

**MINUTES OF MEETING
FIDDLER'S CREEK
COMMUNITY DEVELOPMENT DISTRICTS #1 AND #2**

The Auditor Selection Committees and Joint Board Meeting of the Board of Supervisors of the Fiddler's Creek Community Development District #1 and Fiddler's Creek Community Development District #2 was held on Wednesday, October 24, 2007 at 9:00 a.m., at the Fiddler's Creek Club and Spa, 3470 Club Center Drive, Naples, Florida 34114.

Present and constituting a quorum were:

For Fiddler's Creek #1:

Phillip Brougham	Chairman
Alexander Love	Vice Chairman
James Curland	Assistant Secretary
Peggy Schmidt	Assistant Secretary
James Robertson	Assistant Secretary

For Fiddler's Creek #2:

James Robertson	Vice Chairman
Diane Matire	Assistant Secretary
Victoria DiNardo	Assistant Secretary
Gretchen Scott	Assistant Secretary

Also present were:

Chuck Adams	District Manager
Corinne Norton	Assistant Regional Manager
Cleo Crismond	Assistant Regional Manager
Terry Cole	District Engineer
Anthony Pires	District Counsel
Ron Albeit	Foundation Manager
Pam Lulich	Collier County FDOT

****Please note: the beginning portion of this meeting was not recorded, therefore, the first two orders of business were prepared from Agenda notes.****

FIRST ORDER OF BUSINESS:

Roll Call

Mr. Brougham called the meeting to order and called the roll.

SECOND ORDER OF BUSINESS:

Affidavits of Publication and Copies of Advertisements for October 24, 2007 meeting

Copies of the Affidavits of Publication and Newspaper advertisements pertaining to today's meeting were included within the Agenda Packages.

Mr. Brougham discussed possibly reversing the order of the items 3 and 4 on the Agenda; considering/approval of the Interlocal Agreement prior to the award of the security contract.

Mr. Robinson stated I disagree; I don't agree that these two items are appropriate for consideration at a joint meeting, there are separate issues for each Board involved. I would suggest that we convene, the two Boards separately to discuss these two items and then reconvene the joint meeting.

Mr. Brougham stated, I would like a legal opinion on that because it is in the Agenda as a consideration for the joint Boards.

Mr. Adams stated in Staff's opinion, they are related and would need to be dealt with jointly.

Mr. Pires stated from the legal perspective it would seem more logical to consider the interlocal first and then access control; each Board would vote separately even though you are meeting jointly.

This discussion continued and the decision was made to proceed with the Agenda items as published.

THIRD ORDER OF BUSINESS:

Consideration of Award of Contract for Access Control Services.

Mr. Brougham stated in your Agenda Packages you have the recommendations from Staff and Mr. Adams reviewed the recommendations with the Boards.

Mr. Adams stated we sent bid packages to eight security companies and we received three submittals. The submittals were reviewed for qualifications of the firms; responsibility of the bid regarding the financial aspect. Allegiance Security submitted a bid of \$310,454.00, the current contract value was \$428,000.00 and Staff has required a minimum salary amount for positions within the security program to insure that the guards are compensated adequately, rather than minimum wage. We felt that the Allegiance Security submittal was not responsible,

as well as the submittal from Abacus Security. Mr. Adams discussed the advantage of security services provided by Fiddler's Creek Foundation.

Mr. Adams stated as Staff reviewed the submittals, we feel it is in the Community's best interest to remain with your current service provider with an annual budget amount of \$446,000.00 for the first year; keeping in mind that you have budgeted between the two Districts for \$452,000.00.

Ms. Scott stated the thing I would like everyone to know is that the \$74,000 difference between those two bids amounts to about \$28.00 annually per ERU.

Mr. Brougham stated I am in favor of Fiddler's Creek Foundation, but one of the key factors is how the vendors are received; politeness, helpfulness, etc. In my opinion, the experience we have is worth the additional funding.

Mr. Robertson commented that security comes down to personal knowledge and our guards know the people so well; which speaks to keeping with the Foundation as the contract awarded.

Mr. Love stated I have an observation, I think the people on the gates are doing a great job, however, I am a little concerned; I had the opportunity to review the proposals, but I would like to learn a little more of how this is put together. My concern is, how do we control the numbers?

Mr. Adams discussed the process in evaluating the submittals.

Mr. Love stated I would like for us to be more involved and asked Mr. Albeit if there are other funds paid by the Foundation.

Mr. Albeit answered this is a straight hourly rate bid; you are fortunate that you have a person here to manage all these people, Mike Charboneau.

Discussion followed regarding the benefit and services that are provided by FC Foundation Security for the community.

