

**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 Board of Supervisors' Meeting for Fishhawk Community Development District II was held on **Tuesday, November 15, 2016, 6:32 p.m.** at the Palmetto Club, 17004 Dorman Road, Lithia, Florida 33547.

Present and constituting a quorum:

Ruth Brown	<b>Board Supervisor, Vice Chairman</b>
Marisa Radley	<b>Board Supervisor, Assistant Secretary</b>
Robert Kneusel	<b>Board Supervisor, Assistant Secretary</b>

Also present were:

Greg Cox	<b>District Manager; Rizzetta &amp; Company, Inc.</b>
Biff Craine	<b>District Counsel; Pettitt Worrell Rocha PLLC</b>
Holly Quigley	<b>Community Director</b>
Pat Rynkowski	<b>Amenities Manager</b>
Sean Moore	<b>Board Supervisor, Elect</b>
Audience	

**FIRST ORDER OF BUSINESS**

**Call to Order**

Mr. Cox called the meeting to order, read the roll call and verified quorum was met for this meeting.

**SECOND ORDER OF BUSINESS**

**Audience Comments**

Ms. Jackelyn Waluzak, representing Relay for Life, addressed the Board regarding the fund-raising program she is leading and the plans for an event at the Palmetto Club on or about January 19, 2017. She requested a waiver of the District headcount fees for the event.

On a motion from Ms. Brown, seconded by Mr. Kneusel, the Board unanimously approved the waiving of the headcount fees for the Relay for Life fund-raising event at the Palmetto Club, for the Fishhawk Community Development District II.

**THIRD ORDER OF BUSINESS**

**Staff Reports**

**A. Community Director Operations Report**

Ms. Quigley presented her monthly report to the Board.

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Mr. Cox informed the Board that they needed to consider the renewal of the agreement with Advanced Automation Systems as the current agreement had expired. He explained that the renewal had been delayed as he and Ms. Quigley had attempted to find qualified competing service providers for this unique service. He noted that they were not able to locate a competitor and were not presenting it for renewal consideration. Mr. Cox opened the floor for comments from the public since this was an off-agenda topic. No comments were provided.

On a motion from Mr. Kneusel, seconded by Ms. Brown, the Board unanimously approved the renewal of the Advanced Automation Systems agreement with the Palmetto Club, for the Fishhawk Community Development District II.

Ms. Brown provided additional concerns about the agreement proposal needing to be presented earlier.

Ms. Quigley informed the Board that the Girl Scouts had once again requested that they be permitted to perform their "Walk the Trails" project on January 28, 2017. She noted that they would be placing a dumpster for the project that would be removed immediately after and explained that they had appropriate insurance. Ms. Brown requested that they be provided trash bags as in the past.

On a motion from Ms. Brown, seconded by Mr. Kneusel, the Board unanimously approved the Girl Scouts "Walk the Trails" project scheduled for January 28, 2017, for the Fishhawk Community Development District II.

Mr. Cox introduced a lighting proposal for the installation of holiday lighting from Holiday Decorating at Aquatic Club for \$2,500.

Mr. Cox opened the floor for comments from the public since this was an off-agenda topic. No comments were provided.

On a motion from Ms. Brown, seconded by Mr. Kneusel, the Board unanimously approved the proposal for holiday lighting installation for \$2,500, for the Fishhawk Community Development District II.

Ms. Quigley noted that she had a discussion with Detective Howell, with HCSO, and he had informed her that he met with the management of Park Square to look at potential locations for a future HCSO Sub-Station. She noted that he was planning to pass this information to his superiors for additional discussion and negotiations. The Board discussed the possibility of assisting with the process through funding assistance and determined to wait to see how the process proceeded.

## **B. District Counsel**

Mr. Craine provided the Board with an update of the Swamback lawsuit and that it had been settled by the insurance company.

Mr. Craine next provided an update of the meeting results of the Fishhawk Amenity Advisory Committee. He noted that the Committee had examined the Districts' budgets to see which items would fall under the Committee's budget. He also discussed the current agreements in

place that require equal assessment levels between the Districts and how they should be removed. He noted that at the next meeting, he expected the Committee to discuss how Capital Reserves would be handled. Ms. Brown requested information of what was the “way ahead” and Mr. Craine provided an anticipated schedule of future meetings. He explained that it was hoped to have a significant update of progress at the December CDD Board meeting and to wrap it all up by the end of December to be presented in January or February at a public meeting. Ms. Brown said the Committee needed to address other options such as merging the three Districts, forming the Amenities Board or keeping the Boards separate as they are now. The Board members further discussed the possible use of Districts’ reserves in various scenarios. Mr. Kneusel indicated he would request budget information for a combination of the Districts. He said that he had requested at a previous meeting but had not yet received the budget information should the three Districts merge.

