

**MINUTES OF MEETING
HERITAGE HARBOUR MARKET PLACE
COMMUNITY DEVELOPMENT DISTRICT**

The Regular Meeting of the Board of Supervisors of the Heritage Harbour Market Place Community Development District was held on Thursday, May 4, 2023, at 1:00 p.m., at the River Strand Golf and Country Club, 7155 Grand Estuary Trail, Bradenton, Florida 34212.

Present and constituting a quorum:

Danielle Graef	Chairperson
Bill Nesbitt	Vice Chairperson
Brian Billingham	Assistant Secretary
Hector Mencia	Assistant Secretary

Absent:

Dan Huglas	Assistant Secretary
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Also present were:

James P. Ward	District Manager
Wes Haber	District Counsel

Audience:

All resident's names were not included with the minutes. If a resident did not identify themselves or the audio file did not pick up the name, the name was not recorded in these minutes.

PORTIONS OF THIS MEETING WERE TRANSCRIBED VERBATIM. ALL VERBATIM PORTIONS WERE TRANSCRIBED IN *ITALICS*.

FIRST ORDER OF BUSINESS

Call to Order/Roll Call

Mr. James P. Ward called the meeting to order at approximately 1:03 p.m. He called roll and all Members of the Board were present, with the exception of Supervisor Huglas and Supervisor Mencia, constituting a quorum. Supervisor Mencia arrived at approximately 1:05 p.m.

SECOND ORDER OF BUSINESS

Notice of Advertisement

Notice of Advertisement of Public Hearings

THIRD ORDER OF BUSINESS

Consideration of Minutes

February 2, 2023 - Regular Meeting Minutes

Mr. Ward asked if there were any corrections or deletions to the Regular Meeting Minutes; hearing none, he called for a motion.

On MOTION made by Danielle Graef, seconded by Brian Billingham, and with all in favor, the February 2, 2023 Regular Meeting Minutes were approved.

FOURTH ORDER OF BUSINESS

Public Hearing

PUBLIC HEARINGS – FY 2024 BUDGET AND SPECIAL ASSESSMENTS

Mr. Ward explained the Public Hearing process noting there were two public hearings, the first related to the Budget itself. (Supervisor Mencia arrived at this point in the meeting.)

a) FISCAL YEAR 2024 BUDGET

Mr. Ward: We started this process a couple of months ago where we approved the budget and set today as your public hearing. The purpose is adoption of the budget and to levy the assessments for the ensuing Fiscal Year.

I. Public Comment and Testimony

Mr. Ward called for a motion to open the Public Hearing.

On MOTION made by Danielle Graef, seconded by Bill Nesbitt, and with all in favor, the Public Hearing was opened.

Mr. Ward asked if there were any members of the public present in person, or via audio or video with any comments or questions with respect to the Fiscal Year 2024 Budget; there were none. He called for a motion to close the Public Hearing.

On MOTION made by Danielle Graef, seconded by Bill Nesbitt, and with all in favor, the Public Hearing was closed.

II. Board Comment and Consideration

Mr. Ward asked if there were any questions or comments from the Board; there were none.

III. Consideration of Resolution 2023-7, a resolution of the Board of Supervisors adopting the Annual Appropriation and Budget for Fiscal Year 2024

Mr. Ward called for a motion to approve the budget beginning October 1, 2023 and ending on September 30, 2024.

On MOTION made by Anthony Burdett, seconded by David Truxton, and with all in favor, Resolution 2023-7 was adopted, and the Chair was authorized to sign.

b) FISCAL YEAR 2024 IMPOSING SPECIAL ASSESSMENTS; ADOPTING THE ASSESSMENT ROLL AND APPROVING THE GENERAL FUND SPECIAL ASSESSMENT METHODOLOGY

Mr. Ward indicated this public hearing was related to the imposition of the special assessments for the general fund, it adopted the assessment roll and approved the general fund special assessment methodology related to the Fiscal Year 2024 budget. He noted the debt service fund assessments were imposed in 2005 at the issuance of the District’s bonds.

I. Public Comment and Testimony

Mr. Ward called for a motion to open the Public Hearing.

On MOTION made by Danielle Graef, seconded by Brian Billingham, and with all in favor, the Public Hearing was opened.

Mr. Ward asked if there were any members of the public present in person or via audio or video with any comments or questions; there were none. He called for a motion to close the Public Hearing.

On MOTION made by Danielle Graef, seconded by Brian Billingham, and with all in favor, the Public Hearing was closed.

II. Board Comment and Consideration

Mr. Ward asked if there were any questions or comments from the Board; there were none.

III. Consideration of Resolution 2023-8, a resolution of the Board of Supervisors imposing special assessments, adopting an assessment roll, and approving the General Fund Special Assessment Methodology

Mr. Ward called for a motion.

On MOTION made by Bill Nesbitt, seconded by Danielle Graef, and with all in favor, Resolution 2023-8 was adopted, and the Chair was authorized to sign.

