

# **WEST PORT**

**COMMUNITY DEVELOPMENT**

**DISTRICT**

**October 10, 2023**

**BOARD OF SUPERVISORS**

**PUBLIC HEARINGS AND**

**REGULAR MEETING**

**AGENDA**

**WEST PORT**

**COMMUNITY DEVELOPMENT DISTRICT**

**AGENDA**

**LETTER**

**West Port Community Development District**  
**OFFICE OF THE DISTRICT MANAGER**  
**2300 Glades Road, Suite 410W•Boca Raton, Florida 33431**  
**Phone: (561) 571-0010•Toll-free: (877) 276-0889•Fax: (561) 571-0013**

October 3, 2023

Board of Supervisors  
West Port Community Development District

Dear Board Members:

The Board of Supervisors of the West Port Community Development District will hold Public Hearings and a Regular Meeting on October 10, 2023 at 12:30 p.m., at the Punta Gorda Charlotte Library, 401 Shreve St., Punta Gorda, Florida 33950. The agenda is as follows:

1. Call to Order/Roll Call
2. Public Comments
3. Acceptance of Greg Meath's Notice of Intent to Decline Appointment to Board Seat [Seat 1]
4. Consider Appointment to Fill Unexpired Term of Seat 1; *Term Expires November 2024*
  - Administration of Oath of Office to Appointed Supervisor (*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
5. Consideration of Resolution 2024-01, Appointing and Removing Officers of the District and Providing for an Effective Date
6. Public Hearing to Hear Public Comments and Objections to the Adoption of a Rule Regarding Use of District Property and Trespass Enforcement, Pursuant to Sections 120.54 and 190.035, Florida Statutes

**ATTENDEES:**

Please identify yourself each time you speak to facilitate accurate transcription of meeting minutes.

**NOTE: Meeting Location**

- A. Affidavits of Publication
  - B. Consideration of Resolution 2024-02, Adopting a Rule Regarding 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
7. 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
- A. Affidavits of Publication
  - B. Consideration of Resolution 2024-03, Adopting Policies Relating to Overnight Parking and Parking Enforcement and Providing for Severability and an Effective Date
8. Discussion: Location(s) for Fiscal Year 2024 Meetings
- Consideration of Resolution 2024-04, Adopting the Annual Meeting Schedule for Fiscal Year 2023/2024 and Providing for an Effective Date
9. Ratification Items
- A. Quit Claim Deed (KL JAX WP LLC)
  - B. Holland Enterprises Estimate 48447 (Front Entry Monument Repair)
10. Acceptance of Unaudited Financial Statements as of August 31, 2023
11. Approval of August 8, 2023 Public Hearings and Regular Meeting Minutes
12. Staff Reports
- A. District Counsel: *Kutak Rock LLP*
  - B. District Engineer: *Morris Engineering and Consulting, LLC*
  - C. Field Operations: *Evergreen Lifestyle Management, LLC*
  - D. District Manager: *Wrathell, Hunt and Associates, LLC*

- NEXT MEETING DATE: November 14, 2023 at 12:30 PM

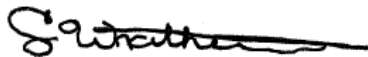
- QUORUM CHECK

SEAT 1		<input type="checkbox"/> IN PERSON	<input type="checkbox"/> PHONE	<input type="checkbox"/> NO
SEAT 2	JIM MANNERS	<input type="checkbox"/> IN PERSON	<input type="checkbox"/> PHONE	<input type="checkbox"/> NO
SEAT 3	PAUL MARTIN	<input type="checkbox"/> IN PERSON	<input type="checkbox"/> PHONE	<input type="checkbox"/> NO
SEAT 4	CANDICE BAIN	<input type="checkbox"/> IN PERSON	<input type="checkbox"/> PHONE	<input type="checkbox"/> NO
SEAT 5	CHRISTIAN COTTER	<input type="checkbox"/> IN PERSON	<input type="checkbox"/> PHONE	<input type="checkbox"/> NO

14. Board Members' Comments/Requests
15. Public Comments
16. Adjournment

Should you have any questions or concerns, please do not hesitate to contact me directly at (561) 719-8675 or Kristen Suit at (410) 207-1802.

Sincerely,



Craig Wrathell  
District Manager

**FOR BOARD AND STAFF TO ATTEND BY TELEPHONE**  
**CALL-IN NUMBER: 1-888-354-0094**  
**PARTICIPANT PASSCODE: 943 865 3730**

# **WEST PORT**

**COMMUNITY DEVELOPMENT DISTRICT**

**3**

**NOTICE OF INTENT TO DECLINE APPOINTMENT TO BOARD**

To: Board of Supervisors  
West Port Community Development District  
Attn: Kristen Suit and Craig Wrathell, District Managers  
2300 Glades Road, Suite 410W  
Boca Raton, Florida 33431

From: Gregory Meath  
Printed Name

Date: 10/03/23  
Date

I hereby decline the appointment to the Board of Supervisors of the *West Port Community Development District*. My tendered Notice of Intent to Decline Appointment to Board to be effective as of the time a quorum of the remaining members of the Board of Supervisors accepts it at a duly noticed meeting of the Board of Supervisors.

I certify that this Notice of Intent to Decline Appointment to Board has been executed by me and  personally presented at a duly noticed meeting of the Board of Supervisors,  scanned and electronically transmitted to [gillyardd@whhassociates.com](mailto:gillyardd@whhassociates.com) or  faxed to 561-571-0013 and agree that the executed original shall be binding and enforceable and the fax or email copy shall be binding and enforceable as an original.



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Signature

# **WEST PORT**

**COMMUNITY DEVELOPMENT DISTRICT**

**5**



**RESOLUTION 2024-01**

**A RESOLUTION OF THE BOARD OF SUPERVISORS OF THE WEST PORT COMMUNITY DEVELOPMENT DISTRICT APPOINTING AND REMOVING OFFICERS OF THE DISTRICT AND PROVIDING FOR AN EFFECTIVE DATE.**

**WHEREAS**, the West Port Community Development District (the “District”) is a local unit of special-purpose government created and existing pursuant to Chapter 190, *Florida Statutes*; and

**WHEREAS**, the District’s Board of Supervisors desires to appoint and remove Officers of the District.

**NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF SUPERVISORS OF WEST PORT COMMUNITY DEVELOPMENT DISTRICT THAT:**

**SECTION 1.** The following is/are appointed as Officer(s) of the District effective October 10, 2023:

\_\_\_\_\_ is appointed Chair

\_\_\_\_\_ is appointed Vice Chair

\_\_\_\_\_ is appointed Assistant Secretary

\_\_\_\_\_ is appointed Assistant Secretary

\_\_\_\_\_ is appointed Assistant Secretary

**SECTION 2.** The following Officer(s) shall be removed as Officer(s) as of October 10, 2023:

Greg Meath                      Assistant Secretary

\_\_\_\_\_

\_\_\_\_\_

**SECTION 3.** The following prior appointments by the Board remain unaffected by this Resolution:

Craig Wrathell is Secretary

Kristen Suit is Assistant Secretary

Craig Wrathell is Treasurer

Jeff Pinder is Assistant Treasurer

**PASSED AND ADOPTED THIS 10TH DAY OF OCTOBER, 2023.**

ATTEST:

**WEST PORT COMMUNITY DEVELOPMENT  
DISTRICT**

\_\_\_\_\_  
Secretary/Assistant Secretary

\_\_\_\_\_  
Chair/Vice Chair, Board of Supervisors

# **WEST PORT**

**COMMUNITY DEVELOPMENT DISTRICT**

# **6A**



**NOTICE OF RULE  
DEVELOPMENT BY  
THE WEST PORT  
COMMUNITY DEVELOPMENT  
DISTRICT**

In accordance with Chapters 190 and 120, Florida Statutes, the West Port Community Development District ("District") hereby gives notice of its intention to adopt its Rules Relating to Use of District Property and Trespass Enforcement ("Use of District Property Rules") which govern the operation of the District's stormwater facilities and other properties. The Use of District Property Rules will address certain revisions to the District's rules and policies governing the operation of the District's stormwater facilities and other properties.

