

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

The Board of Supervisors of the West Port Community Development District held a Regular Meeting on May 14, 2024 at 12:30 p.m., at the Punta Gorda Charlotte Library, 401 Shreve St., Punta Gorda, Florida 33950.

**Present were:**

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

**Also present:**

Kristen Suit	District Manager
Jere Earlywine (via telephone)	District Counsel
Jillian Nehus (via telephone)	Breeze Connected Facilities Management
Steve Sanford (via telephone)	Bond Counsel
William (Bill) Fife (via telephone)	Supervisor-Appointee

**FIRST ORDER OF BUSINESS**

**Call to Order/Roll Call**

Ms. Suit called the meeting to order at 12:30 p.m.

Supervisors Bain, Martin, Cotter and Manners were present. One seat was vacant.

**SECOND ORDER OF BUSINESS**

**Public Comments**

No members of the public spoke.

**THIRD ORDER OF BUSINESS**

**Consider Appointment of William (Bill) Fife to Fill Unexpired Term of Seat 1; Term Expires November 2024**

Mr. Cotter nominated Mr. William (Bill) Fife to fill Seat 1.

No other nominations were made.

**On MOTION by Mr. Cotter and seconded by Mr. Manners, with all in favor, the appointment of Mr. William (Bill) Fife to fill Seat 1, was approved.**

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

As Mr. Fife was present via telephone, the Oath of Office will be administered to Mr. Fife at or before the next meeting. As an experienced CDD Board Member, Mr. Fife is familiar with the following:

- A. **Required Ethics Training and Disclosure Filing**
  - **Sample Form 1 2023/Instructions**
- B. **Membership, Obligations and Responsibilities**
- C. **Guide to Sunshine Amendment and Code of Ethics for Public Officers and Employees**
- D. **Form 8B: Memorandum of Voting Conflict for County, Municipal and other Local Public Officers**
- **Acceptance of Resignation of Supervisor Candice Bain from Seat 4**  
**This item was an addition to the agenda.**

Ms. Suit presented Ms. Candice Bain’s resignation from Seat 4.

**On MOTION by Mr. Martin and seconded by Mr. Cotter, with all in favor, the resignation of Ms. Candice Bain from Seat 4, was accepted.**

**FOURTH ORDER OF BUSINESS**

**Consideration of Resolution 2024-09, Electing and Removing Officers of the District and Providing for an Effective Date**

Ms. Suit presented Resolution 2024-09. Mr. Martin nominated the following slate:

- |                     |                     |
|---------------------|---------------------|
| Chair               | Paul Martin         |
| Vice Chair          | William (Bill) Fife |
| Assistant Secretary | Jim Manners         |

Assistant Secretary

Christian Cotter

No other nominations were made.

This Resolution removes the following from the Board:

Chair

Candice Bain

Prior appointments by the Board for Secretary, Treasurer and Assistant Treasurer, and Assistant Secretary Kristen Suit, remain unaffected by this Resolution.

**On MOTION by Mr. Cotter and seconded by Mr. Martin, with all in favor, Resolution 2024-09, Electing, as nominated, and Removing Officers of the District and Providing for an Effective Date, was adopted.**

**FIFTH ORDER OF BUSINESS**

**Presentation of Supplemental Engineer's Report**

Mr. Earlywine presented the Supplemental Engineer's Report. He noted the following:

- This is related to the last bond issuance for the areas within the boundaries of the existing CDD.
- This is for the second half of Forestar's project so it should not affect anyone's existing assessments.
- The bond issue is for the Assessment Area Four Project, consisting of 149 lots that are the second half of the Forestar project.
- The Capital Improvement Plan (CIP) is approximately \$3,000,000, which consists largely of utilities and stormwater improvements.
- The Report contains all the standard findings, including that the costs are reasonable, permits are in hand or reasonably expected to be obtained and there is no reason the project cannot proceed.

**On MOTION by Mr. Manners and seconded by Mr. Cotter, with all in favor, the Supplemental Engineer's Report, in substantial form, was approved.**

**SIXTH ORDER OF BUSINESS**

**Presentation of Supplemental Special Assessment Methodology Report**

Ms. Suit presented the Supplemental Special Assessment Methodology Report. She noted the following:

- This is the fifth Supplemental Methodology for Assessment Area 4.
- Assessment Area Four consist of 149 units.
- The CIP is based on the Supplemental Engineer’s Report.

