

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 RANCH COMMUNITY DEVELOPMENT DISTRICT

The regular meeting of the Board of Supervisors of Fishhawk Ranch Community Development District was held on **Wednesday, June 28, 2023, at 6:32 p.m.** at the Palmetto Club, located 17004 Dorman Road, Lithia, Florida 33547.

Present and constituting a quorum were:

Robert Kneusel	Board Supervisor, Chairman
Dawn Turner	Board Supervisor, Vice Chairman
Thomas Avino	Board Supervisor, Assistant Secretary
Kerri McDougald	Board Supervisor, Assistant Secretary
Terrie Morrison	Board Supervisor, Assistant Secretary

Also present were:

Eric Dailey	District Manager, Halifax Solutions, LLC
Lauren Gentry*	District Counsel, Kilinski Van Wyk, PLLC
Grace Kobitter	District Counsel, Kilinski Van Wyk, PLLC
Stephen Brletic*	District Engineer, Brletic Dvorak, Inc.
Holly Quigley	Community Director, Fishhawk Ranch CDD
Josh Croy	Operations Manager, Fishhawk Ranch CDD
Sandra Fuentes	General Manager, Grand Manors

Audience	Present
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**Note (\*) – Attended via conference call.**

FIRST ORDER OF BUSINESS

Call to Order and Roll Call

Mr. Dailey called the meeting to order and conducted roll call, confirming that a quorum was present.

SECOND ORDER OF BUSINESS

Audience Comments

Mr. Dailey asked if there were any audience comments.

The Audience was present, but no comments were made.

**THIRD ORDER OF BUSINESS**

**Business Administration Consent  
Agenda Items**

Mr. Dailey asked the Board if they had any questions regarding the Business Administration Consent Agenda Items. The Board had no questions or comments.

On a Motion by Mr. Avino seconded by Ms. Turner, with all in favor, the Board approved the Business Administration Consent Agenda Items, for Fishhawk Ranch Community Development District.

**FOURTH ORDER OF BUSINESS**

**Staff Reports**

**A. Aquatic Services**

Mr. Croy reviewed the report provided by A&B Aquatics. Mr. Croy stated that this time of year the ponds vary as to which ones are clear from week to week due to summer weather conditions. Mr. Croy stated that pond 4 is back to being covered and it seems to be related more to seasonal changes than maintenance efforts.

Mr. Croy stated how well the new onsite account manager is doing. The Board asked Mr. Dailey to make sure A&B Aquatics is aware how well the new employee is doing and that they hope he will continue working with the community.

**B. Landscape Services**

Mr. Croy reviewed the report provided by Juniper Landscaping. Mr. Croy stated there seems to be concern with communication and services levels with many residents reporting areas that have not been addressed by Juniper Landscaping in the past few weeks.

Mr. Croy and Ms. Quigley also stated they have concerns about the increased number of irrigation repair proposals since we have not been approving as many of the proposed landscape enhancement proposals.

Mr. Croy and Ms. Quigley requested that the irrigation maintenance part of the landscape RFP be separated to allow for bidding by irrigation companies only. They both stated concerns about the age of the irrigation system and feel it may be best to have one company just focused on irrigation and another handling the landscaping. Ms. Quigley stated this has been done successfully in the past with Ballenger handling the irrigation for prior Districts at different times over the years.

Mr. Dailey stated it may be more expensive to separate the services, however he stated he has been told by some landscaping companies it will be very hard to

provide an accurate and acceptable price for irrigation maintenance with the current scope of services as stated. The vendor is responsible for most repairs two inch and below which is very difficult to budget for. Mr. Dailey stated he spoke with Mr. Toborg, who agrees it may be best to have irrigation companies provide proposals considering the age and complexity of the system.

On a Motion by Ms. McDougald seconded by Ms. Turner, with all in favor, the Board approved breaking out the irrigation maintenance services from the Landscape and Irrigation Maintenance Services RFP to allow for companies to bid for that scope of services separately, for Fishhawk Ranch Community Development District.

The Board asked that Mr. Toborg and Ms. Gentry please share the final version of the RFP with Ms. McDougald and Mr. Avino for any final comments prior to releasing it to any potential bidders.

### **C. Operations Manager**

Mr. Croy reviewed his report in the agenda and asked the Board if they had any questions.

Mr. Dailey asked Ms. Gentry to review the Aquatic Club Notice of Construction Defects sent to Revive Concrete, the company who performed the resurfacing of the pool deck.

Ms. Gentry stated that a formal notice had been sent to Revive regarding a defect in their resurfacing of the pool deck. The staff's attempts to resolve the issue without legal attention were not successful. In order to preserve all possible claims, the notice made reference to Florida's construction defect statute. Ms. Gentry reviewed the requirements of that statute and options to have the area repaired by Revive or a third-party contractor.

Mr. Croy stated that he met with Tampa Custom Concrete today and they said it will be \$92,680 to remove the current surface, sand it down, stain the concrete and then resurface with the proper sealant. Mr. Croy stated they are about three to four weeks out from today to complete the work. Mr. Croy also stated he is getting one more proposal from another vendor Mr. Brletic provided.

