

INVESTIGATIVE REPORT

West Villages Improvement District Governance, Conflicts of Interest, and Litigation

Prepared for the West Villages Improvement District Board of Supervisors

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1. Executive Summary

The West Villages Improvement District (WVID or the District) is a statutorily created, limited-purpose local government charged with timely and efficiently developing infrastructure within its geographic boundary. The Board of Supervisors (the Board) retained us to investigate a series of lawsuits and related activity targeting the District's governance of utility infrastructure and fees, de-annexation, and the timeline for transitioning board control from the developer to resident-elected members.

The Board sought an objective assessment of these matters to identify issues and a path forward consistent with its mission. Our review of the relevant statements and documents reveals serious barriers to the Board's effective governance and mission.

Most significantly, Supervisor John Meisel has participated in litigation against the District, was retained as a consulting expert by counsel representing adverse parties, and has reportedly used his Board position to obtain and share District information for use in those proceedings. These reported actions conflict with his duties as a Supervisor. The Board should evaluate and consider the following responsive measures:

- Suing Supervisor Meisel for breach of fiduciary duty, including seeking injunctive relief;
- Filing a complaint with the Florida Commission on Ethics, which is tasked with evaluating these types of issues, regarding Supervisor Meisel's consulting arrangement with the law firm representing Gran Paradiso Property Owners Association (Gran Paradiso POA) and other litigants adverse to the District;
- Filing a Florida Bar complaint against that firm's attorney based on the consulting agreement and the firm's use of Supervisor Meisel in the litigation, which may violate Rules Regulating the Florida Bar;
- Petitioning the Executive Office of the Governor for Supervisor Meisel's suspension and removal;
- Adopting formal conflict-of-interest and recusal protocols, including procedures for the removal and/or sequestration of a conflicted supervisor; and
- Adopting a formal ethics policy and implementing ethics training for Board members and staff.

2. Purpose, Background, and Scope of Investigation

A. Engagement and Independence

The District retained us to independently investigate a series of lawsuits and related activity targeting the District's governance of utility infrastructure and fees, de-annexation, and the timeline for transitioning board control from the developer to resident-elected members.

B. Overview of the District

The Florida Legislature created the District in 2004 by special act as a limited-purpose local government to provide timely, cost-effective infrastructure and development for the area. It spans over 12,000 acres within the City of North Port and unincorporated Sarasota County, encompassing the master-planned community of Wellen Park (formerly West Villages), residential neighborhoods, commercial centers, and the Atlanta Braves' spring training stadium.

The District is governed by a five-member Board. Under Florida law, four seats are filled by landowner election, reflecting the developer's majority land interest during the development phase. The fifth seat is filled by a resident-elected member through a general election conducted by the Supervisor of Elections. The current Board composition is:

- **Seat 1:** John Luczynski, Chairman (Term ends June 2029) — Developer Affiliated
- **Seat 2:** Thomas Buckley, Assistant Secretary (Term ends June 2029) — Developer Affiliated
- **Seat 3:** Steve Lewis, Vice Chairman (Term ends June 2028) — Developer Affiliated
- **Seat 4:** Christine Masney, Assistant Secretary (resigned February 2026; succeeded by Trevor Storm) (Term ends June 2027) — Developer Affiliated
- **Seat 5:** John Meisel, Assistant Secretary (Term ends November 2026) — Resident-Elected

As the District develops, Florida law requires additional Board seats to transition to resident election based on population thresholds. The transition timeline has been a subject of dispute and litigation.

C. Scope of Review

We reviewed the following issues:

- Governance practices, Board dynamics, and decision-making processes within the District;
- Conflicts of interest and ethics compliance, including previous findings and ongoing concerns;
- Litigation involving the District and related entities, and the circumstances giving rise to each lawsuit;
- Public advocacy efforts, including the West Villagers for Responsible Government de-annexation campaign and rate challenges; and
- Financial and operational impacts of ongoing conflicts and litigation on the District.

D. Methodology

i. Interviews

We requested interviews with all five Board members. Supervisor Masney resigned during the investigation and was succeeded by Trevor Storm. Supervisor Storm was not asked to participate, as he joined the Board late in the investigation and lacked pertinent information.

Supervisors Luczynski, Buckley, Lewis, and Masney declined to be interviewed, citing active litigation in which they were named parties, and directed questions to their personal litigation counsel, Bud Bennington of Shutts & Bowen LLP. Following conclusion of that litigation, we requested interviews a second time. They again declined, stating they had nothing to add beyond what the Board's records and documents would reflect. Several also expressed concern that participation could invite retaliation by Supervisor Meisel.

We made multiple attempts to schedule an interview with Supervisor Meisel. He declined. We also requested an interview with Victor Dobrin, a former resident-elected supervisor referenced in this investigation. Mr. Dobrin did not respond.

