



**MARSH HARBOUR
COMMUNITY DEVELOPMENT
DISTRICT**

**PALM BEACH COUNTY
REGULAR BOARD MEETING
& PUBLIC HEARING
AUGUST 21, 2020
10:00 A.M.**

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

www.marshharbourcdd.org

561.630.4922 Telephone
877.SDS.4922 Toll Free
561.630.4923 Facsimile

AGENDA
MARSH HARBOUR
COMMUNITY DEVELOPMENT DISTRICT
REGULAR BOARD MEETING & PUBLIC HEARING
JOIN ZOOM MEETING: <https://us02web.zoom.us/j/86377478001>
MEETING ID: 836 7747 8001
CALL IN NUMBER: 1 929 436 2866
August 21, 2020
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. July 17, 2020 Regular Board Meeting.....Page 2
- G. Public Hearing
 - 1. Proof of Publication.....Page 5
 - 2. Receive Public Comments on Fiscal Year 2020/2021 Final Budget
 - 3. Consider Resolution No. 2020-02 – Adopting a Fiscal Year 2020/2021 Final Budget.....Page 6
- H. Old Business
 - 1. Discussion Regarding Landscape and Maintenance
 - 2. Update Regarding Fencing
- I. New Business
 - 1. Consider Resolution No. 2020-03 – Adopting a Fiscal Year 2020/2021 Meeting Schedule.....Page 13
- J. Administrative Matters
- K. Board Members Comments
- L. Adjourn

**NOTICE OF MARSH HARBOUR COMMUNITY DEVELOPMENT DISTRICT
PUBLIC HEARING AND REGULAR ELECTRONIC BOARD MEETING**

NOTICE IS HEREBY GIVEN that the Marsh Harbour Community Development District (the “District”) will hold a public hearing (the “Public Hearing”) and regular meeting (the “Meeting”) of its Board of Supervisors (the “Board”) on August 21, 2020, at 10:00 a.m. to be conducted by telephonic and video conferencing communications media technology pursuant to Executive Orders 20-52, 20-69, 20-112, 20-150 and 20-179 issued by Governor DeSantis on March 9, 2020, March 20, 2020, April 29, 2020, June 23, 2020 and July 29, 2020, respectively, and pursuant to Section 120.54(5)(b)2., *Florida Statutes*. The Public Hearing is being held for the necessary public purpose of considering the Final Fiscal Year 2020/2021 Budget. The Meeting is being held for the necessary public purpose of considering any agenda items related to the District. At such time the Board is so authorized and may consider any business that may properly come before it.

While it is necessary to hold the Public Hearing and Meeting utilizing communications media technology due to the current COVID-19 public health emergency, the District fully encourages public participation in a safe and efficient manner. Participants may attend the Public Hearing and Meeting by accessing the District’s website, www.marshharbourcdd.org and clicking on the meeting link you will find on the homepage, or utilizing the following login information:

Join by URL for VIDEO ACCESS at: <https://us02web.zoom.us/j/86377478001>
Meeting ID: 836 7747 8001
Dial In Phone Number: 1 (929) 436 2866

A copy of the agenda and budget may be obtained from the District’s website (www.marshharbourcdd.org) or at the offices of the District Manager, Special District Services, located at 2501A Burns Road, Palm Beach Gardens, Florida 33410 during normal business hours.

Participants are strongly encouraged to submit questions and comments to the District Manager’s Office at akarmeris@sdsinc.org or by calling 561-630-4922 by August 14, 2020, at 5:00 p.m. in advance of the meeting to facilitate the Board’s consideration of such questions and comments during the meeting.

The public hearing and meeting are open to the public and will be conducted in accordance with the provisions of Florida law for community development districts. The public hearing and meeting may be continued to a date, time, and place to be specified on the record at the meeting. There may be occasions when staff or Supervisors may participate by speaker telephone.

Any person requiring special accommodations at this meeting because of a disability or physical impairment should contact the District Office at (561) 630-4922 at least forty-eight (48) hours prior to the meeting. If you are hearing or speech impaired, please contact the Florida Relay Service at 1-800-955-8770, for aid in contacting the District Office.

