

**MINUTES OF MEETING**

**HARBOR BAY  
COMMUNITY DEVELOPMENT DISTRICT**

The regular Meeting of the Board of Supervisors of Harbor Bay Community Development District was held on **Tuesday, January 18, 2005 at 9:00 a.m.** at the Mirabay Welcome Center, located at 205 Manns Harbor Drive, Apollo Beach, FL 33572.

Present and constituting a quorum were:

Don Whyte	<b>Board Supervisor, Chairman</b> ( <i>joined the meeting in progress</i> )
Chris Coughlin	<b>Board Supervisor, Vice Chairman</b>
Brenda Kunkel	<b>Board Supervisor, Assistant Secretary</b>
Suzanne Soto	<b>Board Supervisor, Assistant Secretary</b>

Also present were:

Pete Williams	<b>District Manager, Rizzetta &amp; Company, Inc.</b>
Biff Craine	<b>District Counsel, Bricklemyer Smolker &amp; Bolves, P.A.</b>
Jamie Scarola	<b>District Engineer, Scarola Associates Engineering Design and Land Consultants, P.A.</b>
Al Getz	<b>Green Acres Property Management</b>
Erika Werkheiser	<b>Mira Bay Club Manager</b>

**FIRST ORDER OF BUSINESS**

**Call to Order**

Mr. Williams called the meeting to order.

**SECOND ORDER OF BUSINESS**

**Consideration of Minutes of the  
Board of Supervisors' Meeting  
on December 21, 2004**

Mr. Williams stated that the next item on the agenda was the consideration of the Minutes of the Board of Supervisors' Meeting held on December 21, 2004 (located behind tab 1). Mr. Williams asked if there were any additions, deletions or corrections to the minutes. Hearing and seeing none, he asked for a motion to approve.

On MOTION by Ms. Kunkel, seconded by Ms. Soto, with all in favor, the Board approved the minutes of the Board of Supervisors' meeting on December 21, 2004 for Harbor Bay Community Development District.

**THIRD ORDER OF BUSINESS**

**Consideration of Operations and  
Maintenance Expenditures for January**

Mr. Williams stated that the next item on the agenda was the consideration of Operations and Maintenance Expenditures for January (located behind tab 2). Mr. Coughlin motioned for approval. Mr. Williams asked for a second.

On MOTION by Mr. Coughlin, seconded by Ms. Soto with all in favor, the Board approved the Operations and Maintenance Expenditures for January for Harbor Bay Community Development District.

**FOURTH ORDER OF BUSINESS**

**Consideration of Series 2002  
Construction Requisitions #306-#310**

Mr. Williams stated that the next item on the agenda was the consideration of Series 2002 Construction Requisitions #306-#310 (located behind tab 3). He reviewed these for the Board, stating that the fund for Series 2002 has been depleted. The Developer is now funding the Construction Requisitions. Mr. Williams asked if there were any questions. There were none. He asked for a motion to approve.

<b>Requisitions</b>		
306	Beaver Flags	\$3,648.70
307	Kim's Wholesale Nursery & Waterfalls	\$2,600.00
308	Kearney Development Co., Inc.	\$538,931.00
309	Mortensen Engineering, Inc.	\$22,505.00
310	Heidt & Associates, Inc.	\$53,346.65

On MOTION by Mr. Coughlin, seconded by Ms. Kunkel, with all in favor, the Board approved the Series 2002 Construction Requisitions #306-#310 for Harbor Bay Community Development District.

**FIFTH ORDER OF BUSINESS**

**Consideration of Proposal for Pond  
Maintenance Services**

Mr. Williams stated that the next item on the agenda was the consideration of the proposal for renewal of pond maintenance services from Biological Research Associates (\$32,730.00). He reviewed this for the Board. Mr. Williams asked for motion to approve.

On MOTION by Mr. Coughlin, seconded by Ms. Kunkel, with all in favor, the Board approved the proposal for pond maintenance services from Biological Research Associates (\$32,730.00) for Harbor Bay Community Development District.

**SIXTH ORDER OF BUSINESS**

**Staff Reports**

A. District Counsel  
No report.

B. District Engineer  
Mr. Scarola provided an update on the pond repairs, stating that they are currently reviewing the bids received.

*(Mr. Whyte joined the meeting in progress.)*

C. District Manager  
Mr. Williams stated that the Developer had informed the District office that they will deed Lot 31, Block 22, and Section 16 to the District, to be used as a common area or open space area. Mr. Whyte suggested the Board consider accepting the lot, with the deed restriction of prohibiting the construction of habitable structures to be placed on it. General discussion ensued. Mr. Williams asked if there were any questions. There were none. He asked for a motion to approve.

On MOTION by Mr. Coughlin, seconded by Ms. Kunkel, with all in favor, the Board accepted Lot 31, Block 22, and Section 16 by way of Warranty Deed, with the deed restriction of prohibiting the construction of habitable structures to be placed on it (pending review by District Counsel) for Harbor Bay Community Development District.

Mr. Williams reviewed the non-renewal notices from Lloyds (policy # CRC-13655; expires 5/26/05) and Southern-Owners Insurance Co. (policy # 024612 20620431; expires 10/01/05) stating that this was due to the recent hurricane season, and was occurring with other Districts. General discussion ensued.

D. Property Manager

Mr. Getz briefly touched on lighting repairs and the Sheriff's Department efforts in issuing warnings to residents for speeding and traffic violations to non-residents. Both Mr. Whyte and Mr. Williams recommended that the Sheriff issue tickets to all offenders not just non-residents.

E. Club Manager

Ms. Werkheiser provided a brief report, stating that the cafeteria will be reopened in February.

**SEVENTH ORDER OF BUSINESS**

**Supervisor Requests and  
Audience Comments**

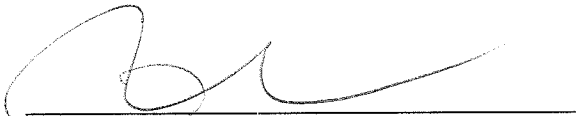
Mr. Williams stated that the next item on the agenda was Supervisor requests and audience comments. He stated that there are public audience members in attendance. Mr. Williams asked if there were any comments or questions. There were none. Mr. Williams asked if there were any Supervisor requests. There were none.


**EIGHTH ORDER OF BUSINESS**

**Adjournment**

Mr. Williams stated that there were no further agenda items to come before the Board and asked for a motion to adjourn at 9:28 a.m.

On MOTION by Ms. Kunkel, seconded by Ms. Soto with all in favor, the Board adjourned the meeting for Harbor Bay Community Development District.

  
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Pete Williams  
Secretary

  
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Don Whyte  
Chairman