

# Heritage Harbour South Community Development District

# Board of Supervisors' Meeting March 7, 2023

Stoneybrook Recreation Center 200 Golden Harbour Trail Bradenton, FL 34212

www.heritageharboursouthcdd.org

## HERITAGE HARBOUR SOUTH COMMUNITY DEVELOPMENT DISTRICT AGENDA

To be held at the Heritage Harbour Golf Club, 8000 Stone Harbour Loop, Bradenton, FL 34212

**District Board of Supervisors** Philip Frankel Chairperson

Robin Spencer Vice Chair

Mike Neville Assistant Secretary
Thomas Bakalar Assistant Secretary
Eric Hallberg Assistant Secretary

**District Manager** Christina Newsome Rizzetta & Company, Inc.

District Counsel Andrew Cohen Persson, Cohen &

Mooney, P.A.

District Engineer Rick Schappacher Schappacher Engineering

#### All cellular phones and pagers must be turned off while in the meeting room.

The Audience Comment portion of the agenda is where individuals may make comments on matters that concern the District. Individuals are limited to a total of three (3) minutes to make comments during this time.

Pursuant to provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this meeting/hearing/workshop is asked to advise the District Office at least forty-eight (48) hours before the meeting/hearing/workshop by contacting the District Manager at 813-533-2950. If you are hearing or speech impaired, please contact the Florida Relay Service by dialing 7-1-1, or 1-800-955-8771 (TTY) 1-800-955-8770 (Voice), who can aid you in contacting the District Office.

A person who decides to appeal any decision made at the meeting/hearing/workshop with respect to any matter considered at the meeting/hearing/workshop is advised that person will need a record of the proceedings and that accordingly, the person may need to ensure that a verbatim record of the proceedings is made including the testimony and evidence upon which the appeal is to be based.

## HERITAGE HARBOUR SOUTH COMMUNITY DEVELOPMENT DISTRICT

<u>District Office · Riverview, Florida · (813) 533-2950</u>

<u>Mailing Address – 3434 Colwell Avenue, Suite 200, Tampa, Florida 33614</u>

www.heritageharboursouthcdd.org

March 1, 2023

Board of Supervisors Heritage Harbour South Community Development District

#### **REVISED AGENDA**

Dear Board Members,

The Heritage Harbour South Community Development District regular meeting of the Board of Supervisors will be held on Tuesday, March 7, 2023, at 4:00 p.m. at the Heritage Harbour Stoneybrook Recreation Center located at 200 Golden Harbour Trail, Bradenton, Florida 34212. The following is the agenda for this meeting:

1. 2. 3.	PUB	L TO ORDER/ROLL CALL LIC COMMENTS BUSINESS
V.	A.	
4.	NEW	BUSINESS
	A.	Discussion of Potential Refunding of the Series 2013 Bonds
	B.	<u> </u>
	C.	Discussion of District Being a Golf Cart Community
	D.	Discussion of Contract Addendum for Pressure Washing
	E.	Consideration of Fiscal Year 2021-2022 Audit Revised
		Engagement LetterTab 1
	F.	Discussion of Proposed Signage from Manatee CountyTab 2
5.	BUS	INESS ADMINISTRATION
	A.	Consideration of Minutes of Board of Supervisors' Regular
		Meeting held on February 7, 2022Tab 3
	B.	Consideration of Operations and Maintenance Expenditures
		For January 2023Tab 4
	C.	HOA Updates
		Heritage Harbour Master HOA
		2. Stoneybrook HOA
		3. Lighthouse Cove HOA
		4. Golf Course Update
6	STAI	FE REPORTS

**District Counsel** 

	В.	District Engineer	
		<ol> <li>Discussion of Broken Pipe at Golf Course</li> </ol>	
		2. Lighthouse Cove- Access Concerns	Tab 5
		3. Discussion of Enhancements to Lighthouse	
		4. Discussion of Purchasing New Radar Signs	
		5. Presentation of Radar Signs	Tab 6
	C.	District Manager	
		District Manager's Report	Tab 7
<b>7</b> .	SUP	PERVISOR REQUESTS & COMMENTS	
8.	ADJ	JOURNMENT	

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) 533-2950.

Sincerely,

Christina Newsome

Christina Newsome District Manager

## Tab 1

Certified Public Accountants PL

600 Citrus Avenue Suite 200 Fort Pierce, Florida 34950

772/461-6120 // 461-1155 FAX: 772/468-9278

September 25, 2022

Heritage Harbour South Community Development District Rizzetta & Company, Inc. 3434 Colwell Avenue, Suite 200 Tampa, FL 33614

#### The Objective and Scope of the Audit of the Financial Statements

You have requested that we audit the financial statements of Heritage Harbour South Community Development District, (the "District"), which comprise governmental activities and each major fund as of and for the year ended September 30, 2022, which collectively comprise the basic financial statements. We are pleased to confirm our acceptance and our understanding of this audit engagement by means of this letter for the year ending September 30, 2022 and thereafter if mutually agreed upon by Heritage Harbour South Community Development District and Berger, Toombs, Elam, Gaines & Frank.

The objectives of our audit are to obtain reasonable assurance about whether the financial statements as a whole are free from material misstatement, whether due to fraud or error, and to issue an auditor's report that includes our opinion. Reasonable assurance is a high level of assurance but Is not absolute assurance and therefore is not a guarantee that an audit conducted in accordance with auditing standards generally accepted in the United States of America (GAAS) will always detect a material misstatement when it exists. Misstatements can arise from fraud or error and are considered material if, individually or in the aggregate, they could reasonably be expected to influence the economic decisions of users made on the basis of these financial statements. The risk of not detecting a material misstatement resulting from fraud is higher than for one resulting from error, as fraud may involve collusion, forgery, intentional omissions, misrepresentations, or the override of internal control.

#### The Responsibilities of the Auditor

We will conduct our audit in accordance with (GAAS). Those standards require that we comply with applicable ethical requirements. As part of an audit in accordance with GAAS, we exercise professional judgement and maintain professional skepticism throughout the audit. We also:

• Identify and assess the risks of material misstatement of the financial statements, whether due to fraud or error, design and perform audit procedures responsive to those risks, and obtain audit evidence that is sufficient and appropriate to provide a basis for our opinion.



