

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 **Tuesday, November 21, 2006 at 9:00 a.m.** at the Mira Bay Clubhouse, the Lagoon Room, located at 107 Manns Harbor Drive, Apollo Beach, Florida 33572.

Present and constituting a quorum were:

Chris Coughlin	Board Supervisor, Chairman
Julie Wisdom	Board Supervisor, Assistant Secretary
Lisa Wrenn	Board Supervisor, Assistant Secretary
Laura Ackerman	Board Supervisor

Also present were:

Tina Wells	District Manager, Rizzetta & Company, Inc.
Biff Craine	District Counsel, Bricklemyer, Smolker & Bolves, P.A.
Jamie Scarola	District Engineer, Scarola & Associates
Aida Johnson	Clubhouse Manager
Audience	

FIRST ORDER OF BUSINESS

Call to Order

Ms. Wells called the meeting to order and read the roll call.

SECOND ORDER OF BUSINESS

**Administration of Oath of Office to Newly
Appointed Board Supervisor**

Ms. Wells stated that the first order of business was to administer the Oath of Office to the newly appointed Board Supervisor. She stated that the Landowners' Election was held prior to the Board of Supervisors' meeting. Ms. Wells stated that she is a licensed Notary in the State of Florida. She asked Ms. Ackerman to raise her right hand and repeat the oath that Ms. Wells read. Ms. Ackerman swore and repeated the oath that was read.

THIRD ORDER OF BUSINESS

**Consideration of Resolution 2007-02,
Canvassing and Certifying Landowners'
Election Results**

Ms. Wells stated that the next order of business was the consideration of Resolution 2007-02, Canvassing and Certifying the Landowners' Election Results. She stated that seat numbers one and two were up for the General Election this year, and no qualified candidates expressed their interest. Therefore, Ms. Wells stated that the terms for seat numbers one and two will roll over or extend until the November 2010 Landowners' Election. She asked if there were any questions or comments. There were none. Ms. Wells asked for a motion to approve.

On a Motion by Mr. Coughlin, seconded by Ms. Wisdom, with all in favor, the Board approved Resolution 2007-02, Canvassing and Certifying the Landowners' Election Results with the terms for seat numbers one and two being extending until the November 2010 Landowners' Election for Harbor Bay Community Development District.

FOURTH ORDER OF BUSINESS

**Consideration of Resolution 2007-03,
Re-designating Officers**

Ms. Wells stated that the next order of business was the consideration of Resolution 2007-03, Re-designating Officers. She recommended the Board retain the current officers with Chris Coughlin as Chairman, Scott Jones as Vice Chairman, Julie Wisdom, Laura Ackerman and Lisa Wrenn, Tina Wells and Sue Ellen Gehrke of Rizzetta & Company as Assistant Secretaries. Ms. Wells asked if there were any other considerations. There were none. She asked for a motion to retain the same Board.

On a Motion by Mr. Coughlin, seconded by Ms. Wisdom, with all in favor, the Board approved Resolution 2007-03, Re-designating the Officers with Chris Coughlin as Chairman, Scott Jones as Vice Chairman, Julie Wisdom, Laura Ackerman and Lisa Wrenn, Tina Wells and Sue Ellen Gehrke of Rizzetta & Company as Assistant Secretaries for Harbor Bay Community Development District.

FIFTH ORDER OF BUSINESS

**Consideration of the Minutes of the
Board of Supervisors' Meeting held
on October 17, 2006**

Ms. Wells stated that the next order of business was the consideration of the minutes of the Board of Supervisors' meeting held on October 17, 2006. She asked if there were any additions, deletions or corrections. Mr. Coughlin noted a correction on Page 7. He stated that the minutes should read "Funding Committee". Mr. Scarola noted a correction on Page 4, the second paragraph should read: "SWFWMD". Ms. Wells stated that she would correct the minutes, as requested. She asked for a motion to approve the minutes as corrected.

On a Motion by Mr. Coughlin, seconded by Ms. Wrenn, with all in favor, the Board approved the minutes of the Board of Supervisors' meeting held on October 17, 2006 (as amended) for Harbor Bay Community Development District.

SIXTH ORDER OF BUSINESS

**Consideration of Operation and
Maintenance Expenditures for November
2006**

Ms. Wells stated that the next order of business was the consideration of operation and maintenance expenditures for November 2006 totaling \$271,459.51. She stated that the expenditures covered the period of October 1st – 31st. Ms. Wells asked if there were any questions. There were none. She asked for a motion to approve.

On a Motion by Mr. Coughlin, seconded by Ms. Ackerman, with all in favor, the Board approved the Operation and Maintenance Expenditures for November 2006 (\$271,459.51) for Harbor Bay Community Development District.

SEVENTH ORDER OF BUSINESS

**Consideration of Clubhouse Air
Conditioning Maintenance Agreement**

Ms. Wells stated that the next order of business was the consideration of the Clubhouse Air Conditioning Maintenance Agreement. She provided a copy for the Board's review. She asked if there were any questions. There were none. Ms. Wells asked for a motion to approve.

On a Motion by Ms. Wrenn, seconded by Ms. Wisdom, with all in favor, the Board approved the Clubhouse Air Conditioning Maintenance Agreement (\$3,280.00) for Harbor Bay Community Development District.

