

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 **Tuesday, July 18, 2006 at 6:35 p.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:

Chris Coughlin	Board Supervisor, Chairman
Sally McFolling	Board Supervisor, Assistant Secretary
Julie Wisdom	Board Supervisor, Assistant Secretary

Also present were:

Tina Wells	District Manager, Rizzetta & Company, Inc.
Pete Williams	District Manager, Rizzetta & Company, Inc.
Lisa Wrenn	Representative, Newland Communities
Biff Craine	District Counsel, Bricklemyer, Smolker & Bolves, P.A.
Jamie Scarola	District Engineer, Scarola Associates, Engineering Design & Land Consultants, P.A.
Kathy Harp	Representative, Greenacres Properties, Inc.
Erica Werkheiser	Mira Bay Club Manager
Audience	

FIRST ORDER OF BUSINESS

Call to Order

Ms. Wells called the meeting to order at 6:35 p.m. and read roll call.

SECOND ORDER OF BUSINESS

Amendment to the Agenda

Ms. Wells asked to amend the agenda to add an item to the agenda. She requested a motion to include the presentation of a proposal from Café Denali for today's meeting.

On a Motion by Mr. Coughlin, seconded by Ms. Wisdom, with all in favor, the Board approved the amendment to the agenda, to include the presentation of a proposal from Café Denali for Harbor Bay Community Development District.

THIRD ORDER OF BUSINESS

Consideration of Board Supervisor Replacement

Ms. Wells stated that the next item on the agenda is the consideration of a Board Supervisor replacement.. She stated that the Board nominated Lisa Wrenn as a Board Supervisor. Ms. Wells asked if there were any other nominees. There were none.

On a Motion by Mr. Coughlin, seconded by Ms. McFolling, with all in favor, the Board appointed Lisa Wrenn as a Board Supervisor for Harbor Bay Community Development District.

FOURTH ORDER OF BUSINESS

Administer Oath of Office to Newly Appointed Board Member (Lisa Wrenn)

Ms. Wells stated that the next item on the agenda was to administer the Oath of Office to Lisa Wrenn. Ms. Wells stated that she is a Notary Public of the State of Florida and is authorized to administer said oath. Ms. Wells asked Ms. Wrenn to repeat and affirm to the Oath. Ms. Wrenn swore and affirmed to the Oath.

FIFTH ORDER OF BUSINESS

Consideration of the Minutes of the Board of Supervisor's Meeting held on June 20, 2006

Ms. Wells stated that the next item on the agenda is the consideration of the minutes of the Board of Supervisors' meeting on June 20, 2006. She asked if there were any additions, deletions, or corrections. Mr. Coughlin stated that Lisa Wrenn's name is misspelled. Ms. Wells stated that the minutes would be amended to reflect the correction as "Lisa Wrenn". She asked if there were any other corrections. There were none. Ms. Wells asked for a motion to approve the minutes as amended.

On a Motion by Mr. Coughlin, seconded by Ms. McFolling, with all in favor, the Board approved the minutes of the Board of Supervisors' meeting on June 20, 2006 (as amended) for Harbor Bay Community Development District.

SIXTH ORDER OF BUSINESS

Consideration of Operation and Maintenance Expenditures for July 2006

Ms. Wells stated that the next item on the agenda is the consideration of the Operation and Maintenance Expenditures for July 2006. She explained that the expenditures were for the period of June 1st – June 30th, 2006 totaling \$212,074.07. Ms. Wells asked if there were any questions. Hearing none, she asked for a motion to approve.

On a Motion by Mr. Coughlin, seconded by Ms. McFolling, with all in favor, the Board approved the Operation and Maintenance Expenditures for July 2006 (\$212,074.07) for Harbor Bay Community Development District.

SEVENTH ORDER OF BUSINESS

Consideration of Series 2002 Construction Requisition #407-#409

Ms. Wells stated that the next item on the agenda is the consideration of the Series 2002 Construction Requisitions #407, #408 and #409, totaling \$8,857.00. She asked if there were any questions. Hearing none, Ms. Wells asked for a motion to approve.

On a Motion by Mr. Coughlin, seconded by Ms. McFolling, with all in favor, the Board approved the Series 2002 Construction Requisitions #407-#409 (\$8,857.00) for Harbor Bay Community Development District.

