

**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 **Thursday, May 27, 2010 at 5:30 p.m.** at 700 Manns Harbor Drive, Apollo Beach, Florida 33752.

Present and constituting a quorum were:

Laura Ackerman  
Rip Ripley  
Tom Hatcher  
Ed Stone

**Board Supervisor, Vice Chair**  
**Board Supervisor, Assistant Secretary**  
**Board Supervisor, Assistant Secretary**  
**Board Supervisor, Assistant Secretary**

Also present were:

Jonathan Miller  
Karla Gibson  
Kristy Owens  
Tom Griggs  
Biff Craine  
Audience

**District Manager, Rizzetta & Company, Inc.**  
**Representative, WTS International**  
**District Coordinator**  
**Representative, Newland Communities**  
**District Counsel, Bricklemyer, Smolker, Bolves**

**FIRST ORDER OF BUSINESS**

**Call to Order**

Mr. Miller called the meeting to order and conducted roll call.

**SECOND ORDER OF BUSINESS**

**Consideration of Minutes of the Board of Supervisors' Meeting held on April 22, 2010**

On a Motion by Mr. Stone, seconded by Mr. Ripley, with all in favor, the Board approved the Minutes of the Board of Supervisors' Meeting held on April 22, 2010 for Harbor Bay Community Development District.

**THIRD ORDER OF BUSINESS**

**Consideration of Operations and Maintenance Expenditures for May 2010**

On a Motion by Mr. Ripley, seconded by Mr. Hatcher, with all in favor, the Board approved the Operation and Maintenance Expenditures for May 2010 (\$189,107.62) for Harbor Bay Community Development District.

On a Motion by Mr. Stone, seconded by Ms. Ackerman, with all in favor, the Board approved the Operation and Maintenance Expenditures for May 2010 (\$92,999.15) for the Mirabay Clubhouse for Harbor Bay Community Development District.

**FOURTH ORDER OF BUSINESS**

**Consideration of Final Security Guard Services RFP**

On a Motion by Ms. Ackerman, seconded by Mr. Stone, with all in favor, the Board approved the Final Security Guard Services RFP as presented for Harbor Bay Community Development District.

**FIFTH ORDER OF BUSINESS**

**Discussion on Insurance Requirements for HCSO Off Duty Law Enforcement Services**

A discussion ensued regarding the insurance requirements for the HCSO off duty law enforcement officers. The Board requested Mr. Craine to determine if the District would be responsible for FICA for off the duty officers as they would be covered under a workman's compensation policy. Further discussion ensued. District Management was directed to look into the insurance policy obtained by the HOA for the marine patrol officers.

**SIXTH ORDER OF BUSINESS**

**Review of Unaudited Financial Statements, April 2010**

Mr. Miller reviewed the District's financials for April 2010 and answered various questions from the Board.

**SEVENTH ORDER OF BUSINESS**

**Review of Districts Financial Cash Flow Analysis, April 2010**

Mr. Miller reviewed and explained the District Financial Forecast Analysis for April 2010 for informational purposes only.

**EIGHTH ORDER OF BUSINESS**

**Presentation of April Utilities Report**

Mr. Miller reviewed the April utilities report for informational purposes only.

**NINTH ORDER OF BUSINESS**

**Presentation of Fiscal Year 2010/2011  
Proposed Budget; and Consideration of  
Resolution 2010-10, Approving Proposed  
Budget and Setting Public Hearing on  
Final Budget**

On a Motion by Mr. Stone, seconded by Mr. Ripley, with all in favor, the Board approved Resolution 2010-10, Approving Fiscal Year 2010/2011 Proposed Budget; and set the Public Hearing on the Final Budget for August 26, 2010 at 5:30 p.m. to be held at the Harbor Bay Clubhouse located at 107 Manns Harbor Drive, Apollo Beach, FL 33572 for Harbor Bay Community Development District.

**TENTH ORDER OF BUSINESS**

**Staff Reports**

- A. District Counsel  
Mr. Craine gave an update on the seawall litigation.
- B. District Engineer  
No report.
- C. Club Manager – Karla Gibson  
No report.
- D. District Coordinator – Kristy Owens  
No report.
- E. District Manager
  - 1. Consideration of Proposal for Irrigation Pumping System Replacement

On a Motion by Mr. Hatcher, seconded by Mr. Stone, with all in favor, the Board approved the proposal from Ballenger & Company, Inc. for Irrigation Pumping System Replacement in the amount of \$7,622 as presented for Harbor Bay Community Development District.

On a Motion by Ms. Ackerman, seconded by Mr. Ripley, with all in favor, the Board approved to extend the due date of the Landscape RFP to allow time to include areas added to District responsibilities from recent land conveyances for Harbor Bay Community Development District.

**ELEVENTH ORDER OF BUSINESS**

**Supervisor Requests and Audience  
Comments**

Mr. Stone requested District Counsel to research the liability of the off duty officers and what type and level of insurance was secured by the HOA for marine patrol.

The Board entertained various public comments; however no board action was taken.

**TWELFTH ORDER OF BUSINESS**

**Adjournment**

On a Motion by Mr. Stone, seconded by Mr. Hatcher, with all in favor, the Board adjourned the meeting at 7:36 p.m. for Harbor Bay Community Development District.

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Secretary/Assistant Secretary

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Chairman/ Vice Chairman

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