

MINUTES OF MEETING

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

Thursday, December 18, 2025, at 11:00 a.m.

5120 Marina Way, Tampa, Florida 33606

Board Members in attendance:

Dominic Pickering	Vice Chairperson
Scott Dutton	Assistant Secretary
Ron Swichkow	Assistant Secretary
Don Bodie Jr.	Assistant Secretary

Also present:

Jane Gaarlandt	PFM	
Gazmin Kerr	PFM	
Audrey Ryan	PFM	(via phone)
Amy Champagne	PFM	(via phone)
Vivek Babbar	Straley Robin Vericker	
Chris Bodie	Site Serve	(via phone)
Craig Carden	Ardurra	
Tim Cox	Inlet Shore HOA	
Stephanie Honour	Inlet Park HOA	
George Telegadis	Public	
Karin Telegadis	Public	
John L Jones	Public	
Sherry Blanc	Public	
Alina Gabbard	Public	
Cliff Laborde	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

Ms. Gaarlandt called for public comments and reviewed the process for public comments, noting the 3-minute time limit.

There were no public comments at this time.

**Consideration of Minutes of the
October 23, 2025, Board of
Supervisors Meeting and
Auditor Selection Committee
Meeting**

The Board reviewed the minutes.

On MOTION by Mr. Bodie, Jr., seconded by Mr. Swickow, with all in favor, the Board approved the Minutes of the October 23, 2025, Board of Supervisors Meeting and Auditor Selection Committee Meeting Minutes.

SECOND ORDER OF BUSINESS

General Business Matters

**Update Regarding Retention of
Outside Counsel**

Ms. Gaarlandt noted this was discussed at the previous Board meeting.

Mr. Swickow gave an overview of the operating agreement with the Master Association. It was noted that the Master Association has not turned over the association to the members at this time. Outside counsel was retained to research whether the exclusion of the Developer's parcels for Towers 2 and 3 is appropriate. Mr. Swickow noted that outside counsel was unable to opine on that question as he felt that the CDD may not have standing to get into that issue from a legal perspective.

There was brief discussion regarding the CDD versus the Master Association responsibilities and duties. It was noted that the CDD cannot enforce anything upon the Master Association, only suggestions can be made. This was a result of having the infrastructure management agreement put in place back in 2017.

There was lengthy discussion regarding the assessments and the number of ERU's (Equivalent Residential Units). It was noted the assessment methodology at the CDD level for the administrative budget varied significantly from the methodology utilized under the Master

Association declaration. The tax roll assessments fund the CDD administrative budget in order to maintain their responsibilities.

Mr. Dutton noted the CDD should be able to govern and direct what occurs. He also noted there is no single repository listed in the documents.

Mr. Babbar provided an overview of how the District is governed and noted the CDD was established by the City of Tampa.

Mr. Babbar also gave an overview of the retained outside Counsel. Outside Counsel has determined that the power lies within termination of the agreement and recommended having an open discussion with the Master Association to redraft the operating agreement in order to address the current concerns or have the CDD Board vote to terminate that management agreement. It was noted that it is appropriate for the Developer to exclude parcels that they own which are not developed, if they provide a deficit funding agreement or if the parcels were not included in the Master Declaration. It was noted by Mr. Swichkow that the developer has not provided any deficit funding of the Master association since approximately 2022. The inclusion or exclusion of Tower 2 and 3 parcels have not been definitively determined.

It was noted the CDD is not a member of the Master Declaration. The CDD's concern can be noted, but only the residents are able to challenge the Master Declaration as they are directly impacted.

**Discussion of Concerns
Regarding 2017 Infrastructure
Operating Agreement with
Westshore Marina Master
Association**

Mr. Babbar noted the CDD can terminate this agreement if they choose. Currently, most CDD's maintain their own infrastructure. However, others on occasion enter into operating agreements with their Master Association. Historically, in this District, the Master Association had staff onsite to help residents and maintain infrastructure.

Mr. Babbar gave an overview of the termination clause and noted it requires a 270-days notice and becomes effective January 1 of the following year. This timeline was created due to the CDD budget constraints.

There was brief discussion regarding the reversal of turnover document and who empowered the declarant. It was noted the City of Tampa may have copies of documents, but the District Management company should have all CDD public records on file as they are the CDD Records Liaison.

