
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, December 18, 2007 at 9:15 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:

Scott Jones	Board Supervisor, Chairman
Ben Gelston	Board Supervisor, Vice Chairman
Laura Ackerman	Board Supervisor, Assistant Secretary
Donald Hawkins	Board Supervisor, Assistant Secretary
Diana Hilton	Board Supervisor, Assistant Secretary

Also present were:

Tina Wells	District Manager, Rizzetta & Company, Inc.
Biff Craine	District Counsel, Bricklemyer Smolker & Bolves
Jamie Scarola	District Engineer, Scarola Associates
Debra Capelli	HOA Manager, Rizzetta & Company, Inc.
Jim Vrouhas	Resident Services Manager
Aida Johnson	Mira Bay Club 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

**Consideration of the Minutes of the
Board Supervisors' Meeting held on
November 20, 2007**

Ms. Wells stated that the next item on the agenda was the consideration of the minutes of the Board of Supervisors' Meeting held on November 20, 2007. Ms. Wells asked if there were any additions, deletions or corrections. Mr. Jones stated that following the November meeting he found that a statement he made during that meeting and noted on page 8, "that the Mirabay DRI requires a traffic signal being installed when warranted", was not in fact correct. He requested that the minutes be changed to reflect that the DRI "may require" a traffic signal being installed when warranted. A discussion ensued and District Counsel indicated no problem with the change being made.

On a Motion by Mr. Hawkins, seconded by Ms. Ackerman, with all in favor, the Board approved the Minutes of the Board of Supervisors' Meeting held on November 20, 2007 (as amended), for the Harbor Bay Community Development District.

THIRD ORDER OF BUSINESS

**Consideration of the Operation and
Maintenance Expenditures for
December 2007**

Ms. Wells stated that the next item on the agenda was the consideration of the Operation and Maintenance Expenditures for December 2007. She stated that the expenditures covered the time period of November 1 – 30, 2007 and totaled \$353,515.49. Ms. Wells asked if there were any questions or comments.

Ms. Ackerman asked about the Staples invoices stating they were placed under marketing supplies, on the last page of the ledger. Ms. Wells stated that the expense should not be under marketing supplies and that she would address the issue.

Ms. Ackerman asked if the street sweeping was being done every week, and if that is the case she asked if it could be changed to every other week or monthly. A brief discussion ensued and the Board asked that modification of the contract be looked in to.

On a Motion by Mr. Jones, seconded by Mr. Gelston, with all in favor, the Board approved the Operation and Maintenance Expenditures for December 2007 (\$353,515.49), for the Harbor Bay Community Development District.

FOURTH ORDER OF BUSINESS

**Consideration of Series 2002 Construction
Requisitions #CUS486-491**

Ms. Wells stated that the next item on the agenda was the consideration of the Series 2002 Construction Requisitions #CUS486-491. She asked if there were any questions or concerns.

On a Motion by Mr. Jones, seconded by Mr. Gelston, with all in favor, the Board ratified the Series 2002 Construction Requisitions #CUS486-491, for the Harbor Bay Community Development District.

FIFTH ORDER OF BUSINESS

**Consideration of Resolution 2008-01,
Setting of Revised Meeting Schedule**

Ms. Wells stated that the next item on the agenda was consideration of Resolution 2008-01, Setting of a Revised Meeting Schedule. She recommended that the January, April and May meetings be held in the evening at 6:30 p.m., to better allow residents to attend. A brief discussion ensued.

On a Motion by Mr. Gelston, seconded by Ms. Ackerman with all in favor, the Board approved Resolution 2008-01, Setting of Revised Meeting Schedule, holding the Board of Supervisors' meetings on the third Tuesday of each month, with January, April and May 2008 meetings to be held at 6:30 p.m. and March, June, July, August and September meetings to be held at 9:00 a.m., for the Harbor Bay Community Development District.

SIXTH ORDER OF BUSINESS

**Update on Personal Watercraft Lift
Station Proposal**

Ms. Wells stated that the next item on the agenda was the update on the personal watercraft lift station proposal. She asked if there was anything new on the proposal.

Mr. Stone stated that he discussed the issue with Florida Handling and was advised that one thing that could be done was to change the lift to a solid, rather than a strap, and that the cost would run between \$25,000 and \$35,000 for each lift, putting one on each side.

Mr. Stone stated that another idea that was discussed was to change the stop to a moveable stop, which would run between \$1,500 and \$2,000. He stated that this would be for jet skis and would require signage.

Mr. Stone stated that the Davet system was not a good design at this time.

Ms. Wells stated that it should be noted that this project is not in the current budget and that it is currently in the planning process.

