

# **HERITAGE HARBOUR SOUTH COMMUNITY DEVELOPMENT DISTRICT**

## **MEETING AGENDA**

**Tuesday, July 11, 2023 at 5:00 PM**

**Meeting to be held at:**

**Stoneybrook Recreation Center  
200 Golden Harbour Trail  
Bradenton, FL 34212**



2654 Cypress Ridge Blvd. Suite101  
Wesley Chapel, FL 33544  
(813) 652-2454

# Heritage Harbour South Development District

## Board of Supervisors

Philip Frankel, Chair

Robin Spencer, Vice Chair

Mike Neville, Assistant Secretary

Eric Hallberg, Assistant Secretary

## Staff:

Angel Montagna, District Manager

Andrew Cohen, District Counsel

Rick Schappacher, District Engineer

## Meeting Agenda Tuesday, July 11, 2023 – 5:00 p.m.

---

- 1. Call to Order and Roll Call**
- 2. Audience Comments – Three- (3) Minute Time Limit**
- 3. Consent Agenda**
  - A. Consideration of Meeting Minutes from May 2, 2023, and June 6, 2023 ..... Page 3
- 4. Staff Reports**
  - A. District Counsel
  - B. District Engineer
  - C. District Manager
    1. Update on Finances and Transition from Rizzetta & Co.
    2. Discussion of Transfer to Inframark Systems and Training
- 5. New Business Items**
  - A. Consideration of Resolution 2023-08, Resetting Public Hearing for FY 2024 Budget..... Page 15
  - B. Discussion regarding the Procedure of Collection, Scheduling Interviews and Reviewing Resumes for Vacant Seat..... Page 17
  - C. Discussion regarding Pond 31 Erosion ..... Page 23
  - D. Discussion of Marketplace Response to Andrew Cohen’s Letter
  - E. Discussion regarding Stoneybrook Rec Center Fence and Pond Erosion ..... Page 30
- 6. Old Business Items**
  - A. Discussion regarding Flood Issue on River Heritage Blvd..... Page 35
  - B. Discussion regarding Credit from Stonybrook HOA regarding overpayment and Gatehouse Repair
  - C. Discussion of Stone Harbour Speed Hump and Signage Resolving the Issue with HHGC ..... Page 40
- 7. HOA updates**
  - A. Heritage Harbour Master HOA
  - B. Stoneybrook HOA
  - C. Lighthouse Cove HOA
  - D. Golf Course update
- 8. Supervisor Requests**
- 9. Adjournment**

*The next meeting is scheduled for Tuesday, August 1, 2023, at 5:00 p.m.*

## District Office:

313 Campus Street

Celebration FL 34747

407-566-1935

<https://www.heritageharboursouthcdd.org/>

## Meeting Location:

Stoneybrook Recreation Center

200 Golden Harbour Trail

Bradenton, FL 34212

**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, May 2, 2023, at 4:00 p.m.** at the **Stoneybrook Rec Center located at 200 Golden Harbour Trail, Bradenton, FL 34214.** The following is the agenda for this meeting.

Present and constituting a quorum were:

Philip Frankel	<b>Board Supervisor, Chair</b>
Robin Spencer	<b>Board Supervisor, Vice Chair</b>
Tom Bakalar	<b>Board Supervisor, Asst. Secretary</b>
Eric Hallberg	<b>Board Supervisor, Asst. Secretary</b>

Also present were:

Christina Newsome	<b>District Manager; Rizzetta &amp; Company</b>
Matthew Huber	<b>Regional District Manager; Rizzetta &amp; Company</b>
Venessa Smith	<b>Senior Accountant; Rizzetta &amp; Company</b>
Scott Brizendine	<b>Vice President of Operations; Rizzetta &amp; Co.</b>
Kayla Connell	<b>DFS; Rizzetta &amp; Company</b>
Andy Cohen	<b>District Counsel; Persson, Cohen Mooney, Fernandez &amp; Jackson P.A.</b>
Rick Schappacher	<b>District Engineer; Schappacher Engineering</b>
Gene Zeiner	<b>Representative; MHOA</b>
Angel Montagna	<b>Representative; Inframark (via Phone)</b>

Audience	<b>Present</b>
----------	----------------

**FIRST ORDER OF BUSINESS**

**Call to Order**

Ms. Newsome called the meeting to order at 4:00 PM.

**SECOND ORDER OF BUSINESS**

**Audience Comments**

There was an audience present, there were no comments.

**THIRD ORDER OF BUSINESS**

**Presentation of  
Rizzetta and Company Inc**

A presentation was given by Rizzetta and Company, Inc. and their staff to the board.

On a Motion from Mr. Frankel seconded by Mr. Hallberg, with all in favor, the Board approved to move a total of \$300k from the Reserve Fund and \$200k will be moved to the Hancock CD and \$100k to FLCLASS, for the Heritage Harbour South Community Development District.

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

#### **Presentation of District Counsel Price Increase**

Andy Cohen presented the District Counsel Price Increase to the Board. Mr. Frankel thanked Mr. Cohen for his service to the District. Andy is always available when needed and it is appreciated.

On a Motion from Ms. Spencer seconded by Mr. Bakalar, with all in favor, the Board approved the 5% fee increase for District Counsel Services, for the Heritage Harbour South Community Development District.

#### **FIFTH ORDER OF BUSINESS**

#### **Discussion of Repairs to the Guardhouse**

There were no updates for the Board. The topic will remain on the agenda for the next CDD meeting. Mr. Bakalar requests that the Stoneybrook HOA be informed that they are responsible for the first \$5k of repairs to the guardhouse, based on the maintenance agreement.

#### **SIXTH ORDER OF BUSINESS**

#### **Consideration of MCSO Agreement for Off-Duty Sheriffs**

Mr. Cohen gave an update on the MCSO Agreement for Off-Duty Sheriffs. There has been two revisions made to the agreement. The first revision spoke to the District's sovereign immunity and the second revision clarified that the District is not an "employer". The terms have been accepted by both sides. The terms have been accepted by both sides.

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

#### **Consideration of Fiscal Year 2023-2024 Proposed Budget**

##### **1. Consideration of Resolution 2023-04, Approving the Fiscal Year 2023-2024 Proposed Budget and Setting the Public Hearing on the Final Budget**

Ms. Newsome presented the Fiscal Year 2023-2024 Proposed Budget to the Board.

On a Motion from Ms. Spencer seconded by Mr. Hallberg, with all in favor, the Board adopted Resolution 2023-04, Adopting the Fiscal Year 2023-2024 Proposed Budget and Setting the Public Hearing on the Final Budget, for the Heritage Harbour South Community Development District.

**EIGHTH ORDER OF BUSINESS**

**Consideration of Minutes of Board  
of Supervisors Regular Meeting  
held on March 7, 2023**

Ms. Newsome presented the minutes from the meeting held on March 7, 2023, to the Board. Revisions on needed on line 94, changes are to include that it is the Stoneybrook HOA responsibility and not the Master HOA. All damages under \$5k should be paid for by Stoneybrook HOA. Mr. Schappacher will assess the damages and report back to the board.

On a Motion from Mr. Bakalar seconded by Mr. Frankel, with all in favor, the Board approved the minutes from the April 4, 2023, meeting, as amended, for the Heritage Harbour South Community Development District.

**NINTH ORDER OF BUSINESS**

**Consideration of Operations  
and Maintenance Expenditures  
for March 2023**

Ms. Newsome presented the Operations and Maintenance Expenditures for March 2023 to the Board.

On a Motion from Ms. Spencer seconded by Mr. Hallberg, with all in favor, The Board ratified the Operations and Maintenance Expenditures for March 2023 (\$11,95.92) for the Heritage Harbour South Community Development District.

**TENTH ORDER OF BUSINES**

**HOA Updates**

**1. Heritage Harbour Master HOA**

Mr. Ziener was present and provided an update for the Board. Mr. Ziener informed the board that Aqua Terra has been sold to a buyer who is currently unknown. He requested that the Board look into old contracts and terms for direction on repairs as some erosion in that area needs to be addressed.

**2. Stoneybrook HOA**

The newly elected Board Members were present and introduced themselves to the Board. Mr. Frankel requested the HOA authorize a CDD Board Member to be a liaison for a set of keys for the CDD to continue to have meetings without inconveniencing anyone. Mr. Frankel will reach out to the new President to bring him up to speed regarding the repairs to the guardhouse. He thanks the Board Members for attending the meeting and is looking forward to a healthy relationship with them.

