

April 28, 2020

Board of Supervisors
Heritage Harbour South
Community Development District

AGENDA

Dear Board Members,

The Heritage Harbour South Community Development District regular meeting of the Board of Supervisors will be held on **Tuesday, May 5, 2020 at 4:00 p.m.** , to be conducted by means of communications media technology telephone pursuant to Executive Orders 20-52 and 20-69 issued by Governor DeSantis on March 9, 2020 and March 20, 2020, respectively, and pursuant to Section 120.54(5)(b)2., Florida Statutes. The following is the tentative agenda for this meeting:

- 1. CALL TO ORDER/ROLL CALL**
- 2. PUBLIC COMMENTS**
- 3. BUSINESS ADMINISTRATION**
 - A.** Consideration of Minutes of Audit Committee
Meeting held on March 3, 2020 Tab 1
 - B.** Consideration of Minutes of Board of Supervisors' Regular
Meeting held on March 3, 2020 Tab 2
 - C.** Consideration of Operation & Maintenance Expenditures for
February & March 2020 Tab 3
 - D.** HOA Updates
 1. Heritage Harbour Master HOA
 2. Stoneybrook HOA
 3. Lighthouse Cove HOA
- 4. STAFF REPORTS**
 - A.** Aquatic Service Reports..... Tab 4
 - B.** District Counsel
 - C.** District Engineer
 1. Update on Parcels 19 and 20
 2. Update on Sidewalk Repairs
 3. Update on Signage Repairs
 4. Update on Lennar Transfer of Property
 5. Update on SWFWMD Permit Re-certification
 - D.** District Manager
 1. Financial Update
 2. Security Update & Traffic Monitoring Report Tab 5
 3. Timeline Review Tab 6
 4. Action Item List Review Tab 7

- 5. **NEW BUSINESS**
 - A. Discussion of Midge Flies
 - B. Discussion of Pond Bank Maintenance
 - C. Consideration of Fish Removal Proposal for Pond 30..... Tab 8
 - D. Discussion Regarding District Management Services
 - E. Ratification of Resolution 2020-02; Authorizing
Bank Signatories Tab 9
 - F. Consideration of Resolution 2020-03; Re-designating
Secretary Tab 10
 - G. Ratification of FY September 30, 2019 Audit Tab 11
- 6. **SUPERVISOR REQUESTS & COMMENTS**
- 7. **ADJOURNMENT**

We look forward to seeing you at the meeting. In the meantime, if you have any questions, please do not hesitate to contact us at (813) 933-5571.

Sincerely,
Gregory B. Cox
Greg Cox
District Manager

Tab 1

MINUTES OF MEETING

Each person who decides to appeal any decision made by the Board with respect to any matter considered at the meeting is advised that the person may need to ensure that a verbatim record of the proceedings is made, including the testimony and evidence upon which such appeal is to be based.

**HERITAGE HARBOUR SOUTH
COMMUNITY DEVELOPMENT DISTRICT**

The Heritage Harbour South Community Development District Audit Committee meeting of the Board of Supervisors was held on **Tuesday, March 3, 2020 at 4:00 p.m.** at the Stoneybrook Golf Club, 8000 Stone Harbour Loop, Bradenton, Florida 34212.

Present and constituting a quorum were:

Tad Parker	Board Supervisor, Committee Member
Mike Neville	Board Supervisor, Committee Member
Larry Lovell	Board Supervisor, Committee Member
Rick Lane	Board Supervisor, Committee Member
Larry Eichert	Board Supervisor, Committee Member

Also present were:

Greg Cox	District Manager; Rizzetta & Company
Andy Cohen	District Counsel; Persson, Cohen & Mooney, P.A.
Rick Schappacher	District Engineer; Schappacher Engineering

Audience **Present**

FIRST ORDER OF BUSINESS

Call to Order

Mr. Cox called the meeting to order and conducted roll call.

SECOND ORDER OF BUSINESS

Audience Comments

No audience members present.

THIRD ORDER OF BUSINESS

**Consideration to Include Price as a
Criterion**

On a motion from Mr. Lane, seconded by Mr. Lovell, with all in favor, the Audit Committee unanimously approved to include Price as a Criterion. for the Heritage Harbour South Community Development.

