

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, December 19, 2013 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:

Rip Ripley	Board Supervisor, Chairman
Julie Guill	Board Supervisor, Vice Chairman
Bob Collins	Board Supervisor, Assistant Secretary
Paul Stumpf	Board Supervisor, Assistant Secretary
Bob Cribbs	Board Supervisor, Assistant Secretary

Also present were:

Matthew Huber	District Manager, Rizzetta & Company, Inc.
Jere Earlywine	District Counsel, Hopping, Green & Sams, P.A.
Jamie Scarola	District Engineer, Scarola Associates Eng.
Kristy Owens	District Coordinator
Mindy Anderson	Clubhouse Manager
Ashley Adkins	WTS Manager

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

Audience Comments

An audience member commented about the permit item not listed on the agenda.

An audience member inquired if the sea wall litigation has been closed and dismissed by the court.

THIRD ORDER OF BUSINESS

Consideration of Minutes from the Board of Supervisors' Regular Meeting held on November 21, 2013

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47 Mr. Huber presented the minutes and asked if there were any additions, deletions or
48 corrections to the minutes as presented.
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On a Motion by Mr. Collins, seconded by Mr. Ripley, with all in favor, the Board of Supervisors approved the minutes from the Board of Supervisors' regular meeting held on November 21, 2013 for Harbor Bay Community Development District.

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51 **FOURTH ORDER OF BUSINESS** **Consideration of Operation and**
52 **Maintenance Expenditures for November**
53 **2013**
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55 Mr. Huber presented the expenditures to the Board for consideration.
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On a Motion by Mr. Cribbs, seconded by Mr. Ripley, with all in favor, the Board of Supervisors approved the Operation and Maintenance Expenditures paid during the period of November 1-30, 2013 (\$134,133.86) for Harbor Bay Community Development District.

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58 **FIFTH ORDER OF BUSINESS** **Consideration of Operations and**
59 **Maintenance Expenditures for November**
60 **2013 – Mira Bay Amenity Center**
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62 Mr. Huber presented the expenditures to the Board for consideration.
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On a Motion by Ms. Guill, seconded by Mr. Collins, with all in favor, the Board of Supervisors approved the Operation and Maintenance Expenditures paid during the period of November 1-30, 2013 (\$44,457.02) for the Mira Bay Amenity Center, for Harbor Bay Community Development District.

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65 **SIXTH ORDER OF BUSINESS** **Consideration of Oak Tree Trim Proposals**
66 **(under separate cover)**
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68 Mr. Huber asked for a motion to table until January 23, 2014 BOS meeting.
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On a Motion by Mr. Collins, seconded by Mr. Ripley, with all in favor, the Board of Supervisors approved to table this agenda item until the January 23, 2014 BOS meeting for Harbor Bay Community Development District.

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71 **SEVENTH ORDER OF BUSINESS** **Consideration of OTC Injection Proposals**
72 **(under separate cover)**
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74 Mr. Huber asked for a motion to table until January 23, 2014 BOS meeting.
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On a Motion by Mr. Cribbs, seconded by Mr. Stumpf, with all in favor, the Board of Supervisors agreed to table the OTC Injection proposals until January 23, 2014 BOS meeting for Harbor Bay Community Development District.

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EIGHTH ORDER OF BUSINESS **Discussion on Reserve Study Proposal**

Mr. Huber opened the discussion for the Reserve Study Proposal. Mr. Stumpf requested replacement items be sorted by completion year.

NINTH ORDER OF BUSINESS **Staff Reports**

- A. District Counsel
Mr. Earlywine updated the Board on the sea wall litigation. Mr. Earlywine updated the Board on the negotiations with Carl Hazenberg, P.E. for the Engineering Pilot Project for the sea wall. A brief discussion ensued.

On a Motion by Mr. Cribbs, seconded by Mr. Collins, with all in favor, the Board of Supervisors authorized a contract with Carl Hazenberg, P.E., to perform the scope of services as presented to the Board with a not to exceed amount of \$35,000.00 for Harbor Bay Community Development District.

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On a Motion by Mr. Collins, seconded by Ms. Guill, with all in favor, the Board of Supervisors authorized District Staff subject to Chairman's authorization be permitted to engage the services necessary to support Mr. Hazenberg's study with geotechnical surveying, permitting and other work in an amount not to exceed \$50,000.00 for Harbor Bay Community Development District.

On a Motion by Mr. Collins, seconded by Ms. Guill, with three in favor, and Mr. Cribbs and Mr. Stumpf opposed the Board of Supervisors authorized the purchase of \$500,000 Professional E&O Insurance for the engineering services associated with the seawall pilot project for Harbor Bay Community Development District.

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- B. District Engineer
No Report.
- C. Club Manager
Ms. Anderson updated the Board on the Point of Sales System and will present at the January 23, 2014 BOS meeting.
- D. District Coordinator
No Report.
- E. District Manager
Mr. Huber stated that the next regular meeting of the Board of Supervisors will be held on January 23, 2014, at 5:30 p.m. at the MiraBay Clubhouse located at 107 Manns Harbor Drive, Apollo Beach, Florida 33752.

106 **TENTH ORDER OF BUSINESS** **Supervisors Requests**

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108 Mr. Cribbs commented about mangrove trimming and bio-sumps i.e., Dave Charter
109 property. Mr. Scarola stated that Chuck Pons had an informal conversation with EPC where they
110 stated they are ok with vertical trimming.

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112 Ms. Guill suggested the Board take into consideration the future build-out on the rules
113 and guest policies. Mr. Huber stated that a future workshop will be planned for the rules and
114 policies with resident participation to allow any comments.

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116 Ms. Guill requested that the oak tree trimming and OTC injection proposals be submitted
117 to the Board of Supervisors prior to the next meeting for their review.

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119 Mr. Ripley inquired about the ability to contact management after hours.

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121 Mr. Stumpf asked about the status of the Pinckney lights reimbursement with Newland.
122 Mr. Earlywine stated the document is in the process of being executed by the developer and the
123 CDD.

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125 **ELEVENTH ORDER OF BUSINESS** **Audience Comments**

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127 An audience member commented there are 54 palm trees around the pond in Seacrest
128 without mulch. There is also dead Royal Palm tree by the canal.

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130 An audience member inquired about ECC comments and school buses allowed in Andalucia
131 and also commented about neatly trimmed mangroves in another community.


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133 An audience member inquired if the sea wall settlement has been finalized. Mr. Earlywine
134 stated the settlement transaction was finalized and monies were received by the District.

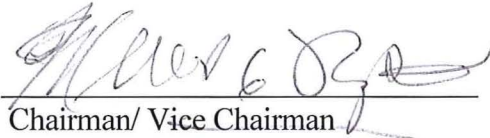
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136 An audience member inquired about the reserve study and capital improvement funds.

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138 An audience member had water leak suggestions and inquired about insurance costs for
139 contracts.

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141 **TWELFTH ORDER OF BUSINESS** **Adjournment**

142 On a Motion by Mr. Cribbs seconded by Mr. Collins, with all in favor, the Board adjourned the meeting at 7:26 p.m. for Harbor Bay Community Development District.

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147 Secretary/Assistant Secretary

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147 Chairman/ Vice Chairman