

**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 12, 2025 at 12:30 p.m., at the Country Inn & Suites by Radisson, 24244 Corporate Court, Port Charlotte, Florida 33954.

Present:

Paul Martin	Chair
Bill Fife (via telephone)	Vice Chair
Jim Manners	Assistant Secretary
Lindsay Hernandez	Assistant Secretary

Also present:

Kristen Suit	District Manager
Jordan Lansford	Wrathell Hunt and Associates LLC
Jere Earlywine	District Counsel

Residents present:

Esther Amato	Steven Levine	Hedy Levine	Steve Bowman
Paul Martin	Byron Shiffer	Elaine Shiffer	Bruce St. Gracie
Jane Geiss	Nalan Martin	Barbara Luca	Dan Meterson
Bette Korkos	Mike Qarizek	Kristy Qarizek	Krzysztof Ziomez
Steve Coyle	Joseph Peters	Gregg Brown	Anthony Isabella
Lisa Butler	Elizabeth Bush	Rocco Versace	Cindy Martinez
Scott Mounsay	Sidney Watkins	Other residents	

FIRST ORDER OF BUSINESS

Call to Order/Roll Call

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

Supervisors Martin, Manners and Hernandez were present. Supervisor Fife attended via telephone. One seat was vacant.

SECOND ORDER OF BUSINESS

Public Comments

Ms. Suit explained the protocols for public comment.

Mr. Earlywine and Ms. Suit responded to questions regarding property taxes levied by the County, the CDD assessments, if the County requires homeowners to pay CDD assessments, what infrastructure items the CDD owns and is responsible for, which entity handles driveway encroachment, if the streetlights in the Cove and in the CDD are leased or purchased, if more than one proposal was obtained for the streetlight removal project, the scope of work for the removal of the streetlights, streetlight disposal, if the poles will be placed in the same spot as before and if a contract has been authorized with Florida Power & light (FPL).

A resident asked when the Board will transition from Developer-controlled to resident-controlled and if a different Chairperson can be elected. Mr. Earlywine stated the first opportunity to elect residents to the Board will be in November 2026 when three seats will be up for election. Two seats will be on the general election ballot with candidates going through the candidate qualifying process and the third seat will be filled through the Landowner election process.

Asked if there will be a rollout before the new streetlights are installed, Mr. Earlywine stated that it is difficult to say.

▪ **District Counsel: Kutak Rock LLP**

This item, previously Item 12A, was presented out of order.

Mr. Earlywine reported the following:

- The streetlights failed due to a storm during the previous hurricane season. Staff worked with the CDD's insurance carrier, Egis, who insured the lights, and RET, the actual owner of the lights, under a lease agreement, to resolve the matter.
- Egis hired its own expert to inspect the lights and RET confirmed that the streetlights were faulty and that they were developing a new design, which was time-consuming.
- At the start of the current hurricane season, Staff inquired about the new streetlights and Egis received a negative report from its engineer and started seeking a new broker to insure the newly-designed lights. RET's response was that they would find an insurance company but failed to provide the insurance information to District Staff. Ultimately, the CDD asked the District Engineer to inspect the streetlights and provide a report.

➤ Staff sent a letter to RET informing them that they are in default of the agreement. Staff's efforts working with RET were unsuccessful and, if RET does not remove the streetlights, Staff will arrange for their removal.

➤ Egis provided an initial payment, which was based on an assessment from RET. Given that the Engineer was asked to inspect the lights, Staff feels that the CDD is entitled to more insurance reimbursement and are requesting that.

Ms. Suit stated the total loss and damage amount was \$142,844, less the 5% hurricane deductible, and a check for \$84,344 was received. Based on the proposal from RET, Staff thinks the CDD is entitled to more based on the findings in the District Engineer's inspection report.

Mr. Earlywine stated, if Staff is able to use the insurance funds to facilitate removal of the lights, the CDD would be whole in the sense that it does not owe anyone and can start fresh with FPL. However, Staff's concern is, if RET brings a lawsuit against the CDD, it is not a given that a judge will rule that the District must pay the vendor for faulty lights and the District could end up with a bill from both RET and FPL. He discussed the agreements that the CDD has in its favor.