The Board discussed the various legal options and the timeline for getting this resolved with another contractor.

On a Motion by Mr. Avino seconded by Ms. McDougald, with all in favor, the Board approved a not-to-exceed amount of \$92,680.00 to remove the current surface applied to the Aquatic Club pool deck and to replace it based off the best option available within a timeline of three to four weeks with final review and approval from Mr. Croy, Ms. Quigley, and Mr. Brletic, for Fishhawk Ranch Community Development District.

Ms. Quigley stated they have been able to reopen the Aquatic Club fitness center with limited hours, so staff are present to make sure residents use the identified safe access points and remain off the pool deck.

Mr. Croy stated the Palmetto Club air conditioning coils will need to be replaced and the estimate is about \$112,000 to replace the coils. Mr. Croy stated he is working on collecting multiple proposals to present to the Board.

#### **D. Community Director**

Ms. Quigley reviewed her report in the agenda and asked the Board if they had any questions.

Ms. Quigley noted that her report also contained the quarterly vandalism and tennis club reports, and advised the Board the Middle School Mash event would not be held this year due to the low turnout last year.

Ms. Morrison stated she felt revenue was low for the tennis club in May due to the rainouts.

#### **E. District Engineer**

Mr. Brletic reviewed his report in the agenda and asked the Board if they had any questions.

Mr. Brletic stated he is working on proposals for the Soratrace drainage repairs and will also inspect the other drains in this area to see if they need to be addressed.

#### **F. District Counsel**

Ms. Kobitter stated she is working with Ms. Gentry, Ms. Quigley, and Mr. Dailey on draft revised proposed rules they will present at the July meeting and will then set a public hearing for August or September for adoption.

Ms. Morrison advised she is aware of a resident who intends to come speak on the subject of pool toy rules at the appropriate meeting. Mr. Dailey stated the appropriate time would be at the public hearing once it has been set by the Board.

#### **G. District Manager**

Mr. Dailey asked the Board if they had any questions or comments on the Action Item List as presented.

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Mr. Dailey reminded the Board the next meeting will be on Wednesday, July 26, 2023, at 6:30 p.m. at the Palmetto Club which will also be the Fiscal Year 2023-2024 Budget public hearing.

Mr. Dailey stated the RFP for Landscaping and Irrigation Maintenance Services ad is set to run in early July to kick off the process. Ms. Turner asked about reducing the annual rotations from four times a year to three. Mr. Dailey stated would let Mr. Toborg know so he can make the change in the RFP scope of services.

Mr. Dailey stated that the new restaurant Hunt and Gather at Park Square has started to install a planter box around the existing fence. Mr. Dailey stated they would not be damaging the current fence and did not see an issue with the District's license agreement with them. Ms. Gentry stated she would also review the license agreement but did not recall this being an issue. Mr. Dailey asked that the Board formally approve this request on the record in case there does need to be an addendum drafted to the license agreement.

On a Motion by Ms. Turner seconded by Ms. McDougald, with all in favor, the Board approved allowing Hunt and Gather to build a planter box around the existing fence which is on District property under the License Agreement for Park Square Business Extension Area, for Fishhawk Ranch Community Development District.

**FIFTH ORDER OF BUSINESS**

**Consideration of Proposals for 3G  
Module Irrigation Controller  
Conversion**

Mr. Dailey presented the Proposals for 3G Module Irrigation Controller Conversion to the Board.

On a Motion by Ms. McDougald seconded by Ms. Turner, with all in favor, the Board approved the Ballenger Irrigation proposal for the 3G module conversion for \$9,000.00, for Fishhawk Ranch Community Development District.

**SIXTH ORDER OF BUSINESS**

**Consideration of Proposals for Various  
Amenity Facility Building Repairs**

Mr. Dailey presented the Proposals for Various Amenity Facility Building Repairs to the Board.

Mr. Croy and Mr. Brletic stated these two proposals are based off the same scope of work now and that the metal noted in some areas needs to be replaced and just cleaned and repainted.

On a Motion by Ms. McDougald seconded by Ms. Turner, with all in favor, the Board approved the Tampa Bay Contracting proposals for the various amenity facility repairs for a total of \$50,100.00, for Fishhawk Ranch Community Development District.

The Board asked and Mr. Brletic agreed he will be present to handle the preconstruction meeting and the final closeout inspection. Mr. Brletic stated that Mr. Croy is very capable of managing the construction process and that he will be available to assist Mr. Croy as needed.

The Board had no other questions for Mr. Brletic or Mr. Croy, so they left the meeting.

**SEVENTH ORDER OF BUSINESS**

**Consideration of Proposal from Patio Shoppers for Additional Pool Umbrellas**

Ms. Quigley presented the proposal from Patio Shoppers for Additional Pool Umbrellas.

On a Motion by Ms. McDougald, seconded by Ms. Turner, with all in favor, the Board approved the proposal from Patio Shoppers for additional pool umbrellas for \$8,400.00, for Fishhawk Ranch Community Development District.