Each person who decides to appeal any decision made by the Board with respect to any matter considered at the public hearings or meeting is advised that person will need a record of proceedings and that accordingly, the person may need to ensure that a verbatim record of the proceedings is made, including the testimony and evidence upon which such appeal is to be based.

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

District Manager

**MARSH HARBOUR
COMMUNITY DEVELOPMENT DISTRICT
REGULAR BOARD MEETING
JOIN ZOOM MEETING: [HTTPS://US02WEB.ZOOM.US/J/82968989038](https://us02web.zoom.us/j/82968989038)
MEETING ID: 829 6898 9038
CALL IN NUMBER: 1 929 436 2866
JUNE 19, 2020**

A. CALL TO ORDER

The June 19, 2020, Regular Board Meeting of the Marsh Harbour Community Development District was called to order at 10:02 a.m. via Zoom.

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 June 10, 2020, as legally required.

C. ESTABLISH A QUORUM

Mr. Karmeris determined that the virtual attendance of Chairperson Allen Walker and Supervisors Judy Briggs, Heather Eccles (who arrived at 10:05 a.m.) and Kent Pollock constituted a quorum and it was in order to proceed with the meeting.

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

D. ADDITIONS OR DELETIONS TO THE AGENDA

There were no additions or deletions to the agenda.

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

There were no comments from the public for items not on the agenda.

F. APPROVAL OF MINUTES

1. February 21, 2020, Regular Board Meeting

The minutes of February 21, 2020, Regular Board Meeting were presented.

Mr. Pollock **moved** approval and Ms. Briggs seconded that the minutes of February 21, 2020, Regular Board Meeting be approved, as presented. The **motion** carried 4 to 0.

G. OLD BUSINESS

1. Discussion Regarding Landscape and Maintenance

Ms. Briggs addressed an issue with O'Hara regarding blowing leaves and debris onto her property and into storm drains. Mr. Pollock asked were they supposed to be sweeping up debris or blowing it into the drainage? He wanted to know if O'Hara was living up to their contractual obligations,

as it appears they overcharged the per hour labor rate. He also asked that an O'Hara representative check in with the HOA when they come to do repairs. Mr. Walker noted that he has not seen anyone trim the trees. The Board then asked staff to get a schedule of trimming from O'Hara.

H. NEW BUSINESS

1. Consider Resolution No. 2020-01 – Adopting a Fiscal Year 2020/2021 Proposed Budget

Resolution No. 2020-01 was presented, entitled:

RESOLUTION NO. 2020-01

A RESOLUTION OF THE BOARD OF SUPERVISORS OF THE MARSH HARBOUR COMMUNITY DEVELOPMENT DISTRICT APPROVING A PROPOSED BUDGET FOR FISCAL YEAR 2020/2021; AND PROVIDING AN EFFECTIVE DATE.

A **motion** was made by Mr. Pollock, seconded by Mr. Walker and passed unanimously adopting Resolution No. 2020-01, as presented, setting the Public Hearing for August 21, 2020.

2. Consider Services Agreement – O'Hara Landscape & Maintenance, Inc.

Mr. Pollock asked that staff obtain proposals from other storm cleanup landscape companies for the next fiscal year.

A **motion** was made by Mr. Pollock, seconded by Ms. Briggs and passed unanimously approving the services agreement with O'Hara Landscape & Maintenance, Inc., as presented.

3. Consider Proposal for Mulching

Ms. Briggs and Mr. Pollock both stated they did not believe mulching was necessary with the hurricane and rainy season approaching.

A **motion** was made by Mr. Pollock, seconded by Ms. Briggs to bring back additional mulching bids after hurricane season. The **motion** carried 4 – 0.

4. Consider Proposal for Tree Trimming

Mr. Pollock stated this was something the City brought to the HOA's attention and needs to be done.

A **motion** was made by Mr. Pollock, seconded by Mr. Walker approving the tree trimming proposal, amended to address the proposal to the CDD, not the HOA. The motion carried unanimously.

5. Consider Review of O'Hara Invoices

This item was previously discussed under Old Business.

6. Discussion Regarding Security and the West Perimeter of the Property

Mr. Pollock described the security issues along the western perimeter. He suggested the Board look into getting a chain link fence, as long as it is on CDD property. The Board agreed and directed staff to gather proposals.

Mr. Allen asked the HOA manager to follow up on whether the security guard at the gate was following protocols.

