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**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 Fishhawk Community Development District II regular meeting of the Board of Supervisors was held on **Tuesday, July 19, 2016 at 6:30 p.m.** at the Palmetto Club, located at 17004 Dorman Road, Lithia, Florida 33547.

Present and constituting a quorum:

Patrick Reilly	<b>Board Supervisor, Chairman</b>
Ruth Brown	<b>Board Supervisor, Vice Chairman</b>
Marisa Radley	<b>Board Supervisor, Assistant Secretary</b>
Mark Karet	<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>
Shannon Nasekos	<b>District Coordinator; Rizzetta &amp; Company, Inc.</b>
Biff Craine	<b>District Counsel; Pettitt Worrell Rocha PLLC</b>
Holly Quigley	<b>Community Director</b>
Pat Rynkowski	<b>Aquatic Program Coordinator</b>
Tonya Martinez	<b>LCAM; Rizzetta &amp; Company, Inc.</b>
Brian Cranner	<b>Chairman; Fishhawk Community Development District III</b>
Don Cameron	<b>O&amp;M Supervisor; Rizzetta &amp; Company, Inc.</b>
Kerri McDonald	<b>Chairman; Fishhawk Community Development District</b>
Torri Morrison	<b>Supervisor; Fishhawk Community Development District</b>
Audience	

**FIRST ORDER OF BUSINESS**

**Call to Order**

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

**SECOND ORDER OF BUSINESS**

**Audience Comments**

Ms. Tonya Martinez represented the Fishhawk HOA Event Advisory Committee and to secure a date for an event, as well as, request usage of Park Square on Saturday, September 24, 2016 at 2:00 p.m.

On a Motion by Ms. Brown, seconded by Mr. Kneusel, with all in favor, the Board approved the event and usage of Park Square on Saturday, September 24, 2016 at 2:00 p.m. with the coordination of staff, for the Fishhawk Community Development District II.

*(Mr. Karet arrived while the meeting was in progress at 6:34 p.m.)*

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Mr. Pete Defonso expressed his concerns regarding the conditions of several ponds within the District.

**THIRD ORDER OF BUSINESS**

**Staff Reports**

**A. Community Director**

Ms. Brown complimented Ms. Quigley and Staff regarding a busy summer and commended her and the staff for the work that they have accomplished.

Ms. Quigley provided an update regarding repairs (exhaust fans and drywall) for the Aquatic Club Pump Room due to the recent explosion. She indicated that final repairs should be completed this week.

Ms. Quigley received a phone call from the owner of Cherry's regarding business owners obtaining access cards. The Board discussed this request and Mr. Craine informed the Board that this request would require a rule change affecting all three districts. The Board concluded that the request for access cards should come from the Commercial Property Owner versus the individual business owners who lease space.

**B. District Counsel**

Mr. Craine did not provide a report at this time.

**C. District Engineer**

Mr. Cox presented Mr. Plate's report to the Board. He noted that the Park Square fountain is under design and Mr. Plate is working on bid documents. In the report, Mr. Plate requested direction regarding the next steps for curb signage. Ms. Brown presented a photo showing a sign example near Alafia Elementary School of no stopping/standing on school days. Mr. Cox also noted that Mr. Plate has addressed the active storm water pipe complaint that came forward several years ago where the pipe crosses the back of a resident's rear yard. Mr. Plate indicated in the report that he believes this pipe was installed in the wrong location and is part of the storm water system maintained by the CDD. Since the resident is selling the property, Ms. Brown recommended that the CDD solicit bids for obtaining a cost of the pipe removal and relocating it to the correct location. The Board requested information regarding whether or not there was an easement at that location for the existing pipe and was told there was no easement.

On a Motion by Ms. Brown, seconded by Mr. Reilly, with all in favor, the Board approved the solicitation of storm water pipe removal/relocation bids, for the Fishhawk Community Development District II.

**D. District Manager**

Mr. Cox reminded the Board that the next meeting will be held Tuesday, August 16, 2016 at 6:30 p.m.

Mr. Cox presented and reviewed the current Action Item List with the Board.

Mr. Cox addressed the street lights issue and presented the TECO HOA usage information and maps. He noted that there were some discrepancies with the accuracy of street light numbers. He also addressed the on-going issue of determining who has responsibility for the streetlights near the townhomes in the Garden District.

The Board requested that a letter to the Hillsborough County Sheriff's Office be drafted for the Chairman's signature in support for the placement of a sub-station support in the Fishhawk Park Square area and request the HOA consider sending a letter as well.

**FOURTH ORDER OF BUSINESS**

**Presentation of Monthly Maintenance  
Inspection Reports**

Mr. Cox presented the Monthly Maintenance Report for Aquatic Systems. The Board discussed the resident complaint regarding grass clippings and fertilizers in pond # 65. They also discussed issues regarding pond #105. The report indicated abnormal algae growth. The Board requested information regarding the relocation of the Water Lilies.

