

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

The regular meeting of the Board of Supervisors of Fishhawk Community Development District was held on **Tuesday, March 8, 2016 at 5:36 p.m.** at the Osprey Club located at 5721 Osprey Ridge Drive., Lithia, Florida 33547.

Present and constituting a quorum:

Kerri McDougald	Board Supervisor, Chairman
Steven Reiser	Board Supervisor, Vice Chairman
Randy Crouse	Board Supervisor, Assistant Secretary
Terrie Morrison	Board Supervisor, Assistant Secretary
Timothy Coffey	Board Supervisor, Assistant Secretary

Also present were:

Greg Cox	District Manager; Rizzetta & Company, Inc.
Shannon Nasekos	District Coordinator; Rizzetta & Company, Inc.
Biff Craine	District Counsel; Pettitt Worrell Craine Wolfe
Holly Quigley	Community Director
Pat Rynkowski	Aquatic Program Coordinator
Tonya Martinez	LCAM, Rizzetta & Company, Inc.
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. Mary Lou Nash, Ms. Donna Rooney, Ms. Sharon Ziegel, Ms. Susan Hollback and several other residents addressed the Board with regards to the condition of pond #1 and the growth of lily pads and other vegetation in the pond that they did not like. They presented photos of the pond and a letter/petition (exhibit) requesting the Board take action to correct the problems.

Mr. Josh McGarry, with Aquatic Systems, spoke to the Board and the audience members regarding the nature of the aquatic plants there, he also explained the nature and purpose of the littoral shelf on the pond, and why it was supposed to be highly vegetated with aquatic plants.

The Board members discussed the issue and the residents' concerns, and it was resolved that Aquatic Systems would return to assess the pond again; would take action to clean up trash that may

have accumulated in the vegetation on the littoral shelf; and would monitor the current lily pad growth to ensure that it does not expand beyond the current band of plants there now. The Board requested that Mr. McGarry report back during the next quarter to report on the status of the pond.

THIRD ORDER OF BUSINESS

Staff Reports

A. Community Director

Ms. Quigley presented a proposal from Welch Tennis for adding fencing posts and nylon netting around portions of the outdoor hockey rink where needed.

On a Motion by Ms. McDougald, seconded by Mr. Coffey, with all in favor, the Board approved the Welch Tennis proposal with a not-to-exceed amount of \$3,000, for the Fishhawk Community Development District.

Ms. Quigley presented a Ballenger Irrigation proposal to repair a main line break in the vicinity of the Gannet Glade entrance.

On a Motion by Ms. McDougald, seconded by Mr. Crouse, with all in favor, the Board approved the Ballenger Irrigation main line repair proposal for \$1,100, for the Fishhawk Community Development District.

Ms. Quigley presented a request from Early Learning Center for use of the Osprey Club Pool.

On a Motion by Ms. McDougald, seconded by Mr. Crouse, with all in favor, the Board approved the request from the Early Learning Center to use the Osprey Club pool, for the Fishhawk Community Development District.

Ms. Quigly presented a request from Ol' Kentucky Concession to renew their concession contract for the coming year at the Osprey Club with all conditions the same as previous years.

On a Motion by Ms. McDougald, seconded by Mr. Crouse, with all in favor, the Board approved the request from the Ol' Kentucky Concession for the Osprey Club Concession Contract renewal, for the Fishhawk Community Development District.

B. District Counsel

Mr. Craine presented a draft (exhibit) of the Valleycrest Landscape Agreement Continuation Agreement for Board consideration and discussed the portion of the agreement that had been requested relative to one District wishing to remove themselves from the current agreement.

On a Motion by Ms. McDougald, seconded by Mr. Crouse, with all in favor, the Board approved the Valleycrest Landscape Agreement Continuation Agreement, for the Fishhawk Community Development District.

Mr. Craine also provided an update of the status of Hillsborough County Parks and Recreation pending schedule and actions, as they relate to the District's interest in renovating the skate park.

C. District Engineer
Not present.

D. District Manager

Mr. Cox reminded the Board that the next meeting was scheduled for April 12, 2016 at 5:30 p.m.

Mr. Cox reviewed the action item list with the Board of Supervisors. The Board members discussed the request to modify the Hawkpark softball field, and requested that Mr. Plate attend the next meeting to discuss the modification options.

Mr. Cox provided the Board with a copy of the Request for Assessment Equalization letter from the Fishhawk CDD III Board of Supervisors, and informed them that the topic will be placed on the April meeting agenda for consideration. He informed the Board that a meeting of the three CDD Chairmen was requested to discuss the topic. (Exhibit)

Mr. Cox informed the Board members of a landscape and pond maintenance workshop that was being hosted by Rizzetta & Company on March 9, 2016.

