

**FIDDLER'S CREEK
COMMUNITY DEVELOPMENT
DISTRICT #1**

**REGULAR MEETING
AGENDA**

September 23, 2015

Fiddler's Creek Community Development District #1

2300 Glades Road, Suite 410W • Boca Raton, Florida 33431

Phone: (561) 571-0010 • Fax: (561) 571-0013 • Toll-free: (877) 276-0889

September 16, 2015

Board of Supervisors
Fiddler's Creek Community Development District #1

Dear Board Members:

The Board of Supervisors of the Fiddler's Creek Community Development District #1 will hold a Regular Meeting on **Wednesday, September 23, 2015 at 8:00 a.m.**, at the **Fiddler's Creek Club and Spa, 3470 Club Center Boulevard, Naples, Florida 34114**. The agenda is as follows:

1. Call to Order/Roll Call
2. Public Comments: Non-Agenda Items (*3 minutes per speaker*)
3. Special Counsel Update
4. Developer's Report
5. Engineer's Report
6. Discussion: Local Public Hearing and Petition to Correct by Amendment the Legal Description of the Boundary of the District
7. Update: SR 951 Traffic Signal Installation
8. Approval of **August 26, 2015** Public Hearings and Regular Meeting Minutes
9. Action Items
10. Other Business
11. Staff Reports
 - A. District Counsel
 - B. District Manager
 - i. Approval of Unaudited Financial Statements as of August 31, 2015
 - ii. **NEXT MEETING DATE: October 28, 2015 at 8:00 A.M.**
 - C. Operations Manager
12. Supervisors' Requests

ATTENDEES:

Please identify yourself each time you speak to facilitate accurate transcription of meeting minutes.

13. Adjournment

Should you have any questions, please do not hesitate to contact me directly at 239-464-7114.

Sincerely,

A handwritten signature in black ink that reads "C.E. Adams, Jr." The signature is written in a cursive, somewhat stylized font.

Chesley E. Adams, Jr.
District Manager

WOODWARD, PIRES, & LOMBARDO, P.A.
ATTORNEYS AT LAW


Craig R. Woodward
Mark J. Woodward
Anthony P. Pires, Jr.
J. Christopher Lombardo

Robert E. Murrell

Jennifer DeVries
Jennifer M. Tenney
Matthew P. Flores
J. Todd Murrell
Lenore Brakefield

Respond to the Naples Office:
3200 Tamiami Trail North, Suite 200
Naples, FL 34103
Phone: 239-649-6555
Facsimile: 239-649-7342
E-Mail: apires@wpl-legal.com

MEMORANDUM

TO: Board of Supervisors Fiddler's Creek Community Development District 1
FROM: Anthony P. Pires, Jr., Esq. 
DATE: September 16, 2015
RE: Local Public Hearing and Petition to Correct By Amendment the Legal Description of the Boundary of the Fiddler's Creek Community Development District 1 (CDD1)

As part of the process for the correction by amendment of the legal description of the boundary of CDD 1, a local public hearing will be conducted by the Board of Supervisors of CDD 1. In coordination with Ken Van Assenderp and J.D. Holt, the Tallahassee attorneys helping the District guide this application through the process with the Florida Land and Water Adjudicatory Commission (FLWAC), the staff requests the Board to set the local public hearing before the Board of Supervisors for October 28, 2015 at 8:00 a.m.

The requested action is as follows:

1. approve setting October 28, 2015 as the local hearing by the Board of Supervisors of CDD 1.
2. concurrently authorize the placement of the required legal notice (Draft attached) in the newspaper, once a week for four (4) successive weeks.

Enclosure
Cc w enclosure: K. van Assenderp; J.D. Holt

**NOTICE OF LOCAL PUBLIC HEARING ON PETITION TO CORRECT
BY AMENDMENT THE LEGAL DESCRIPTION WITHOUT CHANGING
THE BOUNDARY OF THE FIDDLER’S CREEK
COMMUNITY DEVELOPMENT DISTRICT 1**

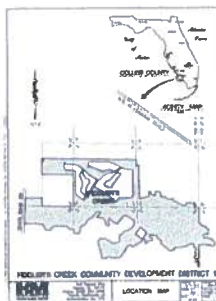
A public hearing, conducted pursuant to Chapters 120 and 190, *Florida Statutes*, by the Board of Supervisors of the Fiddler’s Creek Community Development District 1, will be held on October 28, 2015, at 8:00 A.M. at the Fiddler's Creek Club and Spa, 3470 Club Center Boulevard, Naples, Florida 34114, Naples, Florida, Club, to inform the public about the contents of the Petition to Correct the Legal Description of the Fiddler’s Creek Community Development District 1 By Amendment Without Changing the Boundaries of the District (hereafter the “District”) which is located in Collier County, Florida. The Petition was filed by the District, as Petitioner. The information presented at this hearing will be used by the Florida Land and Water Adjudicatory Commission (hereafter “FLWAC”) in granting or denying the Petition as set forth in Sections 190.046 and 190.005, *Florida Statutes*, and also to afford the District, any other affected units of local government, and the general public a fair and adequate opportunity to present oral or written comments relative to the amendment of the legal description of the District’s boundaries.

The District is generally located in southwest Collier County just southwest of U.S. Highway 41 (Tamiami Trail) and west of State Road 951. Pursuant to the legal description used in *Rule 42X-1.002, Florida Administrative Code*, the District consists of approximately 1389.77 acres. The District is not seeking to expand or contract its boundaries. Rather, the District is seeking to amend *Rule 42X-1.002* solely to correct scrivener’s errors in the current legal description of the boundaries of the District. A map generally showing the location of the District accompanies this Notice.

A copy of the Petition, including the Statement of Estimated Regulatory Costs, is available for public inspection during normal business hours at the Florida Land and Water Adjudicatory Commission, Transportation and Economic Development Policy Unit, Room 1801, The Capitol, Tallahassee, Florida 32399-0001. Specific legal authorities include Sections 190.004, 190.005, and 190.046, *Florida Statutes*.

NOTICE TO PERSONS NEEDING ANY SPECIAL ACCOMMODATIONS: Any person requiring a special accommodation to participate in the hearing because of disability, shall contact the District Manager at: Phone: (561) 571-0010; Fax: (561) 571-0013; Toll-free: (877) 276-0889; at least two (2) business days in advance to make appropriate arrangements.

