensued regarding adjusting the numbers of the on and off-roll assessments and the Landowner-contribution percentage splits before final adoption of the Fiscal Year 2024 budget and which lots are platted and whether they are on roll.

The following changes were made:

Page 5, "Solar streetlighting" line item: Increase to \$148,500

Page 2, "Property insurance" line item: Increase to \$25,000

Page 5, "Property insurance" line item: Increase to \$50,000

**On MOTION by Mr. Manners and seconded by Mr. Martin, with all in favor, Resolution 2023-06, Approving a Proposed Budget for Fiscal Year 2023/2024, as amended, and Setting a Public Hearing Thereon Pursuant to Florida Law for August 8, 2023 at 12:30 p.m., at the Centennial Park Recreation Center, 1120 Centennial Boulevard, Port Charlotte, Florida 33953; Addressing Transmittal, Posting and Publication Requirements; Addressing Severability; and Providing for an Effective Date, was adopted.**

**FIFTH ORDER OF BUSINESS**

**Consideration of Rostan Solutions, LLC, Professional Services Task Order Number 02; Amendment Number 01 [Invoice 7323 - WPCDD DR-4673 (Ian) Debris Monitoring - Long Term]**

**A. Discussion: Agreement for Professional Services**

Ms. Suit stated that this is related to the Debris Monitoring Services Project that was approved in the amount of \$25,000 but the actual amount was \$36,465. Mr. Earlywine stated that the documentation accounts for the excess time/expenses related to the services performed.

**On MOTION by Mr. Cotter and seconded by Mr. Martin, with all in favor, the Rostan Solutions, LLC, Professional Services Task Order Number 02; Amendment Number 01 related to Invoice 7323 - WPCDD DR-4673 for Hurricane Ian Long Term Debris Monitoring, in the amount of \$36,465, was approved.**

**B. Discussion: Professional Task Order Number 01- Amendment 01**

Ms. Suit stated that this is a request for an additional not-to-exceed \$25,000 in addition to the \$25,000 already paid for Grant Management Services.

Discussion ensued regarding the Federal Emergency Management Agency (FEMA) claims process, which involves not only FEMA but the State.

Ms. Suit stated that it will be necessary to use some special revenue funds to pay a portion of this \$25,000 expense.

**On MOTION by Mr. Martin and seconded by Mr. Cotter, with all in favor, Professional Task Order Number 01- Amendment 01, in the additional not-to-exceed amount of \$25,000 for Grant Management Services, was approved.**

**SIXTH ORDER OF BUSINESS**

**Ratification Items**

Ms. Suit presented the following:

**A. Custom Tree Care, Inc., d/b/a CTC Disaster Response, Inc., Change Order #1 to Agreement for Debris Removal Services**

Amended to increase the amount from \$63,135 to \$73,500.

**On MOTION by Mr. Martin and seconded by Mr. Cotter, with all in favor, Custom Tree Care, Inc., d/b/a CTC Disaster Response, Inc., Change Order #1 to Agreement for Debris Removal Services, increasing the amount from \$63,135 to \$73,500, was ratified.**

Regarding the Rostan Amendments, Ms. Suit noted that the services were publicly advertised in an attempt to obtain lower bids but no other responses were received; therefore, Rostan was the only option.

**B. Vision Landscapes Estimates**

**I. #7566 Top Choice/Fire Ant Application: Main Roadways – General Fund**

Amount: \$1,688.37

**II. #7568 Top Choice/Fire Ant Application: Special Assessment Area 1 – Special Revenue Fund**

Amount: \$639.36

**III. #7757 Installation of 205 CY Pine Straw Mulch at East Side of Centennial Blvd., West Side of The Isles**

Amount: \$14,775.00

**IV. #438 Installation of Annuals – General Funds**

Amount: \$10,374.00

**V. #439 Mulch Installation – General Funds**

Amount: \$63,856.15

**VI. #440 Landscape Buffer Areas, Mulch Installation – Special Reserves Funds**

Amount: \$14,633.72

**On MOTION by Mr. Martin and seconded by Mr. Manners, with all in favor, Vision Landscapes Estimates #7566, #7568, #7757, #438, #439 and #440, in the amounts specified, were ratified.**

C. Temporary Construction and Access Easement [The Palms at West Port]

On MOTION by Mr. Martin and seconded by Mr. Cotter, with all in favor, the Temporary Construction and Access Easement related to The Palms at West Port, was ratified.