Mr. Adams clarified the RFQ process in answer to Mr. Love's objection.

Mr. Brougham agreed he would also like access to the bid proposals prior to consideration for approval.

Ms. Scott suggested that Mr. Adams provide a copy of the bid/submittals for the Board members information.

Mr. Adams shared the bid submittal with the Board members and discussion of the submittal ensued.

Mr. Curland commented, I do not need the whole bid package, I would like an extensive summary so that I can review it so we can compare "apples to apples".

Ms. Schmitt agreed with Mr. Curland and Mr. Love, so that we know what the scope of work is that is included in the bid.

Mr. Brougham stated in the future on bids, what you are hearing is we would like a copy of the bid packages and the bids when submitted; more information, not less.

Mr. Robertson commented that is why we have Management Staff, we don't need to micro-manage Chuck in doing his job doesn't make it any better.

On MOTION by Mr. Curland and seconded by Mr. Brougham for Fiddler's Creek #1; by Mr. Robertson and seconded by Ms. Scott for Fiddler's Creek #2 with all in favor of awarding the Access Control Services to Fiddler's Creek Foundation as recommended by Staff.

FOURTH ORDER OF BUSINESS:

Consideration and Approval of Interlocal Agreement

Mr. Brougham stated this item is for the consideration and approval of cost sharing of Access Control and Irrigation Supply Services consistent with the previously adopted Fiscal Year 2008 Budget and copies of the adopted Budget are provided within the Agenda Packages.

On MOTION by Mr. Brougham and seconded by Mr. Love for Fiddler's Creek #1; with all in favor of approving the Interlocal Agreement for Access Control and Irrigation Services is submitted in the Agenda.

On MOTION by Mr. Robertson and seconded by Ms. DiNardo for Fiddler's Creek #2; with all in favor of approving the Interlocal Agreement for Access Control and Irrigation Services as submitted in the Agenda.

*****The Joint Meeting ended at this time.*****

FIDDLER'S CREEK #2 ITEMS:

FIFTH ORDER OF BUSINESS:

Consideration of Award of Contract for Lake and Wetland Maintenance

Ms. Norton stated in your Agenda Packages you have a memo regarding your Lake and Wetland maintenance and as you will see six companies were provided with bid packages and attended a mandatory pre-bid conference where they were able to obtain specific information about this particular site. Two of the companies submitted bids; they were LakeMasters, your current contractor and Aquatic Systems. The dollar amounts are included in the memo; Staff's recommendation is to award the contract to LakeMasters.

On MOTION by Mr. Robertson and seconded by Ms. DiNardo with all in favor of awarding the contract for Lake and Wetlands Maintenance to LakeMasters as discussed.

SIXTH ORDER OF BUSINESS:

Consideration of Award of Contract for Landscape Maintenance

Ms. Norton reported that eight companies responded to the bid requests; one company, Xscapes did not provide the material requested and are non-responsive; there were two companies that were over priced and were not considered. One Source is the current provider, however, they do not hold a current Occupational License; the other bidder was TruGreen, who was the lowest bidder. The budgeted amount is for \$435,000.00 for Fiscal Year 2008. It is Staff's recommendation that you award the bid to TruGreen.

Mr. Robertson felt that the award of contract should be to One Source since they have provided the level of service that the District had requested after some previous discussions with them.

Mr. Pires commented on the requirements of the bidding process and that TruGreen was the lowest bidder.

On MOTION by Mr. Robertson and seconded by Ms. DiNardo with all in favor of awarding the Landscape Maintenance Contract to TruGreen as discussed.

Phase 5, unit 1 and along Sandpiper Drive; also work associated with the Sandpiper Bridge; the resulting balance is 1.1 million dollars. The second draw is for the 2005 Series Bond, draw #21 for approximately \$400,000.00 consisting of infrastructure work done in Phase 5, unit 2; landscaping and lake bank sodding. The Bond balance after this draw is approximately 15.8 million dollars.

Mr. Robertson discussed the problem with the tack coat on Championship Drive and asked if this would be a continuing problem.

Mr. Cole stated that has been a problem throughout the County and the County is investigating the issue.

C. Manager

Ms. Norton provided the unaudited financial statements as of September 30, 2007 and discussion followed regarding a misallocation of a line item. Mr. Adams will further research this item.

Ms. Norton reminded the Board of the Landowners Election to be held on November 28, 2007.

TENTH ORDER OF BUSINESS:

Supervisors Requests and Audience Comments

There were no Supervisors Requests.

Audience Comments:

A resident commented that it would be beneficial to consider an Auditor Selection Committee in the future and complimented the Board and the Staff on the District website.

