

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.

**FISHHAWK
COMMUNITY DEVELOPMENT DISTRICT**

The regular meeting of the Board of Supervisors of Fishhawk Community Development District was held on **Monday, January 16, 2006 at 3:35 p.m.** at the Fishhawk Ranch Clubhouse, located at 5721 Osprey Ridge Drive, Lithia, Florida 33547.

Present and constituting a quorum:

Kerri McDougald	Board Supervisor, Chairman <i>(joined meeting in progress)</i>
Kary Andrews	Board Supervisor, Vice Chairman
Bill Jacobsen	Board Supervisor, Assistant Secretary
Cliff Roberts	Board Supervisor, Assistant Secretary
Willard McKeith	Board Supervisor, Assistant Secretary

Also present were:

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

FIRST ORDER OF BUSINESS

Call to Order

Ms. Bayne 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
December 19, 2005**

Ms. Bayne stated the first item on the agenda was the consideration of the minutes of the Board of Supervisors' meeting on December 19, 2005. She asked if there were any questions, additions, deletions or corrections. Hearing none, she asked for a motion to approve.

On a Motion by Mr. Roberts, seconded by Ms. Andrews, the Board approved the minutes of the Board of Supervisors' meeting on December 19, 2005 for Fishhawk Community Development District.
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THIRD ORDER OF BUSINESS

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

Ms. Bayne stated that the next item on the agenda was the consideration of the Operation and Maintenance expenditures for January. She stated that the total expenditures for the period of December 1-31, 2005 totaled \$163,494.43. Ms. Bayne stated that she distributed a copy of the expenditures that she reviewed and that there were several items to note. She reviewed the expenditures that were allocated to the Fishhawk District instead of the Fishhawk II District. Ms. Bayne stated that these incorrect allocations will be reimbursed accordingly. Ms. Bayne asked if there were any other questions. Hearing none, she asked for a motion to approve.

(Ms. McDougald joined the meeting in progress.)

On a Motion by Ms. Andrews, seconded by Mr. Roberts, the Board approved the Operation and Maintenance Expenditures for January (\$163,494.43) for Fishhawk Community Development District.

FOURTH ORDER OF BUSINESS

**Consideration of Proposal for Phase I
Park Site**

Ms. Bayne stated that the next item on the agenda was the consideration of a proposal for the Phase I Park Site from Larkin Contracting, Inc. for \$7,889. She stated that the proposal is for pond work in accordance with an inspection done by SWFWMD. Ms. McDougald requested that going forth, projects be put out to bid so they can receive competitive pricing. Mr. Williams reviewed the bidding process requirements for the Board. Ms. Bayne asked if there were any questions. General discussion ensued. Ms. Bayne asked for a motion to approve. Mr. McKeith stated that the proposal was approved at the November 21, 2005 meeting. It was stated that when approved there were several questions about the work to be performed and to date the work has not been done and the contractor has not been paid. It was recommended to approve the proposal (subject to verification that the work has not been completed and the contractor paid).

On a Motion by Ms. Andrews, seconded by Ms. McDougald, the Board approved the proposal for Phase I Park Site from Larkin Contracting, Inc. for \$7,889 (subject to verification that the work has not been completed and the contractor paid) for Fishhawk Community Development District.

FIFTH ORDER OF BUSINESS

Staff Reports

- A. District Counsel
No report.

- B. District Engineer
No report.

C. Amenities Director Report

Ms. Andrews and Ms. King provided an update on the status of the ongoing TECO Trail contract issue.

D. District Manager

Ms. Bayne stated that she was asked at a prior meeting to research the options available for restricting access to the basketball courts. Mr. Williams stated that the District can not restrict access to the basketball courts because they are public courts. He stated that if the District were to monitor access to the courts, it would nullify the lack of liability based on statutes which states that governmental entities such as CDDs are not expected to monitor the courts. Discussion ensued regarding the problems at the basketball courts. The Board discussed if the District had the right to revoke a resident's privileges if convicted of a crime. Mr. Williams suggested that they work on a discipline policy to bring back before the Board at the next meeting for approval.

Ms. Bayne stated that the District received an informational email from a resident in regards to the mowing of the grass at Bevis Elementary.

Ms. Bayne stated that at the previous meeting, the Board requested that she distribute and discuss the Interlocal agreement between Fishhawk I & II at today's meeting. Mr. Williams distributed copies of the Interlocal agreement to the Board. He reviewed the Interlocal agreement and process for the Board. General discussion ensued. Mr. Roberts made a motion to authorize District Staff to begin researching a plan of action to move forward with the merging of Fishhawk I & II.

On a Motion by Mr. Roberts, seconded by Ms. McDougald, the Board authorized District Staff to begin researching a plan of action to move forward with the merging of Fishhawk I & II for Fishhawk Community Development District.

SIXTH ORDER OF BUSINESS

Audience Comments and Supervisor Requests

Ms. Bayne stated that the next order of business was audience comments and supervisor requests. She asked if there were any Supervisor requests. Mr. Jacobsen requested that the Board look at possibly canceling the landscape maintenance contract for Bevis Elementary. General discussion ensued. The Board decided to hold a workshop in the future to further discuss the cancellation of the contract.

Discussion ensued regarding several invoices listed in the operation and maintenance expenditures for January.

Ms. Bayne asked if there were any audience comments. General audience comments were entertained but no action was taken by the Board.

SEVENTH ORDER OF BUSINESS


Adjournment

Ms. Bayne stated that there were no other items on the agenda and asked for a motion to adjourn the meeting.

On a Motion by Ms. McDougald, seconded by Ms. Andrews, with all in favor, the Board adjourned the meeting at 5:00 p.m. for Fishhawk Community Development District



Secretary/Assistant Secretary



Chairman/Vice Chairman