

**MINUTES OF MEETING**

**HARBOR BAY  
COMMUNITY DEVELOPMENT DISTRICT**

The continued meeting of the Harbor Bay Community Development District Board of Supervisors was held **Tuesday, August 21, 2001 at 9:35 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	<b>Board Supervisor</b>
Debbie Jones	<b>Board Supervisor</b>
Brian Sewell	<b>Board Supervisor</b>

Also present were:

Pete Williams	<b>District Manager</b>
Brent Wertz	<b>Rizzetta &amp; Company</b>
Toxey Hall	<b>District Engineer</b>
Jonathan Johnson	<b>District Counsel</b>

**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 August 6, 2001**

Mr. Williams stated that the first item on the agenda is the consideration of the minutes of the Board of Supervisors' meeting on August 6, 2001 (located behind tab 1 in the agenda package). He asked if there were any additions, deletions or corrections to the minutes. A request was made to correct LT to LP on page 3, paragraph 3. Mr. Johnson stated that the dollar amount that was being referred to on page 4, paragraph 1 was \$22,415,006 in both places. Hearing and seeing no further changes, he asked for a motion to approve.

On a MOTION by Mr. Sewell, seconded by Ms. Jones, with all in favor, the Board approved the minutes of the Board of Supervisors' meeting on August 6, 2001 (with corrections as noted) for Harbor Bay Community Development District.
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**THIRD ORDER OF BUSINESS**

**Consideration of Authorization to Disburse  
District Funds 01-11**

Mr. Williams stated that the next order of business is the consideration of Authorization to Disburse District Funds 01-11, located behind tab 2 in the agenda package. Because we were not sure if we would be having the closing, we did ask for payment from Terrabrook for the \$367.93 invoice from Hopping Green Sams & Smith

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that is listed under the capital projects fund category. It is added into and part of the District Counsel and Engineering fees that will be reimbursed out of the bond proceeds. From now on, all the bond related and capital projects fund related attorneys fees will be brought before the Board in the form of a requisition. There is an invoice from Stuart Angelo & Company for the annual audit and advertising fees for the special assessment hearings. Mr. Williams asked if there were any questions. A question was asked and answered regarding the audit budget amount being \$6,500 for the year. Hearing and seeing no further 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 Authorization to Disburse District Funds 01-11 for Harbor Bay Community Development District.

**FOURTH ORDER OF BUSINESS**

**Public Hearing on Fiscal Year 2001/2002 Budget**

Mr. Williams stated that the next item for discussion is to open the public hearing on the budget for fiscal year 2001/2002. He asked for a motion to open the public hearing.

On a MOTION by Mr. Sewell, seconded by Ms. Jacobs, with all in favor, the Board opened the public hearing for Harbor Bay Community Development District.

Mr. Williams stated that the original proposal budget that was submitted to Hillsborough County has been distributed to the Board. The necessary advertising has been done 20 days in advance and the letters have been sent to the Landowners in the District. The letter to the Landowners stated that it is anticipated that a maximum assessment of \$1,000 will be placed on each lot. There are basically two budgets. It is not critical that the Board levy the assessments today. We can approve the budgets and District Staff recommends that we continue the public hearing until next month. The Board needs to discuss whether the assessments are going to be equally shared across all lots or the same type of methodology will be adopted that will stratify it similar to what was done for the special assessments for the debt service. Next month, Mr. Johnson will be bringing a resolution before the Board to adopt this maximum assessment. We have two different budgets because we are liable by statutory requirement. If we only raised \$1.00 next year, we would be required to notify all Landowners in writing and give them 20 days to appear and object or file a written objection at a public hearing. We are considering adopting a not-to-exceed figure. If we do not exceed \$1,000 per lot over the next three to five years, we don't have to get into this process. Mr. Johnson stated that his recommendation is to take public comments or testimony during this public hearing and continue this until next month. The Board and Staff will continue to work on the methodology for maintenance expenses.

Mr. Williams stated that the first budget is the actual proposed budget for next year. He reviewed the line item amounts. Ms. Jacobs asked how multi-family or commercial would be assessed. Mr. Williams stated that this needs to be decided. It could be stratified as was done with the bond debt or it could be an equal share consideration. A question was asked about what the unit O&M amount is on the proposed budget. Mr. Williams stated that if it is spread equally the average would be \$200.

On a MOTION by Mr. Sewell, seconded by Ms. Jones, with all in favor, the Board continued the public hearing until the next regularly scheduled Board meeting in September for Harbor Bay Community Development District.

**FIFTH ORDER OF BUSINESS**

**Consideration of Construction Matters**

Mr. Williams stated that the next agenda item is to discuss any construction matters. He asked Mr. Hall if he had anything to report. Mr. Hall stated that there are some Mortensen work orders that need to be signed and circulated. Mr. Hall further clarified the steps to process the work orders and pay requests. He stated that construction is proceeding. Mr. Johnson stated that the requests are sent to the District Chairman in his capacity. Mr. Hall reviewed the requests. Mr. Williams asked the Board to make a motion.

On a MOTION by Mr. Sewell, seconded by Ms. Jacobs, with all in favor, the Board approved the work orders as reviewed by Mr. Hall for Harbor Bay Community Development District.

**SIXTH ORDER OF BUSINESS**

**Staff Reports**

A. District Counsel

Mr. Johnson stated that he had handed out Resolution 2001-08 to the Board to ratify the actions of the bond closing. It confirms the actions of the Chairman, Vice Chairman, Secretary and all District Staff regarding the sale and closing of the District's \$26,650,000 in Capital Improvement Revenue Bond Series 2001. The resolution adoption finds that the actions taken in conjunction with the sale and issuance of the bonds are in the best interest of the District. He asked if the Board had any questions. There were none and Mr. Williams asked for a motion.

On a MOTION by Mr. Sewell, seconded by Ms. Jacobs, with all in favor, the Board approved Resolution 2001-08 for Harbor Bay Community Development District.

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. He further stated that he is asking the Board to consider Investment Resolution 01-09, which authorizes Rizzetta & Company to act as Investment Manager for the CDD. Mr. Williams asked if there were any questions. There were none. Mr. Wertz stated that he would work with the District Chairman and the Developer's representative to determine the draw schedule and invest the funds accordingly.

On a MOTION by Mr. Sewell, seconded by Ms. Jacobs, with all in favor, the Board approved Resolution 01-09 for Harbor Bay Community Development District.

Mr. Williams stated that there are construction requisitions to be brought before the Board. The requisitions are as follows: #2 to Heidt & Associates for \$14,436.56, #3 to Biological Research Associates for \$11,107.54, #4 to Mortensen Engineering for \$745.00 and #5 to Scarola & Associates Engineers for \$1,956.65. These have been certified by the District Engineer and reviewed by the development representative.

On a MOTION by Mr. Sewell, seconded by Ms. Jones, with all in favor, the Board approved Construction Requisitions #2-#5 for Harbor Bay Community Development District.

**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. There were no comments. He asked if there were any Supervisor requests. There were none.

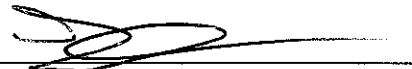
**EIGHTH ORDER OF BUSINESS**

**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 Mr. Sewell, seconded by Ms. Jones, with all in favor, the Board adjourned the meeting for Harbor Bay Community Development District.

  
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Pete Williams  
District Manager

  
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Brian Sewell  
Chairman