Ms. Peggy Schmidt commented that in the 2007-2008 assessments, there are two neighborhoods that are not included.

Mr. Robertson commented that the meeting minutes would be posted as soon as possible on the website.

ELEVENTH ORDER OF BUSINESS:

Adjournment Fiddler's Creek #2.

There being no further business, the Fiddler's Creek meeting was adjourned.

On MOTION by Mr. Robertson and seconded by Ms. DiNardo with all in favor the meeting adjourned at 10:30.

FIDDLER'S CREEK #1 ITEMS:

****Mr. Adams called the roll; Supervisors' Brougham, Love, Curland & Robertson were present.****

**TWELFTH ORDER OF BUSINESS: Presentation and Consideration of
Application for Highway Beautification
Grant**

Mr. Brougham explained the FDOT Beautification Grant and stated we have Ms. Pam Lulich with the County Transportation Department who has been instrumental in working with Mr. Albeit and myself to progress on this opportunity. Mr. Brougham discussed the committee that was formed in order to make improvements along 951; and the discovery of the Grant that is funded by the State and the requirements of the application. We are proposing that C.D.D. #1 be the sponsoring applicant for this grant and we would like authorization for me to sign as the Chairman and move forward with the process.

Ms. Pam Lulich stated I have had no other community take this on; so Phil has put forth a huge amount of time and effort to put this together. The grant application was due November 1st, so the request is that the Board approves a resolution requesting an extension.

Ms. Lulich explained the grant process and the benefits to the community through the grant.

Mr. Brougham discussed the estimated costs for this landscaping, it is estimated to be approximately \$600,000 to \$800,000; the grant maximum would be \$300,000.00. Mr. Brougham encouraged the Board to take advantage of this opportunity.

****Ms. Schmitt joined the meeting at this time.****

A discussion followed regarding the provisions of the State Grant and the improvements that would be accomplished.

Mr. Brougham stated there is no obligation, with the exception of one thing I am going to ask for approval, that is to spend a small amount of money on a landscape architect.

Mr. Pires concurred there is no financial obligation for the District and reviewed the agreement with the FDOT if the Grant is awarded.

A question and answer session with Ms. Lulich followed at this time.

Mr. Brougham summarized, there is no financial commitment for the District; if we are awarded the Grant, we have to consider the fund raising issues and it may not happen, we may not be able to make it happen with an MSBU.

Ms. Lulich stated the council meets in January, so I would imagine a decision will be made in January.

On MOTION by Mr. Love and seconded by Ms. Schmitt with all in favor of requesting Collier County to apply on the District's behalf for a matching Grant with FDOT for a Highway Beautification Council Grant.

On MOTION by Mr. Brougham and seconded by Mr. Love with all in favor of authorizing the expenditure of not to exceed \$10,000.00 for landscape architecture planning study and authorize the Manager to proceed with negotiating the contract.

THIRTEENTH ORDER OF BUSINESS: Engineer's Report

Mr. Cole presented pay draw #53 which is part of the 2002 Series Bond, for approximately \$74,000.00 for landscape planting, there were sidewalk repairs as well on Sandpiper. The Bond balance after this draw is approximately a negative of \$254,000 but the interest earnings will increase that to a positive of \$300,000.

Mr. Robertson discussed a constituent request for signage of Championship Drive and asked if that was impossible?

Mr. Brougham stated, right now it is impossible; it is a State road and signage in advance of a roadway is not allowed unless it is signaled.

Mr. Cole stated along Championship Drive the contractors are to begin tomorrow with re-milling of the roadway.

Re-striping with a double row of yellow was discussed and the Board requested that Mr. Cole research the possibility of re-striping in this manner.

Mr. Cole discussed invoices that are related to landscape restoration that are in question and stated we are still working to resolve that. Chuck will be getting the appropriate documentation.

Mr. Adams stated there will be a credit due; and further explained the reviewing process of the invoices, which resulted in an amount of approximately \$12,000.

**FOURTEENTH ORDER OF BUSINESS: Consideration of Award of Contract for
Lake and Wetlands Maintenance**

Ms. Norton explained that six companies attended a pre-bid conference and received the bid specifications; two companies provided submissions; LakeMasters and Aquatic Systems. The submittals were: LakeMasters in the amount of \$150,000 and Aquatic Systems in the amount of \$142,000. The budgeted amount for Fiscal Year 2008 is \$142,000.00 and Staff recommendation is for awarding the contract to LakeMasters to maintain the level of service and continuity of service.

Discussion followed regarding the lake and wetlands maintenance submittals and the level of service provided by the contractors.