- Obtain an understanding of internal control relevant to the audit in order to design audit procedures that are appropriate in the circumstances but not for the purpose of expressing an opinion on the effectiveness of the District's internal control. However, we will communicate to you in writing concerning any significant deficiencies or material weaknesses in internal control relevant to the audit of the financial statements that we have identified during the audit.
- Evaluate the appropriateness of accounting policies used and the reasonableness of significant accounting estimates made by management, as well as evaluate the overall presentation of the financial statements, including the disclosures, and whether the financial statements represent the underlying transactions and events in a manner that achieves fair presentation.
- Conclude, based on the audit evidence obtained, whether there are conditions or events, considered in the aggregate, that raise substantial doubt about the District's ability to continue as a going concern for the reasonable period of time.

Because of the inherent limitations of an audit, together with the inherent limitations of internal control, an unavoidable risk that some material misstatements may not be detected exists, even though the audit is properly planned and performed in accordance with GAAS.

We will maintain our independence in accordance with the standards of the American Institute of Certified public Accountants.



### The Responsibilities of Management and Identification of the Applicable Financial Reporting Framework

Management is responsible for:

- 1. Identifying and ensuring that the District complies with the laws and regulations applicable to its activities, and for informing us about all known violations of such laws or regulations, other than those that are clearly inconsequential;
- 2. The design and implementation of programs and controls to prevent and detect fraud, and for informing us about all known or suspected fraud affecting the District involving management, employees who have significant roles in internal control, and others where the fraud could have a material effect on the financial statements; and
- 3. Informing us of its knowledge of any allegations of fraud or suspected fraud affecting the District received in communications from employees, former employees, analysts, regulators, short sellers, vendors, customers or others.

The Board is responsible for informing us of its views about the risks of fraud within the entity, and its knowledge of any fraud or suspected fraud affecting the entity.

Our audit will be conducted on the basis that management acknowledges and understands that it has responsibility:

- To evaluate subsequent events through the date the financial statements are issued or available to be issued, and to disclose the date through which subsequent events were evaluated in the financial statements. Management also agrees that it will not conclude on subsequent events earlier than the date of the management representation letter referred to below;
- 2. For the design, implementation and maintenance of internal control relevant to the preparations of fair presentation of financial statements that are free from material misstatement, whether due to fraud or error; and
- 3. To provide us with:
  - a. Access to all information of which management is aware that is relevant to the preparation and fair presentation of the financial statements including information relevant to disclosures;
  - b. Draft financial statements, including information relevant to their preparation and fair presentation, when needed to allowed for the completion of the audit in accordance with the proposed timeline:



- c. Additional information that we may request from management for the purpose of the audit; and
- d. Unrestricted access to persons within the District from whom we determine it necessary to obtain audit evidence.

As part of our audit process, we will request from management written confirmation concerning representations made to us in connection with the audit, including among other items:

- 1. That management has fulfilled its responsibilities as set out in the terms of this arrangement letter; and
- 2. That it believes the effects of any uncorrected misstatements aggregated by us during the current engagement and pertaining to the latest period presented are immaterial, both individually and in the aggregate, to the financial statements taken as a whole.

#### Reporting

We will issue a written report upon completion of our audit of Heritage Harbour South Community Development District's financial statements. Our report will be addressed to the Board of Heritage Harbour South Community Development District. We cannot provide assurance that an unmodified opinion will be expressed. Circumstances may arise in which it is necessary for us to modify our opinion, add an emphasis-of-matter or other-matter paragraph(s), or withdraw from the engagement.

#### **Records and Assistance**

During the course of our engagement, we may accumulate records containing data that should be reflected in the of Heritage Harbour South Community Development District books and records. The District will determine that all such data, if necessary, will be so reflected. Accordingly, the District will not expect us to maintain copies of such records in our possession.

The assistance to be supplied, including the preparation of schedules and analyses of accounts, has been discussed and coordinated with Kaitlyn Gallant. The timely and accurate completion of this work is an essential condition to our completion of the audit and issuance of our audit report.

#### **Other Relevant Information**

In accordance with Government Auditing Standards, a copy of our most recent peer review report has been provided to you, for your information.



#### Fees, Costs and Access to Workpapers

Our fees for the services described above are based upon the value of the services performed and the time required by the individuals assigned to the engagement, plus direct expenses. Invoices for fees will be submitted in sufficient detail to demonstrate compliance with the terms of this engagement. Billings are due upon submission. Our fee for the services described in this letter for the year ending September 30, 2022 will not exceed \$3,325, unless the scope of the engagement is changed, the assistance which of Heritage Harbour South Community Development District has agreed to furnish is not provided, or unexpected conditions are encountered, in which case we will discuss the situation with you before proceeding. All other provisions of this letter will survive any fee adjustment.

In the event we are requested or authorized by Heritage Harbour South Community Development District or are required by government regulation, subpoena, or other legal process to produce our documents or our personnel as witnesses with respect to our engagement for Heritage Harbour South Community Development District, of Heritage Harbour South Community Development District will, so long as we are not a party to the proceeding in which the information is sought, reimburse us for our professional time and expenses, as well as the fees and expenses of our counsel, incurred in responding to such requests.

The audit documentation for this engagement is the property of Berger, Toombs, Elam, Gaines, & Frank and constitutes confidential information. However, you acknowledge and grant your assent that representatives of the cognizant or oversight agency or their designee, other government audit staffs, and the U.S. Government Accountability Office shall have access to the audit documentation upon their request and that we shall maintain the audit documentation for a period of at least three years after the date of the report, or for a longer period if we are requested to do so by the cognizant or oversight agency.

Access to requested documentation will be provided under the supervision of Berger, Toombs, Elam, Gaines, & Frank audit personnel and at a location designated by our Firm.



#### Information Security - Miscellaneous Terms

Berger, Toombs, Elam, Gaines & Frank is committed to the safe and confidential treatment of Heritage Harbour South Community Development District's proprietary information. Berger, Toombs, Elam, Gaines & Frank is required to maintain the confidential treatment of client information in accordance with relevant industry professional standards which govern the provision of services described herein. Heritage Harbour South Community Development District agrees that it will not provide Berger, Toombs, Elam, Gaines & Frank with any unencrypted electronic confidential or proprietary information, and the parties agree to utilize commercially reasonable measures to maintain the confidentiality of Heritage Harbour South Community Development District's information, including the use of collaborate sites to ensure the safe transfer of data between the parties.

If any term or provision of this arrangement letter is determined to be invalid or unenforceable, such term or provision will be deemed stricken and all other terms and provisions will remain in full force and effect.