Mr. Babbar gave an overview regarding delible and non-delible items and decisions. It was noted the CDD cannot delegate how ERU's are processed by the Master Association or vice versa. These are two separate budgets.

There was continued discussion regarding the ERU's, the assessments, and the budgets.

Mr. Babbar provided an overview of the various funds allowed within the CDD budget. For example, one of the line items can be an Administration Fund, while another is for the Operation and Maintenance Fund. Mr. Babbar noted that within a Developer run CDD Board, the Developer usually excludes their parcels from the operation and maintenance fund until those parcels come on-line or are sold, while a resident controlled Board usually makes the decision that all parcels benefit from the operation and maintenance fund.

Mr. Babbar explained the process related to challenging how the assessments are processed and noted it is up to the Board how to proceed as long as they have the proper and fair methodology and rationale.

There was discussion regarding the responsibility of the reserve study and funding the projects recommended by that reserve study. It was noted the community will be harmed by the lack of adequate reserves, which is the responsibility of the CDD.

Mr. Don Bodie Jr. noted the District was originally set up for 1,973 ERU's. However, in May of 2024, the decision was made to reduce that to 1,272. It was noted the number of ERU's for the 2024 assessments was 1,024, while the 2025-2026 budget acknowledges 694 ERU's. The actual declaration has a provision that notes 720 and 718 are exempt.

There was ongoing discussion regarding the differences between the CDD and the Master Association.

Mr. Babbar noted with the ongoing concerns, the best option would be to terminate the operating agreement and take over the infrastructure responsibilities. The budget would then be reviewed for appropriate allocations.

There was brief discussion regarding the Master Association and the CDD budgets and the budget process. It was noted the assessment roll comes from the County, but is then processed by the District's assessment methodology before going back to the County for final acceptance. Ms. Gaarlandt noted the assessments were exhibits to the previously approved resolution at the budget meeting.

There was discussion regarding the process of termination, negotiation terms, and benefit to the District. It was noted the HOA would be responsible for funding the operations that were delegated to them by the CDD, but the reserve portion of the assessment would be transferred to the CDD.

There was lengthy discussion regarding who pays assessments and who benefits from the infrastructure.

Mr. Pickering noted he agrees with the decision to retain outside Counsel and to trying to find all the documents related to the agreement and the two entities but noted anyone working for the Developer has a conflict of interest. He recommended drafting a proposal to have Towers 2 and 3 pay a portion of the assessments related to the reserves and present it to the Developer.

There was brief discussion regarding the timing of terminating the agreement and holding workshops or a special meeting. It was noted a workshop does not need a quorum, as no motions take place.

It was requested that the Westshore Marina Master Association and CDD paperwork be researched. It was noted that any amendment to the Master Declaration would not require notice to the CDD, the CDD would only be notified if the amendment was related to the operating agreement.

On MOTION by Mr. Pickering, seconded by Mr. Bodie, Jr., with all in favor, the Board authorized District Counsel to research any records/paperwork related to the Westshore Marina Master Association and the CDD of New Port Tampa Bay, regarding the Operating Agreement and Infrastructure discussion.

It was noted that if the agreement was terminated, the assessment allocation would be based on the same methodology as the O&M budget. Any justified adjustments can be recommended by the Board.

George Telegadis, a resident commented regarding the assessment amounts based on the CDD, the methodology used, and the Master Association parcel exclusion. The resident recommended termination of the agreement. He also requested a CDD reconciliation to compare what residents have paid under the Master Association compared to the CDD.

Mr. Babbar noted it is common for CDD's to not assess undeveloped parcels for maintenance purposes. He also noted the operating agreement can be amended to include a contractual obligation to use the delegated methodology for assessment.

Mr. Pickering noted that prior to termination of the agreement, the District should research what consequences that will have on the budget and infrastructure responsibilities. It was noted these will be discussion items for the workshop.

Mr. Swichkow provided a comparison of the assessments from what was assessed in 2025-2026 to what it would have been under the CDD methodology. There was brief discussion regarding the comparison.

There was brief discussion regarding a date to hold the workshop and who would be in attendance. It was requested to hold the workshop the week of January 19, 2026. The Board agreed to hold the workshop on January 21, 2026, at 11:00 a.m.

