

**WEST VILLAGES IMPROVEMENT DISTRICT
PUBLIC HEARINGS & REGULAR BOARD MEETING
FEBRUARY 13, 2025**

A. CALL TO ORDER

The February 13, 2025, Regular Board Meeting of the West Villages Improvement District (“WVID” or the “District”) was called to order at 10:00 a.m. in the Chambers Room of the City of North Port located at 4970 City Hall Boulevard, North Port, Florida 34286.

B. PROOF OF PUBLICATION

Proof of publication was presented which showed the notice of the Regular Board Meeting had been published in the *Sarasota Herald-Tribune* on February 4, 2025, as legally required.

C. ESTABLISH A QUORUM

It was determined that the attendance of the following Supervisors constituted a quorum, and it was in order to proceed with the meeting:

Chairman	John Luczynski	Present in person
Vice Chairman	Steve Lewis	Present in person
Supervisor	Tom Buckley	Present in person
Supervisor	Christine Masney	Present in person
Supervisor	John Meisel	Present in person

District Manager	William Crosley	Special District Services, Inc.
District Operations Manager	Kyle Wilson	Special District Services, Inc.
District Counsel	Lindsay Whelan	Kutak Rock LLP
District Engineer	Giacomo Licari	Dewberry

Also present were Andrew Karmeris and Michelle Krizen of Special District Services, Inc.; and Don DeBerry, Sarasota County P.E. The public sign in sheet is attached to these minutes.

D. DISCUSSION REGARDING PUBLIC DECORUM AT BOARD MEETINGS

Chairman Luczynski read aloud the Public Decorum Policy.

E. COMMENTS FROM THE PUBLIC REGARDING ALL AGENDA ITEMS

There were no comments from the public.

F. APPROVAL OF MINUTES

1. January 9, 2025, Regular Board Meeting

The minutes of the January 9, 2025, Regular Board Meeting were presented for consideration.

Chairman Luczynski commented that regarding Section E, which reads the reduction of the speed limit along US 41 went from 55 MPH down to 35 MPH. The minutes should reflect the reduction in speed down to 45 MPH, and that Section I-1, the minutes read that the District did not plan to install plant material in the FDOT right of way. The minutes should reflect that the District does not plan to install plant material “outside” of the FDOT right of way as all of the landscaping being done falls within the FDOT right of way.

A **MOTION** was made by Supervisor Buckley, seconded by Supervisor Masney approving the minutes of the January 9, 2025, Regular Board Meeting, as amended. The **MOTION** carried 4 to 0 with Supervisor Lewis abstaining, as he did not attend the January 9, 2025, meeting.

G. GENERAL DISTRICT MATTERS

1. Consider Work Authorization No. 5 between the District and Kimley-Horn & Associates, Inc. for Project Engineering Services

Don DeBerry, P.E. Sarasota County, stated that he was present to discuss the River Road and Winchester Boulevard improvement project and asked the District Board to consider adding some additional design work to the project for a portion of Winchester Boulevard just south of the River/Winchester intersection due to a federal grant received in the amount of \$1,000,000. He stated that the grant is specific for construction only which means that Sarasota County has to pay for the design or any other related expenses prior to the construction. The County is requesting that the District Board allow Kimley-Horn to incorporate that work into the existing design contract which will be paid for by Sarasota County.

Supervisor Meisel stated that he had been vehemently opposed to the District spending bond money to fund this project since in his opinion it does not directly benefit the District. He asked Mr. DeBerry’s opinion on why the District should fund any of this project because the District is already funding \$7,000,000 for this project.

Chairman Luczynski clarified that there is not any bond money being used for this project, which resulted in an outburst from Supervisor Meisel that he wanted to continue to speak. Chairman Luczynski rapped the gavel and asked Supervisor Meisel to calm down and to show respect to the County representative in attendance at the Board meeting.

Supervisor Meisel asked if the \$7,000,000 had been approved by the District Board. Chairman Luczynski responded that \$7,000,000 was approved and that this amount will be paid for out of the roadway impact fees received from the City of North Port and if Supervisor Meisel recalled, which he stated he feels that Supervisor Meisel always purposely forgets, that should that money run short there is a backup funding agreement with Wellen Park LLLP to fund the cost of this work so absolutely no bond money will be used for this project.

