

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

The Board of Supervisors of the West Port Community Development District held Public Hearings and a Regular Meeting on August 8, 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

Also present:

Kristen Suit	District Manager
Joe Brown (via telephone)	District Counsel
Matt Morris (via telephone)	District Engineer
Jillian Nehus	Evergreen Field Operations Management

Residents in attendance:

Daniel Chudrinsch	James Bugos Jr.	Jack Head	Connie Smith	John D. Moore
Robert Raspanti	Kayla Trautman	Barry Gibb	Arlene Monroe	Willy Monroe
Harry Alexander	Marti Downing	Jo Steele	Steve Brand	Barbara Brand
Nancy Wilson Head	Phyllis Stubbing	Hedy Levine	Steven Levine	Ben Martinez

FIRST ORDER OF BUSINESS

Call to Order/Roll Call

Ms. Suit called the meeting to order at 12:48 p.m. Supervisors Martin, Manners and Smith were present. Supervisors Cotter and Meath were not present.

SECOND ORDER OF BUSINESS

Public Comments

Several residents asked for copies of the agenda and questioned why they were not mailed to their homes. Ms. Suit stated the agenda is posted on the CDD website at www.westportcdd.net and there is no requirement for CDD to mail physical copies of the agendas to homeowners.

Mr. Martin arranged to have copies made for the meeting and explained that the CDD is a governmental entity and, similar to the Board of County Commissioner meetings, agendas and related documents are available online. If agendas were mailed to residents, the expense would be passed on to homeowners, via their assessments.

Ms. Suit and the Board Members introduced themselves and the entities they represent.

Asked if meeting minutes are produced, Ms. Smith stated that the minutes, agendas, the budget and all official records will be on the CDD website, which is ADA-compliant. She stated that the Board will ask Ms. Nehus, who sends email communications for the HOA, to include that information in her communications to the community.

Asked about the lights that were recently installed in front of resident homes, Ms. Smith stated solar streetlight installations were approved by the Board months ago; it is a lease program with a private utility company. The lights are within the public utility easement in front of the homes.

A resident noted the high taxes in the area and asked for the difference between the County and the CDD. Mr. Martin stated the CDD is in Charlotte County. The County provides potable water and the sewer system and owns Centennial Boulevard and Westport Boulevard. The remainder of the roads and irrigation pumps are owned by the CDD.

Asked why residents must pay Charlotte County if they had nothing to do with the assessment increase, Mr. Martin explained that residents reside in Charlotte County and pay property taxes to the County and pay assessments to the CDD, plus infrastructure that was put in the Agreement the CDD has with Charlotte County to maintain the streetlights and the landscaping on the roads.

Asked why residents are not notified of projects that they did not request, Mr. Martin explained that the CDD is a natural Developer and it is the CDD's responsibility to install the public and private infrastructure needed for the homes and the easements are in place for this.

A resident who was on a Board in New York State stated notifications and budgets were sent and, in her opinion, there was full transparency unlike with the CDD. Mr. Martin stated the CDD abides by the Florida Statutes and does everything according the Statutes.

A resident noted that several residents are new to Florida and asked for a brief history of how the CDD works. Mr. Martin explained that the CDD is a special taxing District that helps fund the infrastructure in the community and maintains all the stormwater drain systems throughout the CDD and the common area landscaping and monitors and maintains the nearby wetlands or preserves in accordance with the Environmental Resource Permit (ERP). He discussed the General and Special Revenue Funds, how the CDD was established, the budget, County ordinances, bond issuances, lot ownership, operations and maintenance (O&M) assessments, boundary expansion, how Board Members are appointed and the Board transition process from developer-controlled to resident-controlled.

Discussion ensued regarding line-of-sight (LOS) issues on the median on Centennial Boulevard and a lack of lighting on Centennial and 41.

Mr. Martin will have the trees trimmed back and the streetlights checked.

THIRD ORDER OF BUSINESS

Administration of Oath of Office to Supervisor Greg Meath [SEAT 1] (the following will 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

Public Hearing on Adoption of Fiscal Year 2023/2024 Budget

- A. Proof/Affidavit of Publication**

B. Consideration of Resolution 2023-10, Relating to the Annual Appropriations and Adopting the Budgets for the Fiscal Year Beginning October 1, 2023, and Ending September 30, 2024; Authorizing Budget Amendments; and Providing an Effective Date

On MOTION by Ms. Smith and seconded by Mr. Manners, with all in favor, the Public Hearing was opened.