FOURTH ORDER OF BUSINESS

Presentation of Monthly Maintenance Inspection Reports

Mr. Cox presented the monthly maintenance report from Aquatic Systems, Valleycrest and the USDA.

Mr. Yancey, with Valleycrest, provided the Board with an update of the most recent work accomplished, and discussed a proposal for the spring annuals install, and informed the Board that the cost would be the same as the last install.

On a Motion by Ms. McDougald, seconded by Mr. Coffey, with all in favor, the Board approved the proposal for spring annuals install, for the Fishhawk Community Development District.

Ms. McDougald opened a discussion regarding the sod in front of the Osprey Club, and if it could be expected to come back soon as it appeared to be worn.

FIFTH ORDER OF BUSINESS

Consent Agenda Items/Business Administration

A. Consideration of Minutes of the Board of Supervisors' Regular Meeting held on February 9, 2016

- B. Consideration of Operation & Maintenance Expenditures for January 2016
- C. Presentation of Shared Costs and Reimbursements

On a Motion by Ms. McDougald, seconded by Mr. Crouse, with all in favor, the Board approved the consent agenda items A-C, for the Fishhawk Community Development District.

SIXTH ORDER OF BUSINESS

Consideration of Landscape Addendum Contract Renewal

Mr. Cox noted that the agreement was approved during the District Counsel's update. The Board members discussed their interest in the proposals to renovate five of the entrances in Phase I of the District, and requested that Ms. Quigley and Mr. Yancey select five of the entrances with the most need for renovation, and work towards a cost not-to-exceed \$15,000 for all five.

On a Motion by Ms. McDougald, seconded by Ms. Morrison, with all in favor, the Board authorized the expenditure of not-to-exceed \$15,000 for the renovation of five Phase I neighborhood entrances, for the Fishhawk Community Development District.

SEVENTH ORDER OF BUSINESS

Consideration of Irrigation Contract Renewal

Mr. Cox presented the contract for the renewal of the Ballenger Irrigation contract.

On a Motion by Ms. McDougald, seconded by Mr. Coffey, with all in favor, the Board approved the continuation contract for Ballenger Irrigation, for the Fishhawk Community Development District.

EIGHTH ORDER OF BUSINESS

Consideration of Audit Committee's Recommendation for Auditing Services

On a Motion by Ms. McDougald, seconded by Mr. Coffey, with all in favor, the Board approved the Audit Review Committee's recommendation to select Grau and Associates, Inc. as the 2016, 2017 & 2018 audit provider, for the Fishhawk Community Development District.

NINTH ORDER OF BUSINESS

Consideration of Pool Heater Replacement Proposals

Mr. Cox presented two proposals for pool heaters. Suncoast provided a proposal for \$4,200 while Pool Doctor's proposal was for \$4,768. The Board members wanted to proceed with Suncoast, once it was ascertained what the warranty was.

On a Motion by Mr. Crouse, seconded by Mr. Coffey, with all in favor, the Board authorized the Chairman to approve the proposal for the pool heater with a not-to-exceed amount of \$4,768, for the Fishhawk Community Development District.

TENTH ORDER OF BUSINESS

**Discussion of Entry Photos for
Landscaping**

Mr. Cox presented a packet of neighborhood entrance photographs taken by Ms. Morrison. Ms. Morrison expressed her opinion that the areas appear to be improved.

ELEVENTH ORDER OF BUSINESS

Discussion of Streetlight Assessments

Mr. Cox presented a map of Fishhawk CDD and CDD II and opened a discussion of the current situation where residents in the 802 Streetlight District were paying \$109 on their tax bills as an annual assessment for the streetlights, and that those areas on private roads behind gates were not. In those areas, the CDD was paying for the streetlight utilities. He explained that Fishhawk CDD II had acted to have the HOAs in the gated communities in Fishhawk CDD II budget to begin paying for the lights beginning the next calendar year. Mr. Cox also informed the Board that the Osprey Glen Drive residents were not in the 802 Streetlight District and so the CDD was paying for those streetlights as well. The Board members discussed options to resolve the situation and tabled the discussion until the next CDD meeting so that more information could be obtained.

TWELFTH ORDER OF BUSINESS

Supervisor Requests

There were no Supervisor requests.

THIRTEENTH ORDER OF BUSINESS

Adjournment

On a Motion by Ms. McDougald, seconded by Mr. Crouse, with all in favor, the Board adjourned the meeting at 8:01 p.m. for the Fishhawk Community Development District.


