



**MARSH HARBOUR
COMMUNITY DEVELOPMENT
DISTRICT**

**PALM BEACH COUNTY
SPECIAL BOARD MEETING
MARCH 31, 2023
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
SPECIAL BOARD MEETING
March 31, 2023
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. February 17, 2023 Regular Board Meeting.....Page 2
- G. Old Business
 - 1. Discussion Regarding Landscape
 - 2. Update on “No Trespassing” Signs
- H. New Business
 - 1. Consider Resolution No. 2023-01 – Adopting a Fiscal Year 2023/2024 Proposed Budget.....Page 5
- I. Administrative Matters
- J. Board Members Comments
- K. Adjourn

Miscellaneous Notices

Published in The Palm Beach Post on March 21, 2023

Location

Palm Beach County, Florida

Notice Text

Notice of Special 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 Special Board Meeting on March 31, 2023, at 10:00 a.m. at the Marsh Harbour Community Clubhouse located at 1000 Marsh Harbour Drive, Riviera Beach, Florida 33404.

The purpose of the Special Board Meeting is for the Board to consider any business which may properly come before it. A copy of 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 meeting is 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 this meeting 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 meeting.

If any person decides to appeal any decision made with respect to any matter considered at this Special 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

March 21, 2023 #8572073

**MARSH HARBOUR
COMMUNITY DEVELOPMENT DISTRICT
REGULAR BOARD MEETING
FEBRUARY 17, 2023**

A. CALL TO ORDER

The February 17, 2023, Regular Board Meeting of the Marsh Harbour Community Development District (the “District”) was called to order at 10:00 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, Tasha Mullings and Nadine Sampson (via phone) 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.; and District Counsel Gregory George of Billing, Cochran, Lyles, Mauro & Ramsey, P.A.

Also present was Tara Bennett, the HOA Manager.

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. December 16, 2022, Regular Board Meeting

The minutes of December 16, 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 December 16, 2022, Regular Board Meeting, as presented.

G. OLD BUSINESS

1. Discussion Regarding Landscaping

Ms. Bethel explained that an invoice from BrightView was inadvertently paid and explained that they had received another invoice for January 2023 in the amount of \$5,068. The Board would like staff to inquire about this invoice. Mr. George asked the Board if they wanted to revisit the negotiated amount for BrightView because it was for some services not rendered, not an entire month. The Board wants to stand by the negotiated amount. A lengthy discussion ensued. Mr. Pollock asked Mr. George if BrightView had a timeframe in order to reply and Mr. George replied they did not. Ms. Bethel will reach out to BrightView again.

2. Consider New “No Trespassing” Signs Proposal

Ms. Bethel advised that that Board wanted to bring this item back and directed their attention to Page 5 of the meeting book. Mr. Walker asked Mr. George if the language on the signs was okay and Mr. George indicated that the CDD name should be removed from the sign. A lengthy discussion ensued. Ms. Briggs asked what the purpose of the signs were since people still trespass. Ms. Briggs suggested that they have someone to monitor this. Mr. Pollock contemplated removing the signs all together. Ms. Bennett noted she believes the signs protect the District. The Board would like staff to get revised proposals for four signs without installation costs. The Board authorized staff to approve the sign proposal for four signs without installation for a not to exceed amount of \$500, pending legal review.

A **motion** was made by Mr. Walker, seconded by Ms. Briggs and unanimously passed authorizing Ms. Bethel to approve the sign proposal for four signs without installation for the not to exceed amount of \$500, pending legal review of language for the signs.

H. NEW BUSINESS

1. Consider Pump Proposal

Ms. Bethel advised this irrigation pump replacement proposal had been sent over by the HOA. A lengthy discussion ensued about BrightView. Mr. Pollock stated they should get the proposal approved and deal with BrightView on the backend.

A **motion** was made by Mr. Walker, seconded by Ms. Briggs and unanimously passed approving the Randolph’s Enterprises, Inc. pump repair proposal in the amount of \$3,400.

2. Consider Adjustment to District Counsel Fee Structure

Mr. George went over the change in fee structure with the Board and stated that the change should not affect the legal budget line item, should services remain the same.

A **motion** was made by Mr. Pollock, seconded by Mr. Walker and unanimously passed approving the adjustment to District Counsel fee structure, 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 10:53 a.m. on a **motion** made by Mr. Walker, seconded by Ms. Mullings and the **motion** passed unanimously.

