

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 special meeting of the Board of Supervisors of Harbor Bay Community Development District was held on **Thursday, March 17, 2016 at 6:01 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
Bob Cribbs	Board Supervisor, Vice Chairman
Ned Carr	Board Supervisor, Assistant Secretary
Joe McNeil	Board Supervisor, Assistant Secretary
Kathy Dukes	Board Supervisor, Assistant Secretary

Also present were:

Matthew Huber	District Manager, Rizzetta & Company, Inc.
Scott Brizendine	Director of Financial Services, Rizzetta & Co.
Angel Montagna	District Manager, Rizzetta & Company, Inc.
Jere Earlywine	District Counsel, Hopping, Green & Sams, P.A.
Jamie Scarola	District Engineer, Scarola Associates Eng.
John Magnavita	Langan Engineering
Hanna Khouri	Langan Engineering
Raul Anaya	Club Director, Rizzetta Amenities
Mindy Anderson	Club Manager

Audience members

**FIRST ORDER OF BUSINESS**

**Call to Order and Pledge of Allegiance**

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

The Pledge of Allegiance was conducted. Mr. Collins asked that cell phones be turned off and that everyone be respectful to one another.

**SECOND ORDER OF BUSINESS**

**Consideration of Engineer's Report for the Master Project**

Mr. Earlywine provided some background on the master project to stabilize the community's canal retaining wall (a/k/a seawall) and explained the assessment and financing process.

48 Mr. Magnavita presented the Engineer's Report which describes the master project and the  
49 proposed costs of the master project.

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51 **THIRD ORDER OF BUSINESS**

**Consideration of Preliminary Special  
Assessment Allocation Report**

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54 Mr. Brizendine presented the Preliminary Special Allocation Report.

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56 Mr. Huber asked the Board if they had any questions or comments regarding either report.  
57 Both Mr. Magnavita and Mr. Brizendine answered the Board's questions.

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59 **FOURTH ORDER OF BUSINESS**

**Audience Comments**

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61 Mr. Curley encouraged the Board to determine what benefit a \$329 seawall cap offered to  
62 the \$198 rip rap solution and, if a cap was needed, to ensure there was an engineering metric driving  
63 where the cap should be installed.. He commented about the RFP drainage language in Section 1, it  
64 differs from Section 2. He commented on the allocation methodology of rip rap versus a new wall.

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66 Mr. Lockom commented on the 20% contingency being the last of the Board's problems.  
67 He inquired who determined the allocation methodology. He has sent Mr. Huber a list of his  
68 questions that he would like answered.

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70 Mr. Gritman supports the use of a rip rap solution. The settlement money from 2013 was not  
71 handled then and that amount was sufficient back then.

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73 Mr. Thompson wants the Board to take their time with the decision.

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75 Mr. Rozycki commented on having money allotted to all items that the community needs  
76 and will need.

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78 Mr. DiFeda commented on assessment options.

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80 Mr. Peterson has done several stories on the seawall. He feels that residents don't know  
81 enough about what is going on. People are not buying in Mirabay.

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83 Mr. Hatcher had questions for the engineers. He inquired about how the rip rap will be  
84 maintained.

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86 Mr. Spaziano inquired about how an RFP can go out without final engineer drawings.

87

88 Mr. Laman inquired if living on the lagoon makes him responsible for the rip rap repairs.

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90 Mr. Wagner inquired about the debt service reserve.

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92 District Staff addressed certain of the questions.

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95 **FIFTH ORDER OF BUSINESS**

**Consideration of Resolution 2016-02,  
Declaring Special Assessments**

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98 Mr. Earlywine explained that Resolution 2016-02, Declaring Special Assessments, would  
99 begin an assessment process to finance a portion of the costs of the master project. The resolution  
100 approves the Engineer's report and Methodology as a preliminary matter. It would authorize staff to  
101 issue notices and set a public hearing.  
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On a Motion by Mr. Collins, seconded by Ms. Dukes, with Mr. McNeil opposed, the Board of Supervisors approved Resolution 2016-02, Declaring Special Assessments for Harbor Bay Community Development District.

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The public hearing will take place during the regular CDD meeting on April 28, 2016. The Board is looking into a larger venue for this meeting.

On a Motion by Mr. McNeil, seconded by Ms. Dukes, with all in favor, the Board of Supervisors approved a location to be determined, at a not to exceed amount of \$1000.00, for the April 28, 2016 CDD meeting and public hearing for Harbor Bay Community Development District.

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**SIXTH ORDER OF BUSINESS**

**Audience Comments**

110 Mr. Jones is disappointed that the Board approved the resolution at this meeting. He  
111 inquired what bad would happen if the Board didn't adopt the resolution tonight. This has now  
112 devalued our homes.

113  
114 Mr. Lockom agreed with the disappointment Mr. Jones feels. The Board didn't discuss it,  
115 they only approved it.

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117 Mr. Hatcher questioned the Board's discussion if they didn't have all of the numbers. He  
118 feels this will only affect his pocketbook; you can't charge everyone differently. He then thanked  
119 the Board for their service.

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121 Mr. Curley reiterated what Langan had stated about the Seawall only lasting 25 years.  
122 This is in contrast with what resident's were told prior to the settlement. They were told in July  
123 2015 rip rap will add 30 + years. Requested clarification as to would the \$8 million dollars be  
124 sufficient to cover the repairs in a satisfactory way.

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126 Mr. Daugherty noted that he has lived in the community for many years and never saw a  
127 rat in the rip rap that currently exists.

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129 An audience member wanted to remind the residents about the economy and that all will  
130 be fine.

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132 An audience member noted that he would prefer the prepayment option.

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134 An audience member inquired about the type of maintenance that will be planned for the

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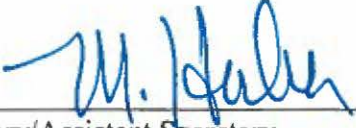
135 properties that have mangroves and asked whether the rip rap would promote mangroves.


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137 Ms. Barton is disappointed with this process and believes this will cause a bad  
138 community reaction. She asked the Board not to rush into bad decisions with out enough  
139 information. She stated that the differences in home values between the homes in the water  
140 versus of the water has increased and this will just cause a burden to the homes that value has not  
141 increased as much as those on the water. She then thanked the Board for their service.

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143 District Staff provided responses to some questions.

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145 **SEVENTH ORDER OF BUSINESS** **Adjournment**

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On a Motion by Mr. Collins, seconded by Mr. Cribbs, with all in favor, the Board adjourned the meeting at 9:34 p.m. for Harbor Bay Community Development District.

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Secretary/Assistant Secretary

  
Chairman/ Vice Chairman