

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, September 21, 2009 at 4:57 p.m.** at the Fishhawk Palmetto Club, located at 17004 Dorman Road, Lithia, Florida 33547.

Present and constituting a quorum:

Kerri McDougald	Board Supervisor, Chairman
Willard McKeith	Board Supervisor, Vice Chairman
Cliff Roberts	Board Supervisor, Assistant Secretary
Patricia Roberts	Board Supervisor, Assistant Secretary <i>(joined the meeting in progress)</i>

Also present were:

Eric Dailey	District Manager, Rizzetta & Company, Inc.
Samantha Carlson	Representative, Rizzetta & Company, Inc.
Biff Craine	District Counsel, Brickleyer, Smolker & Bolves, P.A.
Tim Plate	District Engineer, Smart Design Tampa Bay, LLC
Holly Quigley	Community Director
Rachel Welborn	Resident Services Coordinator
Audience	

FIRST ORDER OF BUSINESS

Call to Order

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

SECOND ORDER OF BUSINESS

District Engineer Staff Report

Mr. Plate explained that Heidt & Associates has terminated their business. He explained that the firm has taken on a new name of Smart Design Tampa Bay, LLC which will be later named Heidt Design, LLC. Mr. Plate presented an offer letter to the Board from Heidt Design, LLC for District Engineering services and explained that Heidt Design had acquired the Fishhawk CDD contract from Heidt & Associates. He stated that Heidt has a solid relationship with GeoPoint Surveying Inc., which will continue to do the surveying work as necessary for the District. A brief discussion ensued.

On a Motion by Ms. McDougald, seconded by Mr. McKeith, with all in favor, the Board of Supervisors accepted the offer letter from Smart Design Tampa Bay, LLC to be later named Heidt Design, LLC for District Engineering Services for Fishhawk Community Development District.

Mr. Plate stated that he completed an inspection at the Fishhawk Ranch Bridge View public trail where the sidewalk had experienced erosion. He reviewed his recommendations for the Board. A clarification was made that the repairs needed are for an already existing trail.

On a Motion by Ms. McDougald, seconded by Mr. McKeith, with all in favor, the Board of Supervisors approved the recommendations made by the District Engineer pending the approval of splitting the costs 50/50 with the Fishhawk CDD II for Fishhawk Community Development District.

Mr. Plate stated that the Nature Trail Proposal Review Committee recommended that the Board of Supervisors negotiate a contract with RIPA & Associates for the project.

On a Motion by Ms. McDougald, seconded by Ms. Roberts, with all in favor, the Board of Supervisors accepted the recommendation from the Nature Trail Proposal Review Committee to negotiate a contract with RIPA & Associates for Fishhawk Community Development District.

THIRD ORDER OF BUSINESS

Consideration of Proposals for Fitness Equipment

Mr. Dailey presented and reviewed proposals to the Board from three different vendors. Mr. Couch, representative of FitRev, was present at the meeting and elaborated on his proposals for the Board. A brief discussion ensued.

On a Motion by Ms. McDougald, seconded by Ms. Roberts, with all in favor, the Board of Supervisors approved the proposal from FitRev (Lease option #1) as discussed for Fishhawk Community Development District.

FOURTH ORDER OF BUSINESS

Discussion on Café

On a Motion by Ms. McDougald, seconded by Mr. Roberts, with all in favor, the Board of Supervisors approved to extend the current contract and its current terms with Coney's, Inc. until September 30, 2010 for café services for Fishhawk Community Development District.

FIFTH ORDER OF BUSINESS

Consideration of Minutes of the Board of Supervisors meeting on August 17, 2009

On a Motion by Mr. Roberts, seconded by Mr. McKeith, with all in favor, the Board of Supervisors approved the minutes of the Board of Supervisors meeting on August 17, 2009 for Fishhawk Community Development District.

SIXTH ORDER OF BUSINESS

Consideration of Operation and Maintenance Expenditures for September 2009

On a Motion by Mr. Roberts, seconded by Mr. McKeith, with all in favor, the Board of Supervisors approved the Operation and Maintenance Expenditures for September 2009 (totaling \$77,627.30) for Fishhawk Community Development District.

SEVENTH ORDER OF BUSINESS

Presentation of Shared Costs and Reimbursements Spreadsheet

Mr. Dailey presented the CDD I and CDD II shared costs and reimbursements spreadsheet for informational purposes.

EIGHTH ORDER OF BUSINESS

Consideration of Series 2004 Construction Requisition #43

On a Motion by Ms. McDougald, seconded by Mr. Roberts, with all in favor, the Board of Supervisors ratified the Series 2004 Construction Requisition #43 for Fishhawk Community Development District.

NINTH ORDER OF BUSINESS

Consideration of Contract with Fishhawk Ranch HOA for Amenity Management Services

Mr. Dailey presented the contract with the Fishhawk Ranch HOA for Amenity Management Services stating that no changes had been made. A brief discussion ensued.

On a Motion by Ms. McDougald, seconded by Mr. Roberts, with all in favor, the Board of Supervisors approved the contract with the Fishhawk Ranch HOA for Amenity Management Services for Fishhawk Community Development District.

TENTH ORDER OF BUSINESS

Presentation of Pond Maintenance Inspection Report

Mr. Dailey presented the pond maintenance inspection report to the Board. A brief discussion ensued.

ELEVENTH ORDER OF BUSINESS

**Presentation of Monthly Landscape
Status Report**

Mr. Dailey presented the landscape monthly status report for the Board. No action was taken.

TWELFTH ORDER OF BUSINESS

**Consideration of Proposals from Sunrise
Landcare**

On a Motion by Mr. McKeith, seconded by Ms. McDougald, with all in favor, the Board of Supervisors approved the proposal from Sunrise Landcare for bushhog mowing the retention ponds for Fishhawk Community Development District.