49 **FOURTH ORDER OF BUSINESS**

**Consideration of Audit Proposal
Instructions**

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52 On a motion from Mr. Lovell, seconded by Mr. Eichert, with all in favor, the Audit
53 Committee unanimously approved the Audit Proposal Instructions, for the Heritage
54 Harbour South Community Development.

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56 **FIFTH ORDER OF BUSINESS**

Consideration of Audit Advertisement

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58 On a motion from Mr. Lane, seconded by Mr. Parker, with all in favor, the Audit
59 Committee unanimously approved the Audit Advertisement with a 5 year vs 3 year
60 option for the Heritage Harbour South Community Development.

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62 **SIXTH ORDER OF BUSINESS**

Adjournment

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64 On a motion from Mr. Parker, seconded by Mr. Eichert, with all in favor, the Committee
65 approved to adjourn the meeting at 4:07 p.m. for the Heritage Harbour South
66 Community Development.

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Secretary / Assistant Secretary

Chairman / Vice Chairman

DRAFT

Tab 2

MINUTES OF MEETING

Each person who decides to appeal any decision made by the Board with respect to any matter considered at the meeting is advised that the person may need to ensure that a verbatim record of the proceedings is made, including the testimony and evidence upon which such appeal is to be based.

**HERITAGE HARBOUR SOUTH
COMMUNITY DEVELOPMENT DISTRICT**

The Heritage Harbour South Community Development District regular meeting of the Board of Supervisors was held on **Tuesday, March 3, 2020 at 4:07 p.m.** at the Stoneybrook Golf Club, 8000 Stone Harbour Loop, Bradenton, Florida 34212.

Present and constituting a quorum were:

Tad Parker	Board Supervisor, Chairman
Mike Neville	Board Supervisor, Vice-Chairman
Larry Lovell	Board Supervisor, Asst. Secretary
Rick Lane	Board Supervisor, Asst. Secretary
Larry Eichert	Board Supervisor, Asst. Secretary

Also present were:

Greg Cox	District Manager; Rizzetta & Company
Andy Cohen	District Counsel; Persson, Cohen & Mooney, P.A.
Rick Schappacher	District Engineer; Schappacher Engineering
Jason Jaszak	Representative, Solitude

Audience	Present
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FIRST ORDER OF BUSINESS

Call to Order

Mr. Cox called the meeting to order and conducted roll call.

SECOND ORDER OF BUSINESS

Audience Comments

Mr. Tom Bakalar addressed the Board regarding stormwater systems and wetland maintenance and determination of responsibilities. Following a discussion by the CDD Board, it was requested that the topic of Pond Bank Maintenance be added to the April 7, 2020 CDD meeting agenda.

49 **THIRD ORDER OF BUSINESS**

**Consideration of Minutes of the Board
of Supervisors' Regular Meeting held
on February 4, 2020**

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On a motion from Mr. Parker, seconded by Mr. Lovell, with all in favor, the Board approved the Minutes of the Board of Supervisors' Regular Meeting held on February 4, 2020, as presented, for the Heritage Harbour South Community Development District.

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54 **FOURTH ORDER OF BUSINESS**

**Consideration of Operation
Maintenance Expenditures for January
2020**

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58 Mr. Cox presented the Operations and Maintenance Expenditures for January 2020
59 totaling \$23,062.12.
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On a motion from Mr. Eichert, seconded by Mr. Lane, with all in favor, the Board approved to ratify the payment of the invoices in the Operations and Maintenance expenditures report for January 2020 totaling \$23,602.12, for the Heritage Harbour South Community Development District.

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62 **FIFTH ORDER OF BUSINESS**

Staff Reports

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64 **A. Aquatic Report**

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66 Mr. Jason Jaszczak, with Solitude presented the aquatic services reports to the
67 Board. Mr. Lovell requested that a "Discussion of Midge Flies" be added to the
68 April 7, 2020 CDD agenda. Mr. Jaszczak described how two Cypress trees on
69 pond #28 would be removed at Solitude's expense. Following a discussion of
70 Pleco fish, the Board members requested that Solitude provide them with
71 proposals to remove the Pleco fish for the next meeting.
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73 **SIXTH ORDER OF BUSINESS**

Lighthouse Cove HOA

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75 The Board received an update from Ms. Aylee McEldowney. The Board
76 discussed the need for additional fencing at the gap near the LHC entrance.
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On a motion from Mr. Lane, seconded by Mr. Parker, with all in favor, the Board approved a \$2,000.00 TruScapes proposal for a hedge install and a \$947.50 USA Fence proposal for a fence/gate install, both contingent upon a determination by the District Engineer that ownership of the location of the install was transferred to the CDD, for the Heritage Harbour South Community Development District.

