

## 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, January 10, 2017, at 5:30 p.m.** located at the Osprey Club, 5721 Osprey Ridge Drive, Lithia, Florida 33547.

Present and constituting a quorum:

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

Also present were:

Greg Cox	<b>Regional District Manager; Rizzetta &amp; Company, Inc.</b>
Biff Craine	<b>District Counsel; Pettitt Worrell Rocha PLLC</b>
Holly Quigley	<b>Community Director; Fishhawk CDD</b>
Pat Rynkowski	<b>Amenities Manager, Fishhawk CDD</b>
Clayton Yancey	<b>Brightview Representative</b>

Audience                      **Present**

#### FIRST ORDER OF BUSINESS

#### Call to Order

Mr. Cox called the meeting to order at 5:30 p.m., read the roll call and it was determined quorum was met.

#### SECOND ORDER OF BUSINESS

#### Audience Comments

Mr. Eric Johnson discussed the County's position regarding the building of a "jump track" versus a skate park. He handed out an email exchange he had with Ms. Kyla Booher with Hillsborough County Parks and Recreation (Exhibit).

#### THIRD ORDER OF BUSINESS

#### Discussion of District Services

The Board amended the agenda to move this item up for discussion.

Mr. Cox presented a history of the Rizzetta & Company rates for services along with the current District Management contract as had been requested. He noted that the contract was the original one executed in 1996 which has not been updated. Mr. Reiser discussed the possibility of putting the contract out to bid and had questions regarding the financial consulting fees that are in the budget but not in the original contract. Mr. Reiser requested the topic be moved to the next month meeting agenda

and that a revised contract be presented along with an explanation detailing what is included in the financial consulting and assessment roll fees.

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

#### **Landscape Report**

The Board amended the agenda to move this item up for discussion.

Mr. Clayton Yancey, with Brightview, presented his landscape report to the Board and responded to their questions. He discussed the recent renovations to entrance landscapes; the status of the entrance planter regarding drainage issues; and the status of the sodding of the softball field. With regards to the entrance planter, the Board decided to proceed with not having drainage holes made and to have Brightview replace the plants under warranty.

Mr. Yancey suggested that the next renovation work be performed on nine cul de sac circles in the District and provided an estimate of what the work would cost.

On a Motion by Ms. McDougald, seconded by Mr. Crouse, with all in favor, the Board unanimously authorized the Chairman to approve proposals for the renovations for all nine cul de sac areas with a total not-to-exceed amount of \$15,000. for the Fishhawk Community Development District.

Mr. Cox explained to the Board that since the landscape contract and the irrigation contract was expiring at the end of March, a Request for Proposals (RFP) needed to be initiated and would be one that combines the contracts for both Fishhawk CDD and Fishhawk CDD II. He explained that the process would be very similar to how the contracts were selected the previous time. He also noted that Fishhawk CDD III would be proceeding separately with their contract. The Board members requested that the RFP packet be constructed such that one of the Districts could withdraw from the agreement at some point without affecting the agreement with the other District. Mr. Cox explained that Mr. Toborg would be preparing the RFP with no cost to the Districts.

On a Motion by Ms. McDougald, seconded by Mr. Coffey, with all in favor, the Board unanimously authorized staff to proceed with the combined Fishhawk CDD and CDD II landscape and irrigation RFP, with the caveat that one District could withdraw from the contract without affecting the other District, for the Fishhawk Community Development District.

#### **FIFTH ORDER OF BUSINESS**

#### **Staff Reports**

##### **A. Community Director 1. Operations Report**

Ms. Quigley presented her monthly Operations Report and addressed questions from the Board. She provided the following update:

- a. The Osprey Club roof repair was completed.
- b. She was obtaining quotes to have the roof cleaned.
- c. She was obtaining quotes to have the Osprey Club painted.
- d. She was meeting with TECO regarding the softball field additional lighting.
- e. The contractor's quote for the building leak repair was still pending.
- f. She was continuing to interview candidates for the Asst. Community Director position.

*Ms. McDougald departed from the meeting at 6:11 p.m. due to illness.*

**B. District Counsel**

Mr. Craine indicated that he planned to contact Hillsborough County Parks and Recreation to obtain their latest plans regarding the potential skate park.

Mr. Craine provided an update of the progress of the Fishhawk Amenity Advisory Committee and explained that a report was forthcoming and that a joint CDD Board workshop was scheduled for 6:00 p.m., January 31, 2017 at the Tennis Club to present the report to the three CDD Boards simultaneously.

Mr. Cox explained that the workshop would not permit any motions to be presented nor would audience comments be taken. The intent was for the Board members to receive and discuss the information and then further discuss the topic at their respective meetings following the workshop and at which time, comments from the audience could be received.

