

FIDDLER'S CREEK

COMMUNITY DEVELOPMENT

DISTRICT #1

July 28, 2021

BOARD OF SUPERVISORS

REGULAR MEETING

AGENDA

Fiddler's Creek Community Development District #1

OFFICE OF THE DISTRICT MANAGER

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

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

July 21, 2021

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

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

Dear Board Members:

The Board of Supervisors of the Fiddler's Creek Community Development District #1 will hold a Regular Meeting on July 28, 2021 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. Quality Control Lake Report – July, 2021: *SOLitude Lake Management*
4. Health, Safety and Environment Report
5. Developer's Report
6. Engineer's Report: *Hole Montes, Inc.*
7. Continued Discussion: Fiscal Year 2022 Proposed Budget
8. Update: Status of Disaster, Strategies & Ideas Group, LLC (DSI) FEMA Appeal for Hurricane Irma Recovery
9. Acceptance of Unaudited Financial Statements as of June 30, 2021
10. Approval of June 23, 2021 Regular Meeting Minutes
11. Action/Agenda or Completed Items
12. Staff Reports
 - A. District Counsel: *Woodward, Pires and Lombardo, P.A.*

- Discussion: Memorandum Regarding Chapter 2021-194, Laws of Florida [2021 Legislation; CS/CS/CS/HB 53]; Requirements to Prepare and Submit: 1. Wastewater Management Needs Analysis; and 2. Stormwater Management Needs Analysis

B. District Manager: *Wrathell, Hunt and Associates, LLC*

- NEXT MEETING DATE: August 25, 2021 at 8:00 A.M. {Adoption of FY 2022 Budget}

○ QUORUM CHECK


Joseph Badessa	<input type="checkbox"/>	IN PERSON	<input type="checkbox"/>	PHONE	<input type="checkbox"/>	NO
Torben Christensen	<input type="checkbox"/>	IN PERSON	<input type="checkbox"/>	PHONE	<input type="checkbox"/>	NO
Joseph Schmitt	<input type="checkbox"/>	IN PERSON	<input type="checkbox"/>	PHONE	<input type="checkbox"/>	NO
Robert Slater	<input type="checkbox"/>	IN PERSON	<input type="checkbox"/>	PHONE	<input type="checkbox"/>	NO
Phillip Brougham	<input type="checkbox"/>	IN PERSON	<input type="checkbox"/>	PHONE	<input type="checkbox"/>	NO

C. Operations Manager: *Wrathell, Hunt and Associates, LLC*

13. Supervisors' Requests
14. Public Comments
15. Adjournment

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

Sincerely,


 Chesley E. Adams, Jr.
 District Manager

<p>FOR BOARD MEMBERS AND STAFF TO ATTEND BY TELEPHONE CALL IN NUMBER: 1-888-354-0094 CONFERENCE ID: 8593810#</p>

FIDDLER'S CREEK
COMMUNITY DEVELOPMENT DISTRICT
#1

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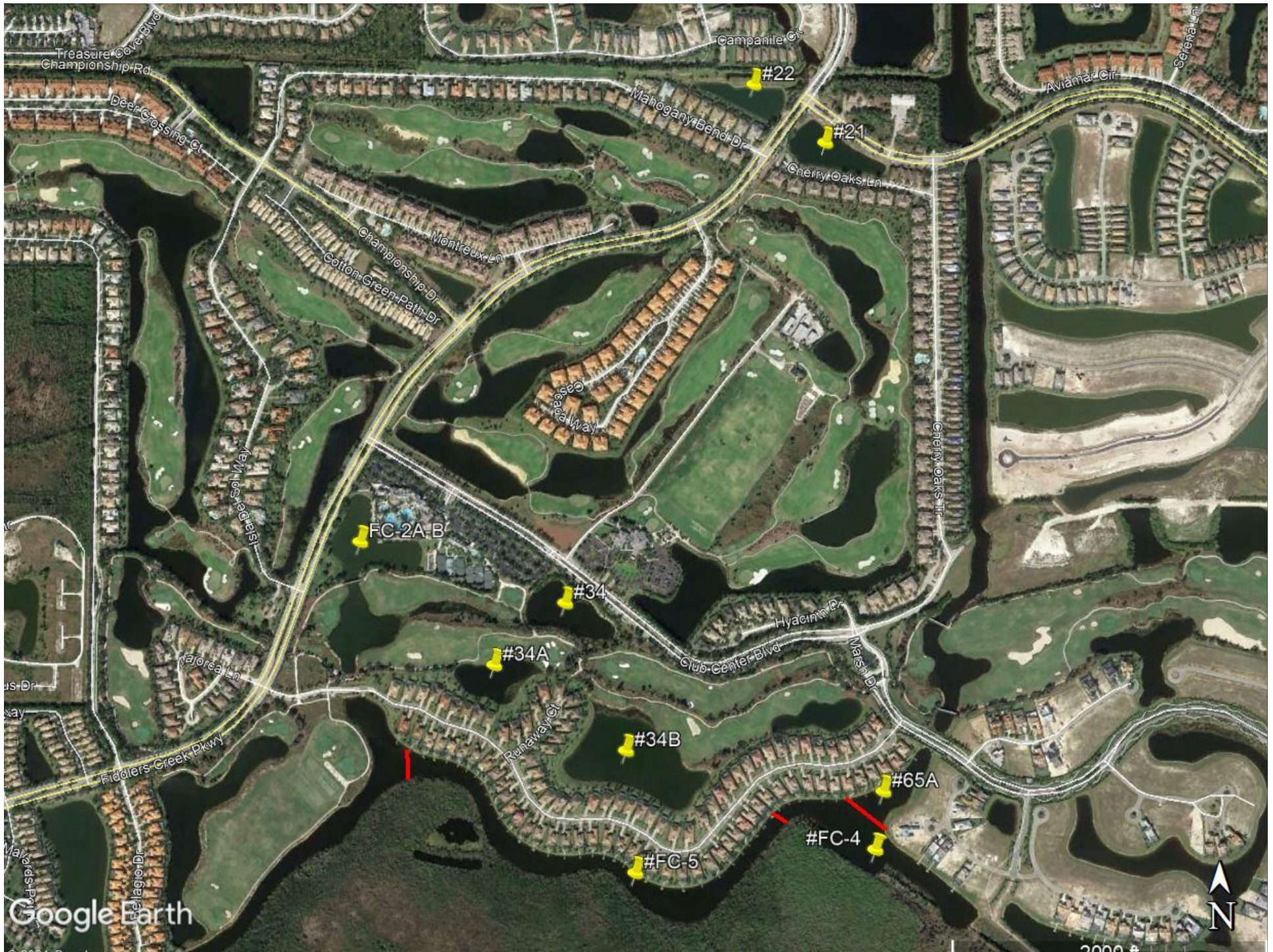
FIDDLER'S CREEK CDD #1
Quality Control Lake Report

#	Inspection Date	Action Items Observed	*Treatment Date	*Target
Group B				
15	4/5/2021			
16	4/5/2021			
17	4/5/2021			
18	4/5/2021			
21	4/5/2021	Tg in littoral shelf	7/15/2021	Tg
22	4/5/2021	Tg along shoreline	7/15/2021	Tg
30	4/5/2021			
34	4/5/2021	Tg and Vi along shoreline mostly along cart path	7/8/2021	Tg, and Vi
34A	4/5/2021	Tg and Vi	7/8/2021	Tg, and Vi
34B	4/5/2021	Tg and Vi	7/8/2021	Tg, and Vi
35	4/5/2021			
FC-2 (A/B)	4/5/2021	CFH	7/8/2021	CFH, Tg, and Vi
FC-4	4/5/2021	CFH, minimal Tg and brush	7/15/2021	CFH
FC-5	4/5/2021	Pi	7/15/2021	Pi
65-A	4/5/2021	Pi	7/15/2021	Pi

* Treatment dates and targets are susceptible to change due to site conditions: wind, rain, flooding etc.

Abbreviation Key									
Alligator Weed	Aw	Chara	Ch	Illinois Pondweed	Pi	Southern Naiad	Ns	Water Hyacinth	Wh
Bottom Algae	Ba	Crested Floating Heart	CFH	Pennywort	Pw	Surface Algae	SFA	Water Lettuce	WL
Bulrush	Bul	Duckweed	Dw	Primrose	Pr	Torpedograss	Tg		
Cattails	Ct	Hydrilla	H	Planktonic Algae	Pa	Vines	Vi		

FIDDLER'S CREEK CDD #1 Quality Control Lake Report



FIDDLER'S CREEK CDD #1
Quality Control Lake Report

#	Re-Evaluation	Action Items Observed	Completed
Group A			
1	July 2021	Spot treat Tg, Ct, and Orchid seedlings. Are mangroves acceptable on second visit seedlings were noted.	Retreated on 7/15/2021
3	July 2021	Treat gulf spikerush for Tg	Yes
4	July 2021	Reduction in Tg and CFH, a few patches of CFH still remain	Previously observed growth was treated, but new growth was noted and was treated 7/15/2021
5	July 2021	Treat Tg in littorals	Retreated on 7/15/2021
7	July 2021	Spot treat Tg	Retreated on 7/15/2021
8	July 2021	Spot treat Tg in littorals, and Slender Spikerush on dry bank. Monitor and treat as needed for chara, and Ns.	Retreated on 7/15/2021
95	July 2021	Treat Tg in S littoral shelf	Retreated on 7/15/2021

* This portion will be completed the month following the initial inspection when the action items were previously identified to ensure compliance*

FIDDLER'S CREEK CDD #1 Quality Control Lake Report



FIDDLER'S CREEK
COMMUNITY DEVELOPMENT DISTRICT
#1

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**FIDDLER'S CREEK
COMMUNITY DEVELOPMENT DISTRICT #1
PROPOSED BUDGET
FISCAL YEAR 2022**

**FIDDLER'S CREEK
COMMUNITY DEVELOPMENT DISTRICT #1
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**FIDDLER'S CREEK
COMMUNITY DEVELOPMENT DISTRICT #1
GENERAL FUND 001 BUDGET
FISCAL YEAR 2022**

	Fiscal Year 2021				Proposed Budget FY 2022
	Adopted Budget FY 2021	Actual through 3/31/21	Projected through 9/30/21	Total Actual & Projected	
REVENUES					
Assessment levy: on-roll - gross	\$ 2,194,559				\$ 2,550,398
Allowable discounts (4%)	(87,782)				(102,016)
Assessment levy: on-roll - net	2,106,777	\$ 1,902,042	\$ 204,735	\$ 2,106,777	2,448,382
Assessment levy: off-roll	324,154	162,077	162,077	324,154	376,714
Interest	2,200	420	1,780	2,200	2,200
Miscellaneous	15,000	-	15,000	15,000	-
Total revenues	<u>2,448,131</u>	<u>2,064,539</u>	<u>383,592</u>	<u>2,448,131</u>	<u>2,827,296</u>
EXPENDITURES					
Professional and administrative					
Supervisors	12,918	6,459	6,459	12,918	12,918
Management	60,525	30,263	30,262	60,525	60,525
Assessment roll preparation	25,490	23,990	-	23,990	25,490
Accounting services	19,764	9,882	9,882	19,764	19,764
Audit	15,400	7,650	7,750	15,400	15,400
Legal	25,000	731	24,269	25,000	25,000
Engineering	30,000	26,886	20,000	46,886	50,000
Telephone	783	392	391	783	810
Postage	2,300	928	1,372	2,300	2,300
Insurance	22,147	29,073	-	29,073	30,000
Printing and binding	659	330	329	659	659
Legal advertising	2,000	1,155	845	2,000	2,000
Office supplies and expenses	750	-	750	750	750
Annual district filing fee	175	175	-	175	175
Trustee	15,500	-	15,500	15,500	15,500
Arbitrage rebate calculation	4,000	-	4,000	4,000	4,000
Contingencies	4,000	1,827	2,173	4,000	4,000
Website/ADA	840	210	710	920	920
Dissemination agent	11,828	5,914	5,914	11,828	11,828
Total professional and administrative	<u>254,079</u>	<u>145,865</u>	<u>130,606</u>	<u>276,471</u>	<u>282,039</u>
Field management					
Field management services	26,237	13,118	13,119	26,237	26,237
Total field management	<u>26,237</u>	<u>13,118</u>	<u>13,119</u>	<u>26,237</u>	<u>26,237</u>
Water management					
Other contractual	407,506	208,068	199,438	407,506	267,506
Fountains	60,000	35,328	30,000	65,328	65,000
Total water management	<u>467,506</u>	<u>243,396</u>	<u>229,438</u>	<u>472,834</u>	<u>332,506</u>

**FIDDLER'S CREEK
COMMUNITY DEVELOPMENT DISTRICT #1
GENERAL FUND 001 BUDGET
FISCAL YEAR 2022**

	Fiscal Year 2021			Proposed Budget FY 2022
	Adopted Budget FY 2021	Actual through 3/31/21	Projected through 9/30/21	
Street lighting				
Contractual services	15,000	2,652	12,348	15,000
Electricity	38,000	10,611	15,000	28,000
Holiday lighting program	15,000	14,900	-	16,500
Miscellaneous	1,500	-	750	1,500
Total street lighting	<u>69,500</u>	<u>28,163</u>	<u>28,098</u>	<u>61,000</u>
Landscaping				
Other contractual - landscape maint.	895,000	361,666	533,334	895,000
Other contractual - flowers	52,000	32,813	19,187	52,000
Other contractual - mosquito control	24,000	10,719	20,000	40,000
Improvements and renovations	125,000	11,568	113,432	125,000
Contingencies	15,000	-	7,500	15,000
Total landscaping services	<u>1,111,000</u>	<u>416,766</u>	<u>693,453</u>	<u>1,127,000</u>
Roadway services				
Roadway maintenance	75,000	43,450	40,000	85,000
Capital outlay	150,000	83,227	66,773	400,000
Total roadway services	<u>225,000</u>	<u>126,677</u>	<u>106,773</u>	<u>485,000</u>
Irrigation supply				
Electricity	750	208	542	750
Repairs and maintenance	5,000	17,548	-	5,000
Other Contractual- Water Manager	50,000	-	50,000	50,000
Supply system	162,250	81,067	81,183	368,500
Total irrigation supply services	<u>218,000</u>	<u>98,823</u>	<u>131,725</u>	<u>424,250</u>

**FIDDLER'S CREEK
COMMUNITY DEVELOPMENT DISTRICT #1
GENERAL FUND 001 BUDGET
FISCAL YEAR 2022**

	Fiscal Year 2021			Proposed Budget FY 2022
	Adopted Budget FY 2021	Actual through 3/31/21	Projected through 9/30/21	
Other fees and charges				
Property appraiser	32,918	-	32,918	38,256
Tax collector	43,891	30,073	13,818	51,008
Total fees and charges	<u>76,809</u>	<u>30,073</u>	<u>46,736</u>	<u>89,264</u>
Total expenditures	<u>2,448,131</u>	<u>1,102,881</u>	<u>1,379,948</u>	<u>2,432,829</u>
Excess/(deficiency) of revenues over/(under) expenditures	-	961,658	(996,356)	15,302
OTHER FINANCING SOURCES/(USES)				
Transfers in*	-	-	116,141	116,141
Total other financing sources/(uses)	<u>-</u>	<u>-</u>	<u>116,141</u>	<u>116,141</u>
Net change in fund balances	-	961,658	(880,215)	131,443
Fund balance - beginning (unaudited)	1,349,974	1,694,347	2,656,005	1,825,790
Fund balance - ending (projected)	<u>\$1,349,974</u>	<u>\$ 2,656,005</u>	<u>\$ 1,775,790</u>	<u>\$ 1,825,790</u>

*This is the residual fund balance from the series 2013-1 bonds (refunded series 1999 A/B).

	Assessment Summary			Total Revenue
	ERU's	FY 2021 Assessment	FY 2022 Assessment	
On-roll: other	1,622	1,332.46	1,548.51	2,511,685
On-roll: Developer	25	1,332.46	1,548.51	38,713
Off-roll	<u>263</u>	<u>1,232.52</u>	<u>1,432.37</u>	<u>376,714</u>
	1,910			

**FIDDLER'S CREEK
COMMUNITY DEVELOPMENT DISTRICT #1
DEFINITIONS OF GENERAL FUND 001 EXPENDITURES**

EXPENDITURES

Professional and administrative

Supervisors	\$ 12,918
Statutorily set at \$200 (plus applicable taxes) for each meeting of the Board of Supervisors not to exceed \$4,800 for each fiscal year. The District anticipates meeting 12 times during the fiscal year.	
Management	60,525
Wrathell, Hunt and Associates, LLC , specializes in managing community development districts in the State of Florida by combining the knowledge, skills and experiences of a team of professionals to ensure compliance with all governmental requirements of the District, develop financing programs, administer the issuance of tax exempt bond financings, and finally operate and maintain the assets of the community.	
Assessment roll preparation	25,490
Includes preparing, maintaining and transmitting the annual lien roll with annual special assessment amounts for capital and operating and maintenance assessments. Pursuant to an agreement with the District, AJC Associates, Inc., currently provides this service.	
Accounting services	19,764
Consists of budget preparation and reporting, cash management, revenue reporting and accounts payable functions.	
Audit	15,400
The District is required to annually undertake an independent examination of its books, records and accounting procedures. This audit is conducted pursuant to Florida State Law and the Rules of the Auditor General.	
Legal	25,000
Woodward, Pires & Lombardo, P.A., provides on-going general counsel and legal representation. These lawyers are confronted with issues relating to public finance, public bidding, rulemaking, open meetings, public records, real property dedications and conveyance and contracts. In this capacity, we provide service as "Local government lawyers," realizing that this type of local government is very limited in its scope - providing infrastructure and services to development.	
Engineering	50,000
Hole Montes, Inc., provides a broad array of engineering, consulting and construction services to the District, which assists in crafting solutions with sustainability for the long term interests of the Community - recognizing the needs of government, the environment and maintenance of the District's facilities.	
Telephone	810
Telephone and fax machine.	
Postage	2,300
Mailing of agenda packages, overnight deliveries, correspondence, etc.	
Insurance	30,000
The District carries public officials liability and general liability insurance. The limit of liability for this coverage is set at \$1,000,000 for general liability (\$5,000,000 general aggregate) and \$5,000,000 for public officials liability limit.	
Printing and binding	659
Letterhead, envelopes, copies, etc.	
Legal advertising	2,000
The District advertises in a local newspaper for monthly meetings, special meetings, public hearings, bidding, etc. Based on prior year's experience.	