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84 **SEVENTH ORDER OF BUSINESS**

Stoneybrook HOA

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86 The Board received a Stoneybrook HOA update from Mr. Tom Bakalar. He
87 described damages to the back gate and that the HOA intended to install curbing that
88 would help prevent vehicles from being able to hit the gate structure. Mr. Bakalar
89 explained that the Stoneybrook HOA would pay for the curbing and any costs incurred
90 by Mr. Schappacher.

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92 **EIGHTH ORDER OF BUSINESS**

Heritage Harbour Master HOA Updates

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94 The Board received a Heritage Harbour Master HOA update from Mr. Gene
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97 **NINTH ORDER OF BUSINESS**

Staff Reports (Continued)

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99 **A. District Counsel**

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101 The Board received a District Counsel update from Mr. Andy Cohen. He
102 reported that the Market Place CDD will take ownership of lake #57 if the Master
103 HOA agrees to assume maintenance responsibility of it. He also reported that he
104 had spent 4 hours and 15 minutes to date on the Aquaterra research project and
105 identified areas in the agreement between Aquaterra and the Master HOA that
106 he feels can be legally attacked. These areas included: Lack of consideration;
107 Section 720.309, Florida Statutes; checking to see if the Master Board authorized
108 signature and whether the Agreement was on a Board agenda for consideration;
109 Master doesn't own a "distribution system" for irrigation water and in fact has to
110 utilize the CDD owned system; and Review Declaration of Restrictions to see if
111 provisions related to Aquaterra can be amended since the residents are now in
112 control.

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114 **B. District Engineer**

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116 The Board received a District Engineer update from Mr. Schappacher. He
117 informed the Board that he had reached out to Kimley Horn regarding an update
118 to the Parcel 19/20 area without response. He also noted that the vendor had
119 checked the irrigation valves again and found 2 6-inch valves remaining stuck
120 and the cost would be \$5,600 each to repair.

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122 Mr. Schappacher presented bid costs to make sidewalk repairs for CDD owned
123 areas and then for Community Park areas. Following discussion regarding
124 sidewalk maintenance responsibilities, Mr. Schappacher recommended the
125 repair of the CDD owned areas (1-5) plus item 9 in the Community Park area.

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127 A motion from Mr. Lovell to approve sidewalk repair items 1-5 in the CDD owned
128 areas and item 9 in the Community Park area did not receive a second so the
129 motion failed.

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On a Motion by Mr. Lovell, seconded by Mr. Lane, with all in favor, the Board of Supervisors approved the Site Masters proposal for sidewalk repair items #1-5 in the CDD owned areas for \$4,767.00, for the Heritage Harbour South Community Development District.

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Mr. Lane requested a definition of Capital Expenditures / Capital Improvements and then, after discussion, withdrew that request.

Mr. Schappacher presented two proposals from Beautiful Mailbox and Creative Sign Design for signage repairs.

On a Motion by Mr. Lane, seconded by Mr. Lovell, with all in favor, the Board of Supervisors approved the Beautiful Mailbox proposal for signage repairs for \$1,571.00, for the Heritage Harbour South Community Development District.

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Mr. Schappacher informed the Board of the ponds inspection he conducted with Mark Bruce, with the Golf Club. He described the drainage issue existing at hole #3 and explained that it was a golf course issue to resolve.

Mr. Schappacher informed the Board that he had spoken with the County regarding the need for a stop sign at the Grand Harbour Trail / Port Harbour Parkway intersection. He explained that the County felt that the round-a-bout in Port Harbour Parkway should resolve issues with exiting onto Port Harbour Parkway.

C. District Manager

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Mr. Cox reminded the Board that the next regular meeting was scheduled for Tuesday, April 7, 2020 at 4:00 p.m. at the Stoneybrook Golf Club.

Mr. Cox provided a review of the January 2020 CDD financials, reviewed the off-duty Deputy reports, reviewed the time-line and the action item list with the Board.

TENTH ORDER OF BUSINESS

Supervisor Requests and Comments

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There were no supervisor requests.

ELEVENTH ORDER OF BUSINESS

Adjournment

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On a motion from Mr. Lane, seconded by Mr. Parker, with all in favor, the Board approved to adjourn the meeting at 5:57 p.m. for the Heritage Harbour South Community Development.