7. Discussion Regarding Future Meeting Dates and Associated Costs

Mr. Karmeris advised that staff would continue to monitor meeting conditions brought on by the pandemic and keep the Board updated.

I. ADMINISTRATIVE MATTERS

Mr. Karmeris reminded the Board to complete their 2019 Form 1 and submit prior to the July 1st deadline.

J. BOARD MEMBER COMMENTS

There were no comments from the Board Members.

K. ADJOURNMENT

There being no further business to come before the Board, the Regular Board Meeting was adjourned at 10:49 a.m. on a **motion** made by Mr. Pollock, seconded by Ms. Briggs and the **motion** carried 4 to 0.

Secretary/Assistant Secretary

Chairman/Vice Chairman

**NOTICE OF MARSH HARBOUR COMMUNITY DEVELOPMENT DISTRICT
PUBLIC HEARING AND REGULAR ELECTRONIC BOARD MEETING**

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District Manager

RESOLUTION NO. 2020-02

A RESOLUTION OF THE MARSH HARBOUR COMMUNITY DEVELOPMENT DISTRICT ADOPTING A FISCAL YEAR 2020/2021 BUDGET.

WHEREAS, the Marsh Harbour Community Development District (“District”) has prepared a Proposed Budget and Final Special Assessment Roll for Fiscal Year 2020/2021 and has held a duly advertised Public Hearing to receive public comments on the Proposed Budget and Final Special Assessment Roll; and,

WHEREAS, following the Public Hearing and the adoption of the Proposed Budget and Final Assessment Roll, the District is now authorized to levy non ad-valorem assessments upon the properties within the District.

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

Section 1. The Final Budget and Final Special Assessment Roll for Fiscal Year 2020/2021 attached hereto as Exhibit “A” is approved and adopted, and the assessments set forth therein shall be levied.

Section 2. The Secretary of the District is authorized to execute any and all necessary transmittals, certifications or other acknowledgements or writings, as necessary, to comply with the intent of this Resolution.

PASSED, ADOPTED and EFFECTIVE this 21st day of August, 2020.

ATTEST:

**MARSH HARBOUR
COMMUNITY DEVELOPMENT DISTRICT**

By: _____
Secretary/Assistant Secretary

By: _____
Chairperson/Vice Chairperson

Marsh Harbour
Community Development District

**Final Budget For
Fiscal Year 2020/2021
October 1, 2020 - September 30, 2021**

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- III DETAILED FINAL DEBT SERVICE FUND BUDGET
- IV ASSESSMENT COMPARISON

FINAL BUDGET
MARSH HARBOUR COMMUNITY DEVELOPMENT DISTRICT
FISCAL YEAR 2020/2021
OCTOBER 1, 2020 - SEPTEMBER 30, 2021

	FISCAL YEAR 2020/2021 BUDGET
REVENUES	
O & M Assessments	532,937
Debt Assessments	253,887
Other Revenues	0
Interest Income	360
TOTAL REVENUES	\$ 787,184
EXPENDITURES	
Supervisor Fees	11,000
Payroll Taxes - Employer	880
Engineering/Inspections	2,000
Lake Maintenance	10,000
Landscaping/Irrigation/Maintenance	132,000
Lighting	36,000
Security	250,000
Security - HOA/Police	43,000
Management	33,516
Secretarial	4,200
Legal	12,000
Assessment Roll	7,500
Audit Fees	3,600
Insurance	5,900
Legal Advertisements	1,500
Miscellaneous	900
Postage	300
Office Supplies	800
Dues & Subscriptions	175
Trustee Fee	2,500
Continuing Disclosure Fee	350
Website Management	2,000
Reserve	2,800
TOTAL EXPENDITURES	\$ 562,921
REVENUES LESS EXPENDITURES	\$ 224,263
Bond Payments	(238,654)
BALANCE	\$ (14,391)
County Appraiser & Tax Collector Fee	(15,736)
Discounts For Early Payments	(31,473)
EXCESS/ (SHORTFALL)	\$ (61,600)
Carryover Funds From Prior Year	61,600
NET EXCESS/ (SHORTFALL)	\$ -

DETAILED FINAL BUDGET
MARSH HARBOUR COMMUNITY DEVELOPMENT DISTRICT
FISCAL YEAR 2020/2021
OCTOBER 1, 2020 - SEPTEMBER 30, 2021

