



**MARSH HARBOUR
COMMUNITY DEVELOPMENT
DISTRICT**

**PALM BEACH COUNTY
REGULAR BOARD MEETING
DECEMBER 20, 2019
10:00 A.M.**

Special District Services, Inc.
The Oaks Center
2501A Burns Road
Palm Beach Gardens, FL 33410

www.marshharbouredd.org
561.630.4922 Telephone
877.SDS.4922 Toll Free
561.630.4923 Facsimile

AGENDA
MARSH HARBOUR
COMMUNITY DEVELOPMENT DISTRICT
Marsh Harbour Community Clubhouse
1000 Marsh Harbour Drive
Riviera Beach, Florida 33404
REGULAR BOARD MEETING
December 20, 2019
10:00 a.m.

- A. Call to Order
- B. Proof of Publication.....Page 1
- C. Establish Quorum
- D. Additions or Deletions to Agenda
- E. Comments from the Public for Items Not on the Agenda
- F. Approval of Minutes
 - 1. November 15, 2019 Regular Board Meeting.....Page 3
- G. Old Business
- H. New Business
 - 1. Consider Approval of Security Contract – Allied Universal.....Page 6
 - 2. Consider Approval of Landscape & Maintenance Contract – O’Hara.....Page 7
 - 3. Consider Resolution No. 2019-05 – Redesignating the Signatories of the District Checking.....Page 8
- I. Administrative Matters
- J. Board Members Comments
- K. Adjourn

The Palm Beach Post

Palm Beach Daily News



PROOF OF PUBLICATION STATE OF FLORIDA

PUBLIC NOTICE

Before the undersigned authority, personally appeared Teal Pontarelli, who on oath, says that he/she is a Legal Advertising Representative of The Palm Beach Post, a daily and Sunday newspaper, published in West Palm Beach and distributed in Palm Beach County, Martin County, and St. Lucie County, Florida; that the attached copy of advertising for a Legal - PublicNotice was published in said newspaper on: first date of Publication 10/07/2019 and last date of Publication 10/07/2019. Affiant further says that the said The Palm Beach Post is a newspaper published in West Palm Beach, in said Palm Beach County, Florida and that the said newspaper has heretofore been continuously published in said Palm Beach County, Florida, daily and Sunday and has been entered as second class mail matter at the post office in West Palm Beach, in said Palm Beach County, Florida, for a period of one year next preceding the first publication of the attached copy of advertisement; and affiant further says that he/she has neither paid nor promised any person, firm or corporation any discount, rebate, commission or refund for the purpose of securing this advertisement for publication in said newspaper.

MARSH HARBOUR CDD
2501 BURNS RD
STE A
PALM BEACH GARDENS, FL 33410-5207

Invoice/Order Number: 0000517888
Ad Cost: \$268.32
Paid: \$0.00
Balance Due: \$268.32

Signed

Teal Pontarelli

(Legal Advertising Agent)

Sworn or affirmed to, and subscribed before me, this 8th day of October, 2019 in Testimony whereof, I have hereunto set my hand and affixed my official seal, the day and year aforesaid.

Signed

Donna Taylor

(Notary)



DONNA S. TAYLOR
MY COMMISSION # GG 031838
EXPIRES: September 19, 2020
Bonded Thru Budget Notary Services

Please see Ad on following page(s).

MARSH HARBOUR CDD
2501 BURNS RD
STE A
PALM BEACH GARDENS, FL 33410-5207

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**MARSH HARBOUR COMMUNITY
DEVELOPMENT DISTRICT
FISCAL YEAR 2019/2020
REGULAR MEETING SCHEDULE**

NOTICE IS HEREBY GIVEN that the Board of Supervisors of the Marsh Harbour Community Development District will hold Regular Meetings at 10:00 a.m. in the Marsh Harbour Community Clubhouse located at 1000 Marsh Harbour Drive, Riviera Beach, Florida 33404 on the following dates:

October 18, 2019
November 15, 2019
December 20, 2019
January 17, 2020
February 21, 2020
March 20, 2020
April 17, 2020
May 15, 2020
June 19, 2020
July 17, 2020
August 21, 2020
September 18, 2020

The purpose of the meetings is to conduct any business coming before the Board. Meetings are open to the public and will be conducted in accordance with the provisions of Florida law. Copies of the Agendas for any of the meetings may be obtained from the District's website or by contacting the District Manager at (561) 630-4922 and/or toll free at 1-877-737-4922 prior to the date of the particular meeting.

