

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, August 16, 2010 at 4:30 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
Terrie Morrison	Board Supervisor, Assistant Secretary
Patti Roberts	Board Supervisor, Assistant Secretary
Cliff Roberts	Board Supervisor, Assistant Secretary

Also present were:

Jonathan Miller	District Manager, Rizzetta & Company, Inc.
Biff Craine	District Counsel, Bricklemyer, Smolker & Bolves, P.A.
Tim Plate	District Engineer, Heidt Design, LLC
Holly Quigley	Community Director
Audience	

FIRST ORDER OF BUSINESS

Call to Order

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

SECOND ORDER OF BUSINESS

Consideration of Minutes of the Board of Supervisors Meeting on July 19, 2010

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 July 19, 2010 for Fishhawk Community Development District.
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THIRD ORDER OF BUSINESS

Consideration of Operation and Maintenance Expenditures for August 2010

On a Motion by Mr. Roberts, seconded by Ms. McDougald, with all in favor, the Board approved the Operation and Maintenance Expenditures for August 2010 (totaling \$90,363.89) as amended for Fishhawk Community Development District.

FOURTH ORDER OF BUSINESS

**Presentation of Operation and
Maintenance Expenditures – Palmetto
Club**

Mr. Miller presented the CDD II operation and maintenance expenditures for the Palmetto Club for informational purposes.

Ms. Morrison directed District Staff to approach and request the Fishhawk Community Development District II Board of Supervisors about granting the Fishhawk Community Development District Board of Supervisors some oversight and decision making authority in the operational control of the Palmetto Club facility. Mr. Miller stated he would follow through with Ms. Morrison's request by placing this matter as a discussion topic on their next agenda.

FIFTH ORDER OF BUSINESS

**Presentation of Shared Costs and
Reimbursements Spreadsheet**

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

SIXTH ORDER OF BUSINESS

**Ratification of Series 2004 Construction
Requisitions #57 & #59**

On a Motion by Ms. Morrison, seconded by Ms. Roberts, with all in favor, the Board tabled the ratification of the Series 2004 Construction Requisitions #57 & #59 for Fishhawk Community Development District.

SEVENTH ORDER OF BUSINESS

District Engineer Staff Report

Mr. Plate updated the Board of Supervisors on the status of the Boyette Road Trail Crossing Project. He informed the Board of Supervisors that the project has finally been completed in its entirety.

Mr. Plate stated that the Publix Trail project has been completed. He went on to mention that a portion of the trail that was originally thought to be constructed in a TECO easement was in fact outside of the TECO easement area. As a result of this finding, a \$10,000 construction savings would be realized as a fencing requirement would be avoided. This fencing requirement was a condition of constructing infrastructure within the TECO easement.

Mr. Miller stated that he had relayed the request to the Fishhawk Community Development District II Board of Supervisors to participate in a 50/50 cost share agreement for the installation of new trail markers that are to be placed throughout the community's entire trail network. Mr. Miller stated that they were agreeable to this request. Mr. Plate reviewed designs plans for the layout of the new trail markers. The Board wanted to review final cost estimates before a final motion was made. Mr. Plate stated he would have those cost estimates available at the September 20th Board of Supervisor Meeting.

Mr. Plate discussed the installation of a "missing" sidewalk at Merlinglen Place. He stated that this sidewalk was shown on the original construction plans, however it was never built. As a result of a recent public inquiry with Hillsborough County regarding the currently existing termination of this sidewalk and upon discovery of the "missing" portion, Hillsborough County has requested the completion of the sidewalk per the original construction plans.

Discussion ensued amount the Board of Supervisors. A comment was made about this area being in Hillsborough County owned and maintained right-of-way. Mr. Plate said even though that is true the construction responsibility rested with the Community Development District as it was the entity that originally constructed these improvements. Mr. Plate stated in order to get the process started preliminary designs and surveying needed to be completed and submitted to the county for approval.

On a Motion by Ms. McDougald, seconded by Ms. Morrison, with all in favor, the Board approved the preliminary design and surveying work for the Merlinglen Place sidewalk for the Fishhawk Community Development District.

