



**MARSH HARBOUR
COMMUNITY DEVELOPMENT
DISTRICT**

**PALM BEACH COUNTY
REGULAR BOARD MEETING
OCTOBER 18, 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

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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
October 18, 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. August 16, 2024 Regular Board Meeting.....Page 2
- G. Old Business
 - 1. Discussion Regarding Annual Engineering Report
- H. New Business
 - 1. Consider Resolution No. 2024-05 – Adopting a Fiscal Year 2023/2024 Amended Budget.....Page 5
 - 2. Discussion Regarding Tree Root Removal for 960 Tortuga.....Page 10
 - 3. Discussion Regarding Tree Root Removal for 2036 Marsh Harbour.....Page 13
- I. Administrative Matters
- J. Board Members Comments
- K. Adjourn

MARSH HARBOUR COMMUNITY DEVELOPMENT DISTRICT
FISCAL YEAR 2024/2025 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 18, 2024

November 15, 2024

December 20, 2024

January 10, 2025

February 21, 2025

March 21, 2025

April 11, 2025

May 16, 2025

June 13, 2025

July 18, 2025

August 15, 2025

September 19, 2025

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 Districts 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 ensure 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

10/7/24 10630879

**MARSH HARBOUR
COMMUNITY DEVELOPMENT DISTRICT
REGULAR BOARD MEETING
AUGUST 16, 2024**

A. CALL TO ORDER

The August 16, 2024, Regular Board Meeting of the Marsh Harbour Community Development District (the “District”) was called to order at 10:06 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 Supervisor 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.; District Counsel Gregory George of Billing, Cochran, Lyles, Mauro & Ramsey, P.A.; and Onsite HOA Manager Tara Bennett (via telephone).

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. July 19, 2024, Regular Board Meeting

The minutes of the July 19, 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 July 19, 2024, Regular Board Meeting, as presented.

G. OLD BUSINESS

1. Discussion Regarding Annual Engineering Report

Ms. Bethel apologized for the delay as the engineer was on vacation, but she finally received the report for the Board to review. Ms. Bethel asked if the Board Members had any questions or if

they would like to bring it back to the next meeting. The Board agreed and would like to bring it back for further discussion at the next meeting. Mr. Pollock would like clarification from the engineer on what areas are CDD responsibility. Ms. Bethel stated she would reach out to get this information.

H. NEW BUSINESS

1. Consider Resolution No. 2024-04 – Adopting Goals and Objectives

Resolution No. 2024-04 was presented, entitled:

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.

Ms. Bethel stated that the Florida Legislature now requires community development districts to adopt goals and objectives and directed the Board's attention to Page 7 of the meeting books. Ms. Bethel asked the Board to review and explained that next year, December 2025, the Board would determine whether the goals had been met. A lengthy discussion ensued.

A **motion** was then made by Mr. Pollock, seconded by Mr. Walker and passed unanimously adopting Resolution No. 2024-04, as presented.

I. ADMINISTRATIVE MATTERS

Ms. Bennett gave an update on Mr. Russ's hurricane cut schedule. Mr. Pollock stated they have requested a monthly cutting schedule from Mr. Russ several times and have not yet received it. The Board requested that Ms. Bethel follow up with Mr. Russ about the monthly schedule and forward that information to all the Board Members. Ms. Bethel will reach out to Mr. Russ.

J. BOARD MEMBER COMMENTS

Ms. Bennett went over the gate proposal. Ms. Bennett and Ms. Bethel also went over how to proceed with billing the CDD for a portion of the gate.

K. ADJOURNMENT

There being no further business to come before the Board, the Regular Board Meeting was adjourned at 10:43 a.m. on a **motion** made by Mr. Pollock, seconded by Ms. Sampson and the **motion** passed unanimously.

Secretary/Assistant Secretary

Chairman/Vice Chairman

RESOLUTION NO. 2024-05

A RESOLUTION OF THE BOARD OF SUPERVISORS OF THE MARSH HARBOUR COMMUNITY DEVELOPMENT DISTRICT AUTHORIZING AND ADOPTING AN AMENDED FINAL FISCAL YEAR 2023/2024 BUDGET (“AMENDED BUDGET”), PURSUANT TO CHAPTER 189, FLORIDA STATUTES; AND PROVIDING AN EFFECTIVE DATE.

WHEREAS, the Board of Supervisors of the Marsh Harbour Community Development District (“District”) is empowered to provide a funding source and to impose special assessments upon the properties within the District; and,

WHEREAS, the District has prepared for consideration and approval an Amended Budget.

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

Section 1. The Amended Budget for Fiscal Year 2023/2024 attached hereto as Exhibit “A” is hereby approved and adopted.

Section 2. The Secretary/Assistant Secretary of the District is authorized to execute any and all necessary transmittals, certifications or other acknowledgements or writings, as necessary, to comply with the intent of this Resolution.

PASSED, ADOPTED and EFFECTIVE this 18th day of October, 2024.

