

**MINUTES OF MEETING**

**HARBOR BAY  
COMMUNITY DEVELOPMENT DISTRICT**

The Landowners' Meeting of the Board of Supervisors of Harbor Bay Community Development District was held on **Monday, November 16, 2004 at 9:00 a.m.** at the Mirabay Welcome Center, located at 205 Manns Harbor Drive, Apollo Beach, FL 33572.

**FIRST ORDER OF BUSINESS**

**Call to Order**

Mr. Williams called the meeting to order and called the roll.

Chris Coughlin	<b>Designated Landowner Representative</b>
Suzanne Soto	<b>Landowner Representative</b>
Lisa Wrenn	<b>Landowner Representative</b>
Pete Williams	<b>District Manager, Rizzetta &amp; Company, Inc.</b>
Biff Craine	<b>District Counsel, Bricklemyer Smolker &amp; Bolves, P.A.</b>
Jamie Scarola	<b>District Engineer, Scarola Associates Engineering Design and Land Consultants, P.A.</b>
Al Getz	<b>Green Acres Property Management</b>
Erika Werkheiser	<b>Mira Bay Club</b>

**SECOND ORDER OF BUSINESS**

**Appointment of Chairman**

Mr. Coughlin asked Mr. Williams to Chair the meeting in his stead.

**THIRD ORDER OF BUSINESS**

**Announcement of Candidates**

Mr. Williams stated that the incumbents to rerun were Suzanne Soto, Don Whyte, and Lisa Wrenn. He asked the Landowner representative if there were any other names that he would like to place on the ballot. There were none. The votes were cast as follows: Suzanne Soto received 5 votes; Don Whyte received 10 votes; Lisa Wrenn received 10 votes. Mr. Williams stated that both Mr. Whyte and Ms. Wrenn would receive four year terms, and Ms. Soto would receive a two year term. He stated, for the record, that the Landowner did not cast all his available votes, only enough to make determinations as to the terms.

**FOURTH ORDER OF BUSINESS**

**Adjournment**

Mr. William asked for a motion to adjourn the Landowners' Meeting. Mr. Coughlin motioned to adjourn.

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

The regular meeting of the Harbor Bay Community Development District Board of Supervisors was held on **Tuesday, November 16, 2004 at 9:05 a.m.** at the Mirabay Welcome Center, located at 205 Manns Harbor Drive, Apollo Beach, FL 33572.

Present and constituting a quorum were:

Chris Coughlin	<b>Board Supervisor, Vice Chairman</b>
Lisa Wrenn	<b>Board Supervisor, Assistant Secretary</b>
Suzanne Soto	<b>Board Supervisor, Assistant Secretary</b>

Also present were:

Pete Williams	<b>District Manager, Rizzetta &amp; Company, Inc.</b>
Biff Craine	<b>District Counsel, Bricklemyer Smolker &amp; Bolves, P.A.</b>
Jamie Scarola	<b>District Engineer, Scarola Associates Engineering Design and Land Consultants, P.A.</b>
Al Getz	<b>Green Acres Property Management</b>
Erika Werkheiser	<b>Mira Bay Club Manager</b>

**FIRST ORDER OF BUSINESS**

**Call to Order**

Mr. Williams called the meeting to order.

**SECOND ORDER OF BUSINESS**

**Administer Oath of Office to Newly Elected Supervisors**

Mr. Williams stated that the first item on the agenda was the administration of the Oaths of Office to the newly elected Supervisors (located behind tab 1). He stated that he was a notary in the state of Florida and therefore authorized to administer the oath. Mr. Williams administered the oath. Ms. Soto and Ms. Wrenn swore and affirmed to the oath.

**THIRD ORDER OF BUSINESS**

**Consideration of Minutes of the  
Board of Supervisors' Meeting  
on October 19, 2004**

Mr. Williams stated that the next item on the agenda was the consideration of the Minutes of the Board of Supervisors' Meeting held on October 19, 2004 (located behind tab 2). Mr. Williams 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 Mr. Coughlin, seconded by Ms. Soto, with all in favor, the Board approved the minutes of the Board of Supervisors' meeting on October 19, 2004 for Harbor Bay Community Development District.

**FOURTH ORDER OF BUSINESS**

**Consideration of Authorizations  
to Disburse District Funds 2005-02 and  
2005-02A**

Mr. Williams stated that the next item on the agenda was the consideration of the Authorizations to Disburse District Funds 2005-02 and 2005-02A (located behind tab 3). He stated that the disbursements for 2005-02 consists of invoices for standard contractual commitments and administrative fees, and that 2005-02A consists of invoices for materials and supplies for the club and club facilities. Mr. Williams asked if there were any questions. Hearing and seeing none, he asked for a motion to approve.

On MOTION by Mr. Coughlin, seconded by Ms. Wrenn, with all in favor, the Board approved the Authorizations to Disburse District Funds 2005-02 and 2004-02A for Harbor Bay Community Development District.

