



**MARSH HARBOUR
COMMUNITY DEVELOPMENT
DISTRICT**

**PALM BEACH COUNTY
REGULAR BOARD MEETING
JUNE 21, 2024
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
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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
June 21, 2024
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. May 17, 2024 Regular Board Meeting & Public Hearing.....Page 2
- G. Old Business
 - 1. Discussion Regarding Annual Engineering Report
 - 2. Discussion Regarding Easement between CDD and HOA for Security Gates
- H. New Business
 - 1. Discussion Regarding Hurricane Cut
- 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

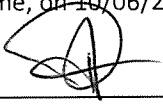
STATE OF WISCONSIN, COUNTY OF BROWN

Before the undersigned authority personally appeared, who on oath says that he or she is the Legal Coordinator of the Palm Beach Post, published in Palm Beach County, Florida; that the attached copy of advertisement, being a Public Notices, was published on the publicly accessible website of Palm Beach County, Florida, or in a newspaper by print in the issues of, on:

10/06/2023

Affiant further says that the website or newspaper complies with all legal requirements for publication in chapter 50, Florida Statutes.

Subscribed and sworn to before me, by the legal clerk, who is personally known to me, on 10/06/2023



Legal Clerk



Notary, State of WI, County of Brown

4-6-27

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DENISE ROBERTS
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State of Wisconsin

MARSH HARBOUR COMMUNITY DEVELOPMENT DISTRICT FISCAL YEAR 2023/2024 REGULAR MEETING SCHEDULE

NOTICE IS HEREBY GIVEN that the Board of Supervisors of the Marsh Harbour Community Development District will hold Regular Meetings of 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 20, 2023
- November 17, 2023
- December 15, 2023
- January 19, 2024
- February 16, 2024
- March 22, 2024
- April 19, 2024
- May 17, 2024
- June 21, 2024
- July 19, 2024
- August 16, 2024
- September 20, 2024

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
Oct 6, 2023 #9343449

**MARSH HARBOUR
COMMUNITY DEVELOPMENT DISTRICT
PUBLIC HEARING & REGULAR BOARD MEETING
MAY 17, 2024**

A. CALL TO ORDER

The May 17, 2024, Regular Board Meeting of the Marsh Harbour Community Development District (the “District”) was called to order at 10:03 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 6, 2023, as part of the District’s Fiscal Year 2023/2024 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.; District Counsel Gregory George of Billing, Cochran, Lyles, Mauro & Ramsey, P.A.; and Onsite HOA Manager Tara Bennett.

Also present was Brian Rose of GGB Engineering.

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. April 19, 2024, Regular Board Meeting

The minutes of April 19, 2024, Regular Board Meeting were presented.

A **motion** was made by Mr. Walker, seconded by Ms. Mullins and unanimously passed approving the minutes of the April 19, 2024, Regular Board Meeting, as presented.

Ms. Bethel then recessed the Regular Board Meeting and opened the Public Hearing.

G. PUBLIC HEARING

1. Proof of Publication

Proof of publication was presented that notice of the Public Hearing had been published in the *Palm Beach Post* on April 26, 2024, and May 3, 2024, as legally required.

2. Receive Public Comment on Fiscal Year 2024/2025 Final Budget

Ms. Bethel stated that there were no changes within the budget except the increase the Board had agreed to for security. At this time security could be decreased or left the same to build up reserves.

Ms. Bethel also stated that she received an anonymous letter of objection to the increase in security. Mr. Pollock stated that he was not happy with the anonymity of the letter. Ms. Bennett stated she received the same letter and a few others.

3. Consider Resolution No. 2024-02 – Adopting a Fiscal Year 2024/2025 Final Budget

Resolution No. 2024-02 was presented, entitled:

RESOLUTION NO. 2024-02

A RESOLUTION OF THE MARSH HARBOUR COMMUNITY DEVELOPMENT DISTRICT ADOPTING A FISCAL YEAR 2024/2025 BUDGET.

A **motion** was made by Mr. Pollock, seconded by Ms. Mullings and pass unanimously adopting Resolution No. 2024-02, as presented.

Ms. Bethel then closed the Public Hearing and reconvened the Regular Board Meeting.

