

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 public hearing and regular meeting of the Board of Supervisors of Harbor Bay Community Development District was held on **Thursday, February 26, 2015 at 5:31 p.m.** at the MiraBay Clubhouse, located at 107 Manns Harbor Drive, Apollo Beach, Florida 33752.

Present and constituting a quorum were:

Bob Collins	<b>Board Supervisor, Chairman</b>
Bob Cribbs	<b>Board Supervisor, Vice Chairman</b>
Kathryn Dukes	<b>Board Supervisor, Assistant Secretary</b>
Ned Carr	<b>Board Supervisor, Assistant Secretary</b>
Joe McNeil	<b>Board Supervisor, Assistant Secretary</b>

Also present were:

Matthew Huber	<b>District Manager, Rizzetta &amp; Company, Inc.</b>
Jere Earlywine	<b>District Counsel, Hopping, Green &amp; Sams, P.A.</b>
Jamie Scarola	<b>District Engineer, Scarola Associates</b>
Kelly Evans	<b>Director, Rizzetta Amenity Services</b>
Raul Anaya	<b>Club Director</b>
Ashley Adkins	<b>WTS</b>

Audience members

**FIRST ORDER OF BUSINESS**

**Call to Order and Pledge of Allegiance**

Mr. Huber called the meeting to order and Mr. Huber performed roll call confirming that a quorum was present.

Mr. Cribbs led all those present in reciting the Pledge of Allegiance.

**SECOND ORDER OF BUSINESS**

**Audience Comments**

An audience member stated there is a need for new furniture for the clubhouse.

An audience member asked if a seal coat can be put down on the roadways where the waste management company spill occurred.

47 **THIRD ORDER OF BUSINESS**

**Staff Reports**

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49 **Club Director**

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51 Ms. Evans introduced the new Club Director, Mr. Raul Anaya and Club Administrative  
52 Assistant Ms. Dawn Blackburn. Rizzetta Amenity Services is also providing Maintenance  
53 Services 7 days a week with Steve Monday through Friday and Chris on Saturday and  
54 Sunday.

55

56 **Club Manager**

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58 Ms. Adkins provided an update on the financials, current events and activities for the  
59 MiraBay Clubhouse. Ms. Adkins stated that they will be removing the 11 Verizon Fios TV  
60 adapters from the fitness center TV's and is moving forward with Brighthouse cable for the  
61 TV's in the fitness center.

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63 **FOURTH ORDER OF BUSINESS**

**Consideration of Minutes from the Board  
of Supervisors' Regular Meeting held on  
January 22, 2015**

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67 Mr. Huber presented the minutes and asked if there were any additions, deletions or  
68 corrections to the minutes as presented.

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On a Motion by Mr. Cribbs, seconded by Mr. Carr, with all in favor, the Board of Supervisors approved the minutes from the Board of Supervisors' regular meeting held on January 22, 2015 for Harbor Bay Community Development District.

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71 **FIFTH ORDER OF BUSINESS**

**Consideration of Operation and  
Maintenance Expenditures for January  
2015**

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75 A brief discussion ensued regarding various invoices and the services they represent.

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On a Motion by Mr. McNeil seconded by Ms. Dukes, with all in favor, the Board of Supervisors approved the Operation and Maintenance Expenditures paid during the period of January 1-31, 2015 (\$245,819.25) for Harbor Bay Community Development District.

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86 **SIXTH ORDER OF BUSINESS** **Consideration of Operations and**  
87 **Maintenance Expenditures for January**  
88 **2015 – Mira Bay Amenity Center**  
89

90 A brief discussion ensued regarding various invoices and the services they represent.  
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On a Motion by Ms. Dukes, seconded by Mr. Collins, with all in favor, the Board of Supervisors approved the Operation and Maintenance Expenditures paid during the period of January 1-31, 2015 (\$57,852.13) for the Mira Bay Amenity Center, for Harbor Bay Community Development District.