Because Berger, Toombs, Elam, Gaines & Frank will rely on of Heritage Harbour South Community Development District and its management and Board of Supervisors to discharge the foregoing responsibilities Heritage Harbour South Community Development District, to the extent allowable by law and specifically without waiving its sovereign immunity protections, holds harmless and releases Berger, Toombs, Elam, Gaines & Frank, its partners, and employees from all claims, liabilities, losses and costs arising in circumstances where there has been a known misrepresentation by a member of Heritage Harbour South Community Development District's management, which has caused, in any respect, Berger, Toombs, Elam, Gaines & Frank's breach of contract or negligence. This provision shall survive the termination of this arrangement for services.

This letter constitutes the complete and exclusive statement of agreement between Berger, Toombs, Elam, Gaines, & Frank and of Heritage Harbour South Community Development District, superseding all proposals, oral or written, and all other communications, with respect to the terms of the engagement between the parties.

#### **Retention of Records**

We will return to you all original records you provide to us in connection with this engagement. Further, in addition to providing you with those deliverables set forth in this engagement letter, we will provide to you a copy of any records we prepare or accumulate in connection with such deliverables which are not otherwise reflected in your books and records without which your books and records would be incomplete. You have the sole responsibility for retaining and maintaining in your possession or custody all of your financial and nonfinancial records related to this engagement. We will not host, and will not accept responsibility to host, any of your records. We, however, may maintain a copy of any records of yours necessary for us to comply with applicable law and/or professional standards or to exercise our rights under this engagement letter.



Any such records retained by us will be subject to the confidentiality obligations set forth herein and destroyed in accordance with our record retention policies.

Please sign and return the attached copy of this letter to indicate your acknowledgment of, and agreement with, the arrangements for our audit of the financial statements including our respective responsibilities.

Burgu Joonko Glam Danes + Frank
BERGER, TOOMBS, ELAM, GAINES & FRANK J. W. Gaines, CPA
Confirmed on behalf of the addressee:



6815 Dairy Road Zephyrhills, FL 33542

813.788.2155 BodinePerry.com

#### Report on the Firm's System of Quality Control

To the Partners of Berger, Toombs, Elam, Gaines & Frank, CPAs, PL November 30, 2022

and the Peer Review Committee of the Florida Institute of Certified Public Accountants

We have reviewed the system of quality control for the accounting and auditing practice of Berger, Toombs, Elam, Gaines & Frank, CPAs, PL (the firm), in effect for the year ended May 31, 2022. Our peer review was conducted in accordance with the Standards for Performing and Reporting on Peer Reviews established by the Peer Review Board of the American Institute of Certified Public Accountants (Standards).

A summary of the nature, objectives, scope, limitations of, and the procedures performed in a System Review as described in the Standards may be found at aicpa.org/prsummary. The summary also includes an explanation of how engagements identified as not performed or reported in conformity with applicable professional standards, if any, are evaluated by a peer reviewer to determine a peer review rating.

#### Firm's Responsibility

The firm is responsible for designing a system of quality control and complying with it to provide the firm with reasonable assurance of performing and reporting in conformity with applicable professional standards in all material respects. The firm is also responsible for evaluating actions to promptly remediate engagements deemed as not performed or reported in conformity with professional standards, when appropriate, and for remediating weaknesses in its system of quality control, if any.

#### Peer Reviewer's Responsibility

Our responsibility is to express an opinion on the design of the system of quality control, and the firm's compliance therewith based on our review.

#### Required Selections and Considerations

Engagements selected for review included engagements performed under *Government Auditing Standards*, including a compliance audit under the Single Audit Act.

As a part of our peer review, we considered reviews by regulatory entities as communicated by the firm, if applicable, in determining the nature and extent of our procedures.

#### Opinion

In our opinion, the system of quality control for the accounting and auditing practice of Berger, Toombs, Elam, Gaines & Frank, CPAs, PL, in effect for the year ended May 31, 2022, has been suitably designed and complied with to provide the firm with reasonable assurance of performing and reporting in conformity with applicable professional standards in all material respects. Firms can receive a rating of *pass, pass with deficiency(ies)*, or *fail.* Berger, Toombs, Elam, Gaines & Frank, CPAs, PLC, has received a peer review rating of *pass*.

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(BERGER\_REPORT22)



## ADDENDUM TO ENGAGEMENT LETTER HERITAGE HARBOUR SOUTH COMMUNITY DEVELOPMENT DISTRICT DATED SEPTEMBER 25, 2022

<u>Public Records.</u> Auditor shall, pursuant to and in accordance with Section 119.0701, Florida Statutes, comply with the public records laws of the State of Florida, and specifically shall:

- a. Keep and maintain public records required by the District to perform the services or work set forth in this Agreement; and
- b. Upon the request of the District's custodian of public records, provide the District with a copy of the requested records or allow the records to be inspected or copied within a reasonable time at a cost that does not exceed the cost provided in Chapter 119, Florida Statutes, or as otherwise provided by law; and
- c. Ensure that public records that are exempt or confidential and exempt from public records disclosure requirements are not disclosed except as authorized by law for the duration of the contract term and following completion of the Agreement if the Auditor does not transfer the records to the District; and
- d. Upon completion of the Agreement, transfer, at no cost to the District, all public records in possession of the Auditor or keep and maintain public records required by the District to perform the service or work provided for in this Agreement. If the Auditor transfers all public records to the District upon completion of the Agreement, the Auditor shall destroy any duplicate public records that are exempt or confidential and exempt from public disclosure requirements. If the Auditor keeps and maintains public records upon completion of the Agreement, the Auditor shall meet all applicable requirements for retaining public records. All records stored electronically must be provided to the District, upon request from the District's custodian of public records, in a format that is compatible with the information technology systems of the District.

Auditor acknowledges that any requests to inspect or copy public records relating to this Agreement must be made directly to the District pursuant to Section 119.0701(3), Florida Statutes. If notified by the District of a public records request for records not in the possession of the District but in possession of the Auditor, the Auditor shall provide such records to the District or allow the records to be inspected or copied within a reasonable time. Auditor acknowledges that should Auditor fail to provide the public records to the District within a reasonable time, Auditor may be subject to penalties pursuant to Section 119.10, Florida Statutes.