On MOTION by Mr. Dutton, seconded by Mr. Pickering, with all in favor, the Board approved a workshop regarding the Termination of the Operating Agreement with Westshore Marina Master Association to be held on January 21, 2026, at 11:00 a.m. at the current location.

It was noted as much documentation that can be gathered will be brought to the workshop meeting. These will be attached to the agenda packet.

There was brief discussion regarding what will be discussed at the workshop.

Consideration of Grau & Associates Engagement Letter for FY25 Auditing Services

Ms. Gaarlandt gave an overview of the letter and noted engagement with this firm was previously approved by the Board. She noted the letter was reviewed by District Counsel.

Mr. Babbar noted this is a standard engagement letter.

On MOTION by Mr. Swichkow, seconded by Mr. Dutton, with all in favor, the Board approved the Grau and Associates Engagement Letter for FY25 Auditing Services.

There was brief discussion regarding the conflict of interest with using Becker for outside Counsel. Mr. Babbar noted they should be paid for services rendered thus far and their services should no longer be needed.

On MOTION by Mr. Pickering, seconded by Mr. Bodie, Jr., with all in favor, the Board authorized the execution of the Engagement Letter with Becker for special consulting services for the CDD, with subsequent notice that services are no longer needed.

**Ratification of Payment
Authorizations Nos. 213-220**

The Board reviewed the payment authorizations.

Ms. Gaarlandt noted these were previously approved and were for ratification only. They are all standard District expenses.

On MOTION by Mr. Bodie, Jr., seconded by Mr. Swichkow, with all in favor, the Board ratified Payment Authorization Nos. 213-220.

**Review of District Financial
Position**

The Board reviewed the District's financial position as of November 2025.

No action was required by the Board.

THIRD ORDER OF BUSINESS

Other Business

Staff Reports

District Counsel – No report.

District Engineer –

• **Traffic Study Update**

Mr. Carden gave an update regarding the traffic study and noted they are moving forward with a request for proposal with Traffic Mobility. They did the original traffic study. This traffic study will help address some of the current traffic issues. It was noted this will cost approximately \$10,000.00.

Mr. Carden will gather more information on the new low income housing and is still working on the old railroad crossing removal.

There was brief discussion regarding a skimmer that was ordered. It was noted the skimmer was installed.

District Manager –

- **Review and Acceptance of FY25 Goals and Performance Measures Report**

Ms. Gaarlandt noted the District has met all the FY25 goals and objectives and the report was posted on the District's website.

On MOTION by Mr. Swichkow, seconded by Mr. Pickering, with all in favor, the Board accepted the FY25 Goals and Performance Measures Report.

Ms. Gaarlandt reminded the Board of the required annual 4-hour Ethics Training due December 31. Links will be sent out to the Board for the training, and a workshop meeting calendar invite will also be sent.

Site Manager/ Westshore Marina District Master Association Manager –

- **Maintenance Updates**

It was noted funds need to be received prior to repairing the streetlights.

There was brief discussion regarding the budget and reserves.

There was brief discussion regarding the caution tape by the Inlet Shores entrance. It was noted this is related to sidewalk and irrigation issues. The Inlet Shores HOA needs to remove the entry sidewalk in order to access and move the valve box. This will allow the area to be irrigated. There has been no response from the HOA thus far.

There was also brief discussion regarding the outstanding reimbursement for the repair that was done and funded out of the O&M budget for the broken irrigation pipe. Lennar Homes owes this reimbursement. It was noted this should be handled by the Master Association Counsel. Mr. Bodie will reach out to Ms. Ripoll for the information and documentation.

Supervisor Requests and Audience Comments

There were no further comments at this time.

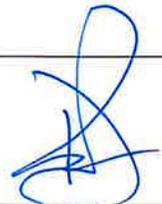
FOURTH ORDER OF BUSINESS

Adjournment

There was nothing further to address at this time.

On MOTION by Mr. Dutton, seconded by Mr. Bodie, Jr., with all in favor, the Board adjourned the December 18, 2025, Board of Supervisors' Meeting.


Secretary/Assistant Secretary


Chairperson/Vice-Chairperson