

**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 February 26, 2020 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 (via telephone)	Assistant Secretary

Also present were:

Chuck Adams	District Manager
Cleo Adams	Assistant Regional Manager
Tony Pires	District Counsel
Terry Cole	District Engineer
Shane Willis	Director of Safety, Health and Environment
Ron Albeit	Foundation General Manager
Richard Peters	Resident
Frank Weinberg	Resident

FIRST ORDER OF BUSINESS

Call to Order/Roll Call

Mrs. Adams called the meeting to order at 8:00 a.m. Supervisors Brougham, Slater, Badessa and Christensen were present, in person. Supervisor Schmitt was attending via telephone.

On MOTION by Mr. Slater and seconded by Mr. Brougham, with all in favor, authorizing Mr. Schmitt’s attendance and full participation, via telephone, due to exceptional circumstances, was approved.

SECOND ORDER OF BUSINESS

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

There being no public comments, the next item followed.

FIDDLER'S CREEK CDD #1

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THIRD ORDER OF BUSINESS**Developer's Report**

There being no Developer's Report, the next item followed.

FOURTH ORDER OF BUSINESS**Engineer's Report: *Hole Montes, Inc.***

Mr. Cole noted the appearance of the guard rail at the entrance and stated that, unfortunately, there was no other way to remove the guard rail. Mr. Brougham stated, in retrospect, notice should have been given to the Board when work commenced, as landscaping was a top priority. Per Mr. Brougham, landscaping would be installed as soon as possible.

Mr. Cole reported the following:

- Restriping plans were nearly completed; bids would be solicited in May.
- Lakes would be identified for continuing lake bank erosion geotube repairs.
- The sinkhole on Fiddler's Creek Parkway, west of Cascada, was repaired last week and no leaks or utilities were found. Irrigation lines in that vicinity failed approximately two years ago. The sinkhole was cleaned, backfilled and compacted and would be monitored.
- An Americans with Disabilities Act (ADA) required mat on the north side of Championship Drive was repaired and another ADA mat was replaced.
- A sidewalk near Club Center Boulevard and Cherry Oaks Trail, with a potential tripping hazard, was repaired. Some hazards within the Cherry Oaks HOA were identified and painted; a proposal was submitted to the Cherry Oaks HOA representative.

Mr. Richard Peters, a resident, thanked Mr. Cole for repairing the sidewalk in Cherry Oaks and asked how to determine who would be responsible for sidewalk repairs; he believed pavers were the HOA's responsibility and sidewalks were the CDD's responsibility. Mr. Cole stated sidewalks within the Right-of-Way (ROW) are owned by the CDD but sidewalk connections leading into communities are owned by the HOAs; therefore, the Cherry Oaks HOA should address repairs outside of the ROW. Mr. Cole would send documentation of ownership of these areas and provide copies to the Staff and Board.

Mr. Slater asked about ongoing electrical work and grass removal at the gate on Fiddler's Creek Parkway, exiting Whisper Trace. Mrs. Adams stated a truck caused damage and the company was not returning her calls. LandCare USA was completing the repairs.

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Mr. Cole stated the County issued a work order for the design of Mahogany Bend, which was in progress; he would follow up with the project manager and provide an update. The design should be complete within a few months and the time frame for the work would depend upon the County budget. An update would be provided at the next meeting.

Mr. Brougham discussed upcoming construction on Triangle Boulevard.