IF THE AUDITOR HAS QUESTIONS REGARDING THE APPLICATION OF CHAPTER 119, FLORIDA STATUTES, TO THE AUDITOR'S DUTY TO PROVIDE PUBLIC RECORDS RELATING TO THIS AGREEMENT/CONTRACT, THE AUDITOR MAY CONTACT THE CUSTODIAN OF PUBLIC RECORDS FOR THE DISTRICT AT:

RIZZETTA & COMPANY 3434 COLWELL AVE, SUITE 200 TAMPA, FL 33614 PHONE: 813.933.5571

Auditor: _	District: Heritage Harbour South Community Development District
Title: Director	By:
	Title:
Date: September 25, 2022	Date:

## Tab 2

#### **PHOTOS: DOUBLE FACE ILLUMINATED MONUMENT**

#### PROPOSED MONUMENT WITH DIMENSIONS



8'-0" x 10'-5 1/4" = 83.5 Sq Ft SIGN AREA -

#### **CURRENT SIGNAGE**



3'-6" x 21'-6" = 83.5 Sq Ft SIGN AREA --



- SIGNS
- AWNINGS
- GRAPHICS

1767 Lakewood Ranch Blvd. # 256 Bradenton, FL 34211 Ph: 941-932-4622 Fax: 941-747-7513

Created For

Sarasota Memorial Hospital

Address / City / State

Heritage Harbor

Jeff Riggins

Date

Noted

1 of 1

Sales Representative

**Customer Approval** 

Landlord's Approval

Date Filename

/2885-R4-Sarasota Memorial Hospital-Heritage Harbor

2885 Drawing No.

11/11/22

Sheet

#### Revisions

- 1 01/19/23
- ② 01/24/23
- <u> 3</u> <u>02/15/23</u>

## Tab 3

MINUTES OF MEETING 1 2 3 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 4 5 that a verbatim record of the proceedings is made, including the testimony and evidence 6 upon which such appeal is to be based. 7 8 HERITAGE HARBOUR SOUTH 9 COMMUNITY DEVELOPMENT DISTRICT 10 11 The Heritage Harbour South Community Development District regular meeting of the Board of Supervisors was held on Tuesday, February 7, 2023, at 4:04 p.m. at the 12 13 Heritage Harbour South Stoneybrook Golf Club located 8000 Golden Stone Harbour Loop, Bradenton, FL 34214. The following is the agenda for this meeting. 14 15 16 Present and constituting a quorum were: 17 18 Mike Neville **Board Supervisor, Chairman** 19 Robin Spencer **Board Supervisor. Vice Chair** Tom Bakalar **Board Supervisor, Asst. Secretary** 20 **Board Supervisor, Asst. Secretary** Mike Neville 21 **Board Supervisor, Asst. Secretary** 22 Eric Hallberg 23 24 Also present were: 25 26 Christina Newsome District Manager; Rizzetta & Company 27 Andy Cohen District Counsel; Persson, Cohen Mooney, Fernandez & Jackson P.A. 28 29 Rick Schappacher District Engineer; Schappacher Engineering Gene Zeiner Representative; SBHOA 30 Mike Fisher Representative: MHOA 31 32 33 Audience Present 34 35 FIRST ORDER OF BUSINESS Call to Order 36 37 Ms. Newsome called the meeting to order at 4:04 PM. 38 SECOND ORDER OF BUSINESS **Audience Comments** 39 40 41 There was audience present. 42 THIRD ORDER OF BUSINESS **Discussion of Stone Harbour Loop Sound Barrier** 43 44 45

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Mr. Frankel addressed the board about the traffic noise complaint on Stone Harbour Loop. He explained to the audience that all CDD meetings are open air meetings and how that can sometimes cause a delay in addressing issues because the board supervisors cannot speak to each other outside of meetings and can only discuss concerns once a month. Mr. Frankel informed the board about a meeting that was set up by Mrs. Georgia Armstrong with state representative Tommy Gregory, which was held on Saturday, Feb 4, 2023, Mr. Frankel explained the CDD's role as landowners and that while certain pieces of land are owned by the CDD, it is the responsibility of the Master HOA to maintain. Mr. Frankel gave an overview of a 20-year span of history of SR 64 and explained that the expansion of the surrounding areas has drastically increased the traffic along the road. He hit on the main point of conversation regarding this being jurisdiction and environmental issues with the lake. and lastly logistics and cost, which could be between \$800,000 to upwards of \$1.2 million according to the FDOT for a wall. The CDD doesn't have those kinds of funds in the budget. Mr. Gregory has secured an investment of \$20k from the FDOT to study the noise pollution along SR 64 and possible abatement that could be found. They are aware of the change in the amount of noise in the area. He informed Everyone that the Board would be taking no action on the noise barrier until they receive the final report from FDOT which should be done by late March possibly April before discussing any solutions hopefully, the issue could be handled entirely by FDOT. Mr. Frankel then went on to ask the audience members what time is the noise Pollution the worst? They replied that rush hours during the week and during the night races on the Saturdays. The District's Engineer Rick Schappacher added that the FDOT study that is being done does take future traffic into account. Mr. Frankel added that he spoke with Mark Bruce the golf course manager and that there will be additional vegetation planted along SR64 that will assist with noise reduction. Mr. Frankel asked Mr. Schappacher to give his preliminary findings from his noise survey. He came at various times of the day and took various readings to measure sound in the area. He will review his findings alongside the findings from the FDOT survey when the report is complete. Residents also voiced concerns about a possible homeless camp in the community. Mr. Bakalar informed everyone that the Master HOA has a designated person responsible for looking into these issues so they should go directly to the Master HOA for assistance.

#### **FOURTH ORDER OF BUSINESS**

Consideration of Fiscal Year 2021-2022 Audit Engagement Letter

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On a Motion from Mr. Neville seconded by Ms. Spencer, the Board approved the Fiscal Year 2021-2022 Audit Engagement Letter from Berger, Toombs, Elam, Gaines & Frank pending amendments from District Counsel, for the Heritage Harbour South Community Development District.

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FIFTH ORDER OF BUSINESS

Consideration of Tri-Party Agreement

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On a Motion from Mr. Neville seconded by Mr. Bakalar, The board accepted the Form of consent trustee letter and agreement from U.S. Bank National Association to U.S. Bank Trust Company, National Association among Heritage Harbour South Community Development District (the "District"), U.S. Bank National Association, as Trustee ("USB"), and U.S. Bank Trust Company, National Association ("Trust Company",) for the Heritage Harbour South Community Development District.

