

**LANDOWNERS MEETING**

**HARBOR BAY  
COMMUNITY DEVELOPMENT DISTRICT**

The Landowners' Meeting of Harbor Bay Community Development District was held **Tuesday, November 19, 2002 at 9:35 a.m.** at the offices of Terrabrook, located at 3505 Frontage Road, Suite 145, Tampa, Florida 33607.

**FIRST ORDER OF BUSINESS**

**CALL TO ORDER**

Mr. Williams called the meeting to order. Present was:

Steve Gamm

**Voter Representing the Majority Landowner,  
Terrabrook**

Also present was:

Pete Williams

**District Manager, Rizzetta & Company, Inc.**

**SECOND ORDER OF BUSINESS**

**Announcement of Candidates/  
Call for Nominations**

Mr. Williams stated that the first item is to review the positions available. There are three Supervisors whose terms expire: Suzi Greene, Kathy Jacobs and Steve Gamm. Mr. Williams asked the landowner for nominations. He then closed the nominations. Mr. Williams stated that the two candidates who receive the highest vote count will each receive a four-year term. The candidate with the lowest vote count receives a two-year term, thereby assuring that there are always three Supervisors coming up for election every two years.

**THIRD ORDER OF BUSINESS**

**Election of Supervisors**

Mr. Williams stated that the results of the balloting were: Steve Gamm and Kathy Jacobs with 100 votes each and Suzi Greene had 50 votes. Steve Gamm and Kathy Jacobs shall each receive a four-year term and Suzi Greene will receive a two-year term.

**FOURTH ORDER OF BUSINESS**

**Adjournment**

Mr. Williams stated that there was no other business to come before the Board, and he asked the landowner for a motion to adjourn. Mr. Gamm made the motion to adjourn.

**MINUTES OF MEETING**

**HARBOR BAY  
COMMUNITY DEVELOPMENT DISTRICT**

The regular meeting of the Harbor Bay Community Development District Board of Supervisors was held **Tuesday, November 19, 2002 at 9:40 a.m.** at the offices of Terrabrook, located at 3505 Frontage Road, Suite 145, Tampa, Florida 33607.

Present and constituting a quorum were:

Kathy Jacobs	<b>Board Supervisor, Chairman</b>
Steve Gamm	<b>Board Supervisor, Vice Chairman</b>
Suzi Greene	<b>Board Supervisor, Assistant Secretary</b>
Brenda Kunkel	<b>Board Supervisor, Assistant Secretary</b>

Also present were:

Pete Williams	<b>District Manager, Rizzetta &amp; Company, Inc.</b>
Jonathan Johnson	<b>District Counsel, Hopping Green &amp; Sams, P.A.</b>
Toxey Hall	<b>District Engineer, Heidt &amp; Associates, Inc.</b>
Danny Tyler	<b>Bond Counsel, Nabors, Giblin &amp; Nickerson, P.A.</b>

**FIRST ORDER OF BUSINESS**

**Call to Order**

Mr. Williams called the meeting to order.

**SECOND ORDER OF BUSINESS**

**Oath of Office for New Supervisors**

Mr. Williams stated that the first item would be the Oath of Office to be given to the new Supervisors. Mr. Williams read the oath to Suzi Greene, Kathy Jacobs and Steve Gamm and asked them to so swear and affirm. They all so swore and affirmed. Mr. Williams is a notary in the State of Florida and thereby authorized to administer such oath.

**THIRD ORDER OF BUSINESS**

**Consideration of Resolution 2003-06,  
Certifying Election Results**

Mr. Williams stated that the next item on the agenda is to consider Resolution 2003-06, certifying election results of the Landowners' meeting (located behind tab 1). He stated for the record that Suzi Greene, Kathy Jacobs and Steve Gamm had been reelected. He stated that Steve Gamm and Kathy Jacobs would each serve a four-year term and Suzi Greene would serve a two-

year term. He asked the Board if there were any questions. 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 Resolution 2003-06 for Harbor Bay Community Development District.

**FOURTH ORDER OF BUSINESS**

**Consideration of Resolutions 2003-07 thru 2003-10, Appointing Officers**

Mr. Williams stated that the next item on the agenda is to consider Resolutions 2003-07 thru 2003-10, appointing officers for the new term (located behind tab 2).

Mr. Williams stated Resolution 2003-07 is for a Chairman, which is currently held by Kathy Jacobs. He asked for nominations. Kathy Jacobs name was nominated by Brenda Kunkel. Mr. Williams called for a motion to approve.

On MOTION by Ms. Kunkel, seconded by Mr. Gamm, with all in favor, the Board approved Resolution 2003-07 for Harbor Bay Community Development District.

Mr. Williams stated Resolution 2003-08 is for a Vice Chairman, which is currently held by Steve Gamm. He asked for nominations. Steve Gamm was nominated by Brenda Kunkel. Mr. Williams called for a motion to approve.

On MOTION by Ms. Kunkel, seconded by Ms. Jacobs, with all in favor, the Board approved Resolution 2003-08 for Harbor Bay Community Development District.

