
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 II**

The regular meeting of the Board of Supervisors of Fishhawk Community Development District II was held on **Monday, March 20, 2006 at 2:32 p.m.** at the Fishhawk Ranch Clubhouse, located at 17004 Dorman Road, Lithia, Florida 33547.

Present and constituting a quorum:

Kary Andrews	Board Supervisor, Chairman
W. Don Whyte	Board Supervisor, Vice Chair
Rhonda Brewer	Board Supervisor, Assistant Secretary
David Pelletz	Board Supervisor, Assistant Secretary

Also present were:

Debby Bayne	District Manager, Rizzetta & Company, Inc.
Biff Craine	District Counsel, Bricklemyer Smolker & Bolves, P.A.
Amanda King	Amenities Director
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 held on January 16,
2006**

Ms. Bayne stated that the first item on the agenda was the consideration of the minutes of the Board of Supervisors' meeting held on January 16, 2006. She asked if there were any additions, corrections or deletions. Mr. Pelletz stated that on page two, fourth order of business, the motion was seconded by Mr. Shimberg, not Mr. Pelletz. Ms. Bayne stated that she would have the minutes amended as noted. Mr. Whyte made a motion to approve as amended.

<p>On a Motion by Mr. Whyte, seconded by Mr. Pelletz, with all in favor, the Board of Supervisors approved the minutes of the Board of Supervisors' meeting on January 16, 2006 (as amended) for Fishhawk Community Development District II.</p>
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THIRD ORDER OF BUSINESS

**Consideration of Operation and
Maintenance Expenditures for February
and March**

Ms. Bayne stated the next item on the agenda was the consideration of Operation and Maintenance Expenditures for February and March. She stated that the expenditures from January 1-31, 2006 totaled \$53,702.05. Ms. Bayne briefly reviewed the expenditures for the Board. She asked if there were any questions. Mr. Whyte asked if the Palmetto Club expenditures were shown separately. Ms. Bayne confirmed that the Palmetto Club expenditures were listed separately for approval.

On a Motion by Ms. Andrews, seconded by Ms. Brewer, with all in favor, the Board of Supervisors approved the Operation and Maintenance Expenditures for February (\$53,702.05) for Fishhawk Community Development District II.

Ms. Bayne stated the expenditures from February 1-28, 2006 totaled \$124,244.16. Ms. Bayne asked if there were any questions. Mr. Whyte inquired about a gift card purchased for Home Depot. Ms. Bayne stated the gift card was for on-site staff supplies. Mr. Whyte made a motion to approve.

On a Motion by Mr. Pelletz, seconded by Ms. Brewer, with all in favor, the Board of Supervisors approved the Operation and Maintenance Expenditures for March (\$124,244.16) for Fishhawk Community Development District II.

FOURTH ORDER OF BUSINESS

**Consideration of Operation and
Maintenance Expenditures for the
Palmetto Club for February and March**

Ms. Bayne stated the next item on the agenda was the consideration of Operation and Maintenance Expenditures for the Palmetto Club for February and March. She stated that the expenditures from January 1-31, 2006 totaled \$15,186.41. Ms. Bayne asked if there were any questions. There were none. Mr. Whyte made a motion to approve.

On a Motion by Mr. Whyte, seconded by Ms. Andrews, with all in favor, the Board of Supervisors approved the Operation and Maintenance Expenditures for the Palmetto Club for February (\$15,186.41) for Fishhawk Community Development District II.

Ms. Bayne stated that expenditures from February 1-28, 2006 totaled \$39,713.57. She explained the largest invoice for \$27,848 was for reimbursement of the Palmetto Club's payroll of the Home Owner's Association staff. Ms. Bayne asked if there were any questions. General discussion ensued. Mr. Whyte made a motion to approve.

On a Motion by Mr. Whyte, seconded by Mr. Pelletz, with all in favor, the Board of Supervisors approved the Operation and Maintenance Expenditures for the Palmetto Club for March (\$39,713.57) for Fishhawk Community Development District II.

FIFTH ORDER OF BUSINESS

**Consideration of Series 2004
Construction Requisitions #335-#372**

Ms. Bayne stated the next item on the agenda was the consideration of Series 2004 Construction Requisitions #335-#372. She stated that the requisitions have been reviewed and approved by the Chairman and District Engineer.

Ms. Brewer inquired about Requisition #354 for Diaz Fritz Isabel. She stated that the requisition reflects an amount of \$183,360, but a change order in the amount of \$150,000 was also approved. She wanted to confirm that both amounts would not be paid.

Mr. Whyte stated that approving a change order does not automatically authorize the expenditures.

On a Motion by Mr. Pelletz, seconded by Ms. Andrews, with all in favor, the Board of Supervisors approved the Series 2004 Construction Requisitions #335-#372 for Fishhawk Community Development District II.