Publish: [insert dates]



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

3
4 Public Hearings and a Regular Meeting of the Board of Supervisors of the Fiddler's
5 Creek Community Development District #1 were held on **Wednesday, August 26, 2015, at 8:00**
6 **a.m., at the Fiddler's Creek Club and Spa, 3470 Club Center Boulevard, Naples, Florida**
7 **34114.**

8
9 **Present at the meeting were:**

10 Phil Brougham	Chair
11 Gerald Bergmoser	Vice Chair
12 Richard Peterson	Assistant Secretary
13 Robert Slater	Assistant Secretary
14 Charles Turner	Assistant Secretary

15
16
17 **Also present were:**

18	
19 Chuck Adams	District Manager
20 Cleo Crismond	Assistant Regional Manager
21 Terry Cole	District Engineer
22 Tony Pires	District Counsel
23 Carrie Robinson (<i>via telephone</i>)	Tobin & Reyes, P.A., Litigation Counsel
24 Tony DiNardo	Developer
25 Ron Albeit	The Foundation
26 Mike Charbonneau	The Foundation
27 Alice Carlson	AJC Associates, Inc.
28 Rick Herndon	LandCare
29 Bill Reagan	FMSbonds
30 Rick Benedetti	Resident
31 Joseph Vaccaro	Resident
32 Joseph Badessa	Resident
33 Joe Schmidt	Resident
34 Allison Yang	Resident
35 Gretchen Scott	Resident
36 Jim Robertson	Resident

37
38
39 **FIRST ORDER OF BUSINESS**

Call to Order/Roll Call

40
41 Mr. Adams called the meeting to order at 8:00 a.m., and noted, for the record, that all
42 Supervisors were present, in person.

44 **SECOND ORDER OF BUSINESS**45 **Public Comments: Non-Agenda Items (3**
46 **minutes per speaker)**47 Mr. Rick Benedetti, a resident, presented photographs of items related to work on the
48 lake, which were stored on Club Center Boulevard. He explained that a letter was sent to Mr.
49 Charbonneau, which he forwarded to others; however, the CDD was not included.50 Mr. Cole met with Mr. Charbonneau and the contractor when the work commenced and
51 identified that area as the best location to store materials during the lake bank erosion repair
52 project. He indicated that the work should be completed within a few weeks.53 Mr. Benedetti pointed out that permission to use the area was not obtained from residents.
54 He voiced his opinion that the area was beginning to "look like a pigpen".55 Mr. Brougham agreed that residents should have been notified in advance. Mr.
56 Brougham stated that the materials should be removed when the project is completed. Mr.
57 Benedetti questioned if the materials could be moved to the Club Center parking lot. Mr. Cole
58 will ask Mr. Charbonneau about an alternate location.59 Mr. Brougham asked about the notification process for this type of activity. Mr. Cole
60 reiterated that he consulted with Mr. Charbonneau about the storage location at the beginning of
61 the project and believed that Mr. Albeit was notified. Mr. Albeit contended that residents were
62 notified of the lake erosion work but not about the storage mess and disruption to the village.
63 Mr. Benedetti felt that the situation and appearance were a Management issue and not Mr.
64 Charbonneau or The Foundation's responsibility. Mr. Benedetti reiterated that he wanted the
65 area cleared, as he felt "it has been long enough". Mr. Cole restated that he will work with Mr.
66 Charbonneau to find another location. It was noted that the project would be completed within a
67 few weeks and a Mr. Bergmoser questioned if Mr. Benedetti could wait until then. Mr.
68 Benedetti stated "clean it up, that's all, just clean it up". Mr. Cole will advise the contractor to
69 clean the area up.70 Mr. Brougham directed Ms. Crismond, Mr. Cole and Mr. Charbonneau to develop a
71 notification process for residents when future projects arise.72 Mr. Benedetti advised of trees from Fiddler's Creek Parkway overhanging 9154 Cherry
73 Oaks Lane and asked that it be "cleared up". Mr. Brougham noted another instance in another
74 area. Ms. Crismond was aware of the situation. Mr. Brougham directed Ms. Crismond to
75 resolve the issues on Cherry Oaks Lane, Montreux and throughout Fiddler's Creek.

76 Mr. Benedetti identified an area where, if looking over the lake from Cherry Oaks Lane,
77 dead wood can be observed because the area was not trimmed. Ms. Crismond stated that dead
78 wood was the result of previous white fly treatments. Mr. Brougham asked who determines
79 whether the ficus trees will recover or the dead branches should be cut.

80 Mr. Benedetti referred to the outside of the hedge, on Club Center Boulevard, when
81 entering either direction of the residential section, and asked who was responsible for that area,
82 as it "is starting to get out of control". Mr. Benedetti indicated that trees outside of the hedge
83 were overhanging the street. Ms. Crismond believed that the CDD was responsible from the
84 sidewalk to the road. Mr. Benedetti presented photographs of overhanging trees. Mr. Brougham
85 voiced his opinion that the CDD has maintenance responsibility.

86 Mr. Brougham directed Ms. Crismond to meet with Mr. Benedetti regarding the tree
87 issues and for her to "take care of everything".

88 Mr. Jim Robertson, a resident, referred to email correspondence between Mr. Brougham
89 and Mr. Joe Vaccaro, a resident, which was included in the information packet. He voiced his
90 opinion that Mr. Brougham's response implied that Mr. Vaccaro was wrong and Mr. Brougham
91 was correct, based on his vast experience and 20 years operating the District. Mr. Robertson
92 pointed out that, last year the District had \$1 million in "General" fund reserves but now has
93 \$20,000. Regarding the Board's fiduciary responsibility to homeowners, Mr. Robertson asked
94 where the money went and wanted to know if it "just disappeared" or if the District Treasurer
95 must explain that there was no default. Mr. Robertson was concerned that Mr. Brougham might
96 not know about fiscal management and responsibility.

97 Mr. Brougham indicated that his email stated that the District had 20 years experience.
98 Mr. Robertson read from Mr. Brougham's email "my experience in operating the District for
99 nearly 20 years". Mr. Robertson questioned if Mr. Brougham understands fiscal responsibility
100 regarding financial assets.

101 Mr. Brougham asked Mr. Adams to respond.

102 Mr. Adams advised that the \$1 million was "eaten up" by a shortage of approximately
103 \$278,000 in assessment revenue, due to an assessment protest matter related to the 951 parcels,
104 which would be discussed later in the meeting. He stated that approximately \$400,000 was
105 frontend funding of the traffic signal; however, CDD #2 was expected to reimburse 50%, which
106 is estimated to be \$200,000. Mr. Adams surmised that those two items accounted for about
107 \$450,000 to \$500,000 of the previous \$1 million reserve amount. He noted that money must be

108 available from surplus funds to pay expenses from October through December until tax receipts
109 begin to roll in. Mr. Adams discussed the District's landscaping, which is an uninsured asset and
110 can be a costly unforeseen initial clean up expense in the event of a significant tropical storm
111 event.

