



**MARSH HARBOUR
COMMUNITY DEVELOPMENT
DISTRICT**

**PALM BEACH COUNTY
REGULAR BOARD MEETING
& PUBLIC HEARING
JUNE 17, 2022
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
Marsh Harbour Community Clubhouse
1000 Marsh Harbour Drive
Riviera Beach, Florida 33404
REGULAR BOARD MEETING & PUBLIC HEARING
June 17, 2022
10:00 a.m.

- A. Call to Order
- B. Proof of Publication.....Page 1
- C. Establish Quorum
- D. Election of Officers
- Chairman
 - Vice Chairman
 - Secretary/Treasurer
 - Assistant Secretaries
- E. Additions or Deletions to Agenda
- F. Comments from the Public for Items Not on the Agenda
- G. Approval of Minutes
- 1. May 20, 2022 Regular Board Meeting.....Page 3
- H. Public Hearing
- 1. Proof of Publication.....Page 6
 - 2. Receive Public Comments on Fiscal Year 2022/2023 Final Budget
 - 3. Consider Resolution No. 2022-02 – Adopting a Fiscal Year 2022/2023 Final Budget.....Page 7
- I. Old Business
- 1. Security Rate Increase Update
- J. New Business
- 1. Consider Resolution No. 2022-03 – Adopting a Fiscal Year 2022/2023 Meeting Schedule.....Page 14
- K. Administrative Matters
- L. Board Members Comments
- M. Adjourn

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 in issues dated: first date of Publication 10/01/2021 and last date of Publication 10/01/2021. 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:	0000662092
Ad Cost:	\$264.88
Paid:	\$0.00
Balance Due:	\$264.88

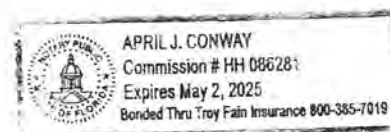
Signed



(Legal Advertising Agent)

Sworn or affirmed to, and subscribed before me, this 6th day of October, 2021 in Testimony whereof, I have hereunto set my hand and affixed my official seal, the day and year aforesaid.

Signed



Please see Ad on following page(s).

Invoice/Order Number:	0000662092
Ad Cost:	\$264.88
Paid:	\$0.00
Balance Due:	\$264.88

**MARSH HARBOUR
COMMUNITY DEVELOPMENT DISTRICT
FISCAL YEAR 2021/2022
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 15, 2021
November 19, 2021
December 17, 2021
January 21, 2022
February 18, 2022
March 18, 2022
April 15, 2022
May 20, 2022
June 17, 2022
July 15, 2022
August 19, 2022
September 16, 2022

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
10-1/2021

0000662092-01

**MARSH HARBOUR
COMMUNITY DEVELOPMENT DISTRICT
REGULAR BOARD MEETING
MAY 20, 2022**

A. CALL TO ORDER

The May 20, 2022, Regular Board Meeting of the Marsh Harbour Community Development District (the “District”) was called to order at 10:01 a.m. in the Marsh Harbour Community Clubhouse located at 1000 Marsh Harbour 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 1, 2021, as part of the District’s Fiscal Year 2021/2022 Regular Meeting Schedule, as legally required.

C. ESTABLISH A QUORUM

It was determined that the attendance of Chairperson Allen Walker, Vice Chairman Kent Pollock and Supervisors Judy Briggs, Tasha Mullings and Nadine Sampson constituted a quorum and it was in order to proceed with the meeting.

Staff present included: District Manager Sylvia Bethel of Special District Services, Inc.; District Counsel Gregory George of Billing, Cochran, Lyles, Mauro & Ramsey, P.A; and Onsite HOA Manager Tara Bennett.

D. ADDITIONS OR DELETIONS TO THE AGENDA

Ms. Bethel advised that the minutes in the meeting book were for the wrong meeting and the Hi-Tek proposal was incorrect. She indicated the correct documents would be provided.

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. April 15, 2022, Regular Board Meeting

The minutes of April 15, 2022, Regular Board Meeting were presented.

A **motion** was made by Mr. Pollock, seconded by Ms. Mullings and unanimously passed approving the minutes of the April 15, 2022, Regular Board Meeting, amended to reflect the correct spelling of Tasha Mullings under Item C.

G. OLD BUSINESS

1. Discussion Regarding Security Rate Increase

Ms. Bethel presented the proposal that was reviewed by the attorney and found some issues with the hours and the increase. The hours were corrected however, the increase is actually 16%, not 10%. A lengthy discussion ensued about security.

