

MINUTES OF MEETING

**HARBOR BAY
COMMUNITY DEVELOPMENT DISTRICT**

The Landowners' meeting of the Harbor Bay Community Development District was held **Monday, November 1, 1999 at 1:30 p.m.** at the offices of Shimberg Cross Company, located at 611 West Bay Street, Tampa, Florida 33606.

Mr. Williams stated that the landowner representative, Glen Cross, was present and voting in person.

FIRST ORDER OF BUSINESS

Call to Order

Mr. Williams called the meeting to order.

SECOND ORDER OF BUSINESS

Appointment of Meeting Chairman

Mr. Williams stated that the next order of business was the appointment of a meeting Chairman. He asked Mr. Cross to appoint a meeting Chairman. Mr. Cross appointed Pete Williams as the Chairman.

THIRD ORDER OF BUSINESS

**Announcement of Candidates and Call for
Additional Nominations**

Mr. Williams stated that the next item on the agenda is the announcement of candidates and a call for additional nominations. All five existing supervisors are rerunning for election. The supervisors are Galen Custard, Glen Cross, James Kostoryz, Harry Lerner and John Paulk. Mr. Williams opened the floor for any additional nominations for the position of Board of Supervisor for the Harbor Bay Community Development District. There were no other nominations. Mr. Williams asked for a motion to close the nominations.

On a MOTION by Mr. Cross, the nominations were closed for the Harbor Bay Community Development District.
--

FOURTH ORDER OF BUSINESS

Election of Supervisors

Mr. Williams stated the next order of business is the election of the supervisors. He stated that the recipients with the two highest vote counts would each be elected to four-year terms and the other three individuals would each receive a two-year term. There are a total of 765 votes available which is based on one acre per vote or fraction thereof. Mr. Williams then read the results of the balloting. Galen Custard and Glen Cross were the two highest vote recipients with 765 votes each. James Kostoryz (764 votes), Harry Lerner (764 votes) and John Paulk (764 votes) will each receive a two year term.

FIFTH ORDER OF BUSINESS

Owner's Requests

Mr. Williams stated that the next item is owner's requests and asked if the Landowner had any requests. There were none so Mr. Williams asked for a motion to adjourn.

On a MOTION by Mr. Cross, the Landowner's meeting was adjourned for the Harbor Bay Community Development District.
--

MINUTES OF MEETING

**HARBOR BAY
COMMUNITY DEVELOPMENT DISTRICT**

The meeting of the Board of Supervisors of the Harbor Bay Community Development District was held **Monday, November 1, 1999 at 1:40 p.m.** at the offices of Shimberg Cross Company, located at 611 West Bay Street, Tampa, Florida 33606.

Present and constituting a quorum were:

Glen Cross	Supervisor
Galen Custard	Supervisor
Harry Lerner	Supervisor
John Paulk	Supervisor

Also present were:

Pete Williams	District Manager
William Rizzetta	Rizzetta & Company
Jamie Scarola	Scarola Engineering
Cheryl Stuart	District Counsel

FIRST ORDER OF BUSINESS

Call to Order

Mr. Williams called the meeting to order.

SECOND ORDER OF BUSINESS

Oath of Office for Supervisors

Mr. Williams stated that he is a notary in the State of Florida and that the next order of business is the oath of office for the newly elected Supervisors. He read the oath and asked each Supervisor to so swear and affirm. Each Supervisor did.

THIRD ORDER OF BUSINESS

**Consideration of Resolution 00-01
Canvassing and Certifying Election**

Mr. Williams stated that the next order of business is the consideration of Resolution 00-01, which is the canvassing and certifying of election results (located behind tab 1). Mr. Williams explained how the blanks would be filled in with the election results. Mr. Williams asked the Board if they had any questions regarding the resolution. Hearing and seeing none, he asked for a motion to approve.

On a MOTION by Mr. Cross, seconded by Mr. Lerner, with all in favor, the Board approved Resolution 00-01 for the Harbor Bay Community Development District.

FOURTH ORDER OF BUSINESS

**Consideration of Resolutions 00-02 through 00-04
Resolutions Appointing Officers**

Mr. Williams stated that the next order of business is the consideration of resolutions appointing officers (located behind tab 2). Mr. Williams asked for nominations for the position of Chairman. Glen Cross was nominated by Harry Lerner, with a second by Galen Custard. There were no other nominations. Mr. Williams asked for a motion to close nominations.

On a MOTION by Mr. Paulk, seconded by Mr. Custard, with all in favor, the Board closed the nominations for Chairman for the Harbor Bay Community Development District.

On a MOTION by Mr. Lerner, seconded by Mr. Custard, with all in favor, the Board approved Resolution 00-02 appointing Glen Cross as Chairman for the Harbor Bay Community Development District.

Mr. Williams stated that next would be Resolution 00-03 appointing the Vice-Chairman. He asked if there were nominations for the position. Mr. Lerner was nominated by Mr. Cross and seconded by Mr. Custard. Mr. Williams asked if there were any other nominations. Mr. Williams asked for a motion to close the nominations.