The purpose and effect of the Use of District Property Rules are to provide for efficient and effective District operations of the District's stormwater facilities and other properties by setting policies, regulations, rates and fees to implement the provisions of Section 190.035, Florida Statutes. Specific legal authority for the rules includes Sections 190.035(2), 190.011(5), 190.012, 120.54, 120.69 and 120.81, Florida Statutes (2020).

A public hearing will be conducted by the District on October 10, 2023 at 12:30 p.m., at the Punta Gorda Charlotte Library, 401 Shreve St., Punta Gorda, FL 33950. A copy of the proposed rules and policies may be obtained by contacting the District Manager at 2300 Glades Road, Suite 410W, Boca Raton, Florida 33431, Ph: (561) 571-0010.

Kristen Suit  
District Manager  
Publish: 09/10/23  
426749 3902951

**PUBLISHER'S AFFIDAVIT OF  
PUBLICATION STATE OF FLORIDA COUNTY  
OF CHARLOTTE:**

Before the undersigned authority personally appeared Melinda Prescott, who on oath says that she is the Legal Advertising Representative of The Daily Sun, a newspaper published at Charlotte Harbor in Charlotte County, Florida; that the attached copy of advertisement, being a Legal Notice that was published in said newspaper in the issue(s)

09/10/23

as well as being posted online at [www.yoursun.com](http://www.yoursun.com) and [www.floridapublicnotices.com](http://www.floridapublicnotices.com).

Affiant further says that the said newspaper is a newspaper published at Charlotte Harbor, in said Charlotte County, Florida, and that the said newspaper has heretofore been continuously published in said Charlotte County, Florida, Sarasota County, Florida and DeSoto County, Florida, each day and has been entered as periodicals matter at the post office in Punta Gorda, in said Charlotte County, Florida, for a period of 1 year next preceding the first publication of the attached copy of advertisement; and affiant further says that he or she has neither paid nor promised any person, firm or corporation any discount, rebate, commission or refund for the purpose of securing this advertisement for publication in the said newspaper.

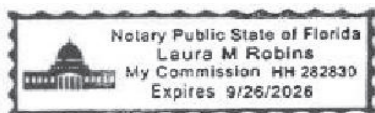
*Melinda Prescott*

(Signature of Affiant)

Sworn and subscribed before me this 11th day of  
September, 2023

*Laura M Robins*

(Signature of Notary Public)



Personally known  OR  Produced Identification



**PUBLISHER’S AFFIDAVIT OF PUBLICATION STATE OF FLORIDA COUNTY OF CHARLOTTE:**

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09/11/23

as well as being posted online at [www.yoursun.com](http://www.yoursun.com) and [www.floridapublicnotices.com](http://www.floridapublicnotices.com).

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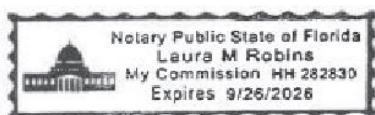
*Melinda Prescott*

(Signature of Affiant)

Sworn and subscribed before me this 11th day of September, 2023

*Laura M Robins*

(Signature of Notary Public)



Personally known  X  OR   Produced Identification

**NOTICE OF RULEMAKING FOR USE OF DISTRICT PROPERTY AND TRESPASS ENFORCEMENT BY WEST PORT COMMUNITY DEVELOPMENT DISTRICT**

A public hearing will be conducted by the Board of Supervisors (“Board”) of the West Port Community Development District (“District”) on October 10, 2023, at 12:30 p.m., at the Punta Gorda Charlotte Library, 401 Shreve St., Punta Gorda, FL 33950. In accordance with Chapters 190 and 120, Florida Statutes, the District hereby gives the public notice of its intent to adopt its proposed Rule Regarding Use of District Property and Trespass Authorization (“Rule.”) The public hearing will provide an opportunity for the public to address proposed rules for use of district property and trespass enforcement.

The proposed rules may be amended at the public hearing pursuant to discussion by the Board and public comment. The purpose and effect of the Rule is to provide for efficient District operations as provided for in Section 190.035, Florida Statutes. A copy of the proposed rules and additional information on the public hearing may be obtained by contacting the District Manager at Wrathell, Hunt and Associates, LLC, 2300 Glades Road, Suite 410W, Boca Raton, Florida 33431, Ph: (561) 571-0010. Specific legal authority for the rule includes Sections 190.011, 190.012(3), 190.035(2), 190.011(5) and 120.54, Florida Statutes. Prior Notice of Rule Development was published in the Charlotte Sun on September 10, 2023.

Any person who wishes to provide the District with a proposal for a lower cost regulatory alternative as provided by Section 120.541(1), Florida Statutes, must do so in writing within twenty-one (21) days after publication of this notice.

The public hearing may be continued to a date, time, and place to be specified on the record at the hearing. If anyone chooses to appeal any decision of the Board with respect to any matter considered at the public hearing, such person will need a record of the proceedings and should accordingly ensure that a verbatim record of the proceedings is made which includes the testimony and evidence upon which such appeal is to be based. At the hearing, one or more Supervisors or staff may participate in the public hearing by speaker telephone.

Pursuant to provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this hearing is asked to advise the District Manager at least forty-eight (48) hours before the hearing by contacting Wrathell, Hunt and Associates, LLC, 2300 Glades Road, Suite 410W, Boca Raton, Florida 33431, Ph: (561) 571-0010 (“District Manager’s Office”). If you are hearing or speech impaired, please contact the Florida Relay Service at 1 (800) 955-8770, who can aid you in contacting the District Manager’s Office.

District Manager  
Publish: 09/11/23  
426749 3902953

# **WEST PORT**

**COMMUNITY DEVELOPMENT DISTRICT**

# **6B**

**RESOLUTION 2024-02**

**A RESOLUTION OF THE BOARD OF SUPERVISORS OF THE WEST PORT COMMUNITY DEVELOPMENT DISTRICT 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.**

**WHEREAS**, the West Port Community Development District ("**District**") is a local unit of special-purpose government established pursuant to Chapter 190, *Florida Statutes*, for the purpose of providing, operating and maintaining infrastructure improvements, facilities and services to the lands within the District;

**WHEREAS**, the District has constructed or acquired various infrastructure improvements and provides certain services in accordance with the District's adopted improvement plan and Chapter 190, *Florida Statutes*;

**WHEREAS**, the District owns certain real property, including but not limited to stormwater retention ponds comprising a portion of the District's stormwater management system ("**Stormwater Management System**"), conservation and mitigation areas, common areas and open spaces (collectively, "**District Property**");

**WHEREAS**, the Stormwater Management System primarily serves to facilitate the treatment and attenuation of stormwater run-off and overflow, and District Property is not intended or maintained for recreational activities;

**WHEREAS**, the District desires to adopt a formal Rule regarding the use of the District Property (the "**Rule**");

**WHEREAS**, the District determines that the Rule is in the best interests of the District to protect the health, safety and welfare of persons present on District Property; and

**WHEREAS**, the District desires to secure the assistance of the Charlotte County Sheriff's Office or such other law enforcement agencies as may be available, to prevent trespassing on District Property in contravention of the Rule.

**NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF SUPERVISORS OF THE WEST PORT COMMUNITY DEVELOPMENT DISTRICT:**

**1. ADOPTION OF RULE REGARDING USE OF DISTRICT PROPERTY.** The Board hereby adopts the Rule attached hereto as **Exhibit 1** prohibiting recreational and other activities on District Property, including but not limited to fishing, boating or any other watercraft use, wading or swimming, and the use of unauthorized vehicles.

**2. AUTHORITY REGARDING ENFORCEMENT OF TRESPASS LAWS; FORM OF TRESPASS LETTER.** The Board hereby acknowledges that District Staff, including the District's Manager and any of the staff or representatives of the District Manager, have the authority to act on behalf of the District with respect to the enforcement of the District's rules and policies, including but not limited to taking any actions

necessary to the enforcement and/or prosecution of a trespass violation on behalf of the District and pursuant to Florida law. In addition, the Board hereby authorizes the District Manager to issue to District's residents and to the Charlotte County Sherriff's Office a copy of this resolution and the attached trespass letter – substantially in the form attached as **Exhibit 2** – providing authorization with respect to the enforcement of trespass laws as they relate to the District's prohibition of activities within the District Property.

**3. GENERAL AUTHORIZATION.** The Chairman, members of the Board of Supervisors and District staff are hereby generally authorized, upon the adoption of this Resolution, to do all acts and things required of them by this Resolution or desirable or consistent with the requirements or intent hereof.

**4. SEVERABILITY.** The invalidity or unenforceability of any one or more provisions of this Resolution shall not affect the validity or enforceability of the remaining portions of this Resolution, or any part thereof.

**5. EFFECTIVE DATE.** This Resolution shall take effect upon the passage and adoption of this Resolution by the Board of Supervisors of the West Port Community Development District.

**PASSED AND ADOPTED** on the \_\_\_\_ day of \_\_\_\_\_, 2023.

ATTEST:

**WEST PORT COMMUNITY DEVELOPMENT DISTRICT**

\_\_\_\_\_  
Secretary / Assistant Secretary

\_\_\_\_\_  
Chair/Vice Chair, Board of Supervisors

**EXHIBIT 1:** Rule Regarding Use of District Property

**EXHIBIT 2:** Letter Regarding Trespass Enforcement



## EXHIBIT 1

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In accordance with Chapters 190 and 120, *Florida Statutes*, and on October 10, 2023, at a duly noticed public meeting and after a duly noticed public hearing, the Board of Supervisors of the West Port Community Development District adopted the following Rule regarding use of District Property. All prior policies of the District governing this subject matter are hereby rescinded.

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### RULE REGARDING USE OF DISTRICT PROPERTY AND TRESPASS AUTHORIZATION

#### Introduction

1. The West Port Community Development District (the “**District**”) owns certain real property, including but not limited to stormwater retention ponds (“**Ponds**”) comprising a portion of the District’s stormwater management system (“**Stormwater Management System**”), conservation and mitigation areas, common areas and open spaces (“**District Property**”).
2. The Ponds, as identified in **Attachment A** attached hereto, are components of the Stormwater Management System and are designed to function as retention ponds to facilitate the District’s treatment of stormwater run-off and overflow. As a result, contaminants may be present in the water. The Stormwater Management System is not intended or maintained for recreational purposes.
3. The District’s conservation and mitigation areas, common areas and open spaces are not intended or maintained for recreational use by motorized vehicles.
4. Nothing herein shall prohibit or limit the District’s ability to operate and maintain District Property consistent with the requirements of the applicable permits and approvals, and applicable law.
5. The District is not responsible for injury or damage to persons or property, including accidental death, resulting from the use of District Property.

#### Use of District’s Stormwater Management System

1. Fishing, swimming or wading, boating or use of other watercrafts (whether motorized or non-motorized), or other recreational activities in the Stormwater Management System by any person is prohibited.
2. Pets are not allowed in the Stormwater Management System.
3. No docks or other structures, whether permanent or temporary, may be constructed and placed in or around the Stormwater Management System unless properly permitted and approved by the District and other applicable governmental agencies.
4. No foreign materials may be disposed of in the Stormwater Management System, including, but not limited to: tree branches, paint, cement, oils, soap suds, building materials, chemicals, fertilizers, or any other material that is not naturally occurring or which may be detrimental to the system.
5. Any hazardous condition concerning the Stormwater Management System must immediately be reported to the District Manager and the proper authorities.

6. Property owners and residents are responsible for their tenants', guests' and invitees' adherence to these policies.

#### **Unauthorized Vehicle Use on District Property**

1. The District prohibits the use of unauthorized vehicles on District Property.

#### **Trespass Authorization**

1. District Staff, including the District's and any of the staff or representatives of the District Manager, have the authority to act on behalf of the District with respect to the enforcement of the District's rules and policies, including but not limited to taking any actions necessary to the enforcement and/or prosecution of a trespass violation on behalf of the District and pursuant to Florida law.
2. In addition, the District Manager is authorized to issue to the District's residents and to the Charlotte County Sherriff's Office a trespass letter, providing authorization with respect to the enforcement of trespass laws as they relate to the District's prohibition of activities within the Stormwater Management System or on District Property.

