

**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 17, 2006 at 9:05 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	<b>Board Supervisor, Vice Chairman</b>
Suzanne Soto	<b>Board Supervisor, Assistant Secretary</b>
Sally McFolling	<b>Board Supervisor, Assistant Secretary</b>

Also present were:

Erika Werkheiser	<b>Mira Bay Club Manager</b>
Kathy Harp	<b>Greenacres Properties, Inc.</b>
Tina Wells	<b>Representative, Rizzetta &amp; Company, Inc.</b>

**FIRST ORDER OF BUSINESS**

**Call to Order**

Ms. Wells called the meeting to order at 9:01 a.m.

**SECOND ORDER OF BUSINESS**

**Consideration of the Minutes of the Board  
of Supervisor's Meeting on November 15,  
2005**

Ms. Wells stated that the next item on the agenda was consideration of the Minutes of the Board of Supervisors' meeting on November 15, 2005. She asked if there were any additions, deletions, or corrections. 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. McFolling, with all in favor, the Board approved the minutes of the Board of Supervisors' meeting on November 15, 2005 for Harbor Bay Community Development District.
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**THIRD ORDER OF BUSINESS**

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

Ms. Wells stated that the next item on the agenda was consideration of the Operation and Maintenance Expenditures for December. She explained that the expenditures were for the period of November 1<sup>st</sup> – November 31<sup>st</sup>, totaling \$14,779.51. 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. Soto, with all in favor, the Board approved the Operation and Maintenance Expenditures for December, (\$14,779.51) for Harbor Bay Community Development District.

**FOURTH ORDER OF BUSINESS**

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

Ms. Wells stated that the next item on the agenda was consideration of the Operation and Maintenance Expenditures for January. She explained that the expenditures were for the period of December 1<sup>st</sup> – December 31<sup>st</sup>, totaling \$511,761.44. 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. McFolling, with all in favor, the Board approved the Operation and Maintenance Expenditures for January, (\$511,761.44) for Harbor Bay Community Development District.

**FIFTH ORDER OF BUSINESS**

**Consideration of Series 2002  
Construction Requisitions #363-#387**

Ms. Wells stated the next item on the agenda was the consideration of Series 2002 Construction Requisitions #363-#387. 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 Ms. Soto with all in favor, the Board approved the Series 2002 Construction Requisitions #363-#387 for Harbor Bay Community Development District.

**SIXTH ORDER OF BUSINESS**

**Consideration of the Board Supervisor  
Resignation**

Ms. Wells stated that the next item on the agenda was the consideration of the Board Supervisor Resignation received from Lisa Wrenn. Ms. Wells stated that the district office received Ms. Wrenn's letter of resignation dated December 9, 2005. Ms. Wells asked if there were any questions or comments. Hearing none, she asked for a motion to approve the resignation.

On a Motion by Mr. Coughlin, seconded by Ms. McFolling, with all in favor, the Board approved the Board Supervisor Resignation of Lisa Wrenn for Harbor Bay Community Development District.

**SEVENTH ORDER OF BUSINESS**

**Staff Reports**

A. District Counsel  
No report.

B. District Engineer

Ms. Wells stated that Mr. Scarola was not in attendance for today's meeting but that he forwarded a memo to the district office dated January 12, 2006 and asked Mr. Coughlin if he would like to present the items to the Board.

Mr. Coughlin stated the memo concerned several items and wanted to update the Board. He stated that the first item was a letter received Reuben who was the seawall engineer when the seawall was designed. Mr. Clarson recently inspected the berm at the lower end of the seawall and said there was erosion on some spots. Mr. Clarson felt that this was caused by some wakes from boats. Mr. Coughlin stated that now we have a "no wake" zone, this is something that we can monitor and rectify the problem. He stated a bathymetric study is being conducted which contours the bottoms of the canals to get accurate depths and any locations of concerns. He stated that the district engineer recommended that the Board consider retaining Mr. Clarson for a full evaluation and follow up.