Supervisor Meisel then asked why the District is pursuing the project, rather than the master developer. Chairman Luczynski responded that as discussed in detail at prior Board meetings, Sarasota County came to the WVID and asked if the District could work with them on the River Road expansion project because the project needed to be coordinated through governmental agencies because of the funding of federal dollars towards some of the project costs and the District can get the design work for the project completed faster than the County. He went on to state that, if Supervisor Meisel recalls, the agreement on this project approved by the Board this summer provides that the District gets a dollar-for-dollar credit against future construction costs relative to its portion of the project. He stated that it was estimated at that time that the District intersections would cost approximately \$12 Million, but through the District’s cooperative efforts,

no thanks to Supervisor Meisel, Sarasota County has already approved a roundabout at Playmore Road/River Road and a roundabout at Manasota Beach Road/River Road the cost of which reduced the WVID's exposure for its portion of the cost of its project by at least half, if not more. This means there is no signal at either intersection where the District previously had a 100% obligation to fund Playmore Road turn lanes and a 100% obligation to fund signals, which are significant costs. The District's cooperation with the County on this project saves our taxpayers and assessment payers money on future road obligations which would be funded by bonds, should the WVID Board so choose, even though this project is not being funded with bonds. He stated that he felt that Supervisor Meisel always wants to change the narrative to be something that it is not and he feels an obligation to clarify the record.

Supervisor Meisel stated that when the District signed up for this project, it was WVID paying for that cost, and that those impact fee dollars could go back to the District as opposed to the developer funding it. As far as the turn signals and turn lanes, he felt those are not WVID responsibilities because Winchester Boulevard is not within the District's boundaries. Chairman Luczynski responded that a portion of Winchester Boulevard was inside the District's boundaries and that a portion of the roadway goes to the south boundary about 1,000 feet.

Supervisor Meisel stated that he thought that the District's boundary ends right at the intersection of River Road and Winchester Boulevard and the WVID boundary does not extend down Winchester Boulevard. Chairman Luczynski stated that is not correct, and that a portion of Winchester does exist within the WVID boundary. Supervisor Meisel stated that he would pull up a map and verify that because he did not believe it was within the WVID boundary.

Supervisor Lewis asked Ms. Whelan if the District is permitted to fund an offsite roadway improvement that is not within the boundaries so as long as it was beneficial to the District. Ms. Whelan responded that was correct – there is no limitation that improvements that we finance, construct, operate or maintain are within the District's boundaries so long as there is a benefit to properties within the District.

Supervisor Lewis stated that one thing that confused him was that Supervisor Meisel always assumes that anything that benefits the master developer is also then detrimental to the community. He stated that while it's true that WVID projects improve the property value of the master developer, it also improves the property value of everybody who lives in the District including residents and other landowners. The plan here is to provide a system of improvements that enhance all the land within the District- not just the master developer's or a homebuilder's land- but everybody's land. He stated that these types of off-site roadway improvements do exactly that and he finds Supervisor Meisel's opposition to be ridiculous.

Supervisor Meisel stated that he was not opposed to the widening of River Road, but that he is opposed to the use of \$7,000,000 of bond money on the project. Supervisor Lewis responded that it has been discussed in depth that WVID bond money is not being utilized to fund this project, it is WVID impact fee money.

Supervisor Meisel stated but that he felt that the impact fee money could be used for something else internally within the District. Supervisor Lewis stated that if the impact fee money was used for other projects, then the District could just issue bonds to do this project because that would be allowable as well.

Supervisor Meisel stated that he felt that it was the County's responsibility to widen the road and that if there were traffic lights installed versus roundabouts, he doesn't feel that the cost to construct that is \$12 million for two intersections. He stated that he feels this is similar to the traffic light in front Gran Paradiso and Islandwalk where the homebuilders paid for that traffic light because it signaled the traffic into their property.

Supervisor Meisel then redirected his question back to the Sarasota County representative and stated that he forgot his original question. Mr. DeBerry stated that Supervisor Meisel asked him if the County was paying for all of the additional project and he indicated that the County was paying for all of this additional project, the District was not contributing any dollars to this additional project.

