



**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](http://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  
**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](http://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.

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Secretary/Assistant Secretary

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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 31<sup>st</sup> day of March, 2023

**ATTEST:**

**MARSH HARBOUR  
COMMUNITY DEVELOPMENT DISTRICT**

By: \_\_\_\_\_  
Secretary/Assistant Secretary

By: \_\_\_\_\_  
Chairman/Vice Chairman