Ms. Brown requested information regarding the status of the District’s Bond Counsel agreement and Mr. Craine confirmed that due to a change of companies, the move should be approved by the Board at the December agenda.

### **C. District Engineer**

Mr. Plate explained to the Board members that he had received one proposal from Western Aquatic Construction & Development in response to the Request for Proposals for work on the Splash Zone. He provided a recap of the process that had been conducted to that point. He noted that the options were to reject the bid, accept the bid as a sole bidder or reject the bid and rebid the process to see if more bids could be obtained. He noted that he felt the bid should be scored to be in compliance with the RFP process. He explained that the total bid was \$782,795 made up of a Base Bid, an Aquaworx Mechanical Package and a With-Water Water Feature Package. He noted that the bid included a 10-week schedule.

Mr. Plate explained that the Board had the option of continuing this item to allow the Board to further evaluate the bid. The Board discussed the need for additional clarity. District Counsel suggested continuing the topic to the next meeting to allow the District Engineer gain more clarity and to also allow the newest Board member to join the Board.

Mr. Brown requested information at this point regarding the next Rizzetta CDD 101 presentation.

The Board concluded to continue this subject to the December 20, 2016 meeting.

Ruth Brown requested information regarding the status of the drainage issue behind the homes on Churchside Drive. Mr. Plate indicated a design solution has been completed and that he is getting estimates. He noted that it is a grading issue and involves tree preservation. He explained that the area holds water and the option proposed is to install an inlet to connect into other yard drainage. Ms. Brown questioned whether this is a CDD issue or one that Newland should be handling. She recalled that earlier issues of this nature were handled by Newland as the developer. Mr. Plate explained that he was currently authorized to analyze issues.

Ms. Brown noted that there is a pond bank erosion issue in Tern Wood and Mr. Plate noted that his staff was scheduled to visit that and several other areas the following week.

Mr. Cox introduced the Bridge Park drainage modification agenda topic. Mr. Plate provided a history of the issue and the current status. He noted that he had located the initial design plan and that the actual pipe install did not follow that plan. He indicated that the property owner wanted the pipe removed. He provided proposals he had received for the removal. He explained that one from Kearney Companies was for \$63,125.71; one from Dallas1 was for \$80,400; and one from Burgess Civil for \$87,779.

The Board authorized staff to perform the necessary research to determine property ownership and lot lines plus any agreements that were in place that might affect ownership of the wall adjacent to the lot and any other information that might affect Board responsibility. The Board also requested staff research the possibility of purchasing an easement.

Mr. Cox presented the issue of the structure of the Aquatic Center water fall and explained the existing of the current rust issues. Mr. Plate recommended a structural engineer be obtained to properly examine the structure and indicated that he would provide some companies that they were familiar with.

Mr. Plate indicated that he did not have an update for the parking signs action item at that time.

#### **FOURTH ORDER OF BUSINESS**

#### **Presentation of Monthly Maintenance Inspection Reports**

##### **A. Landscape Report**

Mr. Clayton Yancey, with Brightview, provided an update to the Board regarding recent maintenance work in the District. Ms. Brown requested information about the Palmetto Club topiary urns and the lack of annuals in them. Mr. Yancey explained that the plants fill the pots so much that it was difficult to add more plants. He suggested some other type of plant be considered. The Board agreed to have Brightview add something that would add color to the pots for now and consider a long-term solution at a later date.

Ms. Brown requested information regarding the need to replace the failing Italian Cypress plants at the Palmetto Club and the Sabal Palm.

Mr. Cox presented a Brightview proposal for December annuals installation for \$13,040.

On a motion from Ms. Brown, seconded by Ms. Radley, the Board unanimously approved the proposal for annuals installation for \$13,040, for the Fishhawk Community Development District II.

Mr. Cox presented a Brightview proposal for the replanting of the Fishhawk Crossing – Dunlinwood island north end bullnose.

On a motion from Ms. Brown, seconded by Ms. Radley, the Board unanimously approved the proposal for the planting of the Fishhawk Crossing – Dunlinwood island bullnose for \$1,950, for the Fishhawk Community Development District II.

Mr. Cox presented a proposal to remove clumping Bamboo along Fishhawk Crossing Blvd. for \$1,280. Mr. Yancey explained the difficulty of removing the Bamboo. Ms. Brown discussed

that the problem was that the Bamboo hangs over the sidewalk. The Board discussed the issue and requested that Brightview work to keep the Bamboo maintained back off of the sidewalk area.

Mr. Yancey discussed a proposal to renovate the Fishhawk Ridge Townhomes entrance area. He explained the proposal was not ready to present but that it was prepared for \$2,504.

On a motion from Ms. Brown, seconded by Ms. Radley, the Board unanimously authorized the Chairman to approve a proposal with a not-to-exceed amount of \$2,500 for the Fishhawk Ridge Townhome entrance, for the Fishhawk Community Development District II.