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#### SIXTH ORDER OF BUSNESS

Consideration of Minutes of Board of Supervisors Regular Meeting held on November 28, 2022

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On a Motion from Mr. Neville seconded by Mr. Bakalar, The Board approved the minutes from the November 28, 2022 meeting, as amended, for the Heritage Harbour South Community Development District.

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#### **SEVENTH ORDER OF BUSINESS**

Consideration of Operations and Maintenance Expenditures for October, November, and December

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On a Motion from Mr. Neville seconded by Ms. Spencer, with all in favor, The Board approved the Operations and Maintenance Expenditures for October 2022 (\$13,896.36), November 2022 (\$18,169.51), and December 2022 (\$7,089.16) for the Heritage Harbour South Community Development District.

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#### **EIGHTH ORDER OF BUSINES**

#### **HOA Updates**

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#### 1. Heritage Harbour Master HOA

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On behalf of the Master Association, Mr. Fisher informed the Board that the micro-forest is complete and is wonderful and there will be informational tidbits in the form of QR Codes. Mr. Fisher also informed the Board that the HA fountain, that ultimately stopped functioning during the hurricane, will be costly to repair but work is set to begin in June/July.

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#### 2. Stoneybrook HOA

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Mr. Zeiner gave an update on behalf of Stoneybrook HOA, he made a comment about not being able to hear the Board members due to acoustics as well as noise from the golf course bar. He also informed the board that the invoice for hurricane cleanup has been sent over to the CDD. Ms. Newsome will confer with the Stoneybrook HOA to get all supporting documents related to the invoice and have them sent to the board.

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#### 3. Lighthouse Cove HOA

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There were no updates from Lighthouse Cove HOA.

#### 4. Golf Course Update

There were no updates from Heritage Harbour Golf Course.

#### **NINTH ORDER OF BUSINESS**

**Staff Reports** 

#### A. District Counsel

During District Counsel updates Andy Cohen let the Board know that the Lennar deed has been recorded and staff should inform the insurance company as well as in-house staff to keep track of taxes, which there should be none owed on the property. The easement has been executed by the golf course and chair and is being sent to recording. The easement from JLH Properties has also been executed by chair and signature release is being held until counsel's office receives the reimbursement check as agreed upon by all parties. -Check for \$1950.25 was received on 02/22/23 by the District.

#### B. District Engineer

During District Engineer updates, Mr. Schappacher showed the Board a mock up done by Fast Signs for three options for "Speed Checked by Radar" signs. Discussion ensued on the topic new and existing of radar signs. The discussion of purchasing a new radar sign is tabled and will be added to the March agenda. Now that CDD South now owns the land around Lighthouse Cove Mr. Schappacher asked if the Board wanted to revisit a previous request, made roughly 2 years ago, to put in a fence, hedges, or gates along Lighthouse Cove Drive. Mr. Schappacher is going to put a more up to date report together of possible options since the request is so dated. Subject is tabled to next meeting for discussion.

On a Motion from Ms. Spencer seconded by Mr. Bakalar, with one opposing vote from Mr. Hallberg, the board revisited the motion for the District Engineer to purchase six "Speed Checked by Radar" signs to be affixed to existing posts, not to exceed \$1000, for the Heritage Harbour South Community Development District.

On a Motion from Mr. Frankel seconded by Mr. Bakalar, the Board motioned and approved to extend the meeting to 6:15 p.m., for the Heritage Harbour South Community Development District.

Mr. Schappacher was asked to check speed humps and any height requirements, after researching it was found that the speed bumps meet standard requirements, there are no violations. Mr. Schappacher informed the board that S.M.H is proposing to revamp the big sign on River Heritage Blvd and since the median is owned by CDD South they are asking for approval. District Management will take over correspondence with S.M.H regarding the sign and will report to the board at the next meeting.

157 158 159 160 161	Mr. Bakalar requested that Mr. Schappacher get an updated contract for pressure washing of sidewalks. Mr. Schappacher informed the Board that the current company is updating the current contract extension with a 10% discount. Mr. Frankel asked to have this topic added to the March agenda.					
	On a Motion from Mr. Frankel seconded by Mr. Bakalar, the Board motioned and approved to extend the meeting to 6:30 p.m., for the Heritage Harbour South Community Development District.					
162 163 164 165	C. District Manager  1. Review of District Manager Report					
166 167 168 169 170 171 172 173 174 175 176	During District Manager updates, Ms. Newsome informed the Board that the reason why FHP has not been picking up shifts is because they have been short staffed and have been working 12 hour shifts since the state was hit with back-to-back hurricanes. Ms. Newsome contacted MCSO to establish a new contract for off-duty services and was given a sample contract. Counsel instructed that the contract needed is for public entities and Ms. Newsome will be reaching out to get the correct information and contract The Board reviewed the verbiage for inappropriate dumping and Ms. Newsome will take all feedback and revise the verbiage to be more informational. The Board discussed moving meetings to the Stoneybrook Rec Center permanently due to the noise.					
177	TENTH ORDER OF BUSINESS Supervisors Requests					
178 179 180	During Supervisor requests Mr. Bakalar requested 2 budget examples for 2023-2024.					
181 182 183	<ol> <li>An example, keeping the methodology the same and with no increase in assessments.</li> </ol>					
184 185 186	<ol><li>An example, which the dollars are allocated to the lines where money will be spent.</li></ol>					
187 188	ELEVENTH ORDER OF BUSINESS Adjournment					
189 190 191	On a Motion by Mr. Frankel, seconded by Ms. Spencer, with all in favor, the Board of Supervisors approved to adjourn the meeting at 6:33 p.m., for the Heritage Harbour South Community Development District.					
192 193 194						
195	Secretary / Assistant Secretary Chairman / Vice Chairman					

## Tab 4

#### HERITAGE HARBOUR SOUTH COMMUNITY DEVELOPMENT DISTRICT

<u>District Office Riverview, Florida - (813) 994-1001</u>

<u>Mailing Address - 3434 Colwell Avenue, Suite 200, Tampa Florida 33614</u>

www.heritageharboursouthcdd.org

## Operations and Maintenance Expenditures January 2023 For Board Approval

Attached please find the check register listing the Operation and Maintenance expenditures paid from January 1, 2023 through January 31, 2023. This does not include expenditures previously approved by the Board.