SEVENTH ORDER OF BUSINESS

**Discussion Regarding Signage at the
Entrance Gates**

Ms. Wells stated that the next item on the agenda was the discussion regarding signage at the entrance gates. She stated that there are message board signs and that the HOA is requesting permission to move the boards. A discussion ensued regarding the location of the signs, different type of signs available and purpose of the signs. The Board asked that the HOA look further into the placement, type and use of the signs/boards and report back to the Board at the next scheduled meeting. No Board action was taken.

EIGHTH ORDER OF BUSINESS

Staff Reports

A. District Counsel

Mr. Craine stated that the Ad Velorum tax appeal appears that it will be settled and that the tax assessment will be zeroed out. He stated that the settlement documents are not completed as of yet, but that Hillsborough County has taken the position that the District is correct regarding the District being tax exempt.

B. District Engineer
No report.

C. Project Manager

1. Update Regarding the Mangrove Trimming

Mr. Jones stated that Mr. Coughlin met with Representatives of BRA who recommended and are preparing a master mangrove trimming permit for the entire community. A discussion ensued.

2. Update on the Sea Crest Wall

Mr. Jones stated that the Sea Crest HOA wants the wall completed. He stated that Mr. Coughlin suggested that permission be obtained from the Board to begin obtaining proposals for the wall's completion and painting. A discussion ensued. Mr. Jones stated that the proposal would include the inspection and any needed repairs to the existing wall.

<p>On a Motion by Mr. Hawkins, seconded by Ms. Hilton, with all in favor, the Board approved Mr. Coughlin to move forward on the completion, repainting and landscaping of the Sea Crest Wall, for the Harbor Bay Community Development District.</p>

3. Update on the SWFWMD Swales

Mr. Jones stated that Heidt & Associates submitted the certification to SWFWMD on December 6, 2007. He stated that it was reported that it was a completed project, with the exception of the swales, which are in the process of being resolved.

Ms. Wells asked if Mr. Coughlin had obtained information on the landscaping behind the Villas. Mr. Jones stated that Mr. Coughlin had indicated that he would like to meet with Ms. Wells and someone else. A discussion ensued.

4. HOA Resident Services Manager

Ms. Johnson stated that there are a couple of connection issues with the TV screens that are being addressed.

Mr. Vrouhas stated that he had several things to report:

- The light repairs were almost complete. At least 55 lights had been repaired and that did not include lights that had never been hooked up.

- New Plants and mulch had been installed around the pool area and clubhouse.
- New hedges had been planted on Islebay, where the canals intersect.
- Damaged and missing plants were replaced in common areas.
- There has been positive progress in getting the water meters completed in the common areas
- There has been positive progress in getting the pool area and pool furniture cleaned up.
- The pool heating and leak problem are moving in a very positive direction.
- The fountains at the entrance are being repaired in a timely manner.
- The tennis court fan was repaired by replacing the fan blades.
- The well motor heaters were replaced under warranty.
- Kearney Construction will be repainting the roadway stripes at no charge in March.
- Safety crosswalks at the playground were requested. There are two options available for the Board's consideration.
- Dog-litter bags are on order for the dog stations.
- Pressure cleaning around the Clubhouse, sidewalks, curbs and pool area is to be completed soon.
- Gas lanterns have been repaired at the gates.
- Mr. Kim has agreed to pay for the cameras damaged at gate #2.

A discussion ensued regarding the crosswalks and the required signage. The Board asked that the issue be brought back up at the January meeting, after obtaining the crosswalk requirements of the county.

A discussion ensued regarding shade structures. Mr. Vrouhas stated that the cost of the large structure was \$41,805 and the smaller structure was \$30,426. A discussion ensued regarding design, placement and engineering of shade structures.

On a Motion by Mr. Jones, seconded by Ms. Ackerman, with all in favor, the Board authorized Ms. Hilton and Mr. Vrouhas to move forward with the shade structure concept and directed that it be brought back before the Board to finalize the contract, for the Harbor Bay Community Development District.

D. District Manager

Ms. Wells stated that she had received a request that a 25 mile per hour sign be placed on Mirabay Boulevard, East of Gulf and Sea. Mr. Jones stated that he did not believe that the District had the ability to place a sign in the requested location, as that is a public roadway, but that he would have Mr. Coughlin look into it further.

Ms. Wells stated that Sea Crest had asked her about installing lighting around the pond, entrance columns and all palms.

Mr. Ezell stated that the residents of Sea Crest HOA have contributed enough to install up to eight benches. He stated that the HOA is still looking into the type and style of bench they wish to install, but are leaning toward concrete that can be permanently placed and having the benches in the color of green, so as not to make the bench itself a focal point.

Mr. Ezell stated that the Sea Crest HOA would like to propose that at the expense of the Sea Crest HOA have professionally installed low voltage lighting on each column and palm trees leading into Sea Crest. He stated that in addition to this lighting, the Sea Crest HOA would also like to have the lighting installed around the four Royal Palms located at the stop sign, all 20 Royal Palms located around the pond and the four Bismarck trees. Mr. Ezell stated that the Sea Crest HOA would also need the Board's permission to tap into the street lights, therefore making all lighting go on and off at the same time. Mr. Ezell stated that upon the bench and lighting projects being completed, the Sea Crest HOA is also considering the installation of lighted fountains in the pond.

