

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.

**HARBOUR ISLES
COMMUNITY DEVELOPMENT DISTRICT**

The regular meeting of the Board of Supervisors of the Harbour Isles Community Development District was held on **Tuesday, April 28, 2015, at 11:00 a.m.** at the Harbour Isles Clubhouse located at 121 Spindle Shell Way, Apollo Beach, Florida 33572.

Present and constituting a quorum:

Larry Fazzari	Board Supervisor, Chairman
Gregg Letizia	Board Supervisor, Vice Chairman
Betty Fantauzzi	Board Supervisor, Assistant Secretary
Bryce Bowden	Board Supervisor, Assistant Secretary
Bob Nesbitt	Board Supervisor, Assistant Secretary

Also present were:

Greg Cox	District Manager; Rizzetta & Co., Inc.
Biff Craine	District Counsel; PWCWP, LLC
Jordan Caviggia	District Engineer, Bayside Engineering
Paul Ramsewak	Property Manager; T3 Property Mgmt.

Audience:

FIRST ORDER OF BUSINESS

Call to Order

Mr. Cox called the meeting to order and read the roll call. All present stood and recited the Pledge of Allegiance.

SECOND ORDER OF BUSINESS

Audience Comments

Mr. Cox presented a description of the incident where Dr. Richard Rubright and his wife were found climbing the facility gates after authorized use hours and where they used the pool for an approximately an hour. Mr. Cox presented a letter that was sent to Dr. Richard Rubright regarding his unauthorized entry into the Harbour Isles pool at approximately 8:40 p.m. on April 11, 2015. He explained that Dr. Rubright and his wife's access cards were suspended per the policies of the District until this meeting and that the purpose today was for the Board to consider what, if any additional actions they would take regarding the violation. Mr. Cox explained that Dr. Rubright had submitted an email (exhibit) explaining that he would be attending the meeting.

Mr. Rubright was afforded an opportunity to speak to the Board and explain the events of that evening. Dr. Rubright offered that he admitted to the offense of using the pool after hours and was fully aware that the Board had the responsibility to take whatever action it needed to. He did indicate that he was concerned that the letter indicated that a security call down was made to him and his wife and that this did not occur.

The Board members expressed their concerns regarding the violations and individually commented regarding their feelings regarding the trespassing, the diving in the pool, the smoking in the pool, the liability created for the District and the general blatant disregard for the District policies.

After considering the incident and comments from Mr. Rubright, the Board suspended Mr. Rubright and those of his household from using the common areas of the District for one month beginning April 28, 2015 and ending May 27, 2015.

On a Motion by Mr. Fazzari, seconded by Mr. Bowden, with all in favor, the Board suspended Dr. and Mrs. Richard Rubright's privileges to use District common area facilities for the period of April 28, 2015 to May 27, 2015 for the Harbour Isles Community Development District.

THIRD ORDER OF BUSINESS

Staff Reports and Updates

A. Aquatic Service

Mr. Josh McGarry with Aquatic Systems presented his pond and wetland reports to the Board for their review. The Board discussed concerns about residents feeding the ducks and Mr. McGarry explained that it is not a good idea to feed any of the wildlife. The Board members requested that staff send out an email to residents explaining the reasons not to feed the wildlife.

B. District Engineer

Mr. Caviggia informed the Board of the need for him to resubmit a request to SWFWMD to transfer the fitness center permit to an operational status. He also noted that the payments to Kickler for the construction of the fitness center were complete. The Board also discussed the issue with the tripping circuit breakers for the treadmills. Mr. Caviggia provided the Board with his monthly report prior to his departure (exhibit).

FOURTH ORDER OF BUSINESS

Consideration of Excelsior Defense Security Proposal

Mr. Patrick Farrow with Excelsior Defense presented a proposal to the Board for security service at the club house facilities. The Board members expressed their desire for one individual to provide the 40 hour per week service versus several different individuals. The Board also requested the days of service be Thursday through Monday from 4:00 p.m. to 12:00 a.m. The cost of the proposed service was quoted as \$28,683.20 annually. The service was proposed as

unarmed, without a patrol vehicle and with a cell phone provided to the security officer. Mr. Farrow provided that he would attempt to provide the service within two weeks if not earlier.

