

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, July 17, 2006 at 2:39 p.m.** at the Fishhawk Palmetto Club, located at 17004 Dorman Road, Lithia, Florida 33547.

Present and constituting a quorum:

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

Also present were:

Debby Bayne	District Manager, Rizzetta & Company, Inc.
BJ Coryer	Representative, 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 on June 19, 2006

Ms. Bayne stated the next item on the agenda was the consideration of the minutes of the Board of Supervisors meeting on June 19, 2006. She asked if there were any additions, deletions, or corrections. There were none.

<p>On a Motion by Mr. Pelletz, seconded by Ms. Brewer, with all in favor, the Board approved the minutes of the Board of Supervisors meeting held on June 19, 2006 for Fishhawk Community Development District II.</p>
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THIRD ORDER OF BUSINESS

**Consideration Operation and
Maintenance Expenditures for July**

Ms. Bayne stated that the next item on the agenda was the consideration of the Operation and Maintenance Expenditures for the period of June 1-30, 2006, totaling \$40,253.52. She briefly reviewed the expenditures for the Board. Ms. Bayne asked if there were any questions. There were none.

On a Motion by Mr. Whyte, seconded by Ms. Andrews, with all in favor, the Board approved the Operation and Maintenance Expenditures for July (\$40,253.52) for Fishhawk Community Development District II.

FOURTH ORDER OF BUSINESS

**Consideration of Operation and
Maintenance Expenditures for Palmetto
Club for July**

Ms. Bayne stated that the next item on the agenda was the consideration of the Operation and Maintenance Expenditures for the Palmetto Club for the period of June 1-30, 2006 totaling \$11,214.47. She briefly reviewed the expenditures for the Board. Ms. Bayne asked if there were any questions. General discussion ensued.

On a Motion by Mr. Pelletz, seconded by Mr. Whyte, with all in favor, the Board approved the Operation and Maintenance Expenditures for the Palmetto Club for July (\$11,214.47) for Fishhawk Community Development District II.

FIFTH ORDER OF BUSINESS

**Consideration of Series 2004
Construction Requisitions #405 & #415**

Ms. Bayne stated the next item on the agenda was the consideration of the Series 2004 Construction Requisitions #405 and #415. She stated that both requisitions have been reviewed and approved by the District Engineer and the Chairman. Ms. Bayne asked if there were any questions. There were none.

On a Motion by Ms. Brewer, seconded by Ms. Andrews, with all in favor, the Board approved the Series 2004 Construction Requisitions #405 & #415 for Fishhawk Community Development District II.

SIXTH ORDER OF BUSINESS

**Consideration of Change Order #1 from
Sunrise Landscape**

Ms. Bayne stated the next item on the agenda was the consideration of change order #1 from Sunrise Landscape. She stated that the change order was for Parcel W, Wren Wood entry, for weed cleaning and upgraded plant installation at an increase of \$400. Ms. Bayne asked if there were any questions. There were none.

On a Motion by Mr. Whyte, seconded by Ms. Andrews, with all in favor, the Board approved Change Order #1 from Sunrise Landscape for Fishhawk Community Development District II.

SEVENTH ORDER OF BUSINESS

**Consideration of Change Order #11 from
Heidt & Associates, Inc.**

Ms. Bayne stated that the next item on the agenda was the consideration of change order #11 from Heidt & Associates, Inc. She stated that the change order was for Phase 2C streets and drainage and was reduced by \$18,500 because of the deletion of demolition work. Ms. Bayne asked if there were any questions. There were none.

On a Motion by Mr. Whyte, seconded by Ms. Andrews, with all in favor, the Board approved Change Order #11 from Heidt & Associates, Inc. for Fishhawk Community Development District II.

EIGHTH ORDER OF BUSINESS

**Consideration of Proposal from Miller
Recreation Equipment & Design, Inc.**

Ms. Bayne stated that the next item on the agenda was the consideration of a proposal from Miller Recreation Equipment & Design, Inc. She stated that the proposal was for new benches and litter receptacles to be placed throughout the Fishhawk Ranch trails system in the amount of \$32,534.66. Ms. Bayne briefly reviewed the proposal for the Board. She asked if there were any questions. General discussion ensued.