We interviewed:

- William Crosley, District Manager, Special District Services, Inc. (July 15, 2025);
- Bryan Mantz, Financial and Rate Consultant, GovRates (September 8, 2025);
- Jason Yarborough, Deputy City Manager, City of North Port (July 29, 2025);
- Paul Maloney, Community Member, Island Walk, West Villages (March 17, 2026);
- Giacomo Licari, WVID District Engineer, Stantec Engineering (April 14, 2026);

- Dave Kelly, WVID Irrigation Consultant, SWCA Environmental Consultants (April 13, 2026);
- Jim Cranston, former Gran Paradiso POA Vice President; intervener in the Gran Paradiso POA litigation; active community member (April 20, 2026);
- Bill Kelly, current Gran Paradiso POA President (April 14, 2026); and
- Ghyll Theurer, Community Member, Island Walk, West Villages (April 23, 2026).

ii. Documents Reviewed

We reviewed the following categories of documents:

- Florida Commission on Ethics findings and related correspondence;
- Pleadings, filings, discovery, and orders in active and recent litigation involving the District;
- The District's irrigation agreements and amendments;
- Rate studies and rate adoption materials;
- Board meeting minutes, agendas, and public records;
- Ordinance 2020-16 and related West Villages Index Map materials;
- West Villagers for Responsible Government public statements, filings, and advocacy materials;
- Petition for Contraction filings and related court proceedings;
- The District's adopted budgets and financial audits; and
- Applicable Florida statutes and ethics opinions.

3. Investigative Findings

A. Summary of Interviews

William Crosley:

WVID District Manager, Special District Services, Inc. — interviewed July 15, 2025

Mr. Crosley has served as District Manager since July 2019. He is responsible for administrative operations, including Board meeting facilitation, agendas, resolutions, and documentation, and his primary day-to-day working relationship is with the Board Chairman.

Mr. Crosley provided extensive context on the District's governance environment. He attributed the public distrust and operational interference affecting the District directly to Supervisor Meisel. He described Meisel's conduct toward staff, consultants, Board members, and residents as unprofessional, citing specific instances of shouting, interrupting, and issuing individual directives to staff in a manner inconsistent with the Board's collective authority. Mr. Crosley recounted one such instance in which Supervisor Meisel directed him to take specific action; when Mr. Crosley declined, he reminded Supervisor Meisel that he takes direction from the Board as a whole, not from individual members.

On the issue of information access, Mr. Crosley stated that Supervisor Meisel regularly requested information from District staff invoking his authority as a supervisor, and that staff complied. While Mr. Crosley does not believe privileged material was disclosed, he expressed concern that the requests appeared designed to support litigation adverse to the District and that staff members were uncomfortable fulfilling them. He further noted that Supervisor Meisel's pattern of filing lawsuits against individuals who oppose him — including the four developer-affiliated supervisors — has had a chilling effect on staff. Mr. Crosley estimated that litigation and associated conflict has consumed approximately forty percent of his working time

Bryan Mantz:

Financial and Rate Consultant, GovRates, Inc. — interviewed September 8, 2025

Mr. Mantz has served as a financial and rate consultant to local governments for approximately thirty years, specializing in recommending rate levels for government utility and assessment services through cash-flow analysis of reserves, expenditure needs, and management best practices. He was retained by the District in connection with the 2023 utility rate study.

Mr. Mantz reported a professional working relationship with District staff and the Board Chairman throughout the engagement. His experience with Supervisor Meisel was markedly different and, by his account, unlike anything he had encountered in three decades of public finance work. Supervisor Meisel contacted Mr. Mantz independently

and outside normal channels on multiple occasions in an effort to influence the study's conclusions. He told Mr. Mantz he would be "in trouble" if his recommendations did not align with Supervisor Meisel's position — specifically, that the District's utility agreements were unlawful. Following that communication, Mr. Mantz declined to accept Supervisor Meisel's calls and limited further contact to writing. After the study was completed, Supervisor Meisel submitted a public records request for all related communications and publicly challenged Mr. Mantz's conclusions during Board presentations, including referring to him as a communist. The rates recommended in Mr. Mantz's study were adopted and implemented by the District.

Jason Yarborough:

Deputy City Manager, City of North Port — interviewed July 29, 2025

Mr. Yarborough's primary Board-level interaction is with Supervisor Luczynski, principally in connection with the post-annexation agreement and related infrastructure matters. Mr. Yarborough served as the City's lead negotiator and later interim City Manager during the de-annexation campaign. He described the campaign as operationally disruptive to the City: the prospect of losing approximately thirty percent of the City's tax base required contingency planning and, in his assessment, hindered the City's ability to recruit and retain staff. The City spent approximately \$100,000 on outside consultants retained to respond to the de-annexation effort. Mr. Yarborough also observed that despite resigning from the Gran Paradiso POA Board, Supervisor Meisel appeared to retain ongoing influence over the Gran Paradiso POA's positions and activities.

Paul Maloney:

Community Member, Island Walk, West Villages — interviewed March 17, 2026

Mr. Maloney has resided in the West Villages since 2018 and has attended the majority of Board meetings since 2022. He identified himself as the individual who raised a conflict-of-interest concern on December 15, 2022, immediately following Supervisor Meisel's swearing-in — specifically, the conflict arising from Supervisor Meisel's simultaneous service on the Board and the Gran Paradiso POA Board during active litigation between those entities. That concern was subsequently submitted to the Florida Commission on Ethics, which found a violation.