Supervisor Meisel asked what portion of the overall project the County was paying for. Mr. DeBerry stated that the County was paying for the design of their portion of the project and reimbursing the District dollar-for-dollar for all the money the District spent on the County's portion of the design of the project.

Supervisor Meisel asked if the District was being reimbursed via impact fees. Chairman Luczynski stated that in the agreement with the County relating to this project that was approved by the Board, it specifically requires that within 120 days after the permit is in hand, the County needs to bid out the construction work and as part of the construction, the District gets reimbursed dollar-for-dollar for any of the WVID construction costs that will be part of that project which is understood to be the Playmore Road/River Road and Manasota Beach Road/River Road intersections. We also know there will be developer intersections along that road and that at that point, the District needs to work with those private owners on an agreement for access to their parcels. Those plans specifically call for those areas and quantities to be specifically documented and very clear that when the County goes to bid who is responsible for those costs with agreements in place to cover those costs and at the end of the day, WVID, through this design process, is saving millions of dollars.

Chairman Luczynski went on to state that while he understood that Supervisor Meisel did not have a clue about land development or building roadways, the Board discussed all of these concepts at the July meeting in detail.

Supervisor Meisel stated that he was not aware of this and was never told the District was being reimbursed dollar-for-dollar by the County for every dollar the District invested in the project on its behalf, only that the District could be refunded the money if the project did not occur within a certain period of time. Chairman Luczynski stated that this was all discussed and clearly addressed in the agreement with the County. First the County design costs get reimbursed to the District as a credit against our construction costs. The backup provision you referenced is that if the County does not go forward with the construction of the project within a certain time frame then the has to pay us back in cash, but either way at the end of the day the District is not investing any money in the project that we would not have invested before. Quite frankly we are saving money because Kimley-Horn, who is the engineer on this project, has been working very closely with Don DeBerry and his team to create a win-win project and those roundabouts, which move traffic better, are going to save the County long term operational money just on power and replacement of the street lights, which removes the need for turn lanes. He explained that, for perspective, the Preto Boulevard/US 41 intersection cost \$3,000,000 and that was only three legs of an intersection and that was done a number of years ago- so if you figure in inflation that has occurred over the last five years in development costs, it increases the cost of a signaled intersection significantly. The District would have significant required improvements for left turn and right turn lanes at the Manasota Beach Road/River Road intersection because there is a high school there. The District has the obligation for those extra length turn lanes. This project is positive for the District and yes, it will save the master developer some money too, but it will save the District a lot more and it will help get a much-needed hurricane evacuation route constructed years earlier than if the District didn't participate in the project.

Chairman Luczynski went on to state that the only true cost in this transaction is that the District is front-funding engineering costs on behalf of the County and theoretically, there is an opportunity value of money where our money sits in an account earning 1% or 2% where we are not being reimbursed that interest, but

in his opinion we are going to get that value back in cooperation with the County on a high-quality design at a cost savings to the District.

Chairman Luczynski stated that he wished that Supervisor Meisel had looked closer at that agreement when the Board discussed and approved it in July. Supervisor Meisel stated that he did look at it but didn't understand that it addressed more concepts than just the District paying for intersections on River Road, but regardless he still doesn't think that this should be a District project and that residents have told him that is their opinion also.

Chairman Luczynski responded that what Supervisor Meisel hears from the residents is based on what Supervisor Meisel incorrectly tells them- that the District is paying out of bond money- just like he opened his statement for this topic- which was a false statement. He stated that he believes that Supervisor Meisel misleads people to think the District is issuing bonds that existing homeowners have to pay for, but the reality is that since 2019, this Board has made a point of not issuing any additional Unit 1 bonds so the existing homeowners are not being charged for this project. He reminded Supervisor Meisel that while the District Board could have easily issued new bonds to fund the recent U.S. 41 project they chose not to, and that the District is essentially getting a 0% interest loan from the master developer to cover WVID's infrastructure construction cost shortfalls in the amount of \$41 million to-date. He stated that WVID is not charging the existing residents for this \$41 million of infrastructure construction costs through bonds, but if Supervisor Meisel wanted the District to issue new bonds, he would be happy to pursue that at Supervisor Meisel's request. This Board has followed its fiduciary duty to the exponential power and if Supervisor Meisel would look at what has been spent and how this Board has saved money for the District every day for the last 5 1/2 years since he's been here, it would be appreciated, but Supervisor Meisel chooses not to.

