

**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 the Harbor Bay Community Development District was held on **Tuesday, March 18, 2008 at 9:13 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:

Ben Gelston	<b>Board Supervisor, Vice Chairman</b>
Laura Ackerman	<b>Board Supervisor, Assistant Secretary</b>
Diana Hilton	<b>Board Supervisor, Assistant Secretary</b>

Also present were:

Tina Wells	<b>District Manager, Rizzetta &amp; Company, Inc.</b>
Biff Craine	<b>District Counsel, Bricklemyer Smolker &amp; Bolves</b>
Jamie Scarola	<b>District Engineer, Scarola Associates</b>
Debra Cappelli	<b>HOA Manager, Rizzetta &amp; Company, Inc.</b>
Jim Vrouhas	<b>Resident Services Manager</b>
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  
February 19, 2008**

Ms. Wells stated that the next item on the agenda was the consideration of the minutes of the Board of Supervisors' Meeting held on February 19, 2008. Ms. Wells asked if there were any additions, deletions or corrections.

Ms. Ackerman stated that at the top of page 2, in the motion box, it should read the January 15, not December 15. It was also noted that on page 5, under Clubhouse Manager, it should note that there was no report.

On a Motion by Mr. Gelston, seconded by Ms. Ackerman, with all in favor, the Board approved the Minutes of the Board of Supervisors' Meeting held on February 19, 2008 (as amended), for the Harbor Bay Community Development District.

**THIRD ORDER OF BUSINESS**

**Consideration of the Operation and  
Maintenance Expenditures for  
March 2008**

Ms. Wells stated that the next item on the agenda was the consideration of the Operation and Maintenance Expenditures for March 2008. She stated that the expenditures covered the time period of February 1 – 29, 2008 and totaled \$189,561.28. Ms. Wells gave a brief explanation of the expenditures and asked if there were any questions or comments.

Ms. Ackerman asked if anyone had called about street sweeping that continues to show on the expenditures. Mr. Vrouhas stated that he has attempted to make contact and left messages, and will follow-up again.

On a Motion by Mr. Gelston, seconded by Ms. Hilton, with all in favor, the Board approved the Operation and Maintenance Expenditures for March 2008 (\$189,561.28), for the Harbor Bay Community Development District.

**FOURTH ORDER OF BUSINESS**

**Consideration of Audit Committee  
Recommendation of Evaluation and  
RFP Criteria for Audit Services**

Ms. Wells stated that the next item on the agenda was the consideration of the Audit Committee's recommendation of evaluation and RFP criteria for audit services.

On a Motion by Ms. Ackerman, seconded by Mr. Gelston, with all in favor, the Board approved the Audit Committee's recommendation of Evaluation and RFP Criteria for Audit Services, for the Harbor Bay Community Development District.

Ms. Wells stated that the next meeting of the Audit Committee will be on April 15, 2008, at 6:15 p.m., at which time they will review the proposals submitted for audit services.

**FIFTH ORDER OF BUSINESS**

**Consideration of Evaluation and RFP  
Criteria for Landscape Maintenance  
Services**

Ms. Wells stated that the next item on the agenda was the consideration of evaluation and RFP criteria for Landscape Maintenance Services. She stated that a draft version of the bid package was included in the agenda for review and asked if there were any questions or concerns. A discussion ensued regarding planting of annuals.

A discussion ensued regarding the holding of a pre-bid meeting on April 2, 2008 at 10:00 a.m. and making attendance mandatory, scheduling the proposal due date as April 23, 2008 at 12:00 p.m., and setting the date on which the proposals will be opened as April 29, 2008 at 9:00 a.m.

Ms. Wells stated that a site map was currently being worked on that would be included in the bid package. She stated that it is normal to charge a fee for the bid package and asked the Board's suggestion on a price and it was determined the charge would be \$25.

On a Motion by Mr. Gelston, seconded by Ms. Ackerman, with all in favor, the Board approved the Landscape Maintenance Services Evaluation and RFP Criteria, inserting the dates discussed, for the Harbor Bay Community Development District.

On a Motion by Ms. Hilton seconded by Ms. Ackerman, with all in favor, the Board authorized the RFP for Landscape Maintenance Services, for the Harbor Bay Community Development District.

On a Motion by Mr. Gelston, seconded by Ms. Ackerman, with all in favor, the Board authorized the advertising of a special meeting to be held on April 29, 2008 at 9:00 a.m., for the Harbor Bay Community Development District.

**SIXTH ORDER OF BUSINESS**

**Consideration of Resolution 2008-03,  
Alcohol Policies**

Ms. Wells stated that the next item on the agenda was the consideration of Resolution 2008-03, Alcohol Policies.

Mr. Craine gave a brief summary of the proposed resolution. He stated that there are eight policies in section 2 of the resolution, some of which are state law and others are specific to the facility:

1. All patrons and guests must be at least 21 years of age to be served alcohol.
2. All patrons and guests must present valid picture identification at the request of club staff.
3. Alcohol must be consumed on the premises.

