

MINUTES OF MEETING

Each person who decides to appeal any decision made by the Board with respect to any matter considered at the meeting is advised that the person may need to ensure that a verbatim record of the proceedings is made, including the testimony and evidence upon which such appeal is to be based.

HARBOR BAY COMMUNITY DEVELOPMENT DISTRICT

The regular meeting of the Board of Supervisors of Harbor Bay Community Development District was held on **Thursday, November 20, 2014 at 5:30 p.m.** at the MiraBay Clubhouse, located at 107 Manns Harbor Drive, Apollo Beach, Florida 33752.

Present and constituting a quorum were:

Bob Collins	Board Supervisor, Chairman
Kathryn Dukes	Board Supervisor, Assistant Secretary
Joe McNeil	Board Supervisor, Assistant Secretary

Also present were:

Bob Cribbs	Board Supervisor, Vice Chairman (<i>via conf. call</i>)
Ned Carr	Board Supervisor, Assistant Secretary (<i>via conf. call</i>)
Matthew Huber	District Manager, Rizzetta & Company, Inc.
Bryan Rizzetta	Associate DM, Rizzetta & Company, Inc.
Jere Earlywine	District Counsel, Hopping, Green & Sams, P.A.
Jamie Scarola	District Engineer, Scarola Associates
Kristy Owens	District Coordinator
Mindy Anderson	Clubhouse Manager
Ashley Adkins	WTS
John Perez	Representative, Hillsborough Co. Fire Dept.

Audience members

FIRST ORDER OF BUSINESS

Call to Order

Mr. Huber called the meeting to order and conducted roll call confirming a quorum for the meeting.

SECOND ORDER OF BUSINESS

Administer Oath of Office to Newly Elected Officials

Mr. Huber administered the Oath of Office to Mr. Ned Carr, Ms. Kathryn Dukes, and Mr. Joe McNeil.

47 Mr. Huber stated per Florida Statute, each Board Member is entitled to collect a
48 sum of \$200.00 per meeting with a maximum of \$4,800.00 annually for their
49 attendance at Board Meetings. Mr. Huber asked Mr. Carr, Ms. Dukes and Mr. McNeil if
50 they would like to receive compensation. All elected to have compensation for future Board
51 of Supervisor meetings.

52
53 Mr. Earlywine introduced the public records law, sunshine law and public ethics law and
54 provided an explanation of each law and how it applies to Board Supervisors.

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56 Mr. Huber notified each supervisor they must be complete a Form 1 that is submitted to the
57 Supervisor of Elections in the county where they permanently resides within 30 days. Also Form
58 1F must be submitted within 60 days after leaving office unless taking another position that requires
59 financial disclosure. It is recommend that this form be mailed "certified return receipt requested" or
60 via a delivery service that can provide tracking and delivery information.

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62 **THIRD ORDER OF BUSINESS** **Audience Comments**

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64 An audience member requested that staff control audience comments.

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66 An audience member acknowledged the new board members and thanked them for their
67 service to the community and would like the Board to consider an audit of the evergreens letter.

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69 **FOURTH ORDER OF BUSINESS** **Update from Fire Department on Gate**
70 **Access**

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72 Mr. Perez with Hillsborough County Fire Department made a presentation and provided a
73 broad overview of the service and qualifications that is provided to Hillsborough County and the
74 MiraBay community.

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76 **FIFTH ORDER OF BUSINESS** **Consideration of Resolution 2015-02;**
77 **Designation of Officers**

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On a Motion by Mr. Cribbs, seconded by Ms. Dukes, with all in favor, the Board of Supervisors appointed Bob Collins as Chairman for Harbor Bay Community Development District.

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On a Motion by Ms. Dukes, seconded by Mr. McNeil, with all in favor, the Board of Supervisors appointed Bob Cribbs as Vice Chairman and the remaining Board Supervisors as Assistant Secretary for Harbor Bay Community Development District.