112 Mr. Brougham advised the audience that the "signup sheets" are for items that are not on
113 the agenda and pointed out that this topic was on the agenda. He referred to Mr. Robertson's
114 "aggressive words directed towards the Chair, instead of the Board" and read from his email
115 response to Mr. Vaccaro:

116 *"To the question of fiduciary responsibility, it is my personal belief that to*
117 *reflect upon experience in operating this District for nearly 20 years, anticipate*
118 *expenses associated with aging infrastructure and propose a budget which*
119 *reflects both is exercising fiduciary responsibility."*

120 Mr. Brougham indicated that there was no intent to say "Phil Brougham" operated this
121 District. He reminded Mr. Robertson that he sat on the CDD #1 Board, for many years, and was
122 a participant in setting budgets during that period of time and authorizing expenditures.

123 Mr. Vaccaro advised of an instance when a landscape crew member was driving his cart
124 in the road, with earplugs in, and that they also drive on the sidewalks, crossing from one side to
125 the other, without looking. He felt that an "incident" would eventually occur. Mr. Vaccaro
126 questioned if the landscape contractor had insurance on the carts.

127 Mr. Brougham agreed that the crew must obey the signals and slow down.

128 Mr. Pires believed that the District was named as an additional insured on LandCare's
129 certificate of insurance, as part of the contract. Mr. Adams added that the contract also contains
130 a hold harmless and indemnification, in favor of the District. Mr. Brougham directed Staff to
131 send a letter to LandCare advising that crew members must slow down when driving through the
132 community, be aware of all exits, pedestrian crossings, etc.

133 Mr. Vaccaro asked if the landscape crew could be advised not to "sleep" on the sidewalks
134 during their lunch break. Mr. Brougham directed Staff to include this matter in the letter to
135 LandCare.

136 Mr. Joe Schmidt, a resident, asked if the District accepted Runaway Bay and was
137 responsible for installing a second lift of asphalt. Mr. DiNardo replied no; it is a private road.
138 Mr. Schmidt referred to road markings on areas with upheaval of the second lift. Mr. Cole
139 confirmed that those areas would be repaired next month.

140 **THIRD ORDER OF BUSINESS**

Special Counsel Update

141

142 Ms. Robinson indicated that, since the District’s filing of the Amended Counterclaim,
143 U.S. Bank filed a Motion to Dismiss, asserting the same grounds as in the past. She noted that
144 U.S. Bank did not prevail on those grounds any other time they were asserted; however, U.S.
145 Bank is entitled to reassert them, by way of the motion. Ms. Robinson stated that the judge
146 offered an entire afternoon for the hearings on U.S. Bank’s Motions to Dismiss related to CDD
147 #1 and CDD #2’s claims, as the Motions to Dismiss are interrelated. Potential hearing dates in
148 October and November were being negotiated between all parties. She advised that, once those
149 motions are heard and disposed of, the case could proceed.

150 ****Ms. Robinson left the meeting.****

151

152 **FOURTH ORDER OF BUSINESS**

Developer’s Report

153

154 Mr. DiNardo indicated that the Marsh Cove Gate House was completed and the Marsh
155 Cove south phase construction will begin. He discussed new flow for construction traffic, a fence
156 with a beam that will alert the rover if the fence is opened and wireless alarm systems that will
157 be installed at two pump stations. Mr. DiNardo noted a farming area that has a fence across the
158 road, which will require everyone, including the farm workers, to enter a code to gain access; the
159 fence will also be programmed to notify the rover if the fence opens at certain times. He pointed
160 out other construction roads and a fence that will be programmed the same. Mr. DiNardo
161 surmised that most construction traffic will travel through the back of Fiddler’s Creek and there
162 should be very little construction traffic in other areas, by next season.

163 Mr. DiNardo described the abilities of the new camera system.

164

165 **FIFTH ORDER OF BUSINESS**

Engineer’s Report

166

167 Regarding the SR 951 traffic signal, Mr. Cole advised that the last mast arm was
168 supposed to be set this week. Control wiring, traffic loops and filling on the west side of SR 951
169 should be completed within the next two weeks. Mr. Cole anticipated that the signal would be
170 “live” by the first or second week of September.

171 Mr. Brougham asked about a foundation installed on the southeast corner of the
172 intersection. Mr. Cole advised that it was related to the controls. In response to a question, Mr.
173 Cole stated that the blinking light burn in period would be a few days and not weeks.

174 Mr. Cole reported that the District would be allowed to plant a hedge around the control
175 box but it must be no more than 5’ tall, with a 6’ clearance around the signal, along with leaving
176 a 6’ access opening. Mr. Brougham wanted to hide the control box but noted that planting a
177 hedge could obscure the monument. Mr. Cole will provide a sketch to Mr. DiNardo.

178 Mr. Cole indicated that lake bank erosion repairs were ongoing and anticipated
179 completion within the next few weeks. He advised that the curb repair and striping project was
180 ongoing; some curb repairs were completed and areas will be patched in conjunction with the
181 CDD #2 paving project and the striping will be completed later.

182 Regarding fire hydrant repainting, Mr. Brougham recalled that, as of June 10, 2010, the
183 county became responsible for all inspection and maintenance of fire hydrants in Fiddler’s
184 Creek. He was advised that all of the fire hydrants would be repainted; however, upon
185 inspection, Mr. Brougham discovered that the fire hydrants along Fiddler’s Creek Parkway,
186 Championship Drive, Club Center Drive and Mahogany Bend were painted but those on
187 Montreux and any other villages, including Cherry Oaks Trail, were not painted. The county
188 advised Mr. Brougham that those hydrants were behind master meters or backflow protection;
189 therefore, they are in a private system that the HOA is responsible for. Mr. Brougham disagreed
190 and was told that the fire marshal will investigate, as it was believed that, when the fire hydrants
191 were conveyed to the county, it was everything that they previously maintained. Mr. Brougham
192 asked Mr. Cole to comment on whether any Fiddler’s Creek HOA was responsible for fire
193 hydrant maintenance.

194 Mr. Cole confirmed that Fiddler’s Creek has backflow assemblies in a few locations;
195 however, 95% of the hydrants are not behind a backflow assembly. Mr. Brougham voiced his
196 opinion that, since the creation of Fiddler’s Creek, the HOAs had no responsibility for or
197 ownership of any fire hydrants; the county or fire department always flushed, maintained and
198 painted them.

199 Mr. Cole recalled prior streetlight issues on Cherry Oaks Trail and Cherry Oaks Lane,
200 due to lightning, which were repaired. He will check Cherry Oaks Lane for anything needing
201 repair, prior to the District acquiring it.