In response to a question about the CDD's plan for obtaining new lighting, Mr. Earlywine stated Mr. Martin obtained a proposal from FPL for a tried-and-true product. It is just a question of when a contract will be implemented.

Mr. Earlywine, Ms. Suit and Mr. Manners responded to questions regarding the main Boulevard lights, faulty streetlights on Centennial, if the CDD can assume responsibility for the infrastructure in the Cove, when roadway repairs will occur, the appearance of the front gate, the landscaping, the irrigation system and the new FPL poles.

THIRD ORDER OF BUSINESS

Consider Appointment to Fill Unexpired Term of Seat 4; Term Expires November 2026

This item was deferred.

- **Administration of Oath of Office to Appointed Supervisor (the following will be provided under separate cover)**
 - 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**

FOURTH ORDER OF BUSINESS**Consideration of Resolution 2025-05, Electing and Removing Officers of the District and Providing for an Effective Date**

Ms. Suit presented Resolution 2025-05.

Mr. Martin nominated the following slate:

Paul Martin	Chair
Bill Fife	Vice Chair
Jim Manners	Assistant Secretary
Lindsay Hernandez	Assistant Secretary
Jordan Lansford	Assistant Secretary

No other nominations were made.

The following prior appointments by the Board remain unaffected by this Resolution:

Craig Wrathell	Secretary
Kristen Suit	Assistant Secretary
Craig Wrathell	Treasurer
Jeff Pinder	Assistant Treasurer

On MOTION by Mr. Martin and seconded by Mr. Manners, with all in favor, Resolution 2025-02, Electing, as nominated, and Removing Officers of the District and Providing for an Effective Date, was adopted.

FIFTH ORDER OF BUSINESS**Public Hearing on Adoption of Fiscal Year 2025/2026 Budget**

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

A. Affidavit of Publication

This item was included for informational purposes.

B. Consideration of Resolution 2025-09, Relating to the Annual Appropriations and Adopting the Budget for the Fiscal Year Beginning October 1, 2025, and Ending September 30, 2026; Authorizing Budget Amendments; and Providing an Effective Date

Ms. Suit presented Resolution 2025-09 and stated the proposed Fiscal Year 2026 budget is unchanged from when it was last presented and approved. She explained that there is a decrease in the General Fund assessments and a slight increase in the Special Revenue Fund assessments, in the amount of \$33.16.

Mr. Manners explained the difference between the General Fund and the Special Revenue Fund assessments.

Discussion ensued regarding the previous hurricane damage, the line of credit amount that was taken out to replace the streetlights, a pending FEMA reimbursement, number of residents and total planned homes within the West Port community, identifying the different assessment areas, debt service, if the twin villas in Assessment Area 1 are considered single-family units or townhomes, roadway maintenance, if the \$10,000 holiday decorations line item can be removed from the budget, how residents can access their total non-ad valorem tax amount and plant replacement.

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

On MOTION by Mr. Martin and seconded by Mr. Manners, with all in favor, Resolution 2025-09, Relating to the Annual Appropriations and Adopting the Budget for the Fiscal Year Beginning October 1, 2025, and Ending September 30, 2026; Authorizing Budget Amendments; and Providing an Effective Date, as amended to remove the \$10,000 for the holiday lighting, was adopted.

SIXTH 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 2025/2026, Pursuant to Florida Law

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

A. Proof/Affidavit of Publication

B. Mailed Notice(s) to Property Owners

These items were included for informational purposes.

- **Objection to Proposed O&M Assessment for FY 2025/2026**

An emailed objection to the proposed O&M Assessments for Fiscal Year 2025/2026 was received from Ruiling Ke, the property owner of 16434 S Port Harbor Blvd, Port Charlotte, Florida 33953.

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

C. Consideration of Resolution 2025-10, Making a Determination of Benefit and Imposing Special Assessments for Fiscal Year 2025/2026; 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

Ms. Suit presented Resolution 2025-10 and read the title.

On MOTION by Mr. Martin and seconded by Ms. Hernandez, with all in favor, Resolution 2025-10, Making a Determination of Benefit and Imposing Special Assessments for Fiscal Year 2025/2026; 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.