The total items being presented:	\$34,942.43
Approval of Expenditures:	
Chairperson	
Vice Chairperson	
Assistant Secretary	

#### HERITAGE HARBOUR SOUTH COMMUNITY DEVELOPMENT DISTRICT

#### Paid Operation & Maintenance Expenditures

January 1, 2023 Through January 31, 2023

Vendor Name	Check Numb	e Invoice Numbe	er Invoice Description	nvoice Amount
Brown's Trophies, Inc.	100054	8322	Appreciation Plaque 11/22	\$37.08
Brown's Trophies, Inc.	100055	8045	Appreciation Plaque 10/22	\$36.89
Fastsigns	100061	INV-24963B	Remove, Furnish & Install Signs Balance Due 12/22	\$577.23
Innersync Studio, Ltd	100062	21021	CDD Website Hosting - Quarterly Service 01/23	\$384.38
Persson, Cohen & Mooney, P.	A 100056	2849	Legal Services 11/22	\$5,950.00
Persson, Cohen & Mooney, P.	A 100064	3008	Legal Services 12/22	\$210.00
Premier Pressure Cleaning, LL	C 100057	4358	Pressure Cleaning 11/22	\$17,309.93
Rizzetta & Company, Inc.	100053	INV0000746	56 District Management Fees 01/23	\$5,211.92
Rizzetta & Company, Inc.	100060	INV00007486	67Annual Dissemination Services 01/23	\$1,000.00
Schappacher Engineering, LLC	100058	2286	Engineering Services 11/22	\$2,887.50
Schappacher Engineering, LLC	100063	2309	Engineering Services 12/22	\$337.50
U.S. Bank	100059	6739352	Trustee Fees Custodian Account 11/01/2022-10/31/202	<u>\$1,000.00</u>

•\$34,942.43

**Report Total** 

#### HERITAGE HARBOUR SOUTH COMMUNITY DEVELOPMENT DISTRICT

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Rizzetta & Company, Inc.	100053	INV0000074656	District Management Fees 01/23	\$5,211.92
Rizzetta & Company, Inc.	100060	INV0000074867	Annual Dissemination Services 01/23	\$1,000.00
Schappacher Engineering, LLC	100058	2286	Engineering Services 11/22	\$2,887.50
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•\$34,942.43

**Report Total** 

## Tab 5



Viewing southwest from resident home in Lighthouse Cove



Viewing southwest from resident home in Lighthouse Cove



Opening in Hedge along Lighthouse Drive



Opening in Hedge along Lighthouse Drive



South end of Lighthouse Cove next to Beacon Lake



Viewing northeast in area of concern of vehicular access



Gap in hedges and fence on southwest corner of Lighthouse Cove



Gap in hedges and fence on southwest corner of Lighthouse Cove

## Tab 6

#### rick schappachereng.com

From: Eric Hallberg <eric.n.hallberg@gmail.com>
Sent: Sunday, November 13, 2022 5:08 PM

To:rick schappachereng.comSubject:Update Speed Signs HHSCDD

Attachments: EV15SD (2) Solar.pdf; EV15SD.pdf; SP Cloud Product Sheet.pdf

Hi Rick,

This is a follow-up on the traffic speed sensors in Heritage Harbour CDD south. I will be out of town at the next CDD meeting. I thought you might pass this along to them in any manner you like.

The speed sensors were manufactured by TrafficLogix, a Canadian company with offices and distribution in the U.S. When I spoke with Sean Coupland their support person for US South east, he was in Boston, MA I think; probably working remotely from home like everyone else!

Based on the model and name of the logic board, this version of the sensor was produced in the 2012 - 2015 time frame. The unit is named the SafePace 450. The logic board for this product (Backfin Controller Version 3) is no longer in production.

The unit on Heritage Isles Way has two problems. The first problem is a malfunctioning logic board or possibly RF daughter board. After power is applied, the logic board runs through a check process and powers down (possibly shorts out) on a test of the daughter board connected to the RF line. Reseating the daughter board and resetting the logic board had no effect on the malfunction.

The second problem with this unit is that the Genus GV-5 MPPT controller fails to put out 12V to the logic board. Both battery and solar inputs are supplying power to the GV-5. The GV-5 is still in production and a replacement GV-5 runs about \$100. I used the good GV-5 on the other unit to power up the logic board and troubleshoot.

The second SafePace 450 is on Haven Harbour Way. The GV-5 for this unit is operating. That is how I was able to power up the Heritage Isles Way unit and observe it failing the start-up test. The Haven Harbour Way unit is operating but pointed at the wrong lane of traffic.

The battery back-up and solar collectors for both units work.

My personal opinion is that both of these units are beyond their service life. There is evidence of corrosion and water intrusion in both enclosures. TrafficLogix does no offer spare parts so repair at the logic board level is problematic. Who knows when the Haven Harbour unit will fail? Soon is my guess.

I contacted TrafficLogix and received a quote for new compatible products just to see what these things go for today. I attached the quote they sent me for their latest most cost effective version of the sign. New sign installation is straightforward although both poles would need to be adjusted such that they are perpendicular to the ground.

The new products have transitioned to Cloud-based data storage. You can still interrogate the signs "manually" using Bluetooth and pull the data down to your laptop. The Cloud data service is an optional recurring cost that makes data analysis easy to do from your desk.

I can get you the keys to the units back anytime or in December when I get back from my trip. Test or call anytime.

Eric Hallberg 443-254-4168

Sent from my iPhone

Begin forwarded message:

From: Sean Coupland <scoupland@trafficlogix.com>

Date: November 3, 2022 at 12:44:04 EDT

To: eric.n.hallberg@gmail.com Subject: Quote for Evolution Sign

Dear Mr. Hallberg,

Thank you for contacting us at Traffic Logix for your traffic calming needs and your request for a quotation for our Evolution 15SD radar speed display sign.

Please find attached a quotation for our Evolution 15SD radar speed display sign with the solar option. The solar option will include the sign with solar panel, speed violator strobe, Bluetooth, data and one year of our SafePace cloud.

The entire product family of SafePace Evolution signs are manufactured to the highest standards and utilize a UV stabilized polycarbonate casing.. They have included as standard - Bluetooth - Data and Strobe features along with our SafePace pro software.

All signs feature as standard a GSM Modem and antennae to utilize the power of our SafePace Cloud and as a bonus we include 12 months of service (including data costs) to the cloud service.