**3. Lighthouse Cove HOA**

Mr. Frankel attended the Lighthouse Cove HOA meeting and informed the Board that they elected new officers to the Board. There is no other business that currently affects the district.

**4. Golf Course Update**

Mr. Frankel informed the Board that he will try to reach out to Mr. Bruce so he can update the Board on the hotel and villa construction. He also informed the Board that the signage for speed humps is still in progress.

**ELEVENTH ORDER OF BUSINESS**

**Staff Reports**

**A. District Counsel**

Andy Cohen was present. He informed the Board that the SMH easement documents are with SMH counsel, and he is awaiting their response. Mr. Cohen is still awaiting a response from the imminent domain representative. He is looking forward to having an update at the next meeting. A discussion ensued regarding the pressure washing contract.

**District Engineer**

**1. Presentation of Roadway Lifespan Maps**

Rick Schappacher was present. During District Engineer updates, Mr. Schappacher informed the Board that the signage bids are due on Friday. Radar signs will be delivered to Rick's office. Two sidewalk repair bids have been received from Infinity Construction and A&J excavation.

On a Motion by Ms. Spencer, seconded by Mr. Bakalar, with all in favor, the Board of Supervisors approved the bid from Infinity Construction for \$3289.00, contingent on the District Engineer's approval of their work and authorized the chair to sign the contract, pending counsel review, outside of the meeting., for the Heritage Harbour South Community Development District.

**C. District Manager**

**1. Review of District Manager Report**

Ms. Newsome presented the District Manager Report to the Board.

On a Motion by Mr. Frankel, seconded by Mr. Bakalar, with all in favor, the Board of Supervisors approved to extend the meeting to 6:15 p.m., for the Heritage Harbour South Community Development District.

**TWELFTH ORDER OF BUSINESS**

**Supervisors Requests**

During the supervisor requests, the Board requested Staff to send wetlands verbiage to all HOA Boards. The Board also discussed the possibility of changing CDD meetings to

at 5:00p.m., which was tabled to the June meeting.

On a Motion by Mr. Frankel, seconded by Mr. Bakalar, with all in favor, the Board of Supervisors entertained the proposal bid received for Inframark, the target date will be July 11, 2023., for the Heritage Harbour South Community Development District.

On a Motion by Mr. Frankel, seconded by Mr. Bakalar, with all in favor, the Board of Supervisors approved to extend the meeting to 6:30 p.m., for the Heritage Harbour South Community Development District.

The resignation of Tom Bakalar from the Board will be effective after the June 1, 2023, meeting.

**THIRTEENTH ORDER OF BUSINESS**

**Adjournment**

On a Motion by Mr. Bakalar, seconded by Ms. Spencer, with all in favor, the Board of Supervisors approved to adjourn the meeting at 6:23 p.m., for the Heritage Harbour South Community Development District.

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

\_\_\_\_\_  
Chairman / Vice Chairman

**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, June 6, 2023, at 4:00 p.m.** at the **Stoneybrook Rec Center located at 200 Golden Harbour Trail, Bradenton, FL 34214.** The following is the agenda for this meeting.

Present and constituting a quorum were:

Philip Frankel	<b>Board Supervisor, Chair</b>
Robin Spencer	<b>Board Supervisor, Vice Chair</b>
Tom Bakalar	<b>Board Supervisor, Asst. Secretary</b>
Eric Hallberg	<b>Board Supervisor, Asst. Secretary</b>
Mike Neville	<b>Board Supervisor, Asst. Secretary</b>

Also present were:

Christina Newsome	<b>District Manager; Rizzetta &amp; Company</b>
Andy Cohen	<b>District Counsel; Persson, Cohen Mooney, Fernandez &amp; Jackson P.A.</b>
Rick Schappacher	<b>District Engineer; Schappacher Engineering</b>
Mike Fisher	<b>Representative; MHOA</b>
Angel Montagna	<b>Representative; Inframark (via Phone)</b>

Audience                      **Present**

**FIRST ORDER OF BUSINESS**

**Call to Order**

Ms. Newsome called the meeting to order at 4:00 PM.

**SECOND ORDER OF BUSINESS**

**Audience Comments**

There was an audience present, there were no comments.

**THIRD ORDER OF BUSINESS**

**Resignation of Tom Bakalar**

Mr. Frankel started by thanking Mr. Bakalar for his service to the community and the Board of supervisors of Heritage Harbour South CDD. He then presented Mr. Bakalar with a commemorative plaque. Mr. Cohen gave the instruction that after the informal resignation is received Mr. Bakalar needs to coordinate with District Management



regarding submittal of requisite forms. Staff was instructed to send a vacancy announcement for the open seat. Mr. Bakalar gave his thanks and let everyone know that he will still be around and is an available resource to those in need.

On a Motion from Mr. Neville seconded by Mr. Frankel, with all in favor, the Board accepted the resignation of Tom Bakalar, effective at the conclusion of the meeting, from Seat 4, with a term ending in 2024, for the Heritage Harbour South Community Development District.

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

#### **Discussion of Guardhouse Repairs**

A discussion ensued regarding the topic of the guardhouse repairs, Mr. Frankel informed the Board that he spoke with Anna Kelly, and confirmed that they are getting quotes for repairs, so the process is ongoing. There was also discussion concerning the responsible party for funding by the treasurer of the HOA on interpretation of the Agreement's terms between the District and the HOA. The issue was set aside pending the receipt of the estimated costs.

#### **FIFTH ORDER OF BUSINESS**

#### **Discussion of Heritage Harbour Becoming a Golf Cart Community**

A discussion ensued regarding the topic of Heritage Harbour Becoming designated as a Golf Cart Community Mr. Frankel gave some background on how this became a topic of discussion, but no action was taken by the Board.

There was some additional discussion of teenagers using golf carts within the district. Upcoming legislation that goes into effect on October 1, 2023, will help that particular concern. The new bill states "golf cart drivers under 18 must have a valid learner's permit or a valid driver's license.

#### **SIXTH ORDER OF BUSINESS**

#### **Discussion of Meeting Time Change**

A discussion ensued regarding the meeting time change for future CDD meetings. Mr. Cohen informed the Board that a new ad would have to run for the public hearing meeting to show the time change from 4p to 5p. There will also be a new ad that will run advertising the time change for the upcoming meetings.

On a Motion from Mr. Frankel seconded by Ms. Spencer, with all in favor, the Board approved to have the remaining fiscal year meetings held at 5:00p.m. starting with the July meeting, for the Heritage Harbour South Community Development District.

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

#### **Presentation of Status of Transition from Rizzetta to Inframark**

During the presentation of the transition from Rizzetta to Inframark it was stated that the contract has been signed and is in effect.

**EIGHTH ORDER OF BUSINESS****Approval of Resolution 2023-05  
Designating Officers of the District**

The Board approved Resolution 2023-05, Designating Officers of the District from Inframark.

On a Motion from Mr. Neville seconded by Ms. Spencer, with all in favor, the Board approved Resolution 2023-05, Designating those Officers of the District, for the Heritage Harbour South Community Development District, effective at the end of the meeting.

**NINTH ORDER OF BUSINESS****Ratification of Resolution 2023-06  
Designating Authorization and  
Actions Relating to the  
Accounts of the District**

The Board ratified Resolution 2023-06, Designating Authorization and Actions Relating to the Accounts of the District.

On a Motion from Mr. Neville seconded by Mr. Bakalar, with all in favor, the Board ratified Resolution 2023-06, Designating Authorization and Actions Relating to the Accounts of the District, for the Heritage Harbour South Community Development District.

**TENTH ORDER OF BUSINESS****Ratification of Resolution 2023-07  
Appointing and Fixing  
the Compensation of a New  
District Manager**

The Board ratified Resolution 2023-07, Appointing and Fixing the Compensation of a New District Manager.

On a Motion from Mr. Neville seconded by Ms. Spencer, with all in favor, the Board ratified Resolution 2023-07, Appointing and Fixing the Compensation of a New District Manager, for the Heritage Harbour South Community Development District.

**ELEVENTH ORDER OF BUSINESS****Consideration of Minutes of  
Board of Supervisors  
Regular Meeting held  
on May 2, 2023**

Ms. Newsome presented the Minutes of the Board of Supervisors Regular Meeting held on May 2, 2023, to the Board. The Board reviewed the minutes and gave their feedback and corrections to lines 62, 72, 138, 152, and 179.