From time to time one or more Supervisors may participate by telephone; therefore a speaker telephone will be present at the meeting location so that Supervisors may be fully informed of the discussions taking place. Meetings may be continued as found necessary to a time and place specified on the record.

If any person decides to appeal any decision made with respect to any matter considered at these meetings, such person will need a record of the proceedings and such person may need to insure that a verbatim record of the proceedings is made at his or her own expense and which record includes the testimony and evidence on which the appeal is based.

In accordance with the provisions of the Americans with Disabilities Act, any person requiring special accommodations or an interpreter to participate at any of these meetings should contact the District Manager at (561) 630-4922 and/or toll-free at 1-877-737-4922 at least seven (7) days prior to the date of the particular meeting.

Meetings may be cancelled from time to time without advertised notice.

MARSH HARBOUR COMMUNITY DEVELOPMENT DISTRICT

www.marshharbourcdd.org
10-7/2019

0000517888-01

**MARSH HARBOUR
COMMUNITY DEVELOPMENT DISTRICT
REGULAR BOARD MEETING
NOVEMBER 15, 2019**

A. CALL TO ORDER

The November 15, 2019, Regular Board Meeting of the Marsh Harbour Community Development District was called to order at 10:00 a.m. at the Marsh Harbour Community Clubhouse located at 1000 Marsh Harbor Drive, Riviera Beach, Florida 33404.

B. PROOF OF PUBLICATION

Proof of publication was presented that notice of the Regular Board Meeting had been published in *The Palm Beach Post* on October 7, 2019, as part of the District's Fiscal Year 2019/2020 Regular Meeting Schedule, as legally required.

C. CONSIDER RESIGNATION AND APPOINTMENT TO BOARD VACANCY

A **motion** was made by Mr. Walker, seconded by Ms. Eccles to accept the resignation of Chairperson Little. The **motion** carried 3 to 0.

A **motion** was made by Ms. Briggs, seconded by Mr. Walker to appoint Kent Pollock to Seat #3. The **motion** carried 3 to 0.

Mr. Karmeris administered the Oath of Office to Mr. Pollock.

Ms. Briggs nominated Mr. Walker to be the Chair of the Board. A **motion** was made by Ms. Briggs, seconded by Mr. Pollock appointing Mr. Walker as the Chair and to keep the remaining Officers as is. The **motion** carried 4 to 0.

D. ESTABLISH A QUORUM

Mr. Karmeris determined that the attendance of Chairperson Allen Walker and Supervisors Judy Briggs, Heather Eccles and Kent Pollock constituted a quorum and it was in order to proceed with the meeting.

Staff present were: District Manager Andrew Karmeris of Special District Services, Inc.; and District Counsel Vanessa Steinerts of Billing, Cochran, Lyles, Mauro & Ramsey, P.A.

Also present were HOA Manager, Tara Bennett; and District resident Adrian Bess.

E. ADDITIONS OR DELETIONS TO THE AGENDA

There were no additions or deletions to the agenda.

F. COMMENTS FROM THE PUBLIC FOR ITEMS NOT ON THE AGENDA

Ms. Bess asked what the process would be for the CDD to return control over the Landscaping and Security contracts back to the HOA. She asked what the CDD O&M fees would be if those line items were removed from the CDD Budget.

G. APPROVAL OF MINUTES

1. October 18, 2019, Regular Board Meeting

The minutes of October 18, 2019, Regular Board Meeting were presented.