As stated above the signs include one year of our SafePace Cloud. The Cloud will allow you to have remote access to your sign using one easy to use website – meaning you can access it with any device that has internet access (tablet, laptop, desktop) from anywhere. You will be able to program the sign, collect traffic statistics and even set up high speed or low battery alerts by text message or email. You can have multiple users (with different permission levels) set up on the Cloud at no extra charge. The cost of renewing the Cloud for each additional year is \$500 per sign – however bundling or lifetime options are also available. If you choose not to renew the Cloud, you can revert to a Bluetooth connection at no charge. You keep the data, Bluetooth, and speed violator strobe options. There is no annual fee for the Bluetooth option.

Please do not hesitate to contact me if you have any questions.

Thanks, Sean.

Sean M. Coupland

Regional Sales Manager | US South East



TEL| 866.915.6449 x 205 CELL | 508 713 2855

EMAIL <u>scoupland@trafficlogix.com</u> **WEB: www.trafficlogix.com** 





## Tab 6A



# SafePace® Evolution 15

## The Traffic Logix SafePace® Evolution 15 is the lightweight sign with full size impact.

The Traffic Logix SafePace 15 driver feedback sign is a portable, lightweight radar sign with full size 15" digits. A speed activated message to slow down alerts speeding drivers. Digits are dual color while messaging is available in a choice of red or amber. The Evolution 15 sign can be mounted at multiple locations with a universal mounting bracket and can function autonomously for weeks at a time with optional battery power.









#### **EV 15 Specifications**

LV 13 Specifications	State of the last
Digit Size	15"
Height	33.1"
Weight	28 lbs
24/7, 365 Scheduling	✓
Data Collection	✓
Solar Compatibility	✓
Battery Operated	✓
Universal Mounting	✓
Cloud Compatibility	✓
Trailer Compatibility	✓
Dolly Compatibility	✓
Hitch Compatibility	✓
Warranty	2 Years

#### **Features**

**MUTCD compliant** with static "YOUR SPEED" message and highly visible 15" LED digits that are visible from up to 600 ft away.

**Dual Color Display:** LED digit color can be programmed to change based on driver speed

**User-friendly software interface** allows you to manage sign parameters such as threshold speeds and violator strobe remotely.

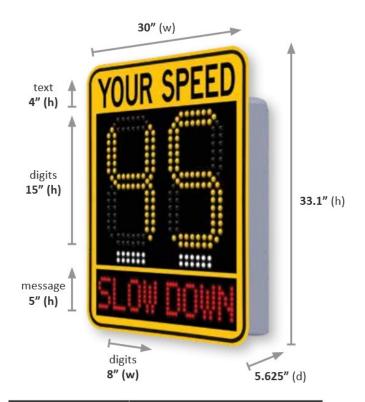
**Ultra low power consumption** including the most power-efficient radar technology available, optional solar power, and optional battery power that allows the sign to function autonomously for **up to five weeks.** 

**Stealth Mode** allows the sign to collect baseline traffic data while speed display appears blank to motorists.

**Slow Down Messaging:** Sign flashes "Slow Down" message at drivers who exceed designated speed.

Superior construction and durability for long-lasting performance.

**Universal Mounting:** Optional mounting brackets let you use one sign at multiple locations with the turn of a key.



Feature	Specifications				
Dimensions					
Digits	15"(h) x 8"(w)				
LED Message Text	Letters 5"(h) spell "SLOW DOWN", 1line				
Unit with "YOUR SPEED" sign mounted	Full size sign: 33.1"(h) x 30"(w) x 5.625"(d)				
Sign Weight (include	es "YOUR SPEED" sign (2 lbs) mounted)				
AC Powered	28 lbs				
Battery Powered Model	28 lbs (not including batteries)				
Solar powered model	28 lbs (does not include batteries, solar panel or bracket)				
General Specifications					
Operating Temperatures F (C):	-40° (-40°) to 185° (85°)				
3-Digit Speed Display with Slow Down message	Miles per hour (mph) 3-99. Kilometers per hour (km/h) 5-160.				
Faceplate	High-Intensity prismatic reflective sheeting on "YOUR SPEED" signs with black colored text.  MUTCD approved colors and format				
Communications	Bluetooth, GSM/GPRS				
Programming	SafePace® Pro management software SafePace® Cloud remote management 24/7 365 day unlimited programming and scheduling				
Power Options (Electrical Specifications)					

Feature	Specifications
AC power input	100~240 V AC
DC power input	12 V DC
DC battery options	12V, 18Ah Lead acid batteries
Solar panel option	50W or 90W solar panel
	Radar
Internal Radar:	Doppler (FCC approved)
Model	DF 300
Radar RF out	5 mW maximum
Radar f-center	24.125 GHz center +/- 25 MHz
Pickup distance	Up to 1,200 feet
Beam angle	24° (vertical) x 12° (horizontal)
Beam polarization	Linear
CE Mark (Radar)	Yes
	Display
LEDs	484
Digits (Amber)	224 LEDs: Color: Yellow (590 nm) Viewing angle at 50% IV: 30° Partial Flux (Brightness): 9000 – 22400 Ev,[lux]/LED
Digits (Red)	224 LEDs: Color: Red (633 nm) Viewing angle at 50% IV: 30° Partial Flux (Brightness): 7100 – 18000 Ev,[lux]/LED
Slow Down Message	227 LEDs: Color: Red 633 nm) Viewing angle at 50% IV: 30° Partial Flux (Brightness): 7100 – 18000 Ev,[lux]/LED
Speed Violator Strobes	36 LEDs: Color: White (2700 K – 6500 K) Viewing angle at 50% IV: 150° Luminous Flux: typically 33lm @ 4000 K Luminous Efficacy: typically 176 lm/W @4000 K
Ambient light sensor	1 sensor and automatic brightness adjustment
	Enclosure
Construction	Vandal resistant, lightweight polymer. Matte black front for reduced glare and maximum contrast. Light gray body to minimize heat absorption
Weatherproof Rating	Weatherproof, NEMA 4X-12, IP65 level compliant. Non-sealed and ventilated
	Warranty
Sign	2 years
Batteries	1 year

## Tab 6B



# SafePace® Cloud Web Director

The innovative SafePace Cloud powered by Web Director lets you connect to your signs online from anywhere. With the ability to connect to and control your signs from anywhere with an internet connection, the SafePace Cloud adds unparalleled flexibility to your SafePace signs. With detailed reporting, customized alerts, and real time data, you can see stats for each sign, change settings, check batteries and download data without ever traveling to sign locations. With the unlimited possibilities of remote management, SafePace Cloud will help you maximize what your SafePace signs can do.