On a Motion from Ms. Spencer seconded by Mr. Hallberg, with all in favor, the Board approved the minutes from the May 2, 2023, meeting, as amended, for the Heritage Harbour South Community Development District.

**TWELFTH ORDER OF BUSINESS****Consideration of Operations  
and Maintenance Expenditures  
for April 2023**

Ms. Newsome presented the Operations and Maintenance Expenditures for April 2023 to the Board. The Board discussed the Consideration of Operations and Maintenance Expenditures for April 2023 for \$26,234.81. It was determined that the reimbursement to the Stoneybrook HOA was for the wrong amount and the Chair would follow up. The Chair will meet with the HOA representatives to resolve the dispute.

On a Motion from Ms. Spencer seconded by Mr. Hallberg, with all in favor, The Board ratified the Operations and Maintenance Expenditures for April 2023 (\$26,234.81) except the Stoneybrook HOA reimbursement, for the Heritage Harbour South Community Development District.

**THIRTEENTH ORDER OF BUSINESS****HOA Updates****1. Heritage Harbour Master HOA**

Mr. Fisher was present. During HOA updates, Mr. Fisher updated the Board on current events in the Master HOA. He stated that they have been receiving bids for the entrance waterfall and it has not been working, the lowest bid received was \$350k. They were given some other ideas and suggestions that are more cost-effective and it was decided that Pond Professionals will be installing a tower fountain with a light to be installed in the lake at the entrance. There is no current start date, but parts have been ordered.

Mr. Fisher brought up the topic of the report from the management company which referenced the disc golf course. He wanted to make it clear that the Master doesn't have any maintenance responsibility for the disc golf course. Mr. Frankel mentioned that the issue is not with the structures, it is with fire ants. The agreement was reached that the Master is responsible for landscaping and fire ant treatment would be a part of that landscape maintenance contract.

Mr. Fisher stated that Central Park is really coming along. There have been improvements made to the soccer fields and playgrounds. He mentioned that security has been added to all bathrooms and they are now being locked overnight. Mr. Fisher stated that there have been signs posted that offer a \$2500 reward for the arrest of any perpetrator causing damage in Heritage Harbour.

Lastly, he invited all Board members to join the Master HOA at an event being held at the micro forest the following evening. Mr. Bakalar suggested that the restoration of the lake banks should be a high priority to the Master and remediated within the next 6 months.

157           **2.       Stoneybrook HOA**

158  
159           The representative for Stoneybrook HOA, Ms. Robin, was present, but there  
160           were no additional updates for the Board at this time.

161                           **I. Presentation of Protocol for the Rental of the Facilities for**  
162                           **Meetings**

163  
164           The Board reviewed the new protocol for the rental of the Stoneybrook Rec  
165           Center for meetings being held there going forward. The fee to support the  
166           use of the multipurpose room for the Community Development District and a  
167           Homeowner's Association is set at \$100 per session.

168           **3.       Lighthouse Cove HOA**

169  
170           There were no representatives or updates on behalf of Lighthouse Cove, but Mr.  
171           Frankel did inform the Board that the next HOA meeting for Lighthouse Cove is  
172           scheduled for June 8, 2023.

173           **4.       Golf Course Update**

174  
175           Mr. Bruce presented the golf course update. He informed the Board that the  
176           speed hump signs discussed at previous meetings have been installed and are  
177           up to state codes, verified by the District Engineer. The curb cuts have now been  
178           finished and poured, there may be some additional reflective paintwork that  
179           needs to be done. Mr. Bruce stated that through the approval of the Master, a  
180           joint effort between the Golf Course and Pond Professionals, the pond banks  
181           along Lake 11 will be restored and native aquatic plants will be placed to stabilize  
182           banks. The project will start in the next 30 days.

183           Lake 31 has severe erosion issues and the Master and Golf Course plan to  
184           create a priority list and create a plan to present to the CDD for evaluation and  
185           consideration.

186   **FOURTEENTH ORDER OF BUSINESS**

**Staff Reports**

187  
188           **A. District Counsel**

189                           **1. Consideration of Easement Agreement**

190  
191           Andy Cohen was present. During District Counsel updates, Mr. Cohen stated he  
192           reached out to the eminent domain lawyer for an update, and there was nothing  
193           new to report, he will keep the Board up to speed with any updates received.  
194           Next, Mr. Cohen let the Board know that the transition between Rizzetta and  
195           Inframark is proceeding and Inframark will be running the July meeting.

196  
197           Mr. Cohen discussed the easement agreement between the District and SMH.  
198           The draft easement that was sent to SMH's has been returned in redline form.  
199           Mr. Cohen asked for the Board's feedback on the revised draft easement and if

there are no comments or revisions, he will inform SMH that the District is fine with the easement and confirm their payment of his attorney's fees for this matter.

Lastly, at the last meeting a comment was made that Aquaterra had been sold or transferred. After researching, it was found that the property had been transferred and he forwarded the contact information of the new owners to the chair. The contact is Lizzie Wright, at SouthWest Water Company. Per direction, he also reviewed the history between the District and Aquaterra and provided a summary to the Board. No action is being requested or required by the Board at this time.

## **B. District Engineer**

Rick Schappacher was present.

He informed the Board that the sidewalk repairs are underway and should be complete by the end of the week.

Radar signs have been delivered to Mr. Schappacher's office and he is working with the vendor to put them up by the end of the week.

Storm Inlet on Stone Harbour Loop had a hole where the lid met up and that has been repaired.

The grates should be delivered by the end of the month. It was suggested that the Board sets up a meeting with M&M or invite them to the meeting being held on July 11, 2023.

### **1. Consideration of Signage Repair Bids**

Mr. Schappacher presented the Signage Repair Bids to the Board. He informed them he had reached out to 4 companies and only one responded.

On a Motion by Mr. Neville seconded by Mr. Hallberg, with all in favor, the Board of Supervisors approved the bid from Fast Signs with a not to exceed amount of \$7k subject to a contract being prepared by District Counsel and Engineer, for the Heritage Harbour South Community Development District.

### **2. Discussion of River Heritage Flooding and Lake 56**

The Board discussed River Heritage Flooding and Lake 56. Mr. Schappacher researched the issue and provided maps to the Board. He discussed various solutions and District Counsel was directed to prepare a correspondence to the Marketplace Developers

### **3. Discussion of Marketplace Construction**

Mr. Schappacher updated the Board on Marketplace construction letting them know that he has been in contact with the on-site rep as well as the engineer for Marketplace and they said they were sending their contractor out to address concerns. Rick will keep in contact with the Marketplace reps and will continue to report to the Board. Counsel and Engineer will work together to draft the letter to be sent to Marketplace and have the chair proof it regarding River Heritage flooding and the Beacon Lake erosion.

On a Motion by Mr. Neville, seconded by Ms. Spencer, with all in favor, the Board of Supervisors approved to extend the meeting to 6:15 p.m., for the Heritage Harbour South Community Development District.

#### 4. Discussion of Problems with SW of Beacon Lake

Discussed during the engineer report.

#### C. District Manager

##### 1. District Manager's Report

Ms. Newsome presented the District Manager report to the Board.

#### FIFTEENTH ORDER OF BUSINESS

#### Supervisors Requests

During the supervisor requests, Mr. Bakalar brought up the topic of roads and the impact of the new traffic patterns that will come with the development of the area, and the county commissioner and their staff should be notified and made aware of the concerns of residents.

#### SIXTEENTH ORDER OF BUSINESS

#### Adjournment

On a Motion by Ms. Spencer, seconded by Mr. Frankel, with all in favor, the Board of Supervisors approved to adjourn the meeting at 6:14 p.m., for the Heritage Harbour South Community Development District.