**FIDDLER'S CREEK
COMMUNITY DEVELOPMENT DISTRICT #1
DEFINITIONS OF GENERAL FUND 001 EXPENDITURES**

EXPENDITURES (continued)

Office supplies and expenses	750
Accounting and administrative supplies.	
Annual district filing fee	175
Annual fee paid to the Florida Department of Community Affairs.	
Trustee	15,500
Annual fee paid to Wilmington Trust for the services provided as trustee, paying agent and registrar.	
Arbitrage rebate calculation	4,000
To ensure the District's compliance with all tax regulations, annual computations are necessary to calculate the arbitrage rebate liability.	
Contingencies	4,000
Miscellaneous, automated AP routing and unforeseen costs incurred throughout the year.	
Website/ADA	920
Dissemination agent	11,828
Wrathell, Hunt and Associates, LLC , currently provides Dissemination Agent services, which are a requirement of the Securities & Exchange Act of 1934, pursuant to Rule 15c2-12.	

Field management

Field management services	26,237
The field manager is responsible for the day-to-day field operations. These responsibilities include preparing and bidding of services and commodities, contract administration, hiring and maintaining qualified personnel, preparation and implementation of operating schedules and policies, ensuring compliance with operating permits, preparing field budgets, being a resource regarding District programs and attending board meetings.	

Water management

Other contractual	267,506
The District has a contract with Lakemasters Aquatic Weed Control, Inc., for monthly service within the lake and wetland areas. For fiscal year 2022 the District anticipates routine lake bank erosion repair and has reduced it's budget accordingly. Also the District will continue to maintain the 310 acre Belle Meade Preserve in a cooperative effort with CDD #2, this expense will continue to be shared with CDD #2 at the same cost sharing ratio as used for "irrigation supply services".	

	<u>CDD #1</u>	<u>CDD #2</u>
Lake Maintenance Contract	175,000	
Lake Bank Erosion	60,000	
Aquatic Plant Maintenance	5,000	
Belle Meade Pres.	<u>27,506</u>	22,494
Total	267,506	

Fountains	65,000
These expenditures relate to the decorative and floating fountains located at the main entrance.	
Utilities (Electric)	32,500
Maintenance	30,000
Insurance	2,500

**FIDDLER'S CREEK
COMMUNITY DEVELOPMENT DISTRICT #1
DEFINITIONS OF GENERAL FUND 001 EXPENDITURES**

EXPENDITURES (continued)

Street lighting

Contractual services	15,000
The District utilizes a licensed electrician for street light, signage and landscape lighting repairs.	
Electricity	28,000
The District is charged on a monthly basis per street light for electric service.	
Holiday lighting program	16,500
The District subcontracts to install and maintain holiday lighting at the 951 entrance and the gatehouse.	
Miscellaneous	1,500
Covers unforeseen costs.	

Landscaping

Other contractual - landscape maint.	895,000
This District contracts with an outside company to maintain the landscaping on District common area and right-of-way. The contract provides for equipment, labor and materials. Costs also include mulching and on-call services.	
Maintenance contract	860,000
Mulch	35,000
	<u>895,000</u>
Other contractual - flowers	52,000
Anticipates 4 flower change outs per year at the main entrance and gatehouse.	
Other contractual - mosquito control	40,000
The District engages a licensed and qualified contractor for mosquito spraying each summer. The program calls for every week spraying typically starting in early May and ending in mid to late September	
Improvements and renovations	125,000
Provides for the replacement and renovation of landscape material and irrigation systems.	
Contingencies	15,000
Covers unforeseen costs.	

**FIDDLER'S CREEK
COMMUNITY DEVELOPMENT DISTRICT #1
DEFINITIONS OF GENERAL FUND 001 EXPENDITURES**

EXPENDITURES (continued)

Roadway services

Roadway maintenance 85,000

This category covers the costs associated with minor repairs of the road, roadway signage and sidewalks as well as pressure washing all sidewalks, curbs and gutters via an agreement with the Foundation.

Capital outlay 400,000

In fiscal year 2019 The District began a multi-phased roadway resurfacing project. It is anticipated that the District will continue with an additional phase in 2024 or 2025, which will include Championship Dr. For fiscal year 2022, it is anticipated that the traffic signal will be installed at US 41 and Sandpiper Dr and the District's portion of that costs, per the interlocal agreement, is \$400k.

Irrigation supply

Electricity 750

The category covers the cost of electricity to the community's computerized irrigation controller.

Repairs and maintenance 5,000

The category covers the costs of repairs and maintenance to the community's computerized irrigation controller.

Other Contractual- Water Manager 50,000

The District has entered into an agreement with the Foundation for irrigation management services which will include but not be limited to managing and monitoring the District's irrigation central controller system, satellites and transmission lines as well as monitoring and reporting sprinkler system leaks and other observable deficiencies.

Supply system 368,500

The District will maintain the community's irrigation pumping facility. This includes the well pumps, irrigation supply pump and transmission lines. These costs are shared with Fiddler's Creek CDD #2 based upon units.

Summary of Expenditures for Supply System			
Units			
Fiddler's Creek #1	1,910	55%	
Fiddler's Creek #2	1,557	45%	
Total	3,467	100%	
	Fiddler's #1	Fiddler's #2	Total
Electricity	44,000	36,000	80,000
Repairs and maintenance	49,500	40,500	90,000
Contractual service	38,500	31,500	70,000
Capital -pump overhaul (split over 2 years), pmpkse roof, hatches, valves, distr. line replace	231,000	189,000	420,000
Insurance	5,500	4,500	10,000
Total	368,500	301,500	670,000

Other fees and charges

Property appraiser 38,256

The property appraiser charges 1.5% of the assessments collected.

Tax collector 51,008

The tax collector charges 2% of the assessments collected.

Total expenditures **\$ 2,827,296**

**FIDDLER'S CREEK
COMMUNITY DEVELOPMENT DISTRICT #1
DEBT SERVICE FUND BUDGET - SERIES 2013 - 1 BONDS (REFUNDED SERIES 1999 A/B)
FISCAL YEAR 2022**

	Fiscal Year 2021				Proposed Budget FY 2022
	Adopted Budget FY 2021	Actual through 3/31/21	Projected through 9/30/21	Total Actual & Projected	
REVENUES					
Assessment levy: on-roll - gross	\$ 186,995				\$ -
Allowable discounts (4%)	(7,480)				-
Assessment levy: on-roll - net	179,515	\$ 161,221	\$ 18,294	\$ 179,515	-
Assessment prepayments	-	2,395	-	2,395	-
Interest	-	37	-	37	-
Total revenues	179,515	163,653	18,294	181,947	-
EXPENDITURES					
Debt service					
Principal	795,000	-	795,000	795,000	-
Interest	31,800	15,900	15,900	31,800	-
Total debt service	826,800	15,900	810,900	826,800	-
Other fees & charges					
Property appraiser	2,805	-	2,805	2,805	-
Tax collector	3,740	2,549	1,191	3,740	-
Total other fees & charges	6,545	2,549	3,996	6,545	-
Total expenditures	833,345	18,449	814,896	833,345	-
Excess/(deficiency) of revenues over/(under) expenditures	(653,830)	145,204	(796,602)	(651,398)	-
OTHER FINANCING SOURCES/(USES)					
Transfer out	-	-	(116,141)	(116,141)	-
Total other financing sources/(uses)	-	-	(116,141)	(116,141)	-
Fund balance:					
Net increase/(decrease) in fund balance	(653,830)	145,204	(912,743)	(767,539)	-
Beginning fund balance (unaudited)	746,983	767,539	912,743	767,539	-
Ending fund balance (projected)	\$ 93,153	\$ 912,743	\$ -	\$ -	-
Use of fund balance:					
Debt service reserve account balance (required)					-
Interest expense - November 1, 2022					-
Projected fund balance surplus/(deficit) as of September 30, 2022				\$	-

**FIDDLER'S CREEK
COMMUNITY DEVELOPMENT DISTRICT #1
DEBT SERVICE FUND BUDGET - SERIES 2014 - 1 (REFUNDED SERIES 2002B)
FISCAL YEAR 2022**

	Fiscal Year 2021				Proposed Budget FY 2022
	Adopted Budget FY 2021	Actual through 3/31/21	Projected through 9/30/21	Total Actual & Projected	
REVENUES					
Assessment levy: on-roll - gross	\$ 515,100				\$ 469,200
Allowable discounts (4%)	(20,604)				(18,768)
Assessment levy: on-roll - net	494,496	\$ 406,659	\$ 87,837	\$ 494,496	450,432
Assessment prepayments	-	234,715	-	234,715	-
Interest	-	23	2,500	2,523	-
Total revenues & proceeds	494,496	641,397	90,337	731,734	450,432
EXPENDITURES					
Debt service					
Principal	205,000	-	195,000	195,000	190,000
Principal prepayment	-	245,000	310,000	555,000	-
Interest	270,631	135,316	127,200	262,516	220,944
Total debt service & cost of issuance	475,631	380,316	632,200	1,012,516	410,944
Other fees & charges					
Property appraiser	7,727	-	7,727	7,727	7,038
Tax collector	10,302	6,430	3,872	10,302	9,384
Total other fees & charges	18,029	6,430	11,599	18,029	16,422
Total expenditures	493,660	386,746	643,799	1,030,545	427,366
Excess/(deficiency) of revenues over/(under) expenditures	836	254,651	(553,462)	(298,811)	23,066
Beginning fund balance (unaudited)	281,472	608,188	862,839	608,188	309,377
Ending fund balance (projected)	\$ 282,308	\$ 862,839	\$ 309,377	\$ 309,377	332,443
Use of fund balance:					
Debt service reserve account balance					-
Interest expense - November 1, 2022					(104,178)
Projected fund balance surplus/(deficit) as of September 30, 2022					\$ 228,265

Fiddler's Creek # 1

Community Development District

Series 2014-1

Debt Service Schedule

Date	Principal	Coupon	Interest	Total P+I
11/01/2021	-	-	110,471.88	110,471.88
05/01/2022	190,000.00	6.625%	110,471.88	300,471.88
11/01/2022	-	-	104,178.13	104,178.13
05/01/2023	200,000.00	6.625%	104,178.13	304,178.13
11/01/2023	-	-	97,553.13	97,553.13
05/01/2024	215,000.00	6.625%	97,553.13	312,553.13
11/01/2024	-	-	90,431.25	90,431.25
05/01/2025	230,000.00	6.625%	90,431.25	320,431.25
11/01/2025	-	-	82,812.50	82,812.50
05/01/2026	245,000.00	6.625%	82,812.50	327,812.50
11/01/2026	-	-	74,696.88	74,696.88
05/01/2027	260,000.00	6.625%	74,696.88	334,696.88
11/01/2027	-	-	66,084.38	66,084.38
05/01/2028	280,000.00	6.625%	66,084.38	346,084.38
11/01/2028	-	-	56,809.38	56,809.38
05/01/2029	300,000.00	6.625%	56,809.38	356,809.38
11/01/2029	-	-	46,871.88	46,871.88
05/01/2030	320,000.00	6.625%	46,871.88	366,871.88
11/01/2030	-	-	36,271.88	36,271.88
05/01/2031	340,000.00	6.625%	36,271.88	376,271.88
11/01/2031	-	-	25,009.38	25,009.38
05/01/2032	365,000.00	6.625%	25,009.38	390,009.38
11/01/2032	-	-	12,918.75	12,918.75
05/01/2033	390,000.00	6.625%	12,918.75	402,918.75
Total	\$3,335,000.00	-	\$1,608,218.75	\$4,943,218.75

**FIDDLER'S CREEK
COMMUNITY DEVELOPMENT DISTRICT #1
DEBT SERVICE FUND BUDGET - SERIES 2014 - 2A (REFUNDED SERIES 2002A)
FISCAL YEAR 2022**

	Fiscal Year 2021				Proposed Budget FY 2022
	Adopted Budget FY 2021	Actual through 3/31/21	Projected through 9/30/21	Total Actual & Projected	
REVENUES					
Assessment levy: off-roll	\$ 361,031	\$ 105,702	\$ 255,329	\$ 361,031	\$ 361,094
Interest	-	2	50	52	-
Total revenues	<u>361,031</u>	<u>105,704</u>	<u>255,379</u>	<u>361,083</u>	<u>361,094</u>
EXPENDITURES					
Debt service					
Principal	150,000	-	150,000	150,000	160,000
Interest	211,406	105,703	105,703	211,406	201,094
Total expenditures	<u>361,406</u>	<u>105,703</u>	<u>255,703</u>	<u>361,406</u>	<u>361,094</u>
Excess/(deficiency) of revenues over/(under) expenditures	(375)	1	(324)	(323)	-
Fund balance:					
Beginning fund balance (unaudited)	1,375	977	978	654	331
Ending fund balance (projected)	<u>\$ 1,000</u>	<u>\$ 978</u>	<u>\$ 654</u>	<u>\$ 331</u>	<u>331</u>
Use of fund balance:					
Debt service reserve account balance					-
Interest expense - November 1, 2022					(95,047)
Projected fund balance surplus/(deficit) as of September 30, 2022					<u>\$ (94,716)</u>

Fiddler's Creek # 1

Community Development District

Series 2014-2A (Bonds Bifurcated 5/2017)

Debt Service Schedule

Date	Principal	Coupon	Interest	Total P+I
11/01/2021	-	-	100,546.88	100,546.88
05/01/2022	160,000.00	6.875%	100,546.88	260,546.88
11/01/2022	-	-	95,046.88	95,046.88
05/01/2023	175,000.00	6.875%	95,046.88	270,046.88
11/01/2023	-	-	89,031.25	89,031.25
05/01/2024	185,000.00	6.875%	89,031.25	274,031.25
11/01/2024	-	-	82,671.88	82,671.88
05/01/2025	200,000.00	6.875%	82,671.88	282,671.88
11/01/2025	-	-	75,796.88	75,796.88
05/01/2026	215,000.00	6.875%	75,796.88	290,796.88
11/01/2026	-	-	68,406.25	68,406.25
05/01/2027	230,000.00	6.875%	68,406.25	298,406.25
11/01/2027	-	-	60,500.00	60,500.00
05/01/2028	245,000.00	6.875%	60,500.00	305,500.00
11/01/2028	-	-	52,078.13	52,078.13
05/01/2029	265,000.00	6.875%	52,078.13	317,078.13
11/01/2029	-	-	42,968.75	42,968.75
05/01/2030	280,000.00	6.875%	42,968.75	322,968.75
11/01/2030	-	-	33,343.75	33,343.75
05/01/2031	300,000.00	6.875%	33,343.75	333,343.75
11/01/2031	-	-	23,031.25	23,031.25
05/01/2032	325,000.00	6.875%	23,031.25	348,031.25
11/01/2032	-	-	11,859.38	11,859.38
05/01/2033	345,000.00	6.875%	11,859.38	356,859.38
Total	\$2,925,000.00	-	\$1,470,562.50	\$4,395,562.50

**FIDDLER'S CREEK
COMMUNITY DEVELOPMENT DISTRICT #1
DEBT SERVICE FUND BUDGET SERIES - 2014-2B (REFUNDED SERIES 2002A)
FISCAL YEAR 2022**

	Fiscal Year 2021				Proposed Budget FY 2022
	Adopted Budget FY 2021	Actual through 3/31/21	Projected through 9/30/21	Total Actual & Projected	
REVENUES					
Assessment levy: on-roll - gross	\$ 438,600				\$ 326,400
Allowable discounts (4%)	(17,544)				(13,056)
Assessment levy: on-roll - net	421,056	\$ 331,515	\$ 89,541	\$ 421,056	313,344
Assessment prepayments	-	375,288	-	375,288	-
Interest	-	27	-	27	-
Total revenues	421,056	706,830	89,541	796,371	313,344
EXPENDITURES					
Debt service					
Principal	170,000	-	145,000	145,000	135,000
Principal prepayment	-	475,000	415,000	890,000	-
Interest	236,156	118,078	101,750	219,828	165,000
Total debt service	406,156	593,078	661,750	1,254,828	300,000
Other fees & charges					
Property appraiser	6,579	-	6,579	6,579	4,896
Tax collector	8,772	5,242	3,530	8,772	6,528
Total other fees & charges	15,351	5,242	10,109	15,351	11,424
Total expenditures	421,507	598,320	671,859	1,270,179	311,424
Excess/(deficiency) of revenues over/(under) expenditures	(451)	108,510	(582,318)	(473,808)	1,920
Beginning fund balance (unaudited)	398,906	860,369	968,879	860,369	386,561
Ending fund balance (projected)	\$ 398,455	\$ 968,879	\$ 386,561	\$ 386,561	388,481
Use of fund balance:					
Debt service reserve account balance					(100,000)
Interest expense - November 1, 2022					(77,859)
Projected fund balance surplus/(deficit) as of September 30, 2022					<u>\$ 210,622</u>