FIFTH ORDER OF BUSINESS**Consideration of Proposals for Fixed Traffic Hawks and Location Recommendations**

Mr. Brougham stated based on conversations with Mr. Willis, mobile, rather than fixed, Traffic Hawks would likely be advised. Mr. Willis discussed the advantages to mobile Traffic Hawks, cost savings and procedural changes to the Post Orders and stated mobile Traffic Hawks could document speeding and stop sign violations. Mr. Christensen recalled that the intention was to deter speeding, not necessarily to catch and punish offenders, and asked if dash cams in patrol cars were considered. Discussion ensued regarding reviewing footage, patrol dependability, radar units documenting violations in real time, lack of authority to stop offenders, four-way stop signs, etc. Mr. Willis stated a mobile Traffic Hawks cost approximately \$6,000. He discussed the option of traffic enforcement, fining and documentation with patrol vehicles. Mr. Slater felt that the patrol vehicle was intended for roving patrols and not for stationary traffic enforcement. Mr. Schmitt voiced his opinion that the mobile Traffic Hawk was expensive; therefore, he would depend on Mr. Willis to advise whether a Traffic Hawk would be the most effective option. Mr. Badessa felt that a patrol vehicle would be ineffective and asked if patrol officers observed moving violations. Mr. Willis responded affirmatively. Mr. Christensen asked if Traffic Hawks should be a CDD expense or if traffic safety was The Foundation's issue. Discussion ensued regarding the CDD's responsibility to police the roadways. Mr. Brougham believed that the consensus of the community was that the CDD should enforce rules and traffic laws. He felt that residents were paying for it regardless of whether it was funded by The Foundation or the CDD.

Mr. Frank Weinberg, a resident, commented that Traffic Hawks would not be a deterrent unless fines are issued. Discussion ensued regarding deterrents and the need to inform residents that fines would be issued for violations.

On MOTION by Mr. Brougham and seconded by Mr. Schmitt, with Mr. Brougham, Mr. Schmitt and Mr. Badessa in favor and Mr. Christensen and Mr. Slater dissenting, the purchase of one additional Mobile Traffic Hawk, to be deployed by The Foundation Safety Department, was approved. [Motion passed 3-2]

Mr. Slater felt that CDD #2 should share the expense. Mr. Adams stated that he would ask CDD #2 to share the expense. Mr. Willis stated that the original \$6,000 mobile Traffic Hawk and the \$10,000 fixed Traffic Hawk were purchased by The Foundation and there was a \$3,000 cost for powering the fixed Traffic Hawk. Mr. Brougham stated Mr. Willis and his staff would have discretion regarding the use and positioning of the mobile Traffic Hawk.

SIXTH ORDER OF BUSINESS

Continued Discussion/Update: Hurricane Irma Recovery

Mr. Adams stated he had inquired with both State and Federal representatives at the Federal Emergency Management Agency (FEMA) and was advised that the claim was under review and there was no time frame for a decision.

SEVENTH ORDER OF BUSINESS

Consideration of Resolution 2020-02, Classifying Surplus Tangible Personal Property; Authorizing Disposition of Surplus Tangible Personal Property; Providing a Severability Clause; and Providing an Effective Date

Mr. Brougham presented Resolution 2020-02. This was related to the disposition of the 2017 security vehicle.

On MOTION by Mr. Brougham and seconded by Mr. Badessa, with all in favor, Resolution 2020-02, Classifying Surplus Tangible Personal Property; Authorizing Disposition of Surplus Tangible Personal Property; Providing a Severability Clause; and Providing an Effective Date, was approved.

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EIGHTH ORDER OF BUSINESS

Acceptance of Unaudited Financial Statements as of January 31, 2020

Mr. Brougham presented the Unaudited Financial Statements as of January 31, 2020 and the Financial Highlights Report distributed by Mrs. Adams.

Mrs. Adams would correct the “Roadway Maintenance” summary in the Financial Highlights Report to match the Unaudited Financials.

NINTH ORDER OF BUSINESS

Approval of January 22, 2020 Regular Meeting Minutes

Mr. Brougham presented the January 22, 2020 Regular Meeting Minutes. The following changes were made:

Line 63: Change “;” to “and”

Line 90: Insert “irrigation” after “main”

On MOTION by Mr. Brougham and seconded by Mr. Christensen, with all in favor, the January 22, 2020 Regular Meeting Minutes, as amended, were approved.

TENTH ORDER OF BUSINESS

Active Action Items

Items 9, 12, 15, 16, 17, 18, 19, 21 and 24 were completed.

