

**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 September 23, 2020 at 8:00 a.m., in-person at the Fiddler’s Creek Club and Spa, 3470 Club Center Boulevard, Naples, Florida 34114 and at <https://us02web.zoom.us/j/86258184967>, and 1-929-205-6099, Meeting ID 862 5818 4967 for both.

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
Tammie Smith	Operations Manager
Tony Pires	District Counsel
Terry Cole	District Engineer
Joe Parisi	Developer Representative
Shane Willis	Director of Safety, Health and Environment
Ron Albeit	Foundation General Manager
Christina Kennedy	SOLitude Lake Management
Michael O’Neill, Esq.	Foundation Legal Counsel
Alfred Noto	Resident
Frank Weinberg	Resident

FIRST ORDER OF BUSINESS

Call to Order/Roll Call

Mr. Brougham called the meeting to order at 8:02 a.m. All Supervisors were present. In consideration of the COVID-19 pandemic, this meeting was being held in-person, via Zoom and telephonically, as permitted under the Florida Governor’s Executive Orders, which allow local governmental public meetings to occur by means of communications media technology, including virtually and telephonically.

SECOND ORDER OF BUSINESS

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

No members of the public spoke.

THIRD ORDER OF BUSINESS

Waterway Inspection Report - September, 2020: SOLitude Lake Management

This item was presented following the Fourth Order of Business.

FOURTH ORDER OF BUSINESS

Developer's Report

Mr. Willis reported that five alligators were found dead within the last month. None had visible trauma; an investigation was underway and updates would be provided.

Mr. Willis stated the Creative Lane construction entrance would be closed until approximately October 1, 2020 to mill and reinforce the road to support construction traffic.

Mr. Parisi reported the following:

- Gatehouse demolition was nearly complete.
- Coconut palms were moved from Sandpiper Drive and would be replanted; a landscape plan would be presented at the next meeting.
- Due to trusses being delivered on October 15, 2020, traffic adjustments on Fiddler's Creek Parkway would be made, as necessary.
- The Sandpiper Gatehouse was progressing according to schedule.
- Construction of the Publix was progressing according to schedule.

Mr. Parisi introduced Mr. Michael O'Neill, Legal Counsel for The Foundation. He would be responsible for handling legal matters for The Foundation and related entities, including Design Review Committee approvals.

▪ **Waterway Inspection Report - September, 2020: SOLitude Lake Management**

This item, previously the Third Order of Business, was presented out of order.

Ms. Kennedy presented the Waterway Inspection Report for Group A, the lakes nearest the 951 entrance, and noted the following:

- Torpedo Grass, an invasive, would be treated during routine maintenance.

➤ Heavy Alligator Weed in Lake 10 would be treated within seven days; a reduction in Alligator Weed was observed the last two months.

Mrs. Adams noted the treatment challenges during the rainy season; some areas would require treatment during the dry season for maximum effectiveness.

FIFTH ORDER OF BUSINESS

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

Mr. Cole reported the following:

➤ The County and Department of Transportation (DOT) approved the temporary construction entrance on Creative Lane.

➤ Safety-related sidewalk repairs were completed. The next round of repairs, including valley gutter and curb replacement, was scheduled to begin soon, followed by restriping.

➤ Lake bank repairs would begin soon.

Discussion ensued regarding locations and methods for lake repairs, lake elevations due to Hurricane Sally, base elevations and deck flooding due to elevation. Mr. Cole stated that a resident expressed concern because the lake between Cardinal Cove and Mulberry overflowed the berm and into a spreader swale, as it also did during Hurricane Irma. Water levels were dropping and structures would be monitored to ensure there was no clogging. Mr. Christensen asked how often the culverts were inspected on 951. Mr. Cole stated it was the State’s responsibility and he would inquire. Discussion ensued regarding culverts, water flow, control structure functioning and catch basins. Mr. Pires suggested that Mr. Cole prepare a memo memorializing these recent events.

➤ In lieu of the District’s Settlement Agreement, Collier Paving submitted a letter outlining the terms and specifications for the milling and repaving project. The letter specified that the project would be completed to the satisfaction of the District Engineer.

Mr. Pires stated the terms were in accordance with Board discussions and suggested accepting the letter and authorizing Mr. Cole to respond via email.

On MOTION by Mr. Brougham and seconded by Mr. Slater, with all in favor, accepting the Collier Paving letter and authorizing Mr. Cole to respond via email, was approved.

Mr. Schmitt asked who is responsible for cleaning debris from catch basins in the villages. Mr. Cole stated that most are the responsibility of the CDD because they are in drainage easements; he would ensure that the basins were checked and cleared.