EIGHTH ORDER OF BUSINESS

**Review of Fiscal Year 2005/2006 Contract
for Audit Services**

Ms. Wells stated that the next order of business was the consideration of the Fiscal Year 2005/2006 Contract for Audit Services. She stated that the District had been under contract with Grau & Associates. Ms. Wells stated that the engagement letter includes a Termination Without Cause clause. She recommended renewing the contract for three years of auditing services; however the Board could decide the term. Ms. Wells asked if there were any questions. There were none.

On a Motion by Mr. Coughlin, seconded by Ms. Ackerman, with all in favor, the Board accepted the Fiscal Year 2005/2006 Contract for a three year term of auditing services with Grau & Associates for Harbor Bay Development District.

NINTH ORDER OF BUSINESS

Staff Reports

- A. District Counsel
No report.
- B. District Engineer
Mr. Scarola updated the Board regarding the seawall repairs. He stated that the engineer is moving towards the 1,000 foot mark. Mr. Scarola stated that he would be meeting with Mr. Coughlin to discuss continuing with the improvements.
- C. Club Manager
Aida Johnson stated that she is the new Club Manager as of November 2, 2006. She updated the Board on the upcoming staffing changes.
- D. HOA Manager
No report.
- E. District Manager
Ms. Wells stated that Laura Ackerman is a resident and also a Board Supervisor. She stated that Board Supervisors can receive compensation of up to \$200 per meeting or \$4,800 annually for their participation at the Board meetings. There was a motion to approve compensation for resident Board Supervisors.

On a Motion by Mr. Coughlin, seconded by Ms. Wisdom, with all in favor, the Board approved the compensation of \$200 per meeting or \$4,800 annually for resident Board Supervisors for Harbor Bay Development District.

Ms. Wells provided the Board with an update on the radar guns. She stated that two radar guns have been purchased for the District. Ms. Wells stated that they will be delivered within three weeks. She stated that there is a training course that is offered. Ms. Wells stated that the training course is required through the manufacturer if the District intends on issuing citations and fines to speeding offenders. She stated that the certification course is not required if the enforcement is provided through the Homeowners' Association.

Mr. Coughlin stated that he is researching the different speed board models and their locations within the District. He stated that more information will be provided to the Board at the next meeting.

Mr. Coughlin provided the Board with an update on the gate access and cameras. He stated that the contracts are complete and the checks are being processed for both the gate and the cameras.

Mr. Coughlin stated that the resident group that has been working with the gates and the greeters. He stated that the group considered purchasing a vehicle for the rover security services. Mr. Coughlin stated that the off-duty officers are no longer being utilized. He recommended hiring U.S. Security to provide the rover security services. Mr. Coughlin stated that he has requested a proposal from U.S. Security. Mr. Coughlin stated that the basic services would provide 12 hours per day, 7 days per week and provide a vehicle and staff. Mr. Coughlin stated that the cost was approximately \$68,000. He asked for a motion to approve a not-to-exceed amount of \$70,000 for U.S. Security to provide the rover service.

A brief discussion ensued when an audience member inquired about the year and model of the vehicle being purchased by the District.

A brief discussion ensued when an audience member inquired about the liability, protection, and response time provided by the rover security service.

On a Motion by Mr. Coughlin, seconded by Ms. Wrenn, with all in favor, the Board approved the District Staff to develop a contract with U.S. Security, for 12 hours per day, 7 days per week with a not-to-exceed amount of \$70,000 to provide rover security services, with the expectation of expanding and revisiting the level of service for Harbor Bay Development District.

Mr. Coughlin discussed a motion for the software for the proposals received. He stated that the two proposals did not serve the exact same purpose. Mr. Coughlin stated that Gate Sure has provided a revised proposal from \$45,000 to \$28,000 and removed the Nodes from the software package. He stated that the system allows for future capabilities. Mr. Coughlin asked for a motion to approve the proposal with a not-to-exceed amount of \$30,000.

On a Motion by Ms. Wrenn, seconded by Mr. Coughlin, with all in favor, the Board approved a proposal by Gate Sure for the gate monitoring system, with a not-to-exceed amount of \$30,000 to provide a software package for Harbor Bay Development District.

Ms. Wells stated that the next regularly scheduled meeting is Tuesday, December 19, 2006 at 9:00 a.m.

TENTH ORDER OF BUSINESS

**Supervisor Requests and Audience
Comments**

Ms. Wells stated that the next order of business was the Supervisor requests and audience comments. She asked if there were any Supervisor requests at this time. There was a question regarding the public usage of the park amenities.

Mr. Coughlin explained that public access is determined by the intended use of the improvement. He stated that set restrictions and usage fees that are equivalent to the average assessment for a lot within the District, plus fifteen percent. He asked if there were any additional audience comments.

A brief discussion ensued regarding public access to the boat ramp.

A brief discussion ensued regarding the status of extending the boat docks.

A brief discussion ensued regarding the power problem to the inbound side of the lift.

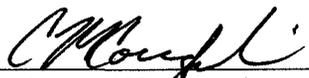
ELEVENTH ORDER OF BUSINESS

Adjournment

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

On a Motion by Mr. Coughlin, seconded by Ms. Wisdom, with all in favor, the Board adjourned the meeting at 9:50 a.m. for Harbor Bay Community Development District.


Secretary / Assistant Secretary


Chairman / Vice Chairman