

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.

**HARBOR BAY
COMMUNITY DEVELOPMENT DISTRICT**

The regular meeting of the Board of Supervisors of Harbor Bay Community Development District was held on **Tuesday, November 15, 2005 at 9:00 a.m.** at the Mira Bay Clubhouse, the Laguna Room, located at 107 Manns Harbor Drive, Apollo Beach, Florida 33572

Present and constituting a quorum were:

Chris Coughlin	Board Supervisor, Vice Chairman
Lisa Wrenn	Board Supervisor, Assistant Secretary
Suzanne Soto	Board Supervisor, Assistant Secretary

Also present were:

Jamie Scarola	District Engineer, Scarola Associates Engineering Design & Land Consultants, P.A.
Erika Werkheiser	Mira Bay Club Manager
Kathy Harp	Greenacres Properties, Inc.
Pete Williams	District Manager, Rizzetta & Company, Inc.
Debby Bayne	District Manager, Rizzetta & Company, Inc.
Tina Wells	Representative, Rizzetta & Company, Inc.
Scott Jones	Representative, Newland Communities
Sally McFolling	Sales Director, Mira Bay

FIRST ORDER OF BUSINESS

Call to Order

Ms. Wells called the meeting to order at 9:07 a.m.

SECOND ORDER OF BUSINESS

**Consideration of Board Supervisors'
Resignations
(Don Whyte and Brenda Kunkel)**

Ms. Wells stated that the first item on the agenda was the consideration of Board Supervisors' resignations. She stated that she handed out copies of letters of resignation from Don Whyte and Brenda Kunkel. She asked for a motion to accept the resignations.

On a Motion by Mr. Coughlin, seconded by Ms. Wrenn, with all in favor, the Board accepted the Board Supervisors' Resignations of Don Whyte and Brenda Kunkel for Harbor Bay Community Development District.

THIRD ORDER OF BUSINESS

**Consideration of Board Supervisors'
Replacements**

Ms. Wells stated that the first item on the agenda was the consideration of Board Supervisors' replacements. She asked the Board if they had any nominees.

On a Motion by Mr. Coughlin, seconded by Ms. Soto, with all in favor, the Board appointed Scott Jones and Sally McFolling as Board Supervisors for Harbor Bay Community Development District.

Ms. Wells, a Notary Public in the State of Florida, administered the oath of office to Mr. Jones and Ms. McFolling. They swore and affirmed to the Oath.

FOURTH ORDER OF BUSINESS

**Consideration of Minutes of the Board of
Supervisors' Meeting on October 18, 2005**

Ms. Wells stated that the next item on the agenda was consideration of the Minutes of the Board of Supervisors' meeting on October 18, 2005. She asked if there were any additions, deletions, or corrections. Mr. Coughlin stated that he had the following corrections: on page 3 of the minutes, second paragraph, should read "*the area be left as a no parking/resident fishing area only*"; the sentence following that one should read "*concerning the homeowners' desire to privatize it*"; the next sentence should read "*with Hillsborough County possibly stepping in*". He also stated that Brenda Kunkel did not attend the last meeting, which Ms. Werkheiser's name was misspelled, and that plat has one "t" and not two. Ms. Wells noted the changes, and asked if there were any other corrections. Hearing none, she asked for the minutes to be approved, with all necessary corrections.

On a Motion by Mr. Coughlin, seconded by Ms. Wrenn, with all in favor, the Board approved the minutes of the Board of Supervisors' meeting on October 18, 2005 (as amended) for Harbor Bay Community Development District.

FIFTH ORDER OF BUSINESS

**Consideration of Operation and
Maintenance Expenditures for November**

Ms. Wells stated that the next item on the agenda was consideration of the Operation and Maintenance Expenditures for November, for the period of October 1 – October 31, 2005, totaling \$182,884.08. She asked if there were any questions. Hearing none, she asked for a motion to approve.

On a Motion by Mr. Coughlin, seconded by Ms. Wrenn, with all in favor, the Board approved the Operation and Maintenance Expenditures for November, (\$182,884.08) for Harbor Bay Community Development District.

SIXTH ORDER OF BUSINESS

**Consideration of Series 2002
Construction Requisitions #360-#362**

Ms. Wells stated the next item on the agenda was the consideration of Series 2002 Construction Requisitions #360-#362. Ms. Wells stated that all of the requisitions have been approved and signed by the Chairman and the District Engineer.

