

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

The Board of Supervisors of the West Port Community Development District held Multiple Public Hearings and a Regular Meeting on August 10, 2021 at 12:00 p.m., at the Centennial Park Recreation Center, 1120 Centennial Boulevard, Port Charlotte, Florida 33953 and at 1-888-354-0094, Participant Passcode: 943 865 3730.

**Present were:**

Jim Harvey	Chair
Paul Martin	Assistant Secretary
Candice Smith	Assistant Secretary
Jim Manners	Assistant Secretary

**Also present were:**

Craig Wrathell (via telephone)	District Manager
Kristen Suit	Wrathell, Hunt and Associates, LLC
Jere Earlywine (via telephone)	District Counsel
Lauren Gentry (via telephone)	KE Law Group, PLLC
Matthew Morris	District Engineer
Jessica Friday (via telephone)	Evergreen Management

**FIRST ORDER OF BUSINESS**

**Call to Order/Roll Call**

Ms. Suit called the meeting to order at 12:00 p.m. Supervisors Harvey, Martin, Smith and Manners were present, in person. Supervisor Cotter was not present.

**SECOND ORDER OF BUSINESS**

**Public Comments**

No members of the public spoke.

**THIRD ORDER OF BUSINESS**

**Public Hearing on Adoption of Fiscal Year  
2021/2022 Budget**

**A. Proof/Affidavit of Publication**

The affidavit of publication was provided for informational purposes.

**B. Consideration of Resolution 2021-15, Relating to the Annual Appropriations and Adopting the Budgets for the Fiscal Year Beginning October 1, 2021, and Ending September 30, 2022; Authorizing Budget Amendments; and Providing an Effective Date**

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

Mr. Wrathell reviewed the Projected Fiscal Year 2022 Assessment table, on Pages 16 and 17 of the proposed Fiscal Year 2022 budget, and responded to questions. He discussed how assessments would be applied to the bond areas

➤ Assessment Area One – Series 2020, Platted Lots, On-Roll Assessments: 170 platted lots. Charlotte County’s cutoff date for platted lots to be added to the tax roll was earlier than many counties. While units within the CDD are responsible for shared Operation & Maintenance (O&M) assessments of \$444.36, Assessment Area One was also subject to a Special Revenue Fund assessment of \$357.02.

➤ Assessment Area Two – Series 2020, Unplatted Lots, Landowner Contribution (GF)/Off-Roll Assessments (DS): The Developer Funded portions of the assessments are subject to a three-way split between the Developers and are governed by Developer Funding Agreements.

➤ Assessment Area Two – Series 2020, Platted Lots, On-Roll Assessments: While all lots were platted this year, only 48 lots met the deadline for the Charlotte County Property Appraiser tax rolls. No Special Revenue Fund assessment was shown for these lots because the CDD would contract with the Master Association to operate and maintain any neighborhood-owned CDD improvements.

➤ Assessment Area One - 2021 Unplatted Lots, Landowner Contribution (GF & SRF)/Off-Roll Assessments: So far, all 486 units encumbered by the Series 2021 bonds were unplatted; shared O&M expenses for these lots would be Developer-funded. Of the Assessment Area One units encumbered by Series 2021 bonds, most units were not subject to the Special Revenue Fund. Only 111 Single Family 50’ lots were subject to the Special Revenue Fund Assessment, which would also be Developer-funded.

➤ Future Assessment Area(s), Unplatted Lots, Landowner Contribution: The remaining 716 units have not been encumbered with bond debt and O&M expenses would be funded as applicable by the Developers based on the cost share. Developer funding is subject to Deficit Funding Agreements.

With regard to the unplatted lots, A Board Member asked if estoppels would be calculated at time of closing. Mr. Earlywine stated that the budget included language pertaining to estoppels and estoppels were also addressed in Section 2 of the Assessments Resolution.

Ms. Suit presented the proposed Fiscal Year 2021 budget and reviewed Landowner contributions by KL West Port, Forestar and KL JAK WP.

A Board Member questioned why the 172 townhomes in Assessment Area One, encumbered by the 2021 bonds, indicated “n/a” in the 2021 Assessment per Unit column. Mr. Wrathell stated the Special Revenue Fund O&M assessment only applies to certain units.

Discussion ensued regarding services provided to townhome units and the O&M budget. Mr. Wrathell stated the Special Revenue Fund included landscape maintenance, plant replacement, irrigation repairs and streetlighting costs. He discussed how the Special Revenue Fund budget was developed to address Master O&M and neighborhood expenses and stated these figures may be adjusted in future years if necessary.

No members of the public spoke.

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

Ms. Suit presented Resolution 2021-15.

**On MOTION by Mr. Harvey and seconded by Mr. Manners, with all in favor, Resolution 2021-15, Relating to the Annual Appropriations and Adopting the Budgets for the Fiscal Year Beginning October 1, 2021, and Ending September 30, 2022; Authorizing Budget Amendments; and Providing an Effective Date, was adopted.**

to Fund the Budget for Fiscal Year 2021/2022, Pursuant to Florida Law

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

- A. Proof/Affidavit of Publication
- B. Mailed Notice(s) to Property Owners

These items were provided for informational purposes.

- C. Consideration of Resolution 2021-16, Making a Determination of Benefit and Imposing Special Assessments for Fiscal Year 2021/2022; 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 2021-16.