Ms. Suit reviewed the Tables on Pages 13 and 14, which set forth the Development Plan for Assessment Area Four, the CIP, Preliminary Sources and Uses of Funds, Benefit Allocation, Cost Allocation for Assessment Area Four and the Bond Assessments Apportionment.

**On MOTION by Mr. Manners and seconded by Mr. Cotter, with all in favor, the Supplemental Special Assessment Methodology Report, in substantial form, was approved.**

**SEVENTH ORDER OF BUSINESS**

**Consideration of Resolution 2024-10, Authorizing the Issuance of Not Exceeding \$3,000,000 West Port Community Development District, Special Assessment Bonds, Series 2024 (Assessment Area Four) (the “Bonds”) to Finance Certain Public Infrastructure Within Assessment Area Four Within the District; Determining the Need for a Negotiated Limited Offering of the Bonds and Providing for a Delegated Award of Such Bonds; Approving the Underwriter for the Limited Offering of the Bonds; Approving the Form of and Authorizing the Execution and Delivery of a Bond Purchase Contract With Respect to the Bonds; Authorizing the Use of that Certain Master Trust Indenture Dated as of March 1, 2020 With Respect to the Bonds and Approving the Form of and Authorizing the Execution and Delivery of a Fifth Supplemental Trust Indenture Governing the Bonds; Approving the Form**

**of and Authorizing the Distribution of a Preliminary Limited Offering Memorandum; Approving the Execution and Delivery of a Final Limited Offering Memorandum; Approving the Form of and Authorizing the Execution of a Continuing Disclosure Agreement, and Appointing a Dissemination Agent; Approving the Application of Bond Proceeds; Authorizing Certain Modifications to the Assessment Methodology Report and Engineer’s Report; Making Certain Declarations; Providing for the Registration of the Bonds Pursuant to the DTC Book-Entry Only System; Authorizing the Proper Officials to Do All Things Deemed Necessary in Connection With the Issuance, Sale and Delivery of the Bonds; and Providing for Severability, Conflicts and an Effective Date**

Mr. Sanford presented Resolution 2024-10, which accomplishes the following, with regard to bond issuance for Assessment Area Four:

- Authorizes the principal amount of bonds not exceeding \$3,000,000.
- Authorizes the Chair or Vice Chair to execute a Bond Purchase Contract, provided it is consistent with the parameters set forth, without the need to hold a special meeting.
- Approves documents, including the Bond Purchase Contract, Preliminary Limited Offering Memorandum, Continuing Disclosure Agreement and Fifth Supplemental Trust Indenture.
- Authorizes Staff to amend the Supplemental Engineer’s Report and Supplemental Special Assessment Methodology Report.

**On MOTION by Mr. Marton and seconded by Mr. Manners, with all in favor, Resolution 2024-10, Authorizing the Issuance of Not Exceeding \$3,000,000 West Port Community Development District, Special Assessment Bonds, Series 2024 (Assessment Area Four) (the “Bonds”) to Finance Certain Public Infrastructure Within Assessment Area Four Within the District; Determining the Need for a Negotiated Limited Offering of the Bonds and Providing for a**

**Delegated Award of Such Bonds; Approving the Underwriter for the Limited Offering of the Bonds; Approving the Form of and Authorizing the Execution and Delivery of a Bond Purchase Contract With Respect to the Bonds; Authorizing the Use of that Certain Master Trust Indenture Dated as of March 1, 2020 With Respect to the Bonds and Approving the Form of and Authorizing the Execution and Delivery of a Fifth Supplemental Trust Indenture Governing the Bonds; Approving the Form of and Authorizing the Distribution of a Preliminary Limited Offering Memorandum; Approving the Execution and Delivery of a Final Limited Offering Memorandum; Approving the Form of and Authorizing the Execution of a Continuing Disclosure Agreement, and Appointing a Dissemination Agent; Approving the Application of Bond Proceeds; Authorizing Certain Modifications to the Assessment Methodology Report and Engineer’s Report; Making Certain Declarations; Providing for the Registration of the Bonds Pursuant to the DTC Book-Entry Only System; Authorizing the Proper Officials to Do All Things Deemed Necessary in Connection With the Issuance, Sale and Delivery of the Bonds; and Providing for Severability, Conflicts and an Effective Date, was adopted.**

