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**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.

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**HARBOR BAY  
COMMUNITY DEVELOPMENT DISTRICT**

The regular meeting of the Board of Supervisors of Harbor Bay Community Development District was held on **Tuesday, August 21, 2007 at 9:15 a.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:

Ben Gelston	<b>Board Supervisor, Assistant Secretary</b>
Laura Ackerman	<b>Board Supervisor, Assistant Secretary</b>
Diana Hilton	<b>Board Supervisor, Assistant Secretary</b>

Also present were:

Tina Wells	<b>District Manager, Rizzetta &amp; Company, Inc.</b>
Chris Coughlin	<b>Project Manager</b>
Biff Craine	<b>District Counsel, Bricklemyer, Smolker &amp; Bolves</b>
Tracy Lose	<b>HOA Manager</b>

Audience

**FIRST ORDER OF BUSINESS**

**Call to Order**

Ms. Wells called the meeting to order and read the roll call.

**SECOND ORDER OF BUSINESS**

**Consideration of the Minutes of the Board  
of Supervisors' Meeting held on June 28,  
2007**

Ms. Wells stated the next item on the agenda was the consideration of the minutes of the Board of Supervisors' meeting held on June 28, 2007. Ms. Wells asked if there were any additions, deletions, or corrections. There were none.

<p>On a Motion by Ms. Ackerman, seconded by Mr. Gelston with all in favor, the Board approved the minutes of the Board of Supervisor's meeting held on June 28, 2007 for Harbor Bay Community Development District.</p>
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**THIRD ORDER OF BUSINESS**

**Consideration of the Minutes of the Board of Supervisors' Meeting held on July 17, 2007**

Ms. Wells stated the next item on the agenda was the consideration of the minutes of the Board of Supervisors' meeting held on July 17, 2007. Ms. Wells stated that under the sixth order of business, Mr. Scarola had stated that the District Engineer Report status changes had not been incorporated and that he wanted to ensure these changes would be incorporated. Ms. Wells asked if there were any further additions, deletions or corrections. There were none.

On a Motion by Mr. Gelston, seconded by Ms. Hilton, with all in favor, the Board approved the minutes of the Board of Supervisors' meeting (as amended) held on July 17, 2007 for Harbor Bay Community Development District.

**FOURTH ORDER OF BUSINESS**

**Consideration of Operation and Maintenance Expenditures for August 2007**

Ms. Wells stated the next item on the agenda was the consideration of operation and maintenance expenditures for August 2007. She stated the expenses totaled \$352,224.02 and cover the period of July 1-31, 2007. Ms. Wells reviewed the expenditures for the Board. The Board had a question regarding a District Counsel bill for hand watering the landscape during drought season. Ms. Wells stated a sprinkler system made up of 21 meters would be installed, and this would alleviate the problem.

She asked if there were any further questions. There were none.

On a Motion by Mr. Gelston, seconded by Ms. Hilton, with all in favor, the Board approved the Operations and Maintenance Expenditures for August 2007 (\$352,224.02) for Harbor Bay Community Development District.

**FIFTH ORDER OF BUSINESS**

**Consideration of Capital Improvement Revenue Bonds, Series 2002, #464-#476**

Ms. Wells stated the next item on the agenda was the consideration of capital improvement revenue bonds, Series 2002, #464-#476. Ms. Wells stated all of the Bonds have been approved by the District Engineer and the Chairman. General discussion ensued. Ms. Wells asked if there were any questions. There were none.

On a Motion by Ms. Hilton, seconded by Mr. Gelston with all in favor, the Board approved the Capital Improvement Revenue Bonds, Series 2002, #464-#476 for Harbor Bay Community Development District.

**SIXTH ORDER OF BUSINESS**

**Public Hearing on Rules of Procedure  
Concerning Reduction of Speed Limit**

Ms. Wells stated the next item on the agenda was the public hearing on rules of procedure concerning reduction of the speed limit. Ms. Wells asked for a motion to open the public hearing.

On a Motion by Mr. Gelston, seconded by Ms. Hilton, with all in favor, the Board opened the public hearing on rules of procedure concerning reduction of the speed limit for Harbor Bay Community Development District.

