



**MARSH HARBOUR  
COMMUNITY DEVELOPMENT  
DISTRICT**

**PALM BEACH COUNTY  
REGULAR BOARD MEETING  
AUGUST 16, 2024  
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

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**  
August 16, 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. July 19, 2024 Regular Board Meeting.....Page 2
- G. Old Business
  - 1. Discussion Regarding Annual Engineering Report
- H. New Business
  - 1. Consider Resolution No. 2024-04 – Adopting Goals and Objectives.....Page 5
- 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  
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STE A

PALM BEACH GARDENS FL 334105207

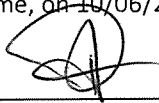
STATE OF WISCONSIN, COUNTY OF BROWN

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  
Notary Public  
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  
REGULAR BOARD MEETING  
JULY 19, 2024**

**A. CALL TO ORDER**

The July 19, 2024, Regular Board Meeting of the Marsh Harbour Community Development District (the “District”) was called to order at 10:01 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 (who arrived at 10:04 a.m.) 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 (via telephone).

Also present were the following District residents:

Aaron Drummond of 2032 Freeport Drive  
Rolonda Collier of 1009 Lucaya Drive

**D. ADDITIONS OR DELETIONS TO THE AGENDA**

Mr. Pollock requested that an update on tree removal be added to the agenda. Ms. Bethel indicated that “Update on 2037 Nassau Drive Tree Removal” would be placed under Old Business.

A **motion** was made by Mr. Pollock, seconded by Ms. Briggs and unanimously passed approving the addition of an Update on 2037 Nassau Drive Tree Removal under Old Business.

**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. June 21, 2024, Regular Board Meeting**

The minutes of June 21, 2024, Regular Board Meeting were presented.

A **motion** was made by Mr. Walker, seconded by Mr. Pollock and unanimously passed approving the minutes of the June 21, 2024, Regular Board Meeting, as presented.

## **G. OLD BUSINESS**

### **1. Discussion Regarding Annual Engineering Report**

Ms. Bethel advised that she had followed up with the engineer and he stated that due to the holidays, the report had not yet been completed. Ms. Bethel stated she hoped to have it for the next meeting.

### **2. Update on 2037 Nassau Drive Tree Removal**

Mr. Pollock advised that he and Ms. Bennett had visited the City of Riviera to get clarification on tree removal. He stated that the tree removal would be up to the HOA's discretion, not the CDD. If a tree is removed, one must be replaced, and this is at the resident's expense and upon the HOA's approval. Ms. Bennett added that if the tree was not causing structural damage, then it could not be removed.

## **H. NEW BUSINESS**

### **1. Discussion Regarding Hurricane Cut**

Ms. Bethel explained that the other two proposals requested did not come through. Greenblade that met with Ms. Bennett, pulled out at the last minute after several follow-ups and could not provide a proposal and the other company just did not come through. Therefore, they are only working with Total Russ Landscaping's proposal. Ms. Bennett stated that Mr. Russ could not be present for the meeting due to an emergency. However, he provided a letter to the Board explaining the price increase. After Ms. Bethel read the letter, a lengthy discussion ensued. Ms. Sampson inquired about a referral sent over to Ms. Bennett. Ms. Bennett did not get that emailed referral and asked Ms. Sampson to resend it when time permits. Mr. Pollock stated that Mr. Russ's proposals have come in cheaper than all other companies and that this needs immediate attention because we are currently in hurricane season. Mr. Walker stated he prefers Mr. Russ to complete this project.

A **motion** was made by Mr. Pollock, seconded by Ms. Briggs and unanimously passed approving the Russ Total Lawn Maintenance, LLC Hurricane Cut in the amount of \$32,500.

## **I. ADMINISTRATIVE MATTERS**

Ms. Bethel reminded the Board that Form 1s should already be completed because they were due July 1<sup>st</sup>, therefore if you have not completed it, please do so.

Ms. Bennett and Ms. Collier inquired about qualifying to become a CDD Board Member. Mr. George responded that they must be over 18 years of age, a resident of the community and a U.S. citizen. Mr. George stated he would email this over to Ms. Bennett as well. Ms. Bethel went over the seats and terms of office with the Board.

Ms. Sampson inquired about the next steps after ethics training had been completed. Ms. Bethel stated that it was self-reporting, therefore please write down the date because you will need it for next year's Form 1.