4. Alcoholic beverages within the area of the pool are prohibited, as defined by the fence.
5. Club staff reserves the right to refuse to serve alcohol to anyone.
6. Club staff reserves the right to ask intoxicated persons to leave the premise.
7. Only alcoholic beverages served by club staff are allowed on club premise.
8. Alcohol policies may be changed at any time, at the discretion of the Harbor Bay Community Development Districts' Board of Supervisors.

Mr. Crain stated that the wet zone was originally identified in the survey submitted at the time of application for a permit, in 2002. He stated that alcoholic beverages cannot be sold or consumed in the Outriggers Store. A discussion ensued regarding the proposed resolution, the alcohol license and permitting the consumption of alcohol at pool side.

Ms. Wells opened the floor to audience comments on the alcohol policy issue and several audience members commented their desire that consumption of alcoholic beverages be permitted at pool side and noted that a better means of enforcement be adopted.

A discussion ensued regarding the proposed resolution. Mr. Craine briefly summarized the changes to be made to the resolution as:

1. Number 4 is to be stricken.
2. The wording of "club staff" is to be changed to "club management" in numbers 5 & 6.
3. Number 3 is to read "Only alcohol served on the premise is to be consumed on the premise."

A discussion ensued regarding specifically identifying what areas the resolution does not allow the consumption of alcohol.

<p>On a Motion by Ms. Hilton, seconded by Mr. Gelston, with all in favor, the Board approved Resolution 2008-03, Alcohol Policies (as amended), for the Harbor Bay Community Development District.</p>
--

## SEVENTH ORDER OF BUSINESS

### Staff Reports

#### A. District Counsel

Mr. Craine stated that the law suit has been amended and served, and that he is awaiting a response from the defendants, regarding the sea wall litigation. He stated that he is uncertain as to what form the suit will take, as it is dependent upon how the defendants wish to pursue the litigation.

#### B. District Engineer

Mr. Scarola gave a brief summary of the Bathymetric Study. He stated that there has been and will continue to be a sediment build up. He suggested that the District should begin applying for a maintenance dredging permit over the coming year, in order to prepare for when the dredging is needed. A brief discussion ensued and it was decided to place this item on the next agenda.

Several audience members commented on sediment buildup in the canals and a damaged area of a sea wall which is resulting in a sandbar. Ms. Wells stated that the issue of the sea wall would be followed up on.

C. Project Manager  
No report.

D. Clubhouse Manager  
Mr. Vrouhas stated that the pool is up and running well, and that there was a slight leak that is currently being addressed. He stated that the columns will be being repaired and repainted if needed.

Mr. Vrouhas stated that an electric gem vehicle has been approved and that the new reader boards should be installed shortly. He stated that the new fitness equipment should begin being delivered later today.

Mr. Vrouhas stated that Phase I of the proximity cards has been completed and that Phase II is about to begin.

E. District Manager  
Ms. Wells stated that there was a savings on the fitness equipment and that she will give an update on the balance at the next scheduled meeting, and the Board can decide what to do with the funds.

Ms. Wells stated that the next scheduled meeting is April 15, 2008 at 6:30 p.m., with the second Audit Committee meeting having been scheduled for April 15, 2008 at 6:15 p.m.

Ms. Wells stated that the jet ski lift has been ordered and expressed thanks to Captain Jim for his design and Ed for bringing the idea to the Board.

**EIGHTH ORDER OF BUSINESS**

**Supervisor Requests and Audience  
Comments**

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

Mr. Hill expressed his opinion on the street sweeping and alcohol policy, and asked about putting restrooms at the park. Ms. Wells stated that putting restrooms at the park can be looked into.

Ms. Daugherty stated that trees had been placed on the lagoon side, but that they are not being maintained. She stated that there were no benches or trees in the park at the edge of Brighton Shore and that she would like to see some improvements to the area. Ms. Wells stated that she would check with Mr. Coughlin on the situation.

Mr. Stumpf suggested that the landscape bid package make bidders responsible for any damage to monuments.

Mr. Hatcher stated that the repair of the erosion to the docks from the former hurricane is still being waited on. It was stated that Mr. Coughlin will be contacted to see where this stands.

Mr. Fink suggested the utilization of hay bales be considered as an erosion barrier in place of the current plastic fences.

Ms. Wells asked if there were any supervisor requests. There were none.

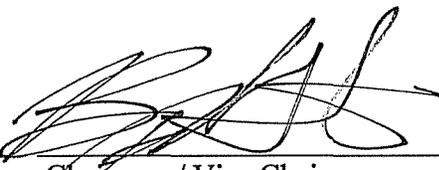
**TWELFTH ORDER OF BUSINESS**

**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. Gelston, seconded by Ms. Ackerman, with all in favor, the Board adjourned the Board of Supervisors' Meeting at 10:54 a.m., for the Harbor Bay Community Development District.
--

  
\_\_\_\_\_  
Secretary / Assistant Secretary

  
\_\_\_\_\_  
Chairman / Vice Chairman