Fiddler's Creek # 1

Community Development District

Series 2014-2B (Bonds Bifurcated 5/2017)

Debt Service Schedule

Date	Principal	Coupon	Interest	Total P+I
11/01/2021	-	-	82,500.00	82,500.00
05/01/2022	135,000.00	6.875%	82,500.00	217,500.00
11/01/2022	-	-	77,859.38	77,859.38
05/01/2023	140,000.00	6.875%	77,859.38	217,859.38
11/01/2023	-	-	73,046.88	73,046.88
05/01/2024	155,000.00	6.875%	73,046.88	228,046.88
11/01/2024	-	-	67,718.75	67,718.75
05/01/2025	165,000.00	6.875%	67,718.75	232,718.75
11/01/2025	-	-	62,046.88	62,046.88
05/01/2026	175,000.00	6.875%	62,046.88	237,046.88
11/01/2026	-	-	56,031.25	56,031.25
05/01/2027	190,000.00	6.875%	56,031.25	246,031.25
11/01/2027	-	-	49,500.00	49,500.00
05/01/2028	200,000.00	6.875%	49,500.00	249,500.00
11/01/2028	-	-	42,625.00	42,625.00
05/01/2029	215,000.00	6.875%	42,625.00	257,625.00
11/01/2029	-	-	35,234.38	35,234.38
05/01/2030	230,000.00	6.875%	35,234.38	265,234.38
11/01/2030	-	-	27,328.13	27,328.13
05/01/2031	245,000.00	6.875%	27,328.13	272,328.13
11/01/2031	-	-	18,906.25	18,906.25
05/01/2032	265,000.00	6.875%	18,906.25	283,906.25
11/01/2032	-	-	9,796.88	9,796.88
05/01/2033	285,000.00	6.875%	9,796.88	294,796.88
Total	\$2,400,000.00	-	\$1,205,187.50	\$3,605,187.50

**FIDDLER'S CREEK
COMMUNITY DEVELOPMENT DISTRICT #1
DEBT SERVICE FUND BUDGET - SERIES 2014 - 3 (REFUNDED SERIES 2005)
FISCAL YEAR 2022**

	Fiscal Year 2021			Total Actual & Projected	Proposed Budget FY 2022
	Adopted Budget FY 2021	Actual through 3/31/21	Projected through 9/30/21		
REVENUES					
Assessment levy: off-roll	\$ 592,300	\$ 193,649	\$ 398,651	\$ 592,300	\$ 595,000
Total revenues	<u>592,300</u>	<u>193,649</u>	<u>398,651</u>	<u>592,300</u>	<u>595,000</u>
EXPENDITURES					
Debt service					
Principal	205,000	-	205,000	205,000	220,000
Interest	387,300	193,650	193,650	387,300	375,000
Total expenditures	<u>592,300</u>	<u>193,650</u>	<u>398,650</u>	<u>592,300</u>	<u>595,000</u>
Excess/(deficiency) of revenues over/(under) expenditures	-	(1)	1	-	-
Beginning fund balance (unaudited)	465	1	-	1	1
Ending fund balance (projected)	<u>\$ 465</u>	<u>\$ -</u>	<u>\$ 1</u>	<u>\$ 1</u>	<u>1</u>
Use of fund balance:					
Debt service reserve account balance					-
Interest expense - November 1, 2022					(180,900)
Projected fund balance surplus/(deficit) as of September 30, 2022					<u>\$ (180,899)</u>

Fiddler's Creek # 1

Community Development District

Series 2014-3

Debt Service Schedule

Date	Principal	Coupon	Interest	Total P+I
11/01/2021	-	-	187,500.00	187,500.00
05/01/2022	220,000.00	6.000%	187,500.00	407,500.00
11/01/2022	-	-	180,900.00	180,900.00
05/01/2023	230,000.00	6.000%	180,900.00	410,900.00
11/01/2023	-	-	174,000.00	174,000.00
05/01/2024	245,000.00	6.000%	174,000.00	419,000.00
11/01/2024	-	-	166,650.00	166,650.00
05/01/2025	260,000.00	6.000%	166,650.00	426,650.00
11/01/2025	-	-	158,850.00	158,850.00
05/01/2026	275,000.00	6.000%	158,850.00	433,850.00
11/01/2026	-	-	150,600.00	150,600.00
05/01/2027	295,000.00	6.000%	150,600.00	445,600.00
11/01/2027	-	-	141,750.00	141,750.00
05/01/2028	315,000.00	6.000%	141,750.00	456,750.00
11/01/2028	-	-	132,300.00	132,300.00
05/01/2029	330,000.00	6.000%	132,300.00	462,300.00
11/01/2029	-	-	122,400.00	122,400.00
05/01/2030	355,000.00	6.000%	122,400.00	477,400.00
11/01/2030	-	-	111,750.00	111,750.00
05/01/2031	375,000.00	6.000%	111,750.00	486,750.00
11/01/2031	-	-	100,500.00	100,500.00
05/01/2032	395,000.00	6.000%	100,500.00	495,500.00
11/01/2032	-	-	88,650.00	88,650.00
05/01/2033	420,000.00	6.000%	88,650.00	508,650.00
11/01/2033	-	-	76,050.00	76,050.00
05/01/2034	450,000.00	6.000%	76,050.00	526,050.00
11/01/2034	-	-	62,550.00	62,550.00
05/01/2035	475,000.00	6.000%	62,550.00	537,550.00
11/01/2035	-	-	48,300.00	48,300.00
05/01/2036	505,000.00	6.000%	48,300.00	553,300.00
11/01/2036	-	-	33,150.00	33,150.00
05/01/2037	535,000.00	6.000%	33,150.00	568,150.00
11/01/2037	-	-	17,100.00	17,100.00
05/01/2038	570,000.00	6.000%	17,100.00	587,100.00
Total	6,250,000.00		3,906,000.00	10,156,000.00

**FIDDLER'S CREEK
COMMUNITY DEVELOPMENT DISTRICT #1
DEBT SERVICE FUND BUDGET - SERIES 2014 - 4 (REFUNDED SERIES 2005)
FISCAL YEAR 2022**

	Fiscal Year 2021				Proposed Budget FY 2022
	Adopted Budget FY 2021	Actual through 3/31/21	Projected through 9/30/21	Total Actual & Projected	
REVENUES					
Assessment levy: off-roll	\$ 623,900	\$ 204,449	\$ 419,451	\$ 623,900	\$ 626,000
Total revenues & proceeds	<u>623,900</u>	<u>204,449</u>	<u>419,451</u>	<u>623,900</u>	<u>626,000</u>
EXPENDITURES					
Debt service					
Principal	215,000	-	215,000	215,000	230,000
Interest	408,900	204,450	204,450	408,900	396,000
Total expenditures	<u>623,900</u>	<u>204,450</u>	<u>419,450</u>	<u>623,900</u>	<u>626,000</u>
Excess/(deficiency) of revenues over/(under) expenditures	-	(1)	1	-	-
Fund balance:					
Beginning fund balance (unaudited)	2,672	1	-	2,672	2,672
Ending fund balance (projected)	<u>\$ 2,672</u>	<u>\$ -</u>	<u>\$ 1</u>	<u>\$ 2,672</u>	<u>2,672</u>
Use of fund balance:					
Debt service reserve account balance					-
Interest expense - November 1, 2022					<u>(191,100)</u>
Projected fund balance surplus/(deficit) as of September 30, 2022					<u><u>\$(188,428)</u></u>

Fiddler's Creek # 1

Community Development District

Series 2014-4

Debt Service Schedule

Date	Principal	Coupon	Interest	Total P+I
11/01/2021	-	-	198,000.00	198,000.00
05/01/2022	230,000.00	6.000%	198,000.00	428,000.00
11/01/2022	-	-	191,100.00	191,100.00
05/01/2023	245,000.00	6.000%	191,100.00	436,100.00
11/01/2023	-	-	183,750.00	183,750.00
05/01/2024	260,000.00	6.000%	183,750.00	443,750.00
11/01/2024	-	-	175,950.00	175,950.00
05/01/2025	275,000.00	6.000%	175,950.00	450,950.00
11/01/2025	-	-	167,700.00	167,700.00
05/01/2026	295,000.00	6.000%	167,700.00	462,700.00
11/01/2026	-	-	158,850.00	158,850.00
05/01/2027	310,000.00	6.000%	158,850.00	468,850.00
11/01/2027	-	-	149,550.00	149,550.00
05/01/2028	330,000.00	6.000%	149,550.00	479,550.00
11/01/2028	-	-	139,650.00	139,650.00
05/01/2029	350,000.00	6.000%	139,650.00	489,650.00
11/01/2029	-	-	129,150.00	129,150.00
05/01/2030	370,000.00	6.000%	129,150.00	499,150.00
11/01/2030	-	-	118,050.00	118,050.00
05/01/2031	395,000.00	6.000%	118,050.00	513,050.00
11/01/2031	-	-	106,200.00	106,200.00
05/01/2032	420,000.00	6.000%	106,200.00	526,200.00
11/01/2032	-	-	93,600.00	93,600.00
05/01/2033	445,000.00	6.000%	93,600.00	538,600.00
11/01/2033	-	-	80,250.00	80,250.00
05/01/2034	475,000.00	6.000%	80,250.00	555,250.00
11/01/2034	-	-	66,000.00	66,000.00
05/01/2035	500,000.00	6.000%	66,000.00	566,000.00
11/01/2035	-	-	51,000.00	51,000.00
05/01/2036	535,000.00	6.000%	51,000.00	586,000.00
11/01/2036	-	-	34,950.00	34,950.00
05/01/2037	565,000.00	6.000%	34,950.00	599,950.00
11/01/2037	-	-	18,000.00	18,000.00
05/01/2038	600,000.00	6.000%	18,000.00	618,000.00
Total	6,600,000.00		4,123,500.00	10,723,500.00

**Fiddler's Creek
Community Development District
2021 - 2022 Preliminary Assessments**

***** PRELIMINARY*****

**Collier County
PAID IN FULL
5/1/2018**

2013-2 Series Bond Issue (REFINANCED 2006)			General Fund#1		Outstanding
Residential Neighborhoods (per unit)	Bond Designation	Debt Service Assessment	O & M Assessment	Total Assessment	Principal after 2021-2022 tax payment
Isla Del Sol	ESTATE SF	\$ -	\$ 1,548.51	\$ 1,548.51	PAID IN FULL
Isla Del Sol II	ESTATE SF 2	\$ -	1,548.51	1,548.51	PAID IN FULL
Mulberry Row I	SF	\$ -	1,548.51	1,548.51	PAID IN FULL
Mulberry Row II	SF 1	\$ -	1,548.51	1,548.51	PAID IN FULL
Mallard Landing	SF 2	\$ -	1,548.51	1,548.51	PAID IN FULL
Bellagio	PATIO 2	\$ -	1,548.51	1,548.51	PAID IN FULL
Bellagio II	PATIO 3	\$ -	1,548.51	1,548.51	PAID IN FULL
Pepper Tree	PATIO	\$ -	1,548.51	1,548.51	PAID IN FULL
Cotton Green	PATIO	\$ -	1,548.51	1,548.51	PAID IN FULL
Cotton Green II	PATIO 4	\$ -	1,548.51	1,548.51	PAID IN FULL
Cascada	VILLA 2	\$ -	1,548.51	1,548.51	PAID IN FULL
Bent Creek	VILLA	\$ -	1,548.51	1,548.51	PAID IN FULL
Cardinal Cove	VILLA	\$ -	1,548.51	1,548.51	PAID IN FULL
Deer Crossing II	MF 2	\$ -	1,548.51	1,548.51	PAID IN FULL
Deer Crossing I	MF	\$ -	1,548.51	1,548.51	PAID IN FULL
Whisper Trace	MF	\$ -	1,548.51	1,548.51	PAID IN FULL
Hawks Nest	MF	\$ -	1,548.51	1,548.51	PAID IN FULL

Fiscal year 2020 - 2021 Assessments:	ESTATE SF	\$ -	\$ 1,332.46	\$ 1,332.46	PAID IN FULL
	ESTATE SF 2	\$ -	1,332.46	1,332.46	PAID IN FULL
	SF	\$ -	1,332.46	1,332.46	PAID IN FULL
	SF 1	\$ -	1,332.46	1,332.46	PAID IN FULL
	SF 2	\$ -	1,332.46	1,332.46	PAID IN FULL
	PATIO 4	\$ -	1,332.46	1,332.46	PAID IN FULL
	PATIO 3	\$ -	1,332.46	1,332.46	PAID IN FULL
	PATIO 2	\$ -	1,332.46	1,332.46	PAID IN FULL
	PATIO	\$ -	1,332.46	1,332.46	PAID IN FULL
	VILLA 2	\$ -	1,332.46	1,332.46	PAID IN FULL
	VILLA	\$ -	1,332.46	1,332.46	PAID IN FULL
	MF 2	\$ -	1,332.46	1,332.46	PAID IN FULL
	MF	\$ -	1,332.46	1,332.46	PAID IN FULL

**Fiddler's Creek
Community Development District
2021 - 2022 Preliminary Assessments**

***** PRELIMINARY*****

**Collier County
PAID IN FULL
5/1/2021**

2013-1 Series Bond Issue (REFINANCED 1999)					Outstanding Principal after 2021-2022 tax payment
Residential Neighborhoods (per unit)	Bond Designation	Debt Service Assessment	General Fund#1 O & M Assessment	Total Assessment	
Sauvignon II	SF IV	\$ (570.78)	\$ 1,548.51	\$ 977.73	PAID IN FULL
Sauvignon	SF III	\$ (340.84)	1,548.51	1,207.67	PAID IN FULL
Mahogany Bend	SF II	\$ (211.22)	1,548.51	1,337.29	PAID IN FULL
Mahogany Bend II (unsold)	SF IV	\$ (570.78)	1,548.51	977.73	PAID IN FULL
Cranberry Crossing	SF I	\$ (185.62)	1,548.51	1,362.89	PAID IN FULL
Cranberry Crossing III	SF IV	\$ (570.78)	1,548.51	977.73	PAID IN FULL
Runaway Bay	SF V	\$ (285.46)	1,548.51	1,263.05	PAID IN FULL
Majorca	PATIO I	\$ (205.38)	1,548.51	1,343.13	PAID IN FULL
Majorca II (unsold)	PATIO II	\$ (570.78)	1,548.51	977.73	PAID IN FULL
Montreux	QUAD I	\$ (171.26)	1,548.51	1,377.25	PAID IN FULL
Cherry Oaks	QUAD II	\$ (205.38)	1,548.51	1,343.13	PAID IN FULL
Foundation Club/Spa	Amenity	\$ (15,510.36)	77,425.56	61,915.20	PAID IN FULL
Fiscal year 2020 - 2021 Assessments:					
	SF V	\$ 445.68	\$ 1,332.46	\$ 1,778.14	PAID IN FULL
	SF IV	\$ 891.37	1,332.46	2,223.83	PAID IN FULL
	SF III	\$ 537.57	1,332.46	1,870.03	PAID IN FULL
	SF II	\$ 356.38	1,332.46	1,688.84	PAID IN FULL
	SF I	\$ 320.74	1,332.46	1,653.20	PAID IN FULL
	PATIO I	\$ 320.74	1,332.46	1,653.20	PAID IN FULL
	PATIO II	\$ 891.37	1,332.46	2,223.83	PAID IN FULL
	QUAD I	\$ 267.28	1,332.46	1,599.74	PAID IN FULL
	QUAD II	\$ 320.74	1,332.46	1,653.20	PAID IN FULL
	Amenity	\$ 26,859.55	66,623.00	93,482.55	PAID IN FULL

**Fiddler's Creek
Community Development District
2021 - 2022 Preliminary Assessments**

***** PRELIMINARY*****

**Collier County
11 years remaining**

RESTRUCTURED Series 2014-1 Bond Issue Marsh Cove Phase 1			General Fund#1		Outstanding
Residential Neighborhoods (per unit)	Bond Designation	Debt Service Assessment	O & M Assessment	Total Assessment	Principal after 2021-2022 tax payment
Block A	SF	\$ 5,100.00	\$ 1,548.51	\$ 6,648.51	\$ 36,079.10
Block B	SF	\$ 5,100.00	1,548.51	6,648.51	\$ 36,079.10
Block C	SF	\$ 5,100.00	1,548.51	6,648.51	\$ 36,079.10
Block D	SF	\$ 5,100.00	1,548.51	6,648.51	\$ 36,079.10
Fiscal year 2020 - 2021 Assessments:					
	SF sold	\$ 5,100.00	\$ 1,332.46	\$ 6,432.46	\$ 38,415.84