**J. BOARD MEMBER COMMENTS**

Mr. Walker stated that he had seen the roving security guard with girls in the golf cart. Ms. Bennett stated that she addressed this issue with Mr. DeCastro last week, and the guard was giving a written notice.

**K. ADJOURNMENT**

There being no further business to come before the Board, the Regular Board Meeting was adjourned at 10:36 a.m. on a **motion** made by Mr. Pollock, seconded by Ms. Mullings and the **motion** passed unanimously.

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Secretary/Assistant Secretary

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Chairman/Vice Chairman

## RESOLUTION 2024-04

### **A RESOLUTION OF THE BOARD OF SUPERVISORS OF THE MARSH HARBOUR COMMUNITY DEVELOPMENT DISTRICT ADOPTING GOALS, OBJECTIVES, AND PERFORMANCE MEASURES AND STANDARDS; PROVIDING A SEVERABILITY CLAUSE; AND PROVIDING AN EFFECTIVE DATE.**

**WHEREAS**, the Marsh Harbour Community Development District (the “District”) is a local unit of special-purpose government organized and existing under and pursuant to Chapters 189 and 190, Florida Statutes, as amended; and

**WHEREAS**, effective July 1, 2024, the Florida Legislature adopted House Bill 7013, codified as Chapter 2024-136, Laws of Florida (“HB 7013”) and creating Section 189.0694, Florida Statutes; and

**WHEREAS**, pursuant to HB 7013 and Section 189.0694, Florida Statutes, beginning October 1, 2024, the District shall establish goals and objectives for the District and create performance measures and standards to evaluate the District’s achievement of those goals and objectives; and

**WHEREAS**, the District Manager has prepared the attached goals, objectives, and performance measures and standards and presented them to the Board of the District; and

**WHEREAS**, the District’s Board of Supervisors (“Board”) finds that it is in the best interests of the District to adopt by resolution the attached goals, objectives and performance measures and standards.

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

**SECTION 1.** The recitals so stated are true and correct and by this reference are incorporated into and form a material part of this Resolution.

**SECTION 2.** The District Board of Supervisors hereby adopts the goals, objectives and performance measures and standards as provided in **Exhibit A**. The District Manager shall take all actions to comply with Section 189.0694, Florida Statutes, and shall prepare an annual report regarding the District’s success or failure in achieving the adopted goals and objectives for consideration by the Board of the District.

**SECTION 3.** If any provision of this resolution is held to be illegal or invalid, the other provisions shall remain in full force and effect.

**SECTION 4.** This resolution shall become effective upon its passage and shall remain in effect unless rescinded or repealed.

**PASSED AND ADOPTED** this 16<sup>th</sup> day of August, 2024.

**ATTEST:**

**MARSH HARBOUR COMMUNITY  
DEVELOPMENT DISTRICT**

\_\_\_\_\_  
Secretary/Assistant Secretary

\_\_\_\_\_  
Chairman, Board of Supervisors

**Exhibit A:** Performance Measures/Standards and Annual Reporting



## **Exhibit A**

**Program/Activity: District Administration**

**Goal:** Remain compliant with Florida Law for all district meetings

**Objectives:**

- Notice all District regular, special, and public hearing meetings
- Conduct all post-meeting activities
- District records retained in compliance with Florida Sunshine Laws

**Performance Measures:**

- All Meetings publicly noticed as required (yes/no)
- Meeting minutes and post-meeting action completed (yes/no)
- District records retained as required by law (yes/no)

**Program/Activity: District Finance**

**Goal:** Remain Compliant with Florida Law for all district financing activities

**Objectives:**

- District adopted fiscal year budget
- District amended budget at end of fiscal year
- Process all District finance accounts receivable and payable
- Support District annual financial audit activities

**Performance Measures:**

- District adopted fiscal year budget (yes/no)
- District amended budget at end of fiscal year (yes/no)
- District accounts receivable/payable processed for the year (yes/no)
- “No findings” for annual financial audit (yes/no)
  - If “yes” explain

**Program/Activity: District Operations**

**Goal:** Insure, Operate and Maintain District owned Infrastructure & assets

**Objectives:**

- Annual renewal of District insurance policy(s)
- Contracted Services for District operations in effect
- Compliance with all required permits

**Performance Measures:**

- District insurance renewed and in force (yes/no)
- Contracted Services in force for all District operations (yes/no)
- Permits in compliance (yes/no)