

**MINUTES OF MEETING  
HARBOR BAY  
COMMUNITY DEVELOPMENT DISTRICT**

A meeting of the Harbor Bay Community Development District Board of Supervisors was held on **Friday, January 30, 2004 at 9:10 a.m.** at the Mirabay Welcome Center, located at 205 Manns Harbor Drive, Apollo Beach, FL 33572.

Present and constituting a quorum were:

Steve Gamm	<b>Board Supervisor, Chairman</b>
Brenda Kunkel	<b>Board Supervisor, Vice Chairman</b>
Don Whyte	<b>Board Supervisor, Assistant Secretary</b>

Also present were:

Brian Lamb	<b>District Management Representative, Rizzetta &amp; Company, Inc.</b>
Lisa Wrenn	<b>Newland Communities</b>

**FIRST ORDER OF BUSINESS**

**Call to Order**

Mr. Lamb called the meeting to order. He stated that the first order of business is to administer the oath of office to Don Whyte, who was appointed to replace Kathy Shelling at the December 16, 2003 meeting. Mr. Lamb is a Notary for the State of Florida and authorized to administer the oath. Mr. Whyte swore and affirmed to the oath.

**SECOND ORDER OF BUSINESS**

**Consideration of Board Supervisor  
Resignation and Appointment of  
Replacement Supervisor**

Mr. Lamb stated that Ms. Susie Marler has submitted her written resignation from the Board. He asked for a motion to accept the resignation.

On MOTION by Mr. Gamm, seconded by Mr. Whyte with all in favor, the Board accepted the resignation of Susie Marler for Harbor Bay Community Development District.
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Mr. Lamb stated that it is now appropriate for the Board to appoint a replacement Supervisor. He asked for any nominations. Ms. Kunkel nominated Lisa Wrenn. There were no other nominations, so Mr. Lamb asked for a motion to appoint Ms. Wrenn to replace Susie Marler.

On MOTION by Mr. Whyte, seconded by Ms. Kunkel with all in favor, the Board appointed Lisa Wrenn to replace Susie Marler as Board Supervisor for Harbor Bay Community Development District.

Mr. Lamb stated that the next order of business is to administer the oath of office to Lisa Wrenn. Mr. Lamb again noted that he is a Notary for the State of Florida and authorized to administer the oath. Ms. Wrenn swore and affirmed to the oath.

**THIRD ORDER OF BUSINESS**

**Consideration of Minutes of the Board of Supervisors' Meeting on December 15, 2003**

Mr. Lamb stated that the next item on the agenda is to consider the minutes of the Board of Supervisors' meeting held on December 15, 2003 (located behind tab 1). Mr. Lamb asked if there were any additions, deletions or corrections to the minutes. Hearing and seeing none, he asked for a motion to approve.

On MOTION by Ms. Kunkel, seconded by Mr. Gamm with all in favor, the Board approved the minutes of the Board of Supervisors' meeting on December 15, 2003 for Harbor Bay Community Development District.

**FOURTH ORDER OF BUSINESS**

**Consideration of Authorization to Disburse District Funds 2004-04**

Mr. Lamb stated that the next item on the agenda is the consideration of the Authorization to Disburse District Funds 2004-04 (located behind tab 2). He stated that the disbursement consists of invoices for standard contractual commitments and administrative fees. He asked if there were any questions. Hearing and seeing none, he asked for a motion to approve.

On MOTION by Mr. Gamm, seconded by Mr. Whyte, with all in favor, the Board approved the Authorization to Disburse District Funds 2004-04 for Harbor Bay Community Development District.

**FIFTH ORDER OF BUSINESS**

**Consideration of Series 2002  
Construction Requisitions #198-#208**

Mr. Lamb stated that the next item on the agenda is the consideration of Series 2002 Construction Requisitions #198-#208 (recap located behind tab 3). He stated that each of the requisitions has been approved by the Chairman and certified by the District Engineer. He asked if there were any questions. Hearing and seeing none, he asked for a motion to approve.

On MOTION by Mr. Gamm, seconded by Mr. Whyte, with all in favor, the Board approved Series 2002 Construction Requisitions #198-#208 for Harbor Bay Community Development District.

**SIXTH ORDER OF BUSINESS**

**Consideration of Proposals**

Mr. Lamb stated that there are no proposals for the Board to consider at this time.

**SEVENTH ORDER OF BUSINESS**

**Staff Reports**

A. District Counsel

Not present. Mr. Whyte asked why the Board is currently working with an attorney that is not locally based. Ms. Kunkel stated that she believes Mr. Johnson was retained because he was the attorney who facilitated the initial petitioning process. Mr. Lamb noted that Mr. Johnson represents a large number of CDDs. Mr. Whyte urged the Board to reconsider this appointment and select a firm that is locally based. He recommends that an advertisement be published requesting local firms to submit proposals. He feels that it is particularly important that District Counsel be present at all meetings.

Mr. Lamb pointed out that this meeting was not included in the annual meeting schedule, but noted that Mr. Johnson is normally present at all of the meetings. Mr. Whyte noted that he assumes the District is then responsible for the reimbursement of travel expenses. With a local firm, this would not be the case.

B. District Engineer

Not present.

C. District Manager

Mr. Lamb stated that the Board has been distributed a recommended meeting agenda format change. This format is consistent with other local municipalities. He asked if there were any questions. There were none, so he asked for a motion to approve.

On MOTION by Mr. Whyte, seconded by Ms. Kunkel, with all in favor, the Board approved the meeting format change, as presented for Harbor Bay Community Development District.

Mr. Lamb also recommended that the Board consider the creation of an official District website. He stated that the website would be a typical municipal site and will provide an avenue for information to be disseminated to the general public in a user-friendly and efficient manner. The Board would like a proposal to be brought back to the next meeting.

**EIGHTH ORDER OF BUSINESS**

**Supervisor Requests and  
Audience Comments**

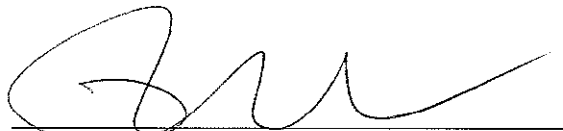
Mr. Lamb stated that the next item on the agenda is Supervisor requests and audience comments. There were no audience members in attendance, so Mr. Lamb asked for any Supervisor requests or comments. Mr. Gamm stated that the facilities need to be added to a routine maintenance schedule.


**NINTH ORDER OF BUSINESS**

**Adjournment**

Mr. Lamb stated that there were no further agenda items to come before the Board and asked for a motion to adjourn.

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

  
Pete Williams  
Secretary

  
Brenda Kunkel  
Vice Chairman