

MINUTES OF MEETING

HARBOR BAY  
COMMUNITY DEVELOPMENT DISTRICT

The regular meeting of the Harbor Bay Community Development District Board of Supervisors was held Wednesday, May 21, 2002 at 9:45 a.m. at the offices of Terrabrook, located at 3505 Frontage Road, Suite 145, Tampa, Florida 33607.

Present and constituting a quorum were:

Mike Dady	Board Supervisor, Assistant Secretary
Steve Gamm	Board Supervisor, Assistant Secretary
Kathy Jacobs	Board Supervisor, Vice Chairman
Brian Sewell	Board Supervisor, Chairman

Also present were:

Pete Williams	District Manager, Rizzetta & Company
Jonathan Johnson	District Counsel, Hopping Green & Sams, P.A.
Toxey Hall	District Engineer, Heidt & Associates, Inc.
Paul Basham	Basham Design Group (via speakerphone)
Dean Luce	Developer Representative

**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 April 24 and May 3, 2002**

Mr. Williams stated that the first item to consider is the minutes of the Board of Supervisors' meeting held on April 24 and continuance on May 3, 2002 (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, Mr. Williams asked for a motion to approve.

On a MOTION by Mr. Sewell, seconded by Mr. Dady, with all in favor, the Board approved the minutes of the Board of Supervisors' meetings on April 24 and May 3, 2002 for Harbor Bay Community Development District.
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**THIRD ORDER OF BUSINESS**

**Consideration of Construction Matters**

Mr. Williams stated that this item would be taken out of order because of Mr. Basham's abbreviated attendance via speakerphone. Mr. Basham stated that he had called several references for The Sinclair Group for construction of the recreation center. The references were very favorable. He has reviewed additional information sent by The Sinclair Group and it is in keeping with the plans and specifications. He has not found anything that

would be negative to the project. He, therefore, recommends that The Sinclair Group be utilized as the general contractor. Mr. Johnson asked Mr. Basham to confirm that The Sinclair Group's low bid was conforming in all material respects to the bid package that was used, and Mr. Basham responded yes. Mr. Gamm stated that The Sinclair Group was the apparent low bidder at \$4,279,000 and that this is within the budget. Mr. Basham did a reference check with an architect named Albert Alfonso and a developer named Paul Grasser. A brief discussion ensued regarding whether the District (or Board of Supervisors) can designate that a certain subcontractor not be utilized. Mr. Williams asked if there were any questions. Hearing and seeing none, he asked for a motion.

On a MOTION by Mr. Sewell, seconded by Mr. Gamm, with all in favor, the Board accepted The Sinclair Group's bid as general contractor for Harbor Bay Community Development District.

*Mr. Basham excused himself from the meeting.* Mr. Johnson stated that the District has received a set of bids for landscaping around the entranceways. This topic will be tabled until May 29, 2002.

**FOURTH ORDER OF BUSINESS**

**Consideration of Replacement Supervisor**

Mr. Williams stated that the next item on the agenda is the consideration of a replacement Supervisor for Debbie Jones' vacancy. He asked if the Board had any appointment names.

On a MOTION by Mr. Sewell, seconded by Mr. Dady, with all in favor, the Board approved Dean Luce as the new Board Supervisor for Harbor Bay Community Development District.

Mr. Williams read the oath of office to Ms. Luce and asked her to so swear and affirm. Ms. Luce swore and affirmed to the oath. Mr. Williams is a notary for the state of Florida and thereby authorized to administer such oath. Mr. Johnson stated that Ms. Luce will be sent a Financial Disclosure form that needs to be completed and filed with the Supervisor of Elections in the county where Ms. Luce resides.

**FIFTH ORDER OF BUSINESS**

**Consideration of Authorization to Disburse District Funds 02-08**

Mr. Williams stated that the next order of business is the consideration of the Authorization to Disburse District Funds 02-08 (located behind tab 2). The annual audit fee balance invoice is included in this disbursement. He asked if there were any questions. A question was asked and answered about the Rizzetta & Company collection agent set-up fee and that it is for the collection of the short-term assessments. Hearing and seeing no further questions, Mr. Williams asked for a motion to approve.

On a MOTION by Mr. Dady, seconded by Ms. Jacobs, with all in favor, the Board approved Authorization to Disburse District Funds 02-08 for Harbor Bay Community Development District.

**SIXTH ORDER OF BUSINESS**

**Consideration of Construction Requisitions  
#84-#100**

Mr. Williams stated that the next agenda item is to consider construction requisitions #80 through #100 (recap is located behind tab 3). These have been approved and certified by the District Engineer. He reviewed the requisitions for the Board. Requisition #87 had previously been approved as part of the project acquisition. A question was asked about the lien releases. Mr. Williams stated that Woodruff & Sons provides the release of lien for the payment to the material contractors. There were no further questions and Mr. Williams asked for a motion.

On a MOTION by Mr. Sewell, seconded by Ms. Jacobs, with all in favor, the Board approved Construction Requisitions #84-#100 for Harbor Bay Community Development District.

**SEVENTH ORDER OF BUSINESS**

**Staff Reports**

A. District Counsel  
No further report.

B. District Engineer  
No further report.

C. District Manager  
Mr. Williams stated that he had distributed Woodruff & Sons' Change Order #17 to the Board. Mr. Hall stated that this change order was for the modular block walls at the entryway. Mr. Gamm has reviewed the change order.

On a MOTION by Mr. Dady, seconded by Mr. Gamm, with all in favor, the Board approved Woodruff & Sons' Change Order #17 for Harbor Bay Community Development District.

Mr. Hall reviewed the Record Plat contract for Phase 1A, which is the entry road and Sections 9 and 10 of the lots. The contract amounts are as follows: survey \$4,200, plat \$12,800, and PCPs and lot corners \$10,500. Mr. Williams stated that this work is Heidt & Associates' continuation as the District Engineer. Mr. Johnson stated that this item should be pulled from the agenda because it has been done through the Developer, not through the District. Mr. Williams stated that it will be pulled and brought back before the Board (if needed) at the continuation meeting on May 29, 2002.

Mr. Williams stated that the finalized prior fiscal year audits have been circulated to the Board. A question was asked about what type of interest was received by the District, and Mr. Williams stated he will get an updated investment management report. The current financial statements will be sent to the Board by the end of the week. There were no further questions and Mr. Williams asked for a motion.

On a MOTION by Mr. Sewell, seconded by Ms. Jacobs, with all in favor, the Board accepted the fiscal year 2001/2002 audit as filed for Harbor Bay Community Development District.

**EIGHTH ORDER OF BUSINESS**

**Supervisor Requests and Audience Comments**

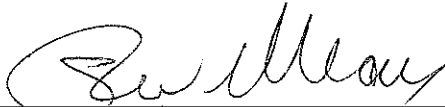
Mr. Williams stated that the next item on the agenda is Supervisor Requests and Audience Comments. There was no audience in attendance other than those noted at the beginning of the meeting. He asked if there were any Supervisor requests. There was none.

**NINTH ORDER OF BUSINESS**

**Continuance**

Mr. Williams stated that there were no further agenda items scheduled for discussion and asked for a motion to continue the meeting until Wednesday, May 29 at 9:30 a.m. at Heidt & Associates' office at 2212 Swann Avenue in Tampa.

On a MOTION by Ms. Jacobs, seconded by Mr. Gamm, with all in favor, the Board continued the meeting for Harbor Bay Community Development District.



Pete Williams  
Secretary



Brian Sewell  
Chairman