202

203 **SIXTH ORDER OF BUSINESS**

204

205

206

**Public Hearing to Hear Comments and
Objections on the Adoption of the
District’s Final Budget for Fiscal Year
2015/2016, Pursuant to Florida Law**

207 *****Mr. Brougham opened the Public Hearing.*****

208 **A. Affidavit of Publication**

209 Mr. Adams presented the Affidavit of Publication for today’s Public Hearing.

210 **B. Written Comments from Cherry Oaks Resident, Joseph Vaccaro**

211 Mr. Adams presented the written comments from Mr. Joseph Vaccaro.

212 **C. Consideration of Resolution 2015-7, Relating to the Annual Appropriations and**
 213 **Adopting the Budget for the Fiscal Year Beginning October 1, 2015, and Ending**
 214 **September 30, 2016; Authorizing Budget Amendments; and Providing an Effective**
 215 **Date**

216 Mr. Adams presented Resolution 2015-7 for the Board’s consideration.

217 Mr. Adams recalled that an updated Fiscal Year 2016 budget was distributed on Friday;
 218 the only change was infusion of 36 units in CDD #2, which slightly impacted the cost sharing
 219 distribution between CDD #1 and CDD #2 for access control and the irrigation system.

220 Mr. Adams referred to the “O&M” Assessment Analysis, which was a summary of the
 221 significant changes in expenditures and/or appropriations. He noted the following changes from
 222 Fiscal Year 2015 to Fiscal Year 2016:

- 223 ✓ “Professional and Administrative”: “Legal-litigation” decreased from \$100,000 to
 224 \$50,000

225 Mr. Brougham explained that the litigation costs were related to the District’s
 226 participation in lawsuits against U.S. Bank, as Trustee, due to conflicts. He advised that, if
 227 successful, the District would recoup “stolen” construction bond money taken by U.S. Bank from
 228 the District’s construction bond account.

229 Mr. DiNardo specified that, if the District recovers funds, the developer will “let” the
 230 District take money from the construction fund to pay for the traffic signal.

231 Mr. Brougham indicated that CDD #1 is obligated to fund 50% of the cost for the traffic
 232 signal and, since the District’s construction bond money “disappeared at the hands of U.S.
 233 Bank”, the cost, of approximately \$200,000, must be funded from the District’s “General” fund,
 234 which partially contributed to the decrease in fund balance.

235 Mr. Adams reviewed the following changes from Fiscal Year 2015 to Fiscal Year 2016:

- 236 ✓ “Professional and Administrative”: “Contingencies” increased from \$2,000 to
 237 \$22,000 (Increased due to potential unforeseen expenses, such as the irrigation
 238 mainline break experienced in Fiscal Year 2015.)

- 239 ✓ "Water Management": "Other Contractual" increased from \$398,773 to \$415,896
240 (Increased primarily due to \$20,000 increase for aquatic plant maintenance.)
- 241 ✓ "Water Management": "Fountains" increased from \$47,500 to \$60,000 (Increased
242 due to Fiscal Year 2015 actuals, reflective of aging equipment.)
- 243 ✓ "Landscaping": "Other Contractual" increased from \$935,000 to \$985,000
244 (Increased to address rising maintenance costs, if a new contractor must be hired,
245 as other contractors' bids were higher than LandCare's bid.)
- 246 ✓ "Access Control": "Total Department" decreased from \$567,908 to \$472,095
247 (Decreased due to cost sharing percentage shift between CDD #1 and CDD #2
248 and reduction to capital outlay related to completion of the one-time camera
249 upgrade.)
- 250 ✓ "Roadway Services: "Roadway Maintenance" increased from \$50,000 to
251 \$134,200 (Increased due to increased costs to maintain roadway, sidewalk and
252 signage system, as well as the one-time cost for localized repairs and restriping
253 the roadway.)
- 254 ✓ "Increase to Fund Balance": increased from \$0 to \$195,425 (Increased to provide
255 more appropriate fund balance, which should be 30% to 40% of the annual budget
256 to cover expenses until December, when the first assessment revenues are
257 received, as well as to ensure that funds are available for initial cleanup following
258 a significant storm event and to recover the unexpected Fiscal Year 2015
259 \$278,000 loss of revenue due to loss of the protested assessable units and the
260 \$200,000 unbudgeted portion of the traffic signal.)

261 Mr. Adams indicated that the number of assessable units decreased from 2,213, in Fiscal
262 Year 2015, to 1,987, in Fiscal Year 2016, resulting in the aforementioned revenue loss of
263 approximately \$278,000, which caused a Fiscal Year 2016 on-roll assessment increase of \$144
264 per unit and an off-roll assessment increase of \$139 per unit. He explained that on-roll
265 assessments also increased \$127 and off-roll increased \$111, due to additional appropriations
266 and to build fund balance. Mr. Adams stated that the overall assessment increases would be
267 approximately \$271, for on-roll units and \$250, for off-roll units.

268 Mr. Adams advised that CDD #2 had 36 additional units, which changed the shared cost
269 expenses percentages, and, if the Board approves the proposed budget provided today, the

270 “Excess/(deficiency) of revenues over/(under) expenditures” line item, on Page 3, would
271 increase from \$195,425 to \$201,100.

272 Mr. Brougham recalled the Board’s previous budget discussions and acknowledged that
273 the Board could choose not to budget for unanticipated expenses; however, he preferred to
274 budget sufficient funds in case of emergencies. Mr. Brougham discussed the necessity and
275 benefits of building the fund balance. He noted that, if the District can obtain a line of credit, it
276 would mitigate some of the surplus fund balance required. Mr. Brougham indicated that the
277 District has pursued a line of credit with Iberia Bank since December and was very close to
278 finalizing it; he was confident that the \$500,000 line of credit documents would be provided at
279 the next meeting.

280 Mr. Brougham stated that, if the line of credit is obtained, he would not feel justified in
281 voting for a “tremendous” increase to the fund balance; therefore, when the time comes, he
282 would “make appropriate motions”, as he felt that the District can reduce the assessment increase
283 amount because the line of credit “is almost fact”.

284 Mr. DiNardo was told by contacts at Iberia Bank that the line of credit “will come to
285 fruition”. He explained that a line of credit should not be negotiated with lawyers because the
286 lawyers are fighting over language. Mr. DiNardo voiced his opinion that this matter should have
287 been completed a long time ago. He reiterated his willingness to complete the deal for the
288 District, as the developer has millions deposited in Iberia Bank.

289 Mr. Joseph Badessa, a resident, confirmed that his question regarding the increase to fund
290 balance was answered.

291 Mr. Vaccaro recalled his letter to the Board and Mr. Adams regarding his concerns about
292 the large assessment increase and he and Mr. Brougham exchanged emails about the subject. He
293 voiced his opinion that the line of credit should be the District’s “reserve” and used to pay
294 expenses from October through December, until assessment revenues are received. Mr. Vaccaro
295 recommended that the District perform a “reserve study” of the roads, infrastructure, etc.

