

## 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 III

The regular meeting of the Board of Supervisors of Fishhawk Community Development District III was held on **Tuesday, October 9, 2012 at 9:04 a.m.** at the Palmetto Club, located at 17004 Dorman Road, Lithia, Florida 33547.

Present and constituting a quorum:

Tom Panaseny	<b>Board Supervisor, Chairman</b>
Lynda McMorrow	<b>Board Supervisor, Assistant Secretary</b>
Pam Parisi	<b>Board Supervisor, Assistant Secretary</b>

Also present were:

Matthew Huber	<b>District Manager, Rizzetta &amp; Company, Inc.</b>
Biff Craine	<b>District Counsel, Pettitt Worrell Craine Wolfe, LLC</b>
Tim Plate	<b>District Engineer, Heidt Design, LLC</b> <i>(via phone)</i>
Debby Cappelli	<b>LCAM, Rizzetta &amp; Company, Inc.</b>
Beth Satter	<b>LCAM, Rizzetta &amp; Company, Inc.</b>
Deneen Klenke	<b>Community Director</b>

Audience Members

#### FIRST ORDER OF BUSINESS

#### Call to Order

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

#### SECOND ORDER OF BUSINESS

#### Consideration of the Minutes of the Board of Supervisors' Meeting held on September 4, 2012

<p>On a Motion by Mr. Panaseny, seconded by Ms. McMorrow, with all in favor, the Board approved the minutes of the Board of Supervisors' regular meeting held on September 4, 2012 for Fishhawk Community Development District III</p>
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**THIRD ORDER OF BUSINESS**

**Consideration of Operation and  
Maintenance Expenditures for August  
2012**

Mr. Huber briefly reviewed the expenditures for the Board.

On a Motion by Ms. McMorrow, seconded by Mr. Panaseny, with all in favor, the Board approved the Operation and Maintenance Expenditures for August 2012 (\$35,633.85) for Fishhawk Community Development District III.

**FOURTH ORDER OF BUSINESS**

**Consideration of Operation and  
Maintenance Expenditures for August  
2012 – Tennis Club**

Mr. Huber briefly reviewed the expenditures for the Board.

On a Motion by Mr. Panaseny, seconded by Ms. Parisi, with all in favor, the Board approved the Operation and Maintenance Expenditures for August 2012 (\$27,910.72) – Tennis Club for Fishhawk Community Development District III.

**FIFTH ORDER OF BUSINESS**

**Presentation of Special Assessment Bonds,  
Series 2011, Requisitions #234 - #239, #241  
- #245, #249 - #263, #265 - #276, #281 (see  
recap)**

Mr. Huber briefly reviewed the requisition for the Board.

On a Motion by Mr. Panaseny, seconded by Ms. McMorrow, with all in favor, the Board ratified Special Assessment Bonds, Series 2011, Requisitions #234 - #239, #241 - #245, #249 - #263, #265 - #276, #281 for Fishhawk Community Development District III.

**SIXTH ORDER OF BUSINESS**

**Presentation of Monthly Maintenance  
Inspection Reports; Operations Manager  
Field Inspection Report**

Mr. Huber briefly presented the monthly inspection reports to the Board for their review. He asked if there were any questions. There were none.

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**SEVENTH ORDER OF BUSINESS**

**Ratification of Contracts for Construction  
Executed by Chairman per Resolution  
2010-09 (see recap)**

Mr. Huber briefly reviewed the contracts for the Board.

On a Motion by Mr. Panaseny, seconded by Ms. Parisi, with all in favor, the Board ratified the Contracts for Construction Executed by Chairman per Resolution 2010-09 for Fishhawk Community Development District III.

**EIGHTH ORDER OF BUSINESS**

**Consideration of Resolution 2013-01,  
Appointing Assistant Secretary**

Mr. Huber presented Resolution 2013-01 to the Board for consideration.

On a Motion by Mr. Panaseny, seconded by Ms. Parisi, with all in favor, the Board adopted Resolution 2013-01, appointing Matthew Huber as Assistant Secretary for Fishhawk Community Development District III.

**NINTH ORDER OF BUSINESS**

**Consideration of Contract for Ray  
Belmudez for Tennis Lessons**

Mr. Huber briefly presented the contract to the Board for consideration. The Board agreed to extend the term of the contract to a 1-year period.

On a Motion by Mr. Panaseny, seconded by Ms. McMorrow, with all in favor, the Board approved the contract for Ray Belmudez for tennis lessons (1 year term) for Fishhawk Community Development District III.

On a Motion by Mr. Panaseny, seconded by Ms. Parisi, with all in favor, the Board amended the previous motion to include a 30-day termination clause for Fishhawk Community Development District III.

