

BOARD OF SUPERVISOR'S

HERITAGE HARBOUR MARKET PLACE COMMUNITY DEVELOPMENT DISTRICT

REGULAR MEETING AGENDA

November 5, 2015

Board of Supervisor's

Terry Kirschner, Chairman
William Riley, Vice Chairman
Chris Kemper, Assistant Secretary
David Negip, Assistant Secretary
Matt Morris, Assistant Secretary

James P. Ward
District Manager
2041 N.E. 6th Terrace
Wilton Manors, FL. 333051

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www.heritageharbourmarketplacecdd.org

HERITAGE HARBOUR MARKET PLACE COMMUNITY DEVELOPMENT DISTRICT

November 4, 2015

Board of Supervisors
Heritage Harbour Market Place
Community Development District

Dear Board Members:

The Regular Meeting of the Board of Supervisors of the Heritage Harbour Market Place Community Development District will be held on **Thursday, November 5, 2015 at 2:15 P.M.** at the **River Strand Golf & Country Club (Club House), 7155 Grand Estuary Trail, Bradenton, Florida 34212.**

1. Call to Order & Roll Call
2. Administration of Oath of Office for the newly elected Supervisor's from the Landowner's Meeting held just prior to the Regular Meeting.
 - Guide to Sunshine Amendment and Code of Ethics for Public Officers and Employees
 - Membership Obligations and Responsibilities
 - Form 1 – Statement of Financial Interests
3. Consideration of Resolution 2016-1 Canvassing and Certifying the Results of the November 5, 2015 Landowners Election.
4. Consideration of Resolution 2016-1 Re-Designating the Officers of the Heritage Harbour Market Place Community Development District.
5. Consideration of Minutes
 - a) September 3, 2015 Meeting
6. Staff Reports
 - a) Attorney
 - b) Engineer
 - c) Manager
7. Supervisor's Requests and Audience Comments
8. Adjournment



James P. Ward
District Manager

2041 NORTHEAST 6TH TERRACE
WILTON MANORS, FL. 33305
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The second item is general in nature, and the new members elected at the Landowner's Election held just prior to the Regular Meeting of the Board of Supervisor's will subscribe to an Oath of Office.

The third item is Consideration of Resolution 2016-1 which canvasses and certifies the results of the November 5, 2015 Landowners Election.

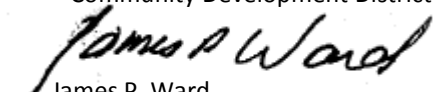
The fourth order of business is Consideration of Resolution 2016-1 which re-designates the officer's of the Heritage Harbour Market Place Community Development District. Currently the Board officer's are as follows:

Chairman:	Terry Kirschner
Vice Chairman:	William Riley
Assistant Secretaries:	David Negip Matthew Morris Scott Edwards
Secretary/Treasurer:	James P. Ward

The fifth order of business is consideration of the minutes from the September 3, 2015 Meeting.

The balance of the Agenda is standard in nature and I look forward to seeing you at the meeting, and if you have any questions and/or comments, please do not hesitate to contact me directly at (954) 658-4900.

Yours sincerely,
Heritage Harbour Market Place
Community Development District


James P. Ward
District Manager



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OATH OR AFFIRMATION OF OFFICE

I, _____, a citizen of the State of Florida and of the United States of America, and being an officer of the **Heritage Harbour Market Place Community Development District** and a recipient of public funds as such officer, do hereby solemnly swear or affirm that I will support the Constitution of the United States and of the State of Florida, and will faithfully, honestly and impartially discharge the duties devolving upon me as a member of the Board of Supervisors of the **Heritage Harbour Market Place Community Development District**, Manatee County, Florida.

Signature

Printed Name: _____

STATE OF FLORIDA
COUNTY OF MANATEE

Sworn to (or affirmed) before me this ____ day of _____, 2015, by _____, whose signature appears hereinabove, who is personally known to me or who produced _____ as identification.