No members of the public spoke.

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

On MOTION by Mr. Harvey and seconded by Mr. Manners, with all in favor, Resolution 2021-16, Making a Determination of Benefit and Imposing Special Assessments for Fiscal Year 2021/2022; 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.

FIFTH ORDER OF BUSINESS

Ratification of Change Orders

Ms. Suit presented the following Change Orders, which were previously executed:

- A. No. 4: ET MacKenzie of Florida, Inc. [The Shores and Cove at West Port]

**On MOTION by Mr. Martin and seconded by Mr. Manners, with all in favor, ET MacKenzie of Florida, Inc. Change Order No. 4, in the amount of \$91,290, was ratified.**

**B. No. 5: ET MacKenzie of Florida, Inc. [The Shores and Cove at West Port]**

**On MOTION by Mr. Martin and seconded by Mr. Manners, with all in favor, ET MacKenzie of Florida, Inc. Change Order No. 5, in the amount of \$59,967, was ratified.**

**C. No. 4: O'Donnell Landscapes, Inc. [Irrigation Improvements]**

This item was presented following the Seventh Order of Business.

**SIXTH ORDER OF BUSINESS**

**Ratification of Authorization to Publish RFP for Street Lights**

Ms. Suit presented the Request for Proposals (RFP) Package for Street Lights.

**On MOTION by Ms. Smith and seconded by Mr. Harvey, with all in favor, the RFP for Street Lights and authorization to publish, were ratified.**

Mr. Earlywine stated the RFP was advertised and bids are due on Friday. He suggested scheduling a meeting to consider the bids, approve the contract and order materials. Ms. Suit stated today's meeting would be continued.

**SEVENTH ORDER OF BUSINESS**

**Ratification of Selection of KE Law Group, PLLC**

- **Approval of Fee Agreement**

Mr. Earlywine presented the KE Law Group, PLLC Fee Agreement and thanked the Board for its consideration.

**On MOTION by Ms. Smith and seconded by Mr. Harvey, with all in favor, the selection of KE Law Group, PLLC, was ratified, and the KE Law Group, PLLC Fee Agreement, was approved.**

- **No. 4: O'Donnell Landscapes, Inc. [Irrigation Improvements]**  
This item, previously Item 5C, was presented out of order.

**On MOTION by Mr. Martin and seconded by Mr. Manners, with all in favor, O'Donnell Landscapes, Inc. Change Order No. 4, in the amount of \$155,000, was ratified.**

**EIGHTH ORDER OF BUSINESS**

**Consideration of Charlotte County Utilities Service Agreement (for the Isles & the Hammocks)**

Mr. Earlywine presented the Charlotte County Reclaimed Water Service Agreement that was executed by the Chair. The Agreement was similar to the agreement for the previous phase. Discussion ensued regarding payment. Mr. Martin stated the fully executed Agreement was mailed on August 9, 2021. Mr. Wrathell asked if the full amount of \$917,752.41 would be remitted. Mr. Martin responded affirmatively and stated a requisition for that amount was forwarded.

**On MOTION by Mr. Martin and seconded by Mr. Harvey, with all in favor, the Charlotte County Utilities Service Agreement for the Isles and the Hammocks, was ratified.**

Mr. Wrathell asked if the Agreement was executed by the County. Mr. Martin stated the County would hold the signed Agreement until payment is received. Mr. Earlywine stated it was acceptable to proceed and process the Requisition.

**NINTH ORDER OF BUSINESS**

**Acceptance of Unaudited Financial Statements as of June 30, 2021**

Ms. Suit presented the Unaudited Financial Statements as of June 30, 2021.

**On MOTION by Mr. Martin and seconded by Mr. Manners, with all in favor, the Unaudited Financial Statements as of June 30, 2021, were accepted.**

**TENTH ORDER OF BUSINESS**

**Consideration of June 8, 2021 Regular Meeting Minutes**

Ms. Suit presented the June 8, 2021 Regular Meeting Minutes.

**On MOTION by Mr. Manners and seconded by Mr. Martin, with all in favor, the June 8, 2021 Regular Meeting Minutes, as presented, were approved.**

**ELEVENTH ORDER OF BUSINESS**

**Staff Reports**

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

There was no report.

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

There was no report.

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

- **NEXT MEETING DATE: September 14, 2021 at 12:00 P.M.**
  - **QUORUM CHECK**

Ms. Suit stated today's meeting would be continued to August 17, 2021 at 10:00 a.m.

The next regular meeting will be held September 14, 2021 at 12:00 p.m.

**TWELFTH ORDER OF BUSINESS**

**Board Members' Comments/Requests**

There were no Board Members' comments or requests.

**THIRTEENTH ORDER OF BUSINESS**

**Public Comments**

There were no public comments.

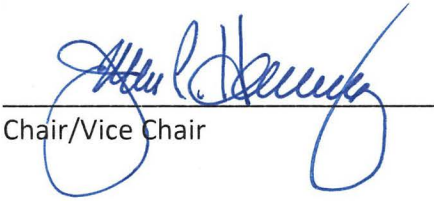
**FOURTEENTH ORDER OF BUSINESS**

**Adjournment**

There being nothing further to discuss, the meeting recessed and was continued to August 17, 2021 at 10:00 a.m.



Secretary/Assistant Secretary



Chair/Vice Chair