On a MOTION by Mr. Cross, seconded by Mr. Custard, with all in favor, the Board closed the nominations for Vice-Chairman for the Harbor Bay Community Development District.

On a MOTION by Mr. Cross, seconded by Mr. Paulk, with all in favor, the Board approved Resolution 00-03 appointing Harry Lerner as Vice-Chairman for the Harbor Bay Community Development District.

Mr. Williams asked the Board to take into consideration that the positions of Secretary and Treasurer are filled by two individuals who are not Board Supervisors. He stated that if the Board so desired, they should reaffirm the positions of Pete Williams as Secretary and William Rizzetta as Treasurer. Or if they chose, they could reappoint the positions. Mr. Williams asked the Board what they wished to do.

On a MOTION by Mr. Cross, seconded by Mr. Lerner, with all in favor, the Board reaffirmed Pete Williams as Secretary and William Rizzetta as Treasurer for the Harbor Bay Community Development District.

Mr. Williams stated that the next item would be the consideration of Resolution 00-04, designating the assistant secretaries. He stated that it is recommended to the Board to rename the three individuals, who currently hold these positions, to fill these positions. The individuals are Galen Custard, James Kostoryz and John Paulk. Mr. Williams asked the Board if there was any discussion. There was none.

On a MOTION by Mr. Cross, seconded by Mr. Lerner, with all in favor, the Board approved Resolution 00-04 appointing Galen Custard, James Kostoryz and John Paulk as Assistant Secretaries for the Harbor Bay Community Development District.

FIFTH ORDER OF BUSINESS

Consideration of the Minutes of the Board of Supervisors' Meeting on September 20, 1999

Mr. Williams stated that the next order of business was the consideration of the Board of Supervisors' meeting minutes from September 20, 1999 which are located behind tab 3. He asked if there were any additions, deletions, or corrections to the minutes. Hearing and seeing none, he asked for a motion to approve.

On a MOTION by Mr. Cross, seconded by Mr. Custard, with all in favor, the Board approved the minutes of the Board of Supervisors' meeting on September 20, 1999 for the Harbor Bay Community Development District.

SIXTH ORDER OF BUSINESS

Public Hearing on FY 99/00 Budget

Mr. Williams stated that the next order of business is the public hearing on the fiscal year 99/00 budget. Mr. Williams asked for a motion to open the hearing.

On a MOTION by Mr. Cross, seconded by Mr. Lerner, with all in favor, the public hearing was opened for the Harbor Bay Community Development District.

HARBOR BAY COMMUNITY DEVELOPMENT DISTRICT

November 1, 1999 Minutes of Meeting

Page 5

It was noted for the record that this meeting was noticed as a public hearing and the budget was provided 60 days in advance of this meeting, to the County. The budget was previously approved in a proposed format by the Board prior to the submission to the County. A copy of the budget is shown as Exhibit A of Resolution 00-05, which is behind tab 4. Some very minor adjustments have been made based on contractual agreements and feedback from District Counsel. The original proposed budget was at \$92,925 and the new budget amount is \$102,925. Mr. Williams asked if there was any audience comments or any questions from the Board. Hearing and seeing none, Mr. Williams asked for a motion to close the public hearing.

On a MOTION by Mr. Lerner, seconded by Mr. Cross, with all in favor, the public hearing was closed for the Harbor Bay Community Development District.

SEVENTH ORDER OF BUSINESS

**Consideration of Resolution 00-05
Adopting the 99/00 Budget and
Approving a Developer Funding Agreement**

Mr. Williams stated that the next order of business is the consideration of Resolution 00-05, which is to adopt the 99/00 budget and approve a developer funding agreement (located behind tab 4). He stated that this is the annual appropriations resolution, which adopts the budget and will also fix maintenance assessments for the fiscal year and approves a funding agreement. Mr. Williams asked if the Board had any questions regarding the resolution, budget, or funding agreement. Brief discussion ensued on the Funding Agreement and that the copy attached was submitted for format and that it would be cleaned up and signed after approval of format. Hearing and seeing none, he asked for a motion to approve along with approval of the Exhibit "B" format .

On a MOTION by Mr. Lerner, seconded by Mr. Cross, with all in favor, the Board approved Resolution 00-05 and the format for the Developer Funding Agreement, for the Harbor Bay Community Development District.

EIGHTH ORDER OF BUSINESS

Public Hearing on the Uniform Rules of Procedure

Mr. Williams stated that the next item on the agenda was to open the public hearing on the Uniform Rules of Procedure.

On a MOTION by Mr. Cross, seconded by Mr. Paulk, with all in favor, the public hearing on the Uniform Rules of Procedure was opened for the Harbor Bay Community Development District.