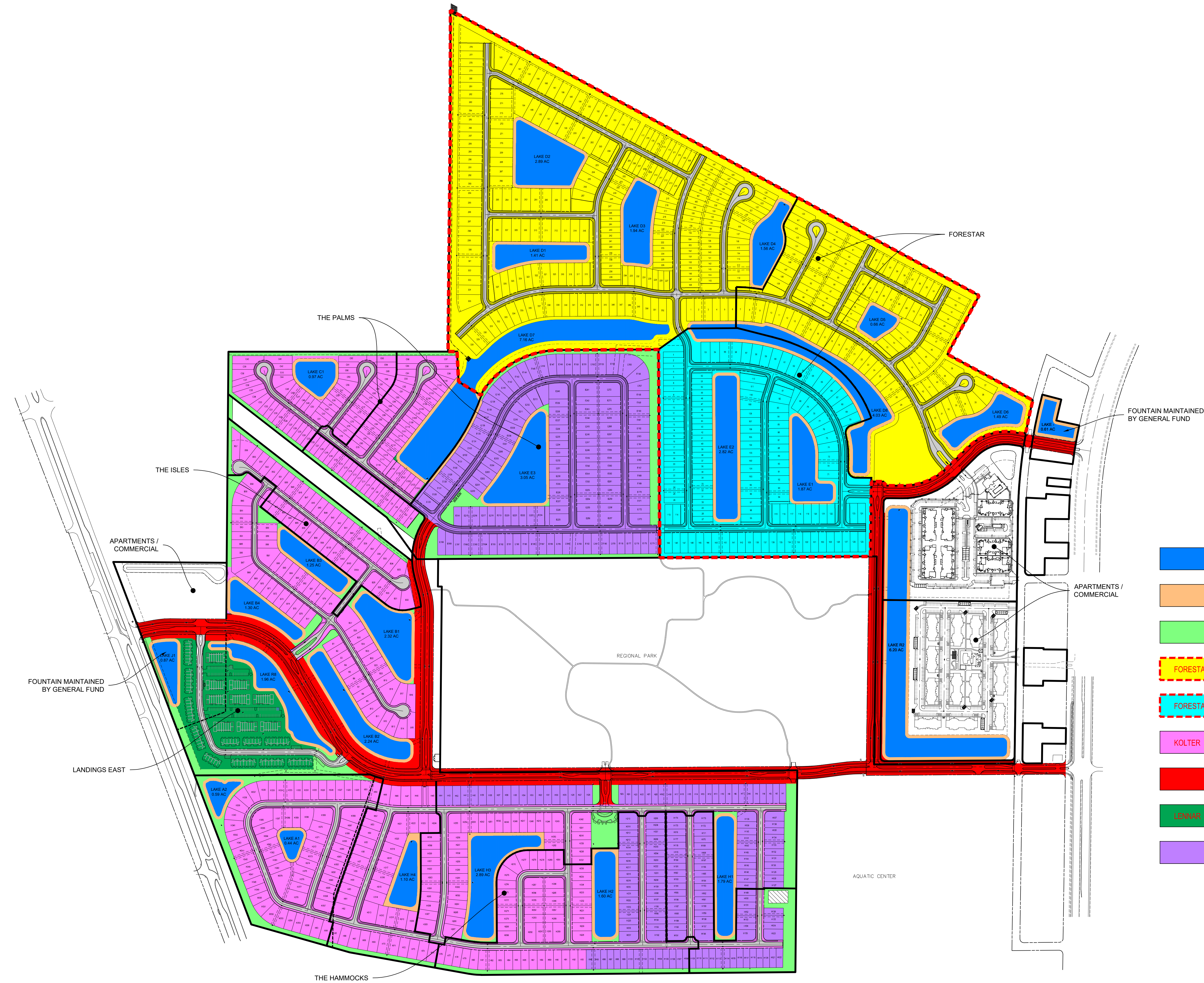
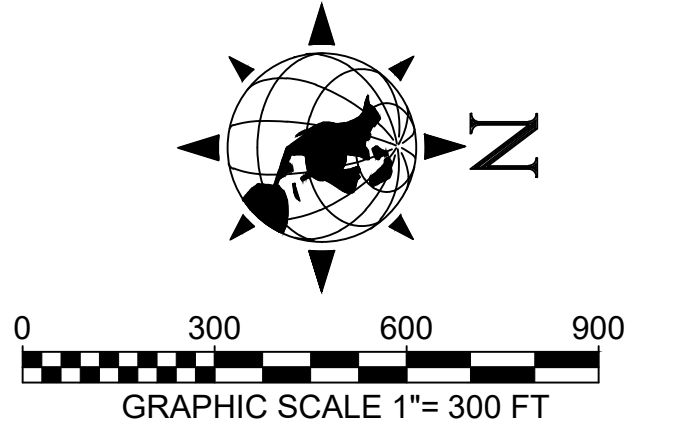
#### **Additional Enforcement; Penalties/Fines**

For any violation of this Rule, and pursuant to Sections 190.012(3), 120.69, F.S., the District shall have the right to impose a fine of up to the amount of \$1,000 per violation and collect such fine and attorney's fees as provided pursuant to Florida law.

#### **Severability**

If any section, paragraph, clause or provision of this Rule shall be held to be invalid or ineffective for any reason, the remainder of this Rule shall continue in full force and effect, it being expressly hereby found and declared that the remainder of this rule would have been adopted despite the invalidity or ineffectiveness of such section.

**ATTACHMENT A: MAP OF DISTRICT STORMWATER PONDS**



- = STORMWATER PONDS (GENERAL FUND)
- = STORMWATER POND BANK MOWING PAID BY GENERAL FUND W/ EXCEPTION OF FORESTAR. FORESTAR IS PAID BY HOA.
- = LANDSCAPE BUFFER AREAS PAID OUT OF SPECIAL REV. FUND
- = CDD OWNS/MAINTAINS = PAID BY HOA W/ EXCEPTION OF POND BANK MOWING
- = CDD OWNS/MAINTAINS = PAID BY HOA W/ EXCEPTION OF POND BANK MOWING
- = CDD OWNS/MAINTAINS = PAID BY GENERAL FUND & SPECIAL REVENUE FUND
- = ROADWAYS PAID BY GENERAL FUND W/ EXCEPTION OF FORESTAR & APTS/COMM. FORESTAR IS PAID BY HOA. APTS/COMM OWNERS RESPONSIBILITY.
- = CDD OWNS/MAINTAINS = PAID BY GENERAL FUND & SPECIAL REVENUE FUND
- = NOT MAINTAINED

Source: 5/12/2023 3:26:05 PM CONKSON | Path: 6/19/2023 1:56:08 PM CONKSON | Z:\MURDOCK VILLAGE\ENGINEERING\EXHIBITS\2022-11-08 (MAINTENANCE EXHIBIT 0A)\WEST-0A-MAINT.DWG.dwg

NO.	DATE	REVISION DESCRIPTION	BY

M

**MORRIS ENGINEERING AND CONSULTING, LLC**  
 Civil Engineering and Land Development Consulting  
6997 Professional Parkway East, Suite B, Lakewood Ranch, Florida 34240 C.A.28780 941-444-6644 www.morrisengineering.net

DATE MARCH, 2020	PROJECT
DRAWING WSPT-0A-MAINT	CHECKED
DRAWN CEJ	CHECKED

MAINTENANCE MAP  
**WEST PORT**  
 CHARLOTTE COUNTY, FLORIDA

SCALE 1" = 300'	SHEET 1 OF 1
SEC-TWP-RNG	

MATTHEW J. MORRIS  
 FL LICENSE NO. 68434

EXHIBIT 2

WEST PORT COMMUNITY DEVELOPMENT DISTRICT

Wrathell, Hunt and Associates, LLC

2300 Glades Road, Suite 410W

Boca Raton, FL 33431

Office: 561-571-0010

October 10, 2023

Charlotte County Sheriff's Office  
7474 Utilities Road  
Punta Gorda, Florida 33982

Re: West Port Community Development District Authorization for  
Law Enforcement Officers to Enforce Trespass Violations

To Whom It May Concern:

I serve as District Manager for the West Port Community Development District (the "District") and am authorized to issue this letter on behalf of the District. Pursuant to District Resolution 2024-02, a copy of which is enclosed with this letter, please be advised that:

1. The District's policies forbid recreational and other activities on District property, including but not limited to fishing, swimming and boating on the stormwater retention ponds and the use of unauthorized vehicles on District property; and
2. The District hereby authorizes any law enforcement officer to order trespassers to leave the District's property for violation of the District's Rule (as stated in Item 1 above), and to otherwise enforce the provisions of Sections 810.08 and 810.09, *Florida Statutes*, and any other applicable law against any such trespassers; and
3. The following are authorized to contact law enforcement officers in Charlotte County, Florida and provide this written authorization to law enforcement officers for the purpose of enforcing the District's Rule (as stated in Item 1 above) and Florida law: (a) Kristen Suit, the District's Manager, with Wrathell, Hunt and Associates, LLC; and (b) any of the staff or representatives of the District Manager; and
4. The Board of Supervisors and staff of the West Port Community Development District will aid in the prosecution of any individuals arrested pursuant to this grant of authority.

