

**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, February 8, 2018 at 6:00 PM** at the MiraBay Clubhouse, located at 107 Manns Harbor Drive, Apollo Beach, Florida 33752.

Present and constituting a quorum were:

Paul Curley	Board Supervisor, Chairman
Joe McNeil	Board Supervisor, Vice Chairman
Ned Carr	Board Supervisor, Assistant Secretary
Steve Lockom	Board Supervisor, Assistant Secretary
Tim Nargi	Board Supervisor, Assistant Secretary <i>(via phone)</i>

Also present were:

Joseph Roethke	Regional District Manager; Rizzetta & Company
Jennings Cooksey	District Counsel; Hopping, Green & Sams PA
Greg Woodcock	District Engineer; Cardno
Chris Gamache	District Engineer; Cardno
John Toborg	Senior Field Services Manager; Rizzetta & Company
Elliot Moseley	Club Director
Ashley Adkins	Club Manager
Ty Thompson	MPD Legal <i>(via phone)</i>
Matt Davis	MPD Legal <i>(via phone)</i>

Audience

**FIRST ORDER OF BUSINESS**

**Call to Order and Pledge of Allegiance**

The meeting was called to order and roll call performed, confirming that a quorum was present. The Pledge of Allegiance was conducted.

**SECOND ORDER OF BUSINESS**

**Audience Comments on Agenda Items**

There were no comments from the audience.

**THIRD ORDER OF BUSINESS**

**Community Security**

- i. **Prioritizing New Equipment Options  
(Closed to the Public)**

PZC  
3/15/18

48  
49 Mr. Cooksey requested that the members of the public in the audience leave the room for the  
50 Board's discussion on security systems and plans, pursuant to sections 281.301 and 286.0113,  
51 *Florida Statutes*. The audience left the meeting at 6:03 PM.

52  
53 *(Confidential discussion minutes recorded separately from this document.)*

54  
55 The confidential discussion ended at 6:45 PM and after a brief recess, the meeting publicly  
56 reconvened at 6:46 PM.

57  
58 *(Mr. Toborg joined the meeting in progress at 6:46 PM.)*

59  
60 **ii. Consideration of Termination of**  
61 **Existing Contract and Discussion**  
62 **and/or Approval of New Contract**  
63 **with Envera**  
64

65 Mr. Cooksey presented the termination letter for the existing Envera contract to the Board  
66 for consideration.

67  
68  
69 

On a Motion by Mr. Curley, seconded by Mr. Carr, with all in favor, the Board of Supervisors authorized the termination of the existing security service contract with Envera while concurrently negotiating a new 3-year contract for security services for the Harbor Bay Community Development District.
---

70  
71 **FOURTH ORDER OF BUSINESS**

**Seawall**

72  
73 **i. Update on Emergency Repairs**

74 Mr. Woodcock updated the Board on the status of the emergency seawall repairs. The  
75 contractor is working on securing their bond for this project, and the work should start shortly after  
76 the bond is secured and the contract is signed.

77 *(Mr. Davis and Mr. Thompson joined the meeting via*  
78 *phone at 6:55 PM and 6:56 PM, respectively.)*

79  
80 **ii. Update on Design Build Project**

81  
82 Mr. Woodcock, updated the Board on the status of the design-build seawall reconstruction  
83 project.

84  
85 Mr. Curley recommended that Board supervisors refrain from contacting Cardno with  
86 specific questions about individual contractors that they are negotiating with on this project.  
87 Discussion ensued.

88  
YSC  
3/15/18

On a Motion by Mr. Curley, seconded by Mr. Nargi, with all in favor, the Board of Supervisors authorized giving Cardno flexibility to engage in negotiation with additional contractors if a qualified vendor becomes available, pending keeping the same timeline as currently stated with contractors, for the Harbor Bay Community Development District.

89  
90 **iii. Discussion of New Pool Construction**  
91 **Near Seawalls**  
92

93 Mr. Gamache discussed new residential pool construction adjacent to the District's seawall.  
94 It was noted that new pool installations should not impact or worsen any current issues with the  
95 seawall or adjacent upland areas.  
96

97 Mr. Curley discussed issues with canal dredging. Mr. Cooksey confirmed that Newland is  
98 responsible for canal maintenance. Mr. Gamache discussed measurements that are currently in the  
99 process of being evaluated and compared to previous measurements taken in 2015, the purpose of  
100 which is to determine if there are any significant changes in canal depth near boat docks in some  
101 locations. Mr. Roethke will follow up with Newland to discuss possible canal dredging.  
102

103 **FIFTH ORDER OF BUSINESS**

**Seawall Upland Claim Consideration**

- 104  
105 **i. 41 Cornerstone – 5720 Sea Turtle Place**  
106 **ii. Rybak – 430 Islebay Drive**  
107

108 Mr. Davis presented and reviewed details of two current upland claims with the Board.  
109

On a Motion by Mr. Curley, seconded by Mr. Lockom, with all in favor, the Board of Supervisors approved the upland claim for 5720 Sea Turtle Place in the amount of \$15,150.00 for the Harbor Bay Community Development District.