Ms. Wells stated that there has been a great concern regarding the speed limits within the community. The Board of Supervisors decided to hold this public hearing to allow the community to express their concerns. If there is to be a change in the speed limit, it would be proposed to go from 25 miles per hour to 20 miles per hour.

Ms. Wells stated she had received numerous e-mails from residents who were unable to attend the meeting, but wanted to voice their opinion about the reduction of the speed limit. Ms. Wells read each e-mail aloud to the Board. A lengthy discussion ensued regarding various options to consider that could deter speeding.

A Board member asked for the average speed of drivers in the community. Ms. Wells stated that she thought the average speed was 30 miles per hour. Discussion ensued regarding the large amount of warnings vs. the small amount of tickets issued to speeding drivers.

Ms. Wells asked for a motion to close the public hearing.

On a Motion by Mr. Gelston, seconded by Ms. Hilton, with all in favor, the Board closed the public hearing on rules of procedure concerning reduction of the speed limit for Harbor Bay Community Development District.

Ms. Wells asked the Board if they would like to make a decision regarding the reduction of the speed limit. General discussion ensued. The Board concluded they needed more time to make a decision. General discussion ensued regarding better educating the community on the topic concerning the reduction of the speed limit. The Board agreed to re-open the public hearing in order to schedule a continued public hearing.

On a Motion by Mr. Gelston, seconded by Ms. Hilton, with all in favor, the Board re-opened the public hearing on rules of procedure concerning reduction of the speed limit for Harbor Bay Community Development District.

The Board agreed to hold the continued public hearing on August 30<sup>th</sup>, 2007 at 6:00 p.m. located at the Mira Bay Clubhouse (Lagoon Room) at 107 Manns Harbor Drive, Apollo Beach, FL 33572. Ms. Wells asked if there were any questions. Hearing none Ms. Wells asked for a motion to continue the public hearing.

On a Motion by Mr. Gelston, seconded by Ms. Hilton, with all in favor, the Board approved a continued public hearing on August 30, 2007 at 6:00 p.m. at the Mira Beach Clubhouse on rules of procedure concerning reduction of the speed limit for Harbor Bay Community Development District.

**SEVENTH ORDER OF BUSINESS**

**Discussion Regarding Alternate Service Contractors for Pool Maintenance**

Ms. Wells stated the next item on the agenda was the discussion regarding alternate service contractors for pool maintenance. Ms. Wells stated the Board was not ready for this discussion, however, a meeting will be held on September 20<sup>th</sup>, and the item will be included in the revised agenda. The item was tabled until the next meeting.

**EIGHTH ORDER OF BUSINESS**

**Consideration of Ballenger & Company, Inc., Irrigation Maintenance Proposal**

Ms. Wells stated the next item on the agenda was the consideration of Ballenger & Company, Inc., irrigation maintenance proposal. Ms. Wells reviewed the irrigation maintenance proposal for the Board, stating they are currently under contract, and Ballenger & Company is asking them for an update. She asked if there were any questions. There were none.

On a Motion by Mr. Gelston, seconded by Ms. Hilton, with all in favor, the Board approved the Ballenger & Company, Inc., Irrigation Maintenance Proposal for Harbor Bay Community Development District.

**NINTH ORDER OF BUSINESS**

**Consideration of Resolution 2007-07, Setting Fiscal Year 2007/2008 Meeting Schedule**

Ms. Wells stated the next item on the agenda was the consideration of Resolution 2007-07, Setting Fiscal Year 2007/2008 Meeting Schedule. She stated the Board currently meets the 3<sup>rd</sup> Tuesday of each month at 9:00 a.m. at the Mira Bay Clubhouse (Lagoon Room) located at 107 Manns Harbor Drive, Apollo Beach, FL 33572. The Board agreed to adopt the same schedule.

On a Motion by Mr. Gelston, seconded by Ms. Hilton, with all in favor, the Board approved Resolution 2007-07, Setting Fiscal Year 2007/2008 Meeting Schedule (the 3<sup>rd</sup> Tuesday of each month at 9:00 a.m. at the Mira Bay Clubhouse located at 107 Manns Harbor Drive, Apollo Beach, FL 33572) for Harbor Bay Community Development District.