ATTEST:

**MARSH HARBOUR
COMMUNITY DEVELOPMENT DISTRICT**

By: _____
Secretary/Assistant Secretary

By: _____
Chairperson/Vice Chairperson

Marsh Harbour
Community Development District

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

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AMENDED FINAL BUDGET
MARSH HARBOUR COMMUNITY DEVELOPMENT DISTRICT
OPERATING FUND
FISCAL YEAR 2023/2024
OCTOBER 1, 2023 - SEPTEMBER 30, 2024

	FISCAL YEAR 2023/2024 BUDGET 10/1/23 - 9/30/24	AMENDED FINAL BUDGET 10/1/23 - 9/30/24	YEAR TO DATE ACTUAL 10/1/23 - 9/29/24
REVENUES			
O & M Assessments	678,996	687,308	687,308
Debt Assessments	253,887	257,269	257,269
Other Revenues	0	0	0
Interest Income	360	17,500	17,470
TOTAL REVENUES	\$ 933,243	\$ 962,077	\$ 962,047
EXPENDITURES			
Supervisor Fees	11,000	7,400	7,400
Payroll Taxes - Employer	880	566	566
Engineering/Inspections	2,000	6,000	4,600
Lake Maintenance	11,000	11,000	10,238
Landscaping/Irrigation/Maintenance	150,000	149,720	149,720
Lighting	35,000	35,000	31,919
Security	330,000	315,574	315,574
Management	36,036	36,036	36,036
Secretarial	4,200	4,200	4,200
Legal	14,000	14,000	11,495
Assessment Roll	7,500	7,500	7,500
Audit Fees	3,700	3,400	3,400
Insurance	6,700	6,594	6,594
Legal Advertisements	1,400	1,400	870
Miscellaneous	800	900	846
Postage	300	125	101
Office Supplies	725	925	877
Dues & Subscriptions	175	175	175
Trustee Fee	2,500	2,500	0
Continuing Disclosure Fee	350	350	350
Website Management	2,000	2,000	2,000
Reserve	18,350	18,350	0
TOTAL EXPENDITURES	\$ 638,616	\$ 623,715	\$ 594,461
REVENUES LESS EXPENDITURES	\$ 294,627	\$ 338,362	\$ 367,586
Bond Payments	(238,654)	(246,294)	(246,294)
BALANCE	\$ 55,973	\$ 92,068	\$ 121,292
County Appraiser & Tax Collector Fee	(18,658)	(10,383)	(10,383)
Discounts For Early Payments	(37,315)	(31,530)	(31,530)
EXCESS/ (SHORTFALL)	\$ -	\$ 50,155	\$ 79,379
Carryover From Prior Year	0	0	0
NET EXCESS/ (SHORTFALL)	\$ -	\$ 50,155	\$ 79,379

FUND BALANCE AS OF 9/30/23
FY 2023/2024 ACTIVITY
FUND BALANCE AS OF 9/30/24

\$131,214
\$50,155
\$181,369

AMENDED FINAL BUDGET
MARSH HARBOUR COMMUNITY DEVELOPMENT DISTRICT
DEBT SERVICE FUND
FISCAL YEAR 2023/2024
OCTOBER 1, 2023 - SEPTEMBER 30, 2024

	FISCAL YEAR 2023/2024 BUDGET 10/1/23 - 9/30/24	AMENDED FINAL BUDGET 10/1/23 - 9/30/24	YEAR TO DATE ACTUAL 10/1/23 - 9/29/24
REVENUES			
Interest Income	100	11,600	11,541
NAV Tax Collection	238,654	243,295	243,295
Prepaid Bond Collection	0	0	0
Total Revenues	\$ 238,754	\$ 254,895	\$ 254,836
EXPENDITURES			
Principal Payments	165,000	165,000	165,000
Interest Payments	66,501	69,174	69,174
Bond Redemption	7,253	0	0
Total Expenditures	\$ 238,754	\$ 234,174	\$ 234,174
Excess/ (Shortfall)	\$ -	\$ 20,721	\$ 20,662

FUND BALANCE AS OF 9/30/23	\$198,289
FY 2023/2024 ACTIVITY	\$20,721
FUND BALANCE AS OF 9/30/24	\$219,010

Notes

Reserve Fund Balance = \$62,256*. Revenue Fund Balance = \$156,754*.

Revenue Fund Balance To Be Used To Make 11/1/2024 Interest Payment Of \$31,914.

* Approximate Amounts

Series 2015 Bond Refunding Information

Original Par Amount =	\$3,295,000	Annual Principal Payments Due:
Interest Rate =	3.24% - 5.45%	May 1st
Issue Date =	August 2015	Annual Interest Payments Due:
Maturity Date =	May 2035	May 1st & November 1st
Par Amount As Of 9/30/24 =	\$1,970,000	



PHOTOGRAPH BY: [unreadable]
DATE: [unreadable]
PROJECT: [unreadable]
LOCATION: [unreadable]