On a Motion by Mr. Fazzari, seconded by Ms. Fantauzzi, with all in favor, the Board approved the proposal from Excelsior Defense for unarmed security service for Thursday through Monday from 4:00 p.m. to 12:00 a.m. shift for the Harbour Isles Community Development District.

FIFTH ORDER OF BUSINESS

Landscape & Irrigation

Mr. Brad Riles with Girard Landscaping introduced Tabatha (TJ) Middlebrooks as the new supervisor for Harbour Isles. Ms. Middlebrooks explained the status of the repair work for the basketball court and the Board discussed the issues regarding that work. Mr. Cox informed the Board that the estimated cost from Welch Tennis to resurface the court was \$4,500.00. Mr. Riles noted that Girard was working to obtain estimates as well.

Ms. Middlebrooks informed the Board of the recent work completed including fertilization and replacing plants. Mr. Letizia discussed the irrigation system on CDD property adjacent to his property and those near Cockle Shell. The Board also discussed the need from trimming the plants next to the backflow preventer on Spindle Shell Way and the need to adjust the rotors from spraying the new playground.

Mr. Cox presented proposals from Girard Landscaping and Lawn Medic for various types of landscape refurbishing within the District. The Board requested that these proposals be tabled until the June meeting.

SIXTH ORDER OF BUSINESS

Consent Agenda Items

Mr. Cox presented two consent agenda items to the Board for consideration:

- A. Consideration of minutes of the Board of Supervisors' meeting held on March 24, 2015
- B. Consideration of March 2015 Operation and Maintenance expenditures.

Mr. Cox presented the consent agenda consisting of the minutes of the regular Board of Supervisors meeting held March 24, 2015 and operations and maintenance expenditures for March 2015 for the Board's consideration. He noted that the O&M expenditures totaled \$55,099.35.

Mr. Cox explained that there were discrepancies with the payment of the Florida Highway Patrol for dates going back into early 2014 and that it was learned that two of the payments had been paid twice. Mr. Cox explained that Sgt. Hobbs with the FHP had been notified and was arranging for the repayment of the \$480 overpayment. Mr. Fazzari discussed his concerns regarding any payment of an invoice over a year old and even those over 90 days old.

Mr. Fazzari next discussed his concern for the excessive water bill that was paid and how this high cost could be attributed to the incident where Pooltime allowed the water to drain from the pool by accident and the pool had to be refilled. Also discussed was the recent notification by Pooltime that the auto-chlorinators were being removed by their sub-contractor and that the District would need to pay for new ones to be installed. Mr. Cox explained that this was counter to the existing contract and that he would approach Pooltime on both issues.

Mr. Fazzari next noted that Mr. Singh with T3 Property Management had not yet responded to requests for reimbursement for overbilling and had indicated he had passed this request to his attorney for evaluation. Mr. Fazzari asked that Mr. Cox notify Mr. Singh that the Board requested a response prior to the next meeting to be held May 26, 2015.

Mr. Craine provided information related to the District's obligation to make payments in a timely manner.

Mr. Fazzari expressed his displeasure that Rizzetta and Company does not maintain a preferred vendor list.

On a Motion by Mr. Letizia, seconded by Mr. Bowden, with four in favor, and Mr. Fazzari opposed, the Board approved the minutes of the Board of Supervisors' meeting held March 24, 2015 and ratified the March 2015 Operation & Maintenance Expenditures in the amount of \$55,099.35 for the Harbour Isles Community Development District.

SEVENTH ORDER OF BUSINESS

Presentation of Fiscal Year 2015-2016 Proposed Budget

Mr. Cox presented the fiscal year 2015-2016 proposed budget and discussed the changes from last year's budget. He noted that with this proposed budget, the annual assessments did not change. He explained that the intent was once the proposed budget was approved, he would schedule the final budget public hearing to be held at the August 28, 2015 CDD meeting and the final budget approved at that time.

