

**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, June 19, 2006 at 4:32 p.m.** at the Fishhawk Palmetto Club, located at 17004 Dorman Road, Lithia, Florida 33547.

Present and constituting a quorum:

Kerri McDougald	<b>Board Supervisor, Chairman</b>
Kary Andrews	<b>Board Supervisor, Vice Chairman</b>
Bill Jacobsen	<b>Board Supervisor, Assistant Secretary</b>
Willard McKeith	<b>Board Supervisor, Assistant Secretary</b>
Cliff Roberts	<b>Board Supervisor, Assistant Secretary</b>

Also present were:

Debby Bayne	<b>District Manager, Rizzetta &amp; Company, Inc.</b>
BJ Coryer	<b>Representative, Rizzetta &amp; Company, Inc.</b>
Biff Craine	<b>District Counsel, Bricklemyer, Smolker &amp; Bolves, P.A.</b>
Amanda King	<b>Amenities Director</b>
Dawn Turner	<b>Activities Director</b>
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 Minutes of the Board of  
Supervisors Meeting on May 15, 2006**

Ms. Bayne stated the next item on the agenda was the consideration of the minutes of the Board of Supervisors meeting on May 15, 2006. She asked if there were any additions, deletions, or corrections to the minutes. There were none.

On a Motion by Ms. McDougald, seconded by Mr. Roberts, with all in favor, the Board approved the minutes of the Board of Supervisors meeting on May 15, 2006 Fishhawk Community Development District.
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*Mr. Roberts left the meeting.*

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**THIRD ORDER OF BUSINESS**

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

Ms. Bayne stated that the next item on the agenda was the consideration of the Operation and Maintenance Expenditures for the period of May 1-31, 2006, totaling \$204,383.21. She briefly reviewed the expenditures for the Board. Ms. Bayne stated that several invoices were brought to her attention. She stated that the invoices from Advanced Audio Design for \$442.21 and Alpaugh Plumbing and Supply, Inc. for \$150.00 were for Fishhawk II expenses. Ms. Bayne stated that the invoice from bulbs.com for \$367.66 should have been split between Fishhawk and Fishhawk II. She stated that she will seek reimbursement from Fishhawk II for these expenses. Ms. Bayne asked if there were any other questions. General discussion ensued. Ms. Andrews made a motion to approve.

<p>On a Motion by Ms. Andrews, seconded by Ms. McDougald, with all in favor, the Board approved the Operation and Maintenance Expenditures for June for Fishhawk Community Development District.</p>
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**FOURTH ORDER OF BUSINESS**

**Courtside Cabana Update**

Ms. Bayne stated that the next item on the agenda was the Courtside Cabana update. Ms. Bayne stated that the owner of Courtside Cabana, Manny Tzilvelis, made several requests of the Board at a previous meeting. She stated that the requests were in regards to the alleviation of a \$1,000 per month tax assessment effective January 2006, permission to advertise within the District, and the amending of the lease agreement. Ms. Bayne stated that at the last meeting, the Board passed a motion to authorize District Counsel to work on an amended lease agreement to include an additional five years on the lease. She stated that Mr. Craine distributed a copy of the revised lease agreement to the Board.

Mr. Craine provided an update on the alleviation of the tax assessment. He stated that he investigated the tax bill and it was found that the taxation was on the personal property which is the business asset of Courtside Cabana. Mr. Craine stated that the taxable value was based on an increment disclosure of the assets.

Mr. Craine stated that because Fishhawk was not originally zoned as commercial, they spoke to Hillsborough County regarding having a commercial operation on the property that was incidental to the operation of the overall facility. He stated that rather than being a true commercial operation, it would be an amenity to the pool area. Mr. Craine stated that the District represented that they would not allow any off premises signage for Courtside Cabana to prevent it from taking on a commercial air. He stated that the Hillsborough County zoning department has not required the District to rezone the property to commercial status and has allowed (in writing) the Courtside Cabana to operate on the property. Mr. Craine stated that because of this, it is specifically stated in the contract that signage is prohibited.

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Mr. Craine stated that as instructed by the Board, he revised the lease agreement to extend the terms of the lease by an additional five years. He stated that in the original contract, there is an acceleration clause that is applied to the aptly monthly payment amount. Mr. Craine stated that it is his understanding that they have not invoked this clause. He stated that based upon all the information presented, it is up to the Board to consider the fiscal soundness of the agreement and whether the District should extend the agreement for the additional five years based on the tax liability for the ad valorem taxation on the personal property. General discussion ensued.

On a Motion by Ms. McDougald, seconded by Ms. Andrews, with all in favor, the Board agreed to delay the approval of the amended lease agreement until Ms. King and Ms. McDougald meet with Manny Tzilvelis of the Courtside Cabana to further discuss the current issues for Fishhawk Community Development District.

*(Mr. Craine left the meeting.)*

#### **FIFTH ORDER OF BUSINESS**

#### **Presentation of Fiscal Year 2006/2007 Proposed Budget**

Ms. Bayne stated that the next item on the agenda was the presentation of the Fiscal Year 2006/2007 Proposed Budget. She stated that the adoption of the budget begins the budget process and the sixty day period between the adoption of the proposed and final budget as per Florida Statute. Ms. Bayne stated that the Board will have until the public hearing in August to make any changes to the budget. She briefly reviewed the administrative portion of the budget for the Board. Ms. Bayne stated that the administrative subtotal for Fiscal Year 2006/2007 was \$134,435 which is an increase of \$20,850 from the previous year. She asked if there were any questions. There were none.