Mr. Maloney described several incidents he personally observed at Board meetings and community events, including: Supervisor Meisel approaching the Board Chairman in a physically aggressive manner; shouting at District Counsel Lindsay Whelan to "shut up" when she offered a legal opinion; and attending a community meeting at Island Walk despite being asked not to, where his behavior required intervention.

Mr. Maloney also described an Englewood water agreement incident, the \$2.8 billion figure associated with the irrigation water agreements, and Supervisor Masney's February 2026 resignation. He noted that Supervisor Masney and the other supervisors, along with District Counsel Whelan, had been named as defendants in litigation arising from the

irrigation water dispute. Supervisor Masney declined to be interviewed; her February 4, 2026, resignation letter provides relevant context and is addressed below.

Mr. Maloney stated that his years of observing Supervisor Meisel's conduct have left him skeptical of expanded resident representation on the Board. He expressed confidence in the current developer-affiliated Board members.

Giacomo Licari:

WVID District Engineer, Stantec Engineering – interviewed April 14, 2026

Mr. Licari has served as WVID's District Engineer for four to five years. His role encompasses general engineering services across District functions, including irrigation system operations, stormwater management, right-of-way permitting, and infrastructure coordination. He noted that the District is distinctive among comparable districts in that it owns and operates its own irrigation system and controls all roadways and rights-of-way – features that make it operationally more complex than most districts he has encountered.

Mr. Licari described his working relationship with District staff as positive and collaborative. His primary Board-level interaction is with the Chairman. He reported no instances of Board interference with his engineering work and characterized the working environment as professional. He identified ongoing irrigation permit compliance and water restriction management as the District's most persistent technical challenges.

Dave Kelly:

WVID Irrigation Consultant, SWCA Environmental Consultants – interviewed April 13, 2026

Mr. Kelly is a geologist who has been involved in the West Villages area since approximately 2010. His role is to maintain and manage the District's water use permit – among the most complex in Southwest Florida – ensuring ongoing compliance and providing technical support related to irrigation water supply and usage.

Mr. Kelly worked with GovRates during the 2023 rate study and provided expert testimony on behalf of the District in the irrigation litigation. His interactions with District staff were consistently positive. He characterized the District as well-run and consistent with the standards he observes in comparable engagements.

Jim Cranston:

Former Gran Paradiso POA Vice President, intervener in the Gran Paradiso POA litigation, active community member – interviewed April 20, 2026

Mr. Cranston is a retired Navy commander who has lived in the West Villages area for approximately eleven years. He served as Vice President of the Gran Paradiso POA Board from community turnover in March 2021 through March 2022. His attorney, Caroleen Brej, attended his interview and helped organize and pursue the intervenor action described below.

Mr. Cranston stated that when Supervisor Meisel joined the Gran Paradiso POA Board in 2022, he arrived with a discernible agenda. In approximately July or August 2022, Supervisor Meisel pushed the Gran Paradiso POA Board to retain attorney Joseph Herbert to investigate irrigation matters. Mr. Cranston stated that the November 2022 lawsuit against the District and developer was filed without a community vote and without prior board approval, and that he objected in writing that a vote was required under applicable HOA statutes. He also described a Zoom meeting convened by Supervisor Meisel on approximately November 20, 2022, at which Supervisor Meisel sought board approval to sign a letter of intent to purchase a parcel adjacent to the Gran Paradiso entrance from the developer — before the developer could learn of the lawsuit and potentially decline to sell. The land deal did not proceed at that time; however, the parcel was ultimately conveyed to Gran Paradiso POA as part of the settlement between Gran Paradiso POA and Lennar Homes LLC in the Gran Paradiso Irrigation Agreements Case.

Mr. Cranston described irregularities in the July 2023 community vote used to ratify the 2022 litigation. He observed proxy votes bearing only the initials "JM" rather than required homeowner signatures and was told that Supervisor Meisel had obtained verbal authorization by telephone from those homeowners. Mr. Cranston objected immediately that such proxies were legally invalid. He and his attorney subsequently sought disclosure of the proxy documentation throughout the litigation but did not receive adequate substantiation that the proxies had been properly conveyed. The intervenor action was filed on this basis, and Mr. Cranston stated that the prospect of an evidentiary hearing on the proxy irregularities was a contributing factor in the settlement.

Mr. Cranston confirmed that Supervisor Meisel served as the principal contact between Gran Paradiso POA and attorney Herbert from the outset of the litigation through its conclusion, and that Herbert — or someone associated with the representation — had characterized Supervisor Meisel as a consultant to the litigation. Once the District identified this characterization, Supervisor Meisel reframed his role as a "knowledgeable other person," and questions regarding potential compensation were never resolved. Mr. Cranston also described Supervisor Meisel's continued influence over Gran Paradiso POA following his required resignation, including through proxy channels. He noted that community members were sufficiently concerned about retaliation that donors to the intervenor effort paid in cash to avoid having their names appear on any check Supervisor Meisel might discover.