**Fiddler's Creek
Community Development District
2021 - 2022 Preliminary Assessments**

***** PRELIMINARY*****

**Collier County
11 years remaining**

RESTRUCTURED Series 2014-2B Bond Issue Marsh Cove Phase 2			General Fund#1		Outstanding
Residential Neighborhoods (per unit)	Bond Designation	Debt Service Assessment	O & M Assessment	Total Assessment	Principal after 2021-2022 tax payment
Block A	SF	\$ 5,100.00	\$ 1,548.51	\$ 6,648.51	\$ 35,390.63
Block B	SF	\$ 5,100.00	\$ 1,548.51	\$ 6,648.51	\$ 35,390.63
Block C	SF	\$ 5,100.00	\$ 1,548.51	\$ 6,648.51	\$ 35,390.63
Block D	SF	\$ 5,100.00	\$ 1,548.51	\$ 6,648.51	\$ 35,390.63
Fiscal year 2020 - 2021 Assessments:					
	SF	\$ 5,100.00	\$ 1,332.46	\$ 6,432.46	\$ 37,965.12

FIDDLER'S CREEK
COMMUNITY DEVELOPMENT DISTRICT
#1

9

**FIDDLER'S CREEK
COMMUNITY DEVELOPMENT DISTRICT #1
FINANCIAL STATEMENTS
UNAUDITED
JUNE 30, 2021**

**FIDDLER'S CREEK
COMMUNITY DEVELOPMENT DISTRICT #1
BALANCE SHEET
GOVERNMENTAL FUNDS
JUNE 30, 2021**

	General 001	Debt Service Series 2013 Refunded 1999	Debt Service Series 2014-1 Refunded 2002B	Debt Service Series 2014-2A Refunded 2002A	Debt Service Series 2014-2B Refunded 2002A	Debt Service Series 2014-3 Refunded 2005	Debt Service Series 2014-4 Refunded 2005	Total Governmental Funds
ASSETS								
Operating accounts								
SunTrust	\$ 998,837	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ 998,837
Assessment account-Iberia	300,845	-	-	-	-	-	-	300,845
Centennial Bank - MMA	77,677	-	-	-	-	-	-	77,677
Finemark - MMA	249,014	-	-	-	-	-	-	249,014
Finemark - ICS	725,004	-	-	-	-	-	-	725,004
Investments								
Revenue	-	22,596	260,428	-	240,953	-	-	523,977
Reserve - series A	-	86,238	-	-	-	-	-	86,238
Reserve - series B	-	-	-	-	103,999	-	-	103,999
Prepayment	-	6,461	-	978	75,094	-	-	82,533
Prepayment - 2002B exchange	-	-	42,530	-	-	-	-	42,530
Undeposited funds	27,880	-	38,416	-	75,057	-	-	141,353
Due from other funds								
Debt service 2014-2A	312	-	-	-	-	-	-	312
Due from Fiddler's Creek CDD #2	89,576	-	-	-	27,626	-	-	117,202
Due from general fund	-	2,966	6,493	-	4,868	-	-	14,327
Prepaid expense	568	-	-	-	-	-	-	568
Deposits	5,125	-	-	-	-	-	-	5,125
Total Assets	<u>\$ 2,474,838</u>	<u>\$ 118,261</u>	<u>\$ 347,867</u>	<u>\$ 978</u>	<u>\$ 527,597</u>	<u>\$ -</u>	<u>\$ -</u>	<u>\$ 3,469,541</u>
LIABILITIES & FUND BALANCES								
Liabilities:								
Due to other funds								
General fund 001	-	-	-	-	312	-	-	312
Debt service 2013 - refunded 1999	2,966	-	-	-	-	-	-	2,966
Debt service 2014-1	6,493	-	-	-	-	-	-	6,493
Debt service 2014-2B	4,868	-	-	-	-	-	-	4,868
Total liabilities	<u>14,327</u>	<u>-</u>	<u>-</u>	<u>-</u>	<u>312</u>	<u>-</u>	<u>-</u>	<u>14,639</u>
Fund balances:								
Restricted for								
Debt service	-	118,261	347,867	978	527,285	-	-	994,391
Unassigned	2,460,511	-	-	-	-	-	-	2,460,511
Total fund balances	<u>2,460,511</u>	<u>118,261</u>	<u>347,867</u>	<u>978</u>	<u>527,285</u>	<u>-</u>	<u>-</u>	<u>3,454,902</u>
Total liabilities and fund balance	<u>\$ 2,474,838</u>	<u>\$ 118,261</u>	<u>\$ 347,867</u>	<u>\$ 978</u>	<u>\$ 527,597</u>	<u>\$ -</u>	<u>\$ -</u>	<u>\$ 3,469,541</u>

**FIDDLER'S CREEK
COMMUNITY DEVELOPMENT DISTRICT #1
STATEMENT OF REVENUES, EXPENDITURES,
AND CHANGES IN FUND BALANCES
GENERAL FUND 001
FOR THE PERIOD ENDED JUNE 30, 2021**

	Current Month	Year To Date	Budget	% of Budget
REVENUES				
Assessment levy	\$ 11,942	\$ 2,149,709	\$ 2,106,777	102%
Assessment levy: off-roll	27,013	243,116	324,154	75%
Interest	53	600	2,200	27%
Miscellaneous	868	1,543	15,000	10%
Total revenues	<u>39,876</u>	<u>2,394,968</u>	<u>2,448,131</u>	98%
EXPENDITURES				
Administrative				
Supervisors	1,077	9,689	12,918	75%
Management	5,044	45,394	60,525	75%
Assessment roll preparation	-	23,990	25,490	94%
Accounting services	1,647	14,823	19,764	75%
Audit	-	7,650	15,400	50%
Legal	4,042	4,773	25,000	19%
Engineering	5,486	46,724	30,000	156%
Telephone	65	588	783	75%
Postage	121	1,453	2,300	63%
Insurance	-	29,073	22,147	131%
Printing and binding	55	494	659	75%
Legal advertising	-	1,155	2,000	58%
Office supplies	-	-	750	0%
Annual district filing fee	-	175	175	100%
Trustee	-	-	15,500	0%
Arbitrage rebate calculation	500	500	4,000	13%
Contingencies	61	2,007	4,000	50%
ADA website comppliance	-	210	840	25%
Dissemination agent	985	8,871	11,828	75%
Total administrative	<u>19,083</u>	<u>197,569</u>	<u>254,079</u>	78%
Field management				
Field management services	2,186	19,678	26,237	75%
Total field management	<u>2,186</u>	<u>19,678</u>	<u>26,237</u>	75%
Water management maintenance				
Other contractual	16,370	280,485	407,506	69%
Fountains	9,121	56,875	60,000	95%
Total water management maintenance	<u>25,491</u>	<u>337,360</u>	<u>467,506</u>	72%
Street lighting				
Contractual services	-	5,737	15,000	38%
Electricity	4,291	19,121	38,000	50%
Holiday lighting program	-	14,900	15,000	99%
Miscellaneous	-	-	1,500	0%
Total street lighting	<u>4,291</u>	<u>39,758</u>	<u>69,500</u>	57%

**FIDDLER'S CREEK
COMMUNITY DEVELOPMENT DISTRICT #1
STATEMENT OF REVENUES, EXPENDITURES,
AND CHANGES IN FUND BALANCES
GENERAL FUND 001
FOR THE PERIOD ENDED JUNE 30, 2021**

	Current Month	Year To Date	Budget	% of Budget
Landscaping				
Other contractual - landscape maintenance	33,000	482,346	895,000	54%
Other contractual - flowers	-	43,015	52,000	83%
Other contractual - mosquito control	4,288	17,151	24,000	71%
Improvements and renovations	795	30,348	125,000	24%
Contingencies	6,800	7,535	15,000	50%
Total landscaping	<u>44,883</u>	<u>580,395</u>	<u>1,111,000</u>	52%
Roadway				
Roadway maintenance	8,443	52,311	75,000	70%
Capital outlay	-	153,872	150,000	103%
Total roadway	<u>8,443</u>	<u>206,183</u>	<u>225,000</u>	92%
Irrigation supply				
Electricity	84	376	750	50%
Repairs and maintenance	-	45,290	5,000	906%
Other contractual-irrigation manager	-	12,500	50,000	25%
Supply system	24,741	105,716	162,250	65%
Total irrigation supply	<u>24,825</u>	<u>163,882</u>	<u>218,000</u>	75%
Other fees & charges				
Property appraiser	-	49,966	32,918	152%
Tax collector	239	34,013	43,891	77%
Total other fees & charges	<u>239</u>	<u>83,979</u>	<u>76,809</u>	109%
Total expenditures	<u>129,441</u>	<u>1,628,804</u>	<u>2,448,131</u>	67%
Excess/(deficiency) of revenues over/(under) expenditures	(89,565)	766,164	-	
Fund balances - beginning	2,550,076	1,694,347	1,349,974	
Fund balances - ending	<u>\$ 2,460,511</u>	<u>\$ 2,460,511</u>	<u>\$ 1,349,974</u>	

**FIDDLER'S CREEK
COMMUNITY DEVELOPMENT DISTRICT #1
STATEMENT OF REVENUES, EXPENDITURES,
AND CHANGES IN FUND BALANCES
DEBT SERVICE FUND SERIES 2013 (REFUNDED SERIES 1999)
FOR THE PERIOD ENDED JUNE 30, 2021**

	Current Month	Year To Date	Budget	% of Budget
REVENUES				
Assessment levy: on-roll - net	\$ 1,013	\$ 182,214	\$ 179,515	102%
Assessment prepayments	-	2,395	-	N/A
Interest	1	54	-	N/A
Total revenues	<u>1,014</u>	<u>184,663</u>	<u>179,515</u>	103%
EXPENDITURES				
Debt service				
Principal	-	795,000	795,000	100%
Interest	-	31,800	31,800	100%
Total debt service	<u>-</u>	<u>826,800</u>	<u>826,800</u>	100%
Other fees & charges				
Property appraiser	-	4,258	2,805	152%
Tax collector	20	2,883	3,740	77%
Total other fees & charges	<u>20</u>	<u>7,141</u>	<u>6,545</u>	109%
Total expenditures	<u>20</u>	<u>833,941</u>	<u>833,345</u>	100%
Excess/(deficiency) of revenues over/(under) expenditures	994	(649,278)	(653,830)	
Fund balances - beginning	117,267	767,539	746,983	
Fund balances - ending	<u>\$ 118,261</u>	<u>\$ 118,261</u>	<u>\$ 93,153</u>	

**FIDDLER'S CREEK
COMMUNITY DEVELOPMENT DISTRICT #1
STATEMENT OF REVENUES, EXPENDITURES,
AND CHANGES IN FUND BALANCES
DEBT SERVICE FUND SERIES 2014-1 (REFUNDED SERIES 2002B)
FOR THE PERIOD ENDED JUNE 30, 2021**

	Current Month	Year To Date	Budget	% of Budget
REVENUES				
Assessment levy: on-roll - net	\$ 2,553	\$ 459,611	\$ 494,496	93%
Assessment prepayments	38,416	311,546	-	N/A
Interest	2	39	-	N/A
Total revenues	<u>40,971</u>	<u>771,196</u>	<u>494,496</u>	156%
EXPENDITURES				
Debt service				
Principal	-	195,000	205,000	95%
Principal prepayment	-	555,000	-	N/A
Interest	-	262,516	270,631	97%
Total debt service	<u>-</u>	<u>1,012,516</u>	<u>475,631</u>	213%
Other fees & charges				
Property appraiser	-	11,729	7,727	152%
Tax collector	51	7,272	10,302	71%
Total other fees & charges	<u>51</u>	<u>19,001</u>	<u>18,029</u>	105%
Total expenditures	<u>51</u>	<u>1,031,517</u>	<u>493,660</u>	209%
Excess/(deficiency) of revenues over/(under) expenditures	40,920	(260,321)	836	
Fund balances - beginning	<u>306,947</u>	<u>608,188</u>	<u>281,472</u>	
Fund balances - ending	<u>\$ 347,867</u>	<u>\$ 347,867</u>	<u>\$ 282,308</u>	

**FIDDLER'S CREEK
COMMUNITY DEVELOPMENT DISTRICT #1
STATEMENT OF REVENUES, EXPENDITURES,
AND CHANGES IN FUND BALANCES
DEBT SERVICE FUND SERIES 2014-2A (REFUNDED SERIES 2002A)
FOR THE PERIOD ENDED JUNE 30, 2021**

	Current Month	Year To Date	Budget	% of Budget
REVENUES				
Assessment levy: off-roll	\$ -	\$ 361,405	\$ 361,031	100%
Interest	-	2	-	N/A
Total revenues	<u>-</u>	<u>361,407</u>	<u>361,031</u>	100%
EXPENDITURES				
Debt service				
Principal	-	150,000	150,000	100%
Interest	-	211,406	211,406	100%
Total debt service	<u>-</u>	<u>361,406</u>	<u>361,406</u>	100%
Excess/(deficiency) of revenues over/(under) expenditures	-	1	(375)	
Fund balances - beginning	978	977	1,375	
Fund balances - ending	<u>\$ 978</u>	<u>\$ 978</u>	<u>\$ 1,000</u>	

**FIDDLER'S CREEK
COMMUNITY DEVELOPMENT DISTRICT #1
STATEMENT OF REVENUES, EXPENDITURES,
AND CHANGES IN FUND BALANCES
DEBT SERVICE FUND SERIES 2014-2B (REFUNDED SERIES 2002A)
FOR THE PERIOD ENDED JUNE 30, 2021**

	Current Month	Year To Date	Budget	% of Budget
REVENUES				
Assessment levy: on-roll - net	\$ 2,081	\$ 374,682	\$ 421,056	89%
Assessment prepayments	75,058	562,931	-	N/A
Interest	3	46	-	N/A
Total revenues	<u>77,142</u>	<u>937,659</u>	<u>421,056</u>	223%
EXPENDITURES				
Debt service				
Principal	-	145,000	170,000	85%
Principal prepayment	-	890,000	-	N/A
Interest	-	219,828	236,156	93%
Total debt service	<u>-</u>	<u>1,254,828</u>	<u>406,156</u>	309%
Other fees & charges				
Property appraiser	-	9,986	6,579	152%
Tax collector	42	5,929	8,772	68%
Total other fees & charges	<u>42</u>	<u>15,915</u>	<u>15,351</u>	104%
Total expenditures	<u>42</u>	<u>1,270,743</u>	<u>421,507</u>	301%
Excess/(deficiency) of revenues over/(under) expenditures	77,100	(333,084)	(451)	
Fund balances - beginning	450,185	860,369	398,906	
Fund balances - ending	<u>\$ 527,285</u>	<u>\$ 527,285</u>	<u>\$ 398,455</u>	

**FIDDLER'S CREEK
COMMUNITY DEVELOPMENT DISTRICT #1
STATEMENT OF REVENUES, EXPENDITURES,
AND CHANGES IN FUND BALANCES
DEBT SERVICE FUND SERIES 2014-3 (REFUNDED SERIES 2005)
FOR THE PERIOD ENDED JUNE 30, 2021**

	<u>Current Month</u>	<u>Year To Date</u>	<u>Budget</u>	<u>% of Budget</u>
REVENUES				
Assessment levy: off-roll	\$ -	\$ 592,299	\$ 592,300	100%
Total revenues	<u>-</u>	<u>592,299</u>	<u>592,300</u>	100%
EXPENDITURES				
Debt service				
Principal	-	205,000	205,000	100%
Interest	-	387,300	387,300	100%
Total debt service	<u>-</u>	<u>592,300</u>	<u>592,300</u>	100%
Excess/(deficiency) of revenues over/(under) expenditures	-	(1)	-	
Fund balances - beginning	-	1	465	
Fund balances - ending	<u>\$ -</u>	<u>\$ -</u>	<u>\$ 465</u>	

**FIDDLER'S CREEK
COMMUNITY DEVELOPMENT DISTRICT #1
STATEMENT OF REVENUES, EXPENDITURES,
AND CHANGES IN FUND BALANCES
DEBT SERVICE FUND SERIES 2014-4 (REFUNDED SERIES 2005)
FOR THE PERIOD ENDED JUNE 30, 2021**

	<u>Current Month</u>	<u>Year To Date</u>	<u>Budget</u>	<u>% of Budget</u>
REVENUES				
Assessment levy: off-roll	\$ -	\$ 623,899	\$ 623,900	100%
Total revenues	<u>-</u>	<u>623,899</u>	<u>623,900</u>	100%
EXPENDITURES				
Debt service				
Principal	-	215,000	215,000	100%
Interest	-	408,900	408,900	100%
Total debt service	<u>-</u>	<u>623,900</u>	<u>623,900</u>	100%
Excess/(deficiency) of revenues over/(under) expenditures	-	(1)	-	
Fund balances - beginning	-	1	2,672	
Fund balances - ending	<u>\$ -</u>	<u>\$ -</u>	<u>\$ 2,672</u>	

FIDDLER'S CREEK
COMMUNITY DEVELOPMENT DISTRICT
#1

10

DRAFT

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

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The Board of Supervisors of the Fiddler’s Creek Community Development District #1 held a Regular Meeting on June 23, 2021 at 8:00 a.m., at the Fiddler’s Creek Club and Spa, 3470 Club Center Boulevard, Naples, Florida 34114.