Mr. Williams stated that a revised copy of the Uniform Rules of Procedure had been passed out to the Supervisors. Mr. Williams stated that District staff recommends that the Board consider recessing the public hearing and reconvening it on December 20 at the Board meeting at 1:30 p.m. at that date to review some other wording changes to Section 10 in the Rules. Mr. Williams asked the Board if there was further discussion. Hearing and seeing none, he asked for a motion to recess until December 20.

On a MOTION by Mr. Cross, seconded by Mr. Lerner, with all in favor, the Board approved recessing the public hearing on the Uniform Rules of Procedure until the December 20 Board meeting for the Harbor Bay Community Development District.

Mr. Williams further stated that Staff is asking for a motion from the Board to approve Sections 1-9 of the Uniform Rules of Procedure. The final adjustments will be made to Section 10 and the Board can approve that at the meeting of December 20, 1999. Mr. Williams asked the Board if they had any questions.

On a MOTION by Mr. Lerner, seconded by Mr. Cross, with all in favor, the Board adopted Sections 1-9 of the Uniform Rules of Procedure for the Harbor Bay Community Development District.

NINTH ORDER OF BUSINESS

Consideration of Resolution 00-06
Setting a Date for a Public Hearing

Mr. Williams stated that a minor wording change was made to this resolution in the third paragraph. This resolution sets in motion the necessary public hearings and gives the timeframe. This must be noticed in a legal ad four consecutive weeks prior to the public hearing. Mr. Williams asked District Counsel if she would give a legal explanation of the resolution. Ms. Stuart stated that, under the law, we must declare our intent to utilize the uniform method, which involves certifying our assessment to the County collection and putting it on the tax roll. We have to take this action as a security for the bonds and that, once on the roll, the assessments have the same dignity as county and city taxes. Mr. Williams asked the Board if they had any questions. Hearing and seeing none, he asked for a motion to approve.

On a MOTION by Mr. Lerner, seconded by Mr. Cross, with all in favor, the Board adopted Resolution 00-06 for the Harbor Bay Community Development District.

TENTH ORDER OF BUSINESS

Consideration of Funding Request 00-01

Mr. Williams stated that the next item on the agenda was the consideration of Funding Request 00-01, which is located behind tab 7. The funding request shows it is for FY 2000, but a vast majority of these expenses were actually incurred and have been billed to the District for FY 98/99. Mr. Williams asked if there were any questions from the Board regarding this request. Hearing and seeing none, he asked for a motion to approve.

On a MOTION by Mr. Lerner, seconded by Mr. Cross, with all in favor, the Board approved Funding Request 00-01 for the Harbor Bay Community Development District.

ELEVENTH ORDER OF BUSINESS

Staff Reports

A. District Counsel

Ms. Stuart stated that at the next meeting she would discuss what is going on legislatively regarding District operation matters.

B. District Engineer

Mr. Williams stated that copies of the interim engineering agreement were handed out to the Board earlier. He asked the Board if they had any questions or concerns regarding the fee structure, in the interim engineering agreement. This same fee structure has been agreed to, between Scarola & Associates and the District ~~Chairman and Manager~~ for Scarola and Associates to provide ongoing services as District Engineer for the District. The final contract wording is being reviewed and will be ready for Board approval at the next meeting. Mr. Williams asked for any further discussion on this topic. Hearing and seeing none, he asked for a motion to approve the fees as submitted, pending the outcome of the final format of contract for the District Engineer.

On a MOTION by Mr. Cross, seconded by Mr. Lerner, with all in favor, the Board approved the engineering fees for the Harbor Bay Community Development District.

Mr. Scarola stated that he was passing out to the Board the final draft report of the District Improvement Plan. He stated that the Board should review the report in detail and let him know of any questions they may have. Mr. Williams asked the Board if they had any questions. There were none. He stated that the Board would be asked to approve this report at the upcoming November 15 meeting.

C. District Manager

Mr. Williams stated that behind tab 8 are the current financial statements for the Board's information. The next scheduled Board meeting is November 15, 1999. As a reminder, the public hearing on the Uniform Rules of Procedures was recessed earlier and will be reconvened at the December 20 meeting.

TWELTH ORDER OF BUSINESS

Supervisor's Requests and Audience Comments

Mr. Williams stated that the next item on the Agenda is Supervisor's Requests and Audience Comments. He asked if there were any questions or concerns. There was no audience and there were no questions from the Supervisors.

THIRTEENTH ORDER OF BUSINESS

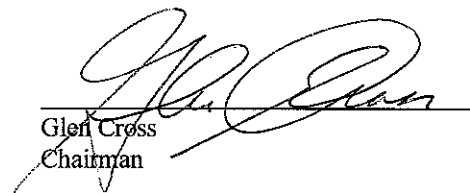
Adjournment

Mr. Williams then asked for a motion to adjourn.

On a MOTION by Mr. Lerner, seconded by Mr. Cross, with all in favor, the Board adjourned the meeting for the Harbor Bay Community Development District.



Pete Williams
District Manager



Glen Cross
Chairman