

**MINUTES OF MEETING  
HARBOR BAY  
COMMUNITY DEVELOPMENT DISTRICT**

The regular meeting of the Harbor Bay Community Development District Board of Supervisors was held on **Tuesday, September 21, 2004 at 9:05 a.m.** at the Mirabay Welcome Center, located at 205 Manns Harbor Drive, Apollo Beach, FL 33572.

Present and constituting a quorum were:

Don Whyte	<b>Board Supervisor, Chairman</b>
Chris Coughlin	<b>Board Supervisor, Vice Chairman</b>
Brenda Kunkel	<b>Board Supervisor, Assistant Secretary</b>
Lisa Wrenn	<b>Board Supervisor, Assistant Secretary</b>

Also present were:

Pete Williams	<b>District Manager, Rizzetta &amp; Company, Inc.</b>
Biff Craine	<b>District Counsel, Bricklemyer Smolker &amp; Bolves, P.A.</b>
Jamie Scarola	<b>District Engineer, Scarola Associates Engineering Design and Land Consultants, P.A.</b>
Erica Werkheiser	<b>Club Manager</b>

**FIRST ORDER OF BUSINESS**

**Call to Order**

Mr. Williams called the meeting to order.

**SECOND ORDER OF BUSINESS**

**Consideration of Minutes of the  
Board of Supervisors' Meeting  
on August 17, 2004**

Mr. Williams stated that the first item on the agenda was the consideration of the Minutes of the Board of Supervisors' Meeting held on August 17, 2004 (located behind tab 1). Mr. Williams asked if there were any additions, deletions or corrections to the minutes. Hearing and seeing none, he asked for a motion to approve.

On MOTION by Mr. Whyte, seconded by Ms. Kunkel, with all in favor, the Board approved the minutes of the Board of Supervisors' meeting on August 17, 2004 for Harbor Bay Community Development District.

**THIRD ORDER OF BUSINESS**

**Consideration of Authorizations  
to Disburse District Funds 2004-12 and  
2004-12A**

Mr. Williams stated that the next item on the agenda was the consideration of the Authorizations to Disburse District Funds 2004-12 and 2004-12A (located behind tab 2). He stated that the disbursements for 2004-12 consisted of invoices for standard contractual commitments and administrative fees, and that 2004-12A consisted of invoices for materials and supplies for the club and club facilities. Mr. Williams asked if there were any questions. Hearing and seeing none, he asked for a motion to approve.

On MOTION by Mr. Whyte, seconded by Mr. Coughlin, with all in favor, the Board approved the Authorizations to Disburse District Funds 2004-12 and 2004-12A for Harbor Bay Community Development District.

**FOURTH ORDER OF BUSINESS**

**Consideration of Series 2002  
Construction Requisitions #285  
through #287**

Mr. Williams stated that the next item on the agenda was the consideration of Series 2002 Construction Requisitions #285 through #287 (recap located behind tab 3). He stated that these had been certified by the District Engineer. Mr. Williams asked if there were any questions. Mr. Whyte asked if there were funds in the construction account. Mr. Williams stated that the fund has been depleted and that these were now being funded by the Developer. Hearing and seeing none, he asked for a motion to approve.

On MOTION by Mr. Coughlin, seconded by Ms. Wrenn, with all in favor, the Board approved the Series 2002 Construction Requisitions #285 through #287 for Harbor Bay Community Development District.

**FIFTH ORDER OF BUSINESS**

**Consideration of Resolution 2004-06,  
Adopting the Fiscal Year 2004/2005  
Meeting Schedule**

Mr. Williams stated that the next item for consideration was the consideration of Resolution 2004-06, adopting the Fiscal Year 2004/2005 Meeting Schedule (located behind tab 4). He stated that currently the Board meets every third Tuesday of the month, on site, convening at 9:00 a.m. Mr. Williams asked if there were any other suggestions. There were none. He asked for a motion to approve.

On MOTION by Ms. Kunkel, seconded by Mr. Coughlin, with all in favor, the Board approved Resolution 2004-06, adopting the Fiscal Year 2004/2005 Meeting Schedule for Harbor Bay Community Development District.

**SIXTH ORDER OF BUSINESS**

**Staff Reports**

A. District Counsel  
No report.

B. District Engineer

Mr. Scarola provided a brief update on the T4 pond wall. He received a proposal from Moffit and Nickel to design and repair the wall. The proposal was divided into three parts: field investigation, alternative analyzes for the wall, and plan specifications totaling approximately \$35,700. Mr. Scarola stated that this world-wide engineering firm was competent and qualified, and would be conservative in their design and repair, but recommended that the Board consider other options. He stated that he had received a proposal from the original designer, Reuben Clarson, at \$5,500 for the design and repairs of the wall, which also included the stabilization of the other two walls for \$4,800. He also stated that, in his opinion, the current wall problem stemmed from the geo technological aspect, not the actual design of the wall. There was general discussion. Mr. Scarola recommended Mr. Clarson as the more cost prudent. He also stated that, after the last hurricane, he inspected the other ponds while some were being drained, and found that the T5 pond had a crack along the cast and vertically through the vinyl. There was more general conversation, and than a motion by Mr. Whyte to approve Mr. Clarson's proposal was made.

On MOTION by Mr. Whyte, seconded by Ms. Coughlin, with all in favor, the Board approved the proposal from Reuben Clarson Consulting, Inc. for the design and repair of the T4 pond wall for Harbor Bay Community Development District.

C. District Manager

Mr. Williams stated that, within the next weeks, he would be working with Al Getz to have a general CDD information workshop for the residents. He stated that it would not be a mandatory meeting for the Board members, but that they were welcomed to attend.

**SEVENTH ORDER OF BUSINESS**

**Supervisor Requests and  
Audience Comments**

Mr. Williams stated that the next item on the agenda was Supervisor requests and audience comments. He stated that there are no audience members in attendance other than those listed at the onset of the meeting. Mr. Williams asked if there were any Supervisor requests.

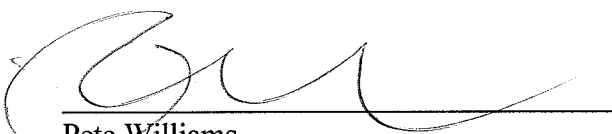
Ms. Kunkel asked about the status of the website. Mr. Williams stated that it was in progress; however, due to a crash of the network, the website had to be rebuilt. He stated that he would find out the latest status. Mr. Williams gave a brief overview of the purpose and available information for the residents on the website. He asked if there were any further questions or comments. There were none.

**EIGHTH ORDER OF BUSINESS**

**Adjournment**

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

On MOTION by Mr. Coughlin, seconded by Ms. Wrenn, with all in favor, the Board adjourned the meeting for Harbor Bay Community Development District.



Pete Williams  
Secretary



Don Whyte  
Chairman