

MINUTES OF MEETING

**HARBOR BAY
COMMUNITY DEVELOPMENT DISTRICT**

The regular meeting of the Harbor Bay Community Development District Board of Supervisors was held **Tuesday, September 17, 2002 at 9:30 a.m.** at the offices of Terrabrook, located at 3505 Frontage Road, Suite 145, Tampa, Florida 33607.

Present and constituting a quorum were:

Steve Gamm	Board Supervisor, Assistant Secretary
Susie Green	Board Supervisor, Assistant Secretary
Kathy Jacobs	Board Supervisor, Vice Chairman
Dean Luce	Board Supervisor, Assistant Secretary

Also present were:

Pete Williams	District Manager, Rizzetta & Company, Inc.
John McKay	Financial Advisor, Rizzetta & Company, Inc.
Jonathan Johnson	District Counsel, Hopping Green & Sams, P.A. (via speakerphone)
Toxey Hall	District Engineer, Heidt & Associates, Inc.

FIRST ORDER OF BUSINESS

Call to Order

Mr. Williams called the meeting to order.

SECOND ORDER OF BUSINESS

Oath of Office

Mr. Williams stated that the first order of business is the oath of office for the new Supervisor, Susie Green. He read the oath of office and asked her to so swear and affirm. Ms. Green so swore and affirmed to the oath. Mr. Williams is a notary for the state of Florida and thereby authorized to administer such oath.

THIRD ORDER OF BUSINESS

Appointment of Chairman

Mr. Williams stated that the Board Chairman position was vacated when Brian Sewell resigned from the Board. The current Vice Chairman is Kathy Jacobs. The Board wished to table this item until next month's meeting. *Mr. Hall joined the meeting.*

FOURTH ORDER OF BUSINESS

**Consideration of the Board of
Supervisors' Meeting Minutes on
August 20, 2002**

Mr. Williams stated that the next item to consider is the minutes of the Board of Supervisors' meeting held on August 20, 2002 (located behind tab). 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 Ms. Jacobs, seconded by Ms. Luce, with all in favor, the Board approved the minutes of the Board of Supervisors' meeting on August 20, 2002 for Harbor Bay Community Development District.

FIFTH ORDER OF BUSINESS

Status of Financing

Mr. Williams stated that the next item on the agenda is a report on the status of financing. Mr. Johnson stated that the final drafts of the proposed methodology are being worked on. He suggested that the Preliminary Special Assessment presentation and the District Engineer's Report be tabled until next week. The schedule is to close on the bonds in early November.

SIXTH ORDER OF BUSINESS

**Consideration of Authorization to
Disburse District Funds 02-12**

Mr. Williams stated that the next order of business is the consideration of the Authorization to Disburse District Funds 02-12 (located behind tab 2). It consists of invoices for District Counsel and District Management fees. He asked if there were any questions. Hearing and seeing none, he asked for a motion to approve.

On a MOTION by Ms. Jacobs, seconded by Mr. Gamm, with all in favor, the Board approved Authorization to Disburse District Funds 02-12 for Harbor Bay Community Development District.

SEVENTH ORDER OF BUSINESS

**Consideration of Construction
Requisitions #138 and #139**

Mr. Williams stated that the next agenda item is to consider construction requisitions #138 and #139 (recap is located behind tab 3). These have been approved by the District Chairman and certified by the District Engineer. He asked if there were any questions. There were none and he asked for a motion.

On a MOTION by Mr. Gamm, seconded by Ms. Jacobs, with all in favor, the Board approved Construction Requisitions #138-#139 for Harbor Bay Community Development District.

EIGHTH ORDER OF BUSINESS

Consideration of Construction Matters

Mr. Williams stated that the next item on the agenda is the consideration of construction matters. He stated that he had four standard street lighting agreements for sections throughout the community. He reviewed them for the Board. The agreement for Parcel 9 is for seven years and the monthly total is \$259.06. There is an agreement for the Main Street section of the community for \$518.13 per month. There is another agreement for Street J at \$388.59 per month. The last one is for Parcel 10 at \$431.77 per month. Mr. Williams asked if there were any questions. It was confirmed that there is allowance in the budget for these costs. Hearing and seeing no questions, Mr. Williams asked for a motion.

On a MOTION by Ms. Jacobs, seconded by Mr. Gamm, with all in favor, the Board approved the four street lighting agreements for Harbor Bay Community Development District.

Mr. Williams asked if there were any further items for consideration. Mr. Hall stated that he had a Mortensen Engineering (geotechnical firm) proposal for the amenity center and entrance structures materials testing. The amount is \$10,830. It has been reviewed by Messrs. Hall and Gamm. Mr. Hall is asking for permission to execute it under the master contract which Mortensen has with the District. There were no questions, and Mr. Williams asked for a motion.

On a MOTION by Mr. Gamm, seconded by Ms. Jacobs, with all in favor, the Board approved the Mortensen Engineering proposal for \$10,830 for Harbor Bay Community Development District.

Mr. Hall stated that he is asking the Board to consider Woodruff & Sons Change Order 18 to proceed with further work to excavate the lagoon, clear grub and fill Parcels 21 and 19. The total amount is currently \$1.517 million. Ms. Jacobs asked Mr. Johnson for his opinion. Mr. Johnson stated that there presently is no legal limit on the dollar amount of change orders. Mr. Gamm asked if it was possible to have this change order be separate from the ongoing contract, specifically a separate pay request. Mr. Johnson stated that the master contract may require a minor amendment.

Mr. Williams stated that Woodruff & Sons could process a separate pay application for Change Order 18.

On a MOTION by Mr. Gamm, seconded by Ms. Jacobs, with all in favor, the Board approved Woodruff & Sons Change Order 18 for additional work for Harbor Bay Community Development District.

NINTH ORDER OF BUSINESS

Staff Reports

A. District Counsel
No report.

B. District Engineer
No further report.

C. District Manager

Mr. Williams stated that the current Financial Statements are located behind tab 4. He further stated that the Board needs to consider the fiscal year 2002/2003 meeting schedule. The recommendation by Staff is that it remains the same as last year. The monthly meeting would be held on the third Tuesday at 9:30 a.m. at this same location (until they are moved to the site). There were no comments from the Board.

On a MOTION by Ms. Jacobs, seconded by Ms. Luce, with all in favor, the Board approved the fiscal year 2002/2003 meeting schedule for Harbor Bay Community Development District.

TENTH ORDER OF BUSINESS

**Supervisor Requests and
Audience Comments**

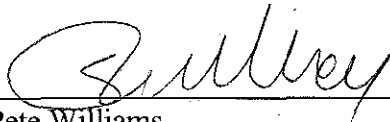
Mr. Williams stated that the next item on the agenda is Supervisor Requests and Audience Comments. There were no audience members in attendance other than those noted at the beginning of the meeting. He asked if there were any Supervisor requests. There were none.

ELEVENTH ORDER OF BUSINESS

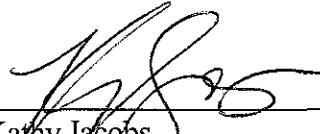
Continuance

Mr. Williams stated that there were no further agenda items to come before the Board and asked for a motion to continue the meeting until Thursday, September 26, 2002 at 9:00 a.m. at Terrabrook.

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



Pete Williams
Secretary



Kathy Jacobs
Vice Chairman