The Board members discussed the proposed budget and requested amended amounts for the landscaping maintenance and the capital reserves that did not result in any changes to the overall assessment levels.

EIGHTH ORDER OF BUSINESS

Consideration of Resolution 2015-03; Approving Fiscal Year 2015/2016 Proposed Budget and Setting a Public Hearing

Mr. Cox presented Resolution 2015-03 and explained its contents and purpose. He also noted that the Resolution called for the final budget public hearing to be held at 11:00 a.m. August 25, 2015 and Ms. Fantauzzi correctly pointed out that it should be 6:00 p.m. and the Resolution was amended prior to adoption.

On a Motion by Mr. Fazzari, seconded by Ms. Fantauzzi, with all in favor, the Board adopted the Resolution 2015-03, Approving Fiscal Year 2015/2016 Proposed Budget and Setting a Public Hearing for the Harbour Isles Community Development District.

NINTH ORDER OF BUSINESS

Consideration of Revised District Management Contract – Website Contract

Mr. Cox presented the proposed revised contract for District Management services and explained the contents and purpose of the contract. He noted that the contract was dated October 1, 2015 as it was not intended to go into effect until that date. He explained how the contract's intent was to better define the scope of work for District Management so has to provide clarity to the Board and vendor. He also noted that there were some changes to the structure of the rates but not the total of the rates. He also clarified that the contract included a limit to the number of meetings and the duration of the meetings and that exceeding those limits could result in additional costs.

Mr. Fazzari expressed some concerns and reservations he had with the new contract and expressed that his expectations for a high quality level of service for both the District Management and web site hosting service if they were approved.

Mr. Craine explained that he had reviewed the contract and felt the termination and indemnification clauses were both acceptable.

The Board expressed that if they were to be held to completing a meeting within 3 hours, the management service must insure that information is properly disseminated.

On a Motion by Mr. Fazzari, seconded by Ms. Fantauzzi, with four in favor, and Mr. Letizia opposed, the Board approved the revised District Management contract and the Rizzetta Technology Service web site contract for the Harbour Isles Community Development District.

TENTH ORDER OF BUSINESS

Consideration of Fountain Proposals

The Board members discussed proposals from Vertex Water Features and Architectural Fountains for lighted fountains in the two ponds in front of the Club House. Mr. Cox explained some differences between the electrical requirements for the current aeration system (120V) versus the fountains (230V) and recommended the Board might consider leaving the aeration systems in place and adding the fountains. He noted that an electrical evaluation is needed of the wiring to determine if it can handle the load for both systems. The Board tabled the consideration of the fountains until this could be determined.

ELEVENTH ORDER OF BUSINESS

Consideration of Roof LED Lighting

Mr. Cox presented a proposal from Electric Today for LED lighting to replace roof lighting on the Club House.

On a Motion by Mr. Fazzari, seconded by Mr. Nesbitt, with all in favor, the Board approved the Electric Today LED lighting proposal for the Club House roof for \$1,697.00 for the Harbour Isles Community Development District.

TWELFTH ORDER OF BUSINESS

Consideration of Hurricane Clean Proposal

Mr. Cox presented a proposal from Hurricane Clean for pressure washing wooden structures around the lake along with other structures within the District. The proposal also addressed sealing the pavers at the Club House pool. The Board requested that staff ask Hurricane Clean to revise the proposal to remove those items not owned by the District and to more clearly define the work to be done. The largest concern was regarding the level of sanding to be accomplished on the wooden structures.

THIRTEENTH ORDER OF BUSINESS

Discussion of Old Fitness Center Status

Ms. Fantauzzi provided the Board members with a worksheet (exhibit) that included various options for consideration for use of the former fitness center room. After considering the options the Board members concluded that the room would be used as a combination meeting/game room.

The Board also requested that staff proceed with the previously discussed closed bid auction of the remaining equipment.