Secretary / Assistant Secretary

Chairman / Vice Chairman

## RESOLUTION 2023-08

**A RESOLUTION OF THE BOARD OF SUPERVISORS OF THE HERITAGE HARBOUR SOUTH COMMUNITY DEVELOPMENT DISTRICT AFFIRMING APPROVAL OF PROPOSED BUDGETS FOR FISCAL YEAR 2023/2024 AND SETTING A NEW TIME FOR THE PUBLIC HEARING THEREON; ADDRESSING TRANSMITTAL, POSTING AND PUBLICATION REQUIREMENTS; AND PROVIDING FOR CONFLICT AND AN EFFECTIVE DATE.**

**WHEREAS**, the District Manager at the time heretofore prepared and submitted to the Board of Supervisors (“**Board**”) of the Heritage Harbour South Community Development District (“**District**”) prior to June 15, 2023, proposed budgets (collectively the “**Proposed Budget**”) for the fiscal year beginning October 1, 2023, and ending September 30, 2024 (“**Fiscal Year 2023/2024**”); and

**WHEREAS**, the Board considered, approved the Proposed Budget, and set the required public hearing thereon all as part of Resolution 2023-04 approved by the Board on May 1, 2023; and

**WHEREAS**, Resolution 2023-04 set the public hearing for August 1, 2023, at 4:00 P.M.; and

**WHEREAS**, the Board now wishes to amend the time for the above referenced budget public hearing.

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

1. **PROPOSED BUDGET APPROVED AND RATIFIED.** The previous approval of the Proposed Budget prepared by the District Manager for Fiscal Year 2023/2024 attached hereto as **Exhibit A** is hereby ratified as the basis for conducting a public hearing to adopt said Proposed Budget.

2. **SETTING A REVISED PUBLIC HEARING TIME.** A revised public hearing time on said approved Proposed Budget is hereby declared and set for the following date, hour, and location:

DATE: August 1, 2023

HOUR: 5:00 P.M.

LOCATION: Stoneybrook Recreation Center  
200 Golden Harbour Trail  
Bradenton, Florida 34212

**3. TRANSMITTAL OF PROPOSED BUDGET TO LOCAL GENERAL-PURPOSE GOVERNMENT.** The District Manager has already submitted a copy of the Proposed Budget to Manatee County at least 60 days prior to the hearing set above.

**4. POSTING OF PROPOSED BUDGET.** In accordance with Section 189.016, *Florida Statutes*, the District's Secretary has already or will post the approved Proposed Budget on the District's website at least two days before the budget hearing date as set forth in Section 2, and the Proposed Budget shall remain on the website for at least 45 days.

**5. PUBLICATION OF NOTICE.** Notice of this revised public hearing shall be published in the manner prescribed in Florida law. Both the mailed notice and the advertisement for the Proposed Budget public hearing were previously prepared and reflect the revised hearing time.

**6. EFFECTIVE DATE AND CONFLICT.** This Resolution shall take effect immediately upon adoption and shall amend and supersede Resolution 2023-04 or any other action in conflict therewith.

**PASSED AND ADOPTED THIS 11TH DAY OF JULY 2023.**

ATTEST:

**HERITAGE HARBOUR SOUTH  
COMMUNITY  
DEVELOPMENT DISTRICT**

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

By: \_\_\_\_\_  
Its: \_\_\_\_\_

**Exhibit A:** Approved Proposed Budgets for Fiscal Year 2023/2024



Information Sheet:

Kirk Lawler

353 Beacon Harbour Loop

Bradenton, FL 34212

7/3/2023

Hello,

Please allow me to help our community by appointing me to the Heritage Harbour South CDD Board of Supervisors. My family moved into the Heritage Harbour community almost 4 years ago, renting in River Strand and we felt at home soon after. At the end of 2020 we bought a house in Lighthouse Cove to put down roots and raise our children. We are very happy in this neighborhood, and I want to help cultivate the community by helping to keep it moving in the right direction. I believe I can assist with issues, proposals, the needs of the community and the duties of the Heritage Harbour South CDD Board of Supervisors by participating with the other supervisor members in finding the best solutions to achieve our goals.

I have been participating on the Lighthouse Cove HOA Board of Directors for 1.5 years and enjoy helping our community to keep moving in a positive direction. I have also started working with the ARC committee in the past 2 months to help ensure the aesthetics of our neighborhood stay within the guidelines of our HOA By-Laws.

Thank you for your consideration,

Kirk Lawler

# NEAL R. BECKER M.S.

EDUCATOR(RETIRED) – SCIENCE K-12

---

## EXPERIENCE:

### SCIENCE TEACHER – FCPS, FAIRFAX , VA

*August 1, 1999 – June 30, 2015 (RETIRED)*

Taught HS Earth/Space Sciences and Math. Coached JV girls' soccer, softball and tennis.

### SCIENCE TEACHER – NCPS, CALLAHAN, FL

*August 1995 – June 30, 1999*

Taught SpED Science and History. Coached Football, Soccer, Softball and Tennis.

### OWNER – BECKER ENTERPRISES LLC. MFGRS. REP.

*June 1975 – June 1995*

Sales and service of new products, building new outlets, maintenance and distribution of products to existing customers. Inventory, promotions, and general marketing and sales.

Email: [Beckerscience1948@gmail.com](mailto:Beckerscience1948@gmail.com)

Address: 412 Golden Harbour Trail  
Bradenton, Florida 34212

Phone: (703) 798-4498

Kevin Kruckeberg  
330 Fairway Isles Lane  
Bradenton, FL 34212  
Cell 224-588-0918  
[kkruckeberg999@gmail.com](mailto:kkruckeberg999@gmail.com)

## **PROFESSIONAL EXPERIENCE:**

2018 to 2022

### ***DIRECTOR OF OPERATIONS for Large School District (15,000 students)***

Managed all custodial and maintenance staff (130 persons)

2012 to 2018

### ***DISTRICT CONSTRUCTION MANAGER***

Managed all construction and represented the school district in all matters regarding the construction of over \$40 Million in new construction and remodeling.

Represented the District in the planning for the re-use of the EPA Superfund Landfill Project

Responsible for all of the district's health and life safety corrections.

1998 to 2012

Two major construction companies in Northern Illinois

### ***SENIOR PROJECT MANAGER, LEED AP***

Served as Senior Manager and Project Executive for over \$100 Million in construction projects including institutional & health care construction, schools, police stations and retail mass land development.

## **EDUCATION AND TRAINING:**

United States Green Building Council, Washington DC - LEED Accreditation

The University of Illinois at Urbana-Champaign, Illinois -Bachelor of Science in Architectural Studies

## **COMMUNITY SERVICE:**

Village Trustee - Lake Villa IL

Chairman of Planning, Property and Parks (8 years)

Chairman of Roads and Streets (3 years)

Vestry Advisory Membership - St. Ignatius Episcopal Church, Antioch, IL

Senior Warden (one year)

Vestry Member (three years)

North Shore on Deep Lake Homeowners Association, Lake Villa, IL

President (four years)

Director (four years)

## **TECHNICAL SKILL SETS:**

Architectural - Design degree from a top-five program in the country. Personally responsible for the design-build product of over \$45 million work.

Management - Experienced in working independently and in a team-oriented, collaborative environment. I can easily conform to shifting priorities, demands, and timelines. I can elicit cooperation from a wide variety of sources, including upper management, clients, and other departments.

I motivate and encourage staff, resolve conflicts, and bring projects to successful completion through political sensitivity.

Darnell Bacon, MBA, CPCU, ARM

8812 Stone Harbour Loop, Bradenton, FL 34212

(732) 718-0328 [darnellbacon@comcast.net](mailto:darnellbacon@comcast.net)

---

**Skills Profile** Risk Management; Property Casualty Insurance; Worker's Casualty Insurance; Strategic Marketing & Selling; Strategic Planning/Analysis; Product Development; Analytical & Quantitative Skills; Total Quality Management

**Experience Insurance Producer/Consultant**

Hub International/Hale Brokerage, Monroe Twp, NJ

*April 2012 – April 2016*

As part of a buy-sell agreement served in selling and servicing commercial customer's insurance and risk management needs.

**President**

Commercial Insurance Solutions Brokerage, East Brunswick, NJ

*October 1992 – April 2012*

Organization's strategic planning, marketing & sale of commercial property casualty & employee benefits Insurance and risk management services.

**Region Account Manager**

Progressive Insurance Companies

*July 1987 – October 1992*

Northeast territory marketing and sale of transportation & commercial insurance and risk management services.

**Product Manager/Senior Business Analyst/ Marketing Representative/Sales Engineer**

Westinghouse Electric Corporation, Pittsburgh, PA

*May 1974 – July 1987*

Various duties in multiple positions with the Power Systems Business Unit which served the electric utility industry.

