

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, November 16, 2009 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
Ruth Brown	Board Supervisor, Assistant Secretary
Dawn Turner	Board Supervisor, Assistant Secretary
Victor Barbosa	Board Supervisor, Vice Chairman
Scott Shimberg	Board Supervisor, Assistant Secretary <i>(joined the meeting in progress)</i>

Also present were:

Eric Dailey	District Manager, Rizzetta & Company, Inc.
Jonathan Miller	Representative, Rizzetta & Company, Inc.
Samantha Carlson	Representative, Rizzetta & Company, Inc.
Biff Craine	District Counsel, Bricklemyer, Smolker & Bolves, P.A.
Holly Quigley	Community Director
Erin Olson	Aquatic/Program Coordinator
Tim Plate	District Engineer, Heidt Design, LLC <i>(joined the meeting in progress)</i>
Mercedes Tutich	Representative, Newland Communities
Audience	

FIRST ORDER OF BUSINESS

Call to Order

Mr. Dailey called the meeting to order and read the roll call.

SECOND ORDER OF BUSINESS

**Administer Oath of Office to Newly
Elected Supervisors**

Mr. Dailey administered the oath of office to the newly elected Supervisors Mr. Panaseny and Ms. Turner. Mr. Shimberg was not present at this time to be administered the oath of office.

THIRD ORDER OF BUSINESS

**Consideration of Resolution 2010-04,
Canvassing and Certifying Election
Results**

On a Motion by Ms. Brown, seconded by Mr. Barbosa, with all in favor, the Board of Supervisors approved Resolution 2010-04, Canvassing and Certifying Election Results as follows: Tom Panaseny receiving 210 votes and a 3 year term; Dawn Turner receiving 125 votes and a 3 year term; Scott Shimberg receiving 41 votes and a 3 year term for Fishhawk Community Development District II.

Mr. Panaseny and Ms. Turner waived the Supervisor compensation.

FOURTH ORDER OF BUSINESS

**Consideration of Resolution 2010-05,
Designating Officers of the District**

On a Motion by Mr. Barbosa, seconded by Ms. Brown, with all in favor, the Board of Supervisors approved Resolution 2010-05, Designating Officers as follows: Tom Panaseny as Chairman; Victor Barbosa as Vice Chairman; Scott Shimberg, Dawn Turner, Ruth Brown, Jonathan Miller and Eric Dailey all as Assistant Secretaries for Fishhawk Community Development District II.

FIFTH ORDER OF BUSINESS

**Consideration of Resident Request to
Remove Trespassing Charges**

Mr. Craine presented documentation related to a resident in the district who received a trespassing charge. Mr. Craine reviewed his findings for the Board stating that in his opinion, it is sustainable; and his recommendation was to allow the resident time to speak to the Board regarding the matter.

The minor's father requested that the Board approve to rescind the trespassing charge. He reviewed the documents as provided by Mr. Craine and stated that in his opinion it was an unfair charge on his son. A lengthy discussion ensued among the Board and District Staff.

(Mr. Shimberg and Mr. Plate joined the meeting.)

Mr. Dailey administered the oath of office to Mr. Shimberg. Mr. Shimberg accepted the Supervisor compensation.

On a Motion by Ms. Brown, seconded by Mr. Panaseny, with all in favor, the Board of Supervisors authorized to modify the trespassing charge to three months for Park Square effective 10-10-09 pending the approval by the Hillsborough County Sheriffs Office for Fishhawk Community Development District II.

SIXTH ORDER OF BUSINESS

Consideration of Minutes of the Board of Supervisors Meeting held on October 26, 2009

On a Motion by Mr. Shimberg, seconded by Ms. Brown, with all in favor, the Board of Supervisors approved the minutes of the Board of Supervisors meeting held on October 19, 2009 as amended for Fishhawk Community Development District II.

SEVENTH ORDER OF BUSINESS

Consideration of Operation and Maintenance Expenditures for November 2009

On a Motion by Mr. Panaseny, seconded by Mr. Shimberg, with all in favor, the Board of Supervisors approved the Operation and Maintenance Expenditures for November 2009 (totaling \$311,930.13) for Fishhawk Community Development District II.

EIGHTH ORDER OF BUSINESS

Consideration of Operation and Maintenance Expenditures for November 2009 – Palmetto Club

On a Motion by Mr. Panaseny, seconded by Mr. Barbosa, with all in favor, the Board of Supervisors approved the Operation and Maintenance Expenditures for November 2009 – Palmetto Club (totaling \$61,423) for Fishhawk Community Development District II.

NINTH ORDER OF BUSINESS

Presentation of Shared Costs and Reimbursement Spreadsheet

Mr. Dailey presented the CDD I and CDD II shared costs and reimbursements spreadsheet for informational purposes.

TENTH ORDER OF BUSINESS

Ratification of Series 2007AB Construction Requisitions #158-#162

On a Motion by Mr. Barbosa, seconded by Ms. Turner, with all in favor, the Board of Supervisors ratified the Series 2007AB Construction Requisitions #158-#162 for Fishhawk Community Development District II.

ELEVENTH ORDER OF BUSINESS

Presentation of Monthly Pond Maintenance Inspection Report

Mr. Dailey presented the pond maintenance inspection report to the Board. No action was taken.