Mr. Ezell stated that the Sea Crest HOA is requesting the approval of the Board for:

1. The HOA to continue with the bench project, allowing the HOA to select, purchase and install the benches, under the clumps of Royal Palms.
2. The HOA to professionally install low voltage lighting around the entrance columns, all palms and all the Royal Palms and Bismarck trees around the park.
3. The HOA to have a lighted fountain installed in the pond.

Mr. Jones stated that he understood the street lights to be owned by TECO, and not the District. A discussion ensued, which ended with Mr. Ezell asking for the Board's approval to continue with the installation of the benches and the Sea Crest HOA looking into the lighting and fountain installation further.

Mr. Hawkins stated that no further approval was needed for the installation of the benches, as it had previously been approved by the Board.

A discussion ensued regarding the landscaping, lighting, fountains and surface water management.

On a Motion by Mr. Hawkins, seconded by Mr. Jones, with all in favor, the Board authorized the Sea Crest HOA to install low voltage lighting and lighted fountains, at no cost to the District and making sure that the District has no responsibilities for damages to the surface water management system, pending final approval by the Board of the final installation design plan(s), for the Harbor Bay Community Development District.

Ms. Wells stated that Ms. Hilton had requested permission from the Board to install flags along US41. Ms. Hilton stated that she would like place no more than 20 flags on District property, on 20 foot fiberglass poles that are 165 mph wind resistant. A discussion ensued.

On a Motion by Ms. Ackerman, seconded by Mr. Hawkins, with all in favor, the Board approved the installation of no more than 20 fiberglass poles with flags on District property along US41, for the Harbor Bay Community Development District.

Ms. Wells stated that the alcohol policy and liquor license is for the Clubhouse only. She stated the areas covered are the porch, overhang and clubhouse, adding that it does not go over onto the deck. A discussion ensued and it was stated that any deviation from this policy must be approved by the Board.

Ms. Wells stated that the new bar codes will be up and running in the near future. She stated that upon the initiation of the new gate system it may be the appropriate time to assign new bar codes to all residents so that there is no confusion when the system is put on-line.

NINTH ORDER OF BUSINESS

Supervisor Requests and Audience Comments

Ms. Wells stated that the next item on the agenda was Supervisor Requests and Audience Comments.

Ms. Ackerman stated that upon review of the Deputy reports she found that there were 34 instances for speeding. She stated that 10 of the speeding incidents gave no speed, 20 of the 34 were over 30 miles per hour and only one ticket was issued. Ms. Wells stated that she has emailed the coordinator and expressed her concerns regarding the situation. A discussion ensued.

Ms. Ackerman stated that she had received a resident request to designate a smoking area around the pool. A discussion ensued regarding smoking taking place in areas that are designated as smoke free. No action was taken at this time.

Ms. Wells asked if there were any audience requests.

A resident requested that the street sweeping be discontinued and make those responsible for cleaning up after themselves.

A resident stated that there are no street lights on Tiebe Island. Mr. Jones stated that the street lights were installed on Tybee Island Drive, but on the wrong end. He stated that the issue is being worked on.

Ms. Schlike stated that she is the chairman of the Mirabay Advisory Counsel Communications Committee. She stated that the committee has investigated the informational signage problem for the last eighteen months, made recommendations and received promises that the signs have been ordered and received. Ms Schlike asked what has happened to the signs. Ms. Wells stated that this has not been brought before the District for consideration and that the only reason the District should be involved is because the land on which the signs would be posted belongs to the District. She stated that the issue is one that needs to be discussed with the HOA.

A resident requested that neighborhood watch signs be posted at the entry gates. A discussion ensued.

On a Motion by Mr. Jones, seconded by Mr. Gelston, with all in favor, the Board approved the Neighborhood Watch Program to install two signs on the inside or outside of each entry gate and that the District will pay for the posts, for the Harbor Bay Community Development District.

TENTH ORDER OF BUSINESS

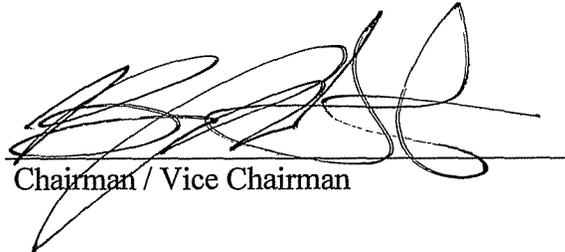
Adjournment

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. Jones, seconded by Mr. Gelston, with all in favor, the Board adjourned the meeting Board of Supervisors' Meeting, for the Harbor Bay Community Development District.



Secretary / Assistant Secretary



Chairman / Vice Chairman