Mr. Yancey addressed the issue of the previous decision to install Ribbon Palms at the Aquatic Club. Mr. Cox explained that Mr. Toborg had raised issues regarding the appearance of the Ribbon Palms at other locations.

Ms. Brown requested when the burnt grass would be replaced at the Palmetto Club at the Palmetto Club and Mr. Yancey requested that he be permitted to replace with Zoysia grass. Ms. Brown asked Mr. Cox to inquire of John Toborg if that would be recommended.

Mr. Cox contacted Mr. Toborg via telephone regarding the Ribbon Palms proposed for the Aquatic Center. Mr. Toborg explained that the Ribbon Palms at the Starling Club appeared to continually droop or look as if wilting and some complained about the appearance. The Board requested that staff provide them with pictures of Ribbon Palms and Chinese Fan Palms.

Mr. Cox introduced the issue of the removal of Banana trees from a CDD owned pond bank. The Board discussed the need to remove the trees. Mr. Yancey indicated he will have them removed.

## **B. Aquatic Report and USDA Trapping Report**

Mr. Cox presented the Aquatic Report and the USDA Trapping Report to the Board for their review with no actions taken by the Board.

## **FIFTH ORDER OF BUSINESS**

### **Staff Reports (continued)**

#### **A. District Manager Report**

Mr. Cox reminded the Board that next meeting was scheduled for 6:30 p.m., Tuesday, December 20, 2016.

Mr. Cox informed the Board that Mr. Robbie Cox, with MBS Capital Markets, has presented an engagement letter that is needed to be executed before they would be able to present refunding information to the Board. The Board members requested that they would consider the engagement letter at the next Board meeting along with hearing information from MBS Capital Markets.

Mr. Cox explained that the Brightview landscape contract expires at the end of March, 2017 and discussed the need to begin the request for proposal (RFP) process. The Board discussed the issue of how they wanted to proceed as far as suggesting combining with CDD I. The Board requested that CDD I be asked to combine with CDD II in the RFP process for a single contract and request that the scope of work include separate landscape supervisors for each CDD. Mr.

Cox and the Board discussed the costs associated with preparing the preparing and handling of the RFP by Rizzetta Field Services staff. Mr. Kneusel had additional questions regarding the RFP process and who should be preparing and handling the RFP.

Mr. Cox presented and reviewed the current Action Item list with the Board and updated the status of the action items.

Ms. Brown discussed the maintenance of the Bermuda grass and how the District should not be paying additionally for maintenance of this grass. Mr. Cox indicated that the Board should plan to discuss this issue further with Brightview because he had received indications from them that they did not feel it was fully described in their scope of work.

Ms. Brown addressed the topic of District Management Services and provided information regarding what services she felt needed improvement. Ms. Brown mentioned she met with Eric Dailey and reviewed highlights of her handout of notes shared with the Board regarding their discussion to improve District Management Services. She said changes weren't required to the contract as proposed by Rizzetta since these were covered under an addendum to the current contract and request Mr. Cox provide a copy of the contract addendum to the Board.

**SIXTH ORDER OF BUSINESS**

**Presentation of the Monthly Maintenance Inspection Reports**

Mr. Cox presented the monthly maintenance inspection reports to the Board and address their questions.

**SEVENTH ORDER OF BUSINESS**

**Consent Agenda Items/Business Administration**

Mr. Cox presented the Consent Agenda to the Board which contained the revised Minutes of the Board of Supervisors' Meeting held August 16, 2016; the Revised Minutes of the Board of Supervisors' Meeting held September 20, 2016; the Minutes of the Board of Supervisors' Meeting held October 18, 2016; the Operation and Maintenance Expenditures for October 2016; Operation & Maintenance Expenditures for October 2016 – Palmetto Club; Shared Costs and Reimbursements; and the Palmetto Club Revenue & Expense Summary.

On a motion from Ms. Brown, seconded by Mr. Kneusel, the Board unanimously approved the consent agenda, for the Fishhawk Community Development District II.

**EIGHTH ORDER OF BUSINESS**

**Fishhawk HOA Payroll True-Up 2016**

Mr. Cox presented the annual Fishhawk HOA Payroll True-Up for 2016 report and explained its contents.

**NINTH ORDER OF BUSINESS**

**Supervisor Requests**

Ms. Brown requested staff provide an update of the \$20,000 landscape work TECO was funding due to the installation of the transmission lines.

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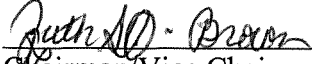
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**TENTH ORDER OF BUSINESS**

**Adjournment**

On a Motion by Mr. Kneusel, seconded by Ms. Brown, with all in favor, the Board adjourned the meeting at 9:10 p.m. for Fishhawk Community Development District II.

  
Secretary/Assistant Secretary

  
Chairman/Vice Chairman