

**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 May 25, 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 Badessa	Assistant Secretary
Torben Christensen	Assistant Secretary

Also present were:

Chuck Adams	District Manager
Cleo Adams	District Manager
Tony Pires	District Counsel
Terry Cole	District Engineer
Tammy Campbell (via telephone)	McDermitt Davis
Dennis Britz	LandCare
Neil Canter	LandCare
Valerie Lord	Developer Representative
Todd Lux	Fiddler’s Creek Director of Facilities
Ed Jasiiecki	Fiddler’s Creek Director of Safety
Christina Kennedy (via telephone)	SOLitude Lake Management (SOLitude)
Shannon Benedetti	Resident/Landscape Advisory Committee
Fred Kramer	Resident – Cranberry Crossings
Debbie Lowery	Resident – Cranberry Crossings
Richard Peters	Resident - Cherry Oaks

FIRST ORDER OF BUSINESS

Call to Order/Roll Call

Mrs. Adams called the meeting to order at 8:00 a.m. Supervisors Slater, Badessa and Christensen were present, in person. Supervisors Schmitt and Weinberg were not present.

All meeting attendees stood and observed a moment of silence for the 21 victims of the mass shooting in Uvalde, Texas yesterday.

SECOND ORDER OF BUSINESS

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

Resident Richard Peters stated he lives right across from the new Design Center and asked if there are any new plans for the area. Ms. Lord stated she would give the Developer’s Report later in the meeting.

THIRD ORDER OF BUSINESS

Presentation of Draft Audited Financial Report for the Fiscal Year Ended September 30, 2021, Prepared by McDirmit Davis

Ms. Campbell presented the Audited Financial Report for the Fiscal Year Ended September 30, 2021 and noted the pertinent information. There were no findings, recommendations, deficiencies on internal control or instances of non-compliance; it was a clean audit. Asked about the \$11,518 “Due from other governments” line item on Page 9, under “Assets,” Mr. Adams stated the amount comes from CDD #2 for shared expenses.

FOURTH ORDER OF BUSINESS

Consideration of Resolution 2022-06, Hereby Accepting the Audited Financial Report for the Fiscal Year Ended September 30, 2021

Mrs. Adams presented Resolution 2022-06.

On MOTION by Mr. Slater and seconded by Mr. Christensen, with all in favor, Resolution 2022-06, Hereby Accepting the Audited Financial Report for the Fiscal Year Ended September 30, 2021, was adopted.

FIFTH ORDER OF BUSINESS

Quality Control Lake Report - April 2022: SOLitude Lake Management

Ms. Kennedy presented the Quality Control Lake Report and noted the following:

- The Group C lakes, in an undeveloped area near the Golf Course, were inspected this month. The issues found were mostly shoreline issues such as torpedo grass, brush, vines, etc.
- Progress has been good now that the wetland crew is working on the larger shelf areas.
- Lake 39 A/B has chara, a native species, but it is being treated and will be re-checked in June, along with other sites with shoreline issues.

➤ Most of the Group B Lakes were fully treated or will be treated to address the issues noted in the action items.

Ms. Kennedy responded to questions regarding chara, torpedo grass treatment and spraying the banks.

SIXTH ORDER OF BUSINESS**Health, Safety and Environment Report****A. Irrigation and Pressure Cleaning Efforts: *Todd Lux***

Mr. Lux stated, as the Facilities Director, he and his team are responsible for the canopy tree trimming, pressure-washing and ensuring adequate irrigation to the various villages. He reported the following:

➤ Tree trimming was not scheduled for May; it is scheduled next in August, when the royal palms will be trimmed.

Asked why the fruited palms are trimmed in October, instead of August, Mrs. Adams stated they are trimmed twice per year; in March and October; she would review the contract.

➤ Irrigation: Watering sequences occur on Mondays, Wednesdays and Saturdays between 9:00 p.m. and 4:00 a.m. There were 11 run cycles and two holds in the past month. April water usage was down by 1 million gallons for the villages and for the common areas in CDD #1.

➤ Pressure Cleaning: The aluminum parts for the new machine are en route and should arrive within a few weeks. The delay was due to a supply-chain issue.