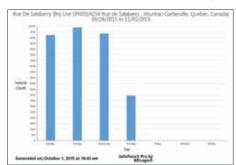




Mapping



Tools Layout



Weekly Report - Vehicle Count - Daily Values

#### **Features**

**Cloud Based** – Secure, remote access for simple to use sign management from anywhere over the internet.

**Real Time Data** – See live performance data updated every five minutes.

**User Friendly** – Streamlined, easy-to-use interface.

**Comprehensive Reporting** – Use data to generate detailed reports you can use to better improve safety on your roads.

**Mapping Tool** – Map unlimited sign locations and create and apply parameters for each. Update sign location whenever a sign or trailer is moved.

**One-Screen Management** – Manage alerts, messages, and display settings all from one screen.

One-click Scheduling – One click lets you schedule and program multiple signs simultaneously.

**Complete Control** – Manage all aspects of sign configuration including schedules, messages, blinking limit, strobe limit, and display range.

**Scheduling** – Display settings can be constant or schedule based. Signs and beacons can be scheduled based on daily, weekly, and holiday schedules.

**At a Glance Update** – Statistics snapshot provides at-a-glance data updates including vehicle count, 85<sup>th</sup> percentile, and maximum and minimum speed.

**Real Time Alerts** – Receive email notification for alerts such as high or low speed or when batteries are low.

**SafePace Compatible** – Compatible for use with all SafePace radar speed signs.

**Zero Footprint** – Nothing to install, all you need is an internet connection.

## Tab 6C



Traffic Logix Corporation

3 Harriett Lane Spring Valley, NY 10977 USA **Tel:** (866) 915-6449

Fax: (844) 405-6449 www.trafficlogix.com Page | 1 Quote Number QUO-25857-T8Y7L9 Created Date 11/3/2022 Expiration Date 12/3/2022

Prepared by Sean Coupland

#### QUOTATION

USA

**Contact: Eric Hallberg** Phone: (443) 254-4168

Email: eric.n.hallberg@gmail.com

**Heritage harbour South CDD** 200 Golden Harbour Trail Bradenton, FLORIDA 34212

#### **Shipping Address:**

200 Golden Harbour Trail Bradenton, FLORIDA 34212 United States

#### Standard Features (Included) - Evolution Signs

- The Evolution radar feedback signs come with 1 year of unlimited SafePace Cloud access.

  SafePace Cloud is renewable annually with bundling and multi-year term discounts available.
- Sign powers down when no traffic present
- Programmable Speed Violator Flashing Strobe Light
- Ambient Light Sensor and Automatic Brightness adjustment
- Banding Mount Bracket
- Safe Pace Management Software
- Bluetooth

#### **Special Notes**

EV15SD (2) Solar. Yellow face plates. Data included for 12 months, \$500 per year per unit after. Multiyear packages also available at a discounted rate. Bluetooth available at no cost for life of signs. Needs SS.

#### Quote Line Items - All Prices shown are in \$ US Dollar

Product	Product Code	Quanti	Sales Price	Total Price
		ty		
Evolution 15 Solar	EV15SDEYL-SOL	2.0000	\$2,949.00	\$5,898.00
(SLOW DOWN) - Fixed		0		
Message RED LED - Multi				
Lingual - Includes UMB				
Cloud Access-Radar	CLOUDLVL1-RS-	2.0000	\$500.00	\$0.00
Signs-LVL1-1Y	1Y	0		



**Traffic Logix Corporation** 3 Harriett Lane Spring Valley, NY 10977 USA **Tel:** (866) 915-6449 Fax: (844) 405-6449

Quote Number QUO-25857-T8Y7L9 Created Date 11/3/2022 Expiration Date 12/3/2022 Prepared by Sean Coupland

Page | 2

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Subtotal: \$5,898.00 Freight: \$520.00

**Grand Total:** \$6,418.00

Sales Tax (if applicable): \$449.26

**Terms:** 1% - 10 days – Net 30

Payment: MC, VISA, AMEX. Credit card payments over \$10K will include an additional 2% fee.

Tax: IF TAX EXEMPT, Please Provide Tax Exempt Certificate with Order.

Freight: Freight quotation is valid for a period of 21 days after it is issued. Beyond that, freight

quotations will require confirmation or adjustment.

Changes/Returns: 30% for standard orders and 50% on custom orders.

#### **Delivery Requirements**

Please Indicate the availability of the following as this determines the freight costs:

- 1. Do You have a Loading Dock? Yes/No
- 2. Do you have a Fork Lift and Pallet Jack to unload? Yes/No
- 3. Can access be gained by a 53-foot truck for delivery? Yes/No
- 4. Is the delivery address a Construction site? Yes/No
- 5. Is the delivery address a Military site? Yes/No
- 6. If shipping to Military site, is a U.S. Driver required? Yes/No

#### Quote Acceptance Information

Signature		
Name		
Title		
Date		

#### Thank you for choosing Traffic Logix. Please sign and return to:

scoupland@trafficlogix.com Sean Coupland Senior Manager Sales

Please complete to set up new account: https://trafficlogix.com/business-application-form/



Traffic Logix Corporation 3 Harriett Lane Spring Valley, NY 10977 USA Tel: (866) 915-6449

Fax: (844) 405-6449 www.trafficlogix.com Page | 3
Quote Number QUO-25857-T8Y7L9
Created Date 11/3/2022
Expiration Date 12/3/2022
Prepared by Sean Coupland

## Tab 7



District Manager's Report March 7

2023

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#### **UPCOMING DATES TO REMEMBER**

- Next Regular Meeting: April 4, 2023 at 4P
- Location: Stoneybrook Recreation Center, 200 Golden Harbour Trail, Bradenton, FL 34212

1/31/2022	
\$505,387	
\$649,468	
\$997,147	
\$2,152,002	
Under Budget \$15,911	

RASI Reports <u>rasireports@rizzetta.com</u> • CDD Finance Team <u>CDDFinTeam@rizzetta.com</u>



#### **UPDATES:**

- Working on the logistics of the ci tract with MCSO as they have new verbiage and am also checking back in with FHP to see if off duty shifts have picked up as I was informed that some of their schedules are opening up.
- I have a meeting on-site with a project manager with FDOT regarding New project coming along SR 64 impacting Heritage Green Way and River Heritage Blvd. This will impact the entrances to the District, and I will be reporting what went on after the meeting.
- Working to revise wetland verbiage to present to the board.
- Meetings have successfully been moved to the Rec Center going forward.