

**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