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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 Regular Board of Supervisors' Meeting for Fishhawk Community Development District II was held on **Tuesday, September 19, 2017, 6:33 p.m.** at the Palmetto Club located at 17004 Dorman Road, Lithia, Florida 33547.

Present and constituting a quorum:

Ruth Brown	<b>Board Supervisor, Chairman</b>
Sean Moore	<b>Board Supervisor, Assistant Secretary</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>
Tim Plate	<b>District Engineer, Heidt Design, LLC</b>
John Toborg	<b>Field Services Manager, Rizzetta &amp; Company, Inc.</b>
Holly Quigley	<b>Community Director</b>
Pat Rynkowski	<b>Amenities Manager</b>
Melanie Crouse	<b>Assistant Community Director</b>

Audience	<b>Present</b>
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**FIRST ORDER OF BUSINESS**

**Call to Order**

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

**SECOND ORDER OF BUSINESS**

**Audience Comments**

Mr. Kyle Voigt a new resident introduced himself and expressed an interest in being involved in the community.

**THIRD ORDER OF BUSINESS**

**Presentation of Monthly Maintenance  
Inspection Repairs**

**1. Aquatics Report**

Mr. Cox presented the Aquatic Systems monthly report to the Board.

**2. USDA Report**

**3.**

Mr. Cox presented the USDA wildlife trapping report to the Board.

**FOURTH ORDER OF BUSINESS**

**Staff Reports**

**A. Community Director**

Ms. Quigley presented her monthly operations report to the Board and addressed their questions. Ms. Quigley presented a petition from the residents of Dunlin Wood to install outlets on the outside of their entrance monument signs outside the Dunlin Wood community.

On a motion from Ms. Brown, seconded by Mr. Kneusel, the Board unanimously approved the installation of three (3) outlets actual location to be approved by the Fishhawk Community Director with the installation to be paid by Dunlin Wood, for the Fishhawk Community Development District II.

Ms. Quigley discussed rescheduling of events at Park Square and also the issue of the closing of the rest rooms at Park Square when construction fencing goes up. The Board discussed the need for porta-potties at Park Square during events. The Board approved a not-to-exceed amount of \$2,500 for the installation of porta-potties at the Park Square construction site due to the closing of the current restrooms during construction and required that at least one would be an ADA compliant handicap porta-potty. The Board indicated when more porta-potties are needed for events such as the HOA events; the event planner would be responsible for the extra cost.

On a motion from Mr. Kneusel, seconded by Mr. Moore, the Board unanimously approved one (1) ADA compliant porta-potty with a not to exceed amount of \$2,500.00, for the Fishhawk Community Development District II.

Mr. Cox and Ms. Quigley presented the Palmetto Club punch list to the Board.

**FIFTH ORDER OF BUSINESS**

**Presentation of Monthly Maintenance  
Inspection Repairs**

**1. Field Inspection Report**

Mr. Toborg presented his monthly inspection report to the Board. The Board discussed the fallen trees at Ibis Park and requested that staff work with CLM to leave the desired trees alone to see if they will survive in their fallen state noting that this has successfully occurred before. The ones that are not desired are to be quoted for removal. The Board discussed the policies related to the removal of hazardous trees within conservation areas and Ms. Brown requested that revised policies regarding the trees be considered along with all the other policy adjustments to be considered at the October CDD meeting. Ms. Brown requested staff also notify Fishhawk CDD I and CDD III Boards of the policy issues regarding hazardous tree removals. The Board approved to have staff take necessary actions to have hazardous trees maintained as necessary.

On a motion from Mr. Moore, seconded by Ms. Brown, the Board unanimously authorized staff to take action to maintain trees deemed as hazardous, for the Fishhawk Community Development District II.

The Board discussed the traffic circle area near Chapman Crossing and the issue of Dwarf Jasmine in the Right-of-Way areas around the circle. The Board concluded that it is desired to keep and maintain the Dwarf Jasmine near the Chapman Crossing entrance circle and add this area to the landscape map. Ms. Brown added that a meeting is required with Heidt Design and staff to update the landscape map.

Mr. Toborg addressed the issue of landscape dumping where Fishhawk CDD II and Starling connect and asked the Board if “No Dumping” signage is desired. The Board concluded that no signage would be needed at the Starling location where the dumping has occurred.