FIFTH ORDER OF BUSINESS

Consideration of Resolution 2023-9

Consideration of Resolution 2023-9, a resolution of the Board of Supervisors designating dates, time, and location for regular meeting of the Board of Supervisor’s for Fiscal Year 2023

Mr. Ward explained the Statute which permitted the Board to adopt a Resolution to set the meetings on a regular basis at the beginning of the Fiscal Year so the meetings would not need to be advertised monthly. He explained the dates were published once at the beginning of the fiscal year and posted on the website. He indicated the meeting dates were basically the same as the current year, which was the first Thursday of each month at the River Strand Golf and Country Club, 7155 Grand Estuary Trail, Bradenton, Florida 34212 at 12:30 p.m. He explained he shifted the meeting time from 1:00 p.m. to 12:30 p.m. to better enable him to get from this meeting to his next meeting.

Mr. Mencia asked if the meeting dates were every month.

Mr. Ward responded in the affirmative. He explained the Resolution did not bind the Board to the use of these dates, it simply set the dates for the year; the dates could be canceled or changed and readvertised at the discretion of the Board.

Ms. Graef asked when the next meeting would be held.

Mr. Ward indicated he did not anticipate another meeting until December or possibly even January. He asked if there were any further questions; hearing none, he called for a motion.

On MOTION made by Hector Mencia, seconded by Brian Billingham, and with all in favor, Resolution 2023-9 was adopted, and the Chair was authorized to sign.

SIXTH ORDER OF BUSINESS

Staff Reports

I. District Attorney

Mr. Wes Haber: You may recall in your review of the minutes from your last meeting, the Board approved an allocation of assessments for parcel 26 with respect to a declaration of condominium that was recorded there that divided the property between common area and developable area. We have received a similar request for parcel 25 that is going to be, or may already be, subject to a plat that's been approved and recorded that divides that parcel into common areas and developable areas. We would like to allocate the CDDs assessments to only the developable areas, leaving the common areas not subject to assessments. We are still working with the property owner getting information from them as far as acreage, but what we'd like to do, because we don't meet again for a number of months, is to have the Board ask any questions regarding it but to the extent that you're comfortable, authorize a motion or approve a motion delegating authority District Counsel and District Manager to work with the property owner to prepare a similar document to the one we used for parcel 26 that will evidence the reallocation of the assessments based on developable property and common area property which would then get recorded in the public records and put the world on notice that the assessments have been reallocated so that if a subsequent purchaser purchases that property, they will know how the debt assessments have been allocated for that parcel.

Mr. Ward: Let me go through why we do this. So, parcel 25 originally had approximately 16.26 acres allocated as developable area within that particular parcel. A plat by the developer has

recently been recorded. The number of acres for each lot in that particular parcel, and I think there are 6 developable lots that were platted, is less than the 16.26 acres, so what we want to do is make sure that when we bill assessments on the upcoming bills for debt service that we don't have land that's not developable subject to that assessment. What we are doing is allocating the debt that's on parcel 25 to those 6 lots based upon their proportionate share of the 16.26 acres and how much acreage is in each developable lot, so they will get a little extra just because of the common area allocation.

Mr. Hulgaz: Which is basically the roadways that were built in there and the (indecipherable)?

Mr. Ward: Conservation areas, a lake, and some roadways.

Mr. Nesbitt: (Indecipherable).

Mr. Ward: Correct. We don't want to send a bill out on undevelopable property. It's likely not to be paid and go to foreclosure which will take the bond issue into default position at that point, so we reallocate that debt basically to the developable areas of parcel 25 and exclude those common areas, roads, lakes, or preserves, or whatever may be in that parcel. So, if you're comfortable with that, a motion to delegate to your District Manager and District Counsel the authority to finalize the agreement with the developers, with the owner of parcel 25, to reallocate the debt as described.

On MOTION made by Brian Billingham, seconded by Bill Nesbitt, and with all in favor, the District Manager and District Counsel were delegated the authority to finalize the agreement with the developers.

II. District Engineer

No report.

III. District Manager

a) Important Board Meeting Dates for Balance of Fiscal Year 2023:

1. June 1, 2023, Meeting Canceled

b) Supervisor of Elections Qualified Elector Report dated April 15, 2023

c) Financial Statement for period ending January 31, 2023 (unaudited)

d) Financial Statement for period ending February 28, 2023 (unaudited)

e) Financial Statement for period ending March 31, 2023 (unaudited)

Mr. Ward stated statute required the Supervisor of Elections in the County where the District was located to report on the number of qualified electors within the District each year. He noted it was only applicable to residential community development districts because they transitioned from landowner control to resident qualified elector control, after a period of time. He indicated as this was a commercial CDD that did not have any residents in it, there were no qualified electors and no people residing within the district who registered to vote in Manatee County. He stated there was no action required of the Board.

Mr. Ward asked if there were any Supervisor's requests; there were none. He asked if there were any members of the audience present in person or by video or audio with questions or comments; there were none.

EIGHTH ORDER OF BUSINESS

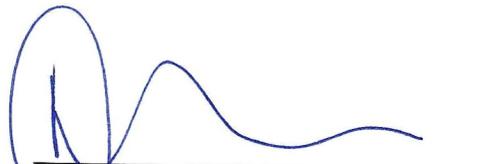
Adjournment

Mr. Ward adjourned the meeting at approximately 1:15 p.m.

On MOTION made by Bill Nesbitt, seconded by Brian Billingham, and with all in favor, the Meeting was adjourned.

Heritage Harbour Market Place
Community Development District


James P. Ward, Secretary


Danielle Graef, Chairperson