

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, December 15, 2008 at 2:08 p.m.** at the Fishhawk Palmetto Club, located at 17004 Dorman Road, Lithia, Florida 33547.

Present and constituting a quorum:

Tom Panaseny	Board Supervisor, Chairman
Scott Shimberg	Board Supervisor, Vice Chairman
Amanda King	Board Supervisor, Assistant Secretary
Ruth Brown	Board Supervisor, Assistant Secretary
Victor Barbosa	Board Supervisor, Assistant Secretary

Also present were:

Debby Bayne	District Manager, Rizzetta & Company, Inc.
Eric Dailey	District Manager, Rizzetta & Company, Inc.
Biff Craine	District Counsel, Bricklemyer, Smolker & Bolves, P.A.
Dawn Turner	Representative, Newland Communities
Holly Quigley	Community Director
Erin Olson	
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 November 17, 2008

On a Motion by Ms. King, seconded by Mr. Barbosa, with all in favor, the Board of Supervisors approved the Minutes of the Board of Supervisor's meeting on November 17, 2008 for Fishhawk Community Development District II.
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THIRD ORDER OF BUSINESS

Consideration of Minutes of the Combined Board of Supervisors meeting with Fishhawk CDD I on November 17, 2008

This item was tabled until the next meeting.

FOURTH ORDER OF BUSINESS

Consideration of Operation and Maintenance Expenditures for December

Various errors were noted on specific invoices relating to incorrect labeling.

On a Motion by Mr. Shimberg, seconded by Ms. King, with all in favor, the Board of Supervisors approved the Operation and Maintenance Expenditures for December totaling \$120,974.13 as discussed for Fishhawk Community Development District II.

FIFTH ORDER OF BUSINESS

Consideration of Operation and Maintenance Expenditures for December – Palmetto Club

On a Motion by Ms. King, seconded by Mr. Shimberg, with all in favor, the Board of Supervisors approved the Operation and Maintenance Expenditures for December – Palmetto Club totaling \$18,357.65 for Fishhawk Community Development District II.

SIXTH ORDER OF BUSINESS

Consideration of Series 2007AB Construction Requisitions #116-#118

On a Motion by Ms. King, seconded by Mr. Barbosa, with all in favor, the Board of Supervisors approved the Series 2007 A & B Construction Requisitions #116-#118 for Fishhawk Community Development District II.

SEVENTH ORDER OF BUSINESS

Consideration of Sunrise Landscape Agreement

On a Motion by Ms. King, seconded by Mr. Shimberg, with all in favor, the Board of Supervisors approved the Sunrise Landscape Agreement subject to the exclusion of the cost of annuals; and approved the cost split ratio of 58% for CDD II and 42% for CDD I for Fishhawk Community Development District II.

On a Motion by Mr. Shimberg, seconded by Ms. King, with all in favor, the Board of Supervisors approved the Sunrise Landscape proposal in the amount of \$15,000 to replace the annuals; and approved the cost split ratio of 58% for CDD II and 42% for CDD I for Fishhawk Community Development District II.

EIGHTH ORDER OF BUSINESS

**Consideration of Revised Larkin
Proposal for Tract 12B Sidewalk**

On a Motion by Ms. King, seconded by Ms. Brown, with all in favor, the Board of Supervisors ratified the Revised Larkin proposal for the Tract 12B Sidewalk for Fishhawk Community Development District II.

NINTH ORDER OF BUSINESS

**Consideration of Lighting Proposal from
Optical Illusions**

This item was tabled until the January meeting as a revised proposal will be presented at that time.

TENTH ORDER OF BUSINESS

**Consideration of Resolution 2009-03,
Setting Public Hearing on Adopting User
Rules and Rates for Amenities**

On a Motion by Ms. King, seconded by Mr. Panaseney, with all in favor, the Board of Supervisors approved Resolution 2009-03, Setting a Public Hearing on Adopting User Rules and Rates for Amenities on March 16, 2009 at 2:00 p.m. at the Palmetto Club located at 17004 Dorman Road, Lithia, FL 33547 for Fishhawk Community Development District.

ELEVENTH ORDER OF BUSINESS

**Consideration of Operation and
Maintenance Agreements**

On a Motion by Ms. King, seconded by Mr. Shimberg, with all in favor, the Board of Supervisors approved the Aquatic Systems Agreement for pond maintenance in substantial form for one year beginning January 1, 2009 in the amount of \$3,700 per month subject to District Counsel's final approval for Fishhawk Community Development District II.

On a Motion by Ms. King, seconded by Mr. Barbosa, with all in favor, the Board of Supervisors approved the Ballenger & Company, Inc. Agreement for irrigation maintenance in substantial form for one year beginning January 1, 2009 in the amount of \$4,170 per month subject to District Counsel's final approval for Fishhawk Community Development District II.

On a Motion by Mr. Barbosa, seconded by Ms. King, with all in favor, the Board of Supervisors approved the Terminix Proposals for pest control at the Aquatic Club and the Palmetto Club in substantial form for one year beginning January 1, 2009 subject to District Counsel's final approval for Fishhawk Community Development District II.

On a Motion by Ms. King, seconded by Ms. Brown, with all in favor, the Board of Supervisors

approved the Waste Management proposals for the Aquatic Club and the Palmetto Club in substantial form for one year beginning January 1, 2009 subject to District Counsel's final approval for Fishhawk Community Development District II.

TWELFTH ORDER OF BUSINESS

Staff Reports

- A. District Counsel
A discussion ensued regarding the creation of the Fishhawk CDD III and the expansion of Fishhawk CDD II.
- B. District Engineer
Not present.
- C. District Manager
Ms. Bayne stated that a letter of default was sent to Finest Foods/Café on the Green on behalf of the District as it has not opened. She stated that to date she has not received the deposits from Finest Foods as promised at the last meeting.

On a Motion by Mr. Panaseny, seconded by Ms. King, with all in favor, the Board of Supervisors approved a not-to-exceed amount of \$1,500 to remove the palm at the Palmetto Club for Fishhawk Community Development District II.

On a Motion by Mr. Panaseny, seconded by Ms. King, with all in favor, the Board of Supervisors approved the proposal from Sunrise Landscape in the amount of \$1,255.40 for the installation of permanent plants at the Bridgewater entrance for Fishhawk Community Development District II.

On a Motion by Ms. King, seconded by Mr. Barbosa, with all in favor, the Board of Supervisors ratified the Republic Waste Services Agreement for recycling services at the Aquatic Club in the amount of \$75.25 per month for Fishhawk Community Development District II.

THIRTEENTH ORDER OF BUSINESS

Supervisor Requests and Audience Comments

There were no Supervisor requests or audience comments.

FOURTEENTH ORDER OF BUSINESS

Adjournment

On a Motion by Mr. Barbosa, seconded by Mr. Shimberg, with all in favor, the Board adjourned the meeting at 4:01 p.m. for Fishhawk Community Development District II.

Secretary/Assistant Secretary

Chairman/Vice Chairman

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