

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 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.

**FISHHAWK
COMMUNITY DEVELOPMENT DISTRICT**

The regular meeting of the Board of Supervisors of Fishhawk Community Development District was held on **Monday, June 20, 2005 at 1:00 p.m.** at the Fishhawk Ranch Clubhouse, located at 5721 Osprey Ridge Drive, Lithia, Florida 33547.

Present and constituting a quorum:

Doug Gilmore	Board Supervisor, Chairman
Bill Jacobsen	Board Supervisor, Assistant Secretary
Cliff Roberts	Board Supervisor, Assistant Secretary

Also present were:

Pete Williams	District Manager, Rizzetta & Company, Inc.
Biff Craine	District Counsel, Bricklemyer, Smolker & Bolves, P.A.
Amanda King	Amenities Director

FIRST ORDER OF BUSINESS

Call to Order

Mr. Williams called the meeting to order and read the roll call.

SECOND ORDER OF BUSINESS

**Consideration of the Minutes
of the Board of Supervisors'
Meeting on May 16, 2005**

On a Motion by Mr. Gilmore, seconded by Mr. Roberts, the Board of Supervisors approved the Minutes of the Board of Supervisors' Meeting on May 16, 2005 for Fishhawk Community Development District.
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THIRD ORDER OF BUSINESS

**Consideration of Operation and
Maintenance Expenditures for
June**

On a Motion by Mr. Roberts, seconded by Mr. Jacobsen, the Board of Supervisors approved the Operation and Maintenance Expenditures for June for Fishhawk Community Development District.

FOURTH ORDER OF BUSINESS

**Presentation of Proposed Budget for
Fiscal Year 2005/2006 and Consideration
of Resolution 2005-04, Adopting Proposed
Budget for Fiscal Year 2005/2006**

On a Motion by Mr. Gilmore, seconded by Mr. Roberts, the Board of Supervisors approved Resolution 2005-04, adopting the Proposed Budget for Fiscal Year 2005/2006 (\$959,622) and set the public hearing for August 15, 2005 to be held at the Fishhawk Ranch Clubhouse, located at 5721 Osprey Ridge Drive, Lithia, Florida 33547 for Fishhawk Community Development District.

FIFTH ORDER OF BUSINESS

Staff Reports

A. District Counsel

Mr. Craine provided a brief review of a Florida Supreme Court ruling (Borough vs. The City of Miami Beach) regarding the central liability of the use of nature facilities or in the District's case the man made facilities, such as the Aquatic Center. He stated that he does not believe that this would impact the District. The standard of care or duty to the users is not any different then previously stated within regards to the swimming pools, or if it was a lake or man made lake, and then warnings would be needed to advise users of the possible dangers. Mr. Craine explained this would affect coastal communities which would to provide warnings to the public and those are being encouraged to use these facilities. The City of Miami Beach had provided showers, change areas, and licensed vendors encouraging the use of the beach, all under the control of The City of Miami Beach and shows their responsibility to the public. Mr. Williams stated that he had a concern of the far reaching aspects for the sister District, Fishhawk II, as the local school has requested access for passage by a water drainage pond.

B. District Engineer
Not present.

C. District Manager

Mr. Williams distributed copies of the Capital Project Re-Cap 2004 Bond Refinancing. He reviewed this for the Board providing an update on the expenditures and balances. Mr. Williams requested that the campsites be removed from the project, due to the burden of liability, as well as, other areas of concern such as controlling the area and noise. As well, he asked that the \$25,000 be reassigned to the standard Park and Recreation category, stating that it may be applied to the alternate list to do in the future.

<p>On a Motion by Mr. Jacobsen, seconded by Mr. Gilmore, the Board of Supervisors approved the removal of campsites from the project and the reassigning of the \$25,000 to the standard park and recreation improvement for Fishhawk Community Development District.</p>

Mr. Williams asked the Board to consider supporting the HOA policy, as it relates to private instruction held at CDD facilities. He stated that recently, personal trainers, who have been hired by residents, have come back bringing with them non-residents to use the facilities. Mr. Williams requested that the District support the policy change by the HOA for private instruction at any facilities, have trainers register with the HOA providing copies of both business licenses and insurance policies. He stated that there may be inherent liability for District, and the approved vendor list will assist in controlling and ensuring that the persons are both licensed and insured for these purposes, as well as, allowing for removal of said persons if they don't not comply with rules, by bringing in non-residents to use the facilities. This would only apply to commercial/private instructors. Mr. Williams stressed his concern for the potential of lawsuits in case of injury. General discussion ensued. He asked for a motion to approve.

On a Motion by Mr. Gilmore, seconded by Mr. Jacobsen, the Board of Supervisors approved to support the HOA policy change to require resident invited trainers to provide both licenses and insurance information and registering as a vendor for Fishhawk Community Development District.

D. Amenities Director

Ms. King presented a proposal to the Board for resurfacing of the tennis courts of Phase I. The proposal is from Welch Tennis Courts, Inc. in the amount of \$9,400. Mr. Williams recommended that it be held for the beginning of the next fiscal year. It was suggested that the bond proceeds from the refinancing be utilized for this expenditure. Mr. Williams said that he would coordinate with Ms. King to proceed.

On a Motion by Mr. Gilmore, seconded by Mr. Roberts, the Board of Supervisors approved the proposal for Welch Tennis Courts, Inc. (\$9,400 for resurfacing the tennis court) for Fishhawk Community Development District.

SIXTH ORDER OF BUSINESS

**Audience Comments and Questions
and Supervisor Requests**

Mr. Williams stated that the next order of business was audience comments and Supervisor requests. He stated that there were audience members present. He asked if there were any comments or questions. There was general discussion; however, no action was taken by the Board.

Mr. Williams asked if the Supervisors had any requests. Mr. Gilmore submitted his resignation to the Board. Mr. Williams asked the Board to consider the resignation and to have it effective at the adjournment of the meeting.

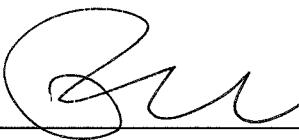
On a Motion by Mr. Jacobsen, seconded by Mr. Roberts, the Board of Supervisors accepted the resignation of Mr. Gilmore from the Board of Supervisors (effective at the adjournment of the meeting) for Fishhawk Community Development District.

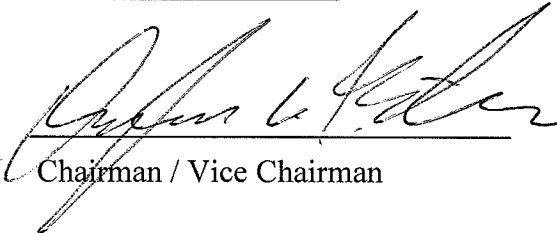
SEVENTH ORDER OF BUSINESS

Adjournment

Mr. Williams stated that there were no other items on the agenda and asked for a motion to adjourn the meeting at 2:00 p.m.

On MOTION by Mr. Jacobsen, seconded by Mr. Roberts, with all in favor, the Board adjourned the meeting for Fishhawk Community Development District.



Secretary / Assistant Secretary

Chairman / Vice Chairman