**EIGHTH ORDER OF BUSINESS**

**Consideration of Resolution 2024-11, Setting Forth the Specific Terms of the District’s Special Assessment Revenue Bonds, Series 2024; Making Certain Additional Findings and Confirming and/or Adopting an Engineer’s Report and a Supplemental Assessment Report; Delegating Authority to Prepare Final Reports and Update this Resolution; Confirming the Maximum Assessment Lien Securing the Bonds; Addressing the Allocation and Collection of the Assessments Securing the Bonds; Addressing Prepayments; Addressing True-Up Payments; Providing for the Supplementation of the Improvement Lien Book; and Providing for Conflicts, Severability and an Effective Date**

Ms. Suit presented Resolution 2024-11 and read the title.

**On MOTION by Mr. Cotter and seconded by Mr. Manners, with all in favor, Resolution 2024-11, Setting Forth the Specific Terms of the District’s Special**

**Assessment Revenue Bonds, Series 2024; Making Certain Additional Findings and Confirming and/or Adopting an Engineer’s Report and a Supplemental Assessment Report; Delegating Authority to Prepare Final Reports and Update this Resolution; Confirming the Maximum Assessment Lien Securing the Bonds; Addressing the Allocation and Collection of the Assessments Securing the Bonds; Addressing Prepayments; Addressing True-Up Payments; Providing for the Supplementation of the Improvement Lien Book; and Providing for Conflicts, Severability and an Effective Date, was adopted.**

**NINTH ORDER OF BUSINESS**

**Consideration of Forms of Issuer’s Counsel Documents**

Mr. Earlywine presented the following standard bond issuance related documents:

- A. Collateral Assignment Agreement**
- B. Completion Agreement**
- C. Declaration of Consent**
- D. Disclosure of Public Finance**
- E. Notice of Special Assessments**
- F. Acquisition Agreement**

**On MOTION by Mr. Cotter and seconded by Mr. Martin, with all in favor, the Collateral Assignment Agreement, Completion Agreement, Declaration of Consent, Disclosure of Public Finance, Notice of Special Assessments and Acquisition Agreement, all in substantial form, were approved.**

**TENTH ORDER OF BUSINESS**

**Consideration of Resolution 2024-12, Approving a Proposed Budget for Fiscal Year 2024/2025 and Setting a Public Hearing Thereon Pursuant to Florida Law; Addressing Transmittal, Posting and Publication Requirements; Addressing Severability; and Providing an Effective Date**

Ms. Suit presented Resolution 2024-12. She reviewed the proposed Fiscal Year 2025 budget, highlighting any line item increases, decreases and adjustments, compared to the Fiscal

Year 2024 budget, and explained the reasons for any changes. She noted that assessments are anticipated to increase.

**On MOTION by Mr. Martin and seconded by Mr. Manners, with all in favor, Resolution 2024-12, Approving a Proposed Budget for Fiscal Year 2024/2025 and Setting a Public Hearing Thereon Pursuant to Florida Law on August 13, 2024 at 12:30 p.m., at the Punta Gorda Charlotte Library, 401 Shreve St., Punta Gorda, Florida 33950; Addressing Transmittal, Posting and Publication Requirements; Addressing Severability; and Providing an Effective Date, was adopted.**

**ELEVENTH ORDER OF BUSINESS**

**Consideration of Resolution 2024-13, Adopting the Annual Meeting Schedule for Fiscal Year 2024/2025 and Providing for an Effective Date**

Ms. Suit presented Resolution 2024-13.

**On MOTION by Mr. Martin and seconded by Mr. Manners, with all in favor, Resolution 2024-13, Adopting the Annual Meeting Schedule for Fiscal Year 2024/2025 and Providing for an Effective Date, was adopted.**

**TWELFTH ORDER OF BUSINESS**

**Consideration of Evergreen Lifestyles Management, LLC Notice of Termination**

Ms. Suit stated that this item is for ratification.

**On MOTION by Mr. Martin and seconded by Mr. Cotter, with all in favor, the termination of the contract with Evergreen Lifestyles Management, LLC, was ratified.**

**THIRTEENTH ORDER OF BUSINESS**

**Consideration of Interlocal Agreement and Easement and Roadway Regarding Roadway and Waterway Improvements**



Mr. Earlywine presented the Interlocal Agreement and Easement and Roadway Regarding Roadway and Waterway Improvements. This is part of the CDD's Boundary Amendment that Kolter is closing on and intends to include within the CDD's boundaries. The closing on the property is anticipated. This is in preparation for proceeding with adding the property to the CDD's boundaries, once it closes, and include financing in the CDD's overall project.