SIXTH ORDER OF BUSINESS

**Consideration of Proposal from
Sunrise Landscape**

Ms. Bayne stated the next item on the agenda was the consideration of a proposal from Sunrise Landscape for grade work in parcels DD, EE, and FF for a total of \$12,535. She reviewed the proposal for the Board. Ms. Bayne asked if there were any questions. Ms. Brewer stated this work will also include site prep work needed for landscape installation for the common areas within these parcels.

On a Motion by Ms. Brewer, seconded by Ms. Andrews, with all in favor, the Board of Supervisors approved the proposal from Sunrise Landscape for Parcels DD, EE, and FF for a total of \$12,535 for Fishhawk Community Development District II.

SEVENTH ORDER OF BUSINESS

Consideration of Proposal from Larkin Contracting, Inc.

Ms. Bayne stated that the next item on the agenda was the consideration of a proposal from Larkin Contracting, Inc. for \$54,462 for the installation of curbs and pavers around Dorman Road and Fishhawk Crossing Boulevard at the Fishhawk Town Center. She asked if there were any questions. Ms. Andrews made a motion to approve.

On a Motion by Ms. Andrews, seconded by Mr. Whyte, with all in favor, the Board of Supervisors approved the proposal from Larkin Contracting, Inc. for \$54,462 for the installation of curb pavers around Dorman Road and Fishhawk Crossing Boulevard at the Fishhawk Town Center for Fishhawk Community Development District II.

EIGHTH ORDER OF BUSINESS

**Consideration of Resolution 2006-03,
Adopting Fiscal Year 2004/2005 General
Fund Amended Budget**

Ms. Bayne stated the next order of business was the consideration of Resolution 2006-03, Adopting Fiscal Year 2004/2005 General Fund Amended Budget. She stated, according to Florida Statute, Districts are required to file an Amended Budget if the actual expenditures exceed the original budget expenditures. Ms. Bayne stated the original budget was for \$925,178, and the actual expenditures were \$1,075,477. She asked if there were any questions.

Mr. Whyte inquired if the developer contributed the additional funds. Ms. Bayne confirmed the developer's contribution was \$124,803. Ms. Brewer inquired if the Board will continue to receive developer contribution, as more residents will be on the tax bill by the next year. Mr. Whyte responded that platted lots do not show as developer contributions, they show as regular taxes, therefore the Board would not expect to pay additional taxes, because they are normal receipts.

Mr. Whyte further explained that the developer made the election to complete \$125,000 more work than originally budgeted. Therefore, there is no need for additional developer contributions.

On a Motion by Mr. Whyte, seconded by Mr. Pelletz, with all in favor, the Board of Supervisors approved Resolution 2006-03, Adopting Fiscal Year 2004/2005 General Fund Amended Budget for Fishhawk Community Development District II.

NINTH ORDER OF BUSINESS

Staff Reports

A. District Counsel

Mr. Craine provided an update on TECO Contract. He stated that he will have executed copy of the contract at next meeting. Mr. Craine stated that he included both Fishhawk I and Fishhawk II on the License Agreement.

A discussion ensued regarding the maintenance and repairs at Park Square. Ms. Andrews and Ms. King will meet with Mr. Shimberg (owner of Park Square) to discuss a Maintenance Agreement. Mr. Craine stated that he would draft an agreement and bring it back to the Board at the next meeting.

B. District Engineer

Not present.

C. District Manager

No report.

TENTH ORDER OF BUSINESS

**Supervisor Requests and Audience
Comments**

Ms. Bayne stated that the next order of business was Supervisor Requests and audience comments. She noted there were audience members present. She asked if there were any Supervisor requests.

Mr. Whyte requested that the maintenance agreement specifically state the grounds and common areas of maintenance of commercial businesses within the District and which company is responsible for the work and payment for services performed.

Mr. Whyte requested a letter be drafted in regards to the understanding of the contractor who installed the grease trap, that if there are any problems with the workmanship or materials, the CDD identifies that he will complete any repairs as requested.

Ms. Andrews inquired about a busted waterline in front of the commercial property that caused water damage to the sidewalks. There was a 5 x 5 area of asphalt that has been cut out, but not repaired. Ms. King stated Larkin Contracting, Inc. will come out and fix the area. Ms. Andrews inquired about the payment responsibility. Mr. Whyte insisted that due to the short turn around time, the responsible party must be notified in writing, and if they do not complete the repairs within the given time, then the District must complete the repairs and bill the appropriate party. Mr. Craine stated that can be incorporated into the operating agreement as a Notice of Procured Provision that gives the party a certain amount of days to complete the repairs that is cause by their operations on CDD property. Mr. Whyte agreed and added that the notice must give at least five working days for completion.


Ms. Bayne asked for any audience comments. There were none.

ELEVENTH 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. Brewer, seconded by Ms. Andrews, with all in favor, the Board adjourned the meeting for Fishhawk Community Development District II.


Secretary/Assistant Secretary


Chairman/Vice Chairman