

MINUTES OF MEETING

NEW PORT - TAMPA BAY COMMUNITY DEVELOPMENT DISTRICT BOARD OF SUPERVISORS' MEETING MINUTES

Thursday, April 17, 2025, at 11:00 a.m.

1510 W. Cleveland Street, Tampa, Florida 33606

Board Members in attendance:

Ron Swickow	Assistant Secretary
Scott Dutton	Assistant Secretary
Don Bodie	Assistant Secretary

Also present:

Jane Gaarlandt	PFM	
Venessa Ripoll	PFM	(via phone)
Gazmin Kerr	PFM	(via phone)
Audrey Ryan	PFM	(via phone)
Vivek Babbar	Straley Robin Vericker	
Chris Bodie	Site Serve	(via phone)
Craig Carden	Ardurra	(via phone)
Andre Blanc	Public	

FIRST ORDER OF BUSINESS

Administrative Matters

Call to Order and Roll Call

Ms. Gaarlandt called the New Port - Tampa Bay Community Development District Board of Supervisors Meeting to order at 11:00 a.m. Those in attendance are outlined above.

Public Comment Period

There were no public comments at this time.

Consideration of Meeting Minutes of the January 16, 2025, Board of Supervisors Meeting

The Board reviewed the Minutes.

There was a request for more detailed minutes and to receive the minutes for review earlier. Ms. Gaarlandt noted any comments regarding minutes can be emailed to her prior to the meeting.

There was a discussion regarding the process and timeliness of the minutes being received. The Board requested the minutes be available at least two weeks prior to the next meeting for review.

On MOTION by Mr. Swickow, seconded by Mr. Dutton, with all in favor, the Board approved the Minutes of the January 16, 2025, Board of Supervisors Meeting.

SECOND ORDER OF BUSINESS

General Business Matters

Consideration of Resolution 2025-02, Approving a Preliminary Budget for Fiscal Year 2026 and Setting a Public Hearing Date

Ms. Gaarlandt recommended July 10, 2025, for the Public Hearing as well as July Board Meeting noting this date is a week earlier than the previously scheduled meeting on July 17.. Calendar updates will be sent out to the Board.

Ms. Gaarlandt reviewed the budget pointing out the increased line items and noting there were two versions of the proposed budgets, one with the increase to the budget being covered by carry forward and the other fully covered by increased assessments.

Ms. Ryan gave an overview of the carryforward estimates noting the carryforward would allow for no increase in assessments.

The Board reviewed the documents relating to the budget.

Mr. Swickow asked whether the guardhouse construction for \$125,000 would be covered by the bond proceeds or funded by the Developer. Mr. Babbar responded that the Developer is responsible for the cost of completion. The bond is listed as a liability on the budget.

Ms. Gaarlandt stated this is the O&M budget noting there is a Debt Service Budget and a General Fund Budget.

Mr. Babbar noted there are no bond construction proceeds available, as they have been exhausted.

There was discussion regarding the CDD funding of future major projects versus the Master Association budget funding them. It was noted the CDD can pay for major upcoming projects if they have the reserve funding available, either by payment directly to the vendor or by way of an agreement with the Master Association.

The Board reviewed the line items within the proposed budgets. Ms. Gaarlandt noted that the insurance amounts are estimates based on an expected 10% increase. She also stated that any increased District Engineering fees are due to the increase in projects/work. All line item amounts are not definitive, but a cap amount that can be spent or adjusted at a later time.

There was discussion regarding the reserve amount.

It was noted the unit count was adjusted to 1,292 last year.

There was also discussion regarding the general insurance policy and what areas are covered by that policy. Ms. Gaarlandt noted there is a general liability policy, but the District has sovereign immunity which limits the amount they can be sued for. Discussion continued relating to the Master Associations' s liability areas and the continued construction and development on the two towers will encroach on CDD property including utility hook ups, and a massive increase in traffic flow related to the development. With this there could be issues that potentially will cause exposure to the CDD, particularly the roads. It was noted there is potential of overlap with this development.

Mr. Babbar noted most Developer funded budgets are set up like the District's O&M budget. There was continued discussion on the liability and risk management. Ms. Gaarlandt noted specific project agreements can be provided to the insurance provider for review and possible umbrella policies, if needed. This can be done at any time.

