

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, March 15, 2004 at 11:35 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
Kary McDonald	Board Supervisor, Chairman
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.
Pam Parisi	Development Representative
Trent Boisen	Courtside Cabanas

FIRST ORDER OF BUSINESS

Call to Order

Mr. Williams 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
February 16, 2004**

Mr. Williams stated that the first item on the agenda is to consider the minutes of the Board of Supervisors' meeting on February 16, 2004 (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. Whyte, seconded by Mr. Shimberg, with all in favor, the Board approved the minutes of the Board of Supervisors' meeting on February 16, 2004 for Fishhawk Community Development District II.

THIRD ORDER OF BUSINESS

**Consideration of Authorization to
Disburse District Funds 2004-06**

Mr. Williams stated that the next order of business is the consideration of Authorization to Disburse District Funds 2004-06 (located behind tab 2). He stated that the disbursements contain invoices for standard contractual commitments. Mr. Williams asked if there were any questions. Hearing and seeing none, he asked for a motion to approve.

On a MOTION by Ms. McDonald, seconded by Mr. Shimberg, with all in favor, the Board approved Authorization to Disburse District Funds 2004-06 for Fishhawk Community Development District II.

FOURTH ORDER OF BUSINESS

**Consideration of Series 2003
Construction Requisitions #139
thru #177**

Mr. Williams stated that the next item on the agenda is the consideration of Series 2003 Construction Requisitions #139 thru #177 (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. Shimberg, seconded by Ms. McDonald, with all in favor, the Board approved Series 2003 Construction Requisitions #139 thru #177 for Fishhawk Community Development District II.

FIFTH ORDER OF BUSINESS

Consideration of Proposals

Mr. Williams stated that the next order of business is the consideration of several proposals (located behind tab 4). He stated that there is a proposal for Creative Mailbox & Sign Designs pertaining to Parcels DD, EE, FF and W1 for street signs totaling \$36,775.00. There is a proposal for Southwest Signal pertaining to Osprey Ridge Drive and Fishhawk Boulevard for a traffic signal totaling \$138,465.11. Mr. Williams stated that there is a proposal for Central Florida Testing Lab pertaining to Parcel HH for a geotechnical investigation totaling \$3,890.00. Change Order #3 for Larkin Contracting pertains to Parcels BB and CC totaling \$12,418.00.

Mr. Williams stated that there is an additional proposal for Heidt & Associates, Inc. for engineering services pertaining to Parcels DD, EE, FF and W1 for the design of a temporary lift station to service both the elementary school and the aquatic center totaling \$15,000.00.

On a MOTION by Mr. Whyte, seconded by Mr. Shimberg, with all in favor, the Board approved the proposals in their entirety for Fishhawk Community Development District II.

SIXTH ORDER OF BUSINESS

Staff Reports

- A. District Counsel
Mr. Craine stated that he has received a request from Mr. Boatner, Bond Counsel, requesting a detailed description of requisitions that were reimbursed at the time of the bond sale. Mr. Craine stated that he compiled a list of the corresponding requisitions and he will verify the information with the District Engineer and forward the list to Mr. Boatner.

- B. District Engineer
Not present.

- C. District Manager
No further report.

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. Mr. Shimberg asked for clarification of conflict of interest parameters pertaining to his ownership of land in Park Square and his position as a Board Supervisor. Mr. Craine explained that if a decision made on behalf of the Board effects Mr. Shimberg directly in a personal or business-related monetary gain, it would be considered as a conflict of interest. Mr. Craine explained that since the amenities that are anticipated to be built in Park Square are not being contracted by Mr. Shimberg's company and the retail benefits do not directly affect Mr. Shimberg, this situation is not considered a conflict of interest. A discussion ensued regarding the wet zoning process pertaining to the Park Square area. Mr. Craine explained that wet zoning (the zoning of an area for the sale and consumption of alcohol) would encompass Park Square and the vendors located in that area. A question was raised concerning if communication was made with Board Supervisor, Mr. Berger.

Mr. Williams explained that attempts to contact Mr. Berger have been unsuccessful. He recommended to the Board that they consider conducting a Landowner Recall Election in order to fill the Board Supervisor seat left by Mr. Berger. Mr. Williams recommended the Board consider holding the Landowner Recall Election at the next meeting. He asked for a motion to approve.

On a MOTION by Mr. Whyte, seconded by Mr. Shimberg, with all in favor, the Board approved a Landowner Recall Election to be held at the next meeting in April for Fishhawk Community Development District II.

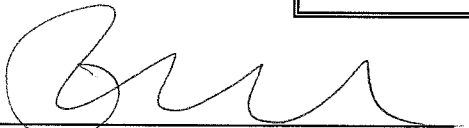
Mr. Whyte recommended that an agreement pertaining to the wet zoning of the Park Square site be drafted and brought to the Board for consideration at the next meeting. Mr. Williams recommended that Mr. Shimberg complete a conflict of interest form and abstain from voting when the wet zoning agreement for Park Square Station is brought to the Board for consideration. He explained that the conflict of interest form is filed in public record along with the Minutes of the corresponding meeting.

EIGHTH ORDER OF BUSINESS

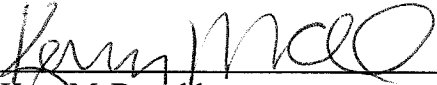
Adjournment

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

On MOTION by Mr. Whyte, 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