

**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 continued meeting of the Board of Supervisors of Harbor Bay Community Development District was held on **Thursday, September 20, 2007 at 6:00 p.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, Vice Chairman</b>
Laura Ackerman	<b>Board Supervisor, Assistant Secretary</b>
Donald Hawkins	<b>Board Supervisor, Assistant Secretary</b>

Also present were:

Tina Wells	<b>District Manager, Rizzetta &amp; Company, Inc.</b>
Biff Craine	<b>District Counsel, Bricklemyer Smolker &amp; Bolves</b>
Aida Johnson	<b>Mira Bay Club 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 Supervisors' Meeting held on  
August 21, 2007**

Ms. Wells stated that the next item on the agenda was the consideration of the Minutes of the Board of Supervisors' Meeting held on August 21, 2007. Ms. Wells asked if there were any changes or corrections that needed to be made.

Ms. Ackerman stated that the date on page 4 needed to be changed from September 30 to September 20. A discussion ensued regarding other questions about the content of the Minutes. Ms. Wells requested that all corrections be submitted to her, following which she would listen to the tape and present the amended Minutes to the Board at the next scheduled meeting.

---

**THIRD ORDER OF BUSINESS**

**Consideration of the Operation and  
Maintenance Expenditures for  
September 2007**

Ms. Wells stated that the next item on the agenda was the consideration of the Operation and Maintenance Expenditures for September 2007, which cover the time period of August 1-31. She asked if there were any questions or comments. There were none.

On a Motion by Mr. Gelston, seconded by Ms. Ackerman with all in favor, the Board approved the Operation and Maintenance Expenditures for September 2007 (\$216,511.79), for the Harbor Bay Community Development District.

**FOURTH ORDER OF BUSINESS**

**Consideration of the Series 2001, Capital  
Improvement Revenue Bond Requisition  
#223**

Ms. Wells stated that the next item on the agenda was consideration of the Series 2001, Capital Improvement Revenue Bond Requisition #223. She asked if there were any comments or questions. There were none.

On a Motion by Ms. Ackerman, seconded by Mr. Gelston, with all in favor, the Board approved the Series 2001, Capital Improvement Revenue Bond Requisition #223, for the Harbor Bay Community Development District.

**FIFTH ORDER OF BUSINESS**

**Consideration of the Series 2002, Capital  
Improvement Bond Requisitions  
#477 & 478**

Ms. Wells stated that the next item on the agenda was the consideration of the Series 2002, Capital Improvement Bond Requisitions #477 and 478. She asked if there were any comments or questions. A brief discussion ensued regarding the warranty on the work completed.

On a Motion by Mr. Gelston, seconded by Mr. Hawkins with all in favor, the Board approved the Series 2002 Capital Improvement Revenue Bond Requisitions #477 & 478, for the Harbor Bay Community Development District.

**SIXTH ORDER OF BUSINESS**

**Consideration of Change Order #6**

Ms. Wells stated that the next item on the agenda was the consideration of Change Order #6. She asked if there were any questions or comments. There were none.

---

On a Motion by Mr. Gelston, seconded by Mr. Hawkins with all in favor, the Board approved Change Order #6, for the Harbor Bay Community Development District.

**SEVENTH ORDER OF BUSINESS**

**Staff Reports**

A. Project Manager

1. Landscaping on Front Lawn for Pumpkin Festival

Ms. Wells presented a sketch of the existing landscaping and a sketch of the proposed landscaping. She stated that a Pumpkin Festival was held last year and the current landscaping presented a problem, separating the event. This year the Pumpkin Festival is scheduled in October and the organizers of the event are requesting approval to remove approximately 20 feet of trees and replant them, opening up the area to accommodate more people. Ms. Wells stated that there would be no cost to the District, as the organizers had indicated that they will cover whatever expenses are incurred. A discussion ensued.

On a Motion by Ms. Ackerman, seconded by Mr. Hawkins, with all in favor, the Board approved the moving and replanting of the trees in the front lawn, for the Harbor Bay Community Development District.

2. Neighborhood Watch

Ms. Wells stated that funds are needed to assist in starting the Neighborhood Watch Program. She stated that the program is requesting a donation to assist in organization. A brief discussion ensued.

On a Motion by Mr. Gelston, seconded by Mr. Hawkins, with all in favor, the Board approved a donation of \$500 to the Neighborhood Watch Program, for the Harbor Bay Community Development District.

**EIGHTH ORDER OF BUSINESS**

**Public Hearing Regarding the Change  
of Speed Limit**

Ms. Wells stated that the next item on the agenda was the Public Hearing regarding the proposed change of speed limit. She explained that the Public Hearing had been continued from the August 21<sup>st</sup> Public Hearing. Ms. Wells stated that though the Board has asked for the opinions of the residents of the community, the Board will make the final decision.

Ms. Wells asked for a motion to open the continued Public Hearing.

On a Motion by Ms. Ackerman, seconded by Mr. Hawkins, with all in favor, the Board opened the continued Public Hearing regarding the Change of Speed Limit, for the Harbor Bay Community Development District.

Ms. Wells introduced Deputy Baker. Deputy Baker stated that she was responsible for scheduling the off-duty Sheriffs' coverage for the District. Deputy Baker explained that citations cannot be issued to anyone who exceeds the speed limit by five miles an hour or less. She stated that this means with the current speed limit of 25 miles per hour, no citations can be issued unless the driver is going 31 miles an hour or more. A discussion ensued, with Deputy Baker addressing resident questions.