296 Mr. Brougham wanted a presentation by Mr. Cole and Mr. Adams, at the October
297 meeting, regarding the experiences of other CDDs with respect to roadway reserves. Mr. Adams
298 stated that he will provide Mr. Brougham with a sample reserve study of roads and infrastructure
299 that he had completed for another CDD.

300 Mr. Slater asked if there were guidelines in the Florida Statutes regarding reserve
301 requirements. Mr. Adams indicated that statutes do not require CDDs to maintain a reserve.

302 Mr. DiNardo discussed the District's ability to issue tax exempt bonds to pay for
303 improvements.

304 Ms. Gretchen Scott, a resident, noted that, "Rentals and leases", under "Access control",
305 on Page 2, included the lease of the trailer at the Sandpiper Gate and asked about plans for a gate
306 house at the Sandpiper Gate. Mr. Brougham indicated that the Board had no idea. Mr. DiNardo
307 advised that the trailer would remain for the foreseeable future, as it is the construction entrance.
308 In response to Ms. Scott's question, Mr. Adams explained that the new construction road begins
309 inside the gates. Ms. Scott referred to "Operating supplies", in the chart, on Page 7, and asked
310 for further explanation of the \$45,000 total and noted that closing 100 to 200 homes per year and
311 charging \$50 per transmitter, equated to \$5,000 to \$10,000 per year and asked why the remainder
312 of the costs in that category, for office supplies, etc. was so high. Mr. Adams replied that the
313 Districts use a lot of paper and office supplies, including new printers and computers at the gate
314 houses, on a regular basis. In response to Ms. Scott's question, Mr. Adams indicated that the
315 \$15,299 "Repairs and maintenance – gatehouse" line item, on Page 2, is related to the structures
316 and gates.

317 *****Mr. Brougham closed the public hearing.*****

318 Ms. Alice Carlson, of AJC Associates, Inc., introduced herself and explained that she
319 prepares the District's lien roll for placement on the tax bills.

320 Mr. Brougham was confident that the District would obtain a \$500,000 line of credit with
321 Iberia Bank so on-roll assessments could be reduced to \$1,500 per unit. He noted the condition
322 on the line of credit that the District maintains \$300,000 on account with Iberia Bank.

323 Discussion ensued regarding what would happen if the District failed to maintain
324 \$300,000 on deposit.

325 Mr. Bergmoser pointed out that some have approached the line of credit as if it was "free
326 money" and asked about the interest rate if the District must draw from the line of credit. It was
327 noted that the interest rate was 4.25%. Mr. Bergmoser did not believe that the District should
328 borrow money from a line of credit and pay 4.25% to cover its operating expenses from October
329 through December. Mr. Bergmoser stressed that a line of credit should be used only in
330 emergencies such as hurricanes, broken pipes, road collapses, sink holes, etc. He indicated that,
331 per a cashflow analysis prepared by Mr. Adams, "We end up January 1, 2016, with about eight
332 or nine days worth of cash to handle any incoming invoices, in my mind, that is not enough.
333 Now, to my thinking, it doesn't make sense for me to reimburse the CDD at 4% when, if I pay

334 my normal assessments, my bank isn't paying me one-tenth of 1% interest, so I am giving up
335 one-tenth of 1% interest paying a higher assessment rather than paying the CDD back so that
336 they can pay Iberia 4% interest.”.

337 Mr. Turner believed that reducing the assessment would not allow the District to build
338 reserves for emergencies but it would still be able to fund the District from October through
339 December, until assessment collections are received. Mr. Brougham confirmed that Mr. Turner's
340 understanding was correct. Mr. Turner indicated that “we built this in to say here is, at the end of
341 the year, after everything is all said and done, we could end up with the projected assessment of
342 maybe \$200,000 in reserves but we still have enough money coming in to pay off bills and, by
343 reducing it from \$1,600 to \$1,500 per unit, we still have the funds to support the operation and
344 then the line of credit could be used to support unforeseen emergencies, with the understanding,
345 yes, we got to pay it back but then there are other avenues we could go, at that time.”. Mr.
346 Brougham agreed with Mr. Turner's understanding. Mr. Adams confirmed Mr. Turner's belief.

347 Mr. Bergmoser asked Mr. Turner what time period he meant in his comment “to cover
348 the expenses”. Mr. Turner stated that the District “has budgeted until...our fiscal budget stops in
349 September and we still don't get any monies, we don't have monies coming in until mid-
350 December.” Mr. Bergmoser stated “January, 2016”. Mr. Turner replied “No, we have monies
351 coming in December of this year.” Mr. Adams clarified “mid to late-December”. Mr.
352 Bergmoser stated “off-roll”. Mr. Brougham stated “on-roll”. Mr. Turner indicated “just tax
353 assessments”. In response to Mr. Bergmoser's question, Mr. Adams confirmed that it was
354 included in his cashflow analysis, in addition to off-roll collections from October, November and
355 December. Mr. Bergmoser voiced his opinion that, even so, “we end up with about nine days of
356 cash on January 1, 2016”. Mr. Turner believed that 70% to 80% of the District's revenues would
357 be received in December; therefore, the District would be flush in January and only needed to
358 ensure that it has sufficient funds to operate in October, November and part of December. Mr.
359 Adams concurred with Mr. Turner's comment, stating “That is correct. That is your gap funding
360 period, the 25%, those three months and, conservatively, having all three months, by the mid to
361 late part of December though, we are traditionally getting that first flush of cash; most everyone
362 waits until that last week of November to pay their property tax bill and get the full 4%
363 discount”.

364 Mr. Turner expressed his belief that the process of increasing assessments, at the last
365 meeting, was to build additional reserves and build it over the years because the District did not

366 have a line of credit, at the time. He voiced his opinion that a \$250,000 reserve would not help if
367 there was a great catastrophe or hurricane. Mr. Turner stated that the District still had “a little
368 buffer” built in and would have enough reserves to support the District’s operating expenses
369 during the first quarter of Fiscal Year 2016. He felt that everyone was confused because the
370 District has a fiscal year budget but “everything looks calendar” year.

371 Mr. Bergmoser asked if the budget adoption could be subject to final approval of the line
372 of credit. Mr. Brougham replied “No.”. Mr. Adams explained that the budget must be adopted
373 today, as the lien roll must be finalized and submitted to the tax collector.