Ms. Bayne briefly reviewed the field operations portion of the budget for the Board. It was requested that they increase the Off Duty Deputy Services line item to \$80,000 based on the projected annual total for Fiscal Year 2005/2006. It was also requested that the Miscellaneous Contingency line item be increased to \$200,000. Ms. Bayne stated that with the changes made the field operations subtotal for Fiscal Year 2006/2007 is \$1,175,800 which is an increase of \$281,334 from the previous fiscal year. She stated that the total budget for Fiscal Year 2006/2007 is \$1,310,235 which is an increase of \$302,184 from the previous fiscal year. Ms. Bayne asked if there were any questions. General discussions ensued.

Ms. Bayne reviewed the Debt Service Fund and Capital Project Fund Budgets for the Board. She stated that the Debt Service Fund Budget is based on the November 2006 and May 2007 Debt Service schedule payments. Ms. Bayne stated that there are two payments made each year for the bond. She stated that the Capital Projects Fund Budget is based on the fund balance as of May 31, 2006. Ms. Bayne reviewed the proposed assessments for Fiscal Year 2006/2007. General discussion ensued. She asked if there were any further questions. There were none.

**SIXTH ORDER OF BUSINESS**

**Consideration of Resolution 2006-04,  
Adopting Fiscal Year 2006/2007 Proposed  
Budget and Setting the Date, Time, and  
Place for the Public Hearing**

Ms. Bayne stated that the next item on the agenda was the consideration of Resolution 2006-04, Adopting Fiscal Year 2006/2007 Proposed Budget and Setting the Date, Time, and Place for the Public Hearing. She recommended scheduling the public hearing in conjunction with the regularly scheduled meeting on August 21, 2006 at 3:30 p.m.

On a Motion by Ms. Andrews, seconded by Ms. McDougald, with all in favor, the Board approved Resolution 2006-04, Adopting Fiscal Year 2006/2007 Proposed Budget (\$1,310,235) and Set August 21, 2006 at 3:30 p.m. at the Fishhawk Palmetto Club, located at 17004 Dorman Road, Lithia, FL 33547 for the public hearing for Fishhawk Community Development District.

**SEVENTH ORDER OF BUSINESS**

**Discussion on Bevis Elementary  
Landscape Maintenance and Off Duty  
Sheriff Patrol**

Ms. Bayne stated the next item on the agenda was the discussion regarding the Bevis Elementary landscape maintenance and the off duty sheriff patrol. She stated that at the last meeting, the Board requested that the District Manager work with the Chairman on the final revisions of the resident survey in regards to the continuation of the landscape maintenance at Bevis Elementary and the continuation of the Off Duty Sheriff Patrol's services. General discussion ensued regarding the options available. Ms. Andrews made a motion to continue paying the landscape maintenance for Bevis Elementary and the Off Duty Sheriff Patrol as needed, and recommended the Board not send a survey to the residents.

On a Motion by Ms. Andrews, seconded by Mr. McKeith, with two in favor (Ms. Andrews and Mr. McKeith) and two against (Ms. McDougald and Mr. Jacobsen), the motion did not carry to continue to pay the landscape maintenance for Bevis Elementary and Off Duty Sheriff Patrol as needed and to not send out a survey to the residents for Fishhawk Community Development District.

**EIGHTH ORDER OF BUSINESS**

**Staff Reports**

- A. District Counsel  
Not present.
  
- B. District Engineer  
Not present.

C. District Manager

Ms. Bayne stated that there will be a budget workshop in conjunction with the Fishhawk II CDD Board on July 26, 2006 at 6:00 p.m. at the Fishhawk Palmetto Club. She stated that she would post the date of the workshop on the Fishhawk website. Ms. Bayne briefly reviewed what would be discussed at the Budget Workshop.

Ms. Bayne stated that she received a letter from the Hillsborough County Supervisor of Elections indicating that as of April 15, 2006 there are 3,012 registered voters within the District.

*(Ms. Andrews and Ms. King left the meeting.)*

**NINTH ORDER OF BUSINESS**

**Audience Comments and Supervisor Requests**

Ms. Bayne stated that the next item on the agenda was audience comments and Supervisor requests. She noted that there were audience members present. Ms. Bayne asked if there were any Supervisor requests. Mr. Jacobsen inquired if the District is legally required to have a payphone available at the clubhouse. Ms. Bayne recommended that Mr. Jacobsen ask District Counsel during the next meeting.

Ms. Bayne asked if there were any audience comments. There were none.

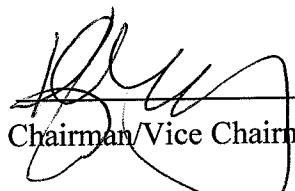
**TENTH ORDER OF BUSINESS**

**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 Mr. McKeith, with all in favor, the Board adjourned the meeting at 6:37 p.m. for Fishhawk Community Development District

  
Secretary/Assistant Secretary

  
Chairman/Vice Chairman