SIXTH ORDER OF BUSINESS

Discussion: Unauthorized Landscape Pruning to District Property

Mr. Brougham stated that Deer Crossing Board Members received complaints about residents pruning and cutting through landscaping on the CDD buffer. Discussion ensued regarding sending a letter advising property owners to direct all landscaping complaints to the Board or the District Manager and reminding them that shrubbery and trees on the buffer are CDD property and the Board would take action against violators.

On MOTION by Mr. Brougham and seconded by Mr. Slater, with all in favor, authorizing District Counsel to draft a letter to property owners and for the Chair to execute, was approved.

Discussion ensued regarding other means of communicating the message. It was agreed that a representative from the CDD would attend the next Village Council meeting.

SEVENTH ORDER OF BUSINESS

Continued Discussion/Update: Hurricane Irma Recovery

Mr. Adams stated that there was nothing new regarding the Federal Emergency Management Agency (FEMA) claim.

EIGHTH ORDER OF BUSINESS

Acceptance of Unaudited Financial Statements as of August 31, 2020

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

NINTH ORDER OF BUSINESS

Approval of August 26, 2020 Public Hearing and Regular Meeting Minutes

Mr. Brougham presented the August 26, 2020 Public Hearing and Regular Meeting Minutes.

The following changes were made:

Line 29 and throughout: Change "Nato" to "Noto"

Line 69: Insert "The other side of the" before "The Sandpiper Drive entrance"

On MOTION by Mr. Slater and seconded by Mr. Christensen, with all in favor, the August 26, 2020 Public Hearing and Regular Meeting Minutes, as amended, were approved.

TENTH ORDER OF BUSINESS

Action/Agenda or Completed Items

Item 12: Mr. Cole stated a quote for milling and repaving and striping on Runaway Lane was pending; the work may be scheduled for Spring 2021.

ELEVENTH ORDER OF BUSINESS

Staff Reports

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

Mr. Pires reported the following:

- The Notice of Rulemaking and Public Hearing related to adopting a Rule regarding sidewalk maintenance responsibilities was set for publication on September 28, 2020 and the Public Hearing would be held at the October 28, 2020 meeting.

Discussion ensued regarding whether to send the proposed Rule to The Foundation for distribution to the community. The letter would be sent to Mulberry and then posted on the CDD website.

- The Governor's current Executive Order extending the ability to hold remote meetings would expire at 12:01 a.m. on October 1, 2020, unless extended.
- The re-zoning of 7-Eleven was continued to September 25, 2020.
- The Army Corps of Engineers response was shared with the Board. He and Mr. Cole would monitor the South Florida Water Management District (SFWMD) permit application.

➤ The Sunshine Law presentation scheduled today during the CDD #2 Meeting would be rescheduled due to technology issues.

- **Discussion/Consideration: Donation Agreement from Collier County for Proposed Force Main Extension**

Mr. Pires presented the redline version of the donation agreement, which showed his suggested edits submitted to the County; a response was pending. The finalized document and an Exhibit showing the easement would be presented at the next meeting.

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

- **NEXT MEETING DATE: October 28, 2020 at 8:00 A.M.**
 - **QUORUM CHECK**

All Supervisors confirmed their attendance at the October 28, 2020 meeting.

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

Mrs. Adams presented the Operations Report. Discussion ensued regarding the lake review. Given the extensive regrowth, Mr. Brougham asked Mrs. Adams to send a deficiency notice to SOLitude.

Mr. Christensen recalled that the Sheriff was willing to install a temporary Traffic Hawk in areas Staff deemed necessary. This item would be added to the October agenda.

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

Mr. Willis presented the Report and reported the following:

- With gate construction underway, additional mitigation measures were taken, including assistance from the Sheriff and contractors.
- Weekly resident entries averaged 5,000.
- Irrigation: Approximately 37 million gallons used in July and approximately 30 million gallons used in August; the reductions was due to increased rainfall. System shutdowns were based on rainfall received as measured by rain gauges, not done unilaterally.
- Power washing down to Mahogany Bend, into Veneta and on Championship Drive was underway.

Discussion ensued regarding sprinklers running while the grounds were saturated. Mr. Willis stated the landscape companies use timers that are not controlled by the central computer, generally during repairs or improvements.

TWELFTH ORDER OF BUSINESS

Supervisors' Requests

There were no Supervisors' requests.

THIRTEENTH ORDER OF BUSINESS

Public Comments

No members of the public spoke.


FOURTEENTH ORDER OF BUSINESS

Adjournment

There being nothing further to discuss, the meeting adjourned at 9:10 a.m.

[SIGNATURES APPEAR ON THE FOLLOWING PAGE]


Secretary/Assistant Secretary


Chair/Vice Chair