A **MOTION** was made by Mr. Lewis, seconded by Ms. Masney to approve the Kimley-Horn work authorization for additional River Road expansion design services. Upon being put to a vote, the **MOTION** carried 4 to 1 with Mr. Meisel dissenting.

2. Discussion Regarding Trademark Matters

Ms. Whelan explained that the District was recently made aware that the West Villagers for Responsible Government Political Action Committee had changed its name to the West Villages Political Action Committee and upon request of the Chairman, Kutak Rock had their trademark folks look into that to be sure that there was no likely or potential infringement on the District's trademark rights due to the West Villages' name. Their opinion is that there is likely infringement and that it is reasonable that somebody that uses West Villages' PAC could think that it was actually an instrumentality of the District or something that the District is operating itself and for that reason I wanted to bring this issue to the Board today to highlight this matter and also to get some direction to see if the Board wishes to pursue a potential trademark claim which would initially involve a cease and desist letter- essentially a nice letter saying it appears there is an infringement, please change your name to something without the West Villages' name in it- and then ultimately proceeding on to litigation if that is not successful.

Supervisor Meisel asked if she mentioned something about West Villages for Responsible Government changing its name to West Villages PAC. Ms. Whelan responded yes. Supervisor Meisel responded that he did not know anything about that and asked if there was anything that could be shared to demonstrate that that had occurred. Ms. Whelan stated that she was happy to answer any other questions from the rest of the Board Members and was seeking direction as to how the Board wanted to proceed. Supervisor Meisel asked if she was not answering any questions from him. Ms. Whelan explained that she would discuss that in detail in a few minutes, but no she was not able to answer his questions.

Supervisor Lewis stated that first it should be validated that there was in fact a name change, if the change was valid itself and there is a potential infringement; then yes he believes the cease and desist letter would be appropriate. There was Board consensus for Staff to proceed in the manner outlined.

H. UNIT OF DEVELOPMENT NO. 1

1. Consider Ratification of Roadway Cost Share Agreements

Mr. Licari advised that the first funding agreement was between Wellen Park LLP and the District, which refers to the improvements on Playmore Road, which includes two entrances, crosswalks, curbing and landscaping. The collaboration with the master developer to work with the District on these projects did provide a cost savings. The District will pay for the design services and the master developer will pay for the construction services. The master developer will then reimburse the District for the design services relative to their improvements, and the District will reimburse the master developer for the construction of the WVID improvements.

A **MOTION** was made by Mr. Buckley, seconded by Mr. Lewis and passed unanimously ratifying the Roadway Cost Share Agreement for Playmore Road , as presented.

Mr. Licari then discussed a similar arrangement for roadway work to be done at the intersection of West Villages Parkway and Playmore Road that will occur after the spring training season is over. Mr. Luczynski requested that additional curbing and roadway improvements be included within the scope of this project and that once a construction price was known to bring this agreement back to the Board for approval.

I. UNIT OF DEVELOPMENT NO. 2

1. Consider Discussion Regarding Use of Delinquent Assessment Payments

Ms. Whelan discussed that in fall 2024 the Board discussed that a payment of delinquent assessments relative to Unit of Development No. 2 Town Center parcel was paid and the Board had directed Staff to determine how that money could be spent. She stated that the assessment payment resulted in approximately \$3.5 million in revenues being received by the District, and that after reviewing the bond documents and working with bond counsel as well as District staff, particularly the accounting and assessment departments, the memorandum in the agenda package was prepared to facilitate Board discussion. She directed the Board to particularly review the chart on page 2 of the memorandum showing which categories the assessment monies fell into and how they could be utilized.

Supervisor Lewis thanked Ms. Whelan for the memorandum, noting that it was helpful to him, and he thought it would be helpful for the Board to understand that the debt monies would have to be used for capital projects, but the operations and maintenance (O&M) monies could be used for either operations and maintenance or for capital projects and that there was some flexibility there. He stated that the reason that was important is because Unit 2 received \$2.7 million of O&M money and the annual O&M budget for Unit 2 is somewhere around \$50,000 so it would take 30+ years to use that for O&M only and so it seems that we would want to try to find some type of capital project to utilize that money for so that Unit 2 can benefit from it now. He went on to state that felt that flexibility was important and suggested maybe blending funding with the next 10 years of O&M being reduced and using the rest on a capital project. He stated that this is all a nice dilemma for the District Board to have.