**TENTH ORDER OF BUSINESS**

**Consideration of Request from Ray  
Belmudez for Junior Tennis League**

Mr. Belmudez presented his request to the Board. A general discussion ensued with respect to scheduling. The Board directed District Staff to handle the scheduling of all requests subject to court availability.

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**ELEVENTH ORDER OF BUSINESS**

**Confirmation of Special Meeting Date,  
Time and Location**

Mr. Huber confirmed with the Board that the joint meeting to consider changes to the rules and rates for all amenities will be held on October 15, 2012 at 6:30 p.m.

**TWELFTH ORDER OF BUSINESS**

**RFP Discussion: Phase 3 The Preserve;  
Boardwalk**

Mr. Plate updated the Board on the RFP for Phase 3A & B. It was decided that the Board would continue this meeting to October 25, 2012 to consider the recommendation from the RFP Review Committee.

Mr. Plate reviewed the TECO Relocation and Reimbursement Agreement for the Board. He stated that the sole access to The Preserve at Fishhawk is a 100-foot wide strip that runs north and south as an extension of Osprey Ridge Drive North. Mr. Plate stated that this roadway crosses an easement that contains a variety of utilities including TECO overhead transmission lines. He stated that he has been working with TECO to determine the best solution for improving the wire to ground clearance that will cost a maximum of \$32,000.00.

On a Motion by Mr. Panaseny, seconded by Ms. Parisi, with all in favor, the Board approved the TECO Relocation and Reimbursement Agreement subject to final review by District Counsel (NTE \$32,000.00) Fishhawk Community Development District III.

Mr. Plate stated that a RFP was issued for the Boardwalk but it was not publicly bid as it fell under the public bidding threshold. He stated that there were three proposals received: 1) Gulf Coast Construction, 2) Reno Building, 3) Nature's Bridges. Mr. Plate noted that there was a significant difference in price between the three bids. He suggested that the Board authorize a request for alternate bids from the three proposers that include spanning the creek so that they are comparable in scope.

On a Motion by Mr. Panaseny, seconded by Ms. Parisi, with all in favor, the Board authorized the District Engineer to obtain alternate bids from the three proposers that include spanning the creek for Fishhawk Community Development District III.

**THIRTEENTH ORDER OF BUSINESS**

**Staff Reports**

**A. District Counsel**

Mr. Craine noted the draft of the Tennis Connection agreement that was distributed to the Board and reviewed it for their consideration. A general discussion ensued with respect to management, staffing and maintenance. Ms. Klenke recommended certain administrative reports be added to the tennis manager's job duties as well as language that clearly states that the Tennis Manager is responsible for hiring a professional tennis instructor. Mr. Craine

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stated that he will make the suggested revisions to the agreement and present it to Mr. Dave Freiman for final review and approval. It was noted for the record that all marketing materials are subject to final review and approval by Newland Communities as the trademark holder.

On a Motion by Ms. Parisi seconded by Mr. Panaseny, with all in favor, the Board approved the Tennis Connection agreement subject to final review and execution by the Chairman for Fishhawk Community Development District III.

B. District Engineer  
No further report.

C. Community Director  
No further report.

D. District Manager  
Mr. Huber stated that the next regular Board Meeting will be held on Tuesday, November 13, 2012 at 9:00 a.m. at the Fishhawk Palmetto Club, located at 17004 Dorman Road, Lithia, Florida 33547.

Mr. Huber stated that he had a conversation with Mr. Barbosa regarding security issues at the Starling Club. He asked the Board to ratify an increase in G4S patrols over the next couple of weeks.

On a Motion by Mr. Panaseny, seconded by Ms. McMorrow, with all in favor, the Board ratified the G4S proposal for increased patrols for the next two weekends (Saturday – Sunday, 24 hours per day) for Fishhawk Community Development District III.

**FOURTEENTH ORDER OF BUSINESS**

**Supervisor Requests and Audience  
Comments**

There were no Audience comments.

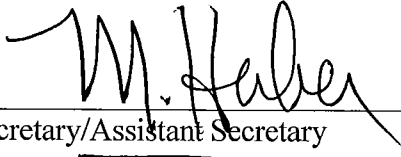
There were no Supervisor requests.

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**FIFTEENTH ORDER OF BUSINESS**

**Continuance**

On a Motion by Ms. Parisi, seconded by Mr. Panaseny, with all in favor, the Board continued the meeting at 10:28 a.m. to Thursday, October 25, 2012 at 1:00 p.m. at the office of Newland Communities, located at 777 S. Harbour Island Boulevard, Suite 320, Tampa, Florida 33602 for Fishhawk Community Development District III.



Secretary/Assistant Secretary



Chairman/Vice Chairman