On a Motion by Mr. Coughlin, seconded by Mr. Jones, with all in favor, the Board approved the Series 2002 Construction Requisitions #360-#362 for Harbor Bay Community Development District.

SEVENTH ORDER OF BUSINESS

**Consideration of Change Order #61,
dated 9/29/05 for Kearney Development
Co., Inc.**

Ms. Wells stated that the next item on the agenda was the consideration of change order #61, dated 9/29/05 for Kearney Development Co., Inc. Mr. Coughlin explained that this change order is removing the portion of Lycee Road that was included in a prior change order. He stated that the Developer will possibly be redesigning the intersection at U.S. 41. Therefore it would be better to hold off on Lycee Road until this was completed. Mr. Coughlin stated that many of the items on the previous change order were deleted and will be resubmitted as some of the stored materials were pre-purchased.

On a Motion by Mr. Coughlin, seconded by Ms. McFolling, with all in favor, the Board approved Change Order # 61 (\$426,273.90) for Harbor Bay Community Development District.

EIGHTH ORDER OF BUSINESS

Staff Reports

A. District Counsel
Not present.

B. District Engineer
Mr. Scarola stated that he attended a Hillsborough County public meeting regarding an 18-month study the County will be performing, regarding the dredging of areas of Apollo Beach. He stated that after a survey was conducted, the results showed that the South entry channel was the area most residents felt the study should focus on.

A question arose regarding the possibility of using the Developer's results of the bathometric studies performed on some of the channels in order to perform a dredging on the canal in the District. Mr. Scarola stated that it could be done, and that Masters canal ranked the second highest priority from the survey.

C. District Manager

Ms. Wells stated that the District has received a notice from the Hillsborough County Deputy Services stated that the off-duty deputy rates have increased by \$6/hr., taking the rate from \$26/hr. to \$32/hr. She stated that she spoke to Travis, the deputy coordinator for the area, and he stated that he will cut back hours by shaving one to two hours per shift and deputies will work 25 days a month. She stated that this way, there will still be ample coverage. She stated that if anyone had any problems to please contact her. Ms. Wells also stated that this was simply a measure taken to stay within the budget for the District, and the Board could reconsider the issue in the future if any changes occur. She asked if there were any questions or comments. General discussion ensued.

Mr. Williams suggested that the District Staff arrange with the deputies to increase coverage during the peak hours, while leaving the night patrol as it is, to ensure that the issues are addressed from now until the first week of January. He stated that after that point, they will review the expenditures for that period and move some funds from the Miscellaneous account to cover the expenditures used for this issue. He stated that if this creates a shortfall, then later on in the year, they will do a Developer Funding Agreement to help offset the expenditure.

Mr. Williams stated that due to the Board's acceptance of the resignation of Don Whyte, the Chairman's position was now vacant. He recommended that the Board be re-aligned, and move Mr. Coughlin from serving as Vice Chairman to the position of Chairman, and asked for a motion to this effect.

On a Motion by Mr. Jones, seconded by Ms. Wrenn, with all in favor, the Board appointed Chris Coughlin as Chairman of the Board of Supervisors for Harbor Bay Community Development District.

Mr. Williams stated that the Vice Chairman's position would need to be filled, now that Mr. Coughlin is now the Chairman. He asked if there were any nominees.

On a Motion by Mr. Coughlin, seconded by Ms. McFolling, with all in favor, the Board appointed Scott Jones as Vice Chairman of the Board of Supervisors for Harbor Bay Community Development District.

D. Property Manager
Not present.

NINTH ORDER OF BUSINESS

Supervisor Requests and Audience Comments

Ms. Wells stated that the next item on the agenda was Supervisor requests and audience comments. No new audience members were present except those at the onset of the meeting. There were no audience comments. She asked if there were any Supervisor requests. There were none.

TENTH ORDER OF BUSINESS Adjournment

Ms. Wells stated that there were no further agenda items to come before the Board and asked for a motion to adjourn.

On a Motion by Mr. Coughlin, seconded by Mr. Jones, with all in favor, the Board adjourned the meeting at 9:25 a.m. for Harbor Bay Community Development District.


Secretary / Assistant Secretary


Chairman / Vice Chairman