The floor was opened to the audience. Audience members addressed the Board, expressing their opinion regarding lowering the speed limit within the District

On a Motion by Mr. Gelston, seconded by Mr. Hawkins, with all in favor, the Board closed the continued Public Hearing regarding the Change of Speed Limit, for the Harbor Bay Community Development District.

Mr. Craine stated that the Resolution has two features, reducing the speed limit to 20 miles per hour and providing for the financing for signage. Ms. Wells asked if the Board had any questions or wished to discuss the issue further.

Mr. Hawkins stated that he understood the residents concern over the area between US 41 and the gate house, but that unfortunately the District has no control over the areas outside the District limits. Mr. Gelston, Mr. Hawkins and Ms. Ackerman made a brief statement to the audience. Mr. Gelston read from the Resolution, "Whereas the Board has determined that enforcement of the existing speed limits on District roads does not adequately address concerns for the health, safety and welfare of District residents and others who may travel on District roads, and Whereas the Board, through a series of public hearings on the issue of current traffic speeds and possible solutions, has determined that the health, safety and welfare of District residents and others who may travel on District roads will be served by a reduction of current traffic speed."

A discussion ensued regarding the cost of implementing the reduction of the speed limit, if approved.

On a Motion by Mr. Hawkins, seconded by Mr. Gelston, with two in favor (Mr. Hawkins and Mr. Gelston) and one opposed (Ms. Ackerman), the Board approved Resolution 2007-08, Reducing the Speed Limit to 20 miles per hour, for the Harbor Bay Community Development District.

**NINTH ORDER OF BUSINESS**

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

Ms. Wells stated that the next item on the agenda was the discussion regarding alternate service contractors for the pool maintenance. She stated that she has received two quotes for service. Sharper Image Pool Services proposed \$2,080 per month, plus chemicals, for four weekly pool services. Positive Pool Service proposed approximately half the amount proposed by Sharper Image per month, and their quote covers five weekly pool services and includes the chemicals. A discussion ensued and the issue was tabled for consideration at the next scheduled meeting.

**TENTH ORDER OF BUSINESS**

**Discussion Regarding Installation of  
Basketball Court Lighting**

Ms. Wells stated that the next item on the agenda was the discussion regarding installation of basketball court lighting.

Mr. Turrell stated that he recently spoke with an individual who was using the basketball court and learned that the individual was not a resident of this District. A discussion ensued.

It was stated that there were issues with the tennis court and basketball flooring. A discussion ensued. No action was taken.

**ELEVENTH ORDER OF BUSINESS**

**Discussion Regarding Landscape  
Lighting Repair versus New Installation**

Ms. Wells stated that the next item on the agenda was the discussion regarding landscape lighting repairs versus new lighting installation. She stated that she had obtained a quote for both. It would cost \$950 to repair the lights, or \$6,860 to install new lights. It was asked if the lights were to be repaired, could the cost of repair be charged back to the responsible vendor. Ms. Wells stated that it could be attempted, if the Board authorized her to bill the vendor responsible. A discussion ensued and Ms. Wells was directed to talk to Mr. Kim regarding the situation and report her findings back to the Board.

**TWELFTH ORDER OF BUSINESS**

**Staff Reports**

A. District Counsel  
No report.

B. District Engineer  
Not present.

C. Clubhouse Manager

Ms. Johnson stated that she had prepared a cost comparison on fitness equipment and went over the vendors, equipment, cost and warranties (as follows):

---

• Matrix	\$59,780	3years – parts and labor
• Precor	\$79,896	5years parts – 2years labor
• Vision	\$60,081	3years – parts and labor

---

Ms. Johnson stated that Vision had the better warranty and that their breakdown of equipment was more in line with the demand. A discussion ensued regarding the various equipment and options available.

On a Motion by Mr. Gelston, seconded by Mr. Hawkins, with all in favor, the Board approved the purchase of 13 Matrix Cardio Theaters at a cost of \$1,123 each, for the Harbor Bay Community Development District.

C. District Manager

Ms. Wells stated that the next Board of Supervisors' Meeting is scheduled for October 16, 2007 at 9:00 a.m.

Ms. Wells stated that it had previously been observed that the St. Petersburg Times had installed a newspaper stand. She stated that no approval to install the stand had been obtained from the District. Ms. Wells stated that the St. Petersburg Times had been contacted and was to remove the stand today, but she was not certain whether or not the removal had taken place. A discussion ensued.

**THIRTEENTH ORDER OF BUSINESS**

**Supervisor Requests and Audience Comments**

Ms. Wells stated that the next item on the agenda was Supervisor Requests and Audience Comments. Ms. Wells asked for any Audience Comments.

A resident stated his displeasure that residents must check the lights and report their outages to TECO. A discussion ensued.

A discussion ensued regarding the plants and flowers that were temporarily planted by the Bayfair Townhomes.

Ms. Wells asked if there were any Supervisor Requests. There were none.

**FOURTEENTH ORDER OF BUSINESS**

**Consideration of Board Supervisor Compensation**

Ms. Wells stated that the next item on the agenda was the consideration of Board Supervisor compensation. She stated that the Board is allowed compensation in the amount of \$200 per Board meeting and up to \$4,800 per year. Ms. Wells asked the newly elected Supervisor, Mr. Hawkins, if he would like to be compensated. Mr. Hawkins stated that he would like to receive compensation.

On a Motion by Ms. Ackerman, seconded by Mr. Gelston, with all in favor, the Board approved the compensation of Board Supervisor Donald Hawkins, for the Harbor Bay Community Development District.

**FIFTEENTH 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. Gelston, seconded by Ms. Ackerman, with all in favor, the Board adjourned the meeting, for the Harbor Bay Community Development District.



Secretary / Assistant Secretary



Chairman / Vice Chairman