

**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, August 22, 2006 at 9:00 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:

Chris Coughlin	<b>Board Supervisor, Chairman</b>
Sally McFolling	<b>Board Supervisor, Assistant Secretary</b>
Scott Jones	<b>Board Supervisor, Assistant Secretary</b>
Lisa Wrenn	<b>Board Supervisor, Assistant Secretary</b>

Also present were:

Tina Wells	<b>District Manager, Rizzetta &amp; Company, Inc.</b>
Michael Brooks	<b>Representative, Bricklemyer, Smolker &amp; Bolves, P.A.</b> <i>(joined meeting in progress)</i>
Kathy Harp	<b>Representative, Greenacres Properties, Inc.</b>
Erica Werkheiser	<b>Mira Bay Club Manager</b>
Melissa Roy	<b>Assistant Club Manager</b>
Jim Powell	<b>Audience Member</b>
Audience	

**FIRST ORDER OF BUSINESS**

**Call to Order**

Ms. Wells called the meeting to order at 9:02 a.m. and read roll call.

**SECOND ORDER OF BUSINESS**

**Consideration of Minutes of the Board of  
Supervisors' Meeting held on July 18, 2006**

Ms. Wells asked to utilize the revised agenda and provided copies to the Board. She stated that she would follow the revised agenda as listed. Ms. Wells asked if there were any additions, deletions or corrections. There were none. She asked for a motion to approve the minutes.

On a Motion by Mr. Jones, seconded by Mr. Coughlin, with all in favor, the Board approved the minutes of the Board of Supervisors' meeting held on July 18, 2006 for Harbor Bay Community Development District.

**THIRD ORDER OF BUSINESS**

**Consideration of Operation and  
Maintenance Expenditures for August  
2006**

Ms. Wells stated that the next item on the agenda is the consideration of operation and maintenance expenditures for August 2006 totaling \$197,634.09. She stated that the expenditures covered the period of July 1<sup>st</sup> – July 31<sup>st</sup>. Ms. Wells asked if there were any questions. There were 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 August 2006 (\$197,634.09) for Harbor Bay Community Development District.

**FOURTH ORDER OF BUSINESS**

**Consideration of Series 2002 Construction  
Requisition #413 - #415**

Ms. Wells stated that the next item on the agenda is the consideration of the Series 2002 Construction Requisitions #413 through #415 totaling \$126,013.88. She asked if there were any questions. There were none. Ms. Wells asked for a motion to approve.

On a Motion by Mr. Jones, seconded by Ms. Wrenn, with all in favor, the Board approved the Series 2002 Construction Requisitions #413- #415 (\$126,013.88) for Harbor Bay Community Development District.

**FIFTH ORDER OF BUSINESS**

**Public Hearing on Fiscal Year 2006/2007  
Proposed Budget**

Ms. Wells stated that the next item on the agenda is the public hearing on the Fiscal Year 2006/2007 Proposed Budget. She asked for a motion to open the public hearing.

On a Motion by Mr. Coughlin, seconded by Mr. Jones, with all in favor, the Board opened the public hearing on the Fiscal Year 2006/2007 Proposed Budget for Harbor Bay Community Development District.

Ms. Wells referenced the Proposed Budget that was distributed to the Board during the July meeting. She stated that at the Chairman's discretion a few changes have been made. Ms. Wells stated that the original adopted Proposed Fiscal Year 2006/2007 Operational and Maintenance General Fund Budget in the amount of \$2,431,189.00, was filed with Hillsborough County on June 20, 2006, as per Florida Statutes and in accordance with the 60-day requirement to hold the public hearing and to finalize the budget. She stated that a budget workshop was held on July 18<sup>th</sup>. Ms. Wells stated that during the workshop, the proposed budget amount changed to \$2,324,350.00 for a \$106,839.00 decrease from what was originally proposed.

*(Michael Brooks joined the meeting in progress at 9:07 a.m.)*

Ms. Wells explained that the administrative total was lowered in the amount of \$6,839.00, which included decreases in the Trustee's Fees to \$6,500.00 and the Public Officials Insurance to \$5,000.00.

Ms. Wells stated that the field operations total was lowered in the amount of \$100,000.00, which included decreasing the street sweeping fees by \$10,000.00; increasing the fountain fees by \$10,000.00 and decreasing the clubhouse maintenance fees by \$100,000.00. She stated that these costs were anticipated to be paid by the District, however, the Developer agreed to fund the clubhouse maintenance fees.

Ms. Wells stated that instead of having the clubhouse facility fees under one line item, she provided line items for each service. She stated that the management contract is \$520,848.00. Ms. Wells stated that the clubhouse facility maintenance is \$85,902.00. She stated that the clubhouse telephone, fax and internet total is \$16,150.00. Ms. Wells stated that the cable television total is \$2,100.00 per year.

Ms. Wells asked if there questions concerning the changes to the proposed budget. Mr. Coughlin asked about the off duty patrol. He stated that he spoke with Jim Powell, who is currently working on eliminating the off duty patrol service and using a private company for security services. Mr. Coughlin inquired if the funds in the budget could be utilized to pay for this service in the future. Ms. Wells stated that proper notice must be given to the Hillsborough County Sheriff and also that the information must be provided to the Board for approval.