Ms. Whelan stated that it was important to note that if it was intended to spend any O&M money on a capital project, it should be included on the next fiscal year's budget or future budgets to provide adequate notice to homeowners that we intend to utilize some O&M monies on capital projects.

Chairman Luczynski asked if this money could be used for an extension of Preto Boulevard or Manasota Beach Road. Ms. Whelan responded that originally Unit 2 bonds funded West Villages Parkway construction, in part, and the Engineer's Report includes major thoroughfare roadways so as long as the assessment methodology consultant deems that there is a benefit to Unit No. 2 by those projects, then yes that would be permissible.

Chairman Luczynski asked if the funds could be used to purchase land and fund the WVID building. Ms. Whelan stated that a WVID building was probably more of a master planning expense most appropriately designated as a Unit 1 expense but you could theoretically fund that cost with either the Unit 1 debt service from 2010 through 2016 which is about a \$500,000 or from Unit 1 O&M which is about \$28,000, with the same caveat to include in the next fiscal year's budget.

J. UNIT OF DEVELOPMENT NO. 3

1. Consider Request for Independent Internal Review and Report

Ms. Whelan explained that through discovery in the Gran Paradiso irrigation litigation, the District recently learned that Supervisor Meisel has at some point been retained as a consultant by Herbert and Associates Law, the law firm representing the Gran Paradiso POA (GPPOA) in the ongoing irrigation litigation, relative to that lawsuit. District Counsel was subsequently informed that Supervisor Meisel has at some point retained Mr. Herbert as his personal attorney on "issues pertaining to his ownership in Gran Paradiso, matters retaining to water rights, and other unspecified matters."

On first impression, these relationships create significant operational concerns with respect to the District's ability to meaningfully proceed in its defense relative to the GPPOA and other litigation without improper interference. District Counsel think it is clear that based on the known facts, the interests of the District appear to be directly adverse to the interests of Supervisor Meisel. Normally in this situation District Counsel is required by Florida Bar Rules to inform Mr. Meisel that the District's legal counsel cannot act as his attorney and that he needs to retain his own personal attorney, but here that seems to be moot given he has admittedly already retained Attorney Herbert.

Ms. Whelan went on to state that additionally, due to the fact that Supervisor Meisel is represented by legal counsel, and pursuant to Florida Bar Rules which all attorneys in the State are required to comply with, any attorneys for the District are not permitted to converse with Supervisor Meisel regarding topics related to litigation or potentially related to litigation without the consent of his attorney. Attorney Herbert has confirmed to Kutak Rock that he does not intend to provide this consent on behalf of his client. As a result, District attorneys, including Kutak Rock, insurance defense counsel, and any others, as well as District staff which act as an instrumentality of District Counsel, are now legally required to decline any attempts to correspond with Supervisor Meisel whether by e-mail, telephone, or here at Board meetings on litigation-related topics.

In addition to the extremely complex public governance situation that District staff currently finds ourselves in, the relationship between Supervisor Meisel and Attorney Herbert also appear to potentially present significant and extensive conflicts of interest in violation of civil, ethics, Florida Bar, and other laws.

For all these reasons, District Counsel thinks it is prudent for the District to retain an independent, external law firm with expertise in public employment and ethics matters to conduct an independent review of the District's current situation and to advise the District Board and Staff as to how to navigate this unprecedented situation. We would anticipate that the outside counsel would work independently but would have full access to District Staff, Supervisors, and documents during their review, as requested, and we expect that upon concluding their investigation, the District Board will be provided with their findings and any recommendations at a future Board of Supervisors' meeting.

Ms. Whelan indicated that her firm had been working to identify several options of law firms that could potentially do this work for the District and that Kutak Rock felt that it was important to retain someone that did not have any affiliation or relationship with the District. She hoped to have more options as of this meeting, but currently she has only been able to identify one attorney named Robert Fernandez of RHF Law Firm that could potentially do this work. She suggested that the Board could consider continuing this Board meeting to allow Kutak Rock to try to identify additional law firms.