Regarding Board conduct, Mr. Cranston corroborated accounts provided by other witnesses. He stated that Supervisor Meisel has stormed out of at least three meetings after attempting to speak over others and being rebuffed; that he repeatedly attempted to wrest control of meetings from Chairman Luczynski; and that he persistently sought private legal advice from District Counsel Whelan for his personal benefit, becoming belligerent when she declined. Mr. Cranston characterized Supervisor Meisel's voting pattern on District bonds as blanket opposition — consistently voting against bond authorizations without meaningful engagement with their substance — and described it as an uninformed effort to obstruct development.

Bill Kelly:

Current Gran Paradiso POA President – interviewed April 14, 2026

Mr. Kelly has served as a member of the Gran Paradiso POA Board since March 2024 and as Board President since March 2025. He has lived in Gran Paradiso since December 2021 and has backgrounds in public service and human resources management.

Mr. Kelly described the irrigation litigation as a central concern from the time he joined the board and stated that resolving it was a primary goal throughout his tenure. He estimated the litigation cost Gran Paradiso POA approximately \$2 million over approximately three years. He described the original board members who initiated the litigation – Supervisor Meisel, Steve Glunt, and Pam Kantola – as having approached the District adversarially from the outset, and stated that residents were told the District was treating them unfairly and that attorney Herbert consistently represented the litigation as winnable.

Mr. Kelly stated that following Supervisor Meisel's required resignation from the Gran Paradiso POA Board, Meisel continued to serve as an unpaid consultant to Mr. Herbert in connection with the litigation. Upon becoming Board President, Mr. Kelly was informed of this arrangement and directed Mr. Herbert to end Meisel's involvement. Mr. Herbert was initially resistant, but Mr. Kelly pressed the issue. Gran Paradiso POA subsequently retained a different attorney, Brian Cross, to negotiate a resolution.

Mr. Kelly described the settlement terms: the association would be restored to the District's water use permit, and Gran Paradiso POA was given the option to convey a small parcel of land within its boundaries to the District for use as a District headquarters in lieu of monetary payment. He stated that irrigation water has been restored to Gran Paradiso and that final court filings were being completed at the time of his interview. He described the relationship between Gran Paradiso POA and the District as improved and expressed confidence in District staff and leadership throughout the settlement process.

Mr. Kelly stated that Supervisor Meisel has had no interaction with him since Mr. Kelly informed Supervisor Meisel he would no longer speak with him. He described the District as professionally run and competently staffed, and expressed no concerns about District governance beyond the matters addressed in this investigation.

Ghyll Theurer:

Community Member, Island Walk, West Villages – interviewed April 23, 2026

Ms. Theurer and her husband have lived in Island Walk since April 2014 and have attended WVID Board meetings throughout that period. She noted that Island Walk's irrigation system draws from on-site retention ponds and is not connected to the District's irrigation supply, which in her view has insulated the community from the disputes affecting other communities within the District.

Ms. Theurer described the Board supervisors generally as professional and cooperative, and characterized Supervisor Meisel as divisive and a persistent source of conflict. She described observing Supervisor Meisel become so agitated during a Board meeting that he appeared to lunge physically toward Chairman Luczynski across the dais, prompting the law enforcement officer present to rise from his seat in apparent anticipation of a physical altercation. She also noted Supervisor Meisel's pattern of challenging District Counsel Whelan's legal opinions and described his conduct toward Supervisor Masney and Whelan as particularly contentious.

Ms. Theurer observed that prior resident-elected Supervisor Victor Dobrin disagreed with the Board majority but did so without personal attacks or disruptive behavior, and expressed the view that the community would benefit from a different resident representative in Seat 5. She stated that Supervisor Meisel's conduct appears to reflect individual personality rather than any structural tension between developer-affiliated and resident-elected Board members. She described District staff and counsel as professional and expressed overall confidence in the District's governance

B. Ethics Proceedings

i. January 2023 Ethics Complaint and Commission Finding

In January 2023, a complaint was filed with the Florida Commission on Ethics alleging a conflict of interest arising from Supervisor Meisel's simultaneous service on the WVID Board of Supervisors and the Gran Paradiso POA Board. The Commission found that the dual service constituted a conflict of interest — specifically, that Supervisor Meisel had voted on matters affecting one board while serving on both during a period of active litigation between the two entities. Supervisor Meisel subsequently resigned from the Gran Paradiso POA Board.

ii. Continued Involvement in Gran Paradiso POA Matters Following Resignation

Multiple interviewees stated that Supervisor Meisel continued to influence Gran Paradiso POA's lawyers, positions, and litigation strategy following his resignation, including through an alleged consulting role with the law firm representing Gran Paradiso POA in its litigation against the District. The District learned of this arrangement through discovery filings in which Gran Paradiso POA's attorney, Mr. Herbert, confirmed that Meisel had been retained as a non-testifying consultant — a characterization Gran Paradiso POA subsequently used to assert work product privilege protection. The record also reflects that Meisel at various points described his role as that of a "knowledgeable other person" rather than a compensated consultant. Whether Meisel received compensation has not been established. Gran Paradiso POA President Bill Kelly confirmed the arrangement existed and directed that it be terminated upon becoming Board President.