EIGHTH ORDER OF BUSINESS

Staff Reports

A. District Counsel

Mr. Craine stated a question was asked from last month's meeting of establishing an advisory committee for the District. Mr. Craine advised that all formalities such as advertisements, the Sunshine Law, financial disclosures, etc. would need to be followed.

Mr. Williams stated that he spoke with Mr. Erwin, an audience member, and discussed all of the issues concerning the establishment of such a committee. Mr. Williams stated that he and Mr. Erwin understood and somewhat agreed that other ad hoc vehicles could be utilized. He recommended that rather than spending additional dollars having District Counsel become involved, Mr. Williams could address the issues directly with Mr. Erwin.

B. District Engineer

Mr. Scarola stated that he is providing the Board with price estimates for the sea wall reinforcement techniques, as requested from the last meeting. He also presented price estimates from Hecker Construction Company, Inc. and Lee Te Kim Landscape and Lawn Care for the sea wall improvements.

Mr. Scarola briefly explained possible solutions for reinforcing the sea walls. He recommended Hecker Construction Company, Inc. perform the scope of work. He stated that the price estimate from Hecker construction Company, Inc. is the lowest.

Ms. McFolling asked Mr. Scarola how many feet he anticipates to reinforce on the seawalls. He stated that there is approximately 5,000 feet. Mr. Scarola suggested that the work be done in incremental sections.

A brief discussion ensued regarding the planning and responsibility of repairing the sea walls.

Mr. Williams suggested the Board consider a motion setting a not-to-exceed area of work of 5,000 feet with a not to exceed amount of \$120 per linear foot of work. He recommended that the Board approve a motion that allows for the work to be done in incremental stages upon review and recommendation by the District Engineer.

On a Motion by Mr. Coughlin, seconded by Ms. Wisdom, with all in favor, the Board approved the price estimate by Hecker Construction Company, Inc., to repair the seawalls using the Whaler solution within the District in a 5,000 foot incremental stage with a not-to-exceed amount of \$120 per linear foot upon review, recommendation, and with monthly updates by the District Engineer for Harbor Bay Community Development District.

C. District Manager

Ms. Wells stated that as a follow up to Mr. Coughlin's earlier request, that invoices for the Fiscal Year 2005/2006 for the street sweeping and gate repairs will be paid for by the Developer. She stated that she will provide copies to the Board. Ms. Wells stated that the next regularly scheduled meeting has been changed from August 15th to Tuesday, August 22, 2006, to comply with Florida Statutes for the Public Hearing on the Final Budget. Ms. Wells stated that the meeting will begin at 9:00 a.m.

D. Club Manager

Ms. Werkheiser stated that the current café that is being operated by the Mira Bay team is not meeting the expectations of the residents. She stated that therefore, she has narrowed the search for coffeeshouse services down to Café Denali, which is a coffee shop based in the Tampa area. Ms. Werkheiser stated that the café has an upscale, trendy style.

Ms. Werkheiser briefly gave an overview of the services provided by Café Denali. She stated that Café Denali's responsibilities will include providing management and staff employees, maintaining detailed accounting records, providing menus and food preparation, and providing a coffeeshouse atmosphere with drinks found similarly at Starbucks, as well as providing food services. Ms. Werkheiser stated that Café Denali will also create monthly promotions to help increase revenues.

Mr. Coughlin stated that other Districts have vendors that have similar food services. He stated that Café Denali has proposed a one year lease agreement. Mr. Coughlin stated he would like to make motion for the Board to approve the Café Denali proposal, with the terms of the lease to include a rent abatement for an applicable time.

Ms. Wells stated that Ms. Werkheiser will provide a status of the terms of the lease for Café Denali during the next meeting.

On a Motion by Mr. Coughlin, seconded by Ms. McFolling, with all in favor, the Board approved the proposal from Café Denali to provide coffeehouse services with the condition of receiving applicable terms of the lease for Harbor Bay Community Development District.

E. HOA Manager
No report.

NINTH ORDER OF BUSINESS

**Supervisor Requests and Audience
Comments**

Ms. Wells stated that the next item on the agenda is Supervisor Requests and audience comments. She asked if there were any Supervisor requests at this time. There were none. She asked if there were any audience comments. There were none.

TENTH 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 at 7:10 p.m.

On a Motion by Mr. Coughlin, seconded by Ms. McFolling, with all in favor, the Board adjourned the meeting at 7:10 p.m. for Harbor Bay Community Development District.


Secretary / Assistant Secretary


Chairman / Vice Chairman