TWELFTH ORDER OF BUSINESS

**Presentation of Monthly
Landscape Status Report**

Mr. Dailey presented the landscape status report to the Board. No action was taken.

THIRTEENTH ORDER OF BUSINESS

**Discussion on Status of Fitness
Renovation Project**

Mr. Dailey updated the Board on the lease status. Mr. Dailey stated at the District is working with various lenders on options to lease or possibly purchase the equipment. He will present various options to the Board at the next meeting for consideration. Once an option is approved by the Board the District will begin the renovation project which should take at least 60 days to complete.

FOURTEENTH ORDER OF BUSINESS

**Consideration of Proposals for Burglar
Alarm Monitoring Services**

On a Motion by Mr. Shimberg, seconded by Ms. Brown, with all in favor, the Board of Supervisors authorized to terminate the contract with Devcon; and to enter into an agreement with Stanley-Sonitrol for burglar alarm monitoring services for Fishhawk Community Development District II.

FIFTEENTH ORDER OF BUSINESS

**Consideration of Automatic Renewal
Agreement from Aquatic Systems, Inc.**

On a Motion by Mr. Shimberg, seconded by Mr. Barbosa, with all in favor, the Board of Supervisors approved the Renewal Agreement with Aquatic Systems, Inc. for one year at the current contract price for Fishhawk Community Development District II.

SIXTEENTH ORDER OF BUSINESS

**Consideration of Renewal Agreement
from Ballenger & Company, Inc.**

On a Motion by Mr. Shimberg, seconded by Mr. Barbosa, with all in favor, the Board of Supervisors approved the Renewal Agreement with Ballenger & Company, Inc. for one year at the current contract price for Fishhawk Community Development District II.

SEVENTEENTH ORDER OF BUSINESS

**Consideration of Proposal for Mulching
from Sunrise Landcare**

On a Motion by Ms. Brown, seconded by Mr. Barbosa, with all in favor, the Board of Supervisors approved the proposal for mulching the District from Sunrise Landcare to be completed by January 31st, 2010 as discussed for Fishhawk Community Development District II.

EIGHTEENTH ORDER OF BUSINESS

**Consideration of Renewal Agreement
from Sunrise Landcare**

On a Motion by Mr. Shimberg, seconded by Mr. Barbosa, with all in favor, the Board of Supervisors approved the renewal agreement from Sunrise Landcare for one year at the current contract price for Fishhawk Community Development District II.

NINETEENTH ORDER OF BUSINESS

**Consideration of Proposals for IT
Computer and Support Services**

On a Motion by Mr. Barbosa, seconded by Ms. Turner, with all in favor, the Board of Supervisors authorized the Chairman to enter into an agreement with Atlas at an hourly rate if needed as of 12-3-09 subject to a 50/50 cost split with the Fishhawk Community Development District as discussed for Fishhawk Community Development District II.

(Mr. Panaseney left the meeting.)

TWENTIETH ORDER OF BUSINESS

Staff Reports

- A. Community Director
No report.
- B. Palmetto Club Director
Various updates were given. No Board action was taken.
- C. District Counsel
Mr. Craine stated that he had been approached by the Developer in regards to including the expansion of the Chapman area into the Series 2007A bond issue in order to reduce the assessments for the single family products. Mr. Craine explained that this would require amending the Engineers Report, the Assessment methodology report and the Trust Indenture. It was recommended to continue this meeting to December 7, 2009 in order to approve the amended documents with the intention of scheduling the public hearing on assessments for January 18, 2010.

On a Motion by Mr. Barbosa, seconded by Mr. Shimberg, with all in favor, the Board of Supervisors authorized District Staff to begin the process to include the Chapman area into the Series 2007A Bond Issue for Fishhawk Community Development District II.

- D. District Engineer
A discussion was held regarding the trail repair near Publix; and the Bridgecrest tree removal update.

E. District Manager

1. Mr. Dailey presented an update on the action items list to the Board that contained all of the current items authorized by the Board to be addressed by staff, etc. No Board action was taken.

TWENTY-FIRST ORDER OF BUSINESS

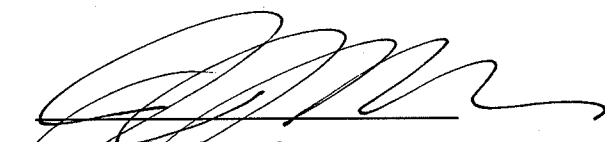
**Supervisor Requests and Audience
Comments**

There were no Supervisor Requests or audience comments.

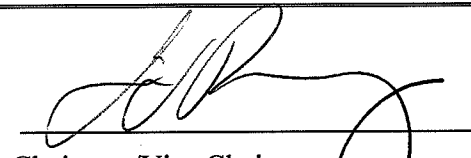
TWENTY-SECOND ORDER OF BUSINESS

Continuance

On a Motion by Ms. Brown, seconded by Mr. Shimberg, with all in favor, the Board continued the meeting at 4:35 p.m. to December 7, 2009 at 2:00 p.m. to be held at the Palmetto Club located at 17004 Dorman Road, Lithia, Florida 33547 for Fishhawk Community Development District II.



Secretary/Assistant Secretary



Chairman/Vice Chairman