Mr. Walker **moved** approval and Mr. Pollock seconded that the minutes of October 18, 2019, Regular Board Meeting be approved, as presented. The **motion** carried 4 to 0.

H. OLD BUSINESS

1. Discussion Regarding Security Contract

Mr. Karmeris presented a comparison chart of what the proposed security contract includes versus what is included in the current contract. The Board discussed the contract differences. Mr. Pollock stated that he believes a golf cart is sufficient and paying for a security car or SUV is not necessary.

A **motion** was made by Ms. Briggs, seconded by Mr. Pollock, authorizing staff to negotiate the terms of the security contract, as discussed, subject to legal review. The **motion** carried 4-0.

The Board also discussed the current lighting outside of Marsh Harbour and asked staff to contact Riviera Beach to find out if any additional lighting would be added.

2. Discussion Regarding Landscaping

Ms. Briggs stated that she was not happy with the current service being provided, noting that dead leaves were piling up and debris was not being picked up. Ms. Briggs asked that an O'Hara representative meet with her.

Mr. Walker added that the overgrown trees behind his home have not been cut and requested that staff follow up with O'Hara regarding a proposal to cut.

I. NEW BUSINESS

1. Consider Resolution No. 2019-04 – Adopting a Fiscal Year 2019/2020 Amended Budget

Resolution No. 2019-04 was presented, entitled:

RESOLUTION NO. 2019-04

A RESOLUTION OF THE BOARD OF SUPERVISORS OF THE MARSH HARBOUR COMMUNITY DEVELOPMENT DISTRICT AUTHORIZING AND ADOPTING AN AMENDED FINAL FISCAL YEAR 2018/2019 BUDGET (“AMENDED BUDGET”), PURSUANT TO CHAPTER 189, FLORIDA STATUTES; AND PROVIDING AN EFFECTIVE DATE.

A **motion** was made by Mr. Walker, seconded by Ms. Briggs, and passed unanimously to adopt Resolution No. 2019-04, as presented.

J. ADMINISTRATIVE MATTERS

There were no Administrative Matters to come before the Board.

K. BOARD MEMBER COMMENTS

Mr. Pollock advised that he had attended a Town Hall Forum and there were questions regarding the CDD Board elections, terms of office, and votes. He asked staff to provide answers prior to the December Town Hall Forum meeting.

L. ADJOURNMENT

There being no further business to come before the Board, the Regular Board Meeting was adjourned at 10:50 a.m. on a **motion** made by Mr. Walker, seconded by Ms. Briggs and the **motion** carried 4 to 0.

Secretary/Assistant Secretary

Chairman/Vice Chairman

**CONSIDER APPROVAL OF
SECURITY CONTRACT**

**TO BE DISTRIBUTED
UNDER SEPARATE COVER**

RESOLUTION NO. 2019-05

A RESOLUTION OF THE BOARD OF SUPERVISORS OF THE MARSH HARBOUR COMMUNITY DEVELOPMENT DISTRICT, REDESIGNATING THE SIGNATORIES OF THE DISTRICT CHECKING ACCOUNT; AND PROVIDING AND EFFECTIVE DATE.

WHEREAS, the Marsh Harbour Community Development District ("District") has previously established a District checking account in order for the District to expend public funds of the District as authorized and required; and

WHEREAS, the Board of Supervisors of the District redesignates Todd Wodraska, Jason Pierman, Patricia Las Casas and Allen Walker to serve as the signatories on the District checking account.

NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF SUPERVISORS OF THE MARSH HARBOUR COMMUNITY DEVELOPMENT DISTRICT, AS FOLLOWS:

Section 1. The above recitals are hereby adopted.

Section 2. The signature of two of the four signatories named herein will be required on all the District checks tendered from the District checking account as approved.

PASSED, ADOPTED and EFFECTIVE this 20th day of December, 2019.

ATTEST:

**MARSH HARBOUR
COMMUNITY DEVELOPMENT DISTRICT**

By: _____
Secretary/Assistant Secretary

By: _____
Chairperson/Vice Chairperson