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On a Motion by Ms. Dukes, seconded by Mr. Cribbs, with all in favor, the Board of Supervisors adopted Resolution 2015-02; Designation of Officers for Harbor Bay Community Development District.

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83 *The meeting recessed at 6:15 p.m.*

84 *The meeting resumed at 6:22 p.m.*

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86 **SIXTH ORDER OF BUSINESS**

Staff Reports

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88 Club Manager

89 Ms. Anderson provided an update on recent activities and the financials to the Board. A
90 discussion ensued. The Board directed staff to check about refundable money under the
91 new Point of Service system. Ms. Anderson reviewed for the Board the Fit Rev proposal for
92 new treadmills which have been tested by residents at the Fitness Center with positive
93 feedback.

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On a Motion by Ms. Dukes, seconded by Mr. McNeil with all in favor, the Board of Supervisors accepted the Fit Rev treadmill proposal to purchase 4 treadmills with a not to exceed amount of \$29,371.00 for Harbor Bay Community Development District.

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96 Ms. Adkins provided an update of current events and activities.

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98 District Coordinator

99 Ms. Owens thanked Mr. Perez for his presentation.

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101 **SEVENTH ORDER OF BUSINESS**

**Consideration of Minutes from the Board
of Supervisors' Regular Meeting held on
September 25, 2014**

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105 Mr. Huber presented the minutes and asked if there were any additions, deletions or
106 corrections to the minutes as presented. A change was made to line 204.

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On a Motion by Mr. Collins seconded by Ms. Dukes, with all in favor, the Board of Supervisors approved the minutes from the Board of Supervisors' regular meeting held on September 25, 2014 as amended for Harbor Bay Community Development District.

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109 **EIGHTH ORDER OF BUSINESS**

**Consideration of Minutes from the Board
of Supervisors' Audit Committee Meeting
held on October 23, 2014**

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113 Mr. Huber presented the minutes and asked if there were any additions, deletions or
114 corrections to the minutes as presented. There were none.

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On a Motion by Mr. Cribbs seconded by Ms. Dukes, with all in favor, the Board of Supervisors approved the minutes from the Board of Supervisors' audit committee meeting held on October 23, 2014 for Harbor Bay Community Development District.

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119 **NINTH ORDER OF BUSINESS**

**Consideration of Minutes from the Board
of Supervisors' Regular Meeting held on
October 23, 2014**

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Mr. Huber presented the minutes and asked if there were any additions, deletions or corrections to the minutes as presented. There were none.

On a Motion by Ms. Dukes seconded by Mr. Collins, with all in favor, the Board of Supervisors approved the minutes from the Board of Supervisors' regular meeting held on October 23, 2014 for Harbor Bay Community Development District.

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TENTH ORDER OF BUSINESS

**Consideration of Operation and
Maintenance Expenditures for October
2014**

131 Mr. Huber presented the expenditures to the Board for consideration. Ms. Dukes inquired
132 about the boat lift inspection and asked if a warranty was provided. Ms. Owens stated only a report
133 is provided, no warranty. Ms. Dukes inquired about the cost of the flood insurance policy. Mr.
134 Huber will check with the agent and respond back to the Board. Mr. McNeil inquired about the
135 ASCAP music license fee of \$600.00. Mr. McNeil inquired about various insurance replacement
136 values and asked Mr. Huber to investigate to make sure we have the correct replacement values.
137 Mr. McNeil inquired about the \$7,800.00 replacement cost of the Medjool and inquired about the
138 cost being higher than in the past and to check to see if this is a warranty issue. Mr. Huber will
139 check and report back to Mr. McNeil.

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On a Motion by Mr. Collins seconded by Ms. Dukes, with all in favor, the Board of Supervisors approved the Operation and Maintenance Expenditures paid during the period of October 1-31, 2014 (\$362,104.62) for Harbor Bay Community Development District.