There was discussion regarding the website vendor's responsibilities.

There was brief discussion regarding the increase in Engineer's fees. It was noted an increase is expected due to upcoming traffic studies and increased scope of work.

The Board agreed that \$30,000 is a good starting point for the reserves.

Ms. Ryan gave an explanation of the interest income. She noted that it comes from the checking account interest. It is an estimation and accumulates through the end of the year. There was brief discussion regarding the interest and investment options.

There was discussion regarding the carry forward and establishing a reserve. The Board agreed to move forward with the budget that has no carryover and increasing assessments to \$106.48 per unit. Mr. Babbar gave an overview of the budget process. This preliminary budget does not

lock in the line item amounts, it only locks in the total amount. Ms. Gaarlandt noted the line items can be adjusted as needed.

On MOTION by Mr. Dutton, seconded by Mr. Bodie, with all in favor, the Board approved Resolution 2025-02, Approving a Preliminary Budget for Fiscal Year 2026 and Setting a Public Hearing Date for July 10, 2025, at 11:00 a.m. at the current location.

Consideration of VGlobalTech Fee Increase Letter

There was discussion regarding the monthly amount for the District's website. Ms. Gaarlandt reviewed the statutory requirements and ADA compliance for the website, which VGlobalTech oversees. She stated that VGlobalTech also manages the quarterly ADA audit of the documents on the website to ensure their compliance. This company is not affiliated with PFM.

On MOTION by Mr. Bodie, seconded by Mr. Dutton, with all in favor, the Board approved the VGlobalTech Fee Increase Letter.

Consideration of PFM Fee Increase Letter

Ms. Gaarlandt reviewed the PFM increase letter noting this increase was reflected in the approved preliminary budget. She noted budget increases are typically based on the stage of the District, increased scope of work and meeting frequency.

On MOTION by Mr. Swickow, seconded by Mr. Dutton, with all in favor, the Board approved the PFM Fee Increase Letter.

Consideration of Sunset Park Landscape Re-Design Plans

Mr. Mead gave an overview of the re-design plans and what the plans included. He noted that Sunset Park had sustained hurricane damage resulting in some of the plant material dying. The

existing irrigation will be repaired as needed. The contractor will investigate the irrigation system once onsite. It was noted that the low voltage lighting will be repaired next week.

The Board reviewed the Sunset Park Landscape Re-Design Plans. It was noted that the Marina LLC entity owns Sunset Park, but it is maintained by the Master Association. There was a brief discussion regarding the Board Advisory Group meeting that took place and the ownership of the seawall. The Master Association maintains the seawall at this time, but it is anticipated that marina operations will eventually be transferred to the slip owners. There was brief discussion regarding the timing of this.

There was discussion as to what areas are included in Sunset Park/Island. This included questions regarding who will own and maintain the walkways and roadways once everything is completed. Mr. Carden noted he would look at the map to clarify.

Mr. Mead gave an overview on how the changes in landscaping will hold up under inclement weather. He noted these are minor modifications. There was mention of the Oleander being toxic for dogs and Mr. Mead stated these could be replaced with another flowering plant like Ixora. The landscaping needs to be safe while still holding up to the weather.

The Board discussed the design.

Mr. Mead noted the elevation in the center areas will be changed, as it was originally too high and caused erosion. There was discussion regarding zero scaping that area. Ideally, there should not be a need for lawnmowing. There have been ongoing erosion issues to the west of the island, which causes constant maintenance issues. Mr. Mead noted the mounding can be removed to eliminate the issues. There is not a proposed budget amount for this re-design yet. Once approved by the District, the HOA has budgeted towards this re-design, and they will implement it.

On MOTION by Mr. Bodie, seconded by Mr. Swickow, with all in favor, the Board approved the Sunset Park Landscape Re-Design Plans as discussed replacing Oleanders with Ixoras..

Mr. Mead reviewed the modifications which included taking the islands down to grade, keeping the perennial peanut, swapping out the Oleander, and removing the block retaining wall.

Mr. Carden reviewed the ownership and maintenance entity for the Sunset Park/Island areas, based on the plat dedication. It was noted that the CDD has easement rights for the access points, but the HOA has the maintenance responsibility.