Ms. Suit reviewed the proposed Fiscal Year 2024 budget and responded to questions about the O&M and Debt Service assessments, Special Revenue Fund (SRF), General Fund (GF) and the total assessments of \$2,488.51 per unit.

In response to a resident’s question about the \$1,198.68 total assessment per unit amount in Assessment Area Three, Mr. Martin stated that amount represented only O&M because the bonds had not been issued for the lots when the Fiscal Year 2023 budget was adopted. For Fiscal Year 2024, the assessment amount of \$2,488.51 includes both the O&M and the debt service assessments, since bonds were issued.

Several residents think the Fiscal Year 2024 budget does not make sense and voiced their opinions that it is unacceptable.

Mr. Martin explained that, in the prior year, for the Palms, which was still in the process of being developed, the debt service payment was pro-rated because it was not a full year, which is why the assessment amount was \$1,198.68 and no O&M was assigned to that. However, for Fiscal Year 2024, the Debt Service amount of \$1,275.19, O&M for the GF amount of \$612.41 and the SRF amount of \$600.41 are all factored into the total assessment amount.

Mr. Martin and Ms. Suit responded to questions regarding why The Cove homeowners do not pay SRF assessments, the HOA, the builder contract, the \$600,000 loan for hurricane expenses, Federal Emergency Management Agency (FEMA) reimbursement, why the budget adoption meeting is in August and if assessments will decrease once all 1,800 homes are sold.

On MOTION by Ms. Smith and seconded by Mr. Manners, with all in favor, the Public Hearing was closed.

On MOTION by Mr. Manners and seconded by Mr. Martin, with all in favor, Resolution 2023-10, Relating to the Annual Appropriations and Adopting the Budgets for the Fiscal Year Beginning October 1, 2023, and Ending September 30, 2024; Authorizing Budget Amendments; and Providing an Effective Date, was adopted.

FIFTH ORDER OF BUSINESS

Public Hearing to Hear Comments and Objections on the Imposition of Maintenance and Operation Assessments to Fund the Budget for Fiscal Year 2023/2024, Pursuant to Florida Law

A. Proof/Affidavit of Publication

B. Mailed Notice(s) to Property Owners

Ms. Suit stated that Mailed Notices are sent only when there is an assessment increase.

C. Consideration of Resolution 2023-11, Making a Determination of Benefit and Imposing Special Assessments for Fiscal Year 2023/2024; Providing for the Collection and Enforcement of Special Assessments, Including but Not Limited to Penalties and Interest Thereon; Certifying an Assessment Roll; Providing for Amendments to the Assessment Roll; Providing a Severability Clause; and Providing an Effective Date

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

Mr. Martin and Ms. Suit responded to questions about which expenses are included in the SRF and the GF, the apartments, the County, Westport Community Administration and the perceived inferior water quality in the Single-Family homes in The Palms.

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

On MOTION by Mr. Martin and seconded by Mr. Manners, with all in favor, Resolution 2023-11, Making a Determination of Benefit and Imposing Special Assessments for Fiscal Year 2023/2024; Providing for the Collection and Enforcement of Special Assessments, Including but Not Limited to Penalties and Interest Thereon; Certifying an Assessment Roll; Providing for Amendments to the Assessment Roll; Providing a Severability Clause; and Providing an Effective Date, was adopted.

SIXTH ORDER OF BUSINESS

Consideration of Resolution 2023-12, Designating Dates, Times and Locations for Regular Meetings of the Board of Supervisors of the District for Fiscal Year 2023/2024 and Providing for an Effective Date

Ms. Suit presented Resolution 2023-12.

On MOTION by Mr. Martin and seconded by Mr. Manners, with all in favor, Resolution 2023-12, Designating Dates, Times and Locations for Regular Meetings of the Board of Supervisors of the District for Fiscal Year 2023/2024 and Providing for an Effective Date, was approved.

SEVENTH ORDER OF BUSINESS

Ratification Items

- A. Rostan Invoice #7482**
- B. Rostan Invoice #7485**

Ms. Suit stated Invoice #7482, for \$9,052, is paid out of the SRF and Invoice #7485, for \$9,441.25, was paid out of the \$600,000 line of credit.

Mr. Martin stated Rostan is the FEMA-approved company engaged to manage the FEMA work being performed.

On MOTION by Mr. Martin and seconded by Mr. Manners, with all in favor, Rostan Invoices #7482 and #7485, were ratified.