Should you have any questions regarding this authorization, please contact me at (561) 571-0010.

Sincerely,

Kristen Suit  
District Manager

Enclosure A: Resolution 2024-02 (with attachments)

# **WEST PORT**

**COMMUNITY DEVELOPMENT DISTRICT**

# **7A**



**NOTICE OF RULE DEVELOPMENT BY THE WEST PORT COMMUNITY DEVELOPMENT DISTRICT**

In accordance with Chapters 190 and 120, Florida Statutes, the West Port Community Development District ("District") hereby gives notice of its intention to adopt its Rules Relating to Overnight Parking and Parking Enforcement ("Parking and Towing Rules") which govern the operation of the District's amenity facilities and other properties. The Parking and Towing Rules will address certain revisions to the District's rules and policies governing the operation of the District's amenity facilities and other properties.

The purpose and effect of the Parking and Towing Rules are to provide for efficient and effective District operations of the District's amenity facilities and other properties by setting policies, regulations, rates and fees to implement the provisions of Section 190.035, Florida Statutes. Specific legal authority for the rules includes Sections 190.035(2), 190.011(5), 190.012, 120.54, 120.69 and 120.81, Florida Statutes (2020).

A public hearing will be conducted by the District on October 10, 2023 at 12:30 p.m., at the Punta Gorda Charlotte Library, 401 Shreve St., Punta Gorda, FL 33950. A copy of the proposed rules and policies may be obtained by contacting the District Manager at 2300 Glades Road, Suite 410W, Boca Raton, Florida 33431, Ph: (561) 571-0010.

Kristen Suit  
District Manager  
Publish: 09/10/23  
426749 3902950

**PUBLISHER'S AFFIDAVIT OF PUBLICATION STATE OF FLORIDA COUNTY OF CHARLOTTE:**

Before the undersigned authority personally appeared Melinda Prescott, who on oath says that she is the Legal Advertising Representative of The Daily Sun, a newspaper published at Charlotte Harbor in Charlotte County, Florida; that the attached copy of advertisement, being a Legal Notice that was published in said newspaper in the issue(s)

09/10/23

as well as being posted online at [www.yoursun.com](http://www.yoursun.com) and [www.floridapublicnotices.com](http://www.floridapublicnotices.com).

Affiant further says that the said newspaper is a newspaper published at Charlotte Harbor, in said Charlotte County, Florida, and that the said newspaper has heretofore been continuously published in said Charlotte County, Florida, Sarasota County, Florida and DeSoto County, Florida, each day and has been entered as periodicals matter at the post office in Punta Gorda, in said Charlotte County, Florida, for a period of 1 year next preceding the first publication of the attached copy of advertisement; and affiant further says that he or she has neither paid nor promised any person, firm or corporation any discount, rebate, commission or refund for the purpose of securing this advertisement for publication in the said newspaper.

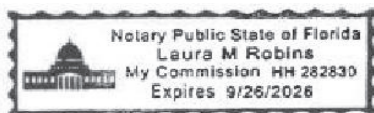
*Melinda Prescott*

(Signature of Affiant)

Sworn and subscribed before me this 11th day of September, 2023

*Laura M Robins*

(Signature of Notary Public)



Personally known  OR  Produced Identification



**PUBLISHER’S AFFIDAVIT OF PUBLICATION STATE OF FLORIDA COUNTY OF CHARLOTTE:**

Before the undersigned authority personally appeared Melinda Prescott, who on oath says that she is the Legal Advertising Representative of The Daily Sun, a newspaper published at Charlotte Harbor in Charlotte County, Florida; that the attached copy of advertisement, being a Legal Notice that was published in said newspaper in the issue(s)

09/11/23

as well as being posted online at [www.yoursun.com](http://www.yoursun.com) and [www.floridapublicnotices.com](http://www.floridapublicnotices.com).

Affiant further says that the said newspaper is a newspaper published at Charlotte Harbor, in said Charlotte County, Florida, and that the said newspaper has heretofore been continuously published in said Charlotte County, Florida, Sarasota County, Florida and DeSoto County, Florida, each day and has been entered as periodicals matter at the post office in Punta Gorda, in said Charlotte County, Florida, for a period of 1 year next preceding the first publication of the attached copy of advertisement; and affiant further says that he or she has neither paid nor promised any person, firm or corporation any discount, rebate, commission or refund for the purpose of securing this advertisement for publication in the said newspaper.

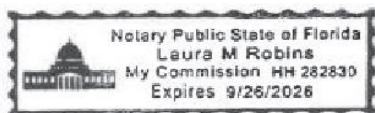
*Melinda Prescott*

(Signature of Affiant)

Sworn and subscribed before me this 11th day of September, 2023

*Laura M Robins*

(Signature of Notary Public)



Personally known  X  OR   Produced Identification

**NOTICE OF RULEMAKING BY THE WEST PORT COMMUNITY DEVELOPMENT DISTRICT**

A public hearing will be conducted by the Board of Supervisors (“Board”) of the West Port Community Development District (“District”) on October 10, 2023, at 12:30 p.m., at the Punta Gorda Charlotte Library, 401 Shreve St., Punta Gorda, FL 33950.

In accordance with Chapters 190 and 120, Florida Statutes, the District hereby gives the public notice of its intent to adopt Rules Relating to Overnight Parking and Parking Enforcement (“Parking and Towing Rules”) which govern the operation of the District’s amenity facilities and other properties.

The purpose and effect of the Parking and Towing Rules is to provide for efficient and effective District operations of the District’s amenities facilities and properties by setting policies, regulations, rates and fees to implement the provisions of Section 190.035, Florida Statutes. Prior Notice of Rule Development was published in the Charlotte Sun on September 10, 2023.

The Parking and Towing Rules will address certain revisions to the District’s rules and policies governing the operation of the District’s amenity facilities and other properties.

Specific legal authority for the rule includes Sections 190.035(2), 190.011(5), 190.012, 120.54, 120.69 and 120.81, Florida Statutes (2020).

Any person who wishes to provide the District with a proposal for a lower cost regulatory alternative as provided by Section 120.541(1), Florida Statutes, must do so in writing within twenty-one (21) days after publication of this notice.

A HEARING WILL BE HELD AT THE TIME, DATE, AND PLACE SHOWN BELOW:

TIME AND DATE: 12:30 PM on October 10, 2023

PLACE: Punta Gorda Charlotte Library  
401 Shreve St.  
Punta Gorda, Florida 33950

This public hearing may be continued to a date, time, and place to be specified on the record at the hearing. If anyone chooses to appeal any decision of the Board with respect to any matter considered at a public hearing

held in response to a request for such a public hearing, such person will need a record of the proceedings and should accordingly ensure that a verbatim record of the proceedings is made which includes the testimony and evidence upon which such appeal is to be based.

