



**MARSH HARBOUR
COMMUNITY DEVELOPMENT
DISTRICT**

**PALM BEACH COUNTY
REGULAR BOARD MEETING
NOVEMBER 18, 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
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AGENDA
MARSH HARBOUR
COMMUNITY DEVELOPMENT DISTRICT
Marsh Harbour Community Clubhouse
1000 Marsh Harbour Drive
Riviera Beach, Florida 33404
REGULAR BOARD MEETING
November 18, 2022
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. October 21, 2022 Regular Board Meeting.....Page 2
- G. Old Business
 - 1. Discussion Regarding Landscape
- H. New Business
 - 1. Landscape Presentation
- I. Administrative Matters
- J. Board Members Comments
- K. Adjourn

LOCALIQ

The Gainesville Sun | The Ledger
Daily Commercial | Ocala StarBanner
News Chief | Herald-Tribune
News Herald | The Palm Beach Post
Northwest Florida Daily News

PO Box 631244 Cincinnati, OH 45263-1244

PROOF OF PUBLICATION

Marsh Harbour Cdd
Marsh Harbour Cdd
2501 BURNS RD
STE A

PALM BEACH GARDENS FL 334105207

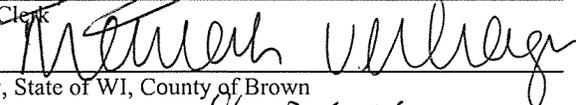
STATE OF FLORIDA, COUNTY OF PALM BEACH

The Palm Beach Post, a daily newspaper printed and published in the city of West Palm Beach and of general circulation in Palm Beach, Martin, Okeechobee and St Lucie Counties, Florida; and personal knowledge of the facts herein state and that the notice hereto annexed was Published in said newspapers in the issues dated or by publication on the newspaper's website, if authorized, on:

10/11/2022

and that the fees charged are legal.
Sworn to and subscribed before on 10/11/2022



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MARSH HARBOUR COMMUNITY
DEVELOPMENT DISTRICT
FISCAL YEAR 2022/2023

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 21, 2022
- November 18, 2022
- December 16, 2022
- January 20, 2023
- February 17, 2023
- March 17, 2023
- April 27, 2023
- May 19, 2023
- June 16, 2023
- July 21, 2023
- August 18, 2023
- September 15, 2023

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

MARIAH VERHAGEN
Notary Public
State of Wisconsin

**MARSH HARBOUR
COMMUNITY DEVELOPMENT DISTRICT
REGULAR BOARD MEETING
OCTOBER 21, 2022**

A. CALL TO ORDER

The October 21, 2022, Regular Board Meeting of the Marsh Harbour Community Development District (the “District”) was called to order at 10:02 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 11, 2022, as part of the District’s Fiscal Year 2022/2023 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, Nadine Sampson and Tasha Mullings 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

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. September 16, 2022, Regular Board Meeting

The minutes of September 16, 2022, Regular Board Meeting were presented.

A **motion** was made by Mr. Pollock, seconded by Mr. Walker and unanimously passed approving the minutes of the September 16, 2022, Regular Board Meeting, as presented.

G. OLD BUSINESS

1. Discussion Regarding Landscaping

Ms. Bethel advised of an email received from the HOA about tree trimming. A discussion ensued. The Board decided to direct staff to request a proposal from Russ Total Lawn Maintenance, LLC for this tree trimming.

Ms. Bethel advised about a request made at the last meeting for a new scope of work and a credit from BrightView. Ms. Bethel went on to state that she has emailed, called and left messages for Mr. Richter, and his manager, Mr. Conover, with no response. Ms. Bethel asked for an update on BrightView's performance since the September 15th meeting. A lengthy discussion ensued about landscaping. Mr. Pollock indicated that the quality of work was poor and none of the issues discussed had been resolved. Mr. George expressed concern about BrightView's admission of not completing all services and suggested holding payments until they receive a response about a credit. The Board agreed and directed staff to hold all payments until they receive a response about a credit from BrightView.

Ms. Bethel went over the Russ Total Lawn Maintenance, LLC landscape proposals. The Board requested staff to have Mr. Russ attend the next meeting and decided to move forward with Russ Total Lawn Maintenance, LLC.

A **motion** was made by Mr. Walker, seconded by Mr. Pollock and unanimously passed directing staff to hold BrightView's payments until a repose is received about a credit owed to the District.

A **motion** was then made by Ms. Briggs, seconded by Mr. Pollock and unanimously passed terminating the services of BrightView Landscape Services, Inc.

A **motion** was then made by Mr. Walker, seconded by Ms. Mullings and unanimously passed approving the Russ Total Lawn Maintenance, LLC landscape proposal for 24 cuts for the monthly amount of \$9,500 for a total of \$114,000 yearly.

2. Consider Privacy Bush Proposal

Ms. Bethel reminded the Board that Mr. Pollock was going to obtain some information and could he give an update on what he found. Mr. Pollock/Ms. Bennett found out that another district handles the maintenance along Congress and the Marsh Harbour HOA pays into it yearly for maintenance. They have requested an invoice from the district to see what is covered. Once they review this information, they will provide an update for the Board.

3. Consider Fountain Proposal

Ms. Bethel indicated that this item was still on agenda, but the Board wanted to table it until they see how Superior Waterway does with the lakes. Mr. Pollock informed Mr. Bethel that they can take the item off the agenda and put it back on January's agenda. The Board was pleased with how the lakes looked.

H. NEW BUSINESS

1. Consider Resolution No. 2022-04 – Adopting a Fiscal Year 2021/2022 Amended Budget

Resolution No. 2022-04 was presented, entitled:

RESOLUTION NO. 2022-04

A RESOLUTION OF THE BOARD OF SUPERVISORS OF THE MARSH HARBOUR COMMUNITY DEVELOPMENT DISTRICT AUTHORIZING AND ADOPTING AN AMENDED FINAL FISCAL YEAR 2021/2022 BUDGET (“AMENDED BUDGET”), PURSUANT TO CHAPTER 189, FLORIDA STATUTES; AND PROVIDING AN EFFECTIVE DATE.

Ms. Bethel reviewed the amended budget and explained that a few line items were over, such as landscape/irrigation/maintenance, security and legal. Discussion ensued.

A **motion** was made by Mr. Pollock, seconded by Mr. Walker and unanimously passed approving Resolution No. 2022-04 – Adopting a Fiscal Year 2021/2022 Amended Budget, as presented.

I. ADMINISTRATIVE MATTERS

There were no Administrative Matters to come before the Board.

J. BOARD MEMBER COMMENTS

There were no further comments from the Board Members.

K. ADJOURNMENT

There being no further business to come before the Board, the Regular Board Meeting was adjourned at 10:43 a.m. on a **motion** made by Mr. Pollock, seconded by Ms. Briggs and the **motion** passed unanimously.

Secretary/Assistant Secretary

Chairman/Vice Chairman