The Board discussed their frustration with the situation being addressed and discussed Attorney Fernandez's qualifications. Supervisor Meisel recommended that the District not spend any money on this matter and instead go to the State Attorney's office of ethics commission for an opinion.

A **MOTION** was made by Mr. Lewis, seconded by Mr. Buckley approving the retaining of RHF Law Firm LLC, Robert H. Fernandez, Esquire, to perform and provide an internal review and report relative to Supervisor Meisel's Actions. Upon being put to a vote, the **MOTION** carried 4 to 1 with Mr. Meisel dissenting.

K. UNIT OF DEVELOPMENT NO. 11

1. Public Hearing on Master Assessments

a. Proof of Publication

Proof of publication was presented which showed the notice of the Public Hearing had been published in the *Sarasota Herald-Tribune* on January 22, 2025, and January 29, 2025, as legally required.

b. Consider Master Engineer's Report/Plan of Improvements

Mr. Licari presented the Engineer's Master Plan of Improvements and stated that the report was the same as the report the Board had approved at the January 9, 2025, meeting, with no changes. There were no questions from the Board Members.

A **MOTION** was made by Mr. Lewis, seconded by Mr. Buckley and passed unanimously approving the Master Engineer's Report/Plan of Improvements for Unit of Development No. 11, as presented.

c. Consider Master Assessment Methodology Report

Mr. Karmeris presented the Unit of Development No. 11 Master Methodology Report and stated that the report was the same as the report the Board had approved at the January 9, 2025, meeting, with no changes. There were no questions from the Board Members.

A **MOTION** was made by Mr. Buckley, seconded by Mr. Lewis and passed unanimously approving the Master Assessment Methodology Report for Unit of Development No. 11, as presented.

A **MOTION** was then made by Mr. Lewis, seconded by Ms. Masney and passed unanimously opening the Public Hearing to consider levying and imposing master assessments for Unit of Development No. 11.

d. Consider Resolution No. 2025-09 – Levying and Imposing Master Assessments

Resolution No. 2025-09 was presented, entitled:

RESOLUTION 2025-09

A RESOLUTION AUTHORIZING THE DISTRICT'S SERIES 2025 PROJECT FOR CONSTRUCTION AND/OR ACQUISITION OF INFRASTRUCTURE IMPROVEMENTS; EQUALIZING, APPROVING, CONFIRMING, AND LEVYING SPECIAL ASSESSMENTS ON PROPERTY WITHIN UNIT OF DEVELOPMENT NO. 11 OF THE DISTRICT SPECIALLY BENEFITED BY SUCH SERIES 2025 PROJECT TO PAY THE COST THEREOF; PROVIDING FOR THE PAYMENT AND THE COLLECTION OF SUCH SPECIAL ASSESSMENTS BY THE METHODS PROVIDED FOR BY CHAPTERS 170 AND 197, FLORIDA STATUTES, AND CHAPTER 2004-456, LAWS OF FLORIDA, AS AMENDED; CONFIRMING THE DISTRICT'S INTENTION TO ISSUE CAPITAL IMPROVEMENT REVENUE BONDS; MAKING PROVISIONS FOR TRANSFERS OF REAL PROPERTY TO GOVERNMENTAL BODIES AND OTHER EXEMPT ENTITIES; PROVIDING FOR THE RECORDING OF AN ASSESSMENT NOTICE; PROVIDING FOR SEVERABILITY, CONFLICTS AND AN EFFECTIVE DATE.

Ms. Whelan explained that this resolution approves and levies the master debt service assessments for Unit 11 based on the Engineering and Assessment Methodology Reports just adopted by the Board. At the point in time which nears the actual bond issuance the Board will consider a supplemental assessment resolution that certifies a portion of these debt service assessments for collection corresponding with the bond amounts. She reminded the Board that this master debt service assessment effects only lands within Unit of Development No. 11 and nothing that is currently developed.

The Chairman solicited public comment at this time relative to the Unit 11 master debt service assessments. There was no public comment.

A **MOTION** was made by Mr. Lewis, seconded by Mr. Buckley and passed unanimously adopting Resolution No. 2025-09, as presented.

