

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

The Board of Supervisors of the Fiddler’s Creek Community Development District #1 held a Regular Meeting on October 26, 2022 at 8:00 a.m., at the Fiddler’s Creek Club and Spa, 3470 Club Center Boulevard, Naples, Florida 34114. Members of the public were able to participate in the meeting at 1-888-354-0094, Participant Passcode: 709 724 7992.

Present at the meeting were:

Robert Slater	Chair
Joseph Schmitt	Vice Chair
Frank Weinberg	Assistant Secretary
Torben Christensen	Assistant Secretary
Joseph Badessa	Assistant Secretary

Also present were:

Chuck Adams	District Manager
Cleo Adams	District Manager
Tony Pires	District Counsel
Terry Cole	District Engineer
Joe Parisi	Developer General Manager
Ron Albeit	Foundation General Manager
Ed Jasiocki	Fiddler’s Creek Director of Safety
Richard Renaud	Fiddler’s Creek Safety Manager
Darryll Adams	Fiddler’s Creek General Manager
Jose Castillo	Fiddler’s Creek Facilities
Jody Benet	Fiddler’s Creek Irrigation Manager
Paul Dougherty	SOLitude Lake Management - Project Mgr.
Alfred Noto	Resident/Montreux Board Vice President
Joe Vacarro	Resident
Fred Creamer	Resident
Jessie Fritz	Resident

FIRST ORDER OF BUSINESS

Call to Order/Roll Call

Mrs. Adams called the meeting to order at 8:01 a.m. All Supervisors were present.

Mr. Slater expressed sympathy to those affected by Hurricane Ian and thanked everyone for their quick response in addressing cleanup the day after the hurricane.

SECOND ORDER OF BUSINESS

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

Resident and Montreux Board Vice President Alfred Noto thanked Mrs. Adams for getting the street light issues on Montreux and Championship resolved timely. Six street lights are out from the gatehouse on Championship Drive to Fiddler’s Creek Parkway. Mrs. Adams stated that Bently Electric is expected early next week and will tour once again.

A Board Member commented that residents believe the CDD will pick up debris left at the curb. Mr. Slater will confirm if the County will schedule a pickup and advise Mr. Darryll Adams so that he can inform residents.

THIRD ORDER OF BUSINESS

Quality Control Lake Report – October 2022: SOLitude Lake Management

Mr. Dougherty, the New Account Manager, presented the October Quality Control Lake Report.

FOURTH ORDER OF BUSINESS

Health, Safety and Environment Report

A. Irrigation and Pressure Cleaning Efforts: Jose Castillo

Mr. Castillo gave a PowerPoint presentation for October.

Mr. Slater asked when the irrigation systems in the villages, such as Bent Creek, will be turned on, as it has not rained for about seven days and areas are turning brown. Mr. Benet stated the satellites are working; he will check into this.

Mr. Castillo responded to questions about the palm pruning schedule, rain holds and next year’s pressure washing schedule. It was noted that some residents feel that it should be done bi-annually. The Foundation Agreement will be reviewed to determine if they need to pay for extra services.

Mr. Benet asked for outages to be reported via the irrigation@fiddlerscreek.com email address; this will allow him to research issues, as contractors sometimes turn the water off for a specific village but he is not made aware of it.

B. Security and Safety Update: *Ed Jasiiecki*

Mr. Jasiiecki gave the monthly PowerPoint presentation. He reminded everyone that, in an emergency, 911 should be called first, followed by calling Community Patrol to report the incident.

Mr. Christensen voiced his opinion that the time spent monitoring devices for violations might not be an efficient use of time. Mr. Albeit stated they will start tracking the time and make any necessary adjustments.

A Board Member reported that the second arm is off on the main gate at Championship. It was noted that it was removed due to water damage of the circuit boards; the parts were ordered and the gate is expected to be opened in the next week or so.

Resident Fred Creamer asked if the Traffic Hawk is operational on Cherry Oaks, as the number of speeding violations he observed since 3:00 p.m., yesterday exceeded the amount reported in September. It was noted that they have been working; however, ISN will reset all the devices today to ensure all are working properly.

Resident Joe Vacarro asked if the two roving patrols designated for CDD #1 and CDD #2 is ongoing. Mr. Parisi stated that it is not always possible to keep them segregated between the CDDs, based on calls for services. Mr. Vacarro asked for the gate closest to Sandpiper to be secured and stated he observed several vehicles leaving the area in the morning and he is concerned about dumping. Mr. Parisi stated, as this is still a construction area, they will install cameras to address the issue.

FIFTH ORDER OF BUSINESS

Developer's Report

A. Architectural Renderings of Championship Drive Gatehouse Remodel

Mr. Ron Albeit stated that the Championship Gate redesign went out to bid and will be presented at the next meeting.

B. Golf Course Site Development Plans

This item was not discussed.

SIXTH ORDER OF BUSINESS

Engineer’s Report: *Hole Montes, Inc.*

Mr. Cole reported the following:

- All stormwater control structures were inspected after Hurricane Ian and all are working properly.
- The inspector will be on site next week to address downed street signs and sight lines and will review the faded three-way stop sign on Fiddler’s Creek Parkway.

