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**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, January 15, 2008 at 6:33 p.m.**, at the Mira Bay Clubhouse, the Lagoon Room, located at 107 Manns Harbor Drive, Apollo Beach, Florida 33572.

Present and constituting a quorum were:

Ben Gelston	<b>Board Supervisor, Vice Chairman</b>
Laura Ackerman	<b>Board Supervisor, Assistant Secretary</b>
Donald Hawkins	<b>Board Supervisor, Assistant Secretary</b>

Also present were:

Tina Wells	<b>District Manager, Rizzetta &amp; Company, Inc.</b>
Biff Craine	<b>District Counsel, Bricklemyer Smolker &amp; Bolves</b>
Debra Capelli	<b>HOA Manager, Rizzetta &amp; Company, Inc.</b>
Jim Vrouhas	<b>Resident Services Manager</b>
Aida Johnson	<b>Mira Bay Club Manager</b>
Audience	

**FIRST ORDER OF BUSINESS**

**Call to Order**

Ms. Wells called the meeting to order and read the roll call.

**SECOND ORDER OF BUSINESS**

**Consideration of the Minutes of the  
Board Supervisors' Meeting held on  
December 18, 2007**

Ms. Wells stated that the next item on the agenda was the consideration of the minutes of the Board of Supervisors' Meeting held on December 18, 2007. Ms. Wells asked if there were any additions, deletions or corrections.

Ms. Wells stated that the Board has requested that on each occasion that HOA appears it be changed to Sea Crest HOA. A discussion ensued regarding the wording of the motion on page 7 and it was determined the motion should read, "...the Board approved the Sea Crest HOA installation of low voltage lighting pending final approval and final design, and installation of a lighted fountain, ensuring that the District has no responsibility for damage to surface water management and that there is no cost to the District." Ms. Ackerman stated that on page 8, the spelling be corrected to Tybee.

On a Motion by Mr. Hawkins, seconded by Ms. Ackerman, with all in favor, the Board approved the Minutes of the Board of Supervisors' Meeting held on December 18, 2007 (as amended), for the Harbor Bay Community Development District.

**THIRD ORDER OF BUSINESS**

**Consideration of the Operation and Maintenance Expenditures for January 2008**

Ms. Wells stated that the next item on the agenda was the consideration of the Operation and Maintenance Expenditures for January 2008. She stated that the expenditures covered the time period of December 1 – 31, 2007 and totaled \$1,025,471.59. Ms. Wells gave a brief explanation of the expenditures and asked if there were any questions or comments.

Ms. Ackerman stated that the street sweeping continues to show on the expenditures. Ms. Wells stated that the issue is currently being addressed.

On a Motion by Mr. Hawkins, seconded by Mr. Gelston, with all in favor, the Board approved the Operation and Maintenance Expenditures for January 2008 (\$1,025,471.59), for the Harbor Bay Community Development District.

**FOURTH ORDER OF BUSINESS**

**Consideration of Series 2002 Construction Requisitions #CUS492-495**

Ms. Wells stated that the next item on the agenda was the consideration of the Series 2002 Construction Requisitions #CUS492-495. She asked if there were any questions or concerns. Ms. Ackerman stated that there is an error on Requisition #CUS495. She stated that the mulch should be \$4 per yard, not \$40 per yard as indicated. Ms. Wells stated that she would have the error addressed.

On a Motion by Ms. Ackerman, seconded by Mr. Hawkins, with all in favor, the Board ratified the Series 2002 Construction Requisitions #CUS492-495, for the Harbor Bay Community Development District.

**FIFTH ORDER OF BUSINESS**

**Staff Reports**

A. District Counsel

Mr. Craine briefed the Board on the status of the Ad Valorem Tax suit and indicated that a dismissal is expected following inspection of the property by the Property Appraiser's office.

Mr. Craine stated that the engineer to be retained to service as an expert in the pending seawall litigation has been recommended. Resumes of James Hirst were circulated for review by the Board.

On a Motion by Mr. Gelston, seconded by Ms. Ackerman, with all in favor, the Board approved Bricklemyer Smolker & Bolves, P.A. retaining James Hirst as an expert in the pending seawall litigation, for the Harbor Bay Community Development District.

Mr. Craine stated that preliminary discussions have begun regarding contraction of the District to remove commercial areas from the boundaries of the CDD. General discussion followed regarding the impacts to the District of such a contraction. The topic will be discussed in greater detail at future Board meetings.

B. District Engineer

Mr. Craine reported that the District Engineer had asked that the Board be advised that the bathymetric study was complete and had been received.

On a Motion by Mr. Gelston, seconded by Mr. Hawkins, with all in favor, the Board directed that a report be completed by the District Engineer and presented to the Board at their next meeting, for the Harbor Bay Community Development District.

C. Project Manager  
Not present.

D. Clubhouse Manager

A discussion ensued regarding the District's alcohol policy and the purchasing of new signage.

On a Motion by Ms. Ackerman, seconded by Mr. Hawkins, with all in favor, the Board authorized Staff to purchase signage reinforcing policies and rules, for the Harbor Bay Community Development District.

A discussion ensued regarding the purchase of four (4) new treadmills at a cost of \$3,499 each.

E. HOA Resident Services Manager

Mr. Vrouhas stated that he had several things to report:

- Proposal had been received from Creative, regarding the signage for the crosswalks

- The pool motor is scheduled for repair and will be completed before its reopening
- Beachum Brothers Electric are working on the lights and an improvement has been observed
- A walk-thru of the landscape lighting was conducted with Mr. Kim and the making of a trail is under consideration
- He reported on the aerators in the ponds
- He reported on the TECO lights
- Sanitizing of the washrooms and grout has been scheduled
- Repair of the two drainage area has been scheduled by Brongo Construction

F. District Manager

Ms. Wells stated that she had spoken with the Supervisor of Elections and was asked to delay her presentation of information regarding the upcoming elections, until he could provide her with updated information. She stated that there will be two (2) seats up for election during the General Election in November 2008 .

Ms. Wells stated that the beginning of the audit selection process will be placed on the agenda for the next scheduled meeting.

**SIXTH ORDER OF BUSINESS**

**Supervisor Requests and Audience Comments**

Ms. Wells stated that the next item on the agenda was Supervisor Requests and Audience Comments. She asked if there were any audience comments.

Several audience comments were entertained by the Board, with no action being taken.

Ms. Wells asked if there were any Supervisor Requests. There were none.

**SEVENTH 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. Gelston, seconded by Mr. Hawkins, with all in favor, the Board adjourned the Board of Supervisors' Meeting at 8:20 p.m., for the Harbor Bay Community Development District.

  
Secretary / Assistant Secretary

  
Chairman / Vice Chairman