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93 **SEVENTH ORDER OF BUSINESS** **Public Hearing on Environmental**  
94 **Advisory Committee Rules of Procedure,**  
95 **Rule Regarding District Waterways and**  
96 **Boating Facilities, and Rule Regarding**  
97 **Pollution Prevention and Best**  
98 **Management Practices for District**  
99 **Waterways**  
100

101 Mr. Earlywine introduced the Environmental Advisory Committee Rules of Procedure, Rule  
102 Regarding District Waterways and Boating Facilities and Rule Regarding Pollution Prevention and  
103 Best Management Practices.  
104

On a Motion by Mr. Carr, seconded by Mr. Collins, with all in favor, the Board of Supervisors opened the public hearing on Environmental Advisory Committee Rules of Procedure, Rule Regarding District Waterways and Boating Facilities, and Rule Regarding Pollution Prevention and Best Management Practices for District Waterways for Harbor Bay Community Development District.

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106 An audience member had several questions regarding the establishment of the EAC Rules of  
107 Procedure. Mr. Earlywine provided the background of the EAC Rules of Procedure approval  
108 process.  
109

110 The Board discussed the definition of “spill” for purposes of the rules. Mr. McNeil  
111 recommended that the EAC begin meeting so they can determine how they will work with the  
112 Board, etc.  
113

114 An audience member inquired about the fees. Mr. Earlywine stated the intent it not to  
115 change any of the existing boating fees.  
116

117 An audience member provided a history of his knowledge of the fees.  
118

119 An audience member inquired who pays for the cost of a spill.  
120  
121  
122

123 Mr. McNeil stated that there was a correction needed in section I. regarding the training  
124 requirement that all permit applicants must attend a MiraBay environmental boat class He asked  
125 that the provision be updated to reflect that training can occur via an on-line class.  
126

On a Motion by Mr. Cribbs, seconded by Ms. Dukes, with all in favor, the Board of Supervisors closed the public hearing on Environmental Advisory Committee Rules of Procedure, Rule Regarding District Waterways and Boating Facilities, and Rule Regarding Pollution Prevention and Best Management Practices for District Waterways for Harbor Bay Community Development District.

127 On a Motion by Mr. Cribbs, seconded by Mr. McNeil, with all in favor, the Board of Supervisors adopted the Rules as presented subject to the training requirement; and subject to the review of the boating fee amounts to insure they are consistent with the current HOA fees; and subject to the canal easement being recorded for Harbor Bay Community Development District.

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129 **EIGHTH ORDER OF BUSINESS** **Update Regarding Conveyances**  
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131 Mr. Huber provided an update regarding the conveyances. The CDD has hired JAH  
132 Architect to provide a post construction evaluation of Admirals Point Community Center Facility.  
133 They are 2/3 complete as of this week, and a report will be presented by the end of the week. Also  
134 the CDD landscape contractor reviewed some items and provided a punch list to the Developer for  
135 some plant material replacements to be completed prior to the conveyances. Mr. Earlywine stated  
136 with each of the conveyances the CDD is requiring the developer to do their due diligence and the  
137 CDD is reviewing their due diligence on the property. The Developer has committed to clean up  
138 the nuisance species; we have received the ADA compliance report on the mulch at the playground  
139 along with other items before we formally accept the conveyance. Mr. Huber stated he and Mr.  
140 Anaya are working closely with Envera Systems regarding the start-up at Admiral Point and making  
141 sure all the credentials, post orders and the utility portion are all in working order. Mr. McNeil  
142 requested to have an independent landscape inspection at Wolf Creek Park. Mr. Huber stated staff  
143 will have a 3<sup>rd</sup> party provide an inspection report to the CDD.

144  
145 **NINTH ORDER OF BUSINESS** **Ratification of Langan Engineering**  
146 **Contract**  
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148 Mr. Earlywine provided an update to the Board regarding the master seawall stabilization  
149 project work that Langan Engineering and Environmental Services are providing.  
150

On a Motion by Mr. McNeil, seconded by Mr. Collins, with all in favor, the Board of Supervisors ratified the Langan Engineering Contract for Harbor Bay Community Development District.

