

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, March 28, 2013 at 5:32 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 <i>(via phone)</i>
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
Kristy Owens	District Coordinator
Alex Murphy	Assistant Club 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. Mr. Cribbs addressed the Audience explaining how Audience comments would be entertained and stressed the importance of everyone in attendance conducting themselves in a respectful manner.

SECOND ORDER OF BUSINESS

Audience Comments on Agenda Items

An Audience member commented on the minutes from the Board of Supervisors' meeting that was held on February 28, 2013. He requested that the Board update residents on the estimated cost of the Seacrest HOA litigation and how the associated costs will be covered.

An Audience member noted that some of the February expenditures included sales tax and also voiced his displeasure with the minutes from the February 28, 2013 meeting.

THIRD ORDER OF BUSINESS

Consideration of Minutes from the Board of Supervisors' Regular Meeting held on February 28, 2013

A brief discussion ensued regarding the minutes and how they should be presented moving forward. Mr. Stumpf requested that a mention of the Know MiraBay column be added for the record. Mr. Earlywine clarified for the Board that the minutes as presented are compliant with Florida Law. Mr. Cribbs requested that the draft version of the minutes be distributed to the entire Board for review before the meeting.

On a Motion by Ms. Guill, seconded by Mr. Cribbs, with all in favor, the Board of Supervisors approved the minutes from the Board of Supervisors' regular meeting held on February 28, 2013 as amended for Harbor Bay Community Development District.

FOURTH ORDER OF BUSINESS

Consideration of Operation and Maintenance Expenditures for February 2013

Mr. Huber presented the expenditures to the Board for consideration. A brief discussion ensued.

On a Motion by Mr. Stumpf, seconded by Ms. Guill, with all in favor, the Board of Supervisors approved the Operation and Maintenance Expenditures paid during the period of February 1-28, 2013 (\$145,725.84) for Harbor Bay Community Development District.

FIFTH ORDER OF BUSINESS

Consideration of Operations and Maintenance Expenditures for February 2013 – Mira Bay Amenity Center

Mr. Huber presented the expenditures to the Board for consideration.

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 February 1-28, 2013 (\$49,371.68) for the Mira Bay Amenity Center, for Harbor Bay Community Development District.

SIXTH ORDER OF BUSINESS

**Review of the District's Financial Forecast
(under separate cover)**

Mr. Huber reviewed the financial forecast for the Board. A discussion ensued. No formal Board action was taken.

SEVENTH ORDER OF BUSINESS

Staff Reports

A. District Counsel

Mr. Earlywine updated the Board on the Seawall litigation. He stated that a case management conference was held on March 18, 2013 and the trial date has now been scheduled for August 5, 2013. Mr. Earlywine stated that Seawall litigation counsel has requested a shade session for April 25, 2013 and he suggested that shade session also be held regarding the Seacrest HOA litigation matters. Mr. Earlywine identified who would be attending these sessions and the estimated duration of the sessions..

On a Motion by Ms. Guill, seconded by Mr. Stumpf, with all in favor, the Board of Supervisors set a shade meeting to discuss Seawall litigation matters for April 25, 2013 at 1:00 p.m. and a shade meeting to discuss Seacrest HOA litigation matters for 3:00 p.m. at the MiraBay Clubhouse located at 107 Manns Harbor Drive, Apollo Beach, Florida 33572 for Harbor Bay Community Development District.

B. District Engineer

A discussion ensued regarding large vehicle turn-arounds. Mr. Scarola stated that there is software available (Auto Turn) that can help determine which roads are suitable for large vehicles to turn around on, though it is costly. He recommended that signage be posted as an alternative should the Board opt for a less expensive option. A discussion ensued. Mr. Scarola updated the Board on mangrove trimming requests by Seacrest residents. He noted that the EPC has since sent a letter stating that it is a conservation easement and therefore the mangroves cannot be trimmed. Ms. Guill suggested that the letter be posted online for residents to view. Mr. Scarola noted that a structural engineer has been contracted and has completed the first pool inspection.

C. Assistant Club Manager – Alex Murphy

Ms. Murphy reviewed the operating income for the month and updated the Board on upcoming events.

D. District Coordinator- Kristy Owens

Ms. Owens stated that the paint project has been completed and that new pool signs have been installed. She noted that the gutter work is in progress and a new part-time maintenance person has been hired. It was noted that there are open house and no parking signs that need to be removed.

E. District Manager

Mr. Huber stated that the next regular meeting of the Board of Supervisors will be held on April 25, 2013, at 5:30 p.m. at the MiraBay Clubhouse located at 107 Manns Harbor Drive, Apollo Beach, Florida 33752.

Mr. Huber updated the Board on the playground mulch proposals and noted that there will be HVAC invoices coming through in the near future. He asked the Board

to authorize the purchase of a new conference call phone to be utilized for future CDD meetings.

On a Motion by Mr. Ripley, seconded by Ms. Guill, with all in favor, the Board of Supervisors approved the purchase of a conference call phone (not to exceed \$700.00) for Harbor Bay Community Development District.

Mr. Cribbs stated that he inspected the boat lift and found it to be in decent condition. He noted that it will need to be pressure washed in the near future.

Mr. Stumpf inquired as to the status of the park signs and the best way to handle pool meter readings moving forward. Mr. Scarola suggested that they continue to allow the County to produce the readings as their data is more reliable. Mr. Stumpf asked for an update on the TECO bills and security. Mr. Huber stated that TECO will be performing a full energy audit of all lights and that the issue of security is still in progress.

EIGHTH ORDER OF BUSINESS

Audience Comments and Supervisors Requests

Audience Comments

An Audience member raised a question about whether there is insurance to cover possible falls from the boatlift. A brief discussion ensued regarding a fishing policy for the community. It was mentioned that the middle platforms of the boatlift do not have railings and that this should be addressed.

An Audience member noted that the EPC has agreed to meet with Newland and CDD representatives to discuss a master plan for mangrove trimming.

An Audience member suggested that residents record and/or transcribe the CDD meetings for themselves if they are unhappy with the way the minutes are being presented.

An Audience member noted a job well done in the fitness center and that the painting underneath the pool slide is only half done. He requested that the Board help residents to understand the District's policy as it relates to posting information on the community websites.

An Audience member requested that the Board approve the installation of basketball court lights.

An Audience member requested the installation of no parking signs along MiraBay Boulevard and noted an article written about Brian Bolves and an ongoing investigation. He asked that the Board consider this in light of the money being spent on the Seawall litigation.

An Audience member expressed his displeasure with the minutes from the February 28, 2013 CDD meeting.

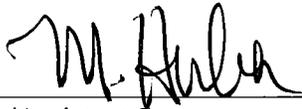
Supervisor Requests

Mr. Ripley stated that a security update would be provided at the next Board of Supervisors' meeting on April 25, 2013. He asked residents to refrain from parking in the turn around in front of the clubhouse.

NINTH ORDER OF BUSINESS

Adjournment

On a Motion by Mr. Collins, seconded by Mr. Ripley, with all in favor, the Board adjourned the meeting at 7:02 p.m. for Harbor Bay Community Development District.



Secretary/Assistant Secretary



Chairman/ Vice Chairman