

MINUTES OF MEETING

HARBOR BAY
COMMUNITY DEVELOPMENT DISTRICT

The regular meeting of the Harbor Bay Community Development District Board of Supervisors was held **Tuesday, January 15, 2002 at 9:30 a.m.** at the offices of Terrabrook, located at 3505 Frontage Road, Suite 145, Tampa, Florida 33607.

Present and constituting a quorum were:

Mike Dady	Board Supervisor
Kathy Jacobs	Board Supervisor
Debbie Jones	Board Supervisor
Steve Gamm	Board Supervisor

Also present were:

Pete Williams	District Manager
Toxey Hall	District Engineer
Jonathan Johnson	District Counsel (via speakerphone)

FIRST ORDER OF BUSINESS

Call to Order

Mr. Williams called the meeting to order.

SECOND ORDER OF BUSINESS

**Consideration of the Board of Supervisors'
Meeting Minutes on December 18, 2001**

Mr. Williams stated that the first item to consider is the minutes of the Board of Supervisors' meeting held on December 18, 2001 (located behind tab 1 in the agenda package). He asked if there were any additions, deletions or corrections to the minutes. Hearing and seeing none, Mr. Williams asked for a motion to approve.

On a MOTION by Ms. Jacobs, seconded by Mr. Dady, with all in favor, the Board approved the minutes of the Board of Supervisors' meeting on December 18, 2001 for Harbor Bay Community Development District.

THIRD ORDER OF BUSINESS

**Consideration of Woodruff & Sons
Change Order #4**

Mr. Williams stated that the next item on the agenda is the consideration of Change Order #4 from Woodruff & Sons (located behind tab 2). Mr. Hall stated that it is a deduction because a portion that was previously bid as the standard retaining wall/seawall on a portion of the lagoon across from the amenities center was changed to a segmental block wall and there is a savings. Mr. Gamm concurred. A question was asked regarding the modular wall revision and if it had to do with the resistance flow structure. Mr. Hall stated no. There were no further questions and Mr. Williams asked for a motion.

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On a MOTION by Mr. Gamm, seconded by Ms. Jones, with all in favor, the Board approved Woodruff & Sons Change Order #4 for Harbor Bay Community Development District.

Mr. Hall gave an update on Change Orders #5-#8 that are being submitted for approval. Change Orders #5, 7 and 8 constitute an addendum for Phase 1A of the infrastructure.

FOURTH ORDER OF BUSINESS

**Consideration of Authorization to Disburse
District Funds 02-04**

Mr. Williams stated that the next order of business is the consideration of the Authorization to Disburse District Funds 02-04, located behind tab 3 in the agenda package. There are invoices for District Counsel and District Management fees. He asked if there were any questions. Hearing and seeing none, Mr. Williams asked for a motion to approve.

On a MOTION by Mr. Dady, seconded by Mr. Gamm, with all in favor, the Board approved Authorization to Disburse District Funds 02-04 for Harbor Bay Community Development District.

FIFTH ORDER OF BUSINESS

**Consideration of Construction Requisitions
#52-#55**

Mr. Williams stated that the next agenda item is to consider construction requisitions #52 through #55 (recap is located behind tab 4). Requisition #53 from Biological Research Associates is being pulled for further review by Mr. Hall. There were no questions and Mr. Williams asked for a motion. A question was asked if Requisitions # 52 and 54 are contract items. Mr. Williams stated yes.

On a MOTION by Ms. Jacobs, seconded by Ms. Jones, with all in favor, the Board approved Construction Requisitions #52, 54 and 55 for Harbor Bay Community Development District.

SIXTH ORDER OF BUSINESS

Staff Reports

- A. District Counsel
Mr. Johnson stated he had no report.
- B. District Engineer
No further report.
- C. District Manager
Mr. Williams stated that the current financial statements have been handed out to the Board. The current Investment Management Report is located behind tab 5.

SEVENTH ORDER OF BUSINESS

Supervisor Requests and Audience Comments

Mr. Williams stated that the next item on the agenda is Supervisor Requests and Audience Comments. There was no audience in attendance other than those noted at the beginning of the meeting. He asked if there were any Supervisor requests. Mr. Gamm stated that he had items for review and consideration. There is a Genesis landscape overview consulting services proposal for consideration. It is a not-to-exceed \$11,000 fee. This is below the bidding threshold requirement.

On a MOTION by Mr. Dady, seconded by Mr. Gamm, with all in favor, the Board approved the Genesis proposal for Harbor Bay Community Development District.

Mr. Williams stated that there is also a proposal for some additional precast concrete fence. This is for approximately 1,900 linear feet at a price of \$98,862. It is also below the bidding threshold. Mr. Gamm stated that this was the best option. Mr. Williams stated that it would be forwarded to Mr. Johnson for review. Mr. Johnson stated that the standard form of construction agreement should be used. Also, he would like to have a copy of the contractor's payment of performance bond and certificate of insurance sent to him.

On a MOTION by Mr. Gamm, seconded by Ms. Jacobs, with all in favor, the Board approved the Zirkelbach Construction proposal for Harbor Bay Community Development District.

Mr. Williams stated that there is a Heidt & Associates Work Authorization that needs consideration. It is to assist with the 1A and 1B CDD bidding process to include plans, phasing quantities, bid book preparations and building evaluations. The amount is \$10,000. He asked if there was any discussion from the Board.

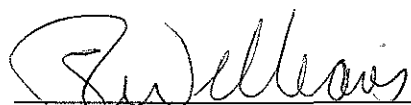
On a MOTION by Mr. Dady, seconded by Mr. Gamm, with all in favor, the Board approved the Heidt & Associates Work Authorization for \$10,000 for Harbor Bay Community Development District.

EIGHTH ORDER OF BUSINESS

Adjournment

Mr. Williams stated that there were no further agenda items scheduled for discussion and asked for a motion to adjourn.

On a MOTION by Mr. Dady, seconded by Ms. Jones, with all in favor, the Board adjourned the meeting for Harbor Bay Community Development District.



Pete Williams
District Manager



Brian Sewell
Chairman