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152 **TENTH ORDER OF BUSINESS** **Consideration of Canal Easement (under**  
153 **separate cover)**  
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155 This item was tabled.

156 **ELEVENTH ORDER OF BUSINESS**

**Consideration of Mangrove Trimming  
Policy**

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159 Mr. Earlywine stated staff was asked to provide a comprehensive mangrove policy for the  
160 community and provided an update on how the CDD addresses mangroves when the District  
161 acquires new property and when the District maintains existing mangroves on an on-going basis.  
162 Mr. Earlywine reviewed the report prepared by Cardno with the Board along with a mock policy for  
163 discussion. Newland has made the commitment to clean out any nuisance species prior to the CDD  
164 acquiring any property. A discussion ensued. Mr. McNeil stated the canal littoral shelf A, B, and C  
165 need to be cleaned up prior to conveyance and requested staff notify Newland that this should be  
166 done immediately, along with Canal pocket 101 where the trees are in the canals. Mr. McNeil  
167 would request that Newland should be notified to take care of Canal Pocket 101 now, and requested  
168 the CDD have an expert come out and examine the area and document any damage of the area  
169 before they clean it up. Mr. McNeil also wanted to clarify any air right easements in the  
170 conveyances. Mr. Earlywine will reach out to Newland regarding the clean-up of these areas and  
171 report back to the Board. Mr. McNeil will provide comments to Mr. Earlywine to incorporate into  
172 his communications with Newland. This item was tabled until the April meeting.

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**TWELFTH ORDER OF BUSINESS**

**Termination of Investment Policy  
Statement**

On a Motion by Mr. Cribbs, seconded by Mr. Collins, with all in favor, the Board of Supervisors approved to terminate the Investment Policy Statement for Harbor Bay Community Development District.

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178 **THIRTEENTH ORDER OF BUSINESS**

**Discussion Regarding Liquor License**

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180 Mr. Earlywine provided an update regarding a liquor license. The fee is about \$250.00 with  
181 a 3-4 month time frame for issuance. There will be legal fees involved; and any increase in  
182 insurance would be based on sales. A variance may also be required from Hillsborough County.  
183 Mr. McNeil stated higher end communities have this license and would like to look into providing  
184 to the Harbor Bay Community if the residents are interested and would like to have an informal  
185 survey to check the interest and also obtain the sales records of similar communities to make sure it  
186 makes financial sense. Mr. Cribbs stated we need to determine the financial cost, the timeframe and  
187 the management of acquiring a liquor license. Mr. Cribbs also recommended to verify by an  
188 informal survey if this something the residents want and will utilize. The Board directed staff to  
189 proceed with an informal meeting with the State and Hillsborough County to determine what  
190 actions are required, i.e., a variance, etc. and at what cost.

191

On a Motion by Mr. Cribbs, seconded by Mr. McNeil, with all in favor, the Board of Supervisors authorized staff to prepare a budget estimate, and an informal survey and do further research for the liquor license issuance and report back to the Board with a not to exceed cost of \$2,500.00 for legal fees for Harbor Bay Community Development District.

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194 **FOURTEENTH ORDER OF BUSINESS** **Envera Update**

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**FIFTEENTH ORDER OF BUSINESS** **Presentation of MiraBay Roadway Inspection Report**

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**SIXTEENTH ORDER OF BUSINESS** **Staff Reports**

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**District Counsel**

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No report.

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**District Engineer**

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No report.

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**District Manager**

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Mr. Huber stated he will work with Mr. Anaya and they will prepare an email blast to be sent from the Clubhouse and will compile items from the last email blast sent to the current activities. Mr. Huber noted the next regular meeting will be on March 26, 2015 at 5:30 p.m. at the MiraBay Clubhouse located at 107 Manns Harbor Drive, Apollo Beach, Florida 33752. Mr. Huber reviewed the Monthly Financial Status Report to the Board.