FOURTEENTH ORDER OF BUSINESS

Consideration of Audited Financial Report for Year Ending September 30, 2014

Mr. Cox presented the audit report for the fiscal year ending September 30, 2014 and noted that there were no negative findings noted. Mr. Fazzari added that he had also reviewed the report.

On a Motion by Mr. Letizia, seconded by Ms. Fantauzzi, with all in favor, the Board accepted and filed the September 30, 2014 audit for the Harbour Isles Community Development District.

FIFTEENH ORDER OF BUSINESS

Staff Reports and Updates

A. Property Management

Mr. Ramsewak presented the property management report to the Board. Mr. Fazzari noted that there was an unexpectedly high number of equipment failures with the new fitness equipment.

The Board members discussed an email received from Darryl Singh with T3 Property Management that indicated the staff would no longer use personal vehicles beginning July 1, 2015 for District work. The Board members discussed options and requested that staff begin exploring the options for purchasing a new pickup truck for the District.

Ms. Fantauzzi addressed the current pool closing times relative to sunset and the Board members agreed that effective May 1, 2015, the closing time would change to 7:30 p.m.

The Board members discussed the current access to the former fitness center and the desire to set the alarms and agreed to have staff begin cutting access to the former fitness center at 8:00 p.m.

B. District Counsel

Mr. Craine provided the Board with an update of the status of the TYCO contract negotiations. He explained that TYCO appears locked into a five year contract stance. The Board members discussed the issue and requested staff to contact Envera Security to see if they would be interested in assessing the District's security camera and monitoring situation and possibly providing quote.

C. District Manager Update

Mr. Cox noted that the next meeting is scheduled for May 26, 2015 at 11:00 a.m. He informed the Board that he had provided a security lock box for the property management office to use. He also informed the Board of a recent experience he had with a cell phone tower in a Bradenton District and mentioned the Board might wish to consider it as an option for a parcel of land near the boat storage area.

i. Financial Status & Summary Report

Mr. Cox provided a summary of the March 31, 2015 financials for the Board.

ii. Action Items Review

Mr. Cox reviewed the action item list with Board members.

SIXTEENTH ORDER OF BUSINESS

Supervisor Requests

Mr. Letizia requested a clock be installed in the meeting room.

Mr. Fazzari informed the Board of a complaint from a resident about skateboarding in the concrete culvert behind homes on Moon Shell and Star Shell. He requested signage be posted to inform that this is trespassing.

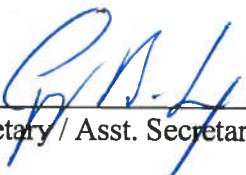
Mr. Fazzari noted an apparent increase in residents allowing their dogs to poop on common areas without picking it up and requested an email be sent to residents addressing this

There was a discussion of a resident continually allowing his dog to run free without a lease on common area property. The Board requested a letter be sent to this resident.

SEVENTEENTH ORDER OF BUSINESS

Adjournment

On a Motion by Mr. Letizia, seconded by Ms. Fantauzzi, with all in favor, the Board called the meeting to adjourn at 3:10 p.m. for the Harbour Isles Community Development District.


Secretary / Asst. Secretary


Chairman / Vice Chairman

HARBOUR ISLES COMMUNITY DEVELOPMENT DISTRICT

DISTRICT OFFICE · 3434 COLWELL AVENUE · SUITE 200 · TAMPA, FLORIDA 33614

April 13, 2015

Mr. and Mrs. Richard Rubright
921 Apollo Beach Blvd., Unit 101
Apollo Beach, FL 33572


Dear Mr. and Mrs. Rubright:

As District Manager of the Harbour Isles Community Development District ("District"), I have been informed that you entered the pool area of the Harbour Isles clubhouse at approximately 8:40 p.m. on April 11, 2015 after the pool was closed and remained there until 9:35 p.m. After being denied access through the pool gate several times, entry was made by climbing over the locked gate. Your entry activated alarms and the security system notified you verbally to depart which you did not. I was also informed that you and your guests ignored the repeated callouts from the security service to leave the area.