Mr. Pollock advised that he noticed an issue this past weekend. He spoke with the owner and the issue was taken care of, but they need to be sure they hold the security company accountable. Mr. Pollock advised this was the best security company they have had so far. Mr. Walker agreed. The Board wants to make be the security guards get an increase as well as the company. The Bboard agreed to the Hi-Tek increase of 10% and directed staff to get with Hi-Tek to have them adjust the proposal to reflect the 10% increase as approved.

2. Discussion Regarding BrightView's Amended Contract

Ms. Bethel advised that she and Mr. Pollock had met with BrightView and they want to keep Marsh Harbour as a client and addressed their concerns with the amended contract they are reviewing. Ms. Bethel noted that they have several other landscape proposals to review as well 2 more from BrightView. Ms. Bethel indicated that BrightView does not recommend their 24 cuts proposal.

3. Discussion Regarding Proposed Budget

Ms. Bethel went over the budget with the Board. Ms. Bethel discussed the benefits of the board leaving the proposed budget as is. Once Hi-Tek approves the 10% increase and landscape is lowered the board would have some wiggle room as far as assessments. The funds could be utilized to lower assessments next year. Mr. George noted they could also utilize those funds to build up the reserve; i.e., hurricane season. Ms. Bethel agreed.

H. NEW BUSINESS

1. Discussion Regarding Landscape Proposal

Ms. Bethel reviewed landscape proposals and the Board advised they would like to remain with BrightView.

A **motion** was made by Mr. Pollock, seconded by Ms. Mullings and unanimously passed approving BrightView's landscape proposal for 32 cuts at \$124,210 annually.

2. Discussion Regarding Guardhouse Camera Proposal

Ms. Bethel advised that Ms. Bennet had inquired about updating the cameras at the guardhouse and Regions Security provided a proposal. The Board went over the proposal. Ms. Bennet stated the proposal was very reasonable. Mr. Pollock asked Ms. Bethel if this expense was this in the budget and she replied affirmatively.

A **motion** was made by Ms. Mullings, seconded by Mr. Pollock and unanimously passed approving the Regions Security security camera upgrade in the amount of \$1,982.

3. Discussion Regarding 2015 Bond

Ms. Bethel reminded the Board that at the last meeting they asked for current bond information and referred the board to Page 30 in the meeting book. Mr. Pollock asked why a bond would be refinanced. Ms. Bethel responded in order to save interest, lower the interest rate and to reduce the amount of year to pay it off.

4. Consider Stormwater & Wastewater 20-Year Needs Analysis Proposal

Ms. Bethel explained the Stormwater and & Wastewater 20 Year Needs Analysis proposal. She indicated that it was a new requirement for special districts which is due June 30, 2022, and will be required every 5 years going forward.

A **motion** was made by Mr. Pollock, seconded by Mr. Walker and unanimously passed approving the Stormwater & Wastewater 20-Year Needs Analysis proposal from [REDACTED] in the amount of \$5,295, as presented.

I. ADMINISTRATIVE MATTERS

Ms. Bennet noted that the lakes required extra treatment. She indicated that the lakes were looking horrible and if it was in the budget, she'd like to increase the lake visits. Ms. Bethel indicated she would look into this item and bring information to the next meeting.

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 11:30 a.m. on a **motion** made by Mr. Pollock, seconded by Mr. Walker and the **motion** passed unanimously.

Secretary/Assistant Secretary

Chairman/Vice Chairman

Miscellaneous Notices



Published in The Palm Beach Post on June 3, 2022

Location

Palm Beach County, Florida

Notice Text

Notice of Public Hearing and
Regular Board Meeting of the
Marsh Harbour Community
Development District

The Board of Supervisors of the Marsh Harbour Community Development District (the District) will hold a Public Hearing and Regular Board Meeting on June 17, 2022, at 10:00 a.m., or as soon thereafter as can be heard, at the Marsh Harbour Community Clubhouse located at 1000 Marsh Harbour Drive, Riviera Beach, Florida 33404.

The purpose of the Public Hearing is to receive public comment on the Fiscal Year 2022/2023 Proposed Final Budget of the District. The purpose of the Regular Board Meeting is for the Board to consider any business which may properly come before it.

A copy of the Budget and/or the Agenda may be obtained at the offices of the District Manager, 2501A Burns Road, Palm Beach Gardens, Florida 33410, during normal business hours. The meetings are open to the public and will be conducted in accordance with the provisions of Florida law for community development districts.

Meetings may be continued as found necessary to a time and place specified on the record.

There may be occasions when one or more Supervisors will 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.

In accordance with the provisions of the Americans with Disabilities Act, any person requiring special accommodations or an interpreter to participate at 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 meetings.

If any person decides to appeal any decision made with respect to any matter considered at this Public Hearing and Regular Board Meeting, such person will need a record of the proceedings and such person may need to ensure that a verbatim record of the proceedings is made at their own expense and which record includes the testimony and evidence on which the appeal is based.

