

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, January 28, 2016 at 6:01 p.m.** at the MiraBay Clubhouse, located at 107 Manns Harbor Drive, Apollo Beach, Florida 33752.

Present and constituting a quorum were:

Bob Collins	Board Supervisor, Chairman
Bob Cribbs	Board Supervisor, Vice Chairman
Ned Carr	Board Supervisor, Assistant Secretary
Joe McNeil	Board Supervisor, Assistant Secretary
Kathy Dukes	Board Supervisor, Assistant Secretary

Also present were:

Matthew Huber	District Manager, Rizzetta & Company, Inc.
Angel Montagna	District Manager, Rizzetta & Company, Inc.
Jere Earlywine	District Counsel, Hopping, Green & Sams, P.A.
Jamie Scarola	District Engineer, Scarola Associates Eng.
Raul Anaya	Club Director, Rizzetta Amenities
Mindy Anderson	Club Manager
Ashley Atkins	WTS
John Magnavita	Langan Engineering
Hanna Khouri	Langan Engineering
Roger Archabal	Langan Engineering (<i>via phone</i>)

Audience members

FIRST ORDER OF BUSINESS

Call to Order and Pledge of Allegiance

Mr. Huber called the meeting to order and performed roll call confirming that a quorum was present.

All those present recited the Pledge of Allegiance.

48 **SECOND ORDER OF BUSINESS**

Update regarding Master Project

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50 Mr. Magnavita provided a slide presentation showing the outstanding emergency repairs to
51 the seawall. Mr. Earlywine gave an update to coincide with the presentation.

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53 **THIRD ORDER OF BUSINESS**

Audience Comments

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55 Mr. Curley inquired about the estimated cost of the rip-rap repairs, and specifically
56 questioned why the estimated amounts had changed. He then wanted confirmation that at the
57 February 17th, 2016 special meeting that there will be competitive bids for sections 9-18. He
58 inquired if there are any other cap rotations any place else within the community other than sections
59 1-18. He inquired about the time frame for the fluxion of 3/4 of an inch that triggered an emergency
60 situation. His next concern was with respect to the use of rip-rap to help stabilize the wall on a
61 temporary basis.

62 Mr. Leventry had Seawall concerns on the emergency repairs versus RFP financing options
63 and receiving a response from staff. Mr. Earlywine addressed some of those concerns and a
64 discussion ensued.

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66 Mr. White inquired about the centerline repairs versus lot lines for his property. Mr.
67 Earlywine addressed his concerns and a discussion ensued.

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On a Motion by Mr. Cribbs, seconded by Ms. Dukes, with all in favor, the Board of Supervisors approved having a special meeting on February 17, 2016 to address the emergency repairs discussed by Langan, as well as to approve the Master Project RFP, for Harbor Bay Community Development District.

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70 Mr. Frappier commented on the amenity transfer on Admiral's Pointe and other
71 conveyances. The pedestrian gate at the Bay Breeze wall needs to be accessible to all. He suggested
72 that a security monitoring system needs to be placed at that entryway.

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74 **FOURTH ORDER OF BUSINESS**

Consent Administration Agenda Items/Business

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77 A. Consideration of the Minutes of the Board of Supervisors'
78 Regular Meeting held on December 17, 2015 as amended

79 B. Consideration of Operation and Maintenance
80 Expenditures for December 2015 (\$194,855.39)

81 C. Consideration of Operation and Maintenance
82 Expenditures for December 2015- Mira Bay Amenity Center
83 (\$80,204.54)

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On a Motion by Mr. McNeil, seconded by Mr. Cribbs, with all in favor, the Board approved items A-C as presented for Harbor Bay Community Development District.

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88 **FIFTH ORDER OF BUSINESS**

Mira Bay Club Manager

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Ms. Anderson discussed the upcoming Dragon Boat Festival which MiraBay hosts and is projected to take place on March 5, 2016.

On a Motion by Mr. McNeil, seconded by Ms. Dukes, with all in favor, the Board approved the Dragon Boat Festival for Harbor Bay Community Development District.

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SIXTH ORDER OF BUSINESS

Club Director

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Mr. Cribbs suggested the addition of mulch for the monument bases. Mr. Huber explained that Mr. Anaya has a proposal for Travertine guards for those bases. Mr. Anaya explained in more detail. Mr. Cribbs requested that this information be included in the E Blast.

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Mr. McNeil expressed his concern regarding "tailgaters" at the gates. He would like Mr. Anaya to obtain a quarterly update on every gate strike versus the amount of money recovered. Mr. McNeil would like to place Envera on notice regarding these strikes.