NOTARY PUBLIC
STATE OF FLORIDA

Print Name: _____

My Commission Expires: _____

RESOLUTION 2016-1

A RESOLUTION CANVASSING AND CERTIFYING THE RESULTS OF THE LANDOWNERS ELECTION OF SUPERVISORS HELD PURSUANT TO SECTION 190.006(2), FLORIDA STATUTES; PROVIDING A SEVERABILITY CLAUSE; PROVIDING FOR CONFLICT AND PROVIDING AN EFFECTIVE DATE

WHEREAS, pursuant to Section 190.006(2), Florida Statute, a landowners meeting is required to be held within 90 days of the District's creation and every two years following the creation of a Community Development District for the purpose of electing Supervisors to the Board of Supervisors of the District; and

WHEREAS, landowner elections were not held in November of 2011 and 2013, causing some Supervisors to remain in their positions in excess of their term limits as authorized by the District's Charter; and

WHEREAS, a landowner election was properly noticed and held on July 2, 2015 where the landowners elected the three Supervisor positions whose terms had expired; and

WHEREAS, the Board of Supervisors adopted Resolution 2015-3, certifying the results of this election; and

WHEREAS, the Supervisors elected in the July 2, 2015 were elected to serve until the November 2015 landowner election pursuant to Section 190.006(2), Florida Statutes; and

WHEREAS, all Supervisor terms will have expired by the November election; and

WHEREAS, all five Supervisor positions will be elected at the November election; and

WHEREAS, this Resolution canvasses the votes, and declares and certifies the results of said landowner election.

NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF SUPERVISORS OF THE HERITAGE HARBOUR MARKETPLACE COMMUNITY DEVELOPMENT DISTRICT;

RESOLUTION 2016-1

A RESOLUTION CANVASSING AND CERTIFYING THE RESULTS OF THE LANDOWNERS ELECTION OF SUPERVISORS HELD PURSUANT TO SECTION 190.006(2), FLORIDA STATUTES; PROVIDING A SEVERABILITY CLAUSE; PROVIDING FOR CONFLICT AND PROVIDING AN EFFECTIVE DATE

SECTION 1: Certification of Election Results. The following persons are found, certified, and declared to have been duly elected as Supervisors of and for the District, having been elected by the votes cast in his favor as shown, to wit:

_____	(Seat 1)	___	Votes
_____	(Seat 2)	___	Votes
_____	(Seat 3)	___	Votes
_____	(Seat 4)	___	Votes
_____	(Seat 5)	___	Votes

SECTION 2: Terms of Office: In accordance with said statute, and by virtue of the number of votes cast for the respective Supervisors, they are declared to have been elected for the following term of office:

_____	four (4) year term
_____	four (4) year term
_____	two (2) year term
_____	two (2) year term
_____	two (2) year term

SECTION 3: Severability. That all Sections or parts of Sections or any Resolutions, Agreements or actions of the Board of Supervisor’s in conflict are hereby repealed to the extent of such conflict.

SECTION 4: Conflict. The invalidity or unenforceability of any one or more provisions of this Resolution shall not affect the validity or enforceability of the remaining portions of this Resolution, or any part thereof.

RESOLUTION 2016-1

A RESOLUTION CANVASSING AND CERTIFYING THE RESULTS OF THE LANDOWNERS ELECTION OF SUPERVISORS HELD PURSUANT TO SECTION 190.006(2), FLORIDA STATUTES; PROVIDING A SEVERABILITY CLAUSE; PROVIDING FOR CONFLICT AND PROVIDING AN EFFECTIVE DATE

SECTION 5: Effective Date. This Resolution shall take effect upon the passage and adoption of this Resolution by the Board of Supervisors of the Heritage Harbour Market Place Community Development District.

Said terms of office shall commence immediately upon the adoption of this Resolution.

PASSED AND ADOPTED this 5th day of November, 2015

ATTEST:

**HERITAGE HARBOUR MARKET PLACE
COMMUNITY DEVELOPMENT DISTRICT**

James P. Ward, Secretary

Terrence Kirschner, Chairman

RESOLUTION 2016-2

A RESOLUTION RE-DESIGNATING THE OFFICERS OF THE HERITAGE HARBOUR MARKET PLACE COMMUNITY DEVELOPMENT DISTRICT; PROVIDING FOR SEVERABILITY AND INVALID PROVISIONS; PROVIDING FOR CONFLICT AND PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, the Board of Supervisors of the Heritage Harbour Market Place Community Development District desire to appoint the below recited person(s) to the offices specified.

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

SECTION 1: DESIGNATION OF OFFICER’S OF THE DISTRICT. The following persons are appointed to the offices shown:

Chairman	<u>Terry Kirschner</u>
Vice Chairman	<u>William Riley</u>
Secretary	<u>James P. Ward</u>
Treasurer	<u>James P. Ward</u>
Assistant Secretary	<u>Christopher Kemper</u>
Assistant Secretary	<u>Matt Morris</u>
Assistant Secretary	<u>David Negip</u>

SECTION 2: SEVERABILITY AND INVALID PROVISIONS. If any one of the covenants, agreements or provisions herein contained shall be held contrary to any express provision of law or contract to the policy of express law, but not expressly prohibited or against public policy, or shall for any reason whatsoever be held invalid, then such covenants, agreements or provisions shall be null and void and shall be deemed separable from the remaining covenants, agreements or provisions and shall in no way effect the validity of the other provisions hereof.