374

On MOTION by Mr. Brougham and seconded by Mr. Turner, with Mr. Brougham, Mr. Turner, and Mr. Slater in favor and Mr. Bergmoser and Mr. Peterson dissenting, Resolution 2015-7, Relating to the Annual Appropriations and Adopting the Budget for the Fiscal Year Beginning October 1, 2015, and Ending September 30, 2016; Authorizing Budget Amendments; and Providing an Effective Date, as amended to a Fiscal Year 2016 “on-roll” assessment of \$1,500, per unit, and “off-roll” assessment of \$1,357.50 per unit, reducing the Fiscal Year 2016 total appropriations to \$2,837,814, resulting in an adjusted increase to the fund balance from \$195,425 to \$17,300 and the projected ending fund balance to decrease from \$846,590 to \$668,465, was adopted. (Motion passed 3-2)

388
389
390 **SEVENTH ORDER OF BUSINESS**

Public Hearing to Hear Comments and Objections on the Imposition of Special Assessment to Fund the Budget for Fiscal Year 2015/2016, Pursuant to Florida Law

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392
393
394
395 **A. Mailed Notice(s) to Property Owners**

396 This item was provided for informational purposes.

397 **B. Consideration of Resolution 2015-8, Imposing Special Assessments and Certifying**
398 **an Assessment Roll; Providing a Severability Clause; and Providing an Effective**
399 **Date**

400 *****Mr. Brougham opened the Public Hearing.*****

401 Mr. Brougham presented Resolution 2015-8 for the Board’s consideration.

402 Mr. Adams explained that Resolution 2015-8 takes into consideration the adopted Fiscal
403 Year 2016 budget and the assessment levels within the budget, directs Staff to finalize the lien
404 roll and to submit the lien roll to the tax collector for collection of on-roll assessments. The

405 resolution further directs the District to direct-bill the off-roll bond assessments to the major
406 landowner, based on a set schedule of 50% by October 25, 2015 and 50% by April 25, 2016 and
407 direct-bill and collect the off-roll O&M assessments monthly.

408 Ms. Allison Yang, a resident, noted that she was new to the community and questioned
409 how the budget could be reviewed, since it was received a half hour ago. Mr. Brougham pointed
410 out that the proposed budget was posted on the CDD website last Friday. Ms. Yang suggested
411 emailing residents. Mr. Pires advised that the District is not obligated to email it. Mr. Adams
412 provided the website address. Mr. DiNardo indicated that The Foundation would send an e-
413 blast, if the District provided the budget.

414 *****Mr. Brougham closed the Public Hearing.*****

415
416 **On MOTION by Mr. Brougham and seconded by Mr.**
417 **Peterson, with all in favor, Resolution 2015-8, Imposing Special**
418 **Assessments and Certifying an Assessment Roll; Providing a**
419 **Severability Clause; and Providing an Effective Date, was**
420 **adopted.**

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422
423 **EIGHTH ORDER OF BUSINESS**

Consideration of Resolution 2015-9,
Adopting the Annual Meeting Schedule
for Fiscal Year 2015/2016

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425
426
427 Mr. Brougham presented Resolution 2015-9 for the Board's consideration.

428
429 **On MOTION by Mr. Brougham and seconded by Mr.**
430 **Bergmoser, with all in favor, Resolution 2015-9, Adopting the**
431 **Annual Meeting Schedule for Fiscal Year 2015/2016 and**
432 **authorizing Staff to advertise, accordingly, was adopted.**

433
434
435 **NINTH ORDER OF BUSINESS**

Consideration of Assessment Protest
Settlement Agreement

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437
438
439 Mr. Brougham presented the Settlement Agreement. Mr. Adams confirmed that the
440 agreement was reviewed by the District's outside counsel, as Mr. Pires cannot comment on it,
441 due to a conflict of interest.

442 Mr. Brougham indicated that the agreement agrees to certain terms and conditions,
443 including:

- 444 1. *Accept assessment of commercial parcel at 75 ERUs, going forward*
- 445 2. *Accept future commercial access to Fiddler’s Creek and proposed plan for*
- 446 *commercial frontage on State Road 951*
- 447 3. *Accept ownership and obligation to maintain portion of Cherry Oaks Lane*
- 448 4. *Agree to areas of change in district boundaries*

449 Mr. Adams pointed out that the area in Item 4 is not encumbered by any bond issues. Mr.
 450 Brougham indicated that the boundary change would decrease CDD #1’s acreage by about 50
 451 acres, it would not impact assessments and would obligate the District to apply for the boundary
 452 change.

453 Mr. DiNardo commented that the developer would pay all costs involved with the
 454 boundary change.

On MOTION by Mr. Brougham and seconded by Mr. Bergmoser, with all in favor the Assessment Protest Settlement Agreement was approved.

TENTH ORDER OF BUSINESS

Consideration of Line of Credit Documents with Iberia Bank *(to be provided under separate cover)*

461 Mr. Brougham indicated that Mr. Pires will review the documents and they will be
 462 considered at the next meeting.

ELEVENTH OFDER OF BUSINESS

Update: SR 951 Traffic Signal Installation

471 Mr. Cole presented Draw #97 for approximately \$12,000, for the Series 2005 A/B bonds,
 472 for work related to the traffic signal.

473 Mr. Brougham questioned how long the foundation must cure. Mr. Cole stated that it
 474 must cure for about one week, which had passed, and the concrete strength breaks showed that it
 475 met criteria.

476 Mr. DiNardo asked if CDD #2 reimbursed CDD #1 for any costs, yet. Mr. Adams
 477 indicated that CDD #2 paid a small amount. Mr. DiNardo suggested that CDD #2 be encouraged
 478 to pay more, as CDD #1 is “tight on cash”.

480 **TWELFTH ORDER OF BUSINESS**

Approval of July 22, 2015 Regular Meeting Minutes

481
482

483 Mr. Brougham presented the July 22, 2015 Regular Meeting Minutes and asked for any
484 additions, deletions or corrections.

485 Lines 78, 83, 85, 87, 88 and 155: Change “Swanson” to “Cook”

486 Line 452: Change “Peterson” to “Slater”

487

On MOTION by Mr. Brougham and seconded by Mr. Bergmoser, with all in favor, the July 22, 2015 Regular Meeting Minutes, as amended, were approved.

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493 **THIRTEENTH ORDER OF BUSINESS**

Action Items

494
495

This item was presented for informational purposes.

496

497 **FOURTEENTH ORDER OF BUSINESS**

Other Business

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499

There being no other business, the next item followed.

500

501 **FIFTEENTH ORDER OF BUSINESS**

Staff Reports

502
503

A. District Counsel

504 Mr. Pires indicated that Mr. Brougham was served with a subpoena in the Fiddler’s Creek
505 LLC versus Naples Lending litigation and objections will be filed.