110 Discussion ensued regarding the claim at 430 Islebay Drive.  
111  
112

On a Motion by Mr. Curley, seconded by Mr. Carr, with four in favor and one (Mr. Lockom) opposed, the Board of Supervisors approved the upland claim for 432 Islebay Drive in the amount of \$16,500.00 for the Harbor Bay Community Development District.

113  
114 *(Mr. Davis and Mr. Thompson left the meeting at 7:34 PM.)*  
115

116 **SIXTH ORDER OF BUSINESS**

**Discussion of Potential Seawall Legal  
Malpractice Claim**

117  
118  
119 Mr. McNeil updated the Board on the status of a possible legal malpractice claim. He  
120 advised he will be researching this with an additional law firm and will bring more information  
121 on the topic to a future meeting. Mr. Curley and Mr. Nargi expressed concerns regarding  
122 potential costs. Mr. McNeil is looking only at contingency-only firms.  
123

PEC  
2/15/18

124  
125  
126  
127  
128  
129  
130  
131  
132  
133  
134  
135  
136  
137  
138

**SEVENTH ORDER OF BUSINESS**

**Presentation of Jan. 2018 Field Inspection Report**

Mr. Toborg presented the January 2018 field inspection report and reviewed the details of it with the Board. The Board discussed cleanup of some areas in need of mowing and some additional maintenance issues. Mr. Toborg presented some draft plans for pool landscape refurbishment to the Board for their review.

**i. Consideration of Landscaping Proposals**

Mr. Roethke presented proposals for landscaping removals and installations to the Board for consideration.

On a Motion by Mr. Curley, seconded by Mr. Lockom, with all in favor, the Board of Supervisors approved the proposal from Lee Te Kim for code tree installations at a total cost not to exceed \$400.00 for the Harbor Bay Community Development District.

139

On a Motion by Mr. Nargi, seconded by Mr. Curley, with all in favor, the Board of Supervisors approved the proposal for removal of one infected palm tree trunk at a total cost not to exceed \$600.00 for the Harbor Bay Community Development District.

140  
141

*(Mr. Toborg left the meeting at 7:53 PM.)*

142

**EIGHTH ORDER OF BUSINESS**

**Major Project Update  
Pool, Clubhouse, Oak Tree Pruning**

143  
144  
145

Mr. Woodcock provided an update on the status of the pool project for the Board. He advised that the pool slide and tower are on track for completion by February 19<sup>th</sup>.

146

147

148

149

**i. Pool**

150

Mr. Woodcock presented pool resurfacing proposals to the Board for consideration.

151  
152

On a Motion by Mr. Curley, seconded by Mr. McNeil, with all in favor, the Board of Supervisors approved the proposal from Pool Works for pool resurfacing at a cost not to exceed \$182,375.00 pending confirmation on coping by Cardno and a contract drafted by District Counsel, with a start date to be determined between WTS and District Engineer, for the Harbor Bay Community Development District.

153

154

155

156

157

158

Mr. Woodcock and Mr. Gamache discussed a pool crack. They are researching options for diagnosing the issue with the help of geotechnical contractors. Discussion ensued regarding potential costs and possible impacts this issue may have on the pool resurfacing project. Mr. Woodcock informed the Board that Pool Works is aware of this issue.

*PC*  
*3/12/18*

On a Motion by Mr. Curley, seconded by Mr. Lockom, with all in favor, the Board of Supervisors approved the procurement of boring samples for geotechnical purposes at a cost not to exceed \$7,000.00 for the Harbor Bay Community Development District.

159  
160  
161  
162  
163  
164  
165  
166  
167  
168  
169  
170  
171  
172  
173  
174  
175  
176  
177  
178  
179  
180  
181  
182  
183  
184  
185  
186  
187  
188  
189  
190  
191  
192  
193  
194  
195  
196  
197  
198  
199  
200  
201

**ii. Clubhouse**

Mr. Carr informed the Board that the clubhouse renovation is nearly complete, with almost all furniture delivered. There are only minor items outstanding such as wall art and side tables.