One or more Supervisors may participate in the public hearing by telephone. At the above location, if a public hearing is requested, there will be present a speaker telephone so that any interested party can attend the public hearing at the above location and be fully informed of the discussions taking place either in person or by speaker telephone device.

A copy of the proposed Parking and Towing Rules may be obtained by contacting the District Manager at 2300 Glades Road, Suite 410W, Boca Raton, Florida 33431, Ph: (561) 571-0010.

Kristen Suit  
District Manager  
Publish: 09/11/23  
426749 3902952



# **WEST PORT**

**COMMUNITY DEVELOPMENT DISTRICT**

# **7B**

**RESOLUTION 2024-03**

**A RESOLUTION OF THE BOARD OF SUPERVISORS OF THE WEST PORT COMMUNITY DEVELOPMENT DISTRICT ADOPTING POLICIES RELATING TO OVERNIGHT PARKING AND PARKING ENFORCEMENT; AND PROVIDING FOR SEVERABILITY AND AN EFFECTIVE DATE.**

**WHEREAS**, the West Port Community Development District (“District”) is a local unit of special purpose government created and existing pursuant to Chapter 190, *Florida Statutes*, being situated in Charlotte County, Florida; and

**WHEREAS**, Chapter 190, *Florida Statutes*, authorizes the District to adopt resolutions as may be necessary for the conduct of district business; and

**WHEREAS**, the Board of Supervisors of the District (“Board”) is authorized by Section 190.012(2), *Florida Statutes*, to provide for the operation of roadways, parks and recreational facilities and security for the same, which authorization includes contracting with a towing operator provided that the District follows the authorization and notice and procedural requirements in Section 715.07, *Florida Statutes*; and

**WHEREAS**, the District desires to adopt its *Rule Relating to Overnight Parking and Parking Enforcement* (“Rule”), pursuant to the provisions of Sections 190.012, *Florida Statutes*; and

**WHEREAS**, the Board finds that it is in the best interests of the District to adopt by resolution the Rule for immediate use and application.

**NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF SUPERVISORS OF THE WEST PORT COMMUNITY DEVELOPMENT DISTRICT:**

**SECTION 1.** The District hereby adopts the Rule, attached hereto as **Exhibit A**.

**SECTION 2.** If any provision of this Resolution or the Rule is held to be illegal or invalid, the other provisions shall remain in full force and effect.

**SECTION 3.** This Resolution shall become effective upon its passage and shall remain in effect unless rescinded or repealed.

**PASSED AND ADOPTED** this 10th day of October, 2023.

**ATTEST:**

**WEST PORT COMMUNITY  
DEVELOPMENT DISTRICT**

\_\_\_\_\_  
Secretary/Assistant Secretary

\_\_\_\_\_  
Chair/Vice Chair, Board of Supervisors

## EXHIBIT A

### WEST PORT COMMUNITY DEVELOPMENT DISTRICT RULE RELATING TO PARKING AND PARKING ENFORCEMENT

---

In accordance with Chapter 190, Florida Statutes, and on October 10, 2023 at a duly noticed public meeting, the Board of Supervisors of the West Port Community Development District (“District”) adopted the following policy to govern parking and parking enforcement on certain District property.

---

1. **INTRODUCTION.** This Rule authorizes parking in designated areas and the towing/removal of unauthorized vehicles and vessels parked on certain West Port Community Development District (“District”) property designated as a “Tow-Away Zone,” which areas are identified as District Roadways.
  
2. **DEFINITIONS.**
  - a. **Vehicle.** A machine used for transporting people or goods, whether motorized or not (e.g., car, truck, motorcycle, etc.).
  
  - b. **Parked.** A vehicle or vessel left unattended by its owner or user.
  
  - c. **Tow-Away Zone.** District property in which parking is prohibited and in which the District is authorized to initiate a towing and/or removal action.
  
  - d. **District Roadways.** All District owned roadways within the District’s boundaries.
  
3. **DESIGNATED PARKING AREAS.** Vehicles and vessels may be parked on District property only to the extent set forth below:
  - a. **DISTRICT ROADWAYS.** Please refer to Chapter 316, *Florida Statutes*, and Chapters 16 and 22, Charlotte County Code of Ordinances, for laws related to authorized and unauthorized parking of vehicles or vessels on District Roadways. That said, and notwithstanding the foregoing, no parking is permitted on District Roadways at night-time (i.e., from 7 p.m. to 7 a.m.).
  
  - b. **DISTRICT COMMONS AREAS.** No parking is permitted on District property (other than District Roadways) at any time, except that vehicle parking is permitted for District staff and/or District contractors in connection with District business.
  
4. **ESTABLISHMENT OF DISTRICT TOW-AWAY ZONES.** All District property in which parking is prohibited as set forth in Section 3 herein, either entirely or during specific hours,

including all District Roadways, is hereby declared a Tow-Away Zone. To the extent that parking on District property is only prohibited during specific hours, that portion of District property shall only be considered a Tow-Away Zone during the period of time in which such parking is prohibited.

**5. TOWING/REMOVAL PROCEDURES.**

- a. **SIGNAGE AND LANGUAGE REQUIREMENTS.** Notice of the Tow-Away Zones shall be approved by the District’s Board of Supervisors and shall be posted on District property in the manner set forth in section 715.07, *Florida Statutes*. Such signage is to be placed in conspicuous locations in the areas identified in Section 4 herein, and shall identify the hours in which the area is designated as a Tow-Away Zone, if applicable, in accordance with section 715.07, *Florida Statutes*.
- b. **TOWING/REMOVAL AUTHORITY.** To effect towing/removal of a vehicle or vessel, the District Manager must verify that the subject vehicle or vessel was not authorized to park under this rule during the period in question, and then must contact a firm authorized by Florida law to tow/remove vehicles and vessels for the removal of such unauthorized vehicle or vessel at the owner’s expense. The vehicle or vessel shall be towed/removed by the firm in accordance with Florida law, specifically the provisions set forth in section 715.07, *Florida Statutes*.
- c. **AGREEMENT WITH AUTHORIZED TOWING SERVICE.** The District’s Board of Supervisors is hereby authorized to enter into and maintain an agreement with a firm authorized by Florida law to tow/remove unauthorized vehicles and vessels from the District’s Tow-Away Zones in accordance with Florida law and with the policies set forth herein.

- 6. **PARKING AT YOUR OWN RISK.** Vehicles or vessels may be parked on District property pursuant to this rule, provided however that the District assumes no liability for any theft, vandalism and/or damage that might occur to personal property and/or vehicles or vessels.

Specific Authority: § 120.54, 190.011(5), and 190.041, *Florida Statutes*.

Effective date: October 10, 2023

# **WEST PORT**

**COMMUNITY DEVELOPMENT DISTRICT**

**8**

**RESOLUTION 2024-04**

**A RESOLUTION OF THE BOARD OF SUPERVISORS OF THE WEST PORT COMMUNITY DEVELOPMENT DISTRICT ADOPTING THE ANNUAL MEETING SCHEDULE FOR FISCAL YEAR 2023/2024 AND PROVIDING FOR AN EFFECTIVE DATE**

**WHEREAS**, the West Port Community Development District (“**District**”) is a local unit of special-purpose government created and existing pursuant to Chapter 190, *Florida Statutes*; and

**WHEREAS**, the District is required by Section 189.015, *Florida Statutes*, to file quarterly, semi-annually, or annually a schedule (including date, time, and location) of its regular meetings with local governing authorities; and

**WHEREAS**, further, in accordance with the above-referenced statute, the District shall also publish quarterly, semi-annually, or annually the District’s regular meeting schedule in a newspaper of general paid circulation in the county in which the District is located.