Item 13: Mr. Pires distributed a copy of Mr. McAlpine’s latest presentation.

ELEVENTH ORDER OF BUSINESS

Staff Reports

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

There being no report, the next item followed.

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

- **NEXT MEETING DATE: March 25, 2020 at 8:00 A.M.**

- **QUORUM CHECK**

All Supervisors confirmed their attendance at the March 25, 2020 meeting.

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

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Mrs. Adams presented the Operations Report and reported the following:

- The pedestrian crossing sign was received but installed at the wrong location; the technician would relocate the sign.

D. Director of Safety, Health and Environment: *Shane Willis*

Mr. Brougham stated he was unable to edit gate access information; he spoke with Staff and the Developer would be notified.

Mr. Willis distributed the Department of HSE and Community Services Report and reported the following:

- Gatehouse Information: The 2019 total access total of 517,000 was underreported by as much as 30,000 activations, due to gate installation and a lightning strike that disabled the gate.

Mr. Brougham asked if the mobile Traffic Hawks could be insured. Mr. Willis replied affirmatively and added that the units are secured with a chain. Mrs. Adams would add the Traffic Hawks to the list of insured items.

- Community Patrol: Officers patrolled over 100 miles daily. Most construction traffic was successfully redirected to the proper entrance.

- Incident Reports: In January, parking and fishing were the most frequent incidents.

- Consolidated Irrigation Program:

- ✓ Village Presidents received an e-blast about the irrigation schedule.

- ✓ Information about a major valve replacement on Championship Drive was emailed to the Village Presidents, CDDs and Property Managers.

- ✓ Most villages would be watered on Monday, Wednesday and Saturday. Most CDD and Foundation areas would be watered on Tuesday, Thursday and Sunday.

- ✓ Watering on Fridays was prohibited by County Ordinance but, because the sprinklers run from 10:00 p.m. to 8:00 a.m., Thursday's scheduled irrigation is not completed until Friday at 8:00 a.m.

- Pressure Cleaning: Pressure cleaning continued. The pressure cleaner damaged the gates in Mulberry; the contractor would have the damage repaired.

- Rental Violations: Six short-term rental violation letters were sent in January. Two were invalidated and four were awaiting a response and may receive a violation and fine.

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- Incidents: Six speeding violation letters were sent in January for Fining Committee consideration.
- EZ Roofing Protest: The contractor’s employees were peacefully protesting their employer for nonpayment. The crew chief was agreeable and protesters have left when asked, due to traffic issues, etc.

Per Mr. Brougham, Mr. Willis would send an e-blast advising that the Board approved acquiring a second mobile Traffic Hawk and that enforcement efforts would increase.

- Sheriff Deputies would be in the District to address traffic and bus safety issues.
- Directions on construction entrance passes were printed in English and Spanish to help alleviate construction traffic issues.
- At a Cooperative Invasive Species Management Areas (CISMA) conference, Fiddler’s Creek and another community were recognized for their Animal Nuisance programs and Firewise participation. Mr. Willis would send an e-blast about the “IveGot1” app for reporting invasive plants and nuisance animals.
- Nuisance Animals: Approximately 350 toads and several pythons were removed.

TWELFTH ORDER OF BUSINESS

Supervisors’ Requests

There being no Supervisors’ requests, the next item followed.

THIRTEENTH ORDER OF BUSINESS

Public Comments

There being no public comments, the next item followed.

FOURTEENTH ORDER OF BUSINESS

Adjournment

There being nothing further to discuss, the meeting adjourned.

On MOTION by Mr. Badessa and seconded by Mr. Schmitt, with all in favor, the meeting adjourned at 8:55 a.m.

[SIGNATURES APPEAR ON THE FOLLOWING PAGE]

FIDDLER'S CREEK CDD #1

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DocuSigned by:
Chuck Adams
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Secretary/Assistant Secretary

DocuSigned by:
Phillip Brougham
4C34FBBCD26402...

Chair/Vice Chair