D. Division of Emergency Management, Federally Funded Subaward and Grant Agreement Z3336 for DR-4673 Hurricane Ian

On MOTION by Mr. Cotter and seconded by Mr. Martin, with all in favor, the Division of Emergency Management, Federally Funded Subaward and Grant Agreement Z3336 for DR-4673 Hurricane Ian, was ratified.

E. Irrigation Technical Services, Inc., Contract for Water Reporting

On MOTION by Mr. Martin and seconded by Mr. Manners, with all in favor, the Irrigation Technical Services, Inc., Contract for Water Reporting, was ratified.

F. Quit Claim Drainage Easement [Forestar (USA) Real Estate Group Inc., and The Cove at West Port]

On MOTION by Mr. Martin and seconded by Ms. Smith, with all in favor, the Quit Claim Drainage Easement [Forestar (USA) Real Estate Group Inc., and The Cove at West Port], was ratified.

G. O'Donnell Landscapes, Inc., Invoice No. HI1002-22 [Hurricane Ian Restoration]

On MOTION by Mr. Cotter and seconded by Mr. Manners, with all in favor, O'Donnell Landscapes, Inc., Invoice No. HI1002-22 related to Hurricane Ian Restoration, was ratified.

H. Letter Agreement for Acquisition of West Port Improvements [Miscellaneous AA1, AA3 & Master Improvements]

**On MOTION by Mr. Martin and seconded by Mr. Cotter, with all in favor, the Letter Agreement for Acquisition of West Port Improvements for Miscellaneous AA1, AA3 and Master Improvements, was ratified.**

**I. Acquisition of the Phase 1A Improvements**

**On MOTION by Mr. Cotter and seconded by Mr. Manners, with all in favor, Acquisition of the Phase 1A Improvements, was ratified.**

**SEVENTH ORDER OF BUSINESS**

**Consideration of Recovered Energy Technologies (USA), Inc., Solar Lighting as a Service Agreement**

Mr. Earlywine presented the Recovered Energy Technologies (USA), Inc., Solar Lighting as a Service Agreement and discussed the changes to the original Agreement; the Agreement is now more favorable to the CDD.

**On MOTION by Mr. Manners and seconded by Mr. Cotter, with all in favor, the Recovered Energy Technologies (USA), Inc., Solar Lighting as a Service Agreement, in the amount of \$148,500, in substantial form, was approved.**

**EIGHTH ORDER OF BUSINESS**

**Consideration of Kutak Rock LLP Retention and Fee Agreement**

**On MOTION by Mr. Martin and seconded by Mr. Cotter, with all in favor, the Kutak Rock LLP Retention and Fee Agreement for District Counsel Services, was approved.**

**NINTH ORDER OF BUSINESS**

**Consideration of Resolution 2023-07, Adopting a Rule Regarding the Use of District Property; Providing Trespass Enforcement Authority; Authorizing the Issuance of a Letter Regarding the Same; Providing a Severability Clause; and Providing an Effective Date**

Ms. Suit presented Resolution 2023-07. The purpose is to adopt Interim Rules to be in place until a public hearing can be held. Mr. Earlywine stated that this helps with trespass enforcement.

**On MOTION by Mr. Martin and seconded by Mr. Cotter, with all in favor, Resolution 2023-07, Adopting a Rule Regarding the Use of District Property; Providing Trespass Enforcement Authority; Authorizing the Issuance of a Letter Regarding the Same; Providing a Severability Clause; and Providing an Effective Date, was adopted.**

**TENTH ORDER OF BUSINESS**

**Consideration of Resolution 2023-08, to Designate the Date, Time and Place of Public Hearing and Authorize Publication of Notice of Such Hearing for the Purpose of Adopting a Rule Regarding District Property and Trespass; and Providing an Effective Date**

Ms. Suit presented Resolution 2023-08.