**WHEREAS**, the Board desires to adopt the Fiscal Year 2023/2024 meeting schedule attached as **Exhibit A**.

**NOW THEREFORE BE IT RESOLVED BY THE BOARD OF SUPERVISORS OF THE WEST PORT COMMUNITY DEVELOPMENT DISTRICT:**

1. **ADOPTING ANNUAL MEETING SCHEDULE.** The Fiscal Year 2023/2024 annual meeting schedule attached hereto and incorporated by reference herein as **Exhibit A** is hereby approved and shall be published in accordance with the requirements of Florida law and also provided to applicable governing authorities.

2. **EFFECTIVE DATE.** This Resolution shall become effective immediately upon its adoption.

**PASSED AND ADOPTED** this 10th day of October, 2023.

ATTEST:

**WEST PORT COMMUNITY DEVELOPMENT DISTRICT**

\_\_\_\_\_  
Secretary/Assistant Secretary

\_\_\_\_\_  
Chair/Vice Chair, Board of Supervisors

**Comp. Exhibit A:** Fiscal Year 2023/2024 Annual Meeting Schedule

**EXHIBIT "A"**

<b>WEST PORT COMMUNITY DEVELOPMENT DISTRICT</b>		
<b>BOARD OF SUPERVISORS FISCAL YEAR 2023/2024 MEETING SCHEDULE</b>		
<b>LOCATION</b>		
<i><sup>1</sup>Punta Gorda Charlotte Library, 401 Shreve St., Punta Gorda, Florida 33950</i>		
<i><sup>2</sup>Centennial Park Recreation Center, 1120 Centennial Boulevard, Port Charlotte, Florida 33953</i>		
<b>DATE</b>	<b>POTENTIAL DISCUSSION/FOCUS</b>	<b>TIME</b>
<b>October 10, 2023<sup>1</sup></b>	<b>Regular Meeting</b>	<b>12:30 PM</b>
<b>November 14, 2023<sup>1</sup></b>	<b>Regular Meeting</b>	<b>12:30 PM</b>
<b>December 12, 2023<sup>2</sup></b>	<b>Regular Meeting</b>	<b>12:30 PM</b>
<b>January 9, 2024<sup>1</sup></b>	<b>Regular Meeting</b>	<b>12:30 PM</b>
<b>February 13, 2024<sup>2</sup></b>	<b>Regular Meeting</b>	<b>12:30 PM</b>
<b>March 12, 2024<sup>2</sup></b>	<b>Regular Meeting</b>	<b>12:30 PM</b>
<b>April 9, 2024<sup>2</sup></b>	<b>Regular Meeting</b>	<b>12:30 PM</b>
<b>May 14, 2024<sup>1</sup></b>	<b>Regular Meeting</b>	<b>12:30 PM</b>
<b>June 11, 2024<sup>1</sup></b>	<b>Regular Meeting</b>	<b>12:30 PM</b>
<b>July 9, 2024<sup>1</sup></b>	<b>Regular Meeting</b>	<b>12:30 PM</b>
<b>August 13, 2024<sup>1</sup></b>	<b>Regular Meeting</b>	<b>12:30 PM</b>
<b>September 10, 2024<sup>1</sup></b>	<b>Regular Meeting</b>	<b>12:30 PM</b>

# **WEST PORT**

**COMMUNITY DEVELOPMENT DISTRICT**

**9A**



This instrument was prepared by:

(This space reserved for Clerk)

Kutak Rock LLP  
107 W College Ave  
Tallahassee, Florida 32301

**QUIT CLAIM DEED**

THIS QUIT CLAIM DEED is made to be effective as of the 31 day of August, 2023, by and between **KL JAK WP LLC**, a Florida limited liability company, with a mailing address of 105 NE 1<sup>st</sup> Street, Delray Beach, Florida 33444 ("**Grantor**"), and **WEST PORT COMMUNITY DEVELOPMENT DISTRICT**, a local unit of special-purpose government established pursuant to Chapter 190, *Florida Statutes*, being situated in Charlotte County, Florida, and whose mailing address is c/o Wrathell, Hunt and Associates, LLC, 2300 Glades Road Suite 410W, Boca Raton, Florida 33431 ("**Grantee**").

(Wherever used herein, the terms "Grantor" and "Grantee" include all of the parties to this instrument, the heirs, legal representatives and assigns of individuals, and the successors and assigns of trustees, partnerships, limited liability companies, governmental entities, and corporations.)

**WITNESSETH**

THAT GRANTOR, for good and valuable consideration to it in hand paid by Grantee, the receipt and sufficiency whereof are hereby acknowledged, hereby remises, releases and quit-claims to Grantee forever, all the right, title, interest, claim and demand which the Grantor has in and to the following described lot, piece or parcel of land, situate, lying and being in the County of Charlotte, State of Florida, and more particularly below ("**Property**"):

**Tract R-1 (Public CDD Right-of-Way), as identified on the plat entitled, "LANDINGS AT WEST PORT" and recorded in the Public Records of Charlotte County, Florida at Plat Book 25, Pages 1A-1E.**

**Tracts R-1 and R-2 (Public CDD Right-of-Way), as identified on the plat entitled, "LANDINGS AT WEST PORT PHASE II" and recorded in the Public Records of Charlotte County, Florida at Plat Book 25, Pages 15A-15B.**

Such conveyance is subject to all matters of record; however, reference hereto shall not operate to re-impose the same.

**NOTE: This Quit Claim Deed is not intended to convey any improvements located on the Property or Easement areas, which improvements will instead be conveyed by separate bill of sale.**

**RESERVATION OF EASEMENT**

Grantor hereby reserves unto itself and its successors and assigns, and Grantee by acceptance ~~hereby gives and grants~~ unto Grantor and its successors and assigns, non-exclusive easements for (i) ingress and egress over, upon and across the Property, (ii) together with the rights to install, maintain,

repair, plant, mow, cultivate, irrigate, improve and care for all landscaping, hardscaping, irrigation, lighting, and related improvements, and (iii) the right to maintain, repair and replace and improve any improvements now or hereafter located on the Property; provided, however, that Grantor's reservation of rights hereunder shall be exercised in a manner consistent with the District's capital improvement plan and the District's obligations under any applicable trust indenture relating to any bonds issued by the District to finance the improvements on the Property, and shall not be deemed to impose any obligations on Grantor to maintain, repair or replace any part of the Property or improvements located thereon.

[CONTINUED ON FOLLOWING PAGE]

IN WITNESS WHEREOF, Grantor has caused these presents to be executed to be effective as of the day and year first above written.