Secretary/Assistant Secretary

Chairman/Vice Chairman

RESOLUTION NO. 2023-01

A RESOLUTION OF THE BOARD OF SUPERVISORS OF THE MARSH HARBOUR COMMUNITY DEVELOPMENT DISTRICT APPROVING A PROPOSED BUDGET FOR FISCAL YEAR 2023/2024; AND PROVIDING AN EFFECTIVE DATE.

WHEREAS, the Board of Supervisors (“Board”) of the Marsh Harbour Community Development District (“District”) is required by Chapter 190.008, *Florida Statutes*, to approve a Proposed Budget for each fiscal year; and,

WHEREAS, the Proposed Budget including the Assessments for Fiscal Year 2023/2024 has been prepared and considered by the Board.

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

Section 1. The Proposed Budget including the Assessments for Fiscal Year 2023/2024 attached hereto as Exhibit “A” is approved and adopted.

Section 2. A Public Hearing is hereby scheduled for June 16, 2023 at 10:00 a.m. in the Marsh Harbour Community Clubhouse, 1000 Marsh Harbour Drive, Riviera Beach, Florida 33404, for the purpose of receiving public comments on the Proposed Fiscal Year 2023/2024 Budget.

PASSED, ADOPTED and EFFECTIVE this 31st day of March, 2023

ATTEST:

**MARSH HARBOUR
COMMUNITY DEVELOPMENT DISTRICT**

By: _____
Secretary/Assistant Secretary

By: _____
Chairman/Vice Chairman

Marsh Harbour Community Development District

**Proposed Budget For
Fiscal Year 2023/2024
October 1, 2023 - September 30, 2024**

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PROPOSED BUDGET
MARSH HARBOUR COMMUNITY DEVELOPMENT DISTRICT
FISCAL YEAR 2023/2024
OCTOBER 1, 2023 - SEPTEMBER 30, 2024

	FISCAL YEAR 2023/2024 BUDGET
REVENUES	
O & M Assessments	678,996
Debt Assessments	253,887
Other Revenues	0
Interest Income	360
TOTAL REVENUES	\$ 933,243
EXPENDITURES	
Supervisor Fees	11,000
Payroll Taxes - Employer	880
Engineering/Inspections	2,000
Lake Maintenance	11,000
Landscaping/Irrigation/Maintenance	150,000
Lighting	35,000
Security	330,000
Management	36,036
Secretarial	4,200
Legal	14,000
Assessment Roll	7,500
Audit Fees	3,700
Insurance	6,700
Legal Advertisements	1,400
Miscellaneous	800
Postage	300
Office Supplies	725
Dues & Subscriptions	175
Trustee Fee	2,500
Continuing Disclosure Fee	350
Website Management	2,000
Reserve/Contingency	18,350
TOTAL EXPENDITURES	\$ 638,616
REVENUES LESS EXPENDITURES	\$ 294,627
Bond Payments	(238,654)
BALANCE	\$ 55,973
County Appraiser & Tax Collector Fee	(18,658)
Discounts For Early Payments	(37,315)
EXCESS/ (SHORTFALL)	\$ -
Carryover Funds From Prior Year	0
NET EXCESS/ (SHORTFALL)	\$ -

DETAILED PROPOSED BUDGET
MARSH HARBOUR COMMUNITY DEVELOPMENT DISTRICT
FISCAL YEAR 2023/2024
OCTOBER 1, 2023 - SEPTEMBER 30, 2024