RESOLUTION 2016-2

A RESOLUTION RE-DESIGNATING THE OFFICERS OF THE HERITAGE HARBOUR MARKET PLACE COMMUNITY DEVELOPMENT DISTRICT; PROVIDING FOR SEVERABILITY AND INVALID PROVISIONS; PROVIDING FOR CONFLICT AND PROVIDING FOR AN EFFECTIVE DATE.

SECTION 3: CONFLICT. That all Sections or parts of Sections of any Resolutions, Agreements or actions of the Board of Supervisor's in conflict are hereby repealed to the extent of such conflict.

SECTION 4: PROVIDING FOR AN EFFECTIVE DATE. This Resolution shall become effective immediately upon passage.

PASSED AND ADOPTED this 5th day of November, 2015.

ATTEST:

**HERITAGE HARBOUR MARKET PLACE
COMMUNITY DEVELOPMENT DISTRICT**

James P. Ward, Secretary

Terry Kirschner, Chairman

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

The Regular Board Meeting of the Heritage Harbour Market Place Community Development District's Board of Supervisors was held on **Thursday, September 3, 2015, at 2:15 p.m.**, at the **River Strand Golf & Country Club (Clubhouse), 7155 Grand Estuary Trail, Bradenton, Florida 34212.**

Present and constituting a quorum were:

Terry Kirschyner	Chairman
William Riley	Vice Chairman
David Nigip	Assistant Secretary
Chris Kemper	Assistant Secretary

Board Members Absent:

Matthew Morris	Assistant Secretary
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Staff present:

James P. Ward	District Manager
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Also present:

Brian Kennelly	Brownstar Properties
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FIRST ORDER OF BUSINESS

Call to Order/Roll Call

Mr. Ward called the meeting to order at 2:25 p.m., and roll call determined that all members of the Board were present with the exception of Assistant Secretary Morris.

SECOND ORDER OF BUSINESS

Consideration of Minutes

- July 2, 2015 Landowner's Meeting
- July 2, 2015 Regular Meeting

On MOTION was made by Mr. Kemper and seconded by Mr. Nigip, with all in favor of approving the July 2, 2015 Regular and Landowner Meeting minutes.

PUBLIC HEARING

a) Fiscal Year 2016 Budget

Public Comment and Testimony

On MOTION was made by Mr. Nigip and seconded by Mr. Riley with all in favor of

Board Comment and Consideration

On MOTION was made by Mr. Riley and seconded by Mr. Nigip with all in favor of

Consideration of Resolution 2015-15 adopting the annual appropriation and Budget for Fiscal Year 2016.

On MOTION was made by Mr. Kirschner and seconded by Mr. Nigip with all in favor of

b) FISCAL YEAR 2016 IMPOSING the special assessments; adopting an assessment roll and approving the general fund special assessment methodology and approving a general fund assessment cap rate.

PUBLIC Comment and Testimony

On MOTION was made by Mr. Nigip and seconded by Mr. Riley with all in favor of

Board Comment and Consideration

On MOTION was made by Mr. Kemper and seconded by Mr. Riley with all in favor of

Consideration of Resolution 2015-6 imposing special assessments, adopting an assessment roll and approving the general fund special assessment methodology.

On MOTION was made by Mr. Kirschner and seconded by Mr. Riley with all in favor of

Consideration of Resolution 2015-7 establishing an operations and maintenance cap for notice purposes only.

On MOTION was made by Mr. Kirschner and seconded by Mr. Kemper with all in favor of

4. Consideration of Resolution 2015-8 designating the dates, time and location for regular meetings of the Board of Supervisors of the District.

On MOTION was made by Mr. Riley and seconded by Mr. Nigip with all in favor of

Consideration of Resolution 2015-9

On MOTION was made by Mr. Kirschner and seconded by Mr. Nigip with all in favor of

5. Staff Reports
- a) Attorney
 - b) Engineer
 - c) Manager
 - I. Report on the Number of Registered Voters residing in the District.
 - II. Financial Statements for the period ended July 30, 2015.
6. Supervisor's Requests and Audience Comments
7. Adjournment

On MOTION was made by Mr. Riley and seconded by Mr. Nigip, with all in favor to adjourn the meeting at 2:33 p.m.

James P. Ward, Secretary

Terry Kirschner, Chairman