Mr. Cox presented CLM proposals for pine bark mulch top dressing in the amount of \$25,410.00; pine straw top dressing in the amount of \$2,940.00 and October annuals in the amount of \$13,754.40 (Exhibit) that had been approved by the Chairman and requested a motion from the Board to ratify this approval.

On a motion from Mr. Kneusel, seconded by Mr. Moore, the Board unanimously ratified the payment of the CLM proposals for pine bark mulch top dressing in the amount of \$25,410.00; pine straw top dressing in the amount of \$2,940.00 and October annuals in the amount of \$13,754.40, for the Fishhawk Community Development District II.

## **2. Landscape Report**

Mr. Cox presented the Complete Landcare Maintenance (CLM) report to the Board.

On a motion from Ms. Brown, seconded by Mr. Kneusel, the Board unanimously authorized staff to evaluate and remove those trees requiring removal at the Ibis Park location and pond bank, for the Fishhawk Community Development District II.

On the topic of the use of the \$15,000 TECO funds that had been contributed to the District, Ms. Brown indicated that she, John Toborg and Holly Quigley will meet to create a landscaping design for the use of the funds.

## **SIXTH ORDER OF BUSINESS**

### **Staff Reports (Continued)**

#### **A. District Engineer**

Mr. Plate presented information regarding the design for the placement of the Splash Pad pump equipment vault and explained how it was currently located in an area that had been considered for a playground or other options. The Board discussed the design and created secondary options to be presented to ADE for consideration.

Mr. Plate discussed the current county permit status for the splash pad and concerns regarding the need for tree and other items barrier protection during the construction and that it could result in a change order request. The Board agreed that this should be a responsibility and cost for the contractor.

**B. District Counsel**

Mr. Craine informed the Board that the Boronat-Escudero vs. Fishhawk CDD II claim for a bike fall had been settled by the insurance company.

Mr. Craine informed the Board that he had sent a response to the attorney who had sent the email regarding the private alleyway.

Mr. Craine informed the Board that the questions regarding formation of a new Board if a merger would occur had been sent to the Supervisor of Elections Office and to the County Attorney's office for research and hopefully a resolution.

**C. District Manager**

Mr. Cox reminded the Board that the next CDD Board meeting was scheduled for October 17, 2017 at 6:30 p.m.

Mr. Cox reviewed the action item list with the Board.

The Board directed staff to have Park Square camera proposals amended to add coverage of the trash bin area and to bring back to the next meeting.

Ms. Brown requested staff research the possibility of acquiring larger trash cans for Park Square vs. creating pizza box holders.

Mr. Cox informed the Board that the next step of the merger process was to schedule a meeting of the three Board Chairmen.

Mr. Cox informed the Board that the Girls Scouts did not want to hold a recycle bin ceremony but would create a plaque to have installed.

Ms. Brown requested that Mr. Cox resolve the question of parking signage at Park Square by the October meeting.

**SEVENTH ORDER OF BUSINESS**

**Consent Agenda Items/Business  
Administration**

Mr. Cox presented the Consent Agenda for consideration which included the Continued Minutes of the August 11, 2017, the Regular minutes of the August 15, 2017 meeting, the Operation and Maintenance Expenditures for August 2017; the Operation and Maintenance Expenditures for August 2017 – Palmetto Club; the Series 2017 Construction Requisition 4-5; the Shared Costs and Reimbursements; and the Palmetto Club Revenue & Expense Summary. The Board amended the August 15, 2017 meeting minutes.

On a motion from Mr. Kneusel, seconded by Ms. Brown, the Board unanimously approved the consent agenda with August 15, 2017 meeting minutes amended, for the Fishhawk Community Development District II.

**EIGHTH ORDER OF BUSINESS**

**Consideration of Amenity Management  
Contract Renewal**

Mr. Cox presented the renewal of the Amenity Management Contract and the changes proposed to the Board for consideration. Ms. Marisa Radley informed the Board that she could not vote on the subject due to her employment conflict of interest. (Exhibit Form B)

On a motion from Ms. Brown, seconded by Mr. Kneusel, the Board approved the renewal of the Amenity Management Contract, for the Fishhawk Community Development District II.

**NINTH ORDER OF BUSINESS**

**Consideration of Park Square Restroom  
Renovation Proposals**

Ms. Crouse presented the Park Square rest room renovation proposals to the Board.

On a motion from Ms. Brown, seconded by Mr. Kneusel, the Board approved the RSC proposal in the amount of \$25,150.00 for the renovation of the Park Square restrooms, for the Fishhawk Community Development District II.