**On MOTION by Mr. Cotter and seconded by Mr. Manners, with all in favor, the Resolution 2023-08, to Designate August 8, 2023 at 12:30 p.m., at the Centennial Park Recreation Center, 1120 Centennial Boulevard, Port Charlotte, Florida 33953 as the Date, Time and Place of Public Hearing and Authorize Publication of Notice of Such Hearing for the Purpose of Adopting a Rule Regarding District Property and Trespass; and Providing an Effective Date, was adopted.**

**ELEVENTH ORDER OF BUSINESS**

**Public Hearing to Hear Public Comments and Objections to the Adoption of the Rules for Parking and Parking Enforcement, Pursuant to Sections 120.54 and 190.035, Florida Statutes**

**On MOTION by Mr. Cotter and seconded by Mr. Martin, with all in favor, the Public Hearing was opened.**

**A. Affidavits of Publication**

**B. Consideration of Resolution 2023-09, Adopting Policies Relating to Overnight Parking and Parking Enforcement and Providing for Severability and an Effective Date**

Ms. Suit presented Resolution 2023-09 and the Overnight Parking and Parking Enforcement Policies.

No members of the public spoke.

**On MOTION by Mr. Cotter and seconded by Mr. Martin, with all in favor, the Public Hearing was closed.**

**On MOTION by Mr. Cotter and seconded by Mr. Manners, with all in favor, Resolution 2023-09, Adopting Policies Relating to Overnight Parking and Parking Enforcement and Providing for Severability and an Effective Date, was adopted.**

**TWELFTH ORDER OF BUSINESS**

**Acceptance of Unaudited Financial Statements as of March 31, 2023**

Ms. Suit presented the Unaudited Financial Statements as of March 31, 2023.

**On MOTION by Mr. Cotter and seconded by Mr. Manners, with all in favor, the Unaudited Financial Statements as of March 31, 2023, were accepted.**

**THIRTEENTH ORDER OF BUSINESS**

**Approval of February 14, 2023 Regular Meeting Minutes**

Ms. Suit presented the February 14, 2023 Regular Meeting Minutes.

**On MOTION by Mr. Cotter and seconded by Mr. Manners, with all in favor, the February 14, 2023 Regular Meeting Minutes, as presented, were approved.**

**FOURTEENTH ORDER OF BUSINESS**

**Staff Reports**

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

Mr. Earlywine stated work on real estate items, finishing project completions and checking reserve account releases are underway.



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

There was no report.

**C. Field Operations: Evergreen Lifestyles Management, LLC**

The Field Operations report was included for informational purposes.

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

- **278 Registered Voters in District as of April 15, 2023**
- **NEXT MEETING DATE: July 11, 2023 at 12:30 PM**
  - **QUORUM CHECK**

The July 11, 2023 meeting will be cancelled. The next meeting will be August 8, 2023.

**FIFTEENTH ORDER OF BUSINESS**

**Board Members' Comments/Requests**

Discussion ensued regarding determining what is necessary to get two proposals to amend an existing contract.

**SIXTEENTH ORDER OF BUSINESS**

**Public Comments**

Mr. Rantz stated that certain drawings on the lake expansion landscaping are needed. Mr. Martin stated that he emailed GeoPoint Surveying about it.

Discussion ensued regarding speed limit signs, streetlights, etc.

**SEVENTEENTH ORDER OF BUSINESS**

**Adjournment**

**On MOTION by Mr. Martin and seconded by Mr. Manners with all in favor, the meeting adjourned at 1:51 p.m.**

[SIGNATURES APPEAR ON THE FOLLOWING PAGE]

  
Secretary/Assistant Secretary

  
Chair/Vice Chair