Secretary/Assistant Secretary


Chairman/Vice Chairman

Exhibit

Date: 3-4-2016

Subject: Pond in Heron Park Villas

Holly Quigley
Community Director
5721 Osprey Ridge Drive
Lithia, Florida 33547

Dear Holly,

The pond in Heron Park Villas has become a seed bed for lily pads. This undesirable plant growth is fast growing and needs to be eradicated.

The longer we wait to address this problem the more costly it will be to correct.

The far end of the pond is already covered and the usually sandy bottom is now mucky and there is an odor from rotting plants. This is not healthy nor is it aesthetically attractive.

We, the residents of Heron Park Villas are requesting that The Fishhawk Ranch Community Development District contact Aquatic Systems to address and correct this problem. Action must be taken.

Sincerely,

Mary Don Nash 5715 Heron Park Place 813-681-1814
Ruth McKeith 5707 Heron Park Pl. 813-685-2372
Haron J. Zigel 5703 Heron Park PL 813-651-2752
Stephen McKinlay 5709 Heron Park Pl 248 630 1915
Viviana Crine 5710 Heron Park Place 813-657-0046
Ramon Vazquez 5717 Heron Park Place 813-661-1121
D O'Connell 15021 Eagle Rise DR 813 655 1177
James Abrams 5714 Eagle Mount Cir. 813-643-6918
Rubi Huan 5826 Heron Rise Crescent Dr
813-689-9842
DIVER →

Bridgett Howell 5824 Heronuse Crescent Dr

813 892 6622

Maryorie Williams 5713 Heron Park Place (813) 651-0178
 Christina Scalice 5716 Heronpark Pl. 813 679-8273
 BARBARA L'ARCHER 5719 " " " (813-385-0486
 Barbara L. Schwartz 5807 Heronpark Pl (813) 655-1730
 Debbie Harkin 5825 Heronpark Pl (813) 684-2424
 Jane Ham 5800 Heronpark Pl (813) 541-3239
 Brenda Stephens 5829 Heronpark Pl. (813) 681-2403
 Donna Rooney 5729 Heronpark Pl (813) 661-2504
 ELAINE ELLIOTT 5743 HERONPARK PL (813) 684-4785
 Howard CLOKE 5717 " " "
 Marilyn Roberts 5705 Heronpark Pl (813) 689-1825

Exhibit

**LANDSCAPE MAINTENANCE AGREEMENT CONTINUATION AGREEMENT
BY AND BETWEEN
FISHHAWK COMMUNITY DEVELOPMENT DISTRICT
FISHHAWK COMMUNITY DEVELOPMENT DISTRICT II
AND
VALLEYCREST LANDSCAPE MAINTENANCE, INC.**

THIS LANDSCAPE MAINTENANCE AGREEMENT CONTINUATION AGREEMENT (the "Continuation Agreement") is made and entered into this ___ day of March, 2016, **FISHHAWK COMMUNITY DEVELOPMENT DISTRICT** and **FISHHAWK COMMUNITY DEVELOPMENT DISTRICT II**, a local units of special purpose government established pursuant to Chapter 190, Florida Statutes, located in Hillsborough County, Florida and with offices at 3434 Colwell Avenue, Suite 200, Tampa, Florida, 33614 (the "Districts"), and **VALLEYCREST LANDSCAPE MAINTENANCE, INC.**, a Florida corporation, whose address is 9713 Palm River Road, Tampa, Florida 33619 ("ValleyCrest") to extend the terms and conditions of the existing, and in force, **LANDSCAPE MAINTENANCE AGREEMENT BY AND BETWEEN FISHHAWK COMMUNITY DEVELOPMENT DISTRICT, FISHHAWK COMMUNITY DEVELOPMENT DISTRICT II AND VALLEYCREST LANDSCAPE MAINTENANCE, INC.** (the "Landscape Maintenance Agreement").

RECITALS

WHEREAS, the Districts were established by ordinance of the Board of County Commissioners in and for Hillsborough County, Florida, for the purpose of financing, funding, planning, establishing, acquiring, constructing or reconstructing, enlarging or extending, equipping, operating, and maintaining systems and facilities for certain infrastructure improvements; and

WHEREAS, the Districts have a need to retain an independent contractor to provide landscape maintenance services for certain lands within and around the Districts; and

WHEREAS, ValleyCrest submitted a price quote, and ValleyCrest was deemed to be the lowest responsive and responsible bidder and contract negotiations with ValleyCrest were authorized by the Districts; and

WHEREAS, ValleyCrest and the Districts have agreed to a contract for landscape maintenance of the community at ValleyCrest's annual rate in its bid which was ranked as lowest responsive and responsible bidder and has been subsequently modified in scope and duration (the "Landscape Agreement") which was set to renew March 31, 2016; and

WHEREAS, The Districts and ValleyCrest have agreed to provide services as outlined in the Landscape Agreement for the next 12 months from April 1, 2016 to March 31, 2017 (the "2016 Continuation Term"), at the terms and conditions as is contained in the Landscape

Agreement, together with additional available services, as needed, under fixed prices in the Landscape Agreement with the Districts.