Present at the meeting were:

Phil Brougham	Chair
Robert Slater	Vice Chair
Joseph Badessa	Assistant Secretary
Torben Christensen	Assistant Secretary
Joseph Schmitt	Assistant Secretary

Also present were:

Chuck Adams	District Manager
Cleo Adams	Assistant District Manager
Tony Pires	District Counsel
Terry Cole	District Engineer
Joe Parisi	Developer’s Counsel
Ron Albeit	The Foundation
Dan Frechette	Security Director
Todd Lux	Facilities Director
Christina Kennedy	SOLitude Lake Management (SOLitude)
Frank Weinberg	Resident

FIRST ORDER OF BUSINESS

Call to Order/Roll Call

Mr. Brougham called the meeting to order at 8:00 a.m. All Supervisors were present.

SECOND ORDER OF BUSINESS

Public Comments: Non-Agenda Items (3 minutes per speaker)

Mr. Christensen, speaking as a homeowner, asked about the proper procedure for having a directional sign to a village installed on CDD property. He felt that the Runaway Bay village monument and street signage is difficult to see during the day and night and there is no

40 sign on Fiddler's Creek Parkway. Mr. Parisi stated that he would follow up on this, review the
41 signage placement and have the situation remedied. He would meet with Mr. Lux and Mr.
42 Frechette to ensure that signs are ordered and to determine where they would be installed. He
43 would provide an estimated completion time as soon as possible.

44 Mr. Schmitt stated the Planned Unit Development (PUD) language related to signage
45 must be adhered to and noted that other villages did not have signs; there is no sign on
46 Mulberry. Mr. Parisi stated he would ensure the signage is in compliance with PUD guidance.

47

48 **THIRD ORDER OF BUSINESS**

**Quality Control Lake Report – May, 2021:
SOLitude Lake Management**

49

50

51 Ms. Kennedy presented the Quality Control Lake Report. When she re-inspected Group
52 C, which was done two months ago, many of the areas had been targeted and treated and
53 additional treatments were performed by boat and by SOLitude's wetland division. Some areas
54 in Group C had observable torpedo grass and vines; those areas were treated early last week
55 and results from those treatments may not be noticeable yet.

56

57 **FOURTH ORDER OF BUSINESS**

Health, Safety and Environment Report

58

59 Mr. Frechette reviewed the PowerPoint pertaining to safety and highlighted the
60 following:

- 61 ➤ The Sandpiper Gate was open and fully functional.
- 62 ➤ The Radio Frequency Identification (RFID) system was in effect and all gate arms are
63 down.
- 64 ➤ The gate would be open and manned 24-hours a day
- 65 ➤ Roving patrols would be reduced until additional staff is hired.
- 66 ➤ Normal operation resumed at all gates and all exit arms are down.
- 67 ➤ Trucks were being directed to use the entrance and exit gates and community patrol
68 was enforcing the procedure.
- 69 ➤ Cones were set up to prevent entry and exit from the Publix plaza and the area was
70 monitored.

71 ➤ Truck Exit at the Sandpiper Gate: Mr. Parisi sent multiple letters to Publix to address the
72 gate and a meeting was scheduled regarding installation of fencing at its exit and a keypad is in
73 place for Publix trucks to access the property, while preventing access to Fiddler's Creek
74 property.

75 Traffic control, construction and truck access to the Publix plaza were discussed. Mr.
76 Parisi stated that updates would be provided.

77 Mr. Frechette presented monthly statistics. He stated that there were fewer incidents
78 than in the previous month and he expected the statistics to continue trending downward.

79

80 FIFTH ORDER OF BUSINESS

Developer's Report

81

82 Mr. Parisi reported the following:

83 ➤ The gatehouse was now open and operating; final inspection was pending.

84 Mr. Pires asked for copies of all documents related to the gatehouse to be transmitted
85 to Mr. Adams. He noted that the District had a ground lease and he believed the CDD was
86 entitled to copies of documents. Mr. Parisi stated he would have the documents prepared.

87 Mr. Schmitt asked if there were plans to upgrade or remodel the Championship Gate.
88 Mr. Parisi stated that may be done in the future but there were currently no plans.

89 ➤ Two additional parcels would begin development in Oyster Harbor; Kumamodo Lane
90 may be completed by the end of the year and over 50 homes were sold since December.
91 Several homes in Dorado were under contract and utility work would begin soon.

92 Mr. Brougham asked for the status of the sidewalk, gutter and monument cleaning
93 schedule.

94 ▪ Facilities Update

95 **This item was an addition to the agenda.**

96 Referencing a PowerPoint, Mr. Lux reported that pressure washing on Aviamar Circle
97 was completed in the past 30 days and Sandpiper Drive was underway. Fiddler's Creek Parkway
98 and surrounding communities would be next.

99 Mr. Brougham recalled discussions about purchasing a new pressure washing machine.

100 Mr. Lux stated a new machine would be tested today. Mr. Brougham expressed his opinion that

101 the current machine could not keep up with the demand and a second machine would help
102 greatly as the community grows. Mr. Lux stated the schedule was mapped in such a way that he
103 was confident that all requirements would be met, including monument cleanings. Discussion
104 ensued regarding scheduling and the demand for pressure washing.

105 Mr. Albeit noted that the Agreement is between the CDD and The Foundation. Mr.
106 Brougham felt that it was important to proactively pressure clean to a high standard, even if it
107 means the contract needs to be adjusted. Mr. Lux stated he would schedule pressure cleaning
108 and accommodate special requests and monument cleanings accordingly.

109

110 SIXTH ORDER OF BUSINESS

110 Engineer's Report: *Hole Montes, Inc.*

111

112 Mr. Cole reported the following:

113 • **Update: Paving Schedule**

114 ➤ Several areas on the Fiddlers Creek Parkway overpass had pavement sloughing; photos
115 were sent to the contractor and those repairs would be scheduled. Some blemishes remained
116 near the first turn toward the future commercial tract at the main entrance. The contractor
117 addressed those twice but additional treatment is necessary. Minor blemishes at the opening
118 before the gatehouse would also be addressed.

119 Mr. Schmitt asked if re-milling would be necessary to address the sloughing. Mr. Cole
120 stated that was still to be determined.

121 ➤ Runaway Lane was completed, up to the pavers, which is the end of the area for which
122 the CDD is responsible.

123 ➤ Club Center Drive work was completed last month; minor punch list items remained.

124 Mr. Brougham asked Mr. Parisi why the pavers were not installed at the main gate
125 entrance. Mr. Parisi stated it might be related to conduit work; he would look into it.

126 ➤ Several sidewalk panels were replaced along Championship Drive and several areas
127 were ground down due to tree root damage; anything over ¼" must be ground down to meet
128 safety requirements. This project would be ongoing. Staff would follow up with the contractor.

129 • **Results of Inspection of Creek Adjacent to Runaway Lane for Lake Bank Erosion**

130 ➤ Inspection showed a little over 1,000’ of creek and lake bank that might need erosion
 131 repairs. The \$60,000 budgeted for Fiscal Year 2022 could be slightly less than necessary to
 132 address the repairs. Additional inspections would be done before a proposal is requested. The
 133 repairs would be scheduled for Fiscal Year 2022.

134 Mr. Brougham asked if the area in question abuts the preserve. Mr. Cole responded
 135 affirmatively. Mr. Brougham asked if there are restrictions regarding erosion control on the
 136 south side of the creek. Mr. Cole stated he would ask SOLitude if any problems were observed.
 137 He noted that different types of repairs may be needed due to tidal waters in the creek
 138 downstream of the control structures. Discussion ensued regarding the water management and
 139 control structures.

140 Mr. Slater asked if the CDD is responsible for the preserve area. Mr. Cole stated the CDD
 141 is responsible for removal and management of exotic plants; ultimately, the District is
 142 responsible for CDD-owned land in the preserves.

143 A Board Member asked for an update on the Mahogany storm drain. Mr. Cole stated
 144 there was no update.

145 • **Review of Original Inventory List**

146 Mr. Cole stated an inventory of necessary lake bank erosion repairs was compiled ten
 147 years ago and all identified work was completed, except for the front entry lakes that were
 148 purposely postponed until adjacent development occurs.

149

150	SEVENTH ORDER OF BUSINESS	Presentation/Consideration:	Proposed
151		District Boundary Changes	

152

153 **A. CDD Area Exchanges (Maps)**

154 **B. Consideration of Resolution 2021-06, Authorizing the Filing of a Petition with the**
 155 **Florida Land and Water Adjudicatory Commission for a Modification of the District’s**
 156 **Boundaries and the Jurisdiction of the District Through Expansion and Contraction;**
 157 **Providing for Certain Requirements Implementing Section 190.046(1), Florida Statutes;**
 158 **Providing for Severability, Conflicts and an Effective Date**

159 Mr. Parisi distributed redline versions of the documents that were reviewed by Counsel.
160 He presented slides depicting the current and proposed boundaries. An area of future
161 development located between Oyster Harbor and the golf course would be named Hidden
162 Cove. The boundaries of CDD #1 and CDD #2 meet on that property and the proposed boundary
163 changes would move the boundaries and designate the area for future development of Hidden
164 Cove. The process for CDD #1 process would involve the State and the County. Mr. Kenza Van
165 Assenderp and Ms. Sylvia Alderman were retained to represent the parties in Tallahassee and
166 Mr. Greg Urbancic, of Coleman Yovanovich Koester, would work with Mr. Pires to address the
167 matter with the County. All costs would be borne by the Developer.

168 Mr. Brougham asked if the intent is to move the area to be developed so that it is within
169 one CDD. Mr. Parisi responded affirmatively and stated there were no CDD bonds on CDD #1's
170 portion of the property. Mr. Brougham asked if there would be no impact for CDD #1 property
171 owners. Mr. Parisi responded affirmatively and noted that a small portion of land outside of
172 both CDDs would become part of Hidden Cove, in CDD #2.

173 Mr. Parisi indicated which areas are intended for future development and an overpass
174 on the golf course. The boundary line runs along the golf course and all future construction
175 would occur on the CDD #1 side. A driving range would be added to CDD #1, at no cost. Phase 3
176 construction, possibility of a future bond issuance, future planned development, current
177 boundaries and proposed boundaries were discussed.

178 Mr. Brougham asked if CDD #1's bond funds were depleted. Mr. Parisi responded
179 affirmatively. Mr. Christensen asked if the number of units in CDD #1 would change. Mr. Parisi
180 stated there would be no change in the number of units.

181 Mr. Pires stated Mr. Russ Weyer would prepare the statement of regulatory costs. The
182 Agreement provides that the petition must be acceptable to the Board so this would be
183 presented to the Board before it is finalized. He reviewed the redline documents. The
184 Resolution number would be inserted into the seventh "Whereas" of the Boundary Funding
185 Agreement.

186 Mr. Brougham presented Resolution 2021-06.

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On MOTION by Mr. Schmitt and seconded by Mr. Brougham, with all in favor, Resolution 2021-06, Authorizing the Filing of a Petition with the Florida Land and Water Adjudicatory Commission for a Modification of the District's Boundaries and the Jurisdiction of the District Through Expansion and Contraction; Providing for Certain Requirements Implementing Section 190.046(1), Florida Statutes; Providing for Severability, Conflicts and an Effective Date, was adopted.

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196
197

C. Consideration of Boundary Amendment Funding Agreement with GB Hidden Cove, LLC, and FCC Marsh, LLC

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Mr. Pires presented the Boundary Amendment Funding Agreement, which, aside from scrivener's changes, was in a form acceptable for approval and execution by the Chair.

201

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On MOTION by Mr. Schmitt and seconded by Mr. Badessa, with all in favor, the Boundary Amendment Funding Agreement with GB Hidden Cove, LLC, and FCC Marsh, LLC, subject to scrivener's comments and/or error corrections, and authorizing the Chair to execute the Agreement, was approved.

206
207
208

Mr. Parisi stated he would deliver a clean copy of the Agreement. Mr. Pires asked for a copy of Exhibit A to be attached.

210
211

Mr. Brougham asked Mr. Pires for the status of the Agreements pertaining to encroachment. Mr. Pires stated the Agreements were drafted and would be sent today.

212

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215

EIGHTH ORDER OF BUSINESS

Continued Discussion: Fiscal Year 2022 Budget

216
217

Mr. Brougham reviewed the proposed Fiscal Year 2022 budget. Board Members discussed changes to various budgeted expenditures.

218

The following changes were made to the proposed Fiscal year 2022 budget:

219
220

Page 5, "Water management – Other contractual": Delete "access control" and applicable figures, as access control expenses are no longer shared.

221

Page 2, "Roadway services – Capital outlay": Change "350,000" to "400,000"

222 Mr. Brougham asked for clarification of the "Irrigation supply – Supply system"
223 expenditure of \$368,500. Mr. Cole stated the overall cost of \$840,000 would be split between
224 the two CDDs and included pump house replacement and CERT repairs.

225 Mr. Brougham noted this was the Board's last opportunity to revise the proposed Fiscal
226 Year 2022 budget before the letter is drafted to advise property owners of an assessment
227 increase. Mr. Cole stated the total cost of the pump house was \$600,000; \$50,000 was added
228 for roof replacement and 15% was added for contingencies and inflation, bringing the total to
229 \$740,000, which was rounded up to \$750,000. The cost was split between the two CDDs, at a
230 cost of \$325,000 each; \$25,000 was added for filter screen replacement, \$5,000 was added for
231 doors and hatches, \$10,000 was added for the Lake A-5 pump house hatch repair, \$30,000 was
232 added for gate valve replacements and a \$25,000 contingency was added in the event of
233 another irrigation main break. The total of \$420,000 was split, with the CDD #1 portion being
234 \$231,000 and the CDD #2 portion being \$189,000. The next two years would pay for
235 replacement of the first pump house and the same level of funding would pay for the next
236 pump house replacement in four years.

237 Mr. Slater asked for clarification of the amount to be budgeted for this expenditure over
238 the next four years. Mr. Cole discussed the two-phase program, which splits the expenditures
239 for pump house repairs between CDD #1 and CDD #2.

240 The following changes were made to the proposed Fiscal year 2022 budget:

241 Page 1, Revenues: Remove "Miscellaneous" in the amount of 15,000

242 Page 2, "Street lighting – Holiday lighting program": Change "15,000" to "16,500"

243 Mr. Brougham stated he asked Mrs. Adams to obtain a proposal to increase the
244 frequency of mosquito spraying from bi-weekly to weekly. Mrs. Adams stated the cost for the
245 additional spraying for CDD #1 and the Villages is an additional \$15,000, through September.
246 The current contract was \$23,582; however, spraying normally stops in September but an
247 additional month of spraying was added last year. Discussion ensued regarding increasing the
248 budgeted amount. Mr. Adams stated the immediate increase would have a negligible impact on
249 the Fiscal Year 2021 budget. Mrs. Adams stated the County would be advised that the CDD is
250 increasing the frequency of its spraying program so that double-spraying would not occur.

251 The following change was made to the proposed Fiscal year 2022 budget:

252 Page 2, "Other contractual– mosquito control": Change "33,000" to "40,000"

253 Mr. Slater asked for clarification of the irrigation supply expense line items, given the
254 \$1.5 million cost to replace two pump houses. Mr. Cole and Mr. Slater discussed the previously
255 itemized costs and how much would be budgeted in the future. Mr. Cole stated the first pump
256 house would be replaced in August 2023; parts would need to be ordered in advance, bids
257 would be obtained and real numbers could be reviewed based on actual bids. Replacement of
258 the entire system would take approximately two weeks. Replacement would be done during
259 the rainy season and, during that time, the other two pump houses would be functional.

260 Mr. Christensen asked for the approximate cost of 1,000' of geotubes. Mr. Cole
261 approximated a cost of \$60,000.

262 Mr. Adams stated the changes noted would result in an assessment of \$1,548.51,
263 equating to an increase of approximately \$216 per unit.

264

265 **NINTH ORDER OF BUSINESS**

**Update: Status of Disaster, Strategies &
Ideas Group, LLC (DSI) FEMA Appeal for
Hurricane Irma Recovery**

266

267

268

269 Mr. Brougham stated the Florida Department of Emergency Management
270 recommended approval of the District's second appeal and sent it to Atlanta on June 3, 2021.
271 He would wait another week and then follow up with Ms. Berry, the District's Consultant.

272

273 **TENTH ORDER OF BUSINESS**

**Acceptance of Unaudited Financial
Statements as of May 31, 2021**

274

275

276 Mr. Brougham presented the Unaudited Financial Statements as of May 31, 2021. Mr.
277 Christensen noted the funds due from CDD #2 had grown from \$61,000 to \$75,000. Mr. Adams
278 stated he would follow up with the Accounting Department.

279 Mr. Christensen asked what the legal expenses would be for the rest of Fiscal Year 2021.

280 Mr. Pires stated he expected the legal expenses to come in under budget.

281 The financials were accepted.

282

283 **ELEVENTH ORDER OF BUSINESS** **Approval of May 26, 2021 Regular Meeting**
284 **Minutes**

285
286 Mr. Brougham presented the May 26, 2021 Regular Meeting Minutes. The following
287 change was made:

288 Line 123: Change "were" to "where"

289

290 **MOTION by Mr. Brougham and seconded by Mr. Schmitt, with all in favor, the**
291 **May 26, 2021 Regular Meeting Minutes, as amended, were approved.**

292

293

294 **TWELFTH ORDER OF BUSINESS** **Action/Agenda or Completed Items**

295

296 Item 4 was completed.

297 Mr. Brougham stated the Fiscal Year 2022 Meeting Schedule should be changed, as
298 discussed at the last meeting. Mr. Adams stated the change was made at a previous meeting.