- C. **Vision Landscape Services of Florida, Inc., Amended and Restated Landscape & Irrigation Services Agreement**

On MOTION by Mr. Martin and seconded by Mr. Manners, with all in favor, the Vision Landscape Services of Florida, Inc., Amended and Restated Landscape & Irrigation Services Agreement, was ratified.

EIGHTH ORDER OF BUSINESS

Consideration of Resolution 2023-13, 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 2023-13, which relates to trespassing.

On MOTION by Mr. Martin and seconded by Mr. Manners, with all in favor, Resolution 2023-13, to Designate October 10, 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 for a 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.

NINTH ORDER OF BUSINESS

Consideration of Resolution 2023-14, To Designate the Date, Time and Place of a Public Hearing and Authorization to Publish Notice of Such Hearing for the Purpose of Adopting Rules Relating to Parking and Providing an Effective Date

Ms. Suit presented Resolution 2023-14, which relates to parking enforcement.

On MOTION by Mr. Martin and seconded by Mr. Manners, with all in favor, the Resolution 2023-14, To Designate October 10, 2023 at 12:30 at the Centennial Park Recreation Center, 1120 Centennial Boulevard, Port Charlotte, Florida 33953, as the Date, Time and Place for a Public Hearing and Authorization to Publish Notice of Such Hearing for the Purpose of Adopting Rules Relating to Parking and Providing an Effective Date, was adopted.

TENTH ORDER OF BUSINESS

Acceptance of Unaudited Financial Statements as of June 30, 2023

On MOTION by Mr. Martin and seconded by Mr. Manners, with all in favor, the Unaudited Financial Statements as of June 30, 2023, were accepted.

ELEVENTH ORDER OF BUSINESS

Approval of May 9, 2023 Public Hearing and Regular Meeting Minutes

On MOTION by Mr. Martin and seconded by Mr. Manners, with all in favor, the May 9, 2023 Public Hearing and Regular Meeting Minutes, as presented, were approved.

TWELFTH ORDER OF BUSINESS

Staff Reports

A. District Counsel: Kutak Rock LLP

- **Letter of Intent SWFWMD ERP Permit Application – West Port Expansion Parcel**

Mr. Brown stated the Letter of Intent involves the Southwest Florida Water Management District (SWFWMD) Environmental Resource Permit (ERP) Application deals with the West Port expansion parcel. The Boundary Amendment is in progress and, as part of the ERP process, the SWFWMD requires identification of the entity proposed to own and maintain the necessary components of the water system and the improvements identified in the permit.

On MOTION by Mr. Martin and seconded by Mr. Manners, with all in favor, the Letter of Intent for the SWFWMD ERP Permit Application related to the West Port Expansion Parcel, was approved.

B. District Engineer: Morris Engineering and Consulting, LLC

There was no report.

C. Field Operations: Evergreen Lifestyles Management, LLC

Ms. Nehus reported the following:

- Charlotte County was advised of the damaged signage due to a car accident.
- She is working with Florida Power & Light (FPL) to have the tilted streetlights repaired along Westport Boulevard and Centennial.
- The monument and streetlight repairs on the main boulevard are underway.

Mr. Manners will have an electrician inspect the streetlight at 1010 Centennial Boulevard.

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

- **NEXT MEETING DATE: September 12, 2023 at 12:30 PM**
 - **QUORUM CHECK**

The September 12, 2023 meeting was cancelled.

THIRTEENTH ORDER OF BUSINESS

Board Members' Comments/Requests

There were no Board Member comments or requests.

FOURTEENTH ORDER OF BUSINESS

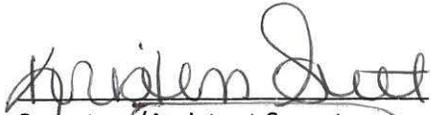
Public Comments

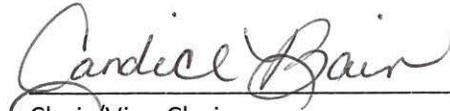
In response to a question about why Field Operations personnel are far away, Mr. Martin explained that Evergreen has corporate headquarters and most workers work remotely. Ms. Nehus has many projects between the CDD and Sarasota. It is the nature of the industry for Lifestyle Management companies. Most items are handled by the CDD, not the HOA.

FIFTEENTH ORDER OF BUSINESS

Adjournment

On MOTION by Mr. Martin and seconded by Ms. Smith with all in favor, the meeting adjourned at 2:07 p.m.


Secretary/Assistant Secretary


Chair/Vice Chair