



**MARSH HARBOUR
COMMUNITY DEVELOPMENT
DISTRICT**

**PALM BEACH COUNTY
REGULAR BOARD MEETING
MAY 19, 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
REGULAR BOARD MEETING
May 19, 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. April 21, 2023 Regular Board Meeting.....Page 2
- G. Old Business
 - 1. Update on Landscape.....Page 5
 - 2. Update on Proposal for Security Cameras
- H. New Business
 - 1. Discussion Regarding Tree Removal at 2005 Nasau.....Page 7
 - 2. Consider Approval of Tree Root Removal Proposal.....Page 8
- 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

Legal Clerk

Notary, State of WI, County of Brown

My commission expires

Publication Cost: \$228.66

Order No: 7894555

Customer No: 730531

PO #:

THIS IS NOT AN INVOICE!

Please do not use this form for payment remittance.

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
APRIL 21, 2023**

A. CALL TO ORDER

The April 21, 2023, Regular Board Meeting of the Marsh Harbour Community Development District (the “District”) was called to order at 10:05 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 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

Ms. Bethel added under Old Business a Discussion Regarding Landscaping.

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. March 31, 2023, Regular Board Meeting

The minutes of the March 31, 2023, Regular Board Meeting were presented.

A **motion** was made by Mr. Pollock, seconded by Mr. Walker and unanimously passed approving the minutes of the March 31, 2023, Regular Board Meeting, as presented.

G. OLD BUSINESS

1. Update on “No Trespassing” Signs

Ms. Bethel advised that the signs were given to Ms. Bennett for installation.

2. Consider Hurricane Cut Proposals

Ms. Bethel directed the Board's attention to a handout and the proposal in the meeting booklet

A **motion** was made by Mr. Walker, seconded by Mr. Pollock and unanimously passed approving the Russ Total Lawn Maintenance, LLC hurricane cut proposal in the amount of \$20,500.

3. Consider Proposal for Installation of Security Cameras

Ms. Bethel advised that she had spoken with the vendor and indicated that he went over the best power options for the community's security cameras. He also indicated that he was waiting on Ms. Bennett's electrician to contact him to discuss power options for the cameras. Ms. Bennett noted that she had left a message for her electrician and was awaiting a response. Ms. Bennett will follow up with the electrician again.

Ms. Briggs stated that the majority of residents had security cameras and as long as cameras were placed in areas such as the clubhouse and guard house, she feels there is no need for additional security cameras. Ms. Sampson agreed. Mr. Pollock noted that cameras were located in all those areas.

4. Discussion Regarding Landscaping

Ms. Bethel advised that BrightView had sent her an invoice credit in the amount of \$1,000. The Board agreed to not accept the credit. Ms. Bethel advised Mr. George that Mr. Pollock and Ms. Bennet had worked on the BrightView information requested and would email it over to him. Mr. George indicated he would review the documentation.

H. NEW BUSINESS

There were no New Business items to come before the Board.

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 10:27 a.m. on a **motion** made by Mr. Pollock, seconded by Ms. Mullings and the **motion** passed unanimously.

Secretary/Assistant Secretary

Chairman/Vice Chairman

27001 Agoura Road, Suite 350
Calabasas, CA 91301
www.brightview.com



SENT VIA CERTIFIED MAIL AND EMAIL

April 28, 2023

Sylvia Bethel
Marsh Harbour Community Development District
2501 A Burns Rd
Palm Beach Gardens FL 33410
sbethel@sdsinc.org

Copy to:
Dennis Lyles, Esq.
District Counsel
Billing, Cochran, Lyles, Mauro & Ramsey, P.A.
515 East Las Olas Blvd, Sixth Floor
Fort Lauderdale, FL 33301

Dear Ms. Bethel:

I am Sr. Associate General Counsel for BrightView Landscape Services, Inc. ("BrightView") and have been made aware of an open receivable in connection with your organization. According to our records, the principal sum of **\$15,927.37** remains **due and owing by Marsh Harbour Community Development District**, and to date, the owing party has ignored BrightView's efforts to recover the above sum.

Please be advised that as a result of this overdue receivable, BrightView is considering its legal options to recover payment. These include, but are not limited to, the initiation of legal proceedings against your organization. In order to avoid such proceedings or other collection efforts by BrightView and its agents, please ensure that BrightView receives the entirety of the above sum by or before the close of business on **May 8, 2023**. Should BrightView not receive the above sum by this date, please be advised that BrightView may pursue the matter formally, in which case it may also be entitled to recover interest, service charges and/or BrightView's attorney's fees and costs.

Should you have any questions with respect to this matter, please contact our paralegal Katie Kent at katie.kent@brightview.com.

May this matter have your immediate attention.

Very Truly Yours,

A handwritten signature in blue ink, appearing to read "T. Kuehn".

Tomas A. Kuehn, Esq.





From: JOHN RUSS <john_a_russ@yahoo.com>
Sent: Wednesday, May 10, 2023 11:10 AM
To: Sylvia Bethel <sbethel@sdsinc.org>
Subject: Root removal

Russ Total Lawn Maintenance L.L.C.
1731 Ave F.
Riviera Beach Fl. 33404
John Russ

Marsh Harbour Community Development District,
The following is the proposal for the tree root removal at 2024 Marsh Harbour Drive in Riviera Beach. If you should have any questions please do not hesitate to contact me at: (561) 319-7110.

Tree Root Removal Proposal Introduction

This document proposes that Russ Total Lawn Maintenance will perform the necessary root removal in an effort to maintain the safety of the resident. The goal is to maintain a conspicuous landscape for residents and visitors.

R.T.L.M. will be responsible for the following deliverables.

Deliverables

- Disassemble pavers that covering protruding root.
- Cut out any and all protruding roots
- Reassemble pavers for smooth walking area
- Dispose of all existing and generated debris

Compensation

Our complete price for this maintenance base on the deliverables outlined is, **\$600.00**

Thanks again for allowing Russ Total Lawn Maintenance to submit this proposal. Our company is small enough to give your property the attention it deserves and yet we are large enough to handle the equipment and labor necessary to do the job right and on time!