**Consideration of Traffic Volume
Records Request**

Mr. Carden gave an overview of the documents relating to the traffic volume records request. He noted the research includes the history of rezonings in the area for traffic analysis and conditions of approval. The Tyson Apartments rezoning is the latest research that provides current information that can be used for review. This includes mitigation impact fees that were paid out by Tyson's Developer. It was noted these improvements are on the next year's budget for the city. This can all relate to Bridge St. traffic. There was an initial traffic study that was done in 2008 to get New Port platted that will be needed in order to show the impact on Bridge Street.

The Board discussed the records that are publicly available for these traffic records and the current traffic impacts on Bridge Street. There are consistent traffic hazards. The only noted improvement is the traffic control light to be installed in 2026, which will not handle all the issues. Although there are plans to pull up the railroad tracks, there is no current plan to widen Tyson.

Mr. Carden noted for each rezone, there is a traffic study that has been done. He did not pull every single one, as the current traffic study is the most helpful in identifying the issues. He recommended researching even more in order to focus on how the turning traffic movement is affecting the traffic on Bridge Street. It was noted this will impact all the residents in the area.

The Board discussed the traffic issues. It was noted that "No U-turn" signs have been installed, but are not being enforced. The immense traffic is going to cause destruction to the roadway and the pedestrian walkways, which is the CDD's responsibility. This is not in the budget currently.

Mr. Carden agreed and noted that the more trips on the road, the more the life of the asphalt degrades. It is important to determine the initial traffic impact to the current traffic impact. Once Tower 2 and Tower 3 begin construction, there will be construction trucks, which will degrade the road even faster.

There was a discussion regarding the possibility of petitioning the City of Tampa to take care of road repairs. Mr. Carden noted that as time progresses and with more backup information, it would be reasonable to ask, citing the concerns. It was noted the alternative would be to allow guard gates to be put up by the CDD in order to keep people out of the neighborhood. Although Florida law requires cars to stop for those in crosswalks, this is not happening, and speed bumps have not been allowed. Mr. Carden recommended obtaining more hard data before approaching City Council in order to find a solution. This may include doing an additional study to warrant speed bumps or a traffic control device. A simple solution may be to install a traffic barrier, such as a concrete median, which would eliminate left turns off of Tyson onto Bridge. It was noted that by the City approving the developments on Tyson, there has been a dramatic change to the agreement from 2008, when the Developer agreed to accept responsibility for Bridge Street. This petition to the City would take place at the administrative level prior to reaching out to specialized Counsel if needed.

There was discussion regarding the Stakeholders for Tyson and what actions have already taken place. It was noted the Developer's plans included a traffic impact study when presented to the City. The key is to find out if the 2008 agreement was taken into account when these plans came before the City. There was little done to account for the impact that these units would have on the area.

Mr. Carden recommended getting Lincks and Associates, the traffic engineer, to conduct the study. He will do more research on the 2008 traffic study and the traffic studies connected to the other two apartment complexes.

The Board discussed the options moving forward. Once the research is received, they can proceed.

Ms. Gaarlandt noted that if needed, a Special Board Meeting I can be called at any time with proper notice.

Review and Acceptance of the FY2024 Audit Report

The Board reviewed the audit report.

Ms. Gaarlandt noted this was a clean and standard audit. Once accepted, this will be placed in the District's records and filed. A new engagement letter is received each year for the audit per the auditor selection process.

On MOTION by Mr. Swickow, seconded by Mr. Dutton, with all in favor, the Board accepted the FY2024 Audit Report.

Ratification of Payment Authorizations Nos. 186 – 192

The Board reviewed the payment authorizations.

Ms. Gaarlandt noted these are all standard District expenses.

On MOTION by Mr. Bodie, seconded by Mr. Swichkow, with all in favor, the Board ratified Payment Authorization Nos. 186 - 192.

Review of District Financial Position

The Board reviewed the District's financial position.

Ms. Gaarlandt noted the financials are as of March 31, 2025.

Ms. Ryan stated the bondholders are paid out in May and the District is running within budget.

No action was required by the Board.