Ms. Wells stated that the General Fund Budget total, as proposed here, is \$2,624,350.00. She stated that following the General Fund Budget, there is a Debt Service Budget, in the amount of \$2,135,512.00. Ms. Wells stated that the Capital Fund Project Budget, based on the balance remaining from June 30, 2006 is \$204,329.00, which is a combination of the Series 2001, 2002 Bonds and Developer contributions.

Ms. Wells briefly explained the other line items in the budget. Mr. Coughlin pointed out that the Board is budgeting for Supervisor Fees, in the event that non-developer employees were on the Board. He stated that Developer employees do not receive any fees for participating as Board Supervisors.

Ms. Wells opened the public hearing for public comments and testimony. An audience member stated that the budget appears to have increased by \$24,100.00. Ms. Wells responded that the budget increased by \$295,725.00 from expenses, because the revenue increased by 6%.

Ms. Wells asked if there were any questions regarding the budget. There were none. She asked for a motion to close the public hearing.

On a Motion by Mr. Coughlin, seconded by Mr. Jones, with all in favor, the Board closed the public hearing on the Fiscal Year 2006/2007 Proposed Budget for Harbor Bay Community Development District.

**SIXTH ORDER OF BUSINESS**

**Consideration of Resolution 2006-04,  
Adopting Fiscal Year 2006/2007 Final  
Budget**

Ms. Wells stated that the next item on the agenda is the consideration of Resolution 2006-04, Adopting the Fiscal Year 2006/2007 Final Budget. She stated that the total budget is \$2,324,350.00. Ms. Wells asked if there were any questions. There were none. She asked for a motion to approve.

On a Motion by Mr. Coughlin, seconded by Mr. Jones, with all in favor, the Board approved Resolution 2006-04, Adopting Fiscal Year 2006/2007 Final Budget (\$2,324,350.00) for Harbor Bay Community Development District.

**SEVENTH ORDER OF BUSINESS**

**Consideration of Resolution 2006-05,  
Designating Dates, Time and Location of  
Fiscal Year 2006/2007 Meeting Schedule**

Ms. Wells stated that the next item on the agenda is the consideration of Resolution 2006-05, Designating Dates, Time and Location of Fiscal Year 2006/2007 Meeting Schedule. Ms. Wells recommended keeping the existing meeting schedule at 9:00 a.m. on the third Tuesday of the month, at the Mira Bay Clubhouse, the Lagoon Room, located at 107 Manns Harbor Drive, Apollo Beach, Florida 33572.

On a Motion by Mr. Coughlin, seconded by Ms. McFolling, with all in favor, the Board approved Resolution 2006-05, Designating Dates, Time and Location of Fiscal Year 2006/2007 Meeting Schedule at 9:00 a.m. on the third Tuesday of the month, at the Mira Bay Clubhouse, the Lagoon Room, located at 107 Manns Harbor Drive, Apollo Beach, Florida 33572 for Harbor Bay Community Development District.

**EIGHTH ORDER OF BUSINESS**

**Staff Reports**

A. District Counsel

Mr. Brooks provided the Board with a drafted copy of the leasing agreement for Café Denali. He stated that Mr. Craine prepared the leasing agreement.

Mr. Brooks asked the Board to review the leasing agreement and recommended the Board to authorize the Chairman to execute the lease upon completion and finalization of the details. Mr. Brooks requested the details be provided within one week of the August 22<sup>nd</sup> meeting.

Mr. Brooks recommended the Board provide any details on the rules regarding the hours of operation of the building, prior to executing the lease.

On a Motion by Mr. Coughlin, seconded by Ms. McFolling, with all in favor, the Board approved authorization to the Chairman to execute the leasing agreement for Café Denali upon completion and finalization of the details as discussed for Harbor Bay Community Development District.

B. District Engineer  
Not present.

C. District Manager  
Ms. Wells stated that the next regularly scheduled meeting is September 19, 2006 at 9:00 a.m.

D. Club Manager  
Ms. Werkheiser stated that the clubhouse does not have internet access, due to a bad lightening storm. She stated that the plasma television is out of service as well. Mr. Coughlin stated that Bright House Networks will come out to check the service. Ms. Werkheiser stated that the web service is also not operating, but the sales department is tracking the website inquires.

A brief discussion ensued regarding obtaining surge protection at the clubhouse.

E. HOA Manager  
Ms. Harp stated that there are problems with the gas master lights. She stated that they replaced twelve spark models last month. Ms. Harp stated that the reason why, is that they wear out more often due to the wind.

Ms. Harp stated that there was a break in the conduit at gate two. She stated the electrician is working to repair the lanterns that are out. Ms. Harp stated that there are several issues with the gates. She stated they have increased issuance of parking violations, to eliminate the speeding and parking on the streets.

Ms. Harp stated that a proposal has been submitted for a self-filling pump and chlorinator for the fountains that have been installed.

Ms. Harp stated that Verizon has installed the conduits as requested. She stated that People's Gas has not responded to several requests to remove the gas tubes.

**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.

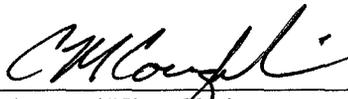
**TENTH ORDER OF BUSINESS**

**Adjournment**

Ms. Wells stated that there were no further agenda items to come before the Board and asked for a motion to adjourn.

On a Motion by Mr. Coughlin, seconded by Mr. Jones, with all in favor, the Board adjourned the meeting at 9:40 a.m. for Harbor Bay Community Development District.

  
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Secretary / Assistant Secretary

  
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Chairman / Vice Chairman