	FISCAL YEAR 2021/2022 ACTUAL	FISCAL YEAR 2022/2023 BUDGET	FISCAL YEAR 2023/2024 BUDGET	COMMENTS
REVENUES				
O & M Assessments	532,414	679,029	678,996	Expenditures Less Interest & Carryover/.94
Debt Assessments	253,579	253,887	253,887	Bond Payments/.94
Other Revenues	0	0	0	
Interest Income	293	360	360	Interest Projected At \$30 Per Month
TOTAL REVENUES	786,286	\$ 933,276	\$ 933,243	
EXPENDITURES				
Supervisor Fees	10,200	11,000	11,000	Supervisor Fees
Payroll Taxes - Employer	780	880	880	Projected At 8% Of Supervisor Fees
Engineering/Inspections	1,967	2,000	2,000	No Change From 2022/2023 Budget
Lake Maintenance	8,135	12,000	11,000	\$1,000 Decrease From 2022/2023 Budget
Landscaping/Irrigation/Maintenance	152,833	150,000	150,000	2022/2023 Expenditure Through 2-28-23 = \$56,869
Lighting	32,992	35,000	35,000	No Change From 2022/2023 Budget
Security	288,503	330,000	330,000	2022/2023 Expenditure Through 2-28-23 = \$131,489
Management	33,984	34,992	36,036	CPI Adjustment (Capped At 3%)
Secretarial	4,200	4,200	4,200	No Change From 2022/2023 Budget
Legal	16,290	13,000	14,000	2022/2023 Expenditure Through 12-31-22 = \$3,675
Assessment Roll	7,500	7,500	7,500	As Per Contract
Audit Fees	3,600	3,600	3,700	\$100 Increase From 2022/2023 Budget
Insurance	5,706	6,100	6,700	Fiscal Year 2022/2023 Expenditure Was \$6,134
Legal Advertisements	855	1,500	1,400	\$100 Decrease From 2022/2023 Budget
Miscellaneous	835	800	800	No Change From 2022/2023 Budget
Postage	304	300	300	No Change From 2022/2023 Budget
Office Supplies	1,228	750	725	\$25 Decrease From 2022/2023 Budget
Dues & Subscriptions	175	175	175	No Change From 2022/2023 Budget
Trustee Fee	2,500	2,500	2,500	No Change From 2022/2023 Budget
Continuing Disclosure Fee	350	350	350	No Change From 2022/2023 Budget
Website Management	2,000	2,000	2,000	No Change From 2022/2023 Budget
Reserve/Contingency	0	20,000	18,350	Reserve/Contingency
TOTAL EXPENDITURES	574,937	\$ 638,647	\$ 638,616	
REVENUES LESS EXPENDITURES	211,349	\$ 294,629	\$ 294,627	
Bond Payments	(242,340)	(238,654)	(238,654)	2024 Principal & Interest Payments
BALANCE	(30,991)	\$ 55,975	\$ 55,973	
County Appraiser & Tax Collector Fee	(4,356)	(18,658)	(18,658)	Two Percent Of Total Assessment Roll
Discounts For Early Payments	(27,215)	(37,317)	(37,315)	Four Percent Of Total Assessment Roll
EXCESS/ (SHORTFALL)	\$ (62,562)	\$ -	\$ -	
Carryover Funds From Prior Year	0	0	0	Carryover Funds From Prior Year
NET EXCESS/ (SHORTFALL)	\$ (62,562)	\$ -	\$ -	

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

	FISCAL YEAR 2021/2022	FISCAL YEAR 2022/2023	FISCAL YEAR 2023/2024	
REVENUES	ACTUAL	BUDGET	BUDGET	COMMENTS
Interest Income	333	25	100	Projected Interest For 2023/2024
NAV Tax Collection	242,340	238,654	238,654	Maximum Debt Service Collection
Total Revenues	\$ 242,673	\$ 238,679	\$ 238,754	
EXPENDITURES				
Principal Payments	160,000	160,000	165,000	Principal Payment Due In 2024
Interest Payments	79,542	71,766	66,501	Interest Payments Due In 2024
Bond Redemption	0	6,913	7,253	Estimated Excess Debt Collections
Total Expenditures	\$ 239,542	\$ 238,679	\$ 238,754	
Excess/ (Shortfall)	\$ 3,131	\$ -	\$ -	

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 1/1/23 =	\$2,295,000		

MARSH HARBOUR COMMUNITY DEVELOPMENT DISTRICT ASSESSMENT COMPARISON

	Fiscal Year 2020/2021 <u>Assessment*</u>	Fiscal Year 2021/2022 <u>Assessment*</u>	Fiscal Year 2022/2023 <u>Assessment*</u>	Fiscal Year 2023/2024 <u>Projected Assessment*</u>
O & M For Two Bedroom Units	\$ 1,325.72	\$ 1,325.65	\$ 1,689.13	\$ 1,689.05
<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	\$ 1,825.24	\$ 1,825.17	\$ 2,188.65	\$ 2,188.57
O & M For Three Bedroom Units	\$ 1,325.72	\$ 1,325.65	\$ 1,689.13	\$ 1,689.05
<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	\$ 2,010.00	\$ 2,009.93	\$ 2,373.41	\$ 2,373.33

* 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