**NINTH ORDER OF BUSINESS                      New Capital Project Update**

**i. Maintenance Shed**

Mr. Lockom was not convinced that the maintenance shed is cost-effective at this point after completing a benefit analysis. The Board will continue to discuss this at future meetings when funds are available.

**ii. Fitness Center Roof Repair**

Mr. Moseley informed the Board that this work is scheduled to be completed next Monday, February 12<sup>th</sup>.

**iii. Boat Lift Painting**

Mr. Moseley discussed with the Board a proposal for boat lift painting. Additional proposals will be provided at a future meeting.

**iv. Road Resurfacing**

Mr. Woodcock informed the Board that they will have proposals ready by April.

**TENTH ORDER OF BUSINESS                      Review of March 15, 2018 Tentative Agenda**

Mr. Curley reviewed the tentative agenda with the rest of the Board.

**ELEVENTH ORDER OF BUSINESS                      Consent Agenda Items**

- A. Consideration of Minutes of the Board of Supervisors' Regular Meeting Held on January 18, 2018
- B. Consideration of Master Project Requisitions #54-61
- C. Consideration of Supplemental Project Requisitions (if any)
- D. Presentation of Monthly Staff Report: Mira Bay Club Manager
- E. Presentation of Monthly Staff Report: Club Director
- F. Dock and Lift Approvals (if any)

*RC*  
*3/15/18*

202

On a Motion by Mr. Curley, seconded by Mr. McNeil, with all in favor, the Board of Supervisors approved all consent agenda items for the Harbor Bay Community Development District.

203

204

**TWELFTH ORDER OF BUSINESS**

**Staff Reports**

205

206

**A. District Counsel**

207

208

District Counsel had no additional information to present.

209

210

**B. District Engineer**

211

212

District Engineer had no additional information to present.

213

214

**C. District Manager**

215

216

Mr. Roethke reminded the Board that the next regularly scheduled meeting will be held on Thursday, March 15, 2018 at 6:00 PM at the MiraBay Clubhouse.

217

218

219

Mr. Roethke informed the Board that he spoke with the attorney representing the upland claim that was rescinded at the last meeting and that more information would be provided as this moves forward.

220

221

222

223

Mr. Roethke also informed the Board that special assessment checks have been pouring and are being processed as quickly as possible.

224

225

226

**NINETEENTH ORDER OF BUSINESS**

**Supervisor Requests**

227

228

Mr. Carr discussed concerns regarding the District's relationship with the current landscaper.

229

230

Mr. Nargi asked for copies of prior FHP off-duty patrol reports.

231

232

Mr. Curley would like to add a discussion on speeding in the community to the next agenda.

233

234

Mr. Lockom spoke about a seagull control issue.

235

On a Motion by Mr. McNeil, seconded by Mr. Carr, with all in favor, the Board of Supervisors approved the expenditure for a seagull control system at a cost not to exceed \$1,900.00 for the Harbor Bay Community Development District.

236

237

**TWENTIETH ORDER OF BUSINESS**

**Audience Comments**

238

239

A resident asked about mangrove plantings on new seawalls and maintenance of current mangroves.

240

241

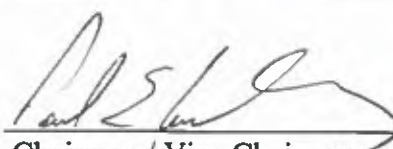
✓  
3/15/18

242 **TWENTY-FIRST ORDER OF BUSINESS**      **Adjournment**  
243

On a Motion by Mr. Curley, seconded by Mr. Carr, with all in favor, the Board adjourned the meeting at 8:25 PM for the Harbor Bay Community Development District.