SEVENTH ORDER OF BUSINESS**Consideration of Owens Electric, Inc.
Estimate 33993790 [Removal of Solar Poles
and Fixtures]**

Ms. Suit stated after the agenda was circulated, Staff received two additional proposals; one from Scullen and one from Team Fishel.

Discussion ensued regarding the scope of work, sod, the Team Fishel proposal details, the current litigation and establishing a not-to-exceed amount.

On MOTION by Mr. Martin and seconded by Mr. Manners, with all in favor, the Team Fishel proposal, in a not to exceed amount of \$60,000, subject to review by Litigation Counsel and District Counsel drafting an agreement, was approved.

EIGHTH ORDER OF BUSINESS**Consideration of Goals and Objectives
Reporting FY2026 [HB7013 - Special
Districts Performance Measures and
Standards Reporting]**

A. Authorization of Chair to Approve Findings Related to 2025 Goals and Objectives Reporting

Ms. Suit presented the Goals and Objectives Reporting Fiscal Year 2026 Performance Measures and Standards. She noted that it will be necessary to authorize the Chair to approve the findings related to the 2025 Goals and Objectives.

On MOTION by Mr. Martin and seconded by Ms. Hernandez, with all in favor, the Goals and Objectives Reporting Fiscal Year 2026 Performance Measures and Standards and authorizing the Chair to approve the findings related to the 2025 Goals and Objectives Reporting, was approved.

NINTH ORDER OF BUSINESS**Ratification of Sworn Statement in Proof of
Loss to the Florida Insurance Alliance and
Interested Underwriters [Policy Number
100124471]**

Ms. Suit presented the Sworn Statement in Proof of Loss to the Florida Insurance Alliance and Interested Underwriters related to Policy Number 100124471. This is for a claim that Staff received from Egis in the amount of \$84,344.88.

On MOTION by Mr. Martin and seconded by Mr. Manners, with all in favor, the Sworn Statement in Proof of Loss to the Florida Insurance Alliance and Interested Underwriters related to Policy Number 100124471, was ratified.

TENTH ORDER OF BUSINESS

**Acceptance of Unaudited Financial
Statements as of June 30, 2025**

On MOTION by Mr. Martin and seconded by Ms. Hernandez, with all in favor, the Unaudited Financial Statements as of June 30, 2025, were accepted.

ELEVENTH ORDER OF BUSINESS

**Approval of May 13, 2025 Regular Meeting
Minutes**

On MOTION by Mr. Manners and seconded by Ms. Hernandez, with all in favor, the May 13, 2025 Regular Meeting Minutes, as presented, were approved.

TWELFTH ORDER OF BUSINESS

Staff Reports

A. District Counsel: Kutak Rock LLP

Mr. Earlywine recalled that he gave his report during the Second Order of Business. He asked the Board to authorize Staff to file litigation against RET.

MOTION by Mr. Manners and seconded by Ms. Hernandez, with all in favor, authorizing District Counsel to file litigation against RET, subject to Litigation Counsel's confirmation, was approved.

B. District Engineer: Morris Engineering and Consulting, LLC

There was no report.

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

- **1,315 Registered Voters as of April 15, 2025**
- **NEXT MEETING DATE: September 9, 2025 at 12:30 PM**
 - **QUORUM CHECK**

The next meeting is to be determined.

THIRTEENTH ORDER OF BUSINESS

Board Members' Comments/Requests

There were no Board Members' Comments or requests.

FOURTEENTH ORDER OF BUSINESS

Public Comments

Discussion ensued regarding whether the CDD controls vehicles that are parked in the commercial area in front of the community, the status of the curbing, a trip hazard, if another parking area will be designated for resident guests as the "No Parking" signs are being enforced.

FIFTEENTH ORDER OF BUSINESS

Adjournment

<p>On MOTION by Mr. Martin and seconded by Ms. Hernandez, with all in favor, the meeting adjourned at 1:44 p.m.</p>
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[SIGNATURES APPEAR ON THE FOLLOWING PAGE]



Secretary/Assistant Secretary



Chair/Vice Chair