	FISCAL YEAR 2018/2019 ACTUAL	FISCAL YEAR 2019/2020 BUDGET	FISCAL YEAR 2020/2021 BUDGET	COMMENTS
REVENUES				
O & M Assessments	533,808	532,996	532,937	Expenditures Less Interest & Carryover/.94
Debt Assessments	254,869	254,572	253,887	Bond Payments/.94
Other Revenues	34,168	0	0	
Interest Income	876	360	360	Interest Projected At \$30 Per Month
TOTAL REVENUES	823,721	\$ 787,928	\$ 787,184	
EXPENDITURES				
Supervisor Fees	9,000	11,000	11,000	Supervisor Fees
Payroll Taxes - Employer	794	880	880	Projected At 8% Of Supervisor Fees
Engineering/Inspections	0	2,000	2,000	No Change From 2019/2020 Budget
Lake Maintenance	7,800	10,000	10,000	No Change From 2019/2020 Budget
Landscaping/Irrigation/Maintenance	116,259	132,000	132,000	No Change From 2019/2020 Budget
Lighting	32,819	36,000	36,000	No Change From 2019/2020 Budget
Security	217,871	250,000	250,000	No Change From 2019/2020 Budget
Security - HOA/Police	37,953	43,000	43,000	No Change From 2019/2020 Budget
Management	32,172	32,772	33,516	CPI Adjustment
Secretarial	4,200	4,200	4,200	No Change From 2019/2020 Budget
Legal	13,520	11,000	12,000	\$1,000 Increase From 2019/2020 Budget
Assessment Roll	7,500	7,500	7,500	As Per Contract
Audit Fees	3,600	3,600	3,600	Accepted Amount For 2019/2020 Audit
Insurance	5,000	6,000	5,900	Insurance Estimate
Legal Advertisements	778	1,600	1,500	\$100 Decrease From 2019/2020 Budget
Miscellaneous	686	1,000	900	\$100 Decrease From 2019/2020 Budget
Postage	213	300	300	No Change From 2019/2020 Budget
Office Supplies	757	800	800	No Change From 2019/2020 Budget
Dues & Subscriptions	175	175	175	No Change From 2019/2020 Budget
Trustee Fee	2,500	2,500	2,500	No Change From 2019/2020 Budget
Continuing Disclosure Fee	350	350	350	No Change From 2019/2020 Budget
Website Management	1,500	2,000	2,000	No Change From 2019/2020 Budget
Reserve	0	4,300	2,800	Reserve
TOTAL EXPENDITURES	495,447	\$ 562,977	\$ 562,921	
REVENUES LESS EXPENDITURES	328,274	\$ 224,951	\$ 224,263	
Bond Payments	(243,830)	(239,297)	(238,654)	2021 P & I Payments Less Earned Interest
BALANCE	84,444	\$ (14,346)	\$ (14,391)	
County Appraiser & Tax Collector Fee	(3,919)	(15,751)	(15,736)	Two Percent Of Total Assessment Roll
Discounts For Early Payments	(26,796)	(31,503)	(31,473)	Four Percent Of Total Assessment Roll
EXCESS/ (SHORTFALL)	\$ 53,729	\$ (61,600)	\$ (61,600)	
Carryover Funds From Prior Year	0	61,600	61,600	Carryover Funds From Prior Year
NET EXCESS/ (SHORTFALL)	\$ 53,729	\$ -	\$ -	

DETAILED FINAL DEBT SERVICE FUND BUDGET
MARSH HARBOUR COMMUNITY DEVELOPMENT DISTRICT
FISCAL YEAR 2020/2021
OCTOBER 1, 2020 - SEPTEMBER 30, 2021

	FISCAL YEAR 2018/2019	FISCAL YEAR 2019/2020	FISCAL YEAR 2020/2021	
REVENUES	ACTUAL	BUDGET	BUDGET	COMMENTS
Interest Income	3,060	100	100	Projected Interest For 2020/2021
NAV Tax Collection	243,830	239,297	238,654	Maximum Debt Service Collection
Prepaid Bond Collection	5,396	0	0	
Total Revenues	\$ 252,286	\$ 239,397	\$ 238,754	
EXPENDITURES				
Principal Payments	140,000	145,000	150,000	Principal Payment Due In 2021
Interest Payments	93,636	86,751	81,972	Interest Payments Due In 2021
Bond Redemption	0	7,646	6,782	Estimated Excess Debt Collections
Total Expenditures	\$ 233,636	\$ 239,397	\$ 238,754	
Excess/ (Shortfall)	\$ 18,650	\$ -	\$ -	

