

MINUTES OF MEETING

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

Thursday, March 26, 2026, at 1:00 p.m.

5120 Marina Way, Tampa, Florida, 33611

Board Members in attendance:

Scott Dutton	Assistant Secretary
Ron Swickow	Assistant Secretary
Don Bodie, Jr.	Assistant Secretary

Also present:

Jane Gaarlandt	PFM
Gazmin Kerr	PFM (via phone)
Audrey Ryan	PFM (via phone)
Amy Champagne	PFM (via phone)
Vivek Babbar	Straley Robin Vericker
Craig Carden	Ardurra (via phone)
John McKay	J.H. McKay, LLC
John L. Jones	Public
Jay Plamann	Public
George Telegadis	Public
Alina Gabbard	Public
Cliffe Laborde	Public
Kelly Richter	Public (via phone)
Jeffrey Roberts	Public (via phone)

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 1:00 p.m. Those in attendance are outlined above.

Public Comment Period

There was brief discussion regarding the Board members in attendance.

There were no public comments at this time.

Consideration of Resolution 2026-01, Election of Officers

Ms. Gaarlandt gave an overview of the slate of officers. The Board can make changes as they choose.

Mr. Babbar noted the slate can be changed at any time and gave an overview of the Board roles.

There was discussion regarding the roles and responsibilities of Board members.

Mr. Swichkow recommended that one of the Board member residents be appointed as the Chair or Vice Chair.

Mr. Babbar noted the term for a newly appointed Board member role would end on the third Tuesday in November.

On MOTION by Mr. Bodie, Jr., seconded by Mr. Swichkow with all in favor, the Board approved Resolution 2026-01, Election of Officers, and nominated Ron Swichkow as Chair; Don Bodie Jr., as Vice Chair; Jane Gaarlandt as Secretary; Scott Dutton, Noah Breakstone, Dominic Pickering, and Gazmin Kerr as Assistant Secretaries; Jennifer Glasgow as Treasurer; Amanda Lane, Rick Montejano, Verona Griffith, and Amy Champagne as Assistant Treasurers.

Consideration of Resolution 2026-02, Legal Defense

Mr. Babbar gave an overview and noted this is a standard resolution, which adopts a policy for legal defense of board supervisors and district officers..

There was brief discussion regarding legal coverage and cost.

On MOTION by Mr. Swichkow, seconded by Mr. Dutton with all in favor, the Board approved Resolution 2026-02, Legal Defense.

Ms. Ryan reviewed the budget for insurance and legal coverage.

SECOND ORDER OF BUSINESS

General Business Matters

Reconsideration/Termination of the 2017 Infrastructure Operating Agreement with Westshore Marina Master Association

Mr. Swichkow gave an overview of previous discussions related to the operating agreement and deadline for submitting notice of termination. He recommended termination and noted the residents and occupants within the community should have the opportunity to provide input on the decision related to assessments.

There was discussion regarding the methodology and structure of the operating agreement.

Mr. Dutton noted the District should pursue compromise over confrontation, as it would be greater gain for the community.

There was brief discussion regarding termination and the deadline to file notice.

Mr. Bodie, Jr., noted there is a commitment from the Developer to contribute quarterly up to \$150,000.00, and an agreement that the ERU count will be based on the 1311 units. It was noted that litigation will cost the residents more money.

There was lengthy discussion regarding the 50-year termination clause within the agreement and termination effects. This included comments regarding the statute of limitations. Mr. Babbar gave an overview of the agreement terms. It was noted termination can be withdrawn if an agreement is reached.

There was brief discussion regarding the Developer's contribution.

Mr. Swichkow opened the floor to public comments.

There were comments regarding agreements with Hillsborough County regarding the increase, termination of the agreement, and negotiating terms. It was noted the deadline will most likely not be met, but the motion can be rescinded if needed.

There was lengthy discussion regarding the ongoing legal costs, response from the Developer, and settlement terms. Mr. Babbar gave an overview of the process related to settlement and deadlines. It was noted the deadline for setting the preliminary budget is June 15th. The recommendation is to motion with a date deadline, with the right to rescind the termination provision.