Mr. Earlywine stated that, as part of the Development approvals, the County asked the CDD to take responsibility for the construction, installation and maintenance of certain segments of West Port Crossing and Flamingo Boulevard rights-of-way, along with the Flamingo Waterway canal and another canal and any bridges or overpasses that go over those. That is the purpose of this Interlocal Agreement.

Mr. Earlywine stated that the map needs to be attached to the Agreement.

**On MOTION by Mr. Martin and seconded by Mr. Manners, with all in favor, the Interlocal Agreement and Easement and Roadway Regarding Roadway and Waterway Improvements, with the addition of the map and in substantial form, was approved.**

**FOURTEENTH ORDER OF BUSINESS**

**Consideration of Resolution 2024-14, Rescinding and Replacing Resolution 2022-13 in its Entirety; Directing the Chairman and District Staff to Request the Passage of an Ordinance by the Board of County Commissioners of Charlotte County, Florida, Amending the District's Boundaries, and Authorizing Such Other Actions as are Necessary in Furtherance of that Process; and Providing an Effective Date**

Mr. Earlywine presented Resolution 2024-014. It is an updated Boundary Amendment Resolution that authorizes the CDD to proceed with the revised Boundary Amendment Petition to incorporate the segments.

**On MOTION by Mr. Martin and seconded by Mr. Cotter, with all in favor, Resolution 2024-14, Rescinding and Replacing Resolution 2022-13 in its Entirety; Directing the Chairman and District Staff to Request the Passage of an Ordinance by the Board of County Commissioners of Charlotte County, Florida, Amending the District’s Boundaries, and Authorizing Such Other Actions as are Necessary in Furtherance of that Process; and Providing an Effective Date, was adopted.**

**FIFTEENTH ORDER OF BUSINESS**

**Ratification Items**

Ms. Suit presented the following:

- A. Disclosure Technology Services, LLC EMMA® Filing Assistance Software as a Service License Agreement**
- B. Breeze Connected, LLC Facilities Management Agreement**

**On MOTION by Mr. Martin and seconded by Mr. Cotter, with all in favor, the Disclosure Technology Services, LLC EMMA® Filing Assistance Software as a Service License Agreement and the Breeze Connected, LLC Facilities Management Agreement, were ratified.**

**SIXTEENTH ORDER OF BUSINESS**

**Acceptance of Unaudited Financial Statements as of March 31, 2024**

**On MOTION by Mr. Martin and seconded by Mr. Cotter, with all in favor, the Unaudited Financial Statements as of March 31, 2024, were accepted.**

**SEVENTEENTH ORDER OF BUSINESS**

**Approval of January 9, 2024 Regular Meeting Minutes**

**On MOTION by Mr. Manners and seconded by Mr. Cotter, with all in favor, the January 9, 2024 Regular Meeting Minutes, as presented, were approved.**

**EIGHTEENTH ORDER OF BUSINESS**

**Staff Reports**

- A. District Counsel: Kutak Rock LLP**
- B. District Engineer: Morris Engineering and Consulting, LLC**

There were no District Counsel or District Engineer reports.

**C. Field Operations: Breeze Connected, LLC Facilities Management**

Ms. Nehus reported the following:

- Work is underway to have the palm trees replaced; proposals were received.
- A proposal for sign repairs is pending.

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

- **NEXT MEETING DATE: June 11, 2024 at 12:30 PM**
  - **QUORUM CHECK**

The June and July 2024 meetings will be cancelled. The next meeting will be on August 13, 2024.

**NINETEENTH ORDER OF BUSINESS**

**Board Members' Comments/Requests**

There were no Board Member comments or requests.

**TWENTIETH ORDER OF BUSINESS**

**Public Comments**

No members of the public spoke.

**TWENTY-FIRST ORDER OF BUSINESS**

**Adjournment**

**On MOTION by Mr. Martin and seconded by Mr. Cotter with all in favor, the meeting adjourned at 12:59 p.m.**

[SIGNATURES APPEAR ON THE FOLLOWING PAGE]

  
Secretary/Assistant Secretary

  
Chair/Vice Chair