This consulting arrangement presents a more direct conflict of interest than the dual board service for which the Florida Commission on Ethics already admonished Supervisor Meisel. Rather than simultaneously serving on two boards with adverse interests, Supervisor Meisel was allegedly providing assistance to counsel — in a relationship Gran Paradiso POA claims was protected by attorney-client and work product privilege — for a party actively adverse to the District he was elected to serve. Whether or not he was compensated, this conduct presents at least as serious an ethical concern, and arguably a greater one, than the conflict on which the Commission previously opined.

iii. May 2023 Retaliatory Ethics Complaints

In May 2023, Supervisor Meisel filed ethics complaints with the Florida Commission on Ethics against each of the four developer-affiliated Board members alleging their votes constituted conflicts of interest because they aligned with the developer's interests. The Florida Commission on Ethics dismissed these complaints as unfounded.

iv. Resignation of Supervisor Masney

On February 4, 2026, Supervisor Masney submitted a letter of resignation to the Board of Supervisors, effective the same date. The letter was included in the February 12, 2026, Board meeting agenda. As noted, Supervisor Masney declined to be interviewed for this investigation citing concerns about potential retaliation by Supervisor Meisel.

In her resignation letter, Supervisor Masney stated that her resignation resulted from “ongoing challenges within the Board environment that have impacted the standards of professionalism and decorum expected of a public board.” She described Board dynamics as having produced “persistent conflict and legal matters involving the District,” and specifically noted that she had been personally named as a defendant in litigation arising from her role as a supervisor. Supervisor Masney stated that the litigation “significantly affected [her] ability to continue serving effectively.”

C. Summary of Litigation and Related Campaigns

The District has been engaged in multiple, simultaneous litigation.

i. Gran Paradiso Irrigation Agreements Case

Gran Paradiso Property Owners Ass'n, Inc. v. West Villages Improvement District, Lennar Homes LLC, Thomas Ranch Intangibles, LLLP, and Ranch Land Operations, LLLP, Case No. 2022-CA-005368-SC, 12th Judicial Circuit, Sarasota County, Florida.

This was the most consequential litigation affecting the District during the period under investigation. The case arose from Gran Paradiso POA's challenge of the District's irrigation rate structure, which had been revised in September 2018 through Resolution 2018-18 — adopted at a Board meeting noticed five days in advance rather than the seven

days required by Section 189.015, Florida Statutes. The 2018 rates were incorporated into irrigation agreements executed while Lennar Homes LLC still controlled the Gran Paradiso POA Board, culminating in a 2020 Amended and Restated Agreement with a one-hundred-year term and annual escalation provisions of up to 5.5 percent. Gran Paradiso POA calculated that the aggregate liability imposed on Gran Paradiso residents over the full term of the agreement would approach \$2.8 billion.

The litigation was initiated in November 2022, after Gran Paradiso POA began withholding portions of its irrigation invoices and the District issued notice of intent to suspend service. Multiple interviewees — including former Gran Paradiso POA Vice President Jim Cranston and current President Bill Kelly — identified Supervisor Meisel as the driving force behind Gran Paradiso POA's decision to retain litigation counsel and pursue an adversarial posture toward the District. At that time, Supervisor Meisel also served on the Gran Paradiso POA Board. Following his required resignation from that board in early 2023, after the Florida Commission on Ethics determined he could not serve on both boards simultaneously, Supervisor Meisel continued to serve as a non-testifying consultant to Gran Paradiso POA's litigation counsel. The precise nature and scope of that consulting arrangement was not fully disclosed; Gran Paradiso POA objected on privilege grounds to the production of communications between it and Supervisor Meisel on multiple occasions.

In May 2023, Judge Hunter Carroll granted Gran Paradiso POA a temporary injunction limiting the District to collecting the original 2009 rate of \$0.37 per thousand gallons from Gran Paradiso during the pendency of the litigation. The District moved to cure the identified notice deficiency through properly noticed re-adoption proceedings in April 2023 and retained GovRates, Inc. as an independent rate consultant. New rates were formally adopted by the Board in April 2024.

As litigation continued, Gran Paradiso POA repeatedly exceeded its allocated irrigation water usage in violation of the District's Water Use Permit. In December 2024, the Board voted 3-1 — Supervisor Meisel dissenting — to approve a modification to the Water Use Permit removing Gran Paradiso POA from its coverage. The Southwest Florida Water Management District approved the modification effective February 2025. Gran Paradiso POA did not appeal by the February 10, 2025 deadline, and physical irrigation service was terminated on March 31, 2025.