506 **B. District Manager**

507 Mr. Brougham asked Mr. Adams if he contacted “Tim” regarding a reduction to the
508 service contract. Mr. Adams replied “we are playing some phone tag right now while he
509 determines what it is he can do”.

i. Approval of Unaudited Financial Statements as of July 31, 2015

511 Mr. Brougham presented the Unaudited Financial Statements as of July 31, 2015.

512 Mr. Brougham pointed out that “Engineering” costs were \$9,800 for July. Mr. Adams
513 believed that the majority of the cost was review and analysis of the roads to prepare the
514 documents for the contractor to provide pricing for the road project, along with oversight of the
515 lake bank erosion repair project.

516 ii. **NEXT MEETING DATE: September 23, 2015 at 8:00 A.M.**

517 The next meeting will be on September 23, 2015 at 8:00 a.m.

518 **C. Operations Manager**

519 Ms. Crismond presented the Operations Report. She was advised by the electrical
520 contractor that there were numerous lightning strikes, which caused power outages; the
521 contractor is on site, weekly, making repairs.

522 Mr. Brougham recalled that, on April 30, 2015, it was reported that the top of the street
523 lamp, at 7666 Mulberry, was on the ground and, since then, it was stolen and the streetlight still
524 does not work because there is no top. Ms. Crismond acknowledged that it has been a long time.
525 Mr. Brougham directed Ms. Crismond to have it repaired by next week.

526 Ms. Crismond indicated that bulrush removal was delayed because it was so wet. Mr.
527 Bergmoser asked if the \$6,500 cost included replacement vegetation. Ms. Crismond advised that
528 it was only to remove bulrush.

529 Ms. Crismond will tour with LandCare, on Tuesday, and email her observations. The
530 Mulberry landscape project was completed.

531 Regarding Fiddler's Creek Parkway, Ms. Crismond reported that the Design Review
532 Committee (DRC) granted approval to replace Xanadu with dwarf firebush.

533

534 **On MOTION by Mr. Brougham and seconded by Mr.**
535 **Bergmoser, with all in favor, the GulfScapes Landscape**
536 **Management Services proposal to install dwarf firebush, was**
537 **approved.**

538

539

540 Ms. Crismond recalled that LandCare prunes trees up to 14' and 8' over sidewalks; she
541 will review the pruning on Tuesday, during her tour with LandCare. She noted that the District
542 has an annual contract with The Davey Tree Expert Company (Davey) to perform major hard
543 pruning and crown reduction. Ms. Crismond stated that the park bench paver repair project was
544 scheduled for tomorrow.

545 Ms. Crismond was awaiting a proposal from the pressure cleaning contractor; all
546 specifications were provided to the contractor. Mr. Brougham mentioned "greening walks" in
547 the shaded area, on the north side, between Peppertree and the Main Gate. In response to a
548 question, Ms. Crismond confirmed that the District was still on the contractor's schedule.

549 Ms. Crismond reported that the Sandpiper Bridge project would commence today.

550 **SIXTEENTH ORDER OF BUSINESS** **Supervisors' Requests**

551

552 Regarding the ponds, Mr. Slater asked Mr. Cole how far from the water line is owned by
553 the District. Mr. Cole indicated that the maintenance easement is 20'. Mr. Slater noted that, in
554 Bent Creek, a tree behind 8516 fell in the water and a tree at 8520 will fall and recommended
555 that it be removed, if it is a CDD tree. Mr. Slater wanted a replacement tree for the one that fell.
556 Mr. Cole will evaluate the trees.

557

558 **SEVENTEENTH ORDER OF BUSINESS** **Adjournment**

559

560 There being no further business to discuss, the meeting adjourned.

561

562 **On MOTION by Mr. Brougham and seconded by Mr.**
563 **Bergmoser, with all in favor, the meeting adjourned at**
564 **approximately 9:42 a.m.**

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[SIGNATURES APPEAR ON THE FOLLOWING PAGE]

DRAFT

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581 _____
Secretary/Assistant Secretary

Chair/Vice Chair

DRAFT

ACTIVE ACTION ITEMS

Action Item status updates to be provided prior to or at the meeting.

DATE ADDED

1. **12/11/13** Per Mr. Brougham's direction, Mr. Cole, Mr. Pires and Ms. Crismond are responsible for providing Mr. Adams with a status update of their items, so Mr. Adams can update the "Action Items" list. **STATUS: ONGOING**
2. **12/11/13** Going forward, Mr. Adams to ensure that information is disseminated to all Board Members, not just Mr. Brougham. **STATUS: ONGOING**
3. **09/24/14** Per Mr. Brougham's direction, Mr. Cole to ensure he received and that all invoices were paid prior to closing out the signal installation project, including legal, engineering, design contracting and procurement. **STATUS: ONGOING**
4. **11/19/14** Per Mr. Brougham, Staff to communicate anything of major importance to residents, such as about the tree removal referenced by Ms. Robertson, so that residents are aware of what will occur. **STATUS: ONGOING**
5. **02/25/15** Per Mr. Brougham's instructions, Mr. Cole is to email Management of any significant events or delays related to the traffic signal installation project; Management to disseminate the information to the Board. **STATUS: ONGOING**
6. **02/25/15** Per Mr. Brougham, Mr. Adams to remind Mr. Reyes and Ms. Robinson to provide Management with an update if anything significant occurs in the litigation. **STATUS: ONGOING**
7. **05/27/15** Mr. Turner asked to tour the community with Ms. Crismond. **STATUS: ONGOING**
8. **06/24/15** Per Mr. Brougham, Ms. Crismond to include an informational item in the Operations Report, if an "out-of-the-ordinary" project was completed. **STATUS: ONGOING**
9. **06/24/15** Regarding the cashflow analysis presented by Mr. Adams and Mr. Brougham's opinion that a cash position of \$40,000 at the end of the calendar year was too tight, Mr. Brougham directed Management pay close attention, in the fall, to which expenses must actually be paid and which could be delayed. **STATUS: ONGOING**
10. **06/24/15** Mr. Adams to update the cashflow analysis monthly. **STATUS: ONGOING**
11. **07/22/15** Mr. Brougham directed LandCare to identify areas of concern, relay the information and recommendations to Ms. Crismond and for Ms. Crismond to present it to the Board for consideration. **STATUS: ONGOING**

ACTIVE ACTION ITEMS

Action Item status updates to be provided prior to or at the meeting.

