

MINUTES OF MEETING

**HARBOR BAY
COMMUNITY DEVELOPMENT DISTRICT**

The regular meeting of the Harbor Bay Community Development District Board of Supervisors was held **Tuesday, October 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:

Suzi Greene	Board Supervisor, Assistant Secretary
Kathy Jacobs	Board Supervisor, Vice Chairman
Dean Luce	Board Supervisor, Assistant Secretary

Also present were:

Pete Williams	District Manager, Rizzetta & Company, Inc.
Jonathan Johnson	District Counsel, Hopping Green & Sams, P.A.

FIRST ORDER OF BUSINESS

Call to Order

Mr. Williams called the meeting to order.

SECOND ORDER OF BUSINESS

**Appointment of Chairman and Vice
Chairman Positions**

Mr. Williams reminded the Board that Brian Sewell had recently resigned the position of Chairman. This item was held over from last month. Mr. Williams asked for any nominations to fill the post. A nomination was made for Kathy Jacobs to fill the post until the Landowners election next month.

On a MOTION by Ms. Greene, seconded by Ms. Luce, with all in favor, the Board appointed Kathy Jacobs as Chairman for Harbor Bay Community Development District.

As Kathy Jacobs' post will be vacated as Vice Chairman, nominations were made to fill this position. A nomination was made for Steve Gamm to fill the post of Vice Chairman.

On a MOTION by Ms. Jacobs, seconded by Ms. Greene, with all in favor, the Board approved the Appointment of Steve Gamm as Vice Chairman for Harbor Bay Community Development District.

THIRD ORDER OF BUSINESS

Consideration of the Board of Supervisors' Meeting Minutes on September 17, 2002 and the subsequent continuance to September 26, 2002

Mr. Williams stated that the next item to consider is the minutes of the Board of Supervisors' meeting held on September 17, 2002 and the subsequent continuance to September 26, 2002 (located behind tab 1). 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. Luce, seconded by Ms. Greene, with all in favor, the Board approved the minutes of the Board of Supervisors' meeting on September 17, 2002 and the subsequent continuance to September 26, 2002 for Harbor Bay Community Development District.

FOURTH ORDER OF BUSINESS

Update on the Status of Financing

Mr. Williams stated that the next item on the agenda is a report on the status of financing. Mr. Johnson stated that as of today a Board meeting on the bond closing is scheduled November 6, 2002 at 1:00 p.m. He hopes to finalize the offering statement which will be circulated on a quick time turn around and then publicly mailed, and the hope is to use the same investor as the last bond, which will expedite the process.

FIFTH ORDER OF BUSINESS

**Consideration of Resolution 2003-01
Resolution Authorizing the Registered
Office Change of Address**

Mr. Williams stated that the next order of business is the consideration of the Registered Office Change of Address Resolution 2003-01 (located behind tab 2). Mr. Williams explained the reason for the change of address. The address is to be changed to 3434 Colwell Avenue, Suite 200, Tampa, Florida 33614. He asked if there were any questions. Hearing and seeing none, Mr. Williams asked for a motion to approve.

On a MOTION by Ms. Jacobs, seconded by Ms. Greene, with all in favor, the Board approved Resolution 2003-01 Authorizing the Registered Office Change of Address for Harbor Bay Community Development District.

SIXTH ORDER OF BUSINESS

Consideration of Florida Handling Systems Contract

Mr. Williams stated that the next agenda item is to review the Florida Handling Systems Contract (located behind tab 3). The proposals and contracts execution were approved previously by the Board pending review performance efficiency by District Counsel. This is the final contract and is being brought back for your review. He asked if there were any comments from the Board.

SEVENTH ORDER OF BUSINESS

Consideration of Authorization to Disburse District Funds 2003-01

Mr. Williams stated that the next item on the agenda is the consideration of Authorization to Disburse District Funds 2003-01 (recap is located behind tab 4). It consists of the public officials' insurance premium, annual filing fee for the Department of Community Affairs and District Engineer, District Counsel and District Management fees and several items that relate to the 2002 Bond series. He asked if there were any questions. Hearing and seeing none, Mr. Williams asked for a motion to approve.

On a MOTION by Ms. Jacobs, seconded by Ms. Luce, with all in favor, the Board approved the Authorization to Disburse District Funds 2003-01 for Harbor Bay Community Development District.

EIGHTH ORDER OF BUSINESS

Consideration of Construction Requisitions #140-#158

Mr. Williams stated that the next item on the agenda is the consideration of construction requisitions #140-#158 (recap is located behind tab 5). These are for standard contractual commitments as well as purchases from material suppliers. All requisitions have been reviewed and certified by the District Engineer. He asked if there were any questions. After reviewing the requisitions, Mr. Williams asked for a motion to approve.

On a MOTION by Ms. Jacobs, seconded by Ms. Greene, with all in favor, the Board approved construction requisitions #140-#158 for Harbor Bay Community Development District.

NINTH ORDER OF BUSINESS

Consideration of Construction Matters

Mr. Williams stated that there was no report.

TENTH ORDER OF BUSINESS

Staff Reports

A. District Counsel

Mr. Johnson stated that he will review the proposal from Royal Medjolla Date Gardens to purchase palm trees with shipping and installation in the amount of \$192,700. He recommends finalizing the contract.

On a MOTION by Ms. Greene, seconded by Ms. Jacobs, with all in favor, the Board approved the Royal Medjolla Date Gardens proposal for the Harbor Bay Community Development District.

Mr. Johnson stated that he is in the process of finalizing arrangements with the Department of Transportation, with regards to landscaping through their right of way. These are standard agreements, which should be here shortly. He asked the Board for approval to execute the Department of Transportation Maintenance Agreements before the next meeting. Mr. Williams asked for a motion to approve.

On a MOTION by Ms. Jacobs, seconded by Ms. Luce, with all in favor, the Board approved the District Counsel to execute documents pending final review for Harbor Bay Community Development District.

Mr. Johnson reminded the Board of the need to create rules for the community.

B. District Engineer
Not present.

C. District Manager

Mr. Williams stated that the current Financial Statements are located behind tab 6.

ELEVENTH 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 were no audience members in attendance other than those noted at the beginning of the meeting. He asked if there were any Supervisor requests. There were none.

TWELFTH ORDER OF BUSINESS

Continuance

Mr. Williams stated that there were no further agenda items to come before the Board and asked for a motion to continue the meeting until Wednesday, November 6, 2002 at 1:00 p.m. at Terrabrook.

On a MOTION by Ms. Greene, seconded by Ms. Jacobs, with all in favor, the Board continued the meeting for Harbor Bay Community Development District.



Pete Williams
Secretary



Kathy Jacobs
Chairman