**Education** Master of Business Administration (1978), Bachelor of Electrical Engineering (1974)

University of Detroit, Detroit, MI

# JANE BRION GIANNAULA

215.237.2200 · giannaula.j@gmail.com

Management and leadership experience over a broad range of industries. Success in working remotely while leading effective strategies to maximize success, foster relationships, and work independently to meet and exceed set benchmarks.

## SKILLS

- Excellent problem solving and people skills
- Highly organized with strong attention to detail
- Proficient knowledge of computer/office systems, database management
- Ability to multi-task and prioritize
- Skilled in staff development, coaching, and motivation

## PROFESSIONAL EXPERIENCE

### ADJUNCT PROFESSOR / GRADUATE SCHOOL OF EDUCATION

2012-2021

*Gwynedd Mercy University - Gwynedd Valley, PA*

Worked as an adjunct professor in the online Master Teacher program. Develop instruction and curriculum in course topics and teach most program courses. Communicate remotely with all students, faculty, and administration to provide support and promote academic communication. Develop lectures and present in "Staff Development Day" break-out workshops. Write articles for university-wide publication as requested.

### SUBJECT MATTER EXPERT / COURSE DEVELOPER

2013-2020

*Synergis Education, Inc. – Mesa, AZ*

Served as a knowledge expert consultant for course development in conjunction with university responsibilities. Create course structure, assignments, and all functions of online courses. Ensure that course content aligns with course learning outcomes and program objectives. Maintain academic quality and instructional integrity. Connect via online and phone meetings with representatives and technical team to implement course to university web platform.

### SENIOR RECRUITER / TEAM LEADER

2004-2020

*MedStaff / Cross Country Healthcare - Newtown Square, PA*

Responsible for recruitment, maintenance and management of working healthcare professionals. Consistently ranked in the top 10% of company sales throughout employment. Took on leadership role as team leader / senior consultant in a pool of 76 recruiters and strived to motivate, support, and monitor team members and sales. Maintained and updated database of over 3000 candidate files. Served as the single point of contact for working clients which included monitoring travel, housing, benefits, payroll, and resolving any associated problems. Participated in company growth meetings and database system development.

### OFFICE MANAGER / PRINCIPAL ASSISTANT

2003-2004

*MJ Test Prep - Newtown Square, PA*

Managed all front-line communication, including sales/marketing to new clients, continued correspondence and support of existing clients. Developed long-term relationships with schools. Oversaw all office operations including teachers' and office scheduling, client accounts, student records, payroll. Developed all forms, documents, and management tools for growing company. Designed marketing materials, databases, and spreadsheets.

### OFFICE MANAGER / PRINCIPALS ASSISTANT

1997-2003

*Cannon Group Enterprises, Inc. - Spring House, PA*

Oversaw office operations including scheduling, inventory, bill collection. Managed all front-line public relations communication between corporate clients and departments. Assisted principals in communications, corporate contacts, research, project set-up and output. Designed marketing material, RFP formatting, databases, and spreadsheets.

### DIRECTOR OF HUMAN RESOURCES / MARKETING SPECIALIST

1993-1997

*Montgomery Investment Technology, Inc. - Radnor, PA*

Oversaw office operations, sales staff, internal relations, personnel, scheduling, office meetings, recruiting and hiring, bill collection, and bookkeeping. Designed office floor plan and purchased furnishings. Designed marketing materials and contracted for advertising space. Maintained public relations between schools, editors, customers, businesses. Set up alliances with local colleges / universities for internship program. Coordinated trade show travel, set-up, and presentations.

## EDUCATION

### Master of Science in Education

Gwynedd Mercy University; Gwynedd Valley, PA

### Bachelor of Arts in Psychology

Moravian College; Bethlehem, PA

## CERTIFICATIONS

Postsecondary On-line Curriculum Development Certification, On-line Instruction Certification, PA Elementary Education Certification, Data Security & Privacy Certification, Building a Supportive Community Certification, Preventing Harassment & Sexual Violence Certifications.

I am interested in being considered for a position on the Heritage Harbour South CDD. I applied for the position in recent history and appeared before the board, but was not selected. They should all remember me and should have a current copy of my resume. I am attaching it again for your convenience.

I will not be able to appear at the meeting on July 11th as I will be visiting family in CA at that time. However, I have been interviewed by the board previously and have received a breakdown of the guidelines and responsibilities of the position.

#### Qualifying Information/Strengths

- I moved to the community 2.5 years ago
- Retired and able to be more involved, have time to commit to the position
- Have lived in numerous HOA Communities; interested in real estate, community development and management; have been part of several HOA committees (water rights, tree removal, access, road and water access, building permits)
- Work history in multiple settings: education, business, management
- Mother of six, able to multitask, very detail-oriented and organized
- Strong verbal, writing, and computer skills

Please let me know if there is anything additional that you need from me. I look forward to hearing from you!

**From:** Mark Bruce <[mark@heritageharbourgolfclub.com](mailto:mark@heritageharbourgolfclub.com)>

**Date:** June 23, 2023 at 12:54:09 PM EDT

**To:** Mike Fisher <[mfisherhhmavp@gmail.com](mailto:mfisherhhmavp@gmail.com)>, Philip Frankel <[Seat2@heritageharboursouthcdd.org](mailto:Seat2@heritageharboursouthcdd.org)>

**Cc:** Lee Weiss <[lweiss@theiconteam.com.com](mailto:lweiss@theiconteam.com.com)>, Rick Schappacher CDD Engineer <[rick@schappachereng.com](mailto:rick@schappachereng.com)>, scott hancock <[srhancockhhma@gmail.com](mailto:srhancockhhma@gmail.com)>

**Subject:** RE: Pond #31 HH Golf Club

Thank you Mr. Fisher,

This lake is in need of some pretty prompt attention. This is the same lake I mentioned had the failure on the east side and we (golf course) have already relocated the irrigation pipe that had been super exposed due to lake bank disintegration of likely 6 to 10 feet over time (22 years). The West side has also seen dramatic erosion. As a temporary measure we have installed some large Rocks to help support (See Pictures).

I met with a contractor about this lake and showed him other various lakes behind homes and on the golf course that are going to need some form of repair / restructuring in the future. [www.int-subsea.com](http://www.int-subsea.com) Their specific method of repair seems logical for certain areas. Other areas may be able to be repaired with less effort and costs by other vendors. I also will state that in Lakes where we have good vegetation / native grasses things are much more intact. George Colbath and Pond Professionals are the go to guys for these solutions.

The West Bank area of repair is approx. 120 feet and considering the cart path is there ISS dredge sox method appears to be the appropriate way to repair for the long haul. The cost for 120 ft would be \$14,400 (\$120 per linear foot) – that includes all work and regrassing.

The East Bank may not require the dredge sox method and perhaps could be done similarly to the process we did for holes 3 and 9 in 2021, that repair was around \$11k for both areas and covered 375 linear feet. (\$30 per linear foot) and includes regrassing.

Both areas once repaired would need Pond Pros to install native shoreline plants and grasses to reduce Wave action.

The North Side (Golf Course) appears to not have much damage / erosion. Shoreline grasses and lake bank plants likely assist in stability.

The South side (Villas) appears to be in disrepair and some repairs are likely needed in some areas. Although shoreline grasses may help a bunch there too.

I hope this email helps add some color to the conversation.

**Mark Bruce**

PGA Member & Licensed Real Estate Broker  
Owner/Partner Heritage Harbour Golf Holdings, LLC

Office: 941-746-2696 ext 104  
Mobile: 941-400-7566  
Email: [mark@heritageharbourgolfclub.com](mailto:mark@heritageharbourgolfclub.com)  
Heritage Harbour Golf Club  
8000 Stone Harbour Loop  
Bradenton, FL 34212  
[www.heritageharbourgolfclub.com](http://www.heritageharbourgolfclub.com)

**From:** Mike Fisher <[mfisherhhmavp@gmail.com](mailto:mfisherhhmavp@gmail.com)>  
**Sent:** Tuesday, June 20, 2023 11:23 PM  
**To:** Philip Frankel <[seat2@heritageharboursouthcdd.org](mailto:seat2@heritageharboursouthcdd.org)>  
**Cc:** Lee Weiss <[lweiss@theiconteam.com.com](mailto:lweiss@theiconteam.com.com)>; Mark Bruce <[mark@heritageharbourgolfclub.com](mailto:mark@heritageharbourgolfclub.com)>; Rick Schappacher CDD Engineer <[rick@schappachereng.com](mailto:rick@schappachereng.com)>; scott hancock <[srhancockhhma@gmail.com](mailto:srhancockhhma@gmail.com)>  
**Subject:** Pond #31 HH Golf Club

Philip,

Our CAM looked at the pond #31 this morning with a possible vendor. We agree this should become the number one priority. The banks are literally collapsing.

