

MINUTES OF MEETING

**FISHHAWK
COMMUNITY DEVELOPMENT DISTRICT II**

The regular meeting of the Board of Supervisors of Fishhawk Community Development District II was held on **Monday, February 16, 2004 at 11:43 a.m.** at the Fishhawk Ranch Clubhouse, located at 5721 Osprey Ridge Drive, Lithia, Hillsborough County, Florida 33547.

Present and constituting a quorum:

Don Whyte	Board Supervisor, Vice Chairman
Rhonda Brewer	Board Supervisor, Assistant Secretary
Scott Shimberg	Board Supervisor, Assistant Secretary

Also present were:

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

FIRST ORDER OF BUSINESS

Call to Order

Mr. Williams called the meeting to order.

SECOND ORDER OF BUSINESS

**Consideration of the Minutes of the
Board of Supervisors' Meeting on
December 15, 2003**

Mr. Williams stated that the first item on the agenda is to consider the minutes of the Board of Supervisors' meeting on December 15, 2003 (located behind tab 1). He asked if there were any additions, deletions or corrections to the minutes. There were none, so Mr. Williams asked for a motion to approve.

On a Motion by Mr. Shimberg, seconded by Ms. Brewer, with all in favor, the Board approved the minutes of the Board of Supervisors' meeting on December 15, 2003 for Fishhawk Community Development District II.
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THIRD ORDER OF BUSINESS

**Consideration of Authorizations to
Disburse District Funds 2004-04 and
2004-05**

Mr. Williams stated that the next order of business is the consideration of Authorizations to Disburse District Funds 2004-04 and 2004-05 (located behind tab 2). Mr. Williams stated that the disbursements contain invoices for standard contractual commitments. He asked if there were any questions. Hearing and seeing none, he asked for a motion to approve.

On a MOTION by Mr. Whyte, seconded by Mr. Shimberg, with all in favor, the Board approved Authorization to Disburse District Funds 2004-04 and 2004-05 for Fishhawk Community Development District II.

FOURTH ORDER OF BUSINESS

**Consideration of Series 2003
Construction Requisitions #95
thru #138**

Mr. Williams stated that the next item on the agenda is the consideration of Series 2003 Construction Requisitions #95 thru #138 (recap behind tab 3). He asked if there were any questions. There were none, so he asked for a motion to approve.

On a MOTION by Mr. Whyte, seconded by Mr. Shimberg, with all in favor, the Board approved Series 2003 Construction Requisitions #95 thru #138 for Fishhawk Community Development District II.

FIFTH ORDER OF BUSINESS

**Consideration of Submittals for
District Auditing Services**

Mr. Williams stated that the next order of business is the consideration of submittals for District auditing services. He stated that an advertisement was placed in order to obtain proposals for auditing services for the District. Only one firm responded to the advertisement. Mr. Williams stated that the Board may choose to readvertise in order to obtain additional candidates or they may choose the one respondent. Mr. Shimberg asked for verification whether the charge for auditing services was close to the budgeted amount for that service. Mr. Williams explained that the submittal does not initially include a price for services as the advertisement requests a submittal of qualifications for the position.

Mr. Williams explained that once submittals are received, they are ranked per qualifications. Then a candidate is chosen and contract negotiations are initiated. It was agreed that the submittal was received from a firm who appeared to be well-qualified for the position. Mr. Williams asked if there were any questions. There were none, so he asked for a motion to approve.

On MOTION by Mr. Shimberg, seconded by Mr. Whyte, with all in favor, the Board approved the proposal from Stuart Angelo & Company, Inc. for District auditing services for Fishhawk Community Development District II.

Mr. Williams stated that there are two proposals for Larkin Contracting, Inc. for the Board's consideration. He distributed copies to the Board. He explained that as part of the bid process, the contract was awarded based upon qualifications, plans and specifications and was also rated upon unit pricing. The pre-bid meeting also allowed for additional sections of the project to be added as part of the initial bid as long as the unit price remained the same. The engineers have reviewed the two proposals from Larkin Contracting, Inc. and the additional sections of the project which include the portion pertaining to Phase 2, Parcels DD, EE, FF and W1 (totaling \$8,782,064.20); Phase 2, Town Center (totaling \$1,310,839.10) have been added. Ms. Brewer stated that the proposal pertaining to the park site does not reflect a design change that is currently in process which will involve the addition of brick pavers to the parking lot. Mr. Williams explained that the design change can be submitted as a change order to the proposal. Mr. Williams asked if there were any questions. There were none, so he asked for a motion to approve.

On MOTION by Mr. Whyte, seconded by Mr. Shimberg, with all in favor, the Board approved the proposals from Larkin Contracting, Inc. for Fishhawk Community Development District II.

SIXTH ORDER OF BUSINESS

Staff Reports

A. District Counsel

Mr. Craine distributed a draft of the Commercial Lease with Courtside Cabana pertaining to the Aquatic Center. Ms. Brewer asked for verification if the structure is altered by the lessee, if there will be the capability to convert the cabana back to a shade structure. Mr. Williams explained that the deposit funds can be utilized to convert the structure back to its original integrity. Mr. Whyte stated that there is signage located in the cabana area by the lessee that was not submitted for approval by the Architectural Control Committee which needs to be removed.

Mr. Williams stated that Mr. Boisen will be contacted to remove the signage including a banner. A discussion ensued regarding whether the deposit amount should be increased to \$10,000.00 in order to accommodate any retrofitting of the cabana back to a shade structure. It was agreed that the deposit should be raised. Mr. Williams asked if there were any further questions. There were none, so he asked for a motion to approve the draft Commercial Lease with Courtside Cabana.

On MOTION by Mr. Whyte, seconded by Mr. Shimberg, with all in favor, the Board approved the Commercial Lease for Courtside Cabana (with revisions as discussed) for Fishhawk Community Development District II.

B. District Engineer
Not present.

C. District Manager

Mr. Williams stated that that in an effort to allow resident participation but provide expeditious meeting progression, future agenda packets will contain a coversheet which outlines the various components of the District meeting and provides guidelines for resident participation. The format is similar to those utilized in county and city commission meetings. He further explained that although this District does not have many residents at this time, in the future there will be the potential to have residents participate at the Board meetings.

On a MOTION by Mr. Whyte, seconded by Mr. Shimberg, with all in favor, the Board approved the agenda format changes for Fishhawk Community Development District II.

SEVENTH ORDER OF BUSINESS

**Supervisor Requests and
Audience Comments**

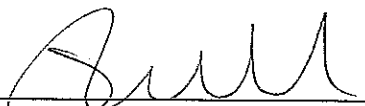
Mr. Williams stated that the next item on the agenda is Supervisor requests and audience comments. There were no members of the general public in attendance besides those listed at the onset of the meeting. Mr. Williams asked if there were any Supervisor requests. There was a discussion regarding the need for a replacement Supervisor for a Board member that appears to have left the area. Mr. Williams explained that another attempt to contact this member will be taken in order to obtain his resignation if needed.

EIGHTH ORDER OF BUSINESS


Adjournment

Mr. Williams stated that there were no other agenda items, and asked for a motion to adjourn the meeting.

On MOTION by Ms. Brewer, seconded by Mr. Shimberg, with all in favor, the Board adjourned the meeting for Fishhawk Community Development District II.



Pete Williams
Secretary



Kary McDonald
Chairman