EIGHTH ORDER OF BUSINESS

**Public Hearing on Fiscal Year 2010/2011
Final Budget**

On a Motion by Mr. Roberts, seconded by Ms. Roberts, with all in favor, the Board opened the Public Hearing on the Fiscal Year 2010/2011 Final Budget for the Fishhawk Community Development District.

Public comment and testimony was entertained by the Board; however no action was taken.

On a Motion by Ms. McDougald, seconded by Mr. Roberts, with all in favor, the Board closed the Public Hearing on the Fiscal Year 2010/2011 Final Budget for the Fishhawk Community Development District.

NINTH ORDER OF BUSINESS

**Consideration of Resolution 2010, 03,
Adopting Fiscal Year 2010/2011 Final
Budget**

Ms. Morrison commented about the continued concern to close the gap between revenues and expenditures of the Palmetto Club facility.

On a Motion by Mr. McKeith, seconded by Ms. McDougald, with all in favor, the Board approved Resolution 2010-03, Adopting the Fiscal Year 2010/2011 Final Budget for the Fishhawk Community Development District.

TENTH ORDER OF BUSINESS

**Consideration of Resolution 2010, 04,
Imposing Special Assessments**

On a Motion by Ms. McDougald, seconded by Mr. Roberts, with all in favor, the Board approved Resolution 2010-03, Adopting the Fiscal Year 2010/2011 Final Budget for the Fishhawk Community Development District.

ELEVENTH ORDER OF BUSINESS

**Consideration of Resolution 2010-05,
Adopting Revised Amenity Policies**

On a Motion by Ms. Morrison, seconded by Ms. Roberts, with all in favor, the Board approved Resolution 2010-05, Adopting the Revised Amenity Policies as presented and amended for the Fishhawk Community Development District.

TWELFTH ORDER OF BUSINESS

**Consideration of Resolution 2010-06,
Setting Fiscal Year 2010/2011 Meeting
Schedule**

On a Motion by Ms. McDougald, seconded by Mr. McKeith, with all in favor, the Board approved Resolution 2010-06, Adopting Fiscal Year 2010/2011 Meeting Schedule as follows: to be held on 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 the Fishhawk Community Development District.

THIRTEENTH ORDER OF BUSINESS

**Consideration of Second Addendum to
Landscape Service Agreement for
Chapman Crossing**

On a Motion by Ms. Morrison, seconded by Ms. McDougald, with all in favor, the Board rejected the Second Addendum to the Landscape Service Agreement for Chapman Crossing for the Fishhawk Community Development District.

FOURTEENTH ORDER OF BUSINESS

**Consideration of First Addendum to
Irrigation Maintenance & Inspection
Services Agreement**

On a Motion by Ms. Morrison, seconded by Ms. McDougald, with all in favor, the Board rejected the First Addendum to the Irrigation Maintenance & Inspection Services Agreement for the Fishhawk Community Development District.

FIFTEENTH ORDER OF BUSINESS

Consideration of Proposal from Creative Mailbox & Sign Design

On a Motion by Mr. McKeith, seconded by Mr. Roberts, with all in favor, the Board approved the proposal from Creative Mailbox & Sign Design in the amount of \$3,463.75 as presented for the Fishhawk Community Development District.

SIXTEENTH ORDER OF BUSINESS

Consideration of Proposal from Virco for Furniture

On a Motion by Mr. McKeith, seconded by Ms. McDougald, with all in favor, the Board approved the Proposal from Virco for replacement tables at the Osprey Club in the amount of \$2,615.58 as presented for the Fishhawk Community Development District.

SEVENTEENTH ORDER OF BUSINESS

Consideration of Proposals for Kitchen and Restroom Remodeling at the Osprey Club

Due to additional proposals just being received by District Staff, it was the District Staff's recommendation to table this matter until the next board meeting to allow for sufficient time to review all proposals. The Board of Supervisors agreed.

On a Motion by Ms. McDougald, seconded by Mr. Roberts, with all in favor, the Board tabled the Consideration of Proposals for Kitchen and Restroom Remodeling at the Osprey Club for the Fishhawk Community Development District.