The Master is in charge of Storm Water Management, lakes, and ponds maintenance in Heritage Harbour. However, we are not responsible for neglect by Solitude, or the golf course, or the CDD. This damage happened over a long period of time, certainly before HHMA assumed maintenance. The key word is maintenance, not rebuilding the banks of golf course ponds and lakes.

We are receiving three bids for the repair. Our current vendor does not have the equipment necessary to do this work. They would have to rent it. The initial estimate is \$50,000 ++. The HHMA is willing to arrange the repairs, if the CDD and the golf course will share in the final costs. We have been told that these repairs would likely last for 20+ years. This will also be necessary with additional ponds going forward.

Please discuss this with the necessary folks, and let us know your thoughts.

We appreciate your help with this matter.

Thank you.

Mike Fisher, President HHMA





















**From:** Robyn Becker <[directorbeckerr@gmail.com](mailto:directorbeckerr@gmail.com)>

**Subject:** For CDD: Stoneybrook Rec Center Fence - Agenda Item Request

**Date:** June 29, 2023 at 5:16:42 PM EDT

**To:** Philip Frankel <[Seat2@heritageharboursouthcdd.org](mailto:Seat2@heritageharboursouthcdd.org)>, [Seat1@heritageharboursouthcdd.org](mailto:Seat1@heritageharboursouthcdd.org), [Seat3@heritageharboursouthcdd.org](mailto:Seat3@heritageharboursouthcdd.org), [seat5@heritageharboursouthcdd.org](mailto:seat5@heritageharboursouthcdd.org)

**Cc:** Shawn Patrick Durie <[directorduries@gmail.com](mailto:directorduries@gmail.com)>, Christina Brantley <[directorbrantley@gmail.com](mailto:directorbrantley@gmail.com)>, Gene Zeiner <[directorzeiner@stoneybrookhoa.com](mailto:directorzeiner@stoneybrookhoa.com)>

Afternoon CDD

**Background:**

At the Masters meeting yesterday I brought forward a motion that Icon re-approach Pond Professionals on the SOW to repair the soil erosion under the fence as the current SOW appears inadequate due to the delay in addressing the erosion that has taken place at the fence line. As this has now also become a people safety issue the urgency has now escalated. See attached picture taken real time by a homeowner who watched the alligator come into the pool area from under the fence and note how large the gap is between the fence and the water line.

After this incident I went with our maintenance supervisor to inspect the fence. Attached are pictures of fully eroded fence posts and the right side of the fence behind the Rec Center. Most of the fence posts to the left have been fitted with a concrete collar and appear stable. The entire fence from the middle to the right side is so unstable that I can push it forward with very little effort myself. If it collapses due to homeowners, their children or guests leaning on it, falling on it, running into it while playing ball, the resulting liability could be very costly. If it became known that we knew of the problem and did not address it, even more so. Fixing the erosion problems will not address the stability of the fence itself, although it may help in the future.

**Next Steps:**

As the fence is a CDD issue, I would like to request that this item be placed on the agenda for discussion at the next CDD meeting and hope that one of you will champion a motion to prepare and send out for bids to repair/replace/stabilize the fence/fence posts at the July meeting and vote on the approval of the contract/funding in the August meeting.

Please let me know if I need to provide any additional information or documentation before the meeting.

Thank you.

Robyn Becker

SB HOA /Asst. Treasurer/Landscaping Liaison

703-798-4493













**From:** "rick schappachereng.com" <[rick@schappachereng.com](mailto:rick@schappachereng.com)>

**Date:** June 7, 2023 at 10:30:06 AM EDT

**To:** Joe Marino <[jmarino@jmpholdings.com](mailto:jmarino@jmpholdings.com)>, Brian Billingham <[bbillingham@sharp-mgmt.com](mailto:bbillingham@sharp-mgmt.com)>

**Cc:** "Dean Paquet ([Dean.Paquet@kimley-horn.com](mailto:Dean.Paquet@kimley-horn.com))" <[dean.paquet@kimley-horn.com](mailto:dean.paquet@kimley-horn.com)>, "James Jim Ward ([jimward@jowardassociates.com](mailto:jimward@jowardassociates.com))" <[jimward@jowardassociates.com](mailto:jimward@jowardassociates.com)>, Mike Fisher <[mfisherhmv@gmail.com](mailto:mfisherhmv@gmail.com)>, Philip Frankel <[Seat2@heritageharboursouthcdd.org](mailto:Seat2@heritageharboursouthcdd.org)>, Adam Lyon <[AdamL@znseng.com](mailto:AdamL@znseng.com)>

**Subject:** RE: Heritage Harbour - River Heritage Blvd Flooding - Blocked Drainage

Brian / Joe,

We had the Heritage Harbour South CDD meeting yesterday and we discussed the flooding of River Heritage Blvd as well as the erosion at the southeast corner of Beacon Lake.

I was pleasantly surprised on Monday morning when I drove through the community on my way to work and found River Heritage Blvd dry. I did stop and tried walking around as much as possible. I didn't wander too far into the wetland but did not see any standing water in the west end of the wetland. On Friday afternoon the road was once again completely flooded from the 3" rainfall event and I could not see any movement in the standing water over the bubbler box or in the west end of the wetland. I am thinking that the blockage that was preventing the water from traveling from the west end of the wetland to the east end of the wetland where the discharge outlet is located must have dislodged itself from the water pressure. I am curious to check this area after our next moderate rainfall event. I shared with the board my thoughts and told them that I would be coordinating with you on both the short term and long term solution. From reviewing the original plans, it appeared to me that the storm drains from the road were intended to connect to Pond 56 when it was constructed as the northwest corner of the proposed pond included a notch that appeared to pick up this discharge. I have not ever seen a direct discharge from a roadway drainage system into a wetland without first being treated in a storm water system (lake or pond). So I believe that both Manatee County and SWFWMD simply missed this when they approved Parcel 22 plans. So the long term solution will be to install a pipe connection from the bubbler box into Pond 56, but I don't believe trying to install this connection in the rainy season would be a good idea. So if we do continue to have flooding after rainfall events, then we should either try to locate the blockage in the west end of the wetland or dig a small trench from the bubbler box into Pond 56. Attached were my thoughts for options.

I have not been out to the site to review the southeast corner of Beacon Lake, but a couple board members were very concerned about the excessive erosion at the newly installed control structure. They indicated that the bank adjacent to the nature trail was very close to being compromised and they were concerned for the safety of residents walking along the trail and possibly falling into the lake from the eroded and steep banks. One board member also mentioned that the silt fence had fallen due the excessive runoff that flowed overland and across the nature trail. Again, I have not been out to the site and not sure if the inlet on outparcel was plugged to allow the water to flow overland. They wanted me to reach out to you to get an idea when this can be addressed and even possibly closing this portion of the nature trail until the repairs can be completed.

Thanks,

Rick



**From:** Joe Marino <[jmarino@jmpholdings.com](mailto:jmarino@jmpholdings.com)>  
**Sent:** Friday, June 2, 2023 3:21 PM  
**To:** Brian Billingham <[bbillingham@sharp-mgmt.com](mailto:bbillingham@sharp-mgmt.com)>  
**Cc:** rick schappachereng.com <[rick@schappachereng.com](mailto:rick@schappachereng.com)>; Dean Paquet ([Dean.Paquet@kimley-horn.com](mailto:Dean.Paquet@kimley-horn.com)) <[dean.paquet@kimley-horn.com](mailto:dean.paquet@kimley-horn.com)>; James Jim Ward ([jimward@jpwardassociates.com](mailto:jimward@jpwardassociates.com)) <[jimward@jpwardassociates.com](mailto:jimward@jpwardassociates.com)>; Mike Fisher <[mfisherhhmavp@gmail.com](mailto:mfisherhhmavp@gmail.com)>; Philip Frankel <[seat2@heritageharboursouthcdd.org](mailto:seat2@heritageharboursouthcdd.org)>; Adam Lyon <[AdamL@znseng.com](mailto:AdamL@znseng.com)>  
**Subject:** Re: Heritage Harbour - River Heritage Blvd Flooding - Blocked Drainage

Wow , I agree Brian the landscape maintenance crew shouldn't be allowing leaves and grass etc to get into the basins and pipes . The association should make them clean it on the subs dime .