The case was resolved by settlement in November 2025. Under the settlement, Gran Paradiso POA dismissed all claims with prejudice, issued a public apology, agreed not to disparage the settlement, and agreed — subject to a community vote — to convey approximately 1.43 acres of land near the Gran Paradiso entrance to the District for use as a District headquarters. The community did not approve the land conveyance, triggering Gran Paradiso POA's obligation to pay \$300,000 to the District in lieu of the land. Gran Paradiso POA also agreed to pay \$525,000 in attorneys' fees to developer-affiliated parties named in the litigation. Six current and former Gran Paradiso POA directors — including Supervisor Meisel and former WVID Board member Victor Dobrin — were expressly excluded from the settlement, leaving them exposed to future claims by the developer. The case was dismissed in April 2026, and the Southwest Florida Water

Management District approved an amendment restoring Gran Paradiso POA to the District's Water Use Permit coverage, following the 2025 removal for repeated usage exceedances.

Gran Paradiso POA President Kelly estimated the litigation cost the association approximately \$2 million over approximately three years.

ii. Gran Paradiso Abusive Litigation Case

Luczynski, Lewis, Buckley, Masney, Ranch Land Operations, LLLP, and Thomas Ranch Intangibles, LLLP v. Gran Paradiso Property Owners Association, Inc., Case No. 2025-CA-002417-SC, 12th Judicial Circuit, Sarasota County, Florida.

Filed May 14, 2025, this action was brought by the four developer-affiliated District Supervisors — John Luczynski, Steve Lewis, Thomas Buckley, and Christine Masney — along with developer-affiliated entities against Gran Paradiso POA, asserting claims for abuse of process and negligence arising from Gran Paradiso POA's conduct in the Gran Paradiso Irrigation Agreements Case. The Complaint alleged that Gran Paradiso POA willfully and repeatedly filed legally insufficient pleadings against the individual supervisors for improper purposes, including to damage their reputations and employment, coerce favorable votes on the WVID Board, and obtain preferential irrigation rates unavailable to other District customers.

The Complaint incorporated documents reflecting Supervisor Meisel's role in directing the underlying litigation against the District while simultaneously serving on the WVID Board — including written communications in which he directed Gran Paradiso POA's legal strategy, coordinated pleading activity, and strategized about leveraging the District's insurance policy to fund Gran Paradiso POA's damages claims against the District.

On January 13, 2026, the parties filed a Joint Stipulation for Dismissal with Prejudice as part of the broader settlement resolving the Gran Paradiso Irrigation Agreements Case.

iii. Urbanization Case

Fernstrum v. West Villages Improvement District, Case No. 2023-CA-007416-SC, 12th Judicial Circuit, Sarasota County, Florida.

Filed October 12, 2023, this action was brought by District resident David Fernstrum, represented by Joseph Herbert — the same attorney who represented Gran Paradiso POA in the Gran Paradiso Irrigation Agreements Case — seeking declaratory relief under Section 189.041(2)(b)5, Florida Statutes. The plaintiff alleged that the District had systematically used flawed and inconsistent methodologies to calculate the proportion of urbanized land within the District, artificially suppressing the urbanization percentage to delay the required transition of Board seats from landowner-controlled to resident-elected composition. The complaint noted year-over-year swings in urbanization calculations — including a single-year reduction of approximately 69 percent between 2021 and 2022.

The circumstances surrounding the initiation are relevant to this investigation. In the months before filing, the urbanization calculation methodology had been a consistent focus of Supervisor Meisel’s communications with District staff, Board members, and Sarasota County staff. At the District’s September 14, 2023, Board meeting, Supervisor Meisel stated that a lawsuit would be filed on the urbanization issue. Weeks later, Mr. Herbert filed the complaint. At that same Board meeting, Supervisor Meisel indicated he had been in contact with a planner who disputed the District’s calculations. That planner was subsequently disclosed as Mr. Fernstrum’s testifying expert. At the deposition of Mr. Fernstrum on March 26, 2025, the witness was instructed not to answer two questions directed at Supervisor Meisel’s involvement in this lawsuit: (1) whether he had suggested suing, and (2) whether he had recommended Mr. Herbert as counsel.

In June 2025, the District moved for Relief from Prohibited Client Contacts, stating that Mr. Herbert had characterized Supervisor Meisel as a non-testifying consultant in this case, again claiming privilege, and that Mr. Herbert was also serving as Supervisor Meisel’s personal attorney. The motion noted that Supervisor Meisel’s consulting role extended across all three of Mr. Herbert’s cases against the District simultaneously.

The case was dismissed with prejudice by joint stipulation on September 12, 2025, before the prohibited contact motion was heard. CS/HB 4061, signed by Governor DeSantis on June 24, 2025, had already amended the District’s enabling legislation to replace the urbanization percentage methodology with objective, data-driven population thresholds based on qualified elector data from the U.S. Census Bureau and the Florida Division of Elections. Under the new framework, Board seat transitions occur at four defined population milestones ranging from 17,598 to 39,595 qualified electors, mooted the lawsuit.

iv. Special Assessment Case

O’Sullivan et al. v. West Villages Improvement District and Barbara Ford-Coates as Tax Collector, Case No. 2023-CA-007165-SC, 12th Judicial Circuit, Sarasota County, Florida.