299 Mr. Slater stated that perimeter fencing at Mulberry slipped. Mr. Cole would inspect the
300 area.

301 Discussion ensued regarding landscaping at Antilles. The consensus was that the
302 landscaping is satisfactory.

303 Faded signs at the front gate entering from 951 and a three-way sign at the intersection
304 of Club Center Drive and Fiddler's Creek Parkway were noted. A sign was missing at the
305 intersection of Club Center Drive and Cherry Oaks Drive. Mrs. Adams would inspect the areas.

306

307 **THIRTEENTH ORDER OF BUSINESS** **Staff Reports**

308

309 **A. District Counsel: *Woodward, Pires and Lombardo, P.A.***

310 There was no report.

311 **B. District Manager: *Wrathell, Hunt and Associates, LLC***

312 • **NEXT MEETING DATE: July 28, 2021 at 8:00 A.M.**

313 ○ **QUORUM CHECK**

314 The next meeting would be held on July 28, 2021.

315 **C. Operations Manager: *Wrathell, Hunt and Associates, LLC***

316 The Financial Highlights Report was provided for informational purposes.

317

318 **FOURTEENTH ORDER OF BUSINESS** **Supervisors' Requests**

319

320 There were no Supervisors' requests.

321

322 **FIFTEENTH ORDER OF BUSINESS** **Public Comments**

323

324 There were no public comments.

325

326 **SIXTEENTH ORDER OF BUSINESS** **Adjournment**

327

328 There being nothing further to discuss, the meeting adjourned at 9:26 a.m.

329

330

331 [SIGNATURES APPEAR ON THE FOLLOWING PAGE]

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Secretary/Assistant Secretary

Chair/Vice Chair

FIDDLER'S CREEK
COMMUNITY DEVELOPMENT DISTRICT
#1

11

FIDDLER'S CREEK CDD #1

#	MTG DATE ADDED TO LIST	ACTION	ACTION/AGENDA or COMPLETED ITEM	ONGOING	POSSIBLY COMPLETED BEFORE NEXT MTG	COMPLETED	MTG DATE MOVED TO COMPLETED
1	03.27.18	ACTION	Per Mr. Brougham, Ms. Lord to request that the District receive a status report on its boundary legal bills. As of 10.24.18 , Mr. Pires working with Ms. Lord to resolve a few items. As of 12.09.20 , Mr. Pires to speak with Mr. Parisi regarding reimbursement of District legal costs. 05.26.21 Mr. Pires to pursue settlement offer and discuss with Mr. Parisi.	X			
2	08.26.20	ACTION	Mr. Adams to draft FEMA request and send to Congressmen/women, Senators and Representatives as appropriate.	X	X		
3	09.23.20	ACTION	Mr. Cole to prepare a memo memorializing the rainfall events related to Tropical Storm Sally.	X			
4	05.26.21	ACTION	Mr. Cole to let Mr. Christensen know when he is on site to inspect the creek adjacent to Runaway Lane for lake bank erosion and review the original inventory list to ensure all the work on the list was completed.	X	X		
5	05.26.21	ACTION	Mr. Cole to send Mr. Frechette the paving project schedule to e-blast to residents and ensure that the contractor cleans debris up off Fiddler's Creek Parkway onto Montreux Lane.	X			
6	05.26.21	ACTION	Mrs. Adams to speak with LandCare regarding parking trucks safely.	X	X		
7	05.26.21	ACTION	Mr. Pires to forward Mr. Brougham the other five Encroachment Agreements to execute.	X			
8	05.26.21	ACTION	Mr. Adams to have Accounting remove the revenue-miscellaneous \$15,000 line item from future financial statements and the proposed Fiscal Year 2022 budget.	X	X		
9	05.26.21	ACTION	Mr. Pires to request a copy of the County's presentation showing there would be no adverse impacts to Fiddler's Creek in regard to water quality or staging of flood levels, to forward to the Board.	X			
10	05.26.21	ACTION	Mrs. Adams to review the District's contract with The Foundation to determine if cleaning the pavers was included in the contract.	X	X		
11	06.23.21	ACTION	Mr. Parisi to review placement of signage for Runaway Bay village.	X			
12	06.23.21	ACTION	Mr. Adams to have Accounting remove references to "access control" and applicable figures from page 5 of the Fiscal Year 2022 budget.	X			
13	06.23.21	ACTION	Mr. Parisi to forward copies of gatehouse documents to Mr. Adams.	X			
14	06.23.21	ACTION	Mrs. Adams to advise the County of additional mosquito spraying.	X	X		
15	06.23.21	ACTION	Mr. Adams to ask Accounting Dept about funds due from CDD #2.	X			

FIDDLER'S CREEK CDD #1

#	MTG DATE ADDED TO LIST	ACTION	ACTION/AGENDA or COMPLETED ITEM	ONGOING	POSSIBLY COMPLETED BEFORE NEXT MTG	COMPLETED	MTG DATE MOVED TO COMPLETED
16	06.23.21	ACTION	Mr. Cole to inspect perimeter fencing at Mulberry.	X			
17	06.23.21	ACTION	Mrs. Adams to review a faded sign at the front gate, a faded sign at the intersection of Club Center Drive and Fiddler's Creek Parkway and a missing sign at intersection of Club Center Drive and Cherry Oaks Drive.	X			

FIDDLER'S CREEK CDD #1

	MTG DATE ADDED TO LIST	ACTION	ACTION/AGENDA or COMPLETED ITEM	ONGOING	POSSIBLY COMPLETED BEFORE NEXT MTG	COMPLETED	MTG DATE MOVED TO COMPLETED
1	06.24.20	ACTION	Mr. Pires to send a letter requesting the County provide information showing there would be no adverse impacts to Fiddler's Creek in regard to water quality or staging of flood levels. 03.24.21 : New County Project Manager/consultant assigned and might attend the April 2021 meeting.			X	05.26.21
2	08.26.20	ACTION	Mr. Cole to request an estimate for milling and repaving of the striping on Runaway Lane. 09.23.20 , Mr. Cole waiting for quote. May be scheduled for spring 2021. 03.21.21 : Mr. Cole to follow up and provide an additional proposal to Mrs. Adams.			X	05.26.21
3	09.23.20	ACTION	Mr. Cole to ensure catch basins in drainage easements were checked and cleared. 12.09.20 : Mr. Cole to spot check in the villages.			X	05.26.21
4	12.09.20	ACTION	Mrs. Adams to follow up with Mr. Parisi regarding the Unaudited Financials line item "Due from FC Foundation" in the amount of \$1,788			X	05.26.21
5	1.27.21	ACTION	Mr. Cole to survey Lake 41-B for erosion along the shore.			X	05.26.21
6	1.27.21	ACTION	Sandpiper/US41 traffic signal costs to be included in Draft Fiscal Year 2022 budget.			X	05.26.21
7	1.27.21	ACTION	Mr. Willis to assist Ms. Smith with contacting a Contractor for pumphouse doorjamb repairs. As of 2.24.21: This item is placed on hold until pump house repairs are addressed in 2022.			X	05.26.21
8	2.24.21	ACTION	Ms. Smith to ensure the concrete stump from the unnecessary pedestrian crossing sign on Fiddler's Creek Parkway is removed.			X	05.26.21
9	2.24.21	ACTION	Mr. Cole to provide a pump house repair schedule with an associated timeline with related expenses for planning purposes.			X	05.26.21
10	2.24.21	ACTION	Mr. Adams to ensure write-off of \$4,942 "C&C tree svc retainage" listed in the Unaudited Financial Statements.			X	05.26.21
11	2.24.21	ACTION	Mr. Willis and/or Mr. Cole to create a manual checklist or procedure to ensure the CDD office receives notification of contractors working in the District.			X	05.26.21
12	2.24.21	ACTION	Ms. Smith to ensure attention is paid to the trimmed height of vegetation in parkway medians and intersections, and to check height above the pavement to keep line of sight clear.			X	05.26.21
13	3.24.21	ACTION	Mr. Cole to research whether the blow off valve should have been installed during the original construction.			X	05.26.21

FIDDLER'S CREEK CDD #1

14	3.24.21	ACTION	Mr. Cole to ensure that the catch basins in Runaway Bay are checked.			X	05.26.21
15	3.24.21	ACTION	Ms. Berry to prepare and submit FEMA appeal for Hurricane Irma for the Board's review by April 1, in advance of the April 19, 2021 deadline.			X	05.26.21
16	3.24.21	ACTION	Mrs. Adams to ensure that the \$1,788 "Due from FC foundation" line item, on Page 1, is removed from the Balance Sheet.			X	05.26.21
17	3.24.21	ACTION	Mrs. Adams to review the asset list regarding the addition of a gatehouse on Championship Drive.			X	05.26.21
18	3.24.21	ACTION	The Fiscal Year 2020 Audit to be presented at the next meeting.			X	05.26.21
19	3.24.21	ACTION	Staff to ensure that LandCare examines all shrubbery and cuts back or cuts down shrubbery blocking visibility, replacing with 6' high plantings where necessary.			X	05.26.21
20	02.24.21	ACTION	Ms. Smith to ensure replacement of faded 35 mph speed limit sign at 951 entrance on Fiddler's Creek Parkway. Divided Highway sign insert replaced. Reported 35 mph speed limit sign in error.			X	06.23.21
21							

FIDDLER'S CREEK
COMMUNITY DEVELOPMENT DISTRICT
#1

12A



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

Anthony P. Pires, Jr.

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
July 12, 2021

TO: BOARD OF SUPERVISORS, FIDDLER’S CREEK COMMUNITY DEVELOPMENT DISTRICT #1 (“FCCDD#1”)
FROM: ANTHONY P. PIRES, JR, DISTRICT COUNSEL *APJ*
RE: CH. 2021-194, LAWS OF FLORIDA [2021 LEGISLATION; CS/CS/CS/HB 53]; REQUIREMENTS TO PREPARE AND SUBMIT: 1. WASTEWATER MANAGEMENT NEEDS ANALYSIS; AND, 2. STORMWATER MANAGEMENT NEEDS ANALYSIS

The purpose of this Memorandum is to highlight one aspect of the above Legislation passed by the Florida Legislature, signed into law by Governor DeSantis on June 29, 2021, and designated as Ch. 2021-164, Laws of Florida. Ch. 2021-164, Laws of Florida (“Ch. 2021-164”) took effect on July 1, 2021. A copy of Ch. 2021-164 is attached as **Exhibit “A”** to this Memorandum and a copy of the Florida House of Representatives Staff Final Bill Analysis (“Staff Analysis”) is attached as **Exhibit “B”** to this Memorandum.

While the legislation also addressed other matters, this Memorandum is for the limited purpose of providing a brief overview of the provisions that require the preparation and submittal by the District, to Collier County, of a needs analyses concerning stormwater management needs.

Effect of Proposed Changes Relevant to FCCDD#1

Stormwater Management Needs Analysis:

Section 5 of Ch. 2021-194 created a new Section 403.9302, Florida Statutes. “Stormwater management projections” requiring local governments, including special

districts, that provide a stormwater management program or stormwater management system, to create a 20-year needs analysis. By June 30, 2022 and every 5 years thereafter, the district is required to develop a needs analysis for its jurisdiction over the subsequent 20 years.

The new law details what shall be included in projecting such needs:

- A detailed description of the stormwater management program or stormwater management system and its facilities and projects.
- The number of current and projected residents served calculated in 5-year increments.
- The current and projected service area for the stormwater management program or stormwater management system.
- The current and projected cost of providing services calculated in 5-year increments.
- The estimated remaining useful life of each facility or its major components.
- The most recent 5-year history of annual contributions to, expenditures from, and balances of any capital account for maintenance or expansion of any facility or its major components.
- The local government's plan to fund the maintenance or expansion of any facility or its major components.
- The plan must include historical and estimated future revenues and expenditures with an evaluation of how the local government expects to close any projected funding gap.

The completed needs analysis and the methodology and any supporting data necessary to interpret the results must then be submitted to Collier County. Collier County will then compile all of the analyses that it receives into a single document and then include its own analysis, thereafter filing the compiled document with EDR by no later than July 31, 2022 and every 5 years thereafter.

Enclosures

Cc with enclosures: C. Adams, T. Cole

CHAPTER 2021-194

Committee Substitute for Committee Substitute for Committee Substitute for House Bill No. 53

An act relating to public works; amending s. 255.0991, F.S.; revising a prohibition relating to any solicitation for construction services paid for with state appropriated funds; amending s. 255.0992, F.S.; revising the definition of the term “public works project”; prohibiting the state or any political subdivision that contracts for a public works project from taking specified action against certain persons that are engaged in a public works project or have submitted a bid for such a project; providing applicability; amending s. 403.928, F.S.; requiring the Office of Economic and Demographic Research to include an analysis of certain expenditures in its annual assessment; creating s. 403.9301, F.S.; providing definitions; requiring counties, municipalities, and special districts that provide wastewater services to develop a needs analysis that includes certain information by a specified date; requiring municipalities and special districts to submit such analyses to a certain county; requiring the county to file a compiled document with the coordinator of the Office of Economic and Demographic Research by a specified date; requiring the office to evaluate the document and include an analysis in its annual assessment; providing applicability; creating s. 403.9302, F.S.; providing definitions; requiring counties, municipalities, and special districts that provide stormwater management to develop a needs analysis that includes certain information by a specified date; requiring municipalities and special districts to submit such analyses to a certain county; requiring the county to file a compiled document with the Secretary of Environmental Protection and the coordinator of the Office of Economic and Demographic Research by a specified date; requiring the office to evaluate the document and include an analysis in its annual assessment; providing applicability; providing a determination and declaration of important state interest; providing an effective date.

Be It Enacted by the Legislature of the State of Florida:

Section 1. Subsection (2) of section 255.0991, Florida Statutes, is amended to read:

255.0991 Contracts for construction services; prohibited local government preferences.—

(2) For any a competitive solicitation for construction services paid for ~~with any in which 50 percent or more of the cost will be paid from state-appropriated funds which have been appropriated at the time of the competitive solicitation~~, a state college, county, municipality, school district, or other political subdivision of the state may not use a local ordinance or regulation to prevent a certified, licensed, or registered contractor,



subcontractor, or material supplier or carrier, from participating in the bidding process that provides a preference based upon:

(a) ~~The contractor's~~ Maintaining an office or place of business within a particular local jurisdiction;

(b) ~~The contractor's~~ Hiring employees or subcontractors from within a particular local jurisdiction; or

(c) ~~The contractor's~~ Prior payment of local taxes, assessments, or duties within a particular local jurisdiction.

Section 2. Paragraph (b) of subsection (1) and subsections (2) and (3) of section 255.0992, Florida Statutes, are amended to read:

255.0992 Public works projects; prohibited governmental actions.—

(1) As used in this section, the term:

(b) “Public works project” means an activity exceeding \$1 million in value that is of which 50 percent or more of the cost will be paid for with any from state-appropriated funds that were appropriated at the time of the competitive solicitation and which consists of the construction, maintenance, repair, renovation, remodeling, or improvement of a building, road, street, sewer, storm drain, water system, site development, irrigation system, reclamation project, gas or electrical distribution system, gas or electrical substation, or other facility, project, or portion thereof that is owned in whole or in part by any political subdivision.

(2)(a) Except as required by federal or state law, the state or any political subdivision that contracts for a public works project may not take the following actions:

(a) Prevent a certified, licensed, or registered contractor, subcontractor, or material supplier or carrier, from participating in the bidding process based on the geographic location of the company headquarters or offices of the contractor, subcontractor, or material supplier or carrier submitting a bid on a public works project or the residences of employees of such contractor, subcontractor, or material supplier or carrier.

(b) Require that a contractor, subcontractor, or material supplier or carrier engaged in a public works such project:

1. Pay employees a predetermined amount of wages or prescribe any wage rate;

2. Provide employees a specified type, amount, or rate of employee benefits;

3. Control, limit, or expand staffing; or

4. Recruit, train, or hire employees from a designated, restricted, or single source.

~~(c)(b) The state or any political subdivision that contracts for a public works project may not~~ Prohibit any contractor, subcontractor, or material supplier or carrier able to perform such work that who is qualified, licensed, or certified as required by state or local law to perform such work from receiving information about public works opportunities or from submitting a bid on the public works project. This paragraph does not apply to vendors listed under ss. 287.133 and 287.134.

(3) This section does not apply to the following:

(a) Contracts executed under chapter 337.

(b) A use authorized by s. 212.055(1) which is approved by a majority vote of the electorate of the county or by a charter amendment approved by a majority vote of the electorate of the county.

Section 3. Paragraph (e) is added to subsection (1) of section 403.928, Florida Statutes, to read:

403.928 Assessment of water resources and conservation lands.—The Office of Economic and Demographic Research shall conduct an annual assessment of Florida’s water resources and conservation lands.

(1) WATER RESOURCES.—The assessment must include all of the following:

(e) Beginning with the assessment due January 1, 2022, an analysis of the expenditures necessary to repair, replace, and expand water-related infrastructure. As part of this analysis, the office shall periodically survey public and private utilities.