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SEVENTH ORDER OF BUSINESS

Consideration of Tennis Court Resurfacing Agreement

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Mr. Earlywine stated that this agreement was already approved by the Board; he just wanted to go over some items. Mr. McNeil inquired what the recourse would be for the CDD to recover from Welch if there is an issue. He'd like to hold back \$5,000 for 6 months. Mr. Earlywine will inquire about this with Welch.

On a Motion by Mr. McNeil, seconded by Mr. Cribbs, with all in favor, the Board of Supervisors approved the Tennis Court Resurfacing Agreement for Harbor Bay Community Development District.

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Mr. Earlywine went over the TCM basketball update. The contract is forthcoming and the CDD will buy the supplies. The work is anticipated to begin in April; the contract will be brought up again at the February meeting.

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EIGHTH ORDER OF BUSINESS

Consideration of Form of Utilities Connection Agreement

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Mr. Earlywine presented the Utility Connection Agreement to the Board.

On a Motion by Ms. Dukes, seconded by Mr. Collins, with all in favor, the Board of Supervisors adopted the Utilities Connection Agreement as presented for Harbor Bay Community Development District.

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NINTH ORDER OF BUSINESS

**Consideration of Admiral's Pointe
Amenity Center Transfer and Related
Items**

1. Discussion of Next Steps

Mr. Collins presented an update to the Board regarding the conveyance of the amenity center. Newland is paying for the landscaping. All of the paperwork is ready to go once Newland signs. They are ironing out the gate issue at Bay Breeze with Envera. Mr. McNeil inquired about who will meet with Envera.

On a Motion by Mr. McNeil, seconded by Ms. Dukes, with all in favor, the Board of Supervisors accepted the conveyance again for the Amenity Center, entrance road including the gate and for the gates easement on Bay Breeze for Harbor Bay Community Development District.

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TENTH ORDER OF BUSINESS

**Discussion Regarding Additional
Developer Conveyances**

Mr. Earlywine discussed upcoming developer conveyances, including the common infrastructure in Bay Breeze, Wolf Creek Park and others.

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ELEVENTH ORDER OF BUSINESS

Staff Reports

District Counsel

No report.

District Engineer

No report.

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TWELFTH ORDER OF BUSINESS

Staff Reports

District Manager

Mr. Huber noted that a special meeting would be held on Wednesday, February 17, 2016 at 6:00 pm. The next regular meeting would be held on Thursday February 25, 2016. The Dragon Boat Festival will take place on March 5, 2016 from 9:00 a.m. to 2:00 p.m.

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THIRTEENTH ORDER OF BUSINESS

Supervisors Requests

Ms. Dukes noted that the new website is up early and is a work in progress.

Mr. Cribbs gave an HOA update on the street trees; he'd like to put this discussion on the next agenda.

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Mr. Carr commented that Mr. Anaya is doing the Envera follow up since he has had residents express their concerns on the gates. He requested that Envera come to a future CDD meeting to speak with the Board.

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Mr. Anaya stated that a preventative maintenance agreement for the gates in place now. He spoke with Envera regarding the slow response time when residents call the number that is listed on the gate.

Mr. McNeil requested a letter be sent to Envera placing them on notice.

FOURTEENTH ORDER OF BUSINESS Audience Comments

Mr. Lockom expressed his concerns regarding the CDD Bond costs and stated that it doesn't show the cost of issuance. *(A handout was distributed under separate cover)*. A discussion ensued.

Mr. Thompson commented on the trash in the road in the construction area. He's called the County and the City, he asked the Board for help. Mr. Thompson also suggested that a little notice be put on the website informing the community on what work is being done and what is in progress.

Mr. Curley commented on the Seawall information that was presented earlier. He inquired about why the new cap was being installed. He inquired about the mileage rate cap for the CDD. He also inquired about the Life Cycle costs as well as a kitchen remodel update.

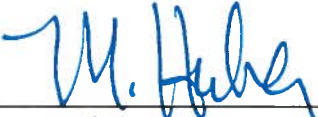
Mr. Stumpf has concerns with the Welch contract. He inquired about the trees in Pocket 101.

Mr. Tessier commented on the monuments, inquired about the Tennis court and the possibility of a retainage fee and warranty. He suggested that the pool pump be turned off at the slide and mushroom.

FIFTEENTH ORDER OF BUSINESS Adjournment

On a Motion by Mr. Collins, seconded by Mr. Cribbs, with all in favor, the Board adjourned the meeting at 9:59 p.m. for Harbor Bay Community Development District.