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ELEVENTH ORDER OF BUSINESS

**Consideration of Operations and
Maintenance Expenditures for October
2014 – Mira Bay Amenity Center**

Mr. Huber presented the expenditures to the Board for consideration.

On a Motion by Mr. Cribbs, seconded by Mr. Carr, with all in favor, the Board of Supervisors approved the Operation and Maintenance Expenditures paid during the period of October 1-31, 2014 (\$50,647.14) for the Mira Bay Amenity Center, for Harbor Bay Community Development District.

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154 **TWELFTH ORDER OF BUSINESS**

**Consideration of Appointment of EAC
Committee Members**

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157 Mr. Scott Cavin, Ms. Susan Kittel and Mr. Tony Spasiano addressed the Board regarding
158 their qualifications for the appointment of the EAC committee. A discussion ensued.
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On a Motion by Mr. Cribbs, seconded by Mr. Carr, with four in favor, and one Mr. McNeil opposed, the Board of Supervisors appointed EAC Committee Members as follows; Mr. Scott Cavin to seat #1 with a 2 year term; Mr. Fred Franco to seat #4 with a 1 year term; and Mr. Mike Jones to seat #2 with a 2 year term for Harbor Bay Community Development District.

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THIRTEENTH ORDER OF BUSINESS

**Consideration of Resolution 2015-01;
Amending Legal Defense Resolution 99-15
to Include EAC**

On a Motion by Ms. Dukes, seconded by Mr. McNeil, with all in favor, the Board of Supervisors adopted Resolution 2015-01; Amending Legal Defense Resolution #99-15 to include the EAC as presented for Harbor Bay Community Development District.

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FOURTEENTH ORDER OF BUSINESS

**Consideration of Resolution 2015-03;
Declaring Need for Expedited Review of
Permit Application for Master Seawall
Stabilization Project**

On a Motion by Mr. Collins, seconded by Mr. McNeil, with all in favor, the Board of Supervisors adopted Resolution 2015-03; Declaring Need for Expedited Review of Permit Application for Master Seawall Stabilization Project for Harbor Bay Community Development District.

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FIFTEENTH ORDER OF BUSINESS

**Consideration of Agreements for
Engineering Services Related to Master
Seawall Stabilization Project (under
separate cover)**

Mr. Earlywine presented and reviewed the Ingenium and Conestoga-Rovers & Associates agreements with the Board. A discussion ensued.

On a Motion by Mr. Collins, seconded by Mr. McNeil, with all in favor, the Board of Supervisors approved the Ingenium Contract and Work Authorization #1 and the Conestoga-Rovers & Associates Contract & Work Authorization in substantial form pending General Counsel's final review for Harbor Bay Community Development District.

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185 **SIXTEENTH ORDER OF BUSINESS** **Consideration of Sediment Quality**
186 **Sampling Proposal (under separate cover)**
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188 Mr. Huber presented the Cardno Entrix sampling proposal to the Board.
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On a Motion by Mr. Cribbs, seconded by Ms. Dukes, with all in favor, the Board of Supervisors approved the Cardno Entrix Sediment Quality Sampling Proposal in the amount of \$3,950.00 for Harbor Bay Community Development District.

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191 **SEVENTEENTH ORDER OF BUSINESS** **Consideration of Matters Relating to**
192 **Traffic Enforcement**
193

194 Mr. Earlywine stated the Board had previously authorized District Staff to look into the
195 options of traffic enforcement. Mr. Earlywine stated the first step is to obtain a traffic study by a
196 traffic engineer and presented a proposal from Coen & Company for the Board's consideration. A
197 discussion ensued.
198

On a Motion by Mr. Cribbs, seconded by Ms. Dukes, with all in favor, the Board of Supervisors adopted the Coen & Company proposal for Harbor Bay Community Development District.