**TENTH ORDER OF BUSINESS**

**Consideration of Battery Back-ups for  
Palmetto Club**

This item was tabled.

**ELEVENTH ORDER OF BUSINESS**

**Presentation of 2018 Proposed HOA  
Calendar Events**

On a motion from Mr. Kneusel, seconded by Ms. Brown, the Board approved the 2018 Proposed HOA Calendar Events, for the Fishhawk Community Development District II.

**TWELFTH ORDER OF BUSINESS**

**Consideration of Dance Floor Proposals**

Ms. Crouse presented proposals for a new Palmetto Club dance floor to the Board.

On a motion from Mr. Kneusel, seconded by Ms. Brown, the Board approved the Snap Lock proposal in the amount of \$3,878.10 for the Fishhawk Community Development District II.

**THIRTEENTH ORDER OF BUSINESS**

**Consideration of Street Sign Proposals**

This item was tabled.

**FOURTEENTH ORDER OF BUSINESS**

**Consideration of Picnic Table Proposals**

Ms. Crouse reviewed the proposal with the Board. The Board directed staff to try and repair the existing picnic tables.

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**FIFTEENTH ORDER OF BUSINESS**

**Appeal of Deposit Withheld – Fraser  
Henderson**

The Board considered the appeal the withholding of the \$200 event deposit for Mr. Fraser Henderson due to incidents report during his event held at the Aquatic Club. After consideration of the details of the incidents, the Board determined to reduce the withholding from \$200 to \$100 and to add in the extra time used cost of \$30. The result of the appeal is that \$70 will be refunded to Mr. Henderson.

**SIXTEENTH ORDER OF BUSINESS**

**Consideration of Aquatic Systems Alum  
Treatment Proposal**

The Board considered the Aquatic Systems proposal for Alum Treatment of pond 311 for \$3,244 and no motion was made and therefore the proposal was not approved.

**SEVENTEENTH ORDER OF BUSINESS**


**Supervisor Requests**

Ms. Brown informed the Board of the decision by the host of the laser tag event at Cross Park to move the event to another location due to the loss of Florida Highway Patrol support for the crossing of Dorman Road. It was made clear that all future events would require the event planner to be responsible to secure all necessary security or law enforcement support required for their events.

**EIGHTEENTH ORDER OF BUSINESS**

**Adjournment**

On a Motion by Mr. Kneusel, seconded by Ms. Brown, with all in favor, the Board adjourned the meeting at 9:54 p.m. for Fishhawk Community Development District II.

  
Secretary/Assistant Secretary

  
Chairman/Vice Chairman

# FORM 8B MEMORANDUM OF VOTING CONFLICT FOR COUNTY, MUNICIPAL, AND OTHER LOCAL PUBLIC OFFICERS

LAST NAME—FIRST NAME—MIDDLE NAME <b>RADLEY MARISA</b>	NAME OF BOARD, COUNCIL, COMMISSION, AUTHORITY, OR COMMITTEE <b>Fishhawk Community Development Dist 2</b>
MAILING ADDRESS <b>15736 Ibis Ridge DR</b>	THE BOARD, COUNCIL, COMMISSION, AUTHORITY OR COMMITTEE ON WHICH I SERVE IS A UNIT OF: <input type="checkbox"/> CITY <input type="checkbox"/> COUNTY <input checked="" type="checkbox"/> OTHER LOCAL AGENCY
CITY      COUNTY <b>Lithia      Hillsborough</b>	NAME OF POLITICAL SUBDIVISION: <b>Fishhawk Community Development District 2</b>
DATE ON WHICH VOTE OCCURRED <b>9/20/17</b>	MY POSITION IS: <input checked="" type="checkbox"/> ELECTIVE <input type="checkbox"/> APPOINTIVE

## WHO MUST FILE FORM 8B

This form is for use by any person serving at the county, city, or other local level of government on an appointed or elected board, council, commission, authority, or committee. It applies to members of advisory and non-advisory bodies who are presented with a voting conflict of interest under Section 112.3143, Florida Statutes.

Your responsibilities under the law when faced with voting on a measure in which you have a conflict of interest will vary greatly depending on whether you hold an elective or appointive position. For this reason, please pay close attention to the instructions on this form before completing and filing the form.