244  
245  
246  
247  
248

  
Secretary / Assistant Secretary

  
Chairman / Vice Chairman

✓  
3/15/18

## **HARBOR BAY CDD**

### **EXHIBIT TO 02-08-18 MINUTES:**

- Furniture/Lighting & Accessory Budget



**MIRA BAY FURNITURE / LIGHTING + ACCESSORY BUDGET**

**02.08.18**

NOTE: PRICES ARE FOR BUDGET PURPOSES ONLY

	LOCATION	TYPE	QTY	MANUF.	ITEM NAME	ITEM #	LIST PRICE	PACKAGING/ CRATING	EST. SHIPPING	RECEIVING + INSTALL	TOTAL PRICE	SHIP DATE
<b>FURNITURE</b>												
F-1	ENTRANCE LOBBY	CREENZA	1	CRESTVIEW	CIRCLES SILVER		299.98		268.4	YES	299.98	ARRIVED
		GLASS TOP/DRAWERS	1	BRANDON GLASS			316.08			PICK UP	316.08	
F-2	ADMIRAL'S LOUNGE	LOVE SEAT/ BENCH	1	H CONTRACT	DARBY SETEE (GRADE 3)	HC9620-010	1449.45	0	INCLUDED	YES	1449.45	ARRIVED
F-3	ADMIRAL'S LOUNGE	LOUNGE CHAIR	4	HEKMAN	KRYSTYN CHAIR (GRADE AA)		648	0	181.44	YES	2592	ARRIVED
F-4	ADMIRAL'S LOUNGE	LOUNGE CHAIR	4	FAIRFIELD	CHANDLER LOUNGE CHAIR (U+9)	5425-01	705	0	683.90	YES	2820	ARRIVED
F-5	ADMIRAL'S LOUNGE	GAME CHAIR	12	FAIRFIELD	ANTHONY SIDE CHAIR -SCOTT RED ROVER-SAND	8741-05	491	0	ABOVE	YES	5892	ARRIVED
F-6	ADMIRAL'S LOUNGE / CAFE	DINING / CAFE CHAIR	20	SUPERIOR SEATING	CURVED BACK SYNTHETIC WICKER AND BAMBOO CHAIR	R10	79.95	0	225	DROP SHIP - NO EXTRA CHARGE	1599	ARRIVED
F-7	ADMIRAL'S LOUNGE	DINING TABLE (36") TOP	3	FAIRFIELD	WALNUT WOOD TOP - 36" SQUARE	473S	189	0	ABOVE	YES	567	ARRIVED
		DINING TABLE BASE	3	<a href="http://TABLEBASES.COM">TABLEBASES.COM</a>	SAVILLE 22 BLACK TABLE BASE - LIGHT		164.99		295.15	YES	494.97	ARRIVED
F-9	ADMIRAL'S LOUNGE	LOUNGE TABLE (34" DIAM)	2				265.56	0	0		531.12	ARRIVED
F-10	NOT USED											
F-11	ADMIRAL'S LOUNGE	SIDE TABLE	2	BALLARD DESIGNS			195.475	0	47.45		390.95	ARRIVED
F-12	ADMIRAL'S LOUNGE	SIDE TABLE	2	WAYFAIR			118.99	0	0		237.98	ARRIVED
F-14	CAFE	DINING TABLES (36")	5	MISSOURI TABLES & CHAIRS	CARARA QUARTZ 36" SQUARE TOP		329	0	365	DROP SHIP	1645	ARRIVED
		DINING TABLE BASE	5	<a href="http://TABLEBASES.COM">TABLEBASES.COM</a>	SAVILLE 22 BLACK TABLE BASE - MEDIUM		184.99		INCLUDED ABOVE	YES	924.95	ARRIVED
F-15	2ND FLOOR LOBBY	BENCH	1	FAIRFIELD	JENA BENCH (GRADE K)	1751-10	491	0	ABOVE	YES	491	ARRIVED
F-16	NOT USED											
F-17	LAGOON ROOM	EVENT CHAIR	90	MTS /ARCHITEX			158	0	1780.28	900	14220	ARRIVED
F-18	LAGOON ROOM	CARD TABLE (37")	6	AMAZON			101.09	0	0	DROP SHIP	606.54	ARRIVED
F-19	LAGOON ROOM	EVENT CHAIR CART	1	MTS			347	0	0	INCLUDED ABOVE	347	ARRIVED
ARRIVED	ARRIVED	ARRIVED	ARRIVED	ARRIVED	ARRIVED	ARRIVED	ARRIVED	ARRIVED	ARRIVED	ARRIVED	ARRIVED	ARRIVED
<b>LIGHTING</b>												
L-1	ENTRANCE LOBBY	PENDANT FIXTURE	2	MERCANA	VISTA		188.97	0	330.68	YES	377.94	ARRIVED
L-2	ENTRANCE LOBBY	TABLE LAMP	2	UTTERMOST	COLUMA		159	0	50		318	TBD
L-3	ADMIRAL'S LOUNGE	PENDANT FIXTURE	5	MERCANA	LANGFORD I		399.95	0	ABOVE	YES	1999.75	ARRIVED
L-4	2ND FLOOR LOBBY	PENDANT FIXTURE	2	MERCANA	VISTA		188.97	0	ABOVE	YES	377.94	ARRIVED
L-5	LAGOON ROOM	PENDANT FIXTURE	4	NOIR	KOOPER CHANDELIER		554	0	332.34	YES	2216	ARRIVED
<b>ACCESSORIES</b>												