**TENTH ORDER OF BUSINESS**

**Consideration of Fiscal Year 2005/2006  
Financial Audit (under separate cover)**

Ms. Wells stated the next item on the agenda was the consideration of Fiscal Year 2005/2006 Financial Audit. She stated the current year findings had no recommendations, and it was a clean audit. Ms. Wells asked if there were any questions. Hearing none Ms. Wells asked the Board for a motion to approve.

On a Motion by Ms. Hilton, seconded by Ms. Ackerman, with all in favor, the Board approved Fiscal Year 2005/2006 Financial Audit for Harbor Bay Community Development District.

**ELEVENTH ORDER OF BUSINESS**

**Staff Reports**

A. District Counsel  
No report.

B. District Engineer  
Not present.

Ms. Wells stated Mr. Scarola sent her a letter stating Hecker Construction Company Record sent him a letter regarding 100 foot reinforcement whalers to be installed under current authorizations. Mr. Scarola stated that Hecker provided a letter stating there were other areas of concern and should be looked at as soon as possible. Mr. Scarola stated he will inquire if Hecker is responsible for this matter.

C. Project Manager

Mr. Coughlin gave an update on the large date palm located on Mirabay Blvd. He stated that the top fell off, and the palm will be replaced as soon as possible.

C. Clubhouse Manager  
No report

D. HOA Resident Services Manager

Ms. Lose stated there had been requests for one of the pool rules to be "No Smoking." General discussion ensued regarding designating a smoking area. The Board decided to amend the current pool policies and pool procedures and add "No Smoking in Pool or Pool Facilities" to the pool rules.

On a Motion by Mr. Gelston, seconded by Ms. Hilton, with all in favor, the Board approved to amend the current pool policies and procedures and add "No Smoking in Pool or Pool Facilities" to the pool rules for Harbor Bay Community Development District.

Ms. Wells stated if the designated area becomes an issue the Board is able to readdress this item.

Ms. Lose stated she had received some requests regarding basketball lighting. Ms. Wells stated she will contact TECO and have more information on the topic at the next meeting.

E. District Manager

Ms. Wells stated the next scheduled meeting is Thursday, August 30<sup>th</sup> at 9:00 a.m. for the public hearing on the final budget for the Fiscal Year.

Ms. Wells stated that the Board also has a meeting scheduled for Thursday, September 20, 2007 at 6:00 p.m., which is the continued public hearing meeting on the rules of procedures concerning the reduction of the speed limit.

Ms. Wells said the regularly scheduled meeting for September 18, 2007 was canceled.

**TWELFTH ORDER OF BUSINESS**

**Consideration of Board of Supervisor  
Resignation (Lisa Wrenn)**

Ms. Wells stated the next item on the agenda was the consideration of the Board of Supervisor Resignation, Lisa Wrenn. Ms. Wells asked if there were any questions. There were none.

On a Motion by Ms. Ackerman, seconded by Ms. Hilton, with all in favor, the Board approved the Board Supervisor Resignation of (Lisa Wrenn) for Harbor Bay Community Development District.

**THIRTEENTH ORDER OF BUSINESS**

**Consideration of Board Supervisor  
Replacement**

Ms. Wells stated the next item on the agenda was the consideration of a Board Supervisor Replacement. General discussion ensued. This item was tabled until the next meeting.

**FOURTEENTH ORDER OF BUSINESS**

**Supervisor Requests and Audience  
Comments**

Ms. Wells stated the next item on the agenda was Supervisor requests and audience comments. Ms. Wells asked if there were any audience comments. There were none. Ms. Wells asked if there were any Supervisor requests. There were none.

**FIFTEENTH ORDER OF BUSINESS**

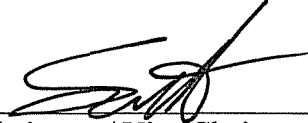
**Continuation**

Ms. Wells stated the Board would continue the meeting on September 20<sup>th</sup>, 2007 at 6:00 p.m. Ms. Wells asked for a motion to Continue.

On a Motion by Ms. Hilton, seconded by Mr. Gelston, with all in favor, the Board continued the meeting until September 20<sup>th</sup>, 2007 at 6:00 p.m. for Harbor Bay Community Development District.



Secretary / Assistant Secretary



Chairman / Vice Chairman