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The Board tabled the 2015 CDD Goals discussion to the March meeting. The Board authorized staff to inspect the tennis and basketball courts and if the courts are deemed unsafe staff will shutdown and tape off the courts. Mr. McNeil requested to have proposals and a plan to repair the tennis and basketball courts.

240 SEVENTEENTH ORDER OF BUSINESS Supervisors Requests

241  
242 Mr. Collins stated that the clubs are having difficulties sending eblasts to their members  
243 from the developer's website.  
244

245 Ms. Dukes requested a kick off meeting regarding the website launch to insure all the  
246 requirements are being achieved as far as all the club groups, calendars, etc.  
247

248 Mr. McNeil asked Mr. Huber to check and see why the Palm Trees have disappeared  
249 again along Isle Bay and why the cost paid for landscaping lighting at Bay Estate is 2 times the  
250 cost as previously paid and the landscape up-lighting on the left had side has not worked since  
251 the tree was replaced. Mr. McNeil also stated the Board did approve a quarterly landscape report  
252 and inquired when these reports would be provided.  
253

254 EIGHTEENTH ORDER OF BUSINESS Audience Comments

255  
256 An audience member/realtor presented an Open House proposal process to the Board. A  
257 request for a board approved directional professional sign in the center medium island instructing  
258 potential buyers to go to the concierge desk to obtain a list of open houses. A discussion ensued.  
259 Mr. Earlywine will review the advertising policy to determine the signage.  
260

261 Audience comments were taken by the Board. An audience member commented about  
262 non-residents having access to the clubhouse. Mr. Huber stated the plan for the concierge on a  
263 daily basis.  
264

On a Motion by Ms. Dukes, seconded by Mr. Collins, with all in favor, the Board of Supervisors authorized staff to put information materials in a public forum and staff will review the signage advertising requirements for any potential signage placement on CDD & Right-of-Way Property for Harbor Bay Community Development District.

265  
266 An audience member stated at the entrance of Harbor Bay there are several broken green  
267 bottles. Mr. Huber advised the member to notify the clubhouse and they will alert the street  
268 sweepers and will also have FHP patrol the area.  
269

270 An audience member commented about the safety of the courts and also expressed  
271 concern regarding the costs of the repairs and the condition of the sidewalks. Mr. Cribbs asked  
272 Mr. Earlywine specifically what is the CDD's responsibility on the sidewalks. A discussion  
273 ensued. The board directed staff to set up a workshop to address this issue.  
274

275 An audience member commented about the sidewalks issues, water view's in Sea Crest,  
276 plants along the Isle Bay Canal, pavement cracks and the roadway report, and monthly  
277 communication to the residents.  
278

279 An audience member commented about the Envera system at the park after dark and the  
280 lack of signage stating the hours of operation.  
281

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282 An audience member commented about the gate system on a public road.

283

284 An audience member inquired about the status of getting funds from offenders for gate  
285 strikes, the canal trees that are to be addressed by Newland, the recycle area and OTC report.

286

287 An audience member thanked the board for the report regarding the mangroves and  
288 discussed mangrove & nuisance vegetation management.

289

290 An audience member commented about the model home, the CDD fence needs to be  
291 cleaned and would like the CDD to consider a dog park and inquired about refueling.

292

293 An audience member commented about the Isle Bay sidewalks by the retention pond are  
294 black and before repaving making sure cement is cleaned before sealing.

295

296 An audience member inquired about gutter/curb cleaning, parking and traffic  
297 enforcement and would the CDD to consider a dog park.

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299 **NINETEENTH ORDER OF BUSINESS**

**Adjournment**

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On a Motion by Mr. Collins, seconded by Ms. Dukes, with all in favor, the Board adjourned the meeting at 9:06 p.m. for Harbor Bay Community Development District.

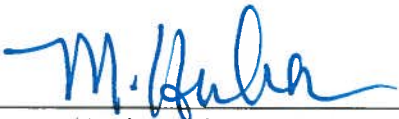
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Secretary/Assistant Secretary



Chairman/ Vice Chairman