**FIFTH ORDER OF BUSINESS**

**Consideration of Resolution 2005-02,  
Canvassing and Certifying Election  
Results**

Mr. Williams stated that the next item on the agenda was the consideration of Resolution 2005-02, Canvassing and Certifying Election Results (located behind tab 4). He reviewed the resolution for the Board. Mr. Williams stated that the votes were as follows: Suzanne Soto received 5 votes; Don Whyte received 10 votes; Lisa Wrenn received 10 votes.

Mr. Williams stated that both Mr. Whyte and Ms. Wrenn would receive four year terms, and Ms. Soto would receive a two year term. He stated that the ballot was available for review by any Board members. Mr. Williams asked for a motion to approve.

On MOTION by Mr. Coughlin, seconded by Ms. Soto, with all in favor, the Board approved Resolution 2005-02, Canvassing and Certifying Election Results for Harbor Bay Community Development District.

**SIXTH ORDER OF BUSINESS**

**Consideration of Resolution 2005-03,  
Designating Officers**

Mr. Williams stated that the next item on the agenda was the consideration of Resolution 2005-03, designating the Officers (located behind tab 5). He reviewed the resolution to the Board. Mr. Williams stated that previous to the Landowner's Election Don Whyte was designated Chairman, Chris Coughlin was designated Vice Chairman, and Suzanne Soto, Lisa Wrenn, Brenda Kunkel and Karen Hartman were designated Assistant Secretaries. He asked for a motion to approve.

On MOTION by Mr. Coughlin, seconded by Ms. Soto, with all in favor, the Board approved Resolution 2005-03, Designating the Officers (Mr. Whyte as Chairman; Mr. Coughlin as Vice Chairman, and Ms. Wrenn, Ms. Soto, Ms. Kunkel, and Ms. Hartman would be Assistant Secretaries) for Harbor Bay Community Development District.

**SEVENTH ORDER OF BUSINESS**

**Consideration of Series 2002  
Construction Requisitions #298 –  
through #303**

Mr. Williams stated that the next item on the agenda was the consideration of Series 2002 Construction Requisitions #298 through #303 (recap located behind tab 6). He stated that these had been certified by the District Engineer. Mr. Williams stated that the fund has been depleted and that these were now being funded by the Developer. He asked if there were any questions. Hearing and seeing none, he asked for a motion to approve.

On MOTION by Mr. Coughlin, seconded by Ms. Wrenn, with all in favor, the Board approved the Series 2002 Construction Requisitions #298 - #300 through #303 for Harbor Bay Community Development District.

**EIGHTH ORDER OF BUSINESS**

**Staff Reports**

A. District Counsel  
No report.

B. District Engineer

Mr. Scarola stated that he attended a meeting with Mr. Clarsen and Mr. Mertz on regarding the pond repairs. Mr. Clarsen finalized his design which would repair the t-walls. Mr. Williams recommended that the Board authorizing the District Engineer and Vice Chairman to proceed with obtaining pricing to proceed with the remedial repairs of the pond t-walls. It was recommended that two or three proposals be obtained, if the pricing exceeds the \$250,000 threshold, it would then follow the standard bid procedure.

On MOTION by Mr. Coughlin, seconded by Ms. Soto, with all in favor, the Board authorized District Engineer in consultation with Vice Chairman to obtain proposals for repairs of the pond t-walls, and advertise if needed for Harbor Bay Community Development District.

Mr. Scarola stated that in regards to the erosion along the lagoon bank, there has been additional investigation. The plan is to add riffraff to certain known areas to stop further erosion or at least minimize it.

C. District Manager

Mr. Getz stated that the street light repairs and the boat lift root damage are in process. He stated that greeter and security staff had a few changes and is better for it.

Mr. Williams stated that the Board may need to consider a rental rate for the club house in the event of a charity event, stating that in some other District's the fee is waived. Ms. Werkheiser stated that the recent event in question was for a middle school track team. She did not feel it was a charity event.

General discussion ensued. Mr. Williams stated that this could come back to the Board at a later date. He asked District Counsel to research this topic. Ms. Werkheiser stated that the café was currently closed for remodeling. General discussion ensued in regards to the operation of the café.

**NINTH ORDER OF BUSINESS**

**Supervisor Requests and  
Audience Comments**

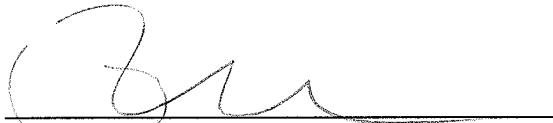
Mr. Williams stated that the next item on the agenda was Supervisor requests and audience comments. He stated that there are no audience members in attendance other than those listed at the onset of the meeting. Mr. Williams asked if there were any Supervisor requests. There were none.

**TENTH ORDER OF BUSINESS**

**Adjournment**

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

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



Pete Williams  
Secretary



Don Whyte  
Chairman