

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 18, 2001 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:

Mike Dady	Board Supervisor
Kathy Jacobs	Board Supervisor
Debbie Jones	Board Supervisor

Also present were:

Pete Williams	District Manager
Toxey Hall	District Engineer
Jonathan Johnson	District Counsel (via speakerphone)

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 21, 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 21, 2001 (located behind tab 1 in the agenda package). He asked if there were any additions, deletions or corrections to the minutes. Hearing and seeing no changes, he asked for a motion to approve.

On a MOTION by Ms. Jacobs, seconded by Ms. Jones, with all in favor, the Board approved the minutes of the Board of Supervisors' meeting on August 21, 2001 for Harbor Bay Community Development District.
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THIRD ORDER OF BUSINESS

**Consideration of Resolution 01-10
Approving Meeting Schedule**

Mr. Williams stated that the next item is to consider Resolution 01-10 to approve the meeting schedule for fiscal year 2001/2002. Exhibit A (located behind tab 2) shows the dates. The same schedule has been maintained, which is the third Tuesday of each month at 9:30 a.m. at the offices of Terrabrook. He asked if there were any questions. Hearing and seeing none, he asked for a motion.

On a MOTION by Mr. Dady, seconded by Ms. Jones, with all in favor, the Board approved Resolution 01-10 for Harbor Bay Community Development District.

FOURTH ORDER OF BUSINESS

**Consideration of Authorization to Disburse
District Funds 01-12**

Mr. Williams stated that the next order of business is the consideration of the Authorization to Disburse District Funds 01-12, located behind tab 3 in the agenda package. Mr. Williams asked if there were any questions. Hearing and seeing no questions, Mr. Williams asked for a motion to approve.

On a MOTION by Ms. Jacobs, seconded by Mr. Dady, with all in favor, the Board approved Authorization to Disburse District Funds 01-12 for Harbor Bay Community Development District.

FIFTH 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 Ms. Jacobs, seconded by Ms. Jones, with all in favor, the Board opened the public hearing for Harbor Bay Community Development District.

Mr. Williams stated that the copies of the maximum proposed budget, which was duly noticed by letters sent to the Landowners and also the proposed budget that will be in affect for the upcoming fiscal year are located behind tab 4. There have been no changes during the past month. The budget amount is \$352,275. The Board is being asked to adopt both of the budgets and approve the configuration for the levying of the assessments against the benefitted land. We are recommending that the Board use the same methodology that was used to adopt the assessments for the debt service portion at the final special assessment hearing for Parcels 1, 2, 3, 4, 6, 8 and 22. These parcels are either commercial or multi-family. Single-family detached dwelling parcels 7, 8A, 9, 10, 11, 12A, 12B, 13, 14, 15, 16A, 16B, 17, 18, 19, 20, 21, 101W and 101G will be taking the remaining balance of the budget not contributable to the other parcels and splitting it out in an equal share among the remaining units. The benefit and expectation of use is no more or less incrementally for any of those product types and, therefore, it is determined that they all benefit on an equal basis. Mr. Williams asked if there were any questions. Mr. Dady asked for clarification on the maximum proposed budget versus the fiscal year proposed budget. Mr. Williams stated that Florida statute states that if the assessments were raised, the District would be required to give written notice at least 20 days prior to the public hearing to all of the affected Landowners. There were no further questions and Mr. Williams opened up the public hearing to testimony. He stated that there was no public in attendance other than those mentioned at the beginning of the meeting.

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

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Mr. Williams stated that a resolution has been passed out to the Board. This resolution would adopt the budgets as proposed by the Board. Mr. Johnson reviewed the resolution for the Board. Mr. Williams asked if there were any questions. There were none and he asked for a motion.

On a MOTION by Ms. Jacobs, seconded by Mr. Dady, with all in favor, the Board adopted the Annual Appropriations resolution for Harbor Bay Community Development District.

SIXTH ORDER OF BUSINESS

**Consideration of Construction Requisitions
#6 and #7**

Mr. Williams stated that the next agenda item is to consider construction requisitions (located behind tab 5). Requisition #6 is to Mortensen Engineering for \$3,657.00 and #7 is to Woodruff & Sons for \$241,567.90. These have been reviewed by the Developer and the District Engineer and certified for payment. He asked if there were any questions from the Board. There were no questions and he asked for a motion.

On a MOTION by Mr. Dady, seconded by Ms. Jacobs, with all in favor, the Board approved Construction Requisitions #6 and #7 for Harbor Bay Community Development District.

SEVENTH 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 asked Mr. Dady if they would like to discuss and approve the final Mortensen contract. Mr. Dady stated that the proposal could be approved. Mr. Hall stated that this is the same format as was previously approved by Jonathan Johnson. Mr. Hall stated that this was a scope of services proposal under that contract. Mr. Williams asked the Board if there were any questions. Hearing and seeing none, he asked for a motion.

On a MOTION by Mr. Dady, seconded by Ms. Jacobs, with all in favor, the Board approved the scope of services proposal reviewed by Mr. Hall for Harbor Bay Community Development District.

A question was asked about the status of a change order for \$70,184.00 reflecting numerous credits to the project and additional costs for changes to the project scope. Mr. Hall stated that the change order has to do with exchanging some of the parcels that are to be worked on. Mr. Williams asked if there were any questions. Hearing and seeing none, he asked for a motion.

On a MOTION by Mr. Dady, seconded by Ms. Jones, with all in favor, the Board approved the \$70,184.00 change order for Harbor Bay Community Development District.

Mr. Hall stated he would contact Mr. Sewell to find the original and get it executed and distributed. Mr. Johnson stated that the Board needs to authorize Scarola and Associates to provide some construction administration services relative to the seawall. In working with the District Engineer to determine who was the

most appropriate party to provide certain inspection services, we concluded that it was Scarola and Associates. Mr. Scarola is willing to enter into a contract that would be substantially the same form of engineering agreement that we have used before to provide the services and the amounts are below those that would require us to bid them out. Mr. Hall stated that Jamie Scarola has been involved with this property for 10-15 years and is the most qualified in schooling, background and experience with this project.

On a MOTION by Mr. Dady, seconded by Ms. Jacobs, with all in favor, the Board authorized Scarola and Associates for inspection services for Harbor Bay Community Development District.

EIGHTH ORDER OF BUSINESS

Staff Reports

- A. District Counsel
No further report.
- B. District Engineer
No further report.
- C. District Manager
Mr. Williams stated that the current financial statements are being distributed under separate cover. The current Investment Management Report is located behind tab 6.

NINTH ORDER OF BUSINESS

Supervisor Requests and Audience Comments

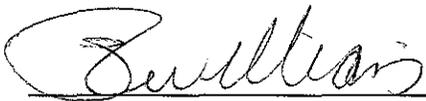
Mr. Williams stated that the next item on the agenda is Supervisor Requests and Audience Comments. There was no audience in attendance other than those noted at the beginning of the meeting. There were no comments. He asked if there were any Supervisor requests. There were none.

TENTH ORDER OF BUSINESS

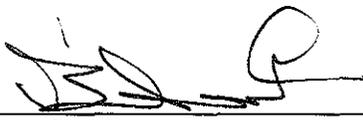
Adjournment

Mr. Williams stated that there were no further agenda items scheduled for discussion and asked for a motion to adjourn.

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



Pete Williams
District Manager



Brian Sewell
Chairman