EIGHTEENTH ORDER OF BUSINESS

Presentation of Pond Maintenance Inspection Report

Mr. Miller presented the pond maintenance inspection report to the Board. No action was taken.

NINETEENTH ORDER OF BUSINESS

Presentation of Monthly Landscape Status Report

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

TWENTIETH ORDER OF BUSINESS

Consideration of Proposal from Sunrise Landcare for Initial BushHogging of Retention Ponds # 10 and 17 Ponds

On a Motion by Ms. McDougald, seconded by Mr. McKeith, with all in favor, the Board approved the proposal from Sunrise Landcare in the amount of \$1,135.00 for the initial bushhogging of retention ponds # 10 and 17 for the Fishhawk Community Development District.

TWENTY-FIRST ORDER OF BUSINESS

Consideration of Proposal from Sunrise Landcare for Quarterly BushHogging of Retention Ponds # 10 and 17

On a Motion by Ms. McDougald, seconded by Mr. McKeith, with all in favor, the Board approved the proposal from Sunrise Landcare in the amount of \$600 per quarter for the ongoing bushhogging of retention ponds # 10 and 17 for the Fishhawk Community Development District.

TWENTY-SECOND ORDER OF BUSINESS

Consideration of Proposal for Installation of AED Devices

Mr. Miller presented a proposal from Instanton Medical for AED devices for the Hawk Park facility and the Osprey Club. Further discussion ensued. The Board requested that Mr. Miller obtain more quotes that included facility location recommendations and present at the next meeting.

TWENTY-THIRD ORDER OF BUSINESS

Consideration of Proposal from Playmore for Recreational Bench

On a Motion by Mr. McKeith, seconded by Mr. Roberts, with all in favor, the Board approved the proposal from Playmore in the amount of \$3,812.75 for two benches for the Fishhawk Community Development District.

TWENTY-FOURTH ORDER OF BUSINESS

Consideration of Proposal from OI' Kentucky Concessions, LLC

Mr. Miller stated that the previous vendor supplying food and beverage concessions at the Osprey Club pool facility had closed down operations suddenly without notice. Subsequent talks between this vendor and the Community Director indicated this operational closure was the result of lack of revenues.

Mr. Miller informed the Board of Supervisors that the District Management Office had received requests from two new vendors desiring to open operations in this vacancy. The two vendors were Ol' Kentucky Concessions, LLC & Finest Foods, Inc. Board discussion ensued.

On a Motion by Ms. Morrison, seconded by Mr. Roberts, with all in favor, the Board approved the proposal from Ol' Kentucky Concessions, LLC to take over food and beverage concessions at the Osprey Club pool for the Fishhawk Community Development District. The terms and conditions of the lease arrangement were to be the same as the previous vendor.

TWENTY-FIFTH ORDER OF BUSINESS Consideration of Request from Finest Foods, Inc.

No Board of Supervisor action was taken on this request as a result of the previous Board determination to award Ol' Kentucky Concessions, LLC as the new food and beverage concessions vendor at the Osprey Club pool facility.

TWENTY-SIXTH ORDER OF BUSINESS Staff Reports

- A. Community Director – Holly Quigley
 No report.

- B. District Counsel
 No report.

- C. District Manager
 Mr. Miller reported that the next Board meeting will be held on September 20, 2010.

TWENTY-SEVENTH ORDER OF BUSINESS Supervisor Requests and Audience Comments

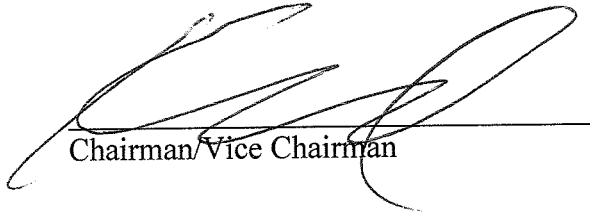
There were no Supervisor requests.

Audience comments were entertained; however no Board action was taken.

TWENTY-EIGHTH ORDER OF BUSINESS Adjournment

On a Motion by Ms. Roberts, seconded by Mr. McKeith, with all in favor, the Board adjourned the meeting at 7:46 p.m. for Fishhawk Community Development District.

Secretary/Assistant Secretary



Chairman/Vice Chairman