

MINUTES OF MEETING

**HARBOR BAY
COMMUNITY DEVELOPMENT DISTRICT**

The regular meeting of Harbor Bay Community Development District Board of Supervisors was held **Tuesday, April 17, 2001 at 9:30 a.m.** at the offices of Terrabrook, located at 3505 Frontage Road, Suite 145, Tampa, Florida 33607.

Present and constituting a quorum were:

Kathy Jacobs	Board Supervisor
Debbie Jones	Board Supervisor
Mike Price	Board Supervisor

Also present were:

Pete Williams	District Manager
Jamie Scarola	District Engineer
Jonathan Johnson	District Counsel

FIRST ORDER OF BUSINESS

Call to Order

Mr. Williams called the meeting to order.

SECOND ORDER OF BUSINESS

**Consideration of the Board of Supervisors'
Meeting Minutes on March 20, 2001**

Mr. Williams stated that the first item on the agenda is the consideration of the minutes of the Board of Supervisors' meeting on March 20, 2001 (located behind tab 1 in the agenda package). He asked if there were any additions, deletions or corrections to the minutes. Hearing and seeing none, he asked for a motion to approve.

On a MOTION by Mr. Price, seconded by Ms. Jacobs, with all in favor, the Board approved the minutes of the Board of Supervisors' meeting on March 20, 2001 for Harbor Bay Community Development District.

THIRD ORDER OF BUSINESS

Consideration of Funding Request 01-07

Mr. Williams stated that the next order of business is the consideration of Funding Request 01-07, located behind tab 2 in the agenda package. The funding request consists of the standard contractual fees for District Counsel, District Engineer and District Management. Mr. Williams asked the Board if they had any questions regarding the funding request. Hearing and seeing no questions, Mr. Williams asked for a motion to approve.

On a MOTION by Ms. Jacobs, seconded by Ms. Jones, with all in favor, the Board approved Funding Request 01-07 for Harbor Bay Community Development District.

Mr. Johnson stated for the record that a couple of the Hopping Green Sams & Smith invoices are designated as financing or capital related but are not in the capital column. Mr. Williams concurred and also stated that one of the other items that the Board should be aware of is the current financial statement budget to actual amount. These bills will eventually be footnoted and separated by asterisk as the fees that are bond-related issues. The Developer will be reimbursed at bond closing out of the Cost of Issuance account. Because the District is currently paying them, it overinflates your actual budget.

FOURTH ORDER OF BUSINESS

Consideration of Heidt & Associates Proposal

Mr. Williams stated that the next item for discussion is regarding a requested Engineering Report proposal from Heidt & Associates. Heidt & Associates is asking for an hourly rate (based on an attached schedule) for a not-to-exceed amount of \$10,000. This places it underneath the bid requirement. This would be to prepare the Engineer's Report and do the review in anticipation of the upcoming bond issue. Mr. Williams asked the Board if they had any comments. Ms. Jones stated that the schedule looked like the assessment report would be approved at the May meeting and fund bonds in mid-July. There were no further questions, and Mr. Williams asked for a motion to approve.

On a MOTION by Mr. Price, seconded by Ms. Jacobs, with all in favor, the Board approved the Heidt & Associates Engineering Report proposal for Harbor Bay Community Development District.

FIFTH ORDER OF BUSINESS

Consideration of Construction Matters

Mr. Williams stated that the next item for discussion is the consideration of construction matters. Mr. Johnson stated that he would introduce it and then have Mr. Scarola give the Board an update. There has been one addendum and they have another addendum coming up. Mr. Scarola stated that Addendum #1 was issued. It covered miscellaneous items and clarifications. Addendum #2 is planned to be issued this week. The bid due date is the 30th. Is there any reason at this point to extend the bid date? Mr. Scarola replied no. No contractors have indicated that the timeframe is insufficient. Mr. Williams asked if there were any further questions. There were none.

SIXTH ORDER OF BUSINESS

Staff Reports

- A. District Counsel
Mr. Johnson stated that he had no further report.
- B. District Engineer
No further report.
- C. District Manager
Mr. Williams stated that the current financial statements were located behind tab 3 in the agenda package.

SEVENTH ORDER OF BUSINESS

Supervisor Requests and Audience Comments

Mr. Williams stated that the next item on the agenda is Supervisor Requests and Audience Comments. There was no audience in attendance other than those noted at the beginning of the meeting. He asked if there were any Supervisor requests. Ms. Jacobs stated that she had a Heidt & Associates contract question. This is for Harbor Bay Clubhouse and entry road hardscape. Mr. Williams stated that, based on Chapter 287, because the contract is over \$25,000, the District would need to bid it if the District was to enter into this contract. The Developer could enter into the contract and seek reimbursement. Unless the CDD wants to bid it out. A comment was made that this issue needs to be tabled for the next 30 days. There were no further requests.

Mr. Williams explained Chapter 287 to the Board. It is 63 pages long and cumbersome to find information. If the District knows that the fee being paid is \$25,000 or more or if the cost of the project is \$500,000 or more it needs to be bid out. This CDD may consider a "stair-step" mechanism that would allow either the Chairman or District Manager to take certain steps ahead of time on smaller contracts less than \$150,000. For example, anything under \$50,000 the CDD has to get three competitive bids. They may not have to advertise for them, but should have at least three bidders for a price comparison. This needs to be considered in the future in order to abide by the Statute.

EIGHTH ORDER OF BUSINESS

Adjournment

Mr. Williams stated that there were no further agenda items scheduled for discussion and asked for a motion to adjourn.

On a MOTION by Ms. Jones, seconded by Mr. Price, with all in favor, the Board adjourned the meeting for Harbor Bay Community Development District.



Pete Williams
District Manager



Brian Sewell
Chairman