FOURTH ORDER OF BUSINESS

Other Business

Staff Reports

District Counsel – Mr. Babbar gave an update regarding the legislative session bills. He reviewed two bills, one for an increase in the sovereign immunity liability cap and one for making tree owners liable for any tree damage. The sovereign immunity bill is Bill 1570, House Bill 301. The tree bill is Bill 724, House Bill 599.

District Engineer –

- **Marina Pointe Towers 2&3 - FDEP Wastewater Collection System Applications**

Mr. Carden noted he needs to get the FDEP permit applications signed to construct the wastewater collection transmission system. All other signatures have been obtained, except for the CDD. This is a standard application but needs to be signed by someone who is authorized to sign on behalf of the CDD.

There was brief discussion regarding the obligation for maintenance within the application. Mr. Carden stated the obligation is broken up amongst the different entities, but the CDD is the maintenance entity for the portions within the roadway. There was an explanation of what this would entail and how the maintenance would be planned for amongst all the entities. It was noted this maintenance obligation is most likely included in other agreements as is standard language.

Mr. Carden noted this is a low maintenance item for the sanitary sewer. This is something that can come out of reserves.

On MOTION by Mr. Bodie, seconded by Mr. Swichkow, with all in favor, the Board approved the FDEP Wastewater Collection System Applications, with authorization to execute by the Chair or Vice Chair.

District Manager – Ms. Gaarlandt reviewed a resident’s request to extend the railing down at the walkway by the Marina going to Sunset Park. It stops at the step down, but the curve walkway continues which creates a hazard.

Mr. Babbar noted this is the LLC’s responsibility.

There was discussion regarding the ownership of the park and the railing. The Boat Advisory Committee has stated there will be a modification to the area, which will include extending the rail as part of the gate. The Board reviewed the map and noted it seems it is the LLC’s responsibility. At this time, this is not a CDD issue.

Site Manager – Ms. Ripoll reviewed the projects that have been worked on. The palm trees have been trimmed, the lighting is getting repaired next week, and all documents have been finalized with the reserve study company. She will notify the Board when this takes place.

Mr. Swichkow noted there is a lot of pavers that are cracked when driving down Bridge Street. It was noted this was just looked at. This includes the exposed irrigation. This will all be addressed but will take at least 3 months.

Ms. Ripoll also noted the dog stations have been ordered.

Supervisor Requests and Audience Comments

Ms. Gaarlandt noted that per previous discussion it is the understanding that the Board would like to meet more frequently. The District has to give notice for the regularly scheduled Board Meetings for the new Fiscal Year. Scheduled meetings can be canceled if not needed. The Board agreed to notice bi-monthly meetings. Ms. Gaarlandt stated the July meeting agenda will include a resolution for the Board to adopt the new meeting schedule.

There was discussion regarding Board communication and the Florida Sunshine Law. Mr. Babbar gave an overview of the Florida Sunshine Law and the Public Records Law. He noted anything relating to CDD business cannot be discussed outside of a meeting amongst Board Members.

Ms. Gaarlandt noted that the Master Association can send out notice to residents when items need to be communicated. There was discussion regarding communicating to residents. Mr.

Babbar noted you can let the residents know what is on the agenda for upcoming meetings and encourage them to attend for details, as long as it is not being discussed amongst Board Members.

There was also brief discussion regarding email etiquette and making sure not to “reply all” when sending anything out. It was encouraged that the Board Members use the District email addresses that are set up for them, not a personal email. Ms. Gaarlandt will send this information to the Board.

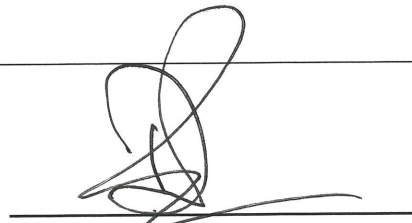
Mr. Babbar noted it would be helpful to have a document showing ownership for the different areas placed on the website. This could be a map or list for ease of viewing.

There was nothing further to address.

FIFTH ORDER OF BUSINESS

Adjournment

On MOTION by Mr. Bodie, seconded by Mr. Swickow, with all in favor, the Board adjourned the April 17, 2025, Board of Supervisors' Meeting.


Secretary/Assistant Secretary
Chairperson/Vice-Chairperson