In response to a request, Mr. Cole will have the median on Sandpiper, just outside Publix, inspected for sight line issues.

- Sidewalk inspections and warning strips are underway.
- Traffic Signal: Treval Cox Consulting is expected to submit its response and 90% plans to the Florida Department of Transportation (FDOT) by mid-November.

Resident Jessie Fritz expressed his opinion that the tree trimming facing Montreux was not done properly and provided photographs to The Foundation. Mr. Parisi stated The Foundation received the photographs and he will follow up with Juniper.

Mr. Christensen inquired about the lake bank erosion projects and asked for the areas to be reassessed areas once the water levels recede. Mr. Cole stated he plans to submit recommendations for Fiscal Year 2023 for the Mallards and the Runaway Lane Creek areas.

SEVENTH ORDER OF BUSINESS

Discussion: Plat Review of Mulberry to Determine Maintenance Responsibilities for Sidewalks Repairs

Mr. Pires reviewed the Fiddler’s Creek Phase 1 B Unit 3 and Phase 1 B Unit 2 plats and determined that Tract “R” is reserved by the Developer for roadway purposes but, by assignment, the CDD assumed maintenance responsibilities for those tracts. As the focus is on the right-of-way (ROW), the language does not say the CDD is responsible for maintenance. The County has no maintenance responsibilities for Tract “R”. He is researching if a sidewalk

easement was assigned to the CDD and opined that the property owner has the responsibility and the liability for any damages caused to a person.

Mr. Schmitt gave an overview of the various easements and earlier discussions. In his opinion, the language in the Mulberry documents states clearly that the homeowner is responsible for maintaining that property, all the way to the curb.

Discussion ensued regarding CDD responsibilities with regard to repairing roadways, drainage and sidewalks. It was noted that residents are responsible for repairing trees encroaching into the ROW and should notify their insurance company. Imposing special assessments for repairs was discussed.

Mr. Pires suggested recording a certified copy of the resolution in the public record on areas already identified by Mr. Cole.

On MOTION by Mr. Slater and seconded by Mr. Schmitt, with all in favor, authorizing Mr. Cole to provide photographs and addresses to Mr. Pires to record a Resolution in the public record and for Mr. Pires to draft a letter to Southwest Property Management Company, the Mulberry HOA and individual homeowners informing them of the HOA’s responsibility to notify homeowners of their responsibility for sidewalk repairs and tree trimming costs, was approved.

EIGHTH ORDER OF BUSINESS

Acceptance of Unaudited Financial Statements as of September 30, 2022

Mr. Slater presented the Unaudited Financial Statements as of September 30, 2022. The Financial Highlight Report was distributed. Mrs. Adams stated she is working with the County regarding the shortage in the assessment levy. Mr. Pires discussed the process of the County collecting funds at closing of a property. The financials were accepted.

NINTH ORDER OF BUSINESS

Approval of August 31, 2022 Public Hearing and Regular Meeting Minutes

Mrs. Adams presented the August 31, 2022 Public Hearing and Regular Meeting Minutes. The following changes were made:

Line 85: Change "renovations" to "development" and delete "specifically soil management, then utilities"

Lines 101 and 105: Change "Ordinance" to "Rule"

On MOTION by Mr. Slater and seconded by Mr. Weinberg, with all in favor, the August 31, 2022 Public Hearing and Regular Meeting Minutes, as amended, were approved.

TENTH ORDER OF BUSINESS

Action/Agenda or Completed Items

Items 2, 5, 6 and 7 were completed.

ELEVENTH ORDER OF BUSINESS

Staff Reports

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

Mr. Pires stated that the County recently met and might be resurrecting the Collier Watershed Improvement Plan. He asked the County for the agenda backup materials from the Selection Committee meeting and will forward them to Mr. Parisi, Mr. Cole and Mr. Adams. Mr. Slater stated that the County will supposedly pay for the project. He will obtain further information from Mr. Patterson

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

- **NEXT MEETING DATE: December 14, 2022 at 8:00 A.M.**

- **QUORUM CHECK**

Supervisors Badessa, Christensen, Slater and Weinberg confirmed their attendance at the December 14, 2022 meeting. Supervisor Schmitt will attend via telephone.

Mrs. Adams distributed and presented a LandCare proposal that included a \$3,000 credit for maintenance services not performed.

On MOTION by Mr. Slater and seconded by Mr. Christensen, with all in favor, LandCare Invoice #564294 for Hurricane Ian Cleanup, in a not-to-exceed amount of \$7,380, was approved

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

The Field Operations Report was distributed.

TWELFTH ORDER OF BUSINESS

Supervisors' Requests

There were no Supervisor's requests.

THIRTEENTH ORDER OF BUSINESS

Public Comments

There were no public comments.

FOURTEENTH ORDER OF BUSINESS

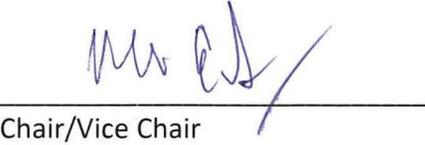
Adjournment

There being nothing further to discuss, the meeting adjourned at 9:07 a.m.

[SIGNATURES APPEAR ON THE FOLLOWING PAGE]



Secretary/Assistant Secretary



Chair/Vice Chair