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

Marsh Harbour Community Development District
www.marshharbourcdd.org

RESOLUTION NO. 2022-02

A RESOLUTION OF THE MARSH HARBOUR COMMUNITY DEVELOPMENT DISTRICT ADOPTING A FISCAL YEAR 2022/2023 BUDGET.

WHEREAS, the Marsh Harbour Community Development District (“District”) has prepared a Proposed Budget and Final Special Assessment Roll for Fiscal Year 2022/2023 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 2022/2023 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 17th day of June, 2022.

ATTEST:

**MARSH HARBOUR
COMMUNITY DEVELOPMENT DISTRICT**

By: _____
Secretary/Assistant Secretary

By: _____
Chairperson/Vice Chairperson

Marsh Harbour Community Development District

**Final Budget For
Fiscal Year 2022/2023
October 1, 2022 - September 30, 2023**

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

FINAL BUDGET
MARSH HARBOUR COMMUNITY DEVELOPMENT DISTRICT
FISCAL YEAR 2022/2023
OCTOBER 1, 2022 - SEPTEMBER 30, 2023

	FISCAL YEAR 2022/2023 BUDGET
REVENUES	
O & M Assessments	679,029
Debt Assessments	253,887
Other Revenues	0
Interest Income	360
TOTAL REVENUES	\$ 933,276
EXPENDITURES	
Supervisor Fees	11,000
Payroll Taxes - Employer	880
Engineering/Inspections	2,000
Lake Maintenance	12,000
Landscaping/Irrigation/Maintenance	150,000
Lighting	35,000
Security	348,000
Security - HOA/Police	0
Security - Fencing	0
Management	34,992
Secretarial	4,200
Legal	13,000
Assessment Roll	7,500
Audit Fees	3,600
Insurance	6,100
Legal Advertisements	1,500
Miscellaneous	800
Postage	300
Office Supplies	750
Dues & Subscriptions	175
Trustee Fee	2,500
Continuing Disclosure Fee	350
Website Management	2,000
Reserve	2,000
TOTAL EXPENDITURES	\$ 638,647
REVENUES LESS EXPENDITURES	\$ 294,629
Bond Payments	(238,654)
BALANCE	\$ 55,975
County Appraiser & Tax Collector Fee	(18,658)
Discounts For Early Payments	(37,317)
EXCESS/ (SHORTFALL)	\$ -
Carryover Funds From Prior Year	0
NET EXCESS/ (SHORTFALL)	\$ -

DETAILED FINAL BUDGET
MARSH HARBOUR COMMUNITY DEVELOPMENT DISTRICT
FISCAL YEAR 2022/2023
OCTOBER 1, 2022 - SEPTEMBER 30, 2023

	FISCAL YEAR 2020/2021 ACTUAL	FISCAL YEAR 2021/2022 BUDGET	FISCAL YEAR 2022/2023 BUDGET	COMMENTS
REVENUES				
O & M Assessments	532,670	532,908	679,029	Expenditures Less Interest & Carryover/.94
Debt Assessments	253,709	253,887	253,887	Bond Payments/.94
Other Revenues	0	0	0	
Interest Income	393	360	360	Interest Projected At \$30 Per Month
TOTAL REVENUES	786,772	\$ 787,155	\$ 933,276	
EXPENDITURES				
Supervisor Fees	9,600	11,000	11,000	Supervisor Fees
Payroll Taxes - Employer	734	880	880	Projected At 8% Of Supervisor Fees
Engineering/Inspections	0	2,000	2,000	No Change From 2021/2022 Budget
Lake Maintenance	8,015	12,000	12,000	No Change From 2021/2022 Budget
Landscaping/Irrigation/Maintenance	156,953	136,000	150,000	2021/2022 Expenditure Through 2-28-22 = \$59,641
Lighting	30,994	35,000	35,000	No Change From 2021/2022 Budget
Security	246,464	250,000	348,000	\$29,000 Per Month (Hi-Tek: \$28,000 - Other: \$1,000)
Security - HOA/Police	41,344	45,000	0	Line Item Eliminated
Security - Fencing	25,272	0	0	Fiscal Year 2020/2021 Expenditure
Management	33,516	33,984	34,992	CPI Adjustment (Capped At 3%)
Secretarial	4,200	4,200	4,200	No Change From 2020/2021 Budget
Legal	13,565	12,000	13,000	2021/2022 Expenditure Through 1-31-22 = \$4,380
Assessment Roll	7,500	7,500	7,500	As Per Contract
Audit Fees	3,600	3,600	3,600	Accepted Amount For 2021/2022 Audit
Insurance	5,513	5,900	6,100	Insurance Estimate
Legal Advertisements	1,135	1,500	1,500	No Change From 2021/2022 Budget
Miscellaneous	660	800	800	No Change From 2021/2022 Budget
Postage	124	300	300	No Change From 2021/2022 Budget
Office Supplies	505	775	750	\$25 Decrease From 2021/2022 Budget
Dues & Subscriptions	175	175	175	No Change From 2021/2022 Budget
Trustee Fee	2,500	2,500	2,500	No Change From 2021/2022 Budget
Continuing Disclosure Fee	350	350	350	No Change From 2021/2022 Budget
Website Management	2,000	2,000	2,000	No Change From 2021/2022 Budget
Reserve	1,200	2,000	2,000	Reserve
TOTAL EXPENDITURES	595,919	\$ 569,464	\$ 638,647	
REVENUES LESS EXPENDITURES	190,853	\$ 217,691	\$ 294,629	
Bond Payments	(242,651)	(238,654)	(238,654)	2023 P & I Payments Less Earned Interest
BALANCE	(51,798)	\$ (20,963)	\$ 55,975	
County Appraiser & Tax Collector Fee	(4,773)	(15,735)	(18,658)	Two Percent Of Total Assessment Roll
Discounts For Early Payments	(26,773)	(31,472)	(37,317)	Four Percent Of Total Assessment Roll
EXCESS/ (SHORTFALL)	\$ (83,344)	\$ (68,170)	\$ -	
Carryover Funds From Prior Year	0	68,170	0	Carryover Funds From Prior Year
NET EXCESS/ (SHORTFALL)	\$ (83,344)	\$ -	\$ -	