Mr. Coughlin stated the next item for discussion was the EPC Lagoon Area Dock Permit. He stated that the permit has been presented to the EPC and that he is awaiting their response. Mr. Coughlin stated that this will be a two year permit and said that the permit has been extended once already.

Mr. Coughlin stated the last item of discussion was the SWFWMD Inspection Report that Mr. Scarola has reviewed. Mr. Coughlin stated that one issue on the report is the berm that goes around the 27 foot easement of the Lagoon. He stated that between Reuben Clarson Consulting, Inc. and Heidt & Associates, Inc., that both firms should go out and look for inconsistencies and make a recommendation to the District. Ms. Wells stated that the Board can consider a motion to retain Reuben Clarson Consulting, Inc. for full evaluation and recommendation regarding the seawall design and erosion activity and to retain Heidt & Associates, Inc. to review the inconsistencies and to make recommendations to the District.

On a Motion by Mr. Coughlin, seconded by Ms. Soto, with all in favor, the Board approved retaining Reuben Carlson Consulting, Inc. for full evaluation and recommendation regarding the seawall design and erosion activity and to retain Heidt & Associates, Inc. to review the inconsistencies and to make recommendations to the District regarding the SFWMD Inspection Report for Harbor Bay Community Development District.

C. District Manager

Ms. Wells stated that the next regularly scheduled Board of Supervisors Meeting is scheduled for Tuesday, February 21, 2006 at 9:00 a.m. Ms. Wells stated that the next item for discussion was the TECO Savings Program for the District's Gas Lights on Mira Bay Blvd. She stated that TECO presented the savings program to the district office. She stated the savings was being passed down by buying gas in bulk. She stated that the District could save an estimated \$945.00 per year. She stated that there is a thirty day cancellation policy. Mr. Coughlin asked if there were any other districts using this type of program. Ms. Wells stated that this was the first district that she knew of that was asked by TECO to participate in the program. Mr. Coughlin expressed some concerns being the first to participate. Ms. Wells stated that she could arrange for a representative from TECO to come and give a presentation to the Board. Mr. Coughlin stated that he would like to try the program given the opportunity to cancel within the thirty day time frame. Mr. Coughlin asked for a motion to approve the TECO Savings Program for the CDD Gas Lights Savings Program that was being presented by TECO.

Mr. Coughlin stated that he received a letter from an attorney represented by a Bay Estates resident who was requesting to privatize roads. Mr. Coughlin requested that Ms. Wells follow up with District Counsel before he responded to the letter. Ms. Wells stated that she would contact District Counsel and get back to Mr. Coughlin.

Mr. Coughlin stated that there may be a possible heating expenditure for heating the pool through geo-thermo which would require the drilling of two wells. One well would be placed by the volley ball courts & bathrooms and the second would need to be placed approximately 500 ft away. He inquired about finding other district land where the second well could be drilled to avoid crossing Mira Bay Blvd. He questioned asking TerraBrook to grant an easement to the District across from the Welcome Center and run the pipe along the back seawall. He stated that with this estimate he would also get a comparison estimate providing gas heat. He said it would be ready for review within the next thirty days.

Mr. Coughlin stated that parcels conveyed to the District and not the Developer was also being review.

D. Property Manager  
No report.

**EIGHTH ORDER OF BUSINESS**

**Supervisor Requests and Audience Comments**

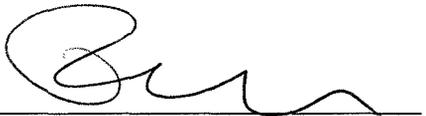
Ms. Wells stated that the next item on the agenda was Supervisor requests and audience comments. No new audience members were present except those at the onset of the meeting. There were no audience comments. She asked if there were any Supervisor requests. There were none.

**NINTH ORDER OF BUSINESS**

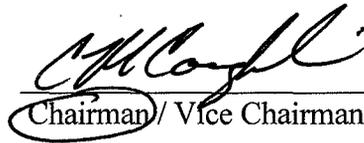
**Adjournment**

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 Ms. McFolling, with all in favor, the Board adjourned the meeting for Harbor Bay Community Development District.



Secretary / Assistant Secretary



Chairman / Vice Chairman