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Secretary/Assistant Secretary


Chairman/ Vice Chairman

EXHIBIT A

Steve Lockom 1/28/16

Corrected to include financial bond costs

Section 1 Cost Estimates - New Wall Option

Solution	Linear Feet*	Remaining Section 1 Construction Costs**	Construction Soft Costs	Total Construction Cost Estimate	Total Construction Cost Estimate With 20% Margin of Error Less \$5M ***	Financial bond costs	Construction Cost Estimate for Financing Purposes ***
Berm Rehab./Mangroves	340 LF	\$44,070					
Modified Option 1 (Approx \$325 / LF)	1,400 LF	\$455,000					
Option 3 (Approx \$684/ LF)	15,615 LF	\$10,680,660					
Totals	17,355 LF	\$11,179,730	\$1,993,347	\$13,173,077	\$10,807,692	\$2,157,308	\$12,965,000

Section 1 Cost Estimates - Rip Rap Alternate

Solution	Linear Feet*	Remaining Section 1 Construction Costs**	Construction Soft Costs	Total Construction Cost Estimate	Total Construction Cost Estimate With 20% Margin of Error	Financial bond costs	Construction Cost Estimate for Financing Purposes ***
Berm Rehab./Mangroves	340 LF	\$44,070					
Modified Option 1 (Approx \$325 / LF)	10,850 LF	\$3,526,250					
Option 3 (Approx \$684/ LF)	6,165 LF	\$4,216,860					
Totals	17,355 LF	\$7,787,180	\$1,437,286	\$9,224,466	\$6,069,359	\$1,300,641	\$7,370,000

*All linear footage amounts are estimates, and actual measurements may vary

** Includes 1,715 LF of remaining emergency repairs

***The CDD estimates having \$5,000,000 cash on hand, so construction amounts are reduced as shown

Section 2 & 3 Cost Estimates - Berm Rehab. / Mangroves

Section 2 (5,808 LF) = \$756,584

Section 3 (2,574 LF) = \$330,759

ALL FINAL, ACTUAL CONSTRUCTION COSTS MAY VARY FROM THE ESTIMATES STATED HEREIN BASED ON FINAL CONTRACT AMOUNTS DETERMINED THROUGH PUBLIC BIDDING

Section 1 Cost Estimates - New Wall Option

Solution	Linear Feet*	Remaining Section 1 Construction Costs**	Soft Costs	Total Construction Cost Estimate	Total Construction Cost Estimate With 20% Margin of Error	Construction Cost Estimate for Financing Purposes***
Berm Rehab./Mangroves	340 LF	\$44,070				
Modified Option 1	1,400 LF	\$455,000 (Appx. \$325 / LF)				
Option 3	15,615 LF	\$10,680,660 (Appx. \$684 / LF)				
Totals	17,355 LF	\$11,179,730	\$1,993,347	\$13,173,077	\$15,807,692	\$10,807,692

Section 1 Cost Estimates - Rip-Rap Alternate

Solution	Linear Feet*	Remaining Section 1 Construction Costs**	Soft Costs	Total Construction Cost Estimate	Total Construction Cost Estimate With 20% Margin of Error	Construction Cost Estimate for Financing Purposes***
Berm Rehab./Mangroves	340 LF	\$44,070				
Modified Option 1	10,850 LF	\$3,526,250 (Appx. \$325 / LF)				
Option 3	6,165 LF	\$4,216,860 (Appx. \$684 / LF)				
Totals	17,355 LF	\$7,787,180	\$1,437,286	\$9,224,466	\$11,069,359	\$6,069,359

*All linear footage amounts are estimates, and actual measurements may vary.

**Includes 1,715 LF of remaining emergency repairs.

***The CDD estimates having \$5,000,000 cash on hand, and so financing amounts are anticipated to be reduced as shown.

Section 2 & 3 Cost Estimates - Berm Rehab./Mangroves

Section 2 (5,808 LF) = \$756,584

Section 3 (2,574 LF) = \$330,759

(Note: Section 3 LF does not include certain areas impacted by trees and/or vegetation.)

ALL FINAL, ACTUAL CONSTRUCTION COSTS MAY VARY FROM THE ESTIMATES STATED HEREIN BASED ON FINAL CONTRACT AMOUNTS DETERMINED THROUGH PUBLIC BIDDING.

Assessment Analysis

Estimated assessment levels - construction of section 1 only

PRODUCT	Rip Rap - \$6MM	New Wall - \$10.8MM
	PER UNIT ANNUAL ASSESSMENT	PER UNIT ANNUAL ASSESSMENT
TH	\$144.58	\$254.35
Villas	\$231.34	\$406.96
50'	\$289.17	\$508.70
60'	\$347.00	\$610.43
70'	\$404.84	\$712.17
80'	\$462.67	\$813.91
100'	\$578.34	\$1,017.39
COMM	\$1,301.26	\$2,289.13

*** For Discussion Purposes Only, assessments are based on estimates and not final
 *** 12 months of Capitalized Interest are included in all scenarios