Section 4. Section 403.9301, Florida Statutes, is created to read:

403.9301 Wastewater services projections.—

(1) The Legislature intends for each county, municipality, or special district providing wastewater services to create a 20-year needs analysis.

(2) As used in this section, the term:

(a) “Domestic wastewater” has the same meaning as provided in s. 367.021.

(b) “Facility” means any equipment, structure, or other property, including sewerage systems and treatment works, used to provide wastewater services.

(c) “Treatment works” has the same meaning as provided in s. 403.031(11).

(d) "Wastewater services" means service to a sewerage system, as defined in s. 403.031(9), or service to domestic wastewater treatment works.

(3) By June 30, 2022, and every 5 years thereafter, each county, municipality, or special district providing wastewater services shall develop a needs analysis for its jurisdiction over the subsequent 20 years. In projecting such needs, each local government shall include the following:

(a) A detailed description of the facilities used to provide wastewater services.

(b) The number of current and projected connections and residents served calculated in 5-year increments.

(c) The current and projected service area for wastewater services.

(d) The current and projected cost of providing wastewater services calculated in 5-year increments.

(e) The estimated remaining useful life of each facility or its major components.

(f) The most recent 5-year history of annual contributions to, expenditures from, and balances of any capital account for maintenance or expansion of any facility or its major components.

(g) The local government's plan to fund the maintenance or expansion of any facility or its major components. The plan must include historical and estimated future revenues and expenditures with an evaluation of how the local government expects to close any projected funding gap.

(4) Upon completing the requirements of subsection (3), each municipality or special district shall submit its needs analysis, as well as the methodology and any supporting data necessary to interpret the results, to the county within which the largest portion of its service area is located. Each county shall compile all analyses submitted to it under this subsection into a single document and include its own analysis in the document. The county shall file the compiled document with the coordinator of the Office of Economic and Demographic Research no later than July 31, 2022, and every 5 years thereafter.

(5) The Office of Economic and Demographic Research shall evaluate the compiled documents from the counties for the purpose of developing a statewide analysis for inclusion in the assessment due January 1, 2023, pursuant to s. 403.928.

(6) This section applies to a rural area of opportunity as defined in s. 288.0656 unless the requirements of this section would create an undue economic hardship for the county, municipality, or special district in the rural area of opportunity.

→ Section 5. Section 403.9302, Florida Statutes, is created to read: ←

403.9302 Stormwater management projections.—

(1) The Legislature intends for each county, municipality, or special district providing a stormwater management program or stormwater management system to create a 20-year needs analysis.

(2) As used in this section, the term:

(a) “Facility” means any equipment, structure, or other property, including conveyance systems, used or useful in connection with providing a stormwater management program or stormwater management system.

(b) “Stormwater management program” has the same meaning as provided in s. 403.031(15).

(c) “Stormwater management system” has the same meaning as provided in s. 403.031(16).

(3) By June 30, 2022, and every 5 years thereafter, each county, municipality, or special district providing a stormwater management program or stormwater management system shall develop a needs analysis for its jurisdiction over the subsequent 20 years. In projecting such needs, each local government shall include the following:

(a) A detailed description of the stormwater management program or stormwater management system and its facilities and projects.

(b) The number of current and projected residents served calculated in 5-year increments.

(c) The current and projected service area for the stormwater management program or stormwater management system.

(d) The current and projected cost of providing services calculated in 5-year increments.

(e) The estimated remaining useful life of each facility or its major components.

(f) The most recent 5-year history of annual contributions to, expenditures from, and balances of any capital account for maintenance or expansion of any facility or its major components.

(g) The local government’s plan to fund the maintenance or expansion of any facility or its major components. The plan must include historical and estimated future revenues and expenditures with an evaluation of how the local government expects to close any projected funding gap.

(4) Upon completing the requirements of subsection (3), each municipality or special district shall submit its needs analysis, as well as the

methodology and any supporting data necessary to interpret the results, to the county within which the largest portion of its stormwater management program or stormwater management system is located. Each county shall compile all analyses submitted to it under this subsection into a single document and include its own analysis in the document. The county shall file the compiled document with the Secretary of Environmental Protection and the coordinator of the Office of Economic and Demographic Research no later than July 31, 2022, and every 5 years thereafter.

(5) The Office of Economic and Demographic Research shall evaluate the compiled documents from the counties for the purpose of developing a statewide analysis for inclusion in the assessment due January 1, 2023, pursuant to s. 403.928.

(6) This section applies to a rural area of opportunity as defined in s. 288.0656 unless the requirements of this section would create an undue economic hardship for the county, municipality, or special district in the rural area of opportunity.

Section 6. The Legislature determines and declares that this act fulfills an important state interest.

Section 7. This act shall take effect July 1, 2021.

Approved by the Governor June 29, 2021.

Filed in Office Secretary of State June 29, 2021.

HOUSE OF REPRESENTATIVES STAFF FINAL BILL ANALYSIS

BILL #: CS/CS/CS/HB 53 Public Works

SPONSOR(S): State Affairs Committee; Public Integrity & Elections Committee; Government Operations Subcommittee; DiCeglie and others

TIED BILLS: IDEN./SIM. **BILLS:** CS/CS/HB 367, CS/CS/CS/SB 1076

FINAL HOUSE FLOOR ACTION: 79 Y's 34 N's **GOVERNOR'S ACTION:** Pending

SUMMARY ANALYSIS

CS/CS/CS/HB 53 passed the House on April 23, 2021, as amended. The bill was amended in the Senate on April 27, 2021, and was returned to the House. The House concurred in the Senate amendment and subsequently passed the bill as amended on April 28, 2021.

Currently, for a competitive solicitation for construction services in which 50 percent or more of the cost will be paid from state-appropriated funds, certain entities of the state may not use a local ordinance or regulation that provides certain preferences. "Public works project" means an activity of which 50 percent or more of the cost will be paid from state-appropriated funds that were appropriated at the time of the competitive solicitation and which consists of the construction, maintenance, repair, renovation, remodeling, or improvement of a building, road, street, sewer, storm drain, water system, site development, irrigation system, reclamation project, gas or electrical distribution system, gas or electrical substation, or other facility, project, or portion thereof that is owned in whole or in part by any political subdivision.

For any competitive solicitations for construction services, the bill removes the 50 percent or more, state-appropriated funding threshold that triggers the prohibition on certain local preferences and instead, provides that the prohibition applies if such solicitations will be paid for with any funding that is state-appropriated. The bill also revises the definition of "public works project" to remove the 50 percent or more, state-appropriated funding threshold for certain activities and replaces it with a cost threshold of over \$1,000,000 in value paid for with any state-appropriated funds. The bill prohibits the state or any political subdivision that contracts for a public works project from preventing a certified, licensed, or registered contractor, subcontractor, or material supplier or carrier, from participating in the bidding process based on the geographic location of its headquarters or offices or the residences of its employees.

Wastewater and stormwater must be managed to protect public health, water quality, recreation, fish, wildlife, and the aesthetic appeal of Florida's waterways.

Beginning with the annual assessment due January 1, 2022, the bill requires the Office of Economic & Demographic Research (EDR) to include an analysis of the expenditures necessary to repair, replace, and expand water-related infrastructure in its annual assessment of Florida's water resources and conservation lands. By June 30, 2022, and every five years thereafter, the bill requires each county, municipality, or special district providing wastewater or stormwater services to develop a needs analysis for its jurisdiction over the subsequent 20 years. The analyses must be compiled and submitted to EDR and EDR must evaluate the compiled documents for the purpose of developing a statewide analysis for inclusion in the annual assessment due January 1, 2023.

The bill may have an indeterminate fiscal impact on the state and local governments.

Subject to the Governor's veto powers, the effective date of this bill is July 1, 2021.



I. SUBSTANTIVE INFORMATION

A. EFFECT OF CHANGES:

Public Works Projects

Present Situation

Procurement of Construction Services

Chapter 255, F.S., specifies the procedures to be followed in the procurement of construction services for public property and publicly owned buildings. The Department of Management Services is responsible for establishing by rule the following:

- Procedures for determining the qualifications and responsibility of potential bidders prior to advertising for and receiving bids for building construction contracts;
- Procedures for awarding each state agency construction project to the lowest qualified bidder;
- Procedures to govern negotiations for construction contracts and contract modifications when such negotiations are determined to be in the best interest of the state; and
- Procedures for entering into performance-based contracts for the development of public facilities when those contracts are determined to be in the best interest of the state.¹

State contracts for construction projects that are projected to cost in excess of \$200,000 must be competitively bid.² A county, municipality, special district, or other political subdivision seeking to construct or improve a public building must competitively bid the project if the estimated cost is in excess of \$300,000.³

Section 255.0525, F.S., requires the solicitation of competitive bids or proposals for any state construction project that is projected to cost more than \$200,000 to be publicly advertised in the Florida Administrative Register (FAR) at least 21 days prior to the established bid opening. If the cost of the construction project is projected to exceed \$500,000, the advertisement must be published in the FAR at least 30 days prior to the bid opening, and at least once in a newspaper of general circulation in the county where the project is located at least 30 days prior to the bid opening.⁴

For a competitive solicitation⁵ for construction services in which 50 percent or more of the cost will be paid from state-appropriated funds, a state college, county, municipality, school district, or other political subdivision of the state may not use a local ordinance or regulation that provides a preference based upon:

- The contractor's maintaining an office or place of business within a particular local jurisdiction;
- The contractor's hiring employees or subcontractors from within a particular local jurisdiction; or
- The contractor's prior payment of local taxes, assessments, or duties within a particular local jurisdiction.⁶

¹ S. 255.29, F.S.

² See s. 255.0525, F.S.; see also ch. 60D-5.002 and 60D-5.0073, F.A.C.

³ S. 255.20(1), F.S. For electrical work, local governments must competitively bid projects estimated to cost more than \$75,000.

⁴ For counties, municipalities, and political subdivisions, similar publishing provisions apply. See S. 255.0525(2), F.S.

⁵ "Competitive solicitation" means an invitation to bid, a request for proposals, or an invitation to negotiate. S. 255.248, F.S.

⁶ S. 255.0991(2), F.S.

Several counties and municipalities have adopted ordinances requiring companies bidding on contracts to pay their employees a “living wage,”⁷ while others have adopted ordinances requiring apprenticeship programs.⁸

Preference to State Residents

Florida law provides a preference for the employment of state residents in construction contracts funded with state funds. Such contracts must contain a provision requiring the contractor to give preference to employing state residents to perform the work if such residents have substantially equal qualifications⁹ to those of nonresidents.¹⁰ If a construction contract is funded by local funds, the contract may, but is not required to, contain such a provision.¹¹ In addition, a contractor required to employ state residents must contact the Department of Economic Opportunity to post the contractor’s employment needs in the state’s job bank system.¹²

A contract will not be let to any person who refuses to execute an agreement that gives preference to state residents.¹³ However, contracts involving the expenditure of federal aid funds do not have to give preference to employing state residents if that conflicts with federal law.¹⁴

Public Works Projects – Prohibited Governmental Actions

In 2017,¹⁵ the Florida Legislature created section 255.0992, F.S., relating to public works projects, and defined the following terms:

- “Political subdivision” means a separate agency or unit of local government created or established by law or ordinance and the officers thereof. The term includes, but is not limited to, a county; a city, town, or other municipality; or a department, commission, authority, school district, taxing district, water management district, board, public corporation, institution of higher education, or other public agency or body thereof authorized to expend public funds for construction, maintenance, repair, or improvement of public works.
- “Public works project” means an activity of which 50 percent or more of the cost will be paid from state-appropriated funds that were appropriated at the time of the competitive solicitation and which consists of the construction, maintenance, repair, renovation, remodeling, or improvement of a building, road, street, sewer, storm drain, water system, site development, irrigation system, reclamation project, gas or electrical distribution system, gas or electrical substation, or other facility, project, or portion thereof that is owned in whole or in part by any political subdivision.

The law provides that except as required by federal or state law, the state or any political subdivision that contracts for a public works project may not require a contractor, subcontractor, or material supplier or carrier engaged in the project to:

- Pay employees a predetermined amount of wages or prescribe any wage rate;
- Provide employees a specified type, amount, or rate of employee benefits;
- Control, limit, or expand staffing; or

⁷ See, e.g., Broward County Code of Ordinances s. 26-102, Palm Beach County Code of Ordinances s. 2-147 to 2-250.1, Miami-Dade County Code of Ordinances s. 2-8.9.

⁸ See Charlie Frago, *Tampa Seeks to Require Apprenticeships on Large City Projects*, Tampa Bay Times (December 4, 2020), available at <https://www.tampabay.com/news/tampa/2020/12/04/tampa-seeks-to-require-apprenticeships-on-large-city-projects/> (last visited March 26, 2021).

⁹ S. 255.099(1)(a), F.S., defines “substantially equal qualifications” as the qualifications of two or more persons among whom the employer cannot make a reasonable determination that the qualifications held by one person are better suited for the position than the qualifications held by the other person or persons.

¹⁰ S. 255.099(1), F.S.

¹¹ *Id.*

¹² S. 255.099(1)(b), F.S.

¹³ S. 255.099(2), F.S.

¹⁴ *Id.*

¹⁵ Ch. 2017-113, L.O.F.

- Recruit, train, or hire employees from a designated, restricted, or single source.¹⁶

In addition, the law provides¹⁷ that the state or any political subdivision that contracts for a public works project may not prohibit any contractor, subcontractor, or material supplier or carrier from submitting a bid on the project if such individual is able to perform the work described and is qualified, licensed, or certified as required by state law. However, this provision does not apply to vendors listed in sections 287.133¹⁸ and 287.134, F.S.¹⁹

The law does not apply to contracts executed by the Department of Transportation (DOT) under chapter 337, F.S.²⁰

During the bid process, it is common for local governments to place certain limitations, such as the requirement of a general contractor's license, on the bid documents.

Federal Labor and Wage Laws

The National Labor Relations Act of 1935²¹ and the Labor Management Relations Act of 1947²² constitute a comprehensive scheme of regulations guaranteeing employees the right to organize, to bargain collectively through chosen representatives, and to engage in concerted activities to secure their rights in industries involved in or affected by interstate commerce.

The Fair Labor Standards Act (FLSA or act) establishes a federal minimum wage, which is the lowest hourly wage that can be paid in the United States.²³ A state may set the rate higher than the federal minimum, but not lower.²⁴ The act also requires employers to pay time and a half to their employees for overtime hours worked,²⁵ and establishes standards for recordkeeping²⁶ and child labor.²⁷ Over 135 million workers are covered under the act;²⁸ most, but not all, jobs are covered by the FLSA. In addition, some jobs covered by the act are considered "exempt" from the FLSA overtime requirements.²⁹

¹⁶ S. 255.0992(2)(a), F.S.

¹⁷ S. 255.0992(2)(b), F.S.

¹⁸ S. 287.133, F.S., prohibits a vendor that has been convicted of a public entity crime from being awarded or performing work as a contractor, supplier, subcontractor, or consultant under a contract with the state, any of its departments or agencies, or any political subdivision.

¹⁹ S. 287.134, F.S., prohibits an entity that has been found by a court to have committed discrimination based on race, gender, national origin, disability, or religion from being awarded or performing work as a contractor, supplier, subcontractor, or consultant under a contract with the state or any department or agency of the state.

²⁰ S. 255.0992(3), F.S.

²¹ 29 U.S.C. ss. 151-169 (encouraging the practice and procedure of collective bargaining and protecting the exercise by workers of full freedom of association, self-organization, and designation of representatives of their own choosing, for the purpose of negotiating the terms and conditions of their employment or other mutual aid or protection).

²² 29 U.S.C. ss. 141-197 (prescribing the rights of both employees and employers in their relations affecting commerce, to provide orderly and peaceful procedures for preventing the interference by either with the rights of the other, to protect the rights of individual employees in their relations with labor organizations whose activities affect commerce, to define and proscribe practices on the part of labor and management which affect commerce and are inimical to the general welfare, and to protect the rights of the public in connection with labor disputes affecting commerce).

²³ 29 U.S.C. s. 206.

²⁴ 29 U.S.C. s. 218(a).

²⁵ 29 U.S.C. s. 207(a)(1).

²⁶ 29 U.S.C. s. 211.

²⁷ 29 U.S.C. s. 212.

²⁸ United States Department of Labor, *Wage and Hour Division: Resources for Workers*, available at <http://www.dol.gov/whd/workers.htm> (last visited March 26, 2021).

²⁹ 29 U.S.C. s. 213; United States Department of Labor, *Fact Sheet #14: Coverage Under the Fair Labor Standards Act (FLSA)*, www.dol.gov/whd/regs/compliance/whdfs14.pdf (last visited March 26, 2021).