On a Motion by Ms. McDougald, seconded by Mr. Roberts, with all in favor, the Board of Supervisors approved the proposal from Sunrise Landcare for quarterly bushhog mowing of the retention ponds for Fishhawk Community Development District.

On a Motion by Mr. McKeith, seconded by Ms. Roberts, with all in favor, the Board of Supervisors approved the proposal from Sunrise Landcare for tree work at the Eagle Ridge Trail System for Fishhawk Community Development District.

The Board tabled two proposals from Sunrise Landcare for the Hawk Park pool area.

THIRTEENTH ORDER OF BUSINESS

**Consideration of Proposals for
Maintenance and Monitoring Service of
Alarm and Access Card System**

Mr. Dailey presented proposals from Devcon and Suburban Alarm. After discussion, the Board agreed to table the proposals in order to obtain a more clear scope of work and will present at the next meeting.

FOURTEENTH ORDER OF BUSINESS

**Consideration of Proposals for Waste
Collection Services**

On a Motion by Ms. McDougald, seconded by Mr. McKeith, with all in favor, the Board of Supervisors approved the proposal for the Osprey Club from Waste Management for a three year term for Fishhawk Community Development District.

It was stated that District Staff will remove the fence at Hawk Park that is currently posted as it is no longer needed.

FIFTEENTH ORDER OF BUSINESS

Consideration of Proposal from Aircraft Signs, Inc.

On a Motion by Mr. McKeith, seconded by Ms. Roberts, with all in favor, the Board of Supervisors approved the proposal from Aircraft Signs, Inc. for sign repairs at the Teal Rise entryway for Fishhawk Community Development District.

SIXTEENTH ORDER OF BUSINESS

Consideration of Proposals for Hockey Court Resurfacing

On a Motion by Mr. McKeith, seconded by Ms. Roberts, with all in favor, the Board of Supervisors approved the proposal from Welch Tennis Courts Inc. for hockey court resurfacing for Fishhawk Community Development District.

On a Motion by Mr. McKeith, seconded by Mr. Roberts, with all in favor, the Board of Supervisors approved the sharkskin grey color for the hockey court resurfacing for Fishhawk Community Development District.

SEVENTEENTH ORDER OF BUSINESS

Consideration of Proposal for Preventative Maintenance Service for Existing Fitness Equipment

The Board agreed to terminate the current contract with Preferred Fitness for preventative maintenance services. The maintenance will now be the responsibility of the District employees. It was stated that the new lease has a two year service for the new cardio equipment.

On a Motion by Mr. McKeith, seconded by Mr. Roberts, with all in favor, the Board of Supervisors approved to terminate the current contract with Preferred Fitness for Fishhawk Community Development District.

EIGHTEENTH ORDER OF BUSINESS

Consideration of Proposal from Ballenger & Company, Inc. for Rain Shut Off Devices

On a Motion by Ms. McDougald, seconded by Ms. Roberts, with all in favor, the Board of Supervisors approved the proposal from Ballenger & Company, Inc. for the installation of 22 rain shut off devices pending the verification of the locations for each for Fishhawk Community Development District.

NINETEENTH ORDER OF BUSINESS

Consideration of Proposals for Pond Plantings

On a Motion by Mr. McKeith, seconded by Mr. Roberts, with all in favor, the Board of Supervisors approved the proposal from Entrix for pond plantings based on three foot from center with no additional charge for pond pumping for Fishhawk Community Development District.

TWENTIETH ORDER OF BUSINESS

Consideration of Amendment to Rules and Rates for Amenity Facilities

Mr. Dailey presented the amendment to the Rules and Rates for amenity facilities stating that any facility rental payments made should now be addressed to either Fishhawk CDD or Fishhawk CDD II rather than to the Fishhawk Ranch HOA.

On a Motion by Ms. Roberts, seconded by Ms. McDougald, with all in favor, the Board of Supervisors approved the amendment to the Rules and Rates for Amenity Facilities for Fishhawk Community Development District.

TWENTY-FIRST ORDER OF BUSINESS

Consideration of Resolution 2009-08, Adopting Fiscal Year 2009/2010 Meeting Schedule

On a Motion by Mr. McKeith, seconded by Mr. Roberts, with all in favor, the Board of Supervisors approved Resolution 2009-08, Setting the Fiscal Year 2009/2010 Meeting Schedule as the third Monday of each month; at 4:30 p.m.; to be held at the Palmetto Club, located at 17004 Dorman Road, Lithia, Florida 33547 for Fishhawk Community Development District.

TWENTY-SECOND ORDER OF BUSINESS

Staff Reports

- A. Community Director
Ms. Quigley gave various updates to the Board.

- B. District Counsel
No report.

- D. District Manager
 - 1. Mr. Dailey stated that the next meeting was scheduled for October 18, 2009 at 4:30 p.m.
 - 2. Mr. Dailey presented a renewal offer from CGM Services for the A/C maintenance stating that the rates were the same as last year.

On a Motion by Mr. McKeith, seconded by Mr. Roberts, with all in favor, the Board of Supervisors approved the proposal from CGM Services for A/C maintenance for Fishhawk Community Development District.

**TWENTY-THIRD ORDER OF BUSINESS Supervisor Requests and Audience
Comments**

There were no Supervisor requests. Audience was not present.

TWENTY-FOURTH ORDER OF BUSINESS Adjournment

On a Motion by Mr. McKeith, seconded by Ms. Roberts, with all in favor, the Board of Supervisors adjourned the meeting at 6:55 p.m. for Fishhawk Community Development District.

Secretary/Assistant Secretary

Chairman/Vice Chairman