Mr. Bodie, Jr., noted the legal fees could obligate the residents to a potential special assessment.

There was discussion regarding the changes requested to the agreement, the Developer's contribution, and the litigation costs.

Mr. Babbar read the original document terms and noted he believes the intent of the original BTI Board was for the agreement to have an initial 50-year term. However, he stated that his firm told BTI at that time BTI was told that would be considered unlawful to obligate a CDD for 50 years. It was noted there is defense coverage for non-damages claims against the District included in the District's insurance.

There was brief discussion regarding negotiation.

It was noted that Mr. Pickering knew he would not be able to attend the current meeting.

On Original MOTION by Mr. Swickow, with no second, and no others in favor, the Board did NOT - approve that the termination clause contained in the Infrastructure Operating Agreement between the CDD and the Westshore Marina Master Association be invoked with an effective date of January 1, 2027, in accordance with the 270-day notice requirement. Motion failed.

There was discussion regarding the legal ramifications and the terms of the agreement.

There was also lengthy discussion regarding the motions and requested updated provisions.

Mr. Babbar noted the next motion in the process should be that if the Developer fails to respond with the requested provisions by the deadline, there will be a termination notice sent to the Master Association. This termination notice will note that if the requested provisions are memorialized by June 1, 2026, the termination will be rescinded.

There was lengthy discussion regarding the requested provisions. This included discussion on finalizing the deadlines and terms within the provisions. It was recommended that the four provisions to the agreement be included in the motion.

On Subsequent MOTION by Mr. Dutton, seconded by Mr. Swichkow, with all in favor, the Board approved that the termination clause contained in the Infrastructure Operating Agreement between the CDD and the Westshore Marina Master Association be invoked unless the Master Association on or before April 2, 2026, meets the requirements outlined at the current meeting; and approved that the Master Association be immediately provided formal notice of the termination, subject to the occurrence of the potential rescission by the CDD if requirements were agreed to in writing by deadline of April 2, 2026, with an effective termination date of January 1, 2027, in accordance with the 270-day notice requirement. The requirements are subject to final review by District Counsel.

There was brief discussion regarding a continuation of the current meeting.

**Discussion to engage a
Methodology Consultant for the
2027 Assessments**

Mr. Swichkow noted he has contacted several recommended methodology consultants and gave an overview of the proposal received. He will forward the proposal to District Counsel and District Management.

There was brief discussion regarding the change in methodology and assessments. Mr. Babbar recommended that the change be implemented in the current fiscal year.

Ms. Gaarlandt noted there are four parcels that were identified as not being included in the current assessments roll. The County has updated the information, and those parcels will be included in the tax roll for next year.

THIRD ORDER OF BUSINESS

Other Business

Staff Reports

District Counsel – Mr. Babbar gave an update on the legislative session and reviewed the increase to sovereign immunity thresholds and the bill related to the recall of District Supervisors.

District Engineer –

- **Bridge St. Professional Traffic Engineering Services Proposal**

This item was deferred.

District Management – Ms. Gaarlandt noted the next meeting is scheduled for April 16th, 2026.

Site Manager/Westshore Marina District Master Association Manager – Not present.

**Supervisor Requests and
Audience Comments**

There were no further Supervisor requests or audience comments at this time.

FOURTH ORDER OF BUSINESS

Continuance

On MOTION by Mr. Dutton, seconded by Mr. Swichkow, with all in favor, the Board adjourned the March 26, 2026, New Port Tampa Bay Board of Supervisors' Meeting.

There was brief discussion regarding continuing and scheduling the meeting.

The motion to adjourn was withdrawn.

On MOTION by Mr. Dutton, seconded by Mr. Swichkow, with all in favor, the Board continued the March 26, 2026, New Port Tampa Bay Board of Supervisors' Meeting to April 2nd, 2026, at 1:00 p.m. at the current location.


Secretary/Assistant Secretary


Chairperson/Vice-Chairperson