## INSTRUCTIONS FOR COMPLIANCE WITH SECTION 112.3143, FLORIDA STATUTES

A person holding elective or appointive county, municipal, or other local public office **MUST ABSTAIN** from voting on a measure which would inure to his or her special private gain or loss. Each elected or appointed local officer also **MUST ABSTAIN** from knowingly voting on a measure which would inure to the special gain or loss of a principal (other than a government agency) by whom he or she is retained (including the parent, subsidiary, or sibling organization of a principal by which he or she is retained); to the special private gain or loss of a relative; or to the special private gain or loss of a business associate. Commissioners of community redevelopment agencies (CRAs) under Sec. 163.356 or 163.357, F.S., and officers of independent special tax districts elected on a one-acre, one-vote basis are not prohibited from voting in that capacity.

For purposes of this law, a "relative" includes only the officer's father, mother, son, daughter, husband, wife, brother, sister, father-in-law, mother-in-law, son-in-law, and daughter-in-law. A "business associate" means any person or entity engaged in or carrying on a business enterprise with the officer as a partner, joint venturer, coowner of property, or corporate shareholder (where the shares of the corporation are not listed on any national or regional stock exchange).

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### ELECTED OFFICERS:

In addition to abstaining from voting in the situations described above, you must disclose the conflict:

**PRIOR TO THE VOTE BEING TAKEN** by publicly stating to the assembly the nature of your interest in the measure on which you are abstaining from voting; *and*

**WITHIN 15 DAYS AFTER THE VOTE OCCURS** by completing and filing this form with the person responsible for recording the minutes of the meeting, who should incorporate the form in the minutes.

\* \* \* \* \*

### APPOINTED OFFICERS:

Although you must abstain from voting in the situations described above, you are not prohibited by Section 112.3143 from otherwise participating in these matters. However, you must disclose the nature of the conflict before making any attempt to influence the decision, whether orally or in writing and whether made by you or at your direction.

**IF YOU INTEND TO MAKE ANY ATTEMPT TO INFLUENCE THE DECISION PRIOR TO THE MEETING AT WHICH THE VOTE WILL BE TAKEN:**

- You must complete and file this form (before making any attempt to influence the decision) with the person responsible for recording the minutes of the meeting, who will incorporate the form in the minutes. (Continued on page 2)

## APPOINTED OFFICERS (continued)

- A copy of the form must be provided immediately to the other members of the agency.
- The form must be read publicly at the next meeting after the form is filed.

IF YOU MAKE NO ATTEMPT TO INFLUENCE THE DECISION EXCEPT BY DISCUSSION AT THE MEETING:

- You must disclose orally the nature of your conflict in the measure before participating.
- You must complete the form and file it within 15 days after the vote occurs with the person responsible for recording the minutes of the meeting, who must incorporate the form in the minutes. A copy of the form must be provided immediately to the other members of the agency, and the form must be read publicly at the next meeting after the form is filed.

## DISCLOSURE OF LOCAL OFFICER'S INTEREST

I, MARISA RADLEY, hereby disclose that on September 20, 20 17:

(a) A measure came or will come before my agency which (check one or more)

- inured to my special private gain or loss;
- inured to the special gain or loss of my business associate, \_\_\_\_\_;
- inured to the special gain or loss of my relative, \_\_\_\_\_;
- inured to the special gain or loss of \_\_\_\_\_, by whom I am retained; or
- inured to the special gain or loss of \_\_\_\_\_, which is the parent subsidiary, or sibling organization or subsidiary of a principal which has retained me.

(b) The measure before my agency and the nature of my conflicting interest in the measure is as follows:

If disclosure of specific information would violate confidentiality or privilege pursuant to law or rules governing attorneys, a public officer, who is also an attorney, may comply with the disclosure requirements of this section by disclosing the nature of the interest in such a way as to provide the public with notice of the conflict.

10/4/17  
Date Filed

Marisa Radley  
Signature

NOTICE: UNDER PROVISIONS OF FLORIDA STATUTES §112.317, A FAILURE TO MAKE ANY REQUIRED DISCLOSURE CONSTITUTES GROUNDS FOR AND MAY BE PUNISHED BY ONE OR MORE OF THE FOLLOWING: IMPEACHMENT, REMOVAL OR SUSPENSION FROM OFFICE OR EMPLOYMENT, DEMOTION, REDUCTION IN SALARY, REPRIMAND, OR A CIVIL PENALTY NOT TO EXCEED \$10,000.