Filed September 29, 2023, this action was brought by District residents represented by Mr. Herbert, challenging the District’s June 2023 adoption of a non-ad valorem special assessment of approximately \$904,000. Count I alleged a Sunshine Law violation based on the District’s purported failure to post the tentative budget on its website two days before the June 27, 2023 Board meeting. Count II challenged the apportionment methodology, which allocated costs on a flat per-unit basis without regard to irrigable area, resulting in a townhome being assessed the same amount as the Atlanta Braves’ spring training stadium. The final budget had been approved 4-1, with Supervisor Meisel as the sole dissenting vote.

The District argued that no public hearing was held on June 27, 2023 — that meeting was solely to set a future hearing date — and that the proposed budget had been posted on the District’s website on June 21 as part of the agenda package, well before the September 14, 2023 public hearing at which the budget was formally adopted. The District’s motion for summary judgment on Count I was denied.

The case was voluntarily dismissed with prejudice by plaintiffs on June 24, 2025, with each party bearing its own attorney's fees and costs, before any merits ruling on Count II. As in the Gran Paradiso Irrigation Agreements Case and the Urbanization Case, discovery responses confirmed that Supervisor Meisel served as a non-testifying consultant to plaintiffs during this litigation adverse to the District.

v. De-Annexation Campaign and Petition for Contraction

Since 2020, Supervisor Meisel has led West Villagers for Responsible Government's campaign to remove Wellen Park from the City of North Port through contraction of the City's boundaries. This campaign generated multi-year administrative and judicial proceedings from 2020 through 2025, each resolved against the petitioners.

The Florida Second District Court of Appeal quashed the Circuit Court's ruling in November 2025, holding that the City's rejection of the contraction petition was a legislative act not subject to judicial review. Rehearing was denied in March 2026 and the mandate issued on April 13, 2026. West Villagers for Responsible Government filed a notice invoking the Florida Supreme Court's discretionary jurisdiction on April 23, 2026. That petition remains pending.

The campaign has imposed costs on the District and related governmental entities and created uncertainty for residents and stakeholders. Deputy City Manager Yarborough estimated that the City expended approximately \$100,000 retaining outside consultants to respond to the effort.

vi. Financial Impact of the Litigation and De-Annexation Campaign

Documented legal expenditures across the proceedings described above total approximately \$1,734,672.70:

- Gran Paradiso Irrigation Agreements Case defense costs: \$1,355,972.57
- Related District Counsel costs for the same litigation: \$185,544.21
- Urbanization Case defense costs: \$81,566.83
- Special Assessment Case defense costs: \$111,589.09

The District also incurred \$22,146.02 in legal fees and approximately \$140,000 in lobbying fees related to the 2025 legislative effort that produced CS/HB 4061. The total documented financial impact of these proceedings and related efforts approaches \$1,896,818.72, exclusive of operational costs, staff time, and the economic impact on Gran Paradiso POA residents who bore the cost of the irrigation service termination.

Most of the interviewees identified Supervisor Meisel as the primary driver of the filing, escalation, or continuation of one or more of these proceedings.

4. Analysis

A. Issues

i. Conflicts of Interest Under Florida Law

Florida's Code of Ethics for Public Officers and Employees, codified at Sections 112.311–112.3261, Florida Statutes, establishes restrictions on conflicts of interest for public officials:

- Section 112.313(6) prohibits a public officer from misusing their official position to secure a special benefit for themselves or others.
- Section 112.313(7) prohibits a public officer from holding a contractual relationship with a business entity doing business with or regulated by their agency.
- Section 112.3143 requires a public officer to abstain from voting on matters in which they have a conflict of interest and to file a written statement of conflict.

The consulting arrangement between Supervisor Meisel and Gran Paradiso POA's litigation counsel raises concerns under each of these provisions. The previous Ethics Commission finding established that a conflict existed in the earlier dual-board context. The consulting arrangement represents a more direct conflict, placing Supervisor Meisel not only as a voter on both boards, but engaged directly against the District while continuing to sit on its Board and with access to non-public and privileged information.

A sitting Board member's participation in litigation adverse to the District creates, at minimum:

- Risk that the Board member may access or convey non-public or privileged information to adverse parties;
- A structural conflict between the supervisor's obligations to the District and any obligations to the opposing party; and
- Impairment of the Board's ability to deliberate on litigation strategy, settlement, or related matters in a protected environment.

The Gran Paradiso Abusive Litigation Case alleged that Supervisor Meisel orchestrated litigation adverse to the District while serving on the Board. Although resolved by settlement, discovery revealed communications by Supervisor Meisel directing Gran Paradiso POA's legal strategy.

ii. Fiduciary Duties of Board Members

Under Florida law, members of a special district board owe fiduciary duties of loyalty and care to the District and its residents. These duties require a supervisor to act in the District's best interest, avoid placing personal interests in conflict with those of the District, and not use their Board position to benefit themselves or others at the District's expense.