➤ Referencing a map, Mr. Lux stated the red dots signify completed areas, green dots signify areas that were done in the past month and the yellow dots signify areas that are being addressed in May and into June and July.

B. Security and Safety Update: *Ed Jasiiecki*

Mr. Jasiiecki did not give a slide presentation but he discussed the following:

➤ Occupancy: Occupancy is currently between 89% and 92%.

➤ Gatehouses: All three gates are manned 24/7 and two patrols continue to run 24/7.

➤ Regarding calls for service, the security team is a secondary response service; residents should call 911 first in cases of an emergency.

➤ Per a request at the last meeting, violations have been broken out per CDD, for matters such as by-law violations, improper/illegal fishing, open garage doors, etc. CDDs #1 and #2 are comparable, numbers-wise.

Developer's Report

Ms. Lord reported the following:

- Cleanup at the Design Center is underway and expected to be finished by June 10, 2022.
- Regarding the Sandpiper exit gate, permitting is still under revision. The County Building Department has more questions about controlling access, especially for emergency vehicles.

EIGHTH ORDER OF BUSINESS

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

Mr. Cole reported the following:

- The Runaway bridge stone work is pending; Staff is still trying to engage a contractor.
- The Mahogany Bend force main was completed. The sod is being examined.
- At an Irrigation meeting on June 7, 2022, the overall irrigation system will be reviewed.
- Design work for the traffic signal at Sandpiper and SR 41 is underway. The preliminary design layout was transmitted to the Florida Department of Transportation (FDOT) for initial comments.

Asked when the traffic signal might be installed, Mr. Cole replied in the fall of 2023.

Resident Debbie Lowery asked if the assessment for the traffic signal is already in place.

Mr. Adams responded that owners were assessed in Fiscal Year 2022 for most of the project expense but the costs increased, so a line item is included in the proposed Fiscal Year 2023 budget to make up the difference for CDD #1's portion of the traffic light expense.

NINTH ORDER OF BUSINESS

**Consideration of Resolution 2022-07,
Approving a Proposed Budget for Fiscal
Year 2022/2023 and Setting a Public
Hearing Thereon Pursuant to Florida Law;
Addressing Transmittal, Posting and
Publication Requirements; Addressing
Severability; and Providing an Effective
Date**

Mr. Adams presented Resolution 2022-07. He reviewed the proposed Fiscal Year 2023 budget, highlighting any line item increases, decreases and adjustments, compared to the Fiscal Year 2022 budget, and explained the reasons for any changes.

Mr. and Mrs. Adams responded to questions regarding the “Assessment levy on-roll – net” line item, whether to increase the “Irrigation supply - Repairs and maintenance” line item and if it is necessary to budget \$40,000 for mosquito control.

On MOTION by Mr. Slater and seconded by Mr. Christensen, with all in favor, Resolution 2022-07, Approving a Proposed Budget for Fiscal Year 2022/2023 and Setting a Public Hearing Thereon Pursuant to Florida Law for August 24, 2022 at 8:00 a.m., at the Fiddler’s Creek Club and Spa, 3470 Club Center Boulevard, Naples, Florida 34114; Addressing Transmittal, Posting and Publication Requirements; Addressing Severability; and Providing an Effective Date, was adopted.

TENTH ORDER OF BUSINESS

Consideration of Resolution 2022-08, Designating Dates, Times and Locations for Regular Meetings of the Board of Supervisors of the District for Fiscal Year 2022/2023 and Providing for an Effective Date

Mr. Adams presented Resolution 2022-28. The following changes were made:

DATE: Delete November 9, 2022 and change “December 28” to “December 14”

On MOTION by Mr. Slater and seconded by Mr. Christensen, with all in favor, Resolution 2022-08, Designating Dates, Times and Locations for Regular Meetings of the Board of Supervisors of the District for Fiscal Year 2022/2023, as amended, and Providing for an Effective Date, was adopted.

ELEVENTH ORDER OF BUSINESS

Consideration of Hole Montes, Inc., Stormwater Management Needs Analysis Report

Mr. Cole presented the Stormwater Management Needs Analysis Report. He reported the following:

- The numbers in the Report do not reflect the actual numbers for the maintenance expenditures.
- The Report will be transmitted to the County by the June 30, 2022 due date.