H. OLD BUSINESS

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

I. NEW BUSINESS

1. Discussion Regarding Annual Engineering Report

Ms. Bethel introduced Mr. Rose of GGB Engineering who went over the annual engineering report. Ms. Bethel and Mr. Rose discussed the price, not to exceed \$5,750 and Mr. Rose agreed to that amount.

Ms. Briggs asked what annual engineer's report entails. Mr. Rose explained that they would typically inspect water/sewer, stormwater management system, sidewalk drop-off and repaving. Ms. Bethel asked if the report included inspecting erosion to which Mr. Rose answered yes. Ms. Bethel asked if he checked resident front and back yards to which Mr. Rose stated he was open to checking those areas; however, the HOA would have to be okay with him going onto private property, but checking for erosion would normally include areas around the lake.

Ms. Briggs suggested that when Mr. Rose does his inspections that he consult with the homeowners to identify issues they may have. Mr. Rose stated that he can include a few homes

but to keep in mind, the more homes added, the more time it will take. Mr. Pollock stated it would just be a few homes of concern, maybe 5 or 6.

Mr. George stated that this would be a great time for the Board to come up with the scope of work for this request. Mr. Pollock stated he would have the list of addresses to Ms. Bethel by next week so she can forward same to Mr. Rose.

Mr. Walker inquired if several Board Members can accompany Mr. Rose on these inspections. Mr. George stated that one Board Member at a time could accompany Mr. Rose, not at the same time.

A **motion** was made by Ms. Briggs, seconded by Mr. Pollock and unanimously passed approving the annual engineering report for the not to exceed amount of \$5,750, as presented.

2. Discussion Regarding Easement between CDD and HOA for Security Gates

Ms. Bethel reminded the Board that at last meeting they authorized Mr. George to investigate the easement for the HOA and CDD. Mr. George stated that there was an easement recorded back in May of 2010. The association granted the District control over all common areas however, it does not specifically state “security facilities.” Mr. George suggested that if the Board is comfortable, have the association agree to this in writing. Mr. Pollock asked if Mr. George could send something over for the association to review at their next meeting. Mr. Gorge agreed and stated but otherwise the Board is cleared to move forward with any repairs.

3. Consider Resolution No. 2024-03 – Adopting a Fiscal Year 2024/2025 Meeting Schedule

Resolution No. 2024-03 was presented, entitled:

RESOLUTION NO. 2024-03

A RESOLUTION OF THE BOARD OF SUPERVISORS OF THE MARSH HARBOUR COMMUNITY DEVELOPMENT DISTRICT, ESTABLISHING A REGULAR MEETING SCHEDULE FOR FISCAL YEAR 2024/2025 AND SETTING THE TIME AND LOCATION OF SAID DISTRICT MEETINGS; AND PROVIDING AN EFFECTIVE DATE.

Ms. Bethel directed the Board’s attention to the meeting schedule for next fiscal year, stating that the dates highlighted in yellow conflict with her schedule. These dates have been moved up from the third Friday to the second Friday

Mr. George indicated that he may have some scheduling conflicts but would have the meetings covered, if so. The Board was okay with the scheduling change.

A **motion** was made by Mr. Pollock, seconded by Mr. Walker and unanimously passed adopting Resolution No. 2024-03 – Adopting a Fiscal Year 2024/2025 Meeting Schedule.

J. ADMINISTRATIVE MATTERS

Ms. Bethel reminded the Board of the ethics training and Form 1 due dates.

Ms. Bethel asked Ms. Bennett for a follow up on the security gate arms. Ms. Bennett stated that she was waiting for a follow-up from the vendor. They were looking into the white security gate arms. However, the exit side is not set up for the installation, therefore, they are checking to see if they can use existing equipment. Ms. Bennett will follow-up once she has more information.

K. BOARD MEMBER COMMENTS

Mr. Pollock stated there were recurring issues with landscape that did not happen in the beginning. There are several sprinkler issues. A lengthy discussion ensued. Ms. Bennett commented that most complaints received are related to sprinkler issues. Mr. Pollock would like the Board to send him a list of complaints so he can compile an e-mail to send to Ms. Bennett to forward to Ms. Bethel to send to Mr. Russ

L. ADJOURNMENT

There being no further business to come before the Board, the Regular Board Meeting was adjourned at 10:46 a.m. on a **motion** made by Mr. Pollock, seconded by Ms. Briggs and the **motion** passed unanimously.

Secretary/Assistant Secretary

Chairman/Vice Chairman