Mr. Adams and Mr. Pires clarified the process for bid consideration/award as required by Florida Statutes.

**On MOTION by Mr. Love and seconded by Mr. Brougham
with all in favor of awarding the Lake and Wetlands
Maintenance Contract to LakeMasters.**

**FIFTEENTH ORDER OF BUSINESS: Consideration of Award of Contract for
Landscape Maintenance**

Ms. Norton stated eight companies attended a mandatory pre-bid conference and reviewed the facility with detail; six companies provided bid submissions which are included in your Agenda Package. Xscapes was deemed non-responsive for not providing the necessary bid submissions. The two top landscape companies are TruGreen and OneSource and Staff recommends the contract be awarded to OneSource, the lowest bidder.

Mr. Brougham discussed the importance of field management to maintain the District adequately.

**On MOTION by Mr. Robertson and seconded by Mr. Love
with all in favor of awarding the Landscape Maintenance
Contract to OneSource.**

**SIXTEENTH ORDER OF BUSINESS: Consideration of Award of Contract For
Professional Auditing Services**

Ms. Norton explained that the first item of business would be to appoint the Board members as the Auditor Selection Committee.

On MOTION by Mr. Brougham and seconded by Mr. Curland with all in favor of appointing the Board to serve as the Auditor Selection Committee.

Ms. Norton discussed the ranking form which was provided within the Agenda Packages and explained the specific criteria.

The Board discussed and reviewed the Auditor bid proposals and proceeded to pre-rank the proposals.

On MOTION by Mr. Brougham and seconded by Mr. Love with all in favor of pre-ranking the Auditing Firms as follows: #1: Grau & Associates; #2: O'Sullivan; #3: Keefe McCullough; #4: Carr Riggs.

The cost proposals were opened at this time.

On MOTION by Mr. Brougham and seconded by Mr. Love with all in favor of ranking the Auditing Firms as follows: #1: Grau & Associates; #2: Keefe McCullough; #3: O'Sullivan; #4: Carr Riggs & authorizing Staff to proceed with negotiating the contract with the #1 ranked firm & addition of a clause to release information as requested to District Counsel.

SEVENTEENTH ORDER OF BUSINESS: Presentation of Existing Facilities Assessment Report

Ms. Norton stated pursuant to the Board's request, we have obtained an assessment of the Boardwalk and Gazebo facilities; the report is included in your Agenda Package. The recommendation is that the decking boards be replaced; the handrails should be replaced and pressure washed with a preservative.

Discussion was held regarding the use of composite material versus wood decking and the concern that it be consistent in appearance.

EIGHTEENTH ORDER OF BUSINESS: Consideration of Proposal for Repairs to the Boardwalk and the Gazebo

Mr. Brougham stated this proposal for repairs to the Boardwalk and the Gazebo is to have the whole thing pressure washed and then to either replace the handrails with composite material or alternatively replace with like wood material, whether pressure treated, etc. and seal it. Mr. Brougham asked is there a price quotation.

Ms. Crismond stated I had received a proposal based on the specs to do the entire boardwalk; we are still getting proposals from contractors; one came in at just over \$5,000.00. Ms. Crismond will present the proposals at the next meeting.

NINETEENTH ORDER OF BUSINESS: Approval of September 26, 2007 Meeting Minutes

Mr. Brougham stated while we are at it, there are three dead palms at the intersection of Mulberry and the Parkway; and a possible dead Queen Palm on the entrance by the gate.

Ms. Crismond will check with OneSource to evaluate the palms.

On MOTION by Mr. Brougham and seconded by Mr. Curland with all in favor of approving the September 26, 2007 Meeting Minutes as amended.

Mr. Brougham stated that due to Mr. Adams' having to leave the meeting at 12:00 p.m., I would like to have a discussion regarding Field Management with opinions and comments from the other Board members.

Mr. Brougham continued, I don't believe we are getting enough "boots on ground" in Fiddler's Creek #1 to properly walk the property and identify where there are issues to bring up to OneSource. It is nothing personal, I think we have a lot of acreage and we rely on other folks to do field management. We are paying \$25,000.00 to WHHA and even that may be enough to deliver the kind of field management that this District should consider. I want to throw it out there for discussion. I think we could be more dedication of time on the part of someone who is completely versed in landscaping, maintenance, species and doesn't have to be a landscape architect. I think we should consider improvement.

Mr. Love commented is it spelled out how much time is to be spent?

Mr. Adams replied yes.

Discussion of the necessity of a full time field manager for the District ensued.

Mr. Adams discussed the scope of field management of the District; Ms. Crismond's qualifications and efforts to serve the needs of the District, as well as detailed schedules for services that are in the planning stages. You will be having more focused attention in the operating side than you have had in the past.