A **MOTION** was then made by Mr. Lewis, seconded by Mr. Buckley and passed unanimously closing the Unit No. 11 Public Hearing.

L. UNIT OF DEVELOPMENT NO. 12

1. Consider Public Hearing on Master Assessments

a. Proof of Publication

Proof of publication was presented which showed the notice of the Public Hearing had been published in the *Sarasota Herald-Tribune* on January 22, 2025, and January 29, 2025, as legally required.

b. Consider Master Engineer's Report/Plan of Improvements

Mr. Licari presented the Unit of Development No. 12 Engineer's Master Plan of Improvements and stated that the report was the same as the report the Board had approved at the January 9, 2025, meeting, with no changes. There were no questions from the Board Members.

A **MOTION** was made by Mr. Lewis, seconded by Mr. Buckley and passed unanimously approving the Unit of Development No. 12 Engineer's Master Plan of Improvements, as presented.

c. Consider Master Assessment Methodology Report

Mr. Karmaris presented the Unit of Development No. 12 Master Methodology Report and indicated that the report was the same as the report the Board had approved at the January 9, 2025, meeting, with no changes. There were no questions from the Board Members.

A **MOTION** was made by Mr. Buckley, seconded by Mr. Lewis and passed unanimously approving the Unit of Development No. 12 Master Methodology Report, as presented.

d. Consider Resolution No. 2025-10 – Levying and Imposing Master Assessments

A **MOTION** was made by Mr. Buckley, seconded by Mr. Lewis opening the Public Hearing to consider Master Assessments for Unit of Development No. 12 and passed unanimously.

Resolution No. 2025-10 was presented, entitled:

RESOLUTION 2025-10

A RESOLUTION AUTHORIZING THE DISTRICT'S SERIES 2025 PROJECT FOR CONSTRUCTION AND/OR ACQUISITION OF INFRASTRUCTURE IMPROVEMENTS; EQUALIZING, APPROVING, CONFIRMING, AND LEVYING SPECIAL ASSESSMENTS ON PROPERTY WITHIN UNIT OF DEVELOPMENT NO. 12 OF THE DISTRICT SPECIALLY BENEFITED BY SUCH SERIES 2025 PROJECT TO PAY THE COST THEREOF; PROVIDING FOR THE PAYMENT AND THE COLLECTION OF SUCH SPECIAL ASSESSMENTS BY THE METHODS PROVIDED FOR BY CHAPTERS 170 AND 197, FLORIDA STATUTES, AND CHAPTER 2004-456, LAWS OF FLORIDA, AS AMENDED; CONFIRMING THE DISTRICT'S INTENTION TO ISSUE SPECIAL ASSESSMENT REVENUE BONDS; MAKING PROVISIONS FOR TRANSFERS OF REAL PROPERTY TO GOVERNMENTAL BODIES AND OTHER EXEMPT ENTITIES; PROVIDING FOR THE RECORDING OF AN ASSESSMENT NOTICE; PROVIDING FOR SEVERABILITY, CONFLICTS AND AN EFFECTIVE DATE.

Ms. Whelan explained the resolution approves and levies master assessments on the lands within Unit of Development No. 12 which is an undeveloped portion of District property and at the time in which the bonds will be issued the Board will consider a supplemental assessment resolution that certifies a portion of these debt service assessments for collection corresponding with the bond amounts.

The Chairman solicited public comment at this time relative to the Unit 12 master debt service assessments. There was no public comment.

A **MOTION** was made by Mr. Lewis, seconded by Mr. Buckley and passed unanimously adopting Resolution No. 2025-10, as presented.

A **MOTION** was then made by Mr. Buckley, seconded by Ms. Masney and passed unanimously closing the Public Hearing regarding the Unit of Development No. 12.

M. ATTORNEY-CLIENT SESSION RELATIVE TO LITIGATION

Ms. Whelan indicated that an attorney-client session was not necessary at this time.

N. ADMINISTRATIVE MATTERS

1. District Engineer

Mr. Licari reported that Staff was working on a project that would allow the reutilization of the reclaimed transmission line that used to carry reclaimed water to Primary Irrigation Lake #1 and by making a few new connections to the master irrigation system to create two isolated loops to allow for two separate pumps to be used simultaneously. He noted that line has not recently been used since reclaimed water is now traveling through another transmission line and depositing into Primary Irrigation Lake #4. Three locations have been identified that will allow for the cross connections and with the two isolated systems can potentially double capacity to push water. The design has been completed and the intention is to move forward with the project.