NOW, THEREFORE, in consideration of the mutual covenants contained in this Continuation Agreement, it is agreed that the Contractor is hereby retained, authorized, and instructed by the Districts to perform in accordance with the following covenants and conditions, which both the District and ValleyCrest have agreed upon in the Landscape Maintenance Agreement beginning April 1, 2014:

1. **INCORPORATION OF RECITALS.** The recitals stated above are true and correct and by this reference are incorporated by reference as a material part of this 2016 Continuation Agreement.
2. **STATUS OF LANDSCAPE AGREEMENT.** The terms and conditions of the Landscape Agreement remain in full force and effect and govern all work under this 2016 Continuation Agreement.
3. **CLARIFICATION OF TERMINATION RIGHTS.** Either the Fishhawk CDD or the Fishhawk CDD II may exercise their termination rights under the Landscape Agreement independently from the other. Should such termination be exercised by one CDD and not the other, Contractor will have the option of continuing to serve as Contractor for the remaining CDD at rates provided in the Landscape Agreement or exercise its rights to terminate the Landscape Contract with the remaining CDD. Approval of this Continuation Agreement by the Parties acknowledges the correctness of this clarification.
4. **EFFECT OF CONTINUATION.** By this 2016 Continuation Agreement, the Parties agree to extend the terms and conditions of the Landscape Agreement for continuation from April 1, 2016 through March 31, 2017.
5. **COUNTERPARTS.** This 2016 Continuation Agreement may be executed in any number of counterparts, each of which when executed and delivered shall be an original; however, all such counterparts together shall constitute, but one and the same instrument.

[REMAINDER OF PAGE LEFT INTENTIONALLY BLANK]

IN WITNESS WHEREOF, the parties execute this 2016 Continuation Agreement the day and year first written above.

Attest:

**FISHHAWK COMMUNITY
DEVELOPMENT DISTRICT**

Secretary/Assistant Secretary

Kerri McDougald
Chairman, Board of Supervisors

Attest:

**FISHHAWK COMMUNITY
DEVELOPMENT DISTRICT II**

Secretary/Assistant Secretary

Patrick Reilly
Chairman, Board of Supervisors

**VALLEYCREST LANDSCAPE
MAINTENANCE INC.,
a Florida corporation**

(Signature of Witness)

By: _____

Its: _____

(Print Name of Witness)

Date: _____

Exhibit

FISHHAWK COMMUNITY DEVELOPMENT DISTRICT III

DISTRICT OFFICE · 3434 COLWELL AVENUE · SUITE 200 · TAMPA, FLORIDA 33614

March 3, 2016

Fishhawk CDD I & II
Mr. Greg Cox
3434 Colwell Ave. Suite 200
Tampa, FL 33614

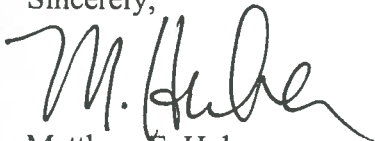
Mr. Cox,

I am writing to you at the request of the Fishhawk Community Development District III (“the District”) Board of Supervisors (“the Board”) regarding the Interlocal Agreement for Cross-Usage of Facilities.

At a past District meeting held on Wednesday, March 2, 2016, the Board discussed the Amendment of the document as prescribed in Section 3.0 titled “Amendments”. Following these discussions the Board requested that a letter be sent to the Fishhawk CDD’s I & II to place them on notice that CDD III has reached 85% completion as of March 2, 2016. The Board requested that both CDD I & II review their respective 2016-2017 budgets in anticipation of an amendment to equalize District O&M assessments.

The Board would appreciate if both CDD I & II will consider this request and respond to the District Manager in writing with your decision. In addition, the Board would like to request a meeting of one (1) representative from all three Boards to discuss equalization of all three CDDs. Should you have any questions or concerns regarding this correspondence, please feel free to contact me at (813) 933-5571. Thank you.

Sincerely,



Matthew E. Huber
District Manager

Cc: Fishhawk CDD III Board of Supervisors
Biff Craine, District Counsel