

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, April 25, 2013 at 5:33 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
Mindy Anderson	Club Manager
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.

SECOND ORDER OF BUSINESS

Audience Comments on Agenda Items

An Audience member commented on the US 41 intersection.

An Audience member stated that it should be noted for the record that the boat lift vendor was paid for work that was never completed. He requested that the Board consider filing a small claim against the vendor.

THIRD ORDER OF BUSINESS

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

Mr. Stumpf stated that line 142 – 143 should note that it was mentioned there are no railings on the middle platforms of the boat lift and the Board may want to consider this.

Mr. Scarola noted that the word “area” should be changed to “easement” under the District Engineer’s report.

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

FOURTH ORDER OF BUSINESS

Consideration of Operation and Maintenance Expenditures for March 2013

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

On a Motion by Mr. Collins, seconded by Ms. Guill, with all in favor, the Board of Supervisors approved the Operation and Maintenance Expenditures paid during the period of March 1-31, 2013 (\$198,939.78) for Harbor Bay Community Development District.

FIFTH ORDER OF BUSINESS

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

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

On a Motion by Mr. Ripley, seconded by Mr. Cribbs, with all in favor, the Board of Supervisors approved the Operation and Maintenance Expenditures paid during the period of March 1-31, 2013 (\$53,631.27) 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. No formal Board action was taken.

SEVENTH ORDER OF BUSINESS

Security Presentation

Mr. Tom Swain from Envera Systems presented his proposal to the Board. He entertained questions from the Board and various Audience members. A general discussion ensued. No formal Board action was taken.

EIGHTH ORDER OF BUSINESS

Ratification of Lee Te Kim Proposals

Mr. Huber presented the proposals to the Board for their review. A discussion ensued regarding the concern that every other OTC injection cycle has been missed since June 2011. It was noted that the palms that were removed will be tested for infection at the appropriate lab and the results shared, a certified arborist will be consulted on other palms in distress as well as those that were removed and that the current number of palms needs to be obtained for OTC injections. The price of \$92.50 was questioned for the removing and replacing one of the Medjool palms at the pool when in February 2011 it only cost the District \$64.80.

On a Motion by Mr. Stumpf, seconded by Mr. Cribbs, with all in favor, the Board of Supervisors ratified the Lee Te Kim proposals for Harbor Bay Community Development District.

NINTH ORDER OF BUSINESS

**Consideration of Resolution 2013-04,
Trespass Authorization**

Mr. Earlywine presented the resolution to the Board for their consideration.

On a Motion by Ms. Guill, seconded by Mr. Stumpf, with all in favor, the Board of Supervisors adopted Resolution 2013-04 in substantial form (signage in park), for Harbor Bay Community Development District.

TENTH ORDER OF BUSINESS

**Discussion Regarding US 41/MiraBay
Boulevard Intersection**

A discussion ensued regarding speeding through the US 41/MiraBay Boulevard intersection and what can be done to address it. Mr. Scarola noted that it is a County road intersecting a State road, and therefore installing a signal would require warrants. Mr. Earlywine suggested that District Staff contact the County Commissioner to obtain additional information as to how to address this issue.

ELEVENTH ORDER OF BUSINESS

**Discussion Regarding Dog Waste and
Trash on CDD Property**

A general discussion ensued regarding dog waste and trash on CDD property. It was noted that District Staff is doing a good job of addressing the issue but that continued vigilance will be needed.

TWELFTH ORDER OF BUSINESS

Staff Reports

- A. District Counsel
No report.

B. District Engineer

Mr. Scarola updated the Board on the monitoring of the pool settlement. He briefly reviewed the Structural Engineer's report and stated that according to the report, the pool monitoring data does not provide conclusive evidence that the pool is settling.

On a Motion by Ms. Guill, seconded by Mr. Collins, with all in favor, the Board of Supervisors approved the increase in monitoring the pool settlement to 45 days for Harbor Bay Community Development District.

C. Club Manager – Mindy Anderson

Ms. Anderson and Ms. Murphy updated the Board on programming and upcoming events. A brief discussion ensued. It was mentioned that the purchase of new boats is being investigated. Mr. Huber asked for the Board's approval to keep the entry gates open on MiraBay Boulevard for the 2nd Annual Dragon Boat Festival.

Mr. Cribbs requested that there be an increase in WTS staff presence at the pool.

On a Motion by Mr. Stumpf, seconded by Mr. Cribbs, with all in favor, the Board of Supervisors approved the request to open the entry gates (with cones placed) on MiraBay Boulevard for the 2nd Annual Dragon Boat Festival on May 11, 2013 (8:00 a.m. – 11:00 a.m.) for Harbor Bay Community Development District.

C. District Coordinator- Kristy Owens

Ms. Owens stated that the current phone system has been in place for approximately 10 years and it has reached then end of its lifespan. A discussion ensued.

On a Motion by Ms. Guill, seconded by Mr. Cribbs, with all in favor, the Board of Supervisors ratified the purchase of the Cloud Phone System (\$2,390.00/total invoice price \$3,045.00 which includes \$655.00 for Supervisor conference phone that was previously approved), for Harbor Bay Community Development District.

E. District Manager

Mr. Huber stated that the next regular meeting of the Board of Supervisors will be held on May 23, 2013, at 5:30 p.m. at the MiraBay Clubhouse located at 107 Manns Harbor Drive, Apollo Beach, Florida 33752.

Mr. Huber asked for the Board's direction on scheduling a Budget Workshop. The Board decided on May 16, 2013 at 5:30 p.m.

A question was raised regarding the status of filling the playground area and installing mulch. Ms. Owens stated that they uncovered the drain and then installed the mulch.

THIRTEENTH ORDER OF BUSINESS

**Audience Comments and Supervisors
Requests**

Supervisor Requests

Mr. Collins clarified that the previous meeting minutes were not edited by him.

Mr. Stumpf inquired about the check entries for the shade and regular meetings in the month of December. He asked that Mr. Huber check on the accuracy of the entries.

Audience Comments

An Audience member inquired as to what is being done to enforce speed limits.

An Audience member stated that as a result of speeding through the community, her mailbox and tree were damaged. She encouraged the Board to address the issue of speeding for the safety of all the residents.

An Audience member commented on trespassing in the park and asked that the vegetation in the park tiki huts be trimmed. He inquired about the Tilapia Fisherman and if they are permitted on private property. He raised the issue of the rip-wrap wall and asked who is responsible for it.

Several Audience members commented on the rip-wrap wall.

Audience members stated that there are two fishermen in a black truck that claim to be hired by the CDD.

An Audience member noted there are no directional signs that point to the basketball courts and that the issue of installing lights at the courts still has not been resolved.

An Audience member suggested that the Board look to redirect the funds that are saved by the new security system. He asked for an update on the Sea Crest HOA litigation.

An Audience member commended the Board on the phone system upgrade. He asked the Board to consider installing no parking signs between US 41 and the gate and an "Egress Only" sign on Manns Harbor Drive to help address traffic issues.

HARBOR BAY COMMUNITY DEVELOPMENT DISTRICT

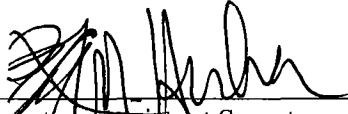
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FOURTEENTH ORDER OF BUSINESS

Adjournment

On a Motion by Mr. Cribbs, seconded by Ms. Guill, with all in favor, the Board adjourned the meeting at 8:31 p.m. for Harbor Bay Community Development District.


Secretary/Assistant Secretary


Chairman/Vice Chairman