Mr. Clayton Yancey of Brightview introduced Mr. Christian Padgett as the new Account Manager for the Fishhawk Community Development District II. Mr. Yancey notified the Board that he has accepted a position with another company.

A discussion ensued regarding Dunlin Wood and the northern end of the median cap that required work from Brightview.

Mr. Cox presented a Brightview proposal for the Kinglet Ridge entrance renovation for a total of \$4,266.00.

On a Motion by Mr. Reilly, seconded by Mr. Karet, with all in favor, the Board approved the Brightview proposal, for the Kinglet Ridge Entrance Renovation for \$4,266.00, for the Fishhawk Community Development District II.

Mr. Cox presented the June USDA trappings report to the Board. There were no trappings noted and no questions discussed from the Board.

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**FIFTH ORDER OF BUSINESS**

**Consent Agenda Items/Business  
Administration**

Mr. Cox presented the Consent Agenda Items to the Board for their consideration.

- A. Consideration of Minutes of the Board of Supervisors' Meeting held on June 21, 2016
- B. Consideration of Operation and Maintenance Expenditures for June 2016  
\$136,012.26
- C. Consideration of Operation & Maintenance Expenditures for June 2016 - Palmetto Club  
\$6,141.44
- D. Presentation of Shared Costs and Reimbursements
- E. Presentation of Palmetto Club Revenue & Expense Summary

Ms. Radley presented questions regarding select invoices under the O&M for June 2016. She expressed concern for items (i.e. access cards expense) that should be split between Fishhawk and Fishhawk III.

On a Motion by Mr. Karet, seconded by Mr. Kneusel, with all in favor, the Board Approved the Consent Agenda items A-E, for the Fishhawk Community Development District II.
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**SIXTH ORDER OF BUSINESS**

**Consideration of Request for Bocci Ball  
Court**

The Board heard comments from Mr. Defonso regarding a request for a Bocci Ball court. Mr. Defonso discussed a possibility of space in Cross Park and requested a permanent non-professional smaller recreational court. A discussion ensued between Mr. Defonso and the Board. Ms. Brown discussed future plans for a new community park to be built by Hillsborough County and suggested that those interested in a Bocci Ball court contact the County to see if they had an interest.

**SEVENTH ORDER OF BUSINESS**

**Discussion of American Bar Association  
Rule 1.7 Attorney Conflict of Interest**

Ms. Brown requested that Mr. Craine explain the Statute regarding attorney conflict of interest as it relates to his representing all three of the Fishhawk CDDs. Mr. Craine provided a brief discussion of his interpretation of the Rule 1.7 and Conflict of Interest in general to the Board. Mr. Craine described the current situation with the three districts relative to previous assessment equalization agreements.

Also, Mr. Craine described the idea he presented regarding a new plan for the creation of an amenities equalization authority/committee. Mr. Craine proceeded to describe the concept of how organization would work in general. The Board discussed the plan and the possibility of needing separate council later on in the process. The Board Members discussed the merits and rationale for proceeding with the concept.

Mr. Craine provided a history of the previous equalization denials for assessment equalization by Fishhawk CDD III. Mr. Craine explained his alternative plan towards assessment equalization in part and how it was presented to the Board Chairs. He noted that Fishhawk CCD I and CCD III have proceeded with the appointment of individuals to sit on the Amenity Committee. He further explained that the issue is not adverse, but the long-term sustainability and support ability economically of the level of service for the amenities for Fishhawk for the residents.

Ms. Brown and Mr. Craine shared their thoughts on the Conflict of Interest issue and she discussed the possibility of entertaining independent counsel regarding agreements that are in place and the impact of going forward with this issue.

**EIGHTH ORDER OF BUSINESS**

**Consideration of Fishhawk Amenity Assessment Equalization Plan**

Mr. Craine described his vision for how the group might work; what the group would be called; what the scope of work would be, and other general initial thoughts. He explained that the group itself would be responsible for determining the answers to these questions once formed.

Mr. Craine reviewed the history of previous equalization agreements and pointed out the reasons Fishhawk CDD III has not been able to reach an equalization point. Mr. Brian Crannor, Chairman of Fishhawk CDD III, discussed the position of FHCDD III regarding the concept. Mr. Kerri McDougald, Chairman of Fishhawk CDD, expressed her thoughts on the idea of exploring the concept. Ms. Susie Lezaun commented as a resident that there is resident interest to look at the possibility and welcomes the idea of working towards moving away from boundary lines.