Mr. Williams stated Resolution 2003-09 is for Assistant Secretaries currently by being held by the remainder of the Board, which is Brenda Kunkel, Suzi Greene and Dean Luce. He asked the Board also to consider adding Nick Staszko of Rizzetta & Company as a backup to Mr. Williams. He asked if there were any questions. 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 Resolution 2003-09 for Harbor Bay Community Development District.

Mr. Williams stated Resolution 2003-10 is for an Assistant Treasurer. He asked the Board to consider adding Chris Frederick of Rizzetta & Company as Assistant Treasurer to William Rizzetta, Treasurer. He asked if there were any questions. Hearing and seeing none, he made a motion to approve.

On MOTION by Mr. Gamm, seconded by Ms. Jacobs, with all in favor, the Board approved Resolution 2003-10 for Harbor Bay Community Development District.

#### **FIFTH ORDER OF BUSINESS**

#### **Consideration of the Board of Supervisors' Meeting Minutes on October 15, 2002 and the subsequent continuance to November 6, 2002**

Mr. Williams stated that the next items to consider are the minutes of the Board of Supervisors' meeting held on October 15, 2002 and the subsequent continuance to November 6, 2002 (located behind tab 3). 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 MOTION by Ms. Kunkel, seconded by Mr. Gamm, with all in favor, the Board approved the minutes of the Board of Supervisors' meeting on October 15, 2002, and the subsequent continuance to November 6, 2002 for Harbor Bay Community Development District.

#### **SIXTH ORDER OF BUSINESS**

#### **Consideration of Resolution 2003-11, Special Assessment Public Hearing**

Mr. Williams stated that the next item on the agenda is a report on the status of financing. He then turned over the floor to Mr. Johnson. Mr. Johnson stated there will be a continued Special Assessment public hearing on December 3, 2002. He stated the closing of the bonds will be on December 4, 2002. Mr. Johnson asked the Board to consider giving authority to the Chairman of the Board to approve the sale of bonds when presented by Prager, McCarthy &

Sealy. He asked Danny Tyler to discuss the Resolution. Mr. Tyler explained that the bonds were underwritten yesterday in preparation for closing on December 3, 2002. The resolution is being presented in advance as the financing numbers are not available at this time. He then explained the parameters of the bond. Mr. Tyler asked that Kathy Jacobs be given the authority to sign all documentation pertaining to the closing of the bond. Mr. Tyler asked if there were any questions. Mr. Williams stated that, hearing and seeing none, he asked for a motion to approve.

On MOTION by Mr. Gamm, seconded by Ms. Kunkel, with all in favor, the Board approved Resolution 2003-11 for Harbor Bay Community Development District.

**SEVENTH ORDER OF BUSINESS**

**Consideration of Authorization to Disburse District Funds 2003-02**

Mr. Williams stated that the next item on the agenda is the consideration of Authorization to Disburse District Funds 2003-02 (recap is located behind tab 4). It consists of the public officials' and liability portion of the insurance premium from Brown & Brown and legal advertising fees. He asked if there were any questions. Hearing and seeing none, Mr. Williams asked for a motion to approve.

On MOTION by Ms. Kunkel, seconded by Ms. Jacobs, with all in favor, the Board approved the Authorization to Disburse District Funds 2003-02 for Harbor Bay Community Development District.

**EIGHTH ORDER OF BUSINESS**

**Consideration of Construction Requisitions #159-#192**

Mr. Williams stated that the next item on the agenda is the consideration of construction requisitions #159-#192 (recap is located behind tab 5). 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 MOTION by Ms. Kunkel, seconded by Mr. Gamm, with all in favor, the Board approved Construction Requisitions #159-#192 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 reminded the Board that the November 6, 2002 meeting was continued to December 3, 2002 at 3:00 p.m. at Nabors, Giblin & Nickerson, P.A. at 2502 Rocky Pointe Drive, Suite 1060, Tampa, FL 33607 in William D. Tyler's office. There will be a Special Assessments meeting and then move directly into the bond closing.

B. Bond Counsel

Mr. Tyler stated that, at the public hearing, they will be adopting the assessments that relate to these bonds.

C. District Engineer

No report.

D. District Manager

Mr. Williams asked that the Board consider holding the regular Board of Supervisor's meeting at the December 3, 2002 Special Assessment hearing and then canceling the regular December Board meeting. He asked if there were any questions.

A question was asked about the meeting location starting in January 2003. After discussion, it was decided if the facility was ready, an advertisement would be run that the meeting location is changed to the Harbor Bay Clubhouse.

**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**


**Adjournment**

Mr. Williams stated that there were no further agenda items to come before the Board and asked for a motion to adjourn the meeting until Tuesday, December 3, 2002 at 3:00 p.m. at Nabors, Giblin & Nickerson, P.A. at 2502 Rocky Pointe Drive, Suite 1060, Tampa, FL 33607 in William D. Tyler's office.

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



Kathy Jacobs  
Chairman