➤ The Report describes the amount of funds that have been and will be expended for water management, maintenance and capital construction.

Mr. Adams stated Management will fill in the section that asks how much the CDD expended for stormwater management for the past five years, from the year-end financial data and, going forward, a 15% increase will be applied to the current year’s numbers. Mr. Slater’s asked about the total cost. Mr. Adams stated he will email the information to the Chair.

Discussion ensued regarding the GIS mapping system, piping, canal maintenance, erosion and the \$60,000 budgeted to address erosion. Mr. Slater stated, for budgetary reasons, in the next fiscal year, Staff should budget at least another \$60,000 for lake bank restoration.

On MOTION by Mr. Slater and seconded by Mr. Christensen, with all in favor, the Stormwater Management Needs Analysis Report, subject to the financial data being inserted by Mr. Adams, was approved.

TWELFTH ORDER OF BUSINESS

Continued Discussion: FDOT Traffic Signal Warrant Analysis for SR 951 (Collier Boulevard) at Championship Drive – Response from Commissioner LoCastro

Mr. Pires stated he emailed Commissioner LoCastro this morning to schedule a meeting within the next two weeks and a response is pending.

THIRTEENTH ORDER OF BUSINESS

Update: Status of Petition for Boundary Amendment

Mr. Pires gave the following update:

➤ On May 3, 2022, Staff received communication from Ms. Sylvia Alderman advising that the final rule doctrine packet was filed with the Department of State; it was accepted as filed on May 3, 2022 and the rule amendment should become effective in 20 days.

➤ Mr. Pires emailed the Florida Land and Water Adjudicatory Commission (FLWAC) this morning to confirm that the process is complete.

➤ A follow-up email regarding the Petition for Boundary Amendment would be sent to Mr. Adams and the Board.

Mrs. Adams stated that Mr. Schmitt emailed Staff asking to defer this item to the next meeting. This item was deferred to the June meeting.

Mr. Pires stated that Ms. Alderman replied to his email moments ago. The Petition for Boundary Amendment was finalized and became effective on May 23, 2022.

▪ **Continued Discussion: LandCare Landscape Concerns**

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

Mr. Slater expressed his opinion that the landscaping in CDD #1 has been disappointing for months, and, although the Board realizes that the reason is due to loss of manpower, it seems that LandCare Staff is unfamiliar with some of the responsibilities of the contract. He stated, if things continue at this rate, a 30-day termination notice will be sent. He asked about LandCare's recovery plan.

Mr. Britz stated that he recently completed a drive-through with Mrs. Adams and noted that things are getting back on track, there is improvement and several issues are being addressed. Mrs. Adams stated that, although she has seen improvement, there is still more work to do and LandCare focusing solely on CDD #1 might make a difference.

Discussion ensued regarding whether to terminate the LandCare contract, areas of concern, allocation of manpower, fertilization and the progress being made.

Mr. Canter stated LandCare takes this very seriously and will do everything it can to live up to the contract. If the issues cannot be resolved, LandCare will leave the CDD in the best way possible. The consensus was to allow LandCare to continue making landscape repairs.

FIFTEENTH ORDER OF BUSINESS

Update: Funding of Irrigation System Improvements

A. Metro Pumping Systems, Inc., – ResCom #3 Station PLC Retrofit Control Panel Proposal

B. Metro Pumping Systems, Inc., – ResCom #2 Station Custom Pump System Quotation

Mr. Cole gave the following update:

- With the May meeting approaching, he needed to get accurate numbers for planning purposes for the budgets.
- Most of the irrigation in Fiddlers Creek is part of the larger-type systems.

FIDDLER’S CREEK CDD #1

May 25, 2022

- Aqua-Matic identified a dozen gate valves that need to be replaced.
- The percentages mix was changed from 50/50 to 55% for CDD #1 and 45% for CDD #2.
- The pump controls in Pumphouse #3 are being upgraded. There are two sets of pumps in Pumphouse #3. The cost is approximately \$48,000 for each set of pumps.
- The gate valve replacement repair item was increased.
- An additional \$25,000 is budgeted for future breaks.
- The total suggested capital budget amount for CDD #1 was reduced from \$484,000 to \