Sent from my iPhone

On Jun 2, 2023, at 2:56 PM, Brian Billingham <[bbillingham@sharp-mgmt.com](mailto:bbillingham@sharp-mgmt.com)> wrote:

I think the fix is to clean out the drainage boxes and flush out the RCP between them, this would probably need to be done annually. I'm sure in addition to the power washers the landscapers are blowing leaves and grass clippings into the inlets as well. As I suspected the inlets are clogged with leaves and organic debris (see the attached photos) A long term solution might be installing a drainage pipe into our pond on Parcel 25 which is separate from what is shown as pond 26, pond 26 is actually a wetland area.

<image0.jpeg>

<image1.jpeg>

Sent from my iPhone

On Jun 2, 2023, at 1:45 PM, Joe Marino <[jmarino@jmpholdings.com](mailto:jmarino@jmpholdings.com)> wrote:

[EXTERNAL MESSAGE]

So Brian what's the fix ?

Sent from my iPhone

On Jun 2, 2023, at 12:45 PM, Brian Billingham <[bbillingham@sharp-mgmt.com](mailto:bbillingham@sharp-mgmt.com)> wrote:

Rick,

I just looked at the flooded area, this same situation happened last year, what we discovered was the 24" RCP pipe that runs west to east between the two curb inlets was clogged with leaves and other debris and didn't allow sufficient head pressure to allow the water to flow out of the bubbler box at the pond / wetland 56. This clog occurred, in my opinion, from the power washing crew who were power washing the curbs in the community, they just wash everything down the curb boxes. I noticed the crews washing the curbs recently and believe the same thing happened as last year. Those two curb drains do not have a pipe going directly into area 56, there is an existing drainage grate inlet (bubbler box) in the existing wetland buffer, without sufficient head pressure it doesn't drain. (see attached Existing Conditions Drawing for reference) We did not do any work in this area. If the crew sets the pump on the east side of the road, the suction created on the outflow side of the blockage in conjunction with the head pressure on the opposite flooded side will help release the blockage. This is what we experienced the last time. I will keep an eye out for the pump crew and direct them to put the pump on the east side.

Regards,  
Brian

**From:** rick schappachereng.com <[rick@schappachereng.com](mailto:rick@schappachereng.com)>

**Sent:** Friday, June 2, 2023 11:57 AM

**To:** Brian Billingham <[bbillingham@sharp-mgmt.com](mailto:bbillingham@sharp-mgmt.com)>; Dean Paquet ([Dean.Paquet@kimley-horn.com](mailto:Dean.Paquet@kimley-horn.com)) <[dean.paquet@kimley-horn.com](mailto:dean.paquet@kimley-horn.com)>; James "Jim" Ward ([jimward@jpwardassociates.com](mailto:jimward@jpwardassociates.com)) <[jimward@jpwardassociates.com](mailto:jimward@jpwardassociates.com)>

**Cc:** Mike Fisher <[mfisherhmv@gmail.com](mailto:mfisherhmv@gmail.com)>; Philip Frankel <[seat2@heritageharboursouthcdd.org](mailto:seat2@heritageharboursouthcdd.org)>; Joe Marino <[jmarino@jmpholdings.com](mailto:jmarino@jmpholdings.com)>

**Subject:** Heritage Harbour - River Heritage Blvd Flooding - Blocked Drainage

[EXTERNAL MESSAGE]

Brian / Dean,

I was asked to investigate the flooding across River Heritage Blvd between SR 64 and Heritage Green Way. I was able to wade out to the inlet to check to see if there was blockage at the inlet. I had a four foot probe rod and there was no blockage on the grate or in the throat inlet. I checked the drainage maps and this inlet is connected to the inlet on the east side of the road and then there is a pipe from that inlet that flows into Pond 56. I looked at the inlet on the east side of River Heritage Blvd and the water is standing a few inches above the grate. I probed this inlet as far as possible and found no blockage. I walked along the north side of Pond 56 to check the outfall weir. The water was flowing about an inch over the weir and there appeared to be adequate fall down to the adjacent wetland.

The water in Pond 56 appears to be at least one foot lower than the edge of the road on River Heritage Blvd. I could not see the discharge pipe from the roadway inlet at the northwest corner of Pond 56. I know there was recent work done to enlarge Pond 56 and am thinking there is blockage in this discharge pipe to Pond 56. Since the water is completely across River Heritage Blvd, we have asked a contractor to pump down the water in the road and expect them to be on site this afternoon.

Since this blockage appears to be from recent work done by the Marketplace vendor, we are looking to Marketplace to investigate and remove the blockage in the discharge pipe. The Heritage Harbour South CDD also asked me to reserve the right to forward the invoice for the efforts taken to remove the water from the roadway pending justification of there being blockage in the discharge pipe caused when Pond 56 was modified.

Please let us know how soon you can get someone to check on this. Once the water is pumped down, we may have further information and will share with everyone. I have attached a photo summary as of earlier this morning as well as a map showing the storm system and location of the road flooding.

Thanks,

***Rick Schappacher, P.E.***

**Schappacher Engineering**

3604 53rd Ave. East

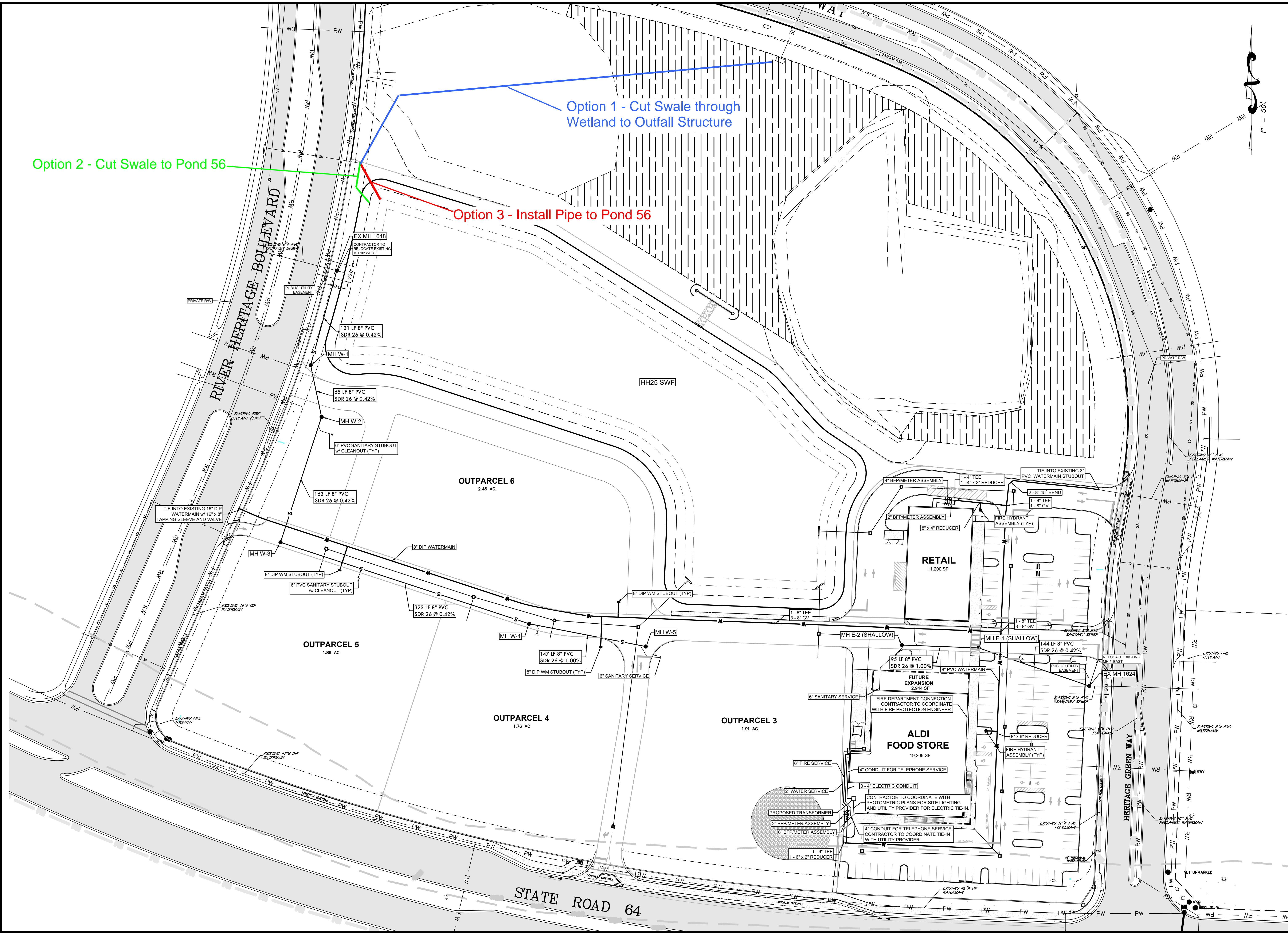
Bradenton, Florida 34203

Office Phone: 941 251-7613

Website: [www.schappachereng.com](http://www.schappachereng.com)