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Tab 3

HERITAGE HARBOUR SOUTH COMMUNITY DEVELOPMENT DISTRICT

DISTRICT OFFICE · 9428 CAMDEN FIELD PARKWAY · RIVERVIEW, FLORIDA 33578

Operation and Maintenance Expenditures February 2020 For Board Approval

Attached please find the check register listing the Operation and Maintenance expenditures paid from February 1, 2020 through February 29, 2020. This does not include expenditures previously approved by the Board.

The total items being presented: **\$17,334.09**

Approval of Expenditures:

____Chairperson

____Vice Chairperson

____Assistant Secretary

Heritage Harbour South Community Development District

Paid Operation & Maintenance Expenditures

February 1, 2020 Through February 29, 2020

<u>Vendor Name</u>	<u>Check Number</u>	<u>Invoice Number</u>	<u>Invoice Description</u>	<u>Invoice Amount</u>
Heritage Harbour Golf Club	001258	020420	Meeting Space Rental 02/04/2020	\$ 150.00
Larry G. Lovell	001260	LL020420	Board of Supervisor Meeting 02/04/2020	\$ 200.00
Lawrence R. Eichert	001257	LE020420	Board of Supervisor Meeting 02/04/2020	\$ 200.00
Manatee County Sheriff's Office	001265	39008	Deputy & Equip/Admin 01/2020	\$ 1,080.00
Michael Joseph Neville	001261	MN020420	Board of Supervisor Meeting 02/04/2020	\$ 200.00
Office Dynamics	001262	00030597	1 Book Copied 01/2020	\$ 42.59
Persson, Cohen & Mooney, P.A	001263	23534	Professional Services 01/2020	\$ 393.00
Richard D. Lane	001259	RL020420	Board of Supervisor Meeting 02/04/2020	\$ 200.00
Rizzetta & Company, Inc.	001255	INV0000046489	District Management Fees 02/2020	\$ 5,031.50
Rizzetta Technology Services	001256	INV0000005465	Email & Website Hosting Services 02/2020	\$ 175.00
Schappacher Engineering LLC	001266	1526	Engineering Services 01/2020	\$ 4,395.00
Solitude Lake Management	001267	PI-A00356054	Monthly Lake Maintenance 02/2020	\$ 2,355.00
Solitude Lake Management	001267	PI-A00356055	Monthly Wetland Maintenance 02/2020	\$ 2,712.00

Heritage Harbour South Community Development District

Paid Operation & Maintenance Expenditures

February 1, 2020 Through February 29, 2020

<u>Vendor Name</u>	<u>Check Number</u>	<u>Invoice Number</u>	<u>Invoice Description</u>	<u>Invoice Amount</u>
Tad Parker	001264	TP020420	Board of Supervisor Meeting 02/04/2020	\$ <u>200.00</u>
Report Total				\$ <u>17,334.09</u>

HERITAGE HARBOUR SOUTH COMMUNITY DEVELOPMENT DISTRICT

DISTRICT OFFICE · 9428 CAMDEN FIELD PARKWAY · RIVERVIEW, FLORIDA 33578

Operation and Maintenance Expenditures March 2020 For Board Approval

Attached please find the check register listing the Operation and Maintenance expenditures paid from March 1, 2020 through March 31, 2020. This does not include expenditures previously approved by the Board.

The total items being presented: **\$18,688.59**

Approval of Expenditures:

____ Chairperson

____ Vice Chairperson

____ Assistant Secretary

Heritage Harbour South Community Development District

Paid Operation & Maintenance Expenditures

March 1, 2020 Through March 31, 2020

<u>Vendor Name</u>	<u>Check Number</u>	<u>Invoice Number</u>	<u>Invoice Description</u>	<u>Invoice Amount</u>
Bradenton Herald	001273	0004586873 02/20/20	Legal Advertising 02/20	\$ 77.22
Disclosure Services, LLC	001268	4	Amortization Schedule Series 2015 02/20	\$ 100.00
Grau and Associates	001275	19208	Audit Services FYE 09/30/19	\$ 3,100.00
Heritage Harbour Golf Club	001271	030320	Meeting Space Rental 03/03/20	\$ 150.00
Larry G. Lovell	001277	LL030320	Board of Supervisor Meeting 03/03/20	\$ 200.00
Lawrence R. Eichert	001274	LE030320	Board of Supervisor Meeting 03/03/20	\$ 200.00
Michael Joseph Neville	001278	MN030320	Board of Supervisor Meeting 03/03/20	\$ 200.00
Office Dynamics	001272	00030809	1 Book Copied 02/20	\$ 35.37
Persson, Cohen & Mooney, P.A	001279	23632	Professional Services 02/20	\$ 1,965.00
Richard D. Lane	001276	RL030320	Board of Supervisor Meeting 03/03/20	\$ 200.00
Rizzetta & Company, Inc.	001269	INV0000047344	District Management Fees 03/20	\$ 5,031.50
Rizzetta Technology Services	001270	INV0000005565	Email & Website Hosting Services 03/20	\$ 175.00
Schappacher Engineering LLC	001280	1562	Engineering Services 02/20	\$ 1,987.50

Heritage Harbour South Community Development District

Paid Operation & Maintenance Expenditures

March 1, 2020 Through March 31, 2020

<u>Vendor Name</u>	<u>Check Number</u>	<u>Invoice Number</u>	<u>Invoice Description</u>	<u>Invoice Amount</u>
Solitude Lake Management	001282	PI-A00370234	Monthly Lake Maintenance 03/20	\$ 2,355.00
Solitude Lake Management	001282	PI-A00370236	Monthly Wetland Maintenance 03/20	\$ 2,712.00
Tad Parker	001281	TP030320	Board of Supervisor Meeting 03/03/20	<u>\$ 200.00</u>
Report Total				<u><u>\$ 18,688.59</u></u>

Tab 9

RESOLUTION 2020-02

A RESOLUTION OF THE BOARD OF SUPERVISORS OF HERITAGE HARBOUR SOUTH COMMUNITY DEVELOPMENT DISTRICT DESIGNATING THE AUTHORIZED SIGNATORIES FOR THE DISTRICT'S OPERATING BANK ACCOUNT(S), AND PROVIDING FOR AN EFFECTIVE DATE

WHEREAS, Heritage Harbour South Community Development District (hereinafter the "District") is a local unit of special-purpose government created and existing pursuant to Chapter 190, Florida Statutes, being situated entirely within Manatee County, Florida; and

WHEREAS, the District's Board of Supervisors (hereinafter the "Board") has selected a depository as defined in Section 280.02, Florida Statutes, which meets all the requirements of Chapter 280 and has been designated by the State Treasurer as a qualified public depository; and

WHEREAS, the Board desires now to authorize signatories for the operating bank account(s).

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

Section 1. The Chairman, Vice Chairman, Secretary, Assistant Secretaries and Treasurer and Assistant Treasurer are hereby designated as authorized signatories for the operating bank accounts of the District.

Section 2. This Resolution shall become effective immediately upon its adoption.

PASSED AND ADOPTED THIS 7th DAY OF APRIL 2020.

HERITAGE HARBOUR SOUTH
COMMUNITY DEVELOPMENT
DISTRICT



CHAIRMAN / VICE CHAIRMAN

ATTEST:


SECRETARY / ASSISTANT SECRETARY

Tab 10

RESOLUTION 2020-03

A RESOLUTION OF THE BOARD OF SUPERVISORS OF THE HERITAGE HARBOUR SOUTH COMMUNITY DEVELOPMENT DISTRICT REDESIGNATING THE SECRETARY OF THE DISTRICT, AND PROVIDING FOR AN EFFECTIVE DATE

WHEREAS, the Heritage Harbour South Community Development District (the "District") is a local unit of special-purpose government organized and existing in accordance with Chapter 190, Florida Statutes, and situated entirely within Manatee County, Florida; and

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

Section 1. Bob Schleifer is appointed Secretary

Section 2. This Resolution and any prior resolutions of the District shall be construed to the maximum extent possible to give full force and effect to the provisions of each resolution. All District resolutions or parts thereof in actual conflict with this Resolution are, to the extent of such conflict, superseded, and repealed.

Section 3. This Resolution shall become effective immediately upon its adoption.

PASSED AND ADOPTED THIS 5th DAY OF MAY, 2020.

**HERITAGE HARBOUR SOUTH
COMMUNITY DEVELOPMENT
DISTRICT**

CHAIRMAN/VICE CHAIRMAN

ATTEST:

ASSISTANT SECRETARY