Mr. Brougham discussed that other Districts in Collier County retain an Operations Manager/Field Manager and this may be an option for the Board to consider.

Mr. Love questioned the contract time frame with WHHA.

Mr. Adams explained it is a continuing services agreement.

Mr. Pires concurred there is no legal requirement for District Manager.

Mr. Love stated, how would we test the waters?

Mr. Pires stated you could submit a request for proposals, etc.

Mr. Robertson commented we don't want to get into the business of hiring our own staff; that is why we have a Manager.

Ms. Schmitt discussed the importance of the Manager pertaining to community input.

Mr. Brougham stated we may want to consider getting proposals for District Management; nothing bad has happened, but unless you take a look around you don't know if you have competition.

TWENTIETH ORDER OF BUSINESS: Staff Reports

A. Attorney

1. Update on Facilities Agreement:

Mr. Pires stated I had some correspondence with Gulf Bay; it is in good form and order and we need to attach Exhibit A to delineate what the facility is; it is a license agreement for access & maintenance of the boardwalk and gazebo. This agreement should be finalized by the next meeting.

2. Discussion of Bond Draw for Additional Landscape Material Restoration:

This item was discussed previously in the meeting.

B. Manager

1. Unaudited Financial Statements as of September 30, 2007:

Ms. Norton provided a copy of the unaudited financial statements as of September 30, 2007.

Mr. Brougham discussed portions of the unaudited financial statements.
 Ms. Norton will check into these items and report back to Mr. Brougham.
 Ms. Schmitt discussed the assessments listed and stated we are missing communities.

A discussion followed regarding the omission of the neighborhoods and whether this was reflected in the budget.

Ms. Norton stated that this information was prepared by AJ Carlson & Associates and she will check with their office for Fiddler's Creek #2.

2. Operations Report:

Ms. Crismond stated you will receive a report from me on a monthly basis and provided a report to the Board members.

The paving project was reviewed; the project will be completed in one day with flag persons on site to manage traffic flow.

Mr. Albeit will notify the residents of the paving project.

Mr. Robertson, Mr. Love and Mr. Brougham complimented Ms. Crismond on her report.

Ms. Crismond commented on the contractors that have responded to the boardwalk project and will have a report and samples at the next meeting.

The directional sign replacements, lake fountains and the fountain motors were discussed.

Ms. Crismond reported the ficus root barrier project has been completed; there are ongoing irrigation repairs that should be completed today.

TWENTY-FIRST ORDER OF BUSINESS: Supervisors Request and Audience Comments

Mr. Love requested additional landscaping at the lift station on Mulberry.

Ms. Crismond will look at the area and address the landscaping issue.

Mr. Robertson asked what the plan was with the back gate at Championship.

Mr. Brougham stated that last I heard from Chuck, the pass printer was the hold up. Once it is up and running, then both Boards can consider whether we can go "un-manned".

Mr. Pires reported that he was able to access the AJC & Associates website and the communities assessments were on the website. There are some incorrect folio numbers.

Ms. Norton will check with AJC & Associates regarding the errors.

Mr. Brougham stated I would like to request that we amend our Post Orders to properly recognize the fact that we allowed the Rookery Golf Club members to purchase a gate clicker. Also, GPS reports on the patrol cars; we would like a monthly summary. Regarding the Sheriff's patrol, has any progress been made? We want to reinforce that we want them here off duty any time we can get them.

Mr. Love discussed some resident concerns due to the increased amount of renters, and reckless driving requiring the need for additional enforcement.

Mr. Brougham asked Mr. Pires, is our only option the Collier County Sheriff?

Mr. Pires responded, my understanding is that some communities utilize the Florida Highway Patrol.

Mr. Brougham asked Ms. Crismond to contact the Florida Highway Patrol Department regarding this option.

Mr. Brougham asked Mr. Pires anything with the Severn Trent issue.

Mr. Pires will follow-up on this item.

Audience Comments:

Resident comment was made regarding the speeding issue and the advantage of all residents watching and providing feedback. Also, reporting safety issues to the Security & Safety Office.

TWENTY-SECOND ORDER OF BUSINESS: Adjournment/Fiddler's Creek #1

There being no further business, all were in favor of adjournment.

On MOTION by Mr. Brougham and seconded by Mr. Love with all in favor, the meeting adjourned at 12:40.

For Fiddler's Creek #1:


Secretary/Assistant Secretary


Chairman/Vice Chairman

For Fiddler's Creek #2:


Secretary/Assistant Secretary


Chairman/Vice Chairman