The reported conduct summarized in this report — especially the consulting role with Gran Paradiso POA’s litigation counsel, the purported use of Board position to advance Gran Paradiso POA’s interests in disputes from which Supervisor Meisel may have benefited as a consultant or homeowner, the reported conduct toward the District’s rate consultant, and the leadership of West Villagers for Responsible Government’s campaigns adverse to District governance — could be grounds for a breach of fiduciary lawsuit against Supervisor Meisel. In such a case, the Board could seek damages and injunctive relief.

iii. Abuse of Process

Florida law recognizes causes of action for abuse of process and malicious use of civil proceedings where litigation is initiated or continued for improper purposes. The Gran Paradiso Abusive Litigation Case alleged that Gran Paradiso POA, through conduct attributed in part to Supervisor Meisel, initiated litigation without legitimate legal basis to extract preferential treatment rather than to vindicate legitimate legal rights. That case was resolved by joint stipulation in January 2026 as part of the broader settlement of the Gran Paradiso Irrigation Agreements Case. While the settlement does not constitute a finding of liability, the record developed in that proceeding — including written communications showing Supervisor Meisel directing Gran Paradiso POA’s legal strategy while serving on the WVID Board — remains directly relevant to the conflict-of-interest and fiduciary duty analysis in this report. The District should continue to evaluate remedies, including fee-shifting and sanctions, in connection with any future similar conduct.

iv. Attorney Conduct Considerations

This investigation identified circumstances that may implicate the professional responsibilities of attorneys involved in matters adverse to the District. Supervisor Meisel’s role as a non-testifying consultant to the law firm representing Gran Paradiso POA in litigation against the District raises questions under these provisions of the Rules Regulating The Florida Bar:

- Rule 4-1.7 (Conflict of Interest: Current Clients) — prohibiting representation that is directly adverse to a client or materially limited by the lawyer’s responsibilities to another person;
- Rule 4-3.5 (Contact with Persons Having Interests Adverse to a Client) — governing improper contacts in connection with pending litigation; and
- Rule 4-8.4 (Misconduct) — prohibiting conduct involving dishonesty, fraud, deceit, or misrepresentation, and conduct prejudicial to the administration of justice.

If a sitting Board member of the defendant in a lawsuit is simultaneously serving as a consultant to the plaintiff’s lawyers — providing insider access, strategy, or information derived from his Board role — that arrangement raises questions about the integrity of

the adversarial process. The factual record developed in this investigation may provide a basis for a formal referral.

B. Recommendations

i. Sue for Breach of Fiduciary Duty

Based on the testimony gathered and documents reviewed, the District likely has a cause of action for breach of fiduciary duty against Supervisor Meisel. In that lawsuit, the District could seek damages and injunctive relief.

ii. Governance and Conflict Protocols

Implement Formal Recusal Protocols.

The Board should adopt formal written recusal protocols requiring any Board member with an identified conflict to abstain from votes or deliberations. Recusals must be documented in Board minutes with written statements identifying the conflict, as required by Section 112.3143, Florida Statutes.

Preserve and Organize the Evidentiary Record.

The District should identify, preserve, and organize all evidence relevant to the conduct described in this report, including communications, voting records, litigation filings, consultant correspondence, and witness accounts. This record is essential for any ethics referral, removal proceeding, or civil litigation. Communications involving the rate study should be specifically identified and preserved.

Restrict Sensitive Information Access.

The District should evaluate protocols for managing Board member access to privileged litigation strategy, settlement discussions, and other sensitive information based on actual or potential conflicts of interest.

iii. Ethics Commission Referral

The District should consider filing a new complaint with the Florida Commission on Ethics regarding Supervisor Meisel's consulting role with Gran Paradiso POA's litigation counsel while serving on the WVID Board.

An Ethics Commission proceeding creates an official public record, on which other actions might be based for forfeiture of office.

iv. Petition to the Governor for Suspension and Removal

The District should evaluate whether the statements summarized in this report support a petition to the Governor's Office for suspension and removal of Supervisor Meisel under Article IV, Section 7 of the Florida Constitution. Grounds of malfeasance, misfeasance, or

neglect of duty may be supportable based on the previous and potential future ethics findings and/or the litigation consulting arrangement.

v. Florida Bar Referral

The District should consider filing a complaint with The Florida Bar in regard to Supervisor Meisel's consulting arrangement in litigation adverse to the District, as described in the attorney conduct analysis above.

vi. Governance Reforms

The Board should adopt the following longer-term governance reforms:

- Adopt a formal Board Ethics Policy establishing conflict disclosure standards, recusal obligations, and conduct expectations applicable to all Board members;
- Implement periodic ethics training for all Board members, with participation documented in Board records; and
- Establish a protocol for requesting advisory opinions from the Florida Commission on Ethics before votes or actions that present potential conflict-of-interest concerns.

The Board should also note that CS/HB 4061, signed by Governor DeSantis on June 24, 2025, has prospectively resolved the Board seat transition dispute that generated the Urbanization Case, replacing the prior urbanization percentage methodology with objective population thresholds. This development removes a source of ongoing governance uncertainty and litigation risk, and the Board should ensure that District operations and public communications reflect the new statutory framework.

vii. Public Communications and Transparency

The District should develop a communications strategy to provide residents with accurate information about its governance, rate studies, and legal proceedings.

Communications should be factual and resident-focused. The District should make information about rate studies, governance structure, financial audits, and legal proceedings accessible on its public website, and should use Board meetings as opportunities for clear public communication about District operations.