Entering the pool area after hours is considered a severe violation of the District's Common Property Policies and as such, your access card privileges and use of common property facilities are immediately suspended. This suspension includes but is not limited to the pool and pool area, fitness center, and other amenities. Your suspension will continue to the meeting of the Board of Supervisors which is scheduled for 11:00 a.m., April 28, 2015 at the Club House meeting room. The Board of Supervisors, at this meeting, will consider potential additional actions which could include continued suspension.

Should you have any questions regarding this letter, I can be reached by phone at 813-933-5571 or by email at gcox@rizzetta.com. If you wish to address the District Board of Supervisors regarding this matter, you may do so at the Board's April 28, 2015 meeting. Please advise me if you intend to attend the meeting so that I can adjust the agenda to acknowledge your attendance.

Sincerely,


Greg Cox
District Manager

Enclosures: camera photos

Gregory Cox

From: Rubright, Richard W CTR JSOU <Richard.Rubright.ctr@socom.mil>
Sent: Wednesday, April 22, 2015 10:06 AM
To: Gregory Cox
Cc: Raney, Mark L CIV JSOU; Sager, Steven CTR USSOCOM HQ; Harig, Curt R CIV JSOU; Mitchell, Robert M CIV JSOU; McCabe, Peter CTR USSOCOM HQ; Moyar, Mark A CTR USSOCOM HQ; Bates, Christopher J CIV JSOU; 'neckerle@yahoo.com'
Subject: Be careful in your after hours special operations training; the HOA can be dangerous.
Attachments: Technology changes the battlefield.pdf

Mr. Greg Cox

Given the inaccuracies in the letter you provided to me dated April 13, 2015 I will be happy to address the HOA Board on April 28, 2015 at 11:00 concerning my "severe violation" of policies. You did however fail to mention where the Board meeting will take place. I do not dispute the authenticity of the pictures, just the recounting of events.

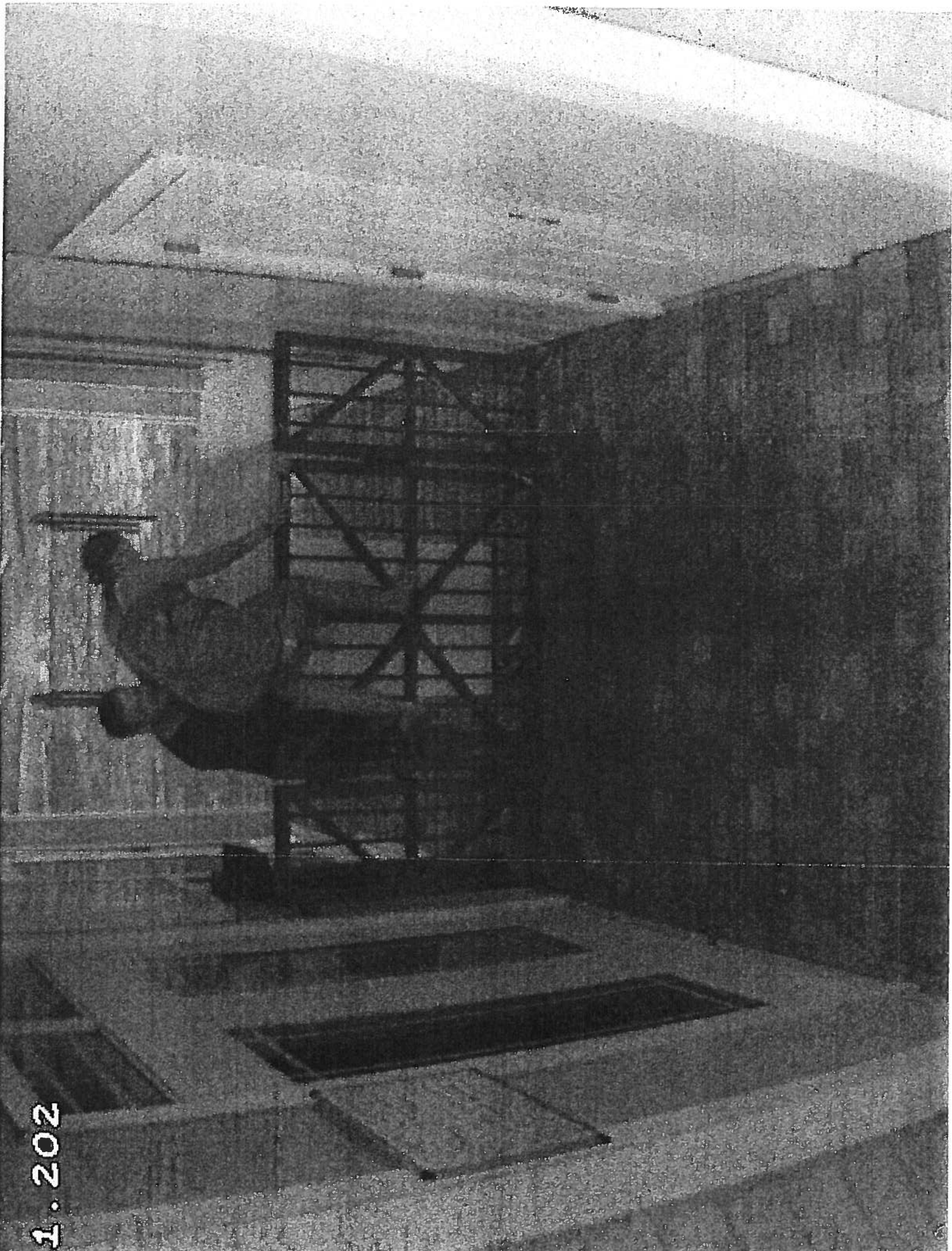
To those on the CC line:

Let's face it gentlemen, after hours special operations training is meeting challenges in the typical HOA environment. What is Rich doing in the Horn of Africa operating area you may ask?...no not that HOA....the other HOA; Home Owners Association. You may want to rethink that extra surveillance and reconnaissance training for the spouse given today's technical ISR capabilities. Just a simple ingress? Not anymore, the night vision ISR capabilities require a new level of awareness by the not-so-SOF operator. Hit the pool for some late light (8:30 is late for some of us) underwater demo simulation training? Nope...need that invisibility cloak from Harry Potter now.

Very Respectfully

Rich

Dr. Richard Rubright, Contractor
Helios Global
Associate Professor
Joint Special Operations University
FMD, U.S. Special Operations Command
Work: 813-826-2456
Cell: 813-382-2260
NIPR: richard.rubright.ctr@socom.mil
SIPR: richard.rubright.ctr@socom.smil.mil



1. 202



District Engineer's Report
Harbour Isles CDD
April 28, 2015



Bayside Engineering is pleased to provide civil engineering services to the Harbour Isles' Community Development District (CDD). This report has been furnished to apprise the CDD board of trustees of active and pending engineering activities at the public meeting to be held on Tuesday April 28, 2015.

Agenda Item 5.D. District Engineer Update:

- I. SWFWMD Notice of As-built Deviation Letter
 - o SWFWMD Statement of Completion Form
 - o Record Drawing Stamp
- II. Hillsborough County Certificate of Occupancy
 - o Utilities released the C/O on April 6th, but it has not been available to the contractor (as of this morning)
 - A. District Engineer contacted Joanne Boerner at Hillsborough County this morning and she confirmed that it should be available
 - B. Will follow up with county/contractor
- III. Open discussion

Should you have any questions or concerns for the Engineer, please feel free to contact Jordan L Caviggia at 813-314-0295.

Sincerely,

Jordan Caviggia, P.E.

Project Manager

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<u>Suggested options</u>	<u>Needs and cost of implementation</u>	<u>Pros and Cons</u>
Club House Office		
Game Room		
Coffee/Snack Bar/ Internet Cafe		
Aerobic Exercise Room		
Child Care Room		
Toddler Playroom		
Lounge/Reading/ Internet Room		
Meeting Room		