<River Heritage Existing Conditions.pdf>





DESIGNED	ALL
DRAWN	JRL
DATE	08/2012
JOB NO.	44578
SCALE	1" = 50'
SHEET	15

WATER & SEWER PLAN  
FOR  
HERITAGE HARBOUR PARCEL 25  
LOCATED IN  
SECTION 36, TOWNSHIP 34 SOUTH, RANGE 18 EAST  
MANATEE COUNTY, FLORIDA

THE DOCUMENT IS PROTECTED BY SECTION 119  
OF THE "UNITED STATES COPYRIGHT ACT". REPRO-  
DUCTION OR ALTERATION OF THIS DOCUMENT OR  
ANY PART THEREOF WITHOUT THE WRITTEN CONSENT OF ZNS  
ENGINEERING, L.C. IS PROHIBITED. ANY VIOLATION  
OF THIS PROHIBITION SHALL BE SUBJECT TO  
PENALTY UNDER FEDERAL AND STATE LAWS.  
TO REPRODUCE THIS DOCUMENT IN COMPLIANCE  
WITH F.S. CHAPTER 119.

1	REVISION	DATE
2	PERIOD	03-23-20
3	PERIOD	03-23-20
4	PERIOD	03-23-20
5	PERIOD	03-23-20
6	PERIOD	03-23-20
7	PERIOD	03-23-20

**ZNS ENGINEERING**  
Land Planning  
Engineering  
Surveying  
Landscape Architecture

201 5th AVENUE DRIVE EAST BRADENTON, FL 34208  
BR 0022476  
LC 0000365  
E-MAIL: ZNS@ZNSENGINEERING.COM TELEPHONE: 941.748.8080 FAX: 941.748.3316

ALL RIGHTS RESERVED. This document is the property of ZNS Engineering, L.C. and shall not be reproduced, stored in a retrieval system, or transmitted in any form or by any means, electronic, mechanical, photocopying, recording, or by any information storage and retrieval system, without the prior written permission of ZNS Engineering, L.C. The user of this document is hereby notified that the user is not to be held responsible for any errors or omissions in this document.



**From:** Philip Frankel <[Seat2@HeritageHarbourSouthCDD.org](mailto:Seat2@HeritageHarbourSouthCDD.org)>

**Sent:** Tuesday, June 20, 2023 5:20 PM

**To:** [shawn.durie@gmail.com](mailto:shawn.durie@gmail.com)

**Cc:** rick schappachereng.com <[rick@schappachereng.com](mailto:rick@schappachereng.com)>; Andrew Cohen <[acohen@flgovlaw.com](mailto:acohen@flgovlaw.com)>;  
Montagna, Angel <[Angel.Montagna@inframark.com](mailto:Angel.Montagna@inframark.com)>

**Subject:** Re: Speedbump on SHL

**WARNING:** This email originated outside of Inframark. Take caution when clicking on links and opening attachments.

---

Shawn,

I reviewed your email of June 16, 2023 concerning the speed bump on Stone Harbour Loop. I am aware of the numerous complaints from the residents concerning it and I have also reviewed your regulatory references from the County and State concerning its installation.

There certainly is confusion of who controls “public” roads.

I reviewed your comments with our engineer, who has advised me that this specific issue concerning speed bumps was raised in 2014 with the Manatee County Traffic and Design Division. The County’s response was that:

*The CDD is a separate unit of local government with its own governing boards. The streets and roadways are maintained and controlled by the CDD Board. The County doesn’t maintain or install any traffic control devices on roadways located within the CDD.*

The Engineer even followed up and asked if there are any reporting or approval requirements for the installation of any traffic



calming devices. The County responded, "Manatee County Public Works has no input."

I then inquired of whether the FDOT Green Book rules applied to the management of our CDD roads. I was informed that the FDOT has no jurisdiction over local roads, only major thoroughfares. FDOT is in the business to move traffic as quickly as possible and local governments are responsible for maintaining the safety and welfare of its community. We do follow the FDOT guidelines for signage, however.

Thus, it appears that traffic calming devices on Stone Harbour Loop are not in violation of any county or state regulation. However, I would like to discuss with you a proposal to hopefully remedy the situation. Give me a call when it's convenient.

Phil Frankel, Chair  
Heritage Harbour South CDD

Begin forwarded message:

**From:** "Shawn P. Durie | Stoneybrook HOA" <[directorduries@gmail.com](mailto:directorduries@gmail.com)>  
**Subject:** Speedbump on SHL  
**Date:** June 16, 2023 at 10:13:17 AM EDT  
**To:** "Phil Frankel" <[Seat2@heritageharboursouthcdd.org](mailto:Seat2@heritageharboursouthcdd.org)>

Good morning Mr. Frankel,

In follow-up with our conversation, I asked about the speed bump that was recently installed on Stone Harbour Loop. You advised the CDD's traffic engineer confirmed the speed bump was within the installation guidelines. I don't believe the issue is the dimensions of the speed bump itself but more so the fact speed bump was installed on a public roadway within the community. I have received numerous complaints from residents about the speed bump and its effect on their vehicles and cargo. I want you to know before I reached out to you, I found the county and state rules that correspond to the issue:

[Manatee County Land Development Code 1001.7.C., Traffic Control Standards](#), mandates all traffic control components under the county's jurisdiction or within private areas where the

general public is invited shall conform to the uniform system adopted by Florida Department of Transportation (FDOT).

The Greenbook is the FDOT's *Manual of Uniform Minimum Standards for Design, Construction and Maintenance for Streets and Highways*. I reviewed the [Florida Greenbook, 2018 Edition](#). This edition is the most current and is in force by Florida Statutes. Chapter 15, Section C.2, reads "Speed bumps shall not be used on public streets. Speed bumps are severe treatments 3 to 6 inches high and 1 to 2 feet long that slow drivers to speeds of less than 10 mph. Due to their abrupt rise and required low speed they can be a hazard to motorists and bicyclists. Speed humps, as described in Section D under vertical deflection, should not be confused with speed bumps."

There are also the intertwined issues of the signage and crosswalks marked for the cart paths that cross the streets throughout Stoneybrook. Chapter 15, Section C.3, Bullet 3 reads "Crosswalks – Standard crosswalks marked only with signs and pavement markings do not affect motorists' speeds and should not be used by themselves as traffic calming treatments." Based on this, I believe the sidewalk markings for the cart path is not appropriate under FDOT's manual.

Although I empathize with the CDD and golf course's interest in roadway safety within Stoneybrook, it is causing a negative impact among the residents of Stoneybrook that travel these roads where essentially the right-of-way has been improperly transferred from vehicles travelling the roadway to the carts crossing the street on cart paths. The carts should be yielding to the vehicles not vice-versa as carts do not have the right-of-way as they are not categorized as pedestrians.

In addition, there are several other speed bumps installed prior to the ingress and egress gates on Stone Harbour Loop and Golden Harbour Trail. I am unable to identify an exception to the rule to permit the installation of these speed bumps within the Stoneybrook.

I am of the opinion that:

- The speed bumps currently installed on roadways within Stoneybrook have been installed in violation of FDOT's guidelines listed under the Greenbook as they fail to meet the minimum standards for roadway design and should be removed; and,
- The associated signage indicating a speed bump on Stone Harbour Loop should be removed.

Please let me know if you have any questions and thank you for your attention to this matter.

Shawn

<image001.png>