2. District Attorney

Ms. Whelan reported that there were no updates on the irrigation assessment litigation or urbanization litigation. In regard to the irrigation litigation, last week the GPPOA filed an emergency motion relative to the District's collection of well availability fees, post-issuance of the temporary injunction, as well as the District's intention to relocate irrigation quantities. A status conference is scheduled for 2:00 p.m. on February 13, 2025.

In addition, the Water Use Permit modification that provides for the reallocation of quantities from Gran Paradiso to other properties, with the exception of the District-owned properties within Gran Paradiso, has been approved by Southwest Florida Water Management District (SWFWMD). The District is currently reviewing the approved permit modification to determine if the District has a grace period for when the irrigation water has to be reallocated from Gran Paradiso since the design and construction work to physically segment the system is still underway.

Supervisor Lewis asked if the GPPOA filed any sort of appeal or objection action with SWFWMD. Ms. Whelan responded that the only way to challenge a SWFWMD permit is through an appeal process which is handled by SWFWMD, and that the appeal process period has already closed.

3. District Operations' Manager

Mr. Wilson reported that most all of the District owned lights that were affected by the hurricanes had been repaired. Those poles owned by FPL or NextEra are currently under repairs. There seems to be a supply issue with the light pole fixtures. The LED lighting retrofitting on the District owned poles within Gran Paradiso has also been completed. After approval from the District Engineer, these LED light pole upgrades that were performed would be paid for from remaining bond construction funds with no additional expense to the District or residents within Gran Paradiso.

In addition, Mr. Wilson reported that the project being performed along Preto Boulevard was running smoothly and looked good. The phase of that project should be completed within the week. He noted that this project was designed to reduce the amount of irrigation used. Chairman Luczynski responded that the District was reducing the irrigation usage footprint so we can conserve every ounce of water.

A canal report inspection was conducted last week and operations was working on scheduling canal maintenance very soon. Chairman Luczynski stated that the drainage of the canals was critical to many neighborhoods for draining water out during storm events and stressed to complete the canal maintenance before the start of rainy season. Part of the canal inspection included the drainage within Gran Paradiso and that inspection report was shared with the GPPOA and its manager which helped identify the responsibility for action of the GPPOA versus the District's responsibilities.

Mr. Wilson also reported that hog damage had been discovered throughout the District and this type of damage could affect the fiscal year 2026/2027 budget.

4. District Manager

Mr. Crosley reported that staff had met with Plunkett Raysich Architects (PRA) regarding the concept of a District building. We discussed potential needs such as an area for office space, operations utility vehicles, equipment, bathrooms and a potential District meeting room that could accommodate District Board meetings. Once a space study has been completed we will discuss potential property sites that could accommodate the building. We did have discussions early on that identified two potential parcels; one potential property located near Gran Paradiso where the Lennar sales center used to be which is the north end of the District that already has parking, potable/sewer access and the other was a commercial piece near the water treatment plant at the Manasota Beach Road and West Villages Parkway intersection which is more centrally located in the District, but does not have the benefit of any existing utility improvements. Supervisor Meisel suggested getting feedback from the Gran Paradiso residents and also suggested using the Sarasota County fire station building as an option.

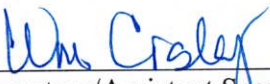
Mr. Crosley advised that the next meeting was scheduled for March 13, 2025. Chairman Luczynski stated that there was a conflict with the March 13, 2025, meeting and a quorum would not be attained and requested that the meeting be moved to March 20, 2025. There was consensus of the Board to move the regular March Board meeting to March 20, 2025 at 1 PM.

O. BOARD MEMBER COMMENTS

There were no further comments from the Board Members.

P. ADJOURNMENT

There being no further business to come before the Board, the Regular Board Meeting was adjourned at 11:51 a.m. on a **MOTION** made by Mr. Buckley, seconded by Ms. Masney and passed unanimously.


Secretary/Assistant Secretary


Chair/Vice Chair