On a Motion by Ms. Andrews, seconded by Mr. Pelletz, with all in favor, the Board approved the proposal from Miller Recreation Equipment & Design, Inc. for \$32,534.66 for Fishhawk Community Development District II.

NINTH ORDER OF BUSINESS

**Consideration of Proposal from
Mortensen Engineering, Inc.**

Ms. Bayne stated that the next item on the agenda was the consideration of a proposal from Mortensen Engineering, Inc. She stated that the proposal was for Fishhawk II Town center – Phase 2C, testing tasks #1 – 39 lots for 79G lot testing and reporting, #2 – construction materials testing for residential roadways and utilities, totaling \$35,000. Ms. Bayne asked if there were any questions. There were none.

On a Motion by Ms. Andrews, seconded by Ms. Brewer, with all in favor, the Board approved the proposal from Mortensen Engineering, Inc. for \$35,000 for Fishhawk Community Development District II.

TENTH ORDER OF BUSINESS

Staff Reports

A. District Counsel

Mr. Craine stated that while working on the refinancing for Park Square, the attorneys for the lender have asked several questions that he was unable to provide documentation for in regards to the actual grants from the original owner to the CDD on Tract's P1A and R. He stated that in speaking to them, this has become an issue because if Park Square was originally approved for construction by Hillsborough County, there was an additional number of parking spaces that needed to be designated to meet the code requirements for parking. Mr. Craine stated that if they can not find all the documents that convey the parking spaces, the grant states that they are outlined in the plat. He stated that the plat reserves that the areas are in P1A for the Fishhawk CDD II but the language does not actually grant it in the plat. Mr. Craine stated that because there are no documents to provide that grant, the District will have to provide a document to convey the tracts to the CDD.

Mr. Craine stated that an amendment to the declaration will also need to be done. He stated that an amendment has been drafted by Park Square LLC's attorney. Mr. Craine asked for a motion to authorize the Chairman to accept any necessary deeds on behalf of the District to protect the conveyance of the tracts as they were reserved on the plats and execute any necessary amendment to the declaration that protect any lights from cross parking from Park Square to the Palmetto Club.

<p>On a Motion by Mr. Whyte, seconded by Ms. Andrews, with all in favor, the Board authorized the Chairman to accept any necessary deeds on behalf of the District to protect the conveyance of the tracts as they were reserved on the plats and execute any necessary amendment to the declaration that protect any lights from cross parking from Park Square to the Palmetto Club for Fishhawk Community Development District II.</p>

Mr. Craine stated that he, Ms. King, and Mr. Shimberg have been working on a maintenance agreement between the HOA and Park Square and Park Square's management company. He stated that he has draft copies if anyone would look to review it. General discussion ensued.

B. District Engineer
Not present.

C. District Manager

Ms. Bayne stated that at the last meeting, the Board requested that she bring an updated report of the revenue generated by the Palmetto Club and the bookings. She briefly reviewed the report for the Board. General discussion ensued. Mr. Whyte requested that Ms. Bayne send the final version of the Capital Improvement Program to the Board prior to the budget workshop on the 26th.

D. Amenities Director

Ms. King stated that the Hillsborough County Supervisor of Elections has a maximum of \$350 they can pay for the rental of the Palmetto Club to hold to the November elections. She stated that the standard rate for rental is \$500. Ms. Bayne asked for a motion to authorize the \$350 rental rate for the Hillsborough County Supervisor of Elections to rent the Palmetto Club for the election.

On a Motion by Mr. Pelletz, seconded by Mr. Whyte, with all in favor, the Board authorized the rental of the Palmetto Club for the rate of \$350 for the Hillsborough County Supervisor of Elections for the election on November 6, 2006 for Fishhawk Community Development District II.

ELEVENTH 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. Ms. Bayne asked if there were any Supervisor requests. There were none. Ms. Bayne asked if there were any audience comments. General audience comments were entertained but no action was taken by the Board.


TWELFTH 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. Andrews, seconded by Ms. Brewer, with all in favor, the Board adjourned the meeting at 3:28 p.m. for Fishhawk Community Development District II.


Secretary/Assistant Secretary


Chairman/Vice Chairman