DETAILED FINAL DEBT SERVICE FUND BUDGET
MARSH HARBOUR COMMUNITY DEVELOPMENT DISTRICT
FISCAL YEAR 2022/2023
OCTOBER 1, 2022 - SEPTEMBER 30, 2023

	FISCAL YEAR 2020/2021	FISCAL YEAR 2021/2022	FISCAL YEAR 2022/2023	
REVENUES	ACTUAL	BUDGET	BUDGET	COMMENTS
Interest Income	57	25	25	Projected Interest For 2022/2023
NAV Tax Collection	242,651	238,654	238,654	Maximum Debt Service Collection
Total Revenues	\$ 242,708	\$ 238,679	\$ 238,679	
EXPENDITURES				
Principal Payments	150,000	160,000	160,000	Principal Payment Due In 2023
Interest Payments	84,402	76,950	71,766	Interest Payments Due In 2023
Bond Redemption	0	1,729	6,913	Estimated Excess Debt Collections
Total Expenditures	\$ 234,402	\$ 238,679	\$ 238,679	
Excess/ (Shortfall)	\$ 8,306	\$ -	\$ -	

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 1/1/22 =	\$2,455,000		

MARSH HARBOUR COMMUNITY DEVELOPMENT DISTRICT ASSESSMENT COMPARISON

	Fiscal Year 2019/2020 Assessment*	Fiscal Year 2020/2021 Assessment*	Fiscal Year 2021/2022 Assessment*	Fiscal Year 2022/2023 Projected Assessment*
O & M For Two Bedroom Units	\$ 1,325.87	\$ 1,325.72	\$ 1,325.65	\$ 1,689.13
<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	\$ 1,825.39	\$ 1,825.24	\$ 1,825.17	\$ 2,188.65
O & M For Three Bedroom Units	\$ 1,325.87	\$ 1,325.72	\$ 1,325.65	\$ 1,689.13
<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	\$ 2,010.15	\$ 2,010.00	\$ 2,009.93	\$ 2,373.41

* 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. 2022-03

A RESOLUTION OF THE BOARD OF SUPERVISORS OF THE MARSH HARBOUR COMMUNITY DEVELOPMENT DISTRICT, ESTABLISHING A REGULAR MEETING SCHEDULE FOR FISCAL YEAR 2022/2023 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 2022/2023; and

WHEREAS, the Board of Supervisors of the District has set a regular meeting schedule, location and time for District meetings for fiscal year 2022/2023 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 2022/2023 which is attached hereto as Exhibit "A" is hereby adopted and authorized to be published.

PASSED, ADOPTED and EFFECTIVE this 17th day of June, 2022.

ATTEST:

**MARSH HARBOUR
COMMUNITY DEVELOPMENT DISTRICT**

By: _____
Secretary/Assistant Secretary

By: _____
Chairperson/Vice Chairperson

**MARSH HARBOUR COMMUNITY DEVELOPMENT DISTRICT
FISCAL YEAR 2022/2023 REGULAR MEETING SCHEDULE**

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MARSH HARBOUR COMMUNITY DEVELOPMENT DISTRICT

www.marshharbourcdd.org

PUBLISH: PALM BEACH POST 00/00/22