

## 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, November 12, 2013 at 9:00 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>
John Wren	<b>Board Supervisor, Vice Chairman</b>
Pam Parisi	<b>Board Supervisor, Assistant Secretary</b>
Lynda McMorrow	<b>Board Supervisor, Assistant Secretary</b>
Zeep McMenamy	<b>Board Supervisor, Assistant Secretary</b>

Also present were:

Matthew Huber	<b>District Manager, Rizzetta &amp; Company, Inc.</b>
Biff Craine	<b>District Counsel, Petitt Worrell Craine Wolfe, LLC</b>
John Toborg	<b>Operations Manager, Rizzetta &amp; Company, Inc.</b>
Deneen Klenke	<b>Community Director</b>
Dave Freiman	<b>Tennis Club Manager</b>
Debby Cappelli	<b>LCAM, Rizzetta &amp; Company, Inc.</b>
Darlene Blair	<b>LCAM, Rizzetta &amp; Company, Inc.</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**

#### **Audience Comments**

An Audience member commented about a previous request for a "Steering Committee" regarding Coach Ray.

An Audience member commented about emails to the Board and would like the Board to consider establishing a "Steering Committee".

An Audience member asked the Board to consider establishing a “Steering Committee”.

An Audience member inquired about a prior request of documents regarding the Tennis Connection.

An Audience member asked the Board to consider establishing a “Steering Committee”.

An Audience member commented about unethical and/or illegal issues with the Tennis Connection and asked the Board to investigate these possible issues.

An Audience member asked the Board to consider establishing a “Steering Committee”.

Mr. Panaseny addressed the audience and their concerns regarding Coach Ray and the Tennis Connection. Mr. Panaseny made a motion to have the CDD/HOA conduct a survey be sent to the residents.

On a Motion by Mr. Panaseny, seconded by Ms. Parisi, with all in favor, the Board approved the CDD and HOA Staff to prepare a draft survey for the Board’s approval for Fishhawk Community Development District III.

**THIRD ORDER OF BUSINESS**

**Consent Agenda Items/Business Administration**

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|----|---|-------|
| A. | Consideration of the Minutes of the Board of Supervisors’ Regular Meeting held on October 7, 2013 ..... | Tab 1 |
| B. | Consideration of the Operations & Maintenance Expenditures For September 2013 .....                     | Tab 2 |
| C. | Consideration of the Operations & Maintenance Expenditures For September 2013 – Tennis Club .....       | Tab 3 |
| D. | Consideration of the Operations & Maintenance Expenditures For October 2013 .....                       | Tab 4 |
| E. | Consideration of the Operations & Maintenance Expenditures For October 2013 – Tennis Club .....         | Tab 5 |

On a Motion by Mr. Wren seconded by Mr. Panaseny, with all in favor, the Board approved items A-E for Fishhawk Community Development District III.

**FOURTH ORDER OF BUSINESS**

**Ratification of Presentation of Special Assessment Bonds, Series 2011, Requisitions #449-#452, #455-#464, #467, #469-#470 (see recap)**

On a Motion by Mr. Panaseny seconded by Ms. Parisi, with all in favor, the Board approved Requisitions #449-#452, #455-#464, #467, #469-#470 for Fishhawk Community Development District III.

**FIFTH ORDER OF BUSINESS**

**Ratification of Presentation of Special Assessment Bonds, Series 2011, Requisition #453, #463 and #468 (see recap)**

On a Motion by Mr. Wren seconded by Mr. Panaseny, with all in favor, the Board approved Requisitions #453 for Ripa & Associates in the amount of \$112,842.35 for Fishhawk Community Development District III.

On a Motion by Mr. Panaseny seconded by Ms. McMorrow, with all in favor, the Board approved Requisitions #466 for ValleyCrest Landscape Development in the amount of \$110,368.38 for Fishhawk Community Development District III.

On a Motion by Mr. Panaseny seconded by Mr. Wren, with all in favor, the Board approved Requisitions #468 for Ripa & Associates in the amount of \$116,451.52 for Fishhawk Community Development District III.

**SIXTH ORDER OF BUSINESS**

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

Mr. Huber presented the contracts to the Board for their review.

On a Motion by Mr. Wren, seconded by Ms. McMenemy, with all in favor, the Board ratified the ValleyCrest Landscape contract in the amount of \$127,311.40 for construction executed by the Chairman per Resolution 2010-09 for Fishhawk Community Development District III.