On a Motion by Mr. Karet, seconded by Mr. Kneusel, with all in favor, the Board of Supervisors agreed to proceed forward with the concept stage of the Amenity Assessment Equalization Plan, for the Fishhawk Community Development District II.

**NINTH ORDER OF BUSINESS**

**Consideration and Appointment of Two Members for the Concept Stage of the Amenity Assessment Equalization Plan**

The Board discussed the endorsement of appointing members of the Board to participate in the Concept Stage Committee of the Amenity Assessment Equalization Plan. The initial purpose of this group is to determine, among other things, what is their authority purpose, scope, how and where business will be conducted. Ms. Brown indicated the committee needs to decide what is best for Fishhawk as a whole.

After Board discussion, it was determined that Mr. Kneusel and Ms. Radley would be the initial Fishhawk CDD II members of this committee.

On a Motion by Mr. Reilly, seconded by Ms. Brown, with all in favor, the Board of Supervisors agreed to the appointment of Mr. Bob Kneusel and Ms. Marisa Radley to the Concept Stage of the Amenity Assessment Equalization Plan, for the Fishhawk Community Development District II.

**TENTH ORDER OF BUSINESS**

**Consideration of the Arbitrage Rebate  
Calculation Series 2007 A & B**

On a Motion by Mr. Reilly, seconded by Ms. Brown, with all in favor, the Board of Supervisors approved to accept and file the Arbitrage Rebate Calculation Series 2007 A & B, for the Fishhawk Community Development District II.

**ELEVENTH ORDER OF BUSINESS**

**Public Hearings Regarding Fiscal  
Year/2017 Budget & Operations and  
Maintenance Assessments**

**Open Public Hearing**

Mr. Cox presented and reviewed the previously approved proposed budget with the Board and explained where the budget process was at this point. He requested a motion from the Board to open a public hearing to offer the public an opportunity to address any issues they might have with the proposed budget.

On a Motion by Mr. Kneusel, seconded by Mr. Reilly, with all in favor, the Board of Supervisors opened the Public Hearing for the Fishhawk Community Development District II.

There were no comments from the public regarding the proposed budget and Mr. Cox requested from the Board any changes to the proposed budget before finalizing.

Ms. Brown requested to move \$30,000 from the security line item to street light utilities. The Board concluded to add \$30,000 back to the streetlight utilities line item and lower security by \$15,000 and capital reserves by \$15,000 to complete the adjustment.

**Close Public Hearing**

On a Motion by Mr. Reilly, seconded by Mr. Kneusel, with all in favor, the Board of Supervisors Closed the Public Hearing for the Fishhawk Community Development District II.

**TWELFTH ORDER OF BUSINESS**

**Consideration of Resolution 2016-03,  
Adopting the Fiscal Year 2016-2017 Final  
Budget**

Mr. Cox presented Resolution 2016-03 to the Board; thus, explaining its content and purpose, which will adopt the final budget for Fiscal Year 2016/2017.

On a Motion by Ms. Brown, seconded by Mr. Reilly, with all in favor, the Board of Supervisors adopted Resolution 2016-03 for the Fishhawk Community Development District II.

**THIRTEENTH ORDER OF BUSINESS**

**Consideration of Resolution 2016-04,  
Imposing Special Assessments and  
Certifying Assessments Role**

Mr. Cox presented Resolution 2016-04 to the Board, which will impose Special Assessments and Certify the Assessment Roll for fiscal year 2016/2017.

On a Motion by Mr. Karet, seconded by Mr. Reilly, with all in favor, the Board of Supervisors Adopted Resolution 2016-04 for the Fishhawk Community Development District II.

**FOURTEENTH ORDER OF BUSINESS**

**Supervisor Requests**

Ms. Radley spoke regarding handling resident requests.

Ms. Radley discussed the Bocci Ball issue and going forward that if a resident wants to discuss any issue it should be added as an item to a future Agenda for consideration. If a resident takes the time to come to the meeting and presents an issue, the Board should take the time to listen and address the issue or close the issue for the resident in attendance.

Mr. Reilly discussed Mr. Kelly Spires e-mail regarding a number of concerns with security, criminal activity, and look and feel of the community. He discussed the Board consider future allocation of funds for security cameras, security patrols, and other community issues that are CDD related.

Mr. Karet requested follow-up on trespassing problem of Spencer Wilson at Park Square.

**FIFTEENTH ORDER OF BUSINESS**

**Adjournment**

Mr. Cox stated that if there was no further business to come before the Board a motion to adjourn the meeting would be in order.

On a Motion by Mr. Kneusel, seconded by Ms. Brown, with all in favor, the Board of Supervisors adjourned the meeting at 8:57 p.m. for the Fishhawk Community Development District II.

  
Secretary/Assistant Secretary

  
Chairman/Vice Chairman