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**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

48 regarding submittal of requisite forms. Staff was instructed to send a vacancy  
49 announcement for the open seat. Mr. Bakalar gave his thanks and let everyone know  
50 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.

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52 **FOURTH ORDER OF BUSINESS**53 **Discussion of**  
54 **Guardhouse Repairs**

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

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62 **FIFTH ORDER OF BUSINESS**63 **Discussion of Heritage Harbour**  
64 **Becoming a Golf Cart Community**

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

68

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

73 **SIXTH ORDER OF BUSINESS**74 **Discussion of Meeting**  
75 **Time Change**

76 A discussion ensued regarding the meeting time change for future CDD meetings.  
77 Mr. Cohen informed the Board that a new ad would have to run for the public hearing  
78 meeting to show the time change from 4p to 5p. There will also be a new ad that will run  
79 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.

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81 **SEVENTH ORDER OF BUSINESS**82 **Presentation of Status of**  
83 **Transition from**  
**Rizzetta to Inframark**

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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.

**2. Stoneybrook HOA**

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

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

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

**3. Lighthouse Cove HOA**

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

**4. Golf Course Update**

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

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

**FOURTEENTH ORDER OF BUSINESS****Staff Reports****A. District Counsel****1. Consideration of Easement Agreement**

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

Mr. Cohen discussed the easement agreement between the District and SMH. The draft easement that was sent to SMH's has been returned in redline form. 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.

DocuSigned by:

*Jennifer Goldyn*

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Secretary / Assistant Secretary

DocuSigned by:

*Philip Frankel*

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Chairman / Vice Chairman