On a Motion by Mr. Panaseny, seconded by Mr. Wren, with all in favor, the Board ratified the contracts for construction executed by the Chairman per Resolution 2010-09 for Fishhawk Community Development District III.

**SEVENTH ORDER OF BUSINESS**

**Consideration of Amenity Management Services Agreement**

Mr. Huber presented the Amenity Management Services Agreement and advised the Board that District Counsel will be revising the scope to include a reference to the Tennis Connection contract.

On a Motion by Mr. Panaseny, seconded by Mr. Wren, with all in favor, the Board approved the Amenity Management Services Agreement as amended for Fishhawk Community Development District III.

**EIGHTH ORDER OF BUSINESS**

**Consideration of Resolution 2014-01;  
Amending FY 2012-2013 Budget**

Mr. Huber presented Resolution 2014-01; Amending FY 2012-2013 Budget to the Board.

On a Motion by Mr. Panaseny, seconded by Mr. Wren, with all in favor, the Board adopted Resolution 2014-01 Amending FY 2012-2013 Budget as presented for Fishhawk Community Development District III.

**NINTH ORDER OF BUSINESS**

**Consideration of FY 2012/2013 Developer  
Funding Agreement**

Mr. Huber presented the FY 2012/2013 Developer Funding Agreement to the Board.

On a Motion by Mr. Panaseny, seconded by Ms. Parisi, with all in favor, the Board approved the FY 2012/2013 Developer Funding Agreement as presented for Fishhawk Community Development District III.

**TENTH ORDER OF BUSINESS**

**Presentation of 2013 Payroll True-Up**

Mr. Huber presented the 2013 Payroll True-Up to the Board.

On a Motion by Ms. McMenemy, seconded by Ms. Parisi, with all in favor, the Board approved the 2013 Payroll True-Up as presented for Fishhawk Community Development District III.

**ELEVETH ORDER OF BUSINESS**

**Presentation of Monthly Operations  
Report**

Mr. Toborg distributed the October 2013 Report and reviewed for the Board the September 2013 report and associated proposals. A discussion ensued.

**TWELFTH ORDER OF BUSINESS**

**Presentation of USDA October 2013  
Report**

Mr. Huber presented the USDA October 2013 Report to the Board.

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**THIRTEENTH ORDER OF BUSINESS**

**Staff Reports**

A. District Counsel

Mr. Craine presented the Entry Features Maintenance & Access Agreement to the Board (*under separate cover*).

On a Motion by Mr. Panaseny, seconded by Ms. Parisi, with all in favor, the Board approved the Entry Features Maintenance & Access Agreement as presented for Fishhawk Community Development District III.

B. District Engineer

Not present. No report.

C. Community Director

Ms. Klenke presented the Operations Report.

D. Tennis Club Manager

Mr. Freiman presented the Tennis Club Operations Report. Mr. Panaseny requested Mr. Freiman provide a monthly summary report showing percentage of residents/guests using courts and taking lessons, provide how many are first time players and number of participants for events, etc.

E. District Manager

Mr. Huber stated that the next regular Board Meeting will be held on Tuesday, December 10, 2013 at 9:00 a.m. at the Fishhawk Palmetto Club, located at 17004 Dorman Road, Lithia, Florida 33547.

Mr. Huber presented the Arbitrage Report for Series 2011 as of August 31, 2013.

On a Motion by Mr. Panaseny, seconded by Ms. Parisi, with all in favor, the Board acceptance of the Arbitrage Report for Series 2011 dated August 31, 2013 as for Fishhawk Community Development District III.

Mr. Huber presented the change in payment of the off-roll billing and asked the Board to authorize Chairman to execute outside of the BOS meeting.

On a Motion by Mr. Panaseny, seconded by Ms. Parisi, with all in favor, the Board approved the change in payment of the off-roll billing and authorized the Chairman to execute for Fishhawk Community Development District III.

**FOURTEENTH ORDER OF BUSINESS**

**Supervisor Requests**

Mr. Wren requested the District Manager to respond back to emails from residents thanking them for their comments.

Mr. Panaseny inquired about responding direct to resident emails, District Counsel recommends that all responses go through the District Manager.

Ms. Parisi asked for meeting invitations to be sent to the Board as a calendar invite through Outlook.

**FIFTEENTH ORDER OF BUSINESS**

**Adjournment**

On a Motion by Mr. Panaseny, seconded by Ms. Parisi, with all in favor, the Board adjourned the meeting at 10:13 a.m. for Fishhawk Community Development District III.



Secretary/Assistant Secretary



Chairman/Vice Chairman