Signed, sealed and delivered in the presence of:

KL JAK WP LLC

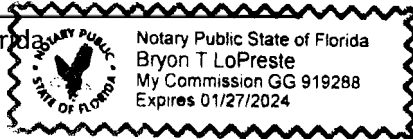
Andrew Hill  
Print Name: Andrew Hill

By: James P. Harvey  
Name: James P. Harvey  
Title: Authorized Signatory

Bryon T. LoPreste  
Print Name: Bryon T. LoPreste

STATE OF FLORIDA  
COUNTY OF HILLSBOROUGH

The foregoing instrument was acknowledged before me by means of  physical presence or  online notarization, this 31<sup>st</sup> day of August, 2023, by James P. Harvey, as Authorized Signatory of KL JAK WP LLC, on its behalf. Who  is personally known to me or  produced \_\_\_\_\_ as identification.

Bryon T. LoPreste  
Notary Public, State of Florida  


Note to Examiner: This instrument evidences a conveyance of an interest in unencumbered real estate as a gift and is exempt from Florida documentary stamp tax pursuant to Rule 12B-4.014(2)(a), Florida Administrative Code.

# **WEST PORT**

**COMMUNITY DEVELOPMENT DISTRICT**

**9B**



# Estimate

Date	Estimate #
9/26/2023	48447

Name / Address
West Port Community Development 2100 S. Hiawasse Road Orlando, FL 32835

PROJECT NAME / ADDRESS
KL West Port 2155 Centenial BLVD Front Entry

P.O. No.	Rep	Job Status
	Rob S	BIDDING

Item	#	Description	QTY	Unit	Cost	Total
06	1	West Port Large Monument - 776 and El Jobean Replacement side panel - Corten Steel panel approximately 12' feet x 10" in	1	LS	2,500.00	2,500.00

<b>Total</b>	\$2,500.00
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Signature

Paul Martin  
Vice Chairman  
2023.09.27 09:11:38 -  
04'00'

# **WEST PORT**

**COMMUNITY DEVELOPMENT DISTRICT**

# **UNAUDITED FINANCIAL STATEMENTS**

# **WEST PORT**

**COMMUNITY DEVELOPMENT DISTRICT**

# **MINUTES**

**DRAFT**

**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](http://www.westportcdd.net) and there is no requirement for CDD to mail physical copies of the agendas to homeowners.



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

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

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

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

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

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

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

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

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

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

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

81

82 **THIRD ORDER OF BUSINESS**

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

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84

85

86

87 **A. Guide to Sunshine Amendment and Code of Ethics for Public Officers and**  
 88 **Employees**

89 **B. Membership, Obligations and Responsibilities**

90 **C. Financial Disclosure Forms**

91 **I. Form 1: Statement of Financial Interests**

92 **II. Form 1X: Amendment to Form 1, Statement of Financial Interests**

93 **III. Form 1F: Final Statement of Financial Interests**

94 **D. Form 8B: Memorandum of Voting Conflict**

95 This item was deferred.

96

97 **FOURTH ORDER OF BUSINESS**

**Public Hearing on Adoption of Fiscal Year  
 2023/2024 Budget**

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100 **A. Proof/Affidavit of Publication**

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

105

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

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

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

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

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

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

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

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**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.**

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**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.**

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**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**

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Ms. Suit presented Resolution 2023-12.

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**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.**

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**SEVENTH ORDER OF BUSINESS**

**Ratification Items**

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**A. Rostan Invoice #7482**

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**B. Rostan Invoice #7485**

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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.

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

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

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204 C. Vision Landscape Services of Florida, Inc., Amended and Restated Landscape &  
205 Irrigation Services Agreement

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

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212 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

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220 Ms. Suit presented Resolution 2023-13, which relates to trespassing.

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222 On MOTION by Mr. Martin and seconded by Mr. Manners, with all in favor,  
223 Resolution 2023-13, to Designate October 10, 2023 at 12:30 p.m., at the  
224 Centennial Park Recreation Center, 1120 Centennial Boulevard, Port Charlotte,  
225 Florida 33953, as the Date, Time and Place for a Public Hearing and Authorize  
226 Publication of Notice of Such Hearing for the Purpose of Adopting a Rule  
227 Regarding District Property and Trespass; and Providing an Effective Date, was  
228 adopted.

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231 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

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

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**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.**

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**TENTH ORDER OF BUSINESS**

**Acceptance of Unaudited Financial Statements as of June 30, 2023**

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**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.**

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256

**ELEVENTH ORDER OF BUSINESS**

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

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**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.**

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**TWELFTH ORDER OF BUSINESS**

**Staff Reports**

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**A. District Counsel: Kutak Rock LLP**

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

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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.

274

**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.**

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

280

281 There was no report.

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

283 Ms. Nehus reported the following:

- 284 ➤ Charlotte County was advised of the damaged signage due to a car accident.
- 285 ➤ She is working with Florida Power & Light (FPL) to have the tilted streetlights repaired
- 286 along Westport Boulevard and Centennial.

- 287 ➤ The monument and streetlight repairs on the main boulevard are underway.

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

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

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

293 The September 12, 2023 meeting was cancelled.

294

295 **THIRTEENTH ORDER OF BUSINESS** **Board Members' Comments/Requests**

296

297 There were no Board Member comments or requests.

298

299 **FOURTEENTH ORDER OF BUSINESS** **Public Comments**

300

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

305

306 **FIFTEENTH ORDER OF BUSINESS** **Adjournment**

307

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



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Secretary/Assistant Secretary

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Chair/Vice Chair

# **WEST PORT**

**COMMUNITY DEVELOPMENT DISTRICT**

## **STAFF**

## **REPORTS**

**WEST PORT COMMUNITY DEVELOPMENT DISTRICT**

**BOARD OF SUPERVISORS FISCAL YEAR 2023/2024 MEETING SCHEDULE**

**LOCATION**

*<sup>1</sup>Punta Gorda Charlotte Library, 401 Shreve St., Punta Gorda, Florida 33950*

*<sup>2</sup>Centennial Park Recreation Center, 1120 Centennial Boulevard, Port Charlotte, Florida 33953*

<b>DATE</b>	<b>POTENTIAL DISCUSSION/FOCUS</b>	<b>TIME</b>
<b>October 10, 2023<sup>1</sup></b>	<b>Regular Meeting</b>	<b>12:30 PM</b>
<b>November 14, 2023<sup>1</sup></b>	<b>Regular Meeting</b>	<b>12:30 PM</b>
<b>December 12, 2023<sup>2</sup></b>	<b>Regular Meeting</b>	<b>12:30 PM</b>
<b>January 9, 2024<sup>1</sup></b>	<b>Regular Meeting</b>	<b>12:30 PM</b>
<b>February 13, 2024<sup>2</sup></b>	<b>Regular Meeting</b>	<b>12:30 PM</b>
<b>March 12, 2024<sup>2</sup></b>	<b>Regular Meeting</b>	<b>12:30 PM</b>
<b>April 9, 2024<sup>2</sup></b>	<b>Regular Meeting</b>	<b>12:30 PM</b>
<b>May 14, 2024<sup>1</sup></b>	<b>Regular Meeting</b>	<b>12:30 PM</b>
<b>June 11, 2024<sup>1</sup></b>	<b>Regular Meeting</b>	<b>12:30 PM</b>
<b>July 9, 2024<sup>1</sup></b>	<b>Regular Meeting</b>	<b>12:30 PM</b>
<b>August 13, 2024<sup>1</sup></b>	<b>Regular Meeting</b>	<b>12:30 PM</b>
<b>September 10, 2024<sup>1</sup></b>	<b>Regular Meeting</b>	<b>12:30 PM</b>