The Board opened a discussion regarding the potential need for an independent counsel to be retained to evaluate the merits of merging the Districts should that be the recommendation of the Committee. Mr. Reiser expressed his thoughts that Mr. Craine had a conflict of interest because he was representing all three Districts. He suggested the possibility of having to replace Mr. Craine as District Counsel and also suggested that Mr. Craine “step down” as District Counsel due to the conflict of interest.

Mr. Craine explained that there was no legal conflict between the three Districts and therefore there was no conflict of interest and no need for him to “step down”. Mr. Craine indicated that should there become a legal conflict regarding any of the current agreements between the Boards, he would recuse himself.

Ms. Morrison requested that staff attempt to keep the February meeting following the January 31, 2017 workshop as light as possible due to the anticipation of a lengthy discussion by the Board.

**C. District Engineer**

The District Engineer was not present.

**D. District Manager**

Mr. Cox advised the Board that the next meeting will be held on Wednesday, February 15, 2017, 5:30 p.m. He noted that the Board had moved the meeting to Wednesday due to Tuesday being Valentine’s Day.

Mr. Cox referred the Board to a revised action item list and reviewed the list with the Board. Ms. Morrison described her meeting with Rizzetta regarding the potential use of credit cards and debit cards at the Osprey Club.

Mr. Cox presented a summary of the District’s unaudited November 2016 financials.

**SIXTH ORDER OF BUSINESS**

**Presentation of Monthly Maintenance Reports**

**1. Aquatic Maintenance Report**

Mr. Cox presented the Aquatic Systems aquatics report and the Board expressed appreciation for the revised format of the report.

**2. USDA Trappings Report**

Mr. Cox presented the USDA trapping report for the Board's review.

**SEVENTH ORDER OF BUSINESS**

**Consent Agenda Items/Business Administration**

Mr. Cox presented the consent agenda that contained the Minutes of the Board of Supervisors' Regular Meeting held on December 13, 2016; the Operation and Maintenance Expenditures for November 2016 totaling \$110,779.03; and the Shared Costs and Reimbursements report. Mr. Reiser requested the amending of two words in the minutes.

On a Motion by Mr. Crouse, seconded by Mr. Coffey, with all in favor, the Board unanimously approved the consent agenda, with amended minutes, for the Fishhawk Community Development District.

**EIGHTH ORDER OF BUSINESS**

**Discussion of the Hawk Park Gazebo**

The Board members examined photos of the Hawk Park gazebo and noted that it was a concrete structure that could not be moved. They also noted that the vegetation around the gazebo had been cleared so as to open the view of the gazebo. The Board requested that staff notify the interested residents that the gazebo would not be moved or taken down and that they would look at ways to try to improve security of the area.

Ms. Morrison introduced the subject of possibly offering the office at the Hawk Park Club House as a potential sub-station for the Sheriff's Office and asked fellow Board members to think about that for future discussions.

**NINTH ORDER OF BUSINESS**

**Consideration of Kestrel Ridge Trail Drainage Proposal**

Mr. Cox presented a proposal from Central Concrete for \$9,050 to make drainage repairs to the Kestrel Ridge trail area. Ms. Quigley provided some historical perspective of the recurring drainage issues.

On a Motion by Ms. McDougald, seconded by Mr. Crouse, the board unanimously approved the Central Concrete proposal for the drainage repair of the Kestrel Ridge trail for \$9,050. for the Fishhawk Community Development District.

**TENTH ORDER OF BUSINESS**

**Discussion of Heron Park Villas Ponds 1 & 2**

Mr. Cox presented a letter from residents of the Heron Park Villas requesting that the Water Lilies be removed from the ponds in their area. Mr. Cox explained the history of the previous discussions with Aquatic Systems regarding value of the Water Lilies to the pond health. The Board discussed and requested

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staff to inform the residents that the Water Lilies would not be removed and that the aquatic service provided would be tasked to keep the plants trimmed back away from the pond banks.

**ELEVENTH ORDER OF BUSINESS**

**Supervisor Requests**

Ms. Morrison explained that she, as Chairman, had been asked to consider expanding a previously approved proposal for asphalt repairs to two additional areas since the contractor was on site and the areas were identified as in need of repair. She noted that she did approve those additional repairs.

**TWELFTH ORDER OF BUSINESS**

**Adjournment**

On a Motion by Mr. Crouse, seconded by Mr. Coffey, with all in favor, the Board adjourned the meeting at 7:15 p.m. for the Fishhawk Community Development District.



Secretary/Assistant Secretary



Chairman/Vice Chairman