On February 12, 2014, President Obama signed Executive Order 13658, which establishes a minimum wage for certain federal contractors.³⁰ The Executive Order requires parties who contract with the federal government to pay workers performing work on or in connection with covered federal contracts at least \$10.10 per hour beginning January 1, 2015. Beginning January 1, 2016, and annually thereafter, such workers must be paid an amount determined by the Secretary of Labor in accordance with the Executive Order. The order stated that “[r]aising the pay of low-wage workers increases their morale and the productivity and quality of their work, lowers turnover and its accompanying costs, and reduces supervisory costs.”³¹ The Executive Order hourly minimum wage in effect from January 1, 2021, through December 31, 2021, is \$10.95.³²

The Davis-Bacon Act³³ applies to contractors and subcontractors performing on federally funded or assisted contracts in excess of \$2,000 for the construction, alteration, or repair (including painting and decorating) of public buildings or public works.³⁴ Contractors and subcontractors subject to the Davis-Bacon Act are required to pay their laborers and mechanics employed under the contract no less than the locally prevailing wages and fringe benefits for corresponding work on similar projects in the area, as determined by the Department of Labor.³⁵ The Davis-Bacon Act applies to contractors and subcontractors performing work on federal or District of Columbia contracts.³⁶ Many federal laws that authorize federal assistance for construction through grants, loans, loan guarantees, and insurance are referred to as Davis-Bacon “related Acts.”³⁷ The “related Acts” include provisions that require the prevailing wage provisions of the Davis-Bacon Act to apply to most federally assisted construction.³⁸

State Labor and Wage Regulations

The State Constitution protects the right for workers to collectively bargain, including public sector employees.³⁹ It provides, in pertinent part, that “[t]he right of persons to work shall not be denied or abridged on account of membership or non-membership in any labor union or labor organization. The right of employees, by and through a labor organization, to bargain collectively shall not be denied or abridged.” The Florida Supreme Court has held that public employees maintain the same rights to collectively bargain as do private employees.⁴⁰

In addition, the State Constitution provides that “[a]ll working Floridians are entitled to be paid a minimum wage that is sufficient to provide a decent and healthy life for them and their families, that protects their employers from unfair low-wage competition, and that does not force them to rely on taxpayer-funded public services in order to avoid economic hardship.”⁴¹ Employers must pay

³⁰ Exec. Order 13658, 79 Fed. Reg. 9851 (Feb. 12, 2014), available at <http://www.whitehouse.gov/the-press-office/2014/02/12/executive-order-minimum-wage-contractors> (last visited March 26, 2021).

³¹ *Id.*

³² 85 Fed. Reg. 53850 (August 31, 2020), available at <https://www.federalregister.gov/documents/2020/08/31/2020-19037/establishing-a-minimum-wage-for-contractors-notice-of-rate-change-in-effect-as-of-january-1-2021> (last visited March 26, 2021).

³³ Davis-Bacon Act, 40 U.S.C. s. 3141-3148.

³⁴ United States Department of Labor, *Wage and Hour Division: Davis-Bacon and Related Acts*, available at <http://www.dol.gov/whd/govcontracts/dbra.htm> (last visited March 26, 2021).

³⁵ *Id.*

³⁶ *Id.*

³⁷ United States Department of Labor, *Fact Sheet #66: The Davis-Bacon and Related Acts (DBRA)*, <http://www.dol.gov/whd/regs/compliance/whdfs66.pdf> (last visited March 26, 2021). Examples of “related Acts” are the Federal Aid Highway Acts, the Housing and Community Development Act of 1974, and the Federal Water Pollution Control Act.

³⁸ *Id.*

³⁹ Art. I, s. 6, FLA. CONST.

⁴⁰ See *Hillsborough Cnty. Gov’tl Emps. Ass’n, Inc. v. Hillsborough Cnty. Aviation Auth.*, 522 So. 2d 358 (Fla. 1988); *City of Tallahassee v. Public Employees Relations Comm’n*, 410 So. 2d 487 (Fla. 1981); *Dade Cnty. Classroom Teachers Ass’n v. Legislature of Fla.*, 269 So. 2d 684 (Fla. 1972).

⁴¹ Art. X, s. 24(a), FLA. CONST.

employees no less than the minimum wage for all hours worked in Florida.⁴² The current state minimum wage is \$8.65 per hour,⁴³ which is higher than the federal rate.⁴⁴

Department of Transportation Construction Projects

Chapter 337, F.S., governs contracting by DOT. Any person who wants to bid for a construction contract in excess of \$250,000 must be certified by DOT as qualified.⁴⁵ Certification is also required to bid on road, bridge, or public transportation construction projects of more than \$250,000.⁴⁶ The purpose of certification is to ensure professional and financial competence relating to the performance of construction contracts by evaluating bidders “with respect to the equipment, past record, experience, financial resources, and organizational personnel of the applying contractor which are necessary to perform the specific class of work for which the contractor seeks certification.”⁴⁷

Effect of Proposed Changes

For any competitive solicitations for construction services, the bill removes the 50 percent or more, state-appropriated funding threshold and the preference based prohibition and instead, imposes a prohibition regarding solicitations that will be paid for with any state-appropriated funding. These penalty prohibitions apply to a state college, county, municipality, school district, or other political subdivision of the state. The bill prohibits the use of a local ordinance or regulation to prevent a certified, licensed, or registered contractor, subcontractor, or material supplier or carrier, from participating in the bidding process based upon:

- Maintaining an office or place of business within a particular local jurisdiction;
- Hiring employees or subcontractors from within a particular local jurisdiction; or
- Prior payment of local taxes, assessments, or duties within a particular local jurisdiction.

The bill also revises the definition of “public works project” to remove the 50 percent or more, state-appropriated funding threshold for certain activities and replaces it with a cost threshold of over \$1,000,000 in value paid for with any state-appropriated funds. Except as required by federal or state law, the bill prohibits the state or any political subdivision that contracts for a public works project from preventing a certified, licensed, or registered contractor, subcontractor, or material supplier or carrier, from participating in the bidding process based on the geographic location of its headquarters or offices or the residences of the employees of such contractor, subcontractor, or material supplier or carrier. Additionally, the state or any political subdivision that contracts for a public works project may not require a contractor, subcontractor, or material supplier or carrier engaged in the project to:

- Pay employees a predetermined amount of wages or prescribe any wage rate;
- Provide employees a specified type, amount, or rate of employee benefits;
- Control, limit, or expand staffing; or
- Recruit, train, or hire employees from a designated, restricted, or single source.

Lastly, the bill provides that a state or political subdivision may not prohibit a contractor, subcontractor, or material supplier or carrier who is able, qualified, licensed, or certified to perform such work, from receiving information about public works opportunities.

The bill does not apply to contracts executed by the Department of Transportation under chapter 337, F.S., or to a use authorized by the Charter County and Regional Transportation System Surtax, which

⁴² Art. X, s. 24(c), FLA. CONST.

⁴³ Department of Economic Opportunity, *Display Posters and Required Notices*, https://floridajobs.org/docs/default-source/business-growth-and-partnerships/for-employers/posters-and-required-notices/2021-minimum-wage/poster-fl-minimum-wage-2021-english.pdf?sfvrsn=74a4bb0_2 (last visited March 26, 2021).

⁴⁴ The federal minimum wage is \$7.25 per hour. For more information about federal minimum wage provisions, *see* <http://www.dol.gov/whd/minimumwage.htm> (last visited March 26, 2021).

⁴⁵ S. 337.14(1), F.S.

⁴⁶ S. 337.14(2), F.S.

⁴⁷ S. 337.14(1), F.S.

is approved by a majority vote of the electorate of the county or by a charter amendment approved by a majority vote of the electorate of the county.

Wastewater and Stormwater Management

Present Situation

Wastewater

Because domestic wastewater treatment facilities are stationary installations that are reasonably expected to be sources of water pollution, they must be operated, maintained, constructed, expanded, or modified with a permit issued by the Department of Environmental Protection (DEP).⁴⁸ Approximately 2,000 domestic wastewater treatment facilities in the state serve roughly two-thirds of the state's population.⁴⁹ Each day, over 1.5 billion gallons of treated wastewater effluent⁵⁰ and reclaimed water⁵¹ are disposed of from these facilities.⁵² Methods of disposal include reuse and land application systems, groundwater disposal by underground injection, groundwater recharge using injection wells, surface water discharges, disposal to coastal and open ocean waters, and wetland discharges.⁵³

Stormwater

Stormwater is the flow of water resulting from, and immediately following, a rainfall event.⁵⁴ When stormwater falls on pavement, buildings, and other impermeable surfaces, the runoff flows quickly and can pick up sediment, nutrients (such as nitrogen and phosphorous), chemicals, and other pollutants.⁵⁵ A stormwater management system is a system designed to control discharges necessitated by rainfall events, incorporating methods to collect, convey, store, treat, use, or reuse water to prevent or reduce flooding, overdrainage, environmental degradation, and water pollution.⁵⁶ Most activities that create new impermeable surfaces or alter surface water flows will involve a stormwater management system.⁵⁷

Office of Economic & Demographic Research

The Office of Economic & Demographic Research (EDR) is a research arm of the Legislature that is principally concerned with forecasting economic and social trends that affect policymaking, revenues, and appropriations.⁵⁸ EDR publishes the official economic, demographic, revenue, and agency workload forecasts that are developed by consensus estimating conferences and makes them available to the Legislature, state agencies, universities, research organizations, and the general public.⁵⁹

⁴⁸ S. 403.087(1), F.S.

⁴⁹ DEP, *General Facts and Statistics about Wastewater in Florida*, <https://floridadep.gov/water/domestic-wastewater/content/general-facts-and-statistics-about-wastewater-florida> (last visited Apr. 2, 2021).

⁵⁰ R. 62-600.200(22), F.A.C., defines the term "effluent" as, unless specifically stated otherwise, water that is not reused after flowing out of any plant or other works used for the purpose of treating, stabilizing, or holding wastes.

⁵¹ R. 62-600.200(54), F.A.C., defines the term "reclaimed water" as water that has received at least secondary treatment and basic disinfection and is reused after flowing out of a domestic wastewater treatment facility.

⁵² DEP, *General Facts and Statistics about Wastewater in Florida*, <https://floridadep.gov/water/domestic-wastewater/content/general-facts-and-statistics-about-wastewater-florida> (last visited Apr. 2, 2021).

⁵³ R. 62-600.440(4), F.A.C.

⁵⁴ DEP, *Environmental Resource Permit Applicant's Handbook Volume I (General and Environmental)* (June 1, 2018), 2-10, https://www.swfwmd.state.fl.us/sites/default/files/medias/documents/Applicant_Hanbook_I_-_Combined.pd_0.pdf (last visited Apr. 2, 2021).

⁵⁵ DEP, *Stormwater Management* (2016), 1, https://floridadep.gov/sites/default/files/stormwater-management_0.pdf (last visited Apr. 2, 2021).

⁵⁶ S. 373.403(10), F.S.

⁵⁷ DEP, *Environmental Resource Permit Applicant's Handbook Volume I (General and Environmental)* (June 1, 2018), 1-5, https://www.swfwmd.state.fl.us/sites/default/files/medias/documents/Applicant_Hanbook_I_-_Combined.pd_0.pdf (last visited Apr. 2, 2021).

⁵⁸ EDR, *Welcome*, <http://edr.state.fl.us/Content/> (last visited Apr. 2, 2021).

⁵⁹ EDR, *About Us*, <http://edr.state.fl.us/Content/about/index.cfm> (last visited Apr. 2, 2021).

In 2016, the Legislature passed Senate Bill 552, which directed EDR to conduct an annual assessment of Florida's water resources and conservation lands.⁶⁰ The assessment is conducted with the assistance of the water management districts, DEP, the Department of Agriculture and Consumer Services, the Fish and Wildlife Conservation Commission, counties, municipalities, and special districts and must be submitted by January 1 of each year.⁶¹

Effect of Proposed Changes

Wastewater Management Analysis

By June 30, 2022, and every five years thereafter, the bill requires each county, municipality, or special district providing wastewater services⁶² to develop a needs analysis for its jurisdiction over the subsequent 20 years. In projecting such needs, each local government must include:

- A detailed description of the facilities used to provide wastewater services.
- The number of current and projected connections and residents served calculated in five-year increments.
- The current and projected service area for wastewater services.
- The current and projected cost of providing wastewater services calculated in five-year increments.
- The estimated remaining useful life of each facility or its major components.
- The most recent five-year history of annual contributions to, expenditures from, and balances of any capital account for maintenance or expansion of any facility or its major components.
- The local government's plan to fund the maintenance or expansion of any facility or its major components. The plan must include historical and estimated future revenues and expenditures with an evaluation of how the local government expects to close any projected funding gap.

The bill requires each municipality or special district to submit its needs analysis, as well as the methodology and any supporting data necessary to interpret the results, to the county within which the largest portion of its service area is located. Each county must compile all analyses submitted to it into a single document and include its own analysis in the document. The county must file the compiled document with the coordinator of EDR no later than July 31, 2022, and every five years thereafter.

The bill specifies that local governments in rural areas of opportunity are subject to the bill's requirements related to conducting analyses of wastewater systems, unless the requirements would create an undue economic hardship for the local government.

Stormwater Management Analysis

By June 30, 2022, and every five years thereafter, the bill requires each county, municipality, or special district providing a stormwater management program or stormwater management system to develop a needs analysis for its jurisdiction over the subsequent 20 years. In projecting such needs, each local government must include:

- A detailed description of the stormwater management program or system and its facilities and projects.
- The number of current and projected residents served calculated in five-year increments.
- The current and projected service area for the stormwater management program or system.
- The current and projected cost of providing services calculated in five-year increments.
- The estimated remaining useful life of each facility or its major components.
- The most recent five-year history of annual contributions to, expenditures from, and balances of any capital account for maintenance or expansion of any facility or its major components.

⁶⁰ Chapter 2016-1, Laws of Fla.; s. 403.928, F.S.; EDR, *Natural Resources and Infrastructure*, <http://edr.state.fl.us/Content/natural-resources/index.cfm> (last visited Apr. 2, 2021).

⁶¹ Ss. 403.928(5) and (7), F.S.

⁶² The bill defines "wastewater services" to mean service to a sewerage system or service to domestic wastewater treatment works.

- The local government's plan to fund the maintenance or expansion of any facility or its major components. The plan must include historical and estimated future revenues and expenditures with an evaluation of how the local government expects to close any projected funding gap.

The bill requires each municipality or special district to submit its needs analyses, as well as the methodology and any supporting data necessary to interpret the results, to the county within which the largest portion of its stormwater management program or stormwater management system is located. Each county must compile all analyses submitted to it into a single document and include its own analysis in the document. The county must file the compiled document with the Secretary of DEP and the coordinator of EDR no later than July 31, 2022, and every five years thereafter.

EDR Annual Assessment

Beginning with the annual assessment due January 1, 2022, the bill requires EDR to include an analysis of the expenditures necessary to repair, replace, and expand water-related infrastructure. As part of the analysis, the bill requires EDR to periodically survey public and private utilities.

The bill requires EDR to evaluate the compiled wastewater and stormwater analysis documents submitted by the counties for the purpose of developing a statewide analysis for inclusion in the assessment due January 1, 2023.

The bill specifies that local governments in rural areas of opportunity are subject to the bill's requirements related to conducting analyses of stormwater systems, unless the requirements would create an undue economic hardship for the local government.

II. FISCAL ANALYSIS & ECONOMIC IMPACT STATEMENT

A. FISCAL IMPACT ON STATE GOVERNMENT:

1. Revenues:

The bill does not appear to impact state revenues.

2. Expenditures:

The bill may have an indeterminate negative fiscal impact on EDR associated with the costs of analyzing water-related infrastructure expenditures and evaluating wastewater and stormwater management analyses; however, these costs can likely be absorbed within existing resources.

B. FISCAL IMPACT ON LOCAL GOVERNMENTS:

1. Revenues:

The bill does not appear to impact local government revenues.

2. Expenditures:

The bill may have an indeterminate negative fiscal impact on local governments associated with the costs of analyzing the needs of wastewater and stormwater management services.

C. DIRECT ECONOMIC IMPACT ON PRIVATE SECTOR:

The bill may have a positive indeterminate impact to the extent more contractors, subcontractors, or material suppliers or carriers would no longer be required to meet certain pre-bid requirements.

D. FISCAL COMMENTS:

None.

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

12B

FIDDLER'S CREEK COMMUNITY DEVELOPMENT DISTRICT #1

BOARD OF SUPERVISORS FISCAL YEAR 2020/2021 MEETING SCHEDULE

LOCATION

Fiddler's Creek Club and Spa, 3470 Club Center Boulevard, Naples, Florida 34114

DATE	POTENTIAL DISCUSSION/FOCUS	TIME
October 28, 2020	Public Hearing & Regular Meeting	8:00 AM
Join Zoom Meeting: https://us02web.zoom.us/j/81841398733 ; Meeting ID: 818 4139 8733 Dial by Location: 1-929-205-6099, Meeting ID: 818 4139 8733		
November 11, 2020*	Regular Meeting	8:00 AM
December 9, 2020*	Regular Meeting	8:00 AM
January 27, 2021	Regular Meeting	8:00 AM
February 24, 2021	Regular Meeting	8:00 AM
March 24, 2021	Regular Meeting	8:00 AM
April 28, 2021	Regular Meeting	8:00 AM
May 26, 2021	Regular Meeting	8:00 AM
June 23, 2021	Regular Meeting	8:00 AM
July 28, 2021	Regular Meeting	8:00 AM
August 25, 2021	Public Hearing & Regular Meeting	8:00 AM
September 22, 2021	Regular Meeting	8:00 AM

*Exceptions

November meeting date is two weeks earlier to accommodate Thanksgiving Holiday

December meeting date is two weeks earlier to accommodate Christmas Holiday