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200 Mr. Rizzetta provided the Board the estimated costs for Florida Highway Troopers; the
201 annual cost for one Florida Highway Trooper working 3 hours per day/5 days per week would be
202 \$32,400.00; the annual cost for 2 Florida Highway Troopers at 3 hours per day/5 days per week
203 would be \$64,800.00. Ms. Dukes suggested 5 hours per day/5 days per week. A discussion ensued.
204 The Board directed staff to move forward and have a Florida Highway Trooper on site for 5 hours
205 per day/5 days per week.
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207 **EIGHTEENTH ORDER OF BUSINESS** **Consideration of Resolution 2015-04;**
208 **Setting Annual Meeting Schedule**
209

210 The Board will continue their regular monthly meetings the fourth Thursday of the month at
211 5:30 p.m. to be held at the MiraBay Clubhouse.
212

On a Motion by Mr. Collins, seconded by Ms. Dukes, with all in favor, the Board of Supervisors adopted Resolution 2015-04; Setting Annual Meeting Schedule for Harbor Bay Community Development District.

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214 **NINTEENTH ORDER OF BUSINESS** **Presentation of Ballenger Annual Reports**
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216 Mr. Huber presented the Ballenger Annual Reports to the Board.
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221 **TWENTIETH ORDER OF BUSINESS** **Presentation of Arbitrage Rebate**

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Mr. Huber presented the Arbitrage Rebate Report to the Board.

On a Motion by Ms. Dukes, seconded by Mr. McNeil, with all in favor, the Board of Supervisors accepted the Arbitrage Rebate Report dated August 15, 2014 for Harbor Bay Community Development District.

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TWENTY-FIRST ORDER OF BUSINESS **Staff Reports**

228 District Counsel

229 No report.

230 District Engineer

231 No report.

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233 District Manager

234 Mr. Huber presented the Monthly Financial Status Report to the Board. Mr. Huber noted

235 the next regular meeting will be on December 18, 2014 at 5:30 p.m. at the MiraBay

236 Clubhouse located at 107 Manns Harbor Drive, Apollo Beach, Florida 33752.

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238 **TWENTY-SECOND ORDER OF BUSINESS** **Supervisors Requests**

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240 Mr. Collins suggested the café upgrade the quality of their products.

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242 Mr. Collins suggested the Board look into doing something with the Outfitters.

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244 Mr. Collins stated the Board needs to address the guest policy and card access for
245 amenities.

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247 Ms. Dukes suggested the Board post the draft meeting minutes and provide a summary of
248 minutes in e-blasts.

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250 Mr. McNeil asked about multiple emails being sent out by the CDD.

251

252 Mr. McNeil asked about the cost of a full liquor license for the clubhouse.

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254 **TWENTY-THIRD ORDER OF BUSINESS** **Audience Comments**

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256 An audience member asked if a resident committee could be established for the Outfitters.

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258 An audience member stated the Outfitters is the only non-waterfront access to the water.

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260 An audience member commented about the food quality at the café and would like to see
261 something similar to the Waterset Café, also inquired about the parking enforcement, overgrown
262 pond in SeaCrest where the water level is down, and stated a resident is bringing in a guest on a
263 daily bases that is using the community amenities.

263 TWENTY-FOURTH ORDER OF BUSINESS Adjournment

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On a Motion by Mr. Cribbs, seconded by Ms. Dukes, with all in favor, the Board adjourned the meeting at 8:34 p.m. for Harbor Bay Community Development District.

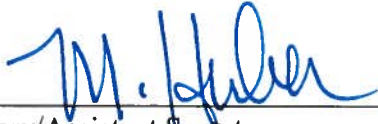
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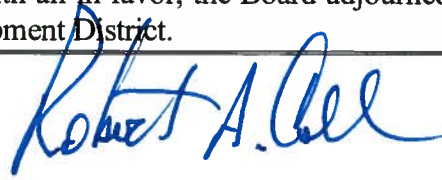
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Secretary/Assistant Secretary



Chairman/ Vice Chairman