Series 2015 Bond Refunding Information

Original Par Amount =	\$3,295,000	Annual Principal Payments Due =	May 1st
Interest Rate =	3.24% - 5.45%	Annual Interest Payments Due =	May 1st & November 1st
Issue Date =	August 2015		
Maturity Date =	May 2035		
Par Amount As Of 1/1/20 =	\$2,750,000		

MARSH HARBOUR COMMUNITY DEVELOPMENT DISTRICT ASSESSMENT COMPARISON

	Fiscal Year 2017/2018 <u>Assessment*</u>	Fiscal Year 2018/2019 <u>Assessment*</u>	Fiscal Year 2019/2020 <u>Assessment*</u>	Fiscal Year 2020/2021 <u>Projected Assessment*</u>
O & M For Two Bedroom Units	\$ 1,325.98	\$ 1,325.96	\$ 1,325.87	\$ 1,325.72
<u>Debt For Two Bedroom Units</u>	<u>\$ 499.52</u>	<u>\$ 499.52</u>	<u>\$ 499.52</u>	<u>\$ 499.52</u>
Total For Two Bedroom Units	\$ 1,825.50	\$ 1,825.48	\$ 1,825.39	\$ 1,825.24
O & M For Three Bedroom Units	\$ 1,325.98	\$ 1,325.96	\$ 1,325.87	\$ 1,325.72
<u>Debt For Three Bedroom Units</u>	<u>\$ 684.28</u>	<u>\$ 684.28</u>	<u>\$ 684.28</u>	<u>\$ 684.28</u>
Total For Three Bedroom Units	\$ 2,010.26	\$ 2,010.24	\$ 2,010.15	\$ 2,010.00

* Assessments Include the Following :

- 4% Discount for Early Payments
- 1% County Tax Collector Fee
- 1% County Property Appraiser Fee

Community Information:

Two Bedroom Units	111
<u>Three Bedroom Units</u>	<u>291</u>
Total Units	402

Three Bedroom Information

Total Units	291
<u>Prepayments</u>	<u>1</u>
Billed For Debt	290

RESOLUTION NO. 2020-03

A RESOLUTION OF THE BOARD OF SUPERVISORS OF THE MARSH HARBOUR COMMUNITY DEVELOPMENT DISTRICT, ESTABLISHING A REGULAR MEETING SCHEDULE FOR FISCAL YEAR 2020/2021 AND SETTING THE TIME AND LOCATION OF SAID DISTRICT MEETINGS; AND PROVIDING AN EFFECTIVE DATE.

WHEREAS, it is necessary for the Marsh Harbour Community Development District ("District") to establish a regular meeting schedule for fiscal year 2020/2021; and

WHEREAS, the Board of Supervisors of the District has set a regular meeting schedule, location and time for District meetings for fiscal year 2020/2021 which is attached hereto and made a part hereof as Exhibit "A".

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

Section 1. The above recitals are hereby adopted.

Section 2. The regular meeting schedule, time and location for meetings for fiscal year 2020/2021 which is attached hereto as Exhibit "A" is hereby adopted and authorized to be published.

PASSED, ADOPTED and EFFECTIVE this 21st day of August, 2020.

ATTEST:

**MARSH HARBOUR
COMMUNITY DEVELOPMENT DISTRICT**

By: _____
Secretary/Assistant Secretary

By: _____
Chairperson/Vice Chairperson

**MARSH HARBOUR COMMUNITY DEVELOPMENT DISTRICT
FISCAL YEAR 2020/2021 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 16, 2020
November 20, 2020
December 18, 2020
January 15, 2021
February 19, 2021
March 19, 2021
April 16, 2021
May 21, 2021
June 18, 2021
July 16, 2021
August 20, 2021
September 17, 2021**

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

PUBLISH: PALM BEACH POST 00/00/2020