**EIGHTH ORDER OF BUSINESS**

**Consideration of Proposed CDD Events for Fiscal Year 2023-2024**

Ms. Quigley presented the proposed CDD Events for Fiscal Year 2023-2024 to the Board.

The Board asked about working with the food truck rally vendors to get them to help share the costs for port-to-lets and other items so the District can break even on these events.

On a Motion by Ms. Morrison, seconded by Mr. Avino, with all in favor, the Board approved the proposed CDD Events for Fiscal Year 2023-2024, for Fishhawk Ranch Community Development District.

**NINTH ORDER OF BUSINESS**

**Consideration of Audit Report for Fiscal Year Ending September 30, 2022**

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Mr. Dailey presented the Audit Report for the Fiscal Year Ending September 30, 2022 to the Board.

Mr. Dailey stated it was a clean audit and was already filed with the state to make sure they made the June 30, 2023 deadline.

On a Motion by Ms. Morrison, seconded by Mr. Avino, with all in favor, the Board approved the Audit Report for Fiscal Year Ending September 30, 2022, for Fishhawk Ranch Community Development District.

**TENTH ORDER OF BUSINESS**

**Consideration of Resolution 2023-06,  
Setting the Dates, Time, and Location  
for Regular Meeting Schedule for  
Fiscal Year 2023-2024**

Mr. Dailey presented Resolution 2023-06, Setting the Dates, Time, and Location for Regular Meeting Schedule for Fiscal Year 2023-2024 to the Board.

Mr. Dailey stated he provided two options, one with sixteen meetings and one with fourteen meetings. The Board discussed reducing the meeting schedule to fourteen and having the two extra meetings include a workshop for the Board. Mr. Dailey stated he did have a conflict with the March 27, 2024 meeting and suggested the Board could reschedule it or use it for the new required ethics training.

The Board stated they liked the idea of ethics training and will stick with March 27, 2024 as the meeting date and if it needs to be changed, they can discuss it at a later date.

On a Motion by Mr. Avino, seconded by Ms. Turner, with all in favor, the Board adopted Resolution 2023-06, Setting the Dates, Time, and Location for Regular Meeting Schedule for Fiscal Year 2023-2024 with fourteen total meetings to be held at the Palmetto Club, 17004 Dorman Road, Lithia, Florida 33547 at 6:30 p.m., for Fishhawk Ranch Community Development District.

**ELEVENTH ORDER OF BUSINESS**

**Consideration of Notice of Cancellation  
from Puff N' Stuff for the Palmetto Club  
Event and Catering License Agreement**

Mr. Dailey presented a Notice of Cancellation from Puff N' Stuff for the Palmetto Club Event and Catering License Agreement to the Board.

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On a Motion by Mr. Avino, seconded by Ms. McDougald, with all in favor, the Board accepted the one-year Notice of Cancellation from Puff N' Stuff for the Palmetto Club Event and Catering License Agreement effective June 15, 2024, for Fishhawk Ranch Community Development District.

Mr. Dailey presented the request from Puff N' Stuff to modify the terms to the current agreement which would reduce the guaranteed revenue to the District and replace it with fees paid for actual rentals only. The Board discussed this request and decided to take no action at this time and to proceed with the current terms of the agreement.

Mr. Kneusel provided the Board with an update from the meeting with Hillsborough County regarding possibly transferring ownership of the Palmetto Club to them for conversion to a public library. Mr. Kneusel stated he discussed this with Ms. Gentry, and this can be accomplished under the applicable bond indenture.

Mr. Kneusel also noted the District could try and negotiate to get back the parcel of land by the Aquatic Club that was originally donated by Newland to the county, and possibly request escalation of some sidewalk repairs in the community residents have been waiting for.

The Board stated they want to discuss all options such as converting it to a usable amenity center or selling it for homes to be built. Ms. Gentry stated that the continued use of the facility for public purposes will be the simplest option. Ms. Gentry noted that selling the property to a private party will require additional input from bond counsel and will likely require payments toward the portions of the bonds that were used to finance the facility. The Board did agree they would like to pursue the public library concept further with the county.

On a Motion by Ms. McDougald, seconded by Ms. Turner, with all in favor, the Board authorized District Staff and the Chairman to work with Hillsborough County Staff on continuing the conversations and necessary inspections they may want to conduct regarding the Palmetto Club possible conversion for the library site, for Fishhawk Ranch Community Development District.

**TWELFTH ORDER OF BUSINESS**

**Supervisors Requests**

Mr. Dailey asked if there were any Supervisor Requests.

There we no Supervisor Requests.

**THIRTEENTH ORDER OF BUSINESS**

**Adjournment**



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On a Motion by Mr. Avino, seconded by Ms. McDougald with all in favor, the Board adjourned the meeting at 8:28 p.m., for Fishhawk Ranch Community Development District.

  
Secretary/Assistant Secretary

  
Chairman/ Vice Chairman