DATE ADDED

12. 08/26/15 Mr. Cole will work with Mr. Charbonneau to find another location for items related to work on the lake, which were stored on Club Center Boulevard and advise the contractor to clean the area up. **STATUS: COMPLETED** *(subsequent to 08/26/15 meeting)*
13. 08/26/15 Mr. Brougham directed Ms. Crismond, Mr. Cole and Mr. Charbonneau to develop a notification process for residents when future projects arise. **STATUS: COMPLETED** *(subsequent to 08/26/15 meeting)*
14. 08/26/15 Mr. Brougham directed Ms. Crismond to resolve the tree issues on Cherry Oaks Lane, Montreux and throughout Fiddler's Creek, meet with Mr. Benedetti regarding the tree issues and for her to "take care of everything". **STATUS: COMPLETED** *(subsequent to 08/26/15 meeting)*
15. 08/26/15 Mr. Brougham directed Staff to send a letter to Landcare advising that crew members must slow down when driving through the community, be aware of all exits, pedestrian crossings, and to not sleep on the sidewalks during lunch breaks. **STATUS: COMPLETED** *(subsequent to 08/26/15 meeting)*
16. 08/26/15 Mr. Cole recalled prior streetlight issues on Cherry Oaks Trail and Cherry Oaks Lane, due to lightning, which were repaired. He will check Cherry Oaks Lane for anything needing repair, prior to the District acquiring it. **STATUS: COMPLETED** *(subsequent to 08/26/15 meeting)*
17. 08/26/15 Mr. Brougham wanted a presentation by Mr. Cole and Mr. Adams, at the October meeting, regarding the experiences of other CDDs with respect to roadway reserves. Mr. Adams will provide the Board with a sample reserve study of roads and infrastructure that he completed for another CDD. **STATUS: ONGOING** *(subsequent to 08/26/15 meeting)*
18. 08/26/15 Mr. Brougham recalled that, on April 30, 2015, it was reported that the top of the street lamp, at 7666 Mulberry, was on the ground and, since then, it was stolen and the street light still does not work because there is no top. Mr. Brougham directed Ms. Crismond to have it repaired by next week. **STATUS: COMPLETED** *(subsequent to 08/26/15 meeting)*
19. 08/26/15 Mr. Cole will evaluate the trees in Bent Creek, as a tree behind 8516 fell in the water and a tree at 8520 will fall. **STATUS: COMPLETED** *(subsequent to 08/26/15 meeting)*

COMPLETED ACTION ITEMS

MOVED TO COMPLETED

1. **07/22/15** On the proposed Fiscal Year 2016 budget, Mr. Adams to update “Contractual services”, on Page 2, under “Access control”, to include an additional guard at the main gate, four hours per day, five days per week, in season. **STATUS: COMPLETED**
2. **07/22/15** On the proposed Fiscal Year 2016 budget Mr. Adams to reduce “Total roadway services” to \$130,000 and add \$20,000 to a “Contingency” line item. **STATUS: COMPLETED**
3. **07/22/15** Mr. Bergmoser’s recommendation, Ms. Crismond to contact various individuals to obtain information about entities that recently purchased the same type of cleaning machine that The Foundation will purchase and request bids from those companies. **STATUS: COMPLETED**
4. **07/22/15** Per Mr. Brougham’s direction, Management to revise the proposed budget and disseminate it to the Board, prior to the July meeting. **STATUS: COMPLETED**
5. **07/22/15** Regarding the reduction in the number of developer commercial property ERUs, Mr. Adams to contact Bush Ross, Attorneys at Law, who gave the original opinion, to advise the District on the matter, since Mr. Pires cannot. **STATUS: COMPLETED**
6. **07/22/15** Per the Board’s direction, Ms. Crismond to determine the areas where bulrush removal was necessary due to drainage issues and obtain quotes to perform the work in phases. **STATUS: COMPLETED**
7. **07/22/15** Per the Board’s direction, Staff to proceed with bulrush removal, as specified by Mr. Brougham. **STATUS: COMPLETED**
8. **07/22/15** Regarding the four spears at US 951 and Fiddler’s Creek Parkway and cleaning and repainting the columns and lattice, the Board directed Ms. Crismond to proceed with only the stucco at the bottom. **STATUS: COMPLETED**
9. **07/22/15** Ms. Crismond will obtain one more proposal to paint the Sandpiper Bridge. **STATUS: COMPLETED**
10. **07/22/15** Regarding the reduction in the ERU number for the developer commercial properties, Mr. Adams to present an agreement at the July meeting. **STATUS: COMPLETED**
11. **07/22/15** Mr. Cole will coordinate with Ms. Crismond for installation of a root barrier in areas with potholes and where roots damaged the roadway. **STATUS: COMPLETED**

COMPLETED ACTION ITEMS

MOVED TO COMPLETED

12. 07/22/15 Ms. Crismond to provide more information on the park bench paver repairs next month; she had not obtained quotes yet. **STATUS: COMPLETED**
13. 07/22/15 Mr. Brougham directed LandCare to prepare a report related to the Board's concerns, what would be done to address those concerns, make recommendations and provide the requested report to Management within ten days. **STATUS: COMPLETED**
14. 08/26/15 Mr. Cole to verify with state and county whether landscaping could be installed around the traffic signal control box, as it is within the state's right-of-way. **STATUS: COMPLETED**
15. 08/26/15 Regarding the restriping and minor paving repair project, Mr. Cole to verify with the contractor that the additional areas were included in the proposal and obtain an adjusted proposal. **STATUS: COMPLETED**
16. 08/26/15 Mr. Brougham directed Management to include a discussion item regarding landscaping on the next agenda. **STATUS: COMPLETED**
17. 08/26/15 Per Mr. Adams' suggestion, Ms. Crismond will copy the Board on her emails to LandCare. **STATUS: COMPLETED**
18. 08/26/15 Mr. Jones will provide the updated design moving the traffic signal pole 30' north. **STATUS: COMPLETED**
19. 08/26/15 Related to the prior hole collapses for the new traffic signal pole, if the new location collapses, Mr. Jones will consult with the contractor's design engineer and, if the issue was repetitive, a steel casing could be installed within the hole to maintain it. **STATUS: COMPLETED**
20. 08/26/15 Per Mr. Brougham's request, Mr. Jones or Mr. Cole will research if a backhoe digging south of the main entrance on the east side of SR 951 was related to the traffic signal installation. **STATUS: COMPLETED**
21. 08/26/15 Per the Board's direction, Mr. Adams to discuss reimbursement of the trustee transition costs with Mr. DiNardo, as previously promised and the reimbursement of those costs was separate from the ERU matter. **STATUS: COMPLETED**
22. 08/26/15 **SECOND REQUEST-Originally requested 03/25/15** Mr. Brougham directed Mr. Adams to specifically ask TEM for a reduction to the annual service fee amount and inform the Board of TEM's formal response. **STATUS: COMPLETED**

COMPLETED ACTION ITEMS

**MOVED
TO
COMPLETED**

- 23. 08/26/15** Mr. Brougham directed Ms. Crismond to seek alternatives to installation of bougainvillea in the center median. **STATUS: COMPLETED**
- 24. 08/26/15** The Board directed Ms. Crismond to proceed with repainting the stucco columns of the Sandpiper Bridge, despite the line item already being over budget. **STATUS: COMPLETED**