



**MARSH HARBOUR
COMMUNITY DEVELOPMENT
DISTRICT**

**PALM BEACH COUNTY
REGULAR BOARD MEETING
FEBRUARY 21, 2025
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
February 21, 2025
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. October 18, 2024 Regular Board Meeting.....Page 2
- G. Old Business
 - 1. Discussion Regarding Annual Engineering Report Repairs
 - 2. Discussion Regarding the Difference Between CDD Property and HOA Property
- H. New Business
 - 1. Consider Acceptance of Withdrawal of Resignation for Supervisor Briggs.....Page 5
 - 2. Consider Resolution No. 2025-01 – Adopting a Fiscal Year 2025/2026 Proposed Budget.....Page 6
- 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

AFFIDAVIT 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:

10/07/2024

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 10/07/2024

Legal Clerk

Notary, State of WI, County of Brown

My commission expires

Publication Cost: \$233.75

Tax Amount: \$0.00

Payment Cost: \$233.75

Order No: 10630879

Customer No: 730531

PO #:

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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 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 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
OCTOBER 18, 2024**

A. CALL TO ORDER

The October 18, 2024, 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 7, 2024, as part of the District’s Fiscal Year 2024/2025 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 Ginger Wald of Billing, Cochran, Lyles, Mauro & Ramsey, P.A.

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. August 16, 2024, Regular Board Meeting

The minutes of the August 16, 2024, Regular Board Meeting were presented.

A **motion** was made by Mr. Pollock, seconded by Ms. Sampson and unanimously passed approving the minutes of the August 16, 2024, Regular Board Meeting, as presented.

G. OLD BUSINESS

1. Discussion Regarding Annual Engineering Report

Ms. Bethel indicated that this was the updated Engineering Report that specifies CDD and HOA property. Ms. Wald stated that she had reviewed the Engineering Report and suggested to Ms. Bethel that the District possibly look into refunding the bond to help with some repairs due to the

District having low reserves. Ms. Wald discussed other options but noted that bond refunding would be the better option. A lengthy discussion ensued. The Board inquired as to what was the most important repair to tackle first and Ms. Wald suggested the sidewalks. Ms. Bethel noted she would contact the engineer for vendor proposals for sidewalk repairs and get information regarding refunding.

H. NEW BUSINESS

1. Consider Resolution No. 2024-05 – Adopting a Fiscal Year 2023/2024 Amended Budget

Resolution No. 2024-05 was presented, entitled:

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.

Ms. Bethel explained that this was a look back on the District’s spending and she noted that everything looked good. There were no overages and the District stayed within their budget.

A **motion** was made by Mr. Pollock, seconded by Mr. Walker and unanimously passed adopting Resolution No. 2024-05 – Adopting a Fiscal Year 2023/2024 Amended Budget, as presented.

2. Discussion Regarding Tree Root Removal for 960 Tortuga

Ms. Bethel advised that this was sent over by the HOA because it was a danger to residents. Ms. Bethel stated that Mr. George previously indicated that if the trees were not on CDD property then it was not the CDD’s responsibility. A lengthy discussion ensued. Ms. Wald went over CDD responsibility with the Board and Mr. Pollock reminded the Board that if this was not on CDD property then the HOA had the responsibility to determine the final decision on the trees.

3. Discussion Regarding Tree Root Removal for 2036 Marsh Harbour

Ms. Bethel indicated that it had been determined that this was not the CDD’s responsibility.

I. ADMINISTRATIVE MATTERS

Ms. Bethel suggested cancelling the November and December meetings, if there are no action items to be addressed, The Board agreed.

J. BOARD MEMBER COMMENTS

Ms. Sampson advised that the current landscaper did not have a schedule and it appeared that they were cutting/trimming every day. Ms. Bethel indicated she would reach out to the vendor to discuss this matter.

K. ADJOURNMENT

There being no further business to come before the Board, the Regular Board Meeting was adjourned at 11:03 a.m. on a **motion** made by Ms. Mullings, seconded by Ms. Briggs and the **motion** passed unanimously.

Secretary/Assistant Secretary

Chairman/Vice Chairman

Jan 10th 2025.

Good Morning all,

I will like to withdraw by letter
of resignation of November 10 2024

Thank you,
Judith Briggs

RESOLUTION NO. 2025-01

A RESOLUTION OF THE BOARD OF SUPERVISORS OF THE MARSH HARBOUR COMMUNITY DEVELOPMENT DISTRICT APPROVING A PROPOSED BUDGET FOR FISCAL YEAR 2025/2026; 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 2025/2026 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 2025/2026 attached hereto as Exhibit “A” is approved and adopted.

Section 2. A Public Hearing is hereby scheduled for May 16, 2025 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 2025/2026 Budget.

PASSED, ADOPTED and EFFECTIVE this 21st day of February, 2025

ATTEST:

**MARSH HARBOUR
COMMUNITY DEVELOPMENT DISTRICT**

By: _____
Secretary/Assistant Secretary

By: _____
Chairman/Vice Chairman

Marsh Harbour
Community Development District

**Proposed Budget For
Fiscal Year 2025/2026
October 1, 2025 - September 30, 2026**

CONTENTS

- I PROPOSED BUDGET**
- II DETAILED PROPOSED BUDGET**
- III DETAILED PROPOSED DEBT SERVICE FUND BUDGET**
- IV ASSESSMENT COMPARISON**

PROPOSED BUDGET
MARSH HARBOUR COMMUNITY DEVELOPMENT DISTRICT
FISCAL YEAR 2025/2026
OCTOBER 1, 2025 - SEPTEMBER 30, 2026

	FISCAL YEAR 2025/2026 BUDGET
REVENUES	
O & M Assessments	732,116
Debt Assessments	253,887
Other Revenues	0
Interest Income	1,200
TOTAL REVENUES	\$ 987,203
EXPENDITURES	
Supervisor Fees	11,000
Payroll Taxes - Employer	880
Engineering/Inspections	3,000
Lake Maintenance	11,000
Landscaping/Irrigation/Maintenance	150,000
Lighting	35,000
Security	380,000
Management	38,184
Secretarial	4,200
Legal	14,000
Assessment Roll	7,500
Audit Fees	3,600
Insurance	7,400
Legal Advertisements	1,400
Miscellaneous	900
Postage	300
Office Supplies	800
Dues & Subscriptions	175
Trustee Fee	2,500
Continuing Disclosure Fee	350
Website Management	2,000
Reserve/Contingency	15,200
TOTAL EXPENDITURES	\$ 689,389
REVENUES LESS EXPENDITURES	\$ 297,814
Bond Payments	(238,654)
BALANCE	\$ 59,160
County Appraiser & Tax Collector Fee	(19,720)
Discounts For Early Payments	(39,440)
EXCESS/ (SHORTFALL)	\$ -
Carryover Funds From Prior Year	0
NET EXCESS/ (SHORTFALL)	\$ -

DETAILED PROPOSED BUDGET
MARSH HARBOUR COMMUNITY DEVELOPMENT DISTRICT
FISCAL YEAR 2025/2026
OCTOBER 1, 2025 - SEPTEMBER 30, 2026

	FISCAL YEAR 2023/2024 ACTUAL	FISCAL YEAR 2024/2025 BUDGET	FISCAL YEAR 2025/2026 BUDGET	COMMENTS
REVENUES				
O & M Assessments	687,308	732,129	732,116	Expenditures Less Interest & Carryover/.94
Debt Assessments	257,269	253,887	253,887	Bond Payments/.94
Other Revenues	0	0	0	
Interest Income	18,469	720	1,200	Interest Projected At \$100 Per Month
TOTAL REVENUES	\$ 963,046	\$ 986,736	\$ 987,203	
EXPENDITURES				
Supervisor Fees	7,400	11,000	11,000	Supervisor Fees
Payroll Taxes - Employer	566	880	880	Projected At 8% Of Supervisor Fees
Engineering/Inspections	4,600	2,000	3,000	\$1,000 Increase From 2024/2025 Budget
Lake Maintenance	10,238	11,000	11,000	No Change From 2024/2025 Budget
Landscaping/Irrigation/Maintenance	149,720	150,000	150,000	2024/2025 Expenditure Through 1/31/25 = \$40,770
Lighting	33,164	35,000	35,000	No Change From 2024/2025 Budget
Security	315,574	380,000	380,000	2024/2025 Expenditure Through 1/31/25 = \$122,842
Management	36,036	37,116	38,184	CPI Adjustment
Secretarial	4,200	4,200	4,200	No Change From 2024/2025 Budget
Legal	11,995	14,000	14,000	2024/2025 Expenditure Through 12/31/24 = \$2,603
Assessment Roll	7,500	7,500	7,500	As Per Contract
Audit Fees	3,400	3,500	3,600	Accepted Amount For 2024/2025 Audit
Insurance	6,594	7,200	7,400	Fiscal Year 2024/2025 Expenditure Was \$6,858
Legal Advertisements	870	1,400	1,400	No Change From 2024/2025 Budget
Miscellaneous	846	800	900	\$100 Increase From 2024/2025 Budget
Postage	101	300	300	No Change From 2024/2025 Budget
Office Supplies	877	700	800	\$100 Increase From 2024/2025 Budget
Dues & Subscriptions	175	175	175	No Change From 2024/2025 Budget
Trustee Fee	2,500	2,500	2,500	No Change From 2024/2025 Budget
Continuing Disclosure Fee	350	350	350	No Change From 2024/2025 Budget
Website Management	2,000	2,000	2,000	No Change From 2024/2025 Budget
Reserve/Contingency	0	17,300	15,200	Reserve/Contingency
TOTAL EXPENDITURES	\$ 598,706	\$ 688,921	\$ 689,389	
REVENUES LESS EXPENDITURES	\$ 364,340	\$ 297,815	\$ 297,814	
Bond Payments	(246,294)	(238,654)	(238,654)	2026 Principal & Interest Payments
BALANCE	\$ 118,046	\$ 59,161	\$ 59,160	
County Appraiser & Tax Collector Fee	(4,968)	(19,720)	(19,720)	Two Percent Of Total Assessment Roll
Discounts For Early Payments	(31,530)	(39,441)	(39,440)	Four Percent Of Total Assessment Roll
EXCESS/ (SHORTFALL)	\$ 81,548	\$ -	\$ -	
Carryover Funds From Prior Year	0	0	0	Carryover Funds From Prior Year
NET EXCESS/ (SHORTFALL)	\$ 81,548	\$ -	\$ -	

DETAILED PROPOSED DEBT SERVICE FUND BUDGET
MARSH HARBOUR COMMUNITY DEVELOPMENT DISTRICT
FISCAL YEAR 2025/2026
OCTOBER 1, 2025 - SEPTEMBER 30, 2026

	FISCAL YEAR 2023/2024	FISCAL YEAR 2024/2025	FISCAL YEAR 2025/2026	
REVENUES	ACTUAL	BUDGET	BUDGET	COMMENTS
Interest Income	12,447	500	1,000	Projected Interest For 2025/2026
NAV Tax Collection	246,294	238,654	238,654	Maximum Debt Service Collection
Total Revenues	\$ 258,741	\$ 239,154	\$ 239,654	
EXPENDITURES				
Principal Payments	165,000	165,000	135,000	Principal Payment Due In 2026
Interest Payments	69,174	68,468	94,694	Interest Payments Due In 2026
Bond Redemption	0	5,686	9,960	Estimated Excess Debt Collections
Total Expenditures	\$ 234,174	\$ 239,154	\$ 239,654	
Excess/ (Shortfall)	\$ 24,567	\$ -	\$ -	

Series 2015 Bond Refunding Information

Original Par Amount =	\$3,295,000	Annual Principal Payments Due =	May 1st
Interest Rate =	3.24% - 5.45%	Annual Interest Payments Due =	May 1st & November 1st
Issue Date =	August 2015		
Maturity Date =	May 2035		
Par Amount As Of 1/1/25 =	\$1,970,000		

MARSH HARBOUR COMMUNITY DEVELOPMENT DISTRICT ASSESSMENT COMPARISON

	Fiscal Year 2022/2023 <u>Assessment*</u>	Fiscal Year 2023/2024 <u>Assessment*</u>	Fiscal Year 2024/2025 <u>Assessment*</u>	Fiscal Year 2025/2026 <u>Projected Assessment*</u>
O & M For Two Bedroom Units	\$ 1,689.13	\$ 1,689.05	\$ 1,821.22	\$ 1,821.19
<u>Debt For Two Bedroom Units</u>	<u>\$ 499.52</u>	<u>\$ 499.52</u>	<u>\$ 499.52</u>	<u>\$ 499.52</u>
Total For Two Bedroom Units	\$ 2,188.65	\$ 2,188.57	\$ 2,320.74	\$ 2,320.71
O & M For Three Bedroom Units	\$ 1,689.13	\$ 1,689.05	\$ 1,821.22	\$ 1,821.19
<u>Debt For Three Bedroom Units</u>	<u>\$ 684.28</u>	<u>\$ 684.28</u>	<u>\$ 684.28</u>	<u>\$ 684.28</u>
Total For Three Bedroom Units	\$ 2,373.41	\$ 2,373.33	\$ 2,505.50	\$ 2,505.47

* Assessments Include the Following :

- 4% Discount for Early Payments
- 1% County Tax Collector Fee
- 1% County Property Appraiser Fee

Community Information:

Two Bedroom Units	111
<u>Three Bedroom Units</u>	<u>291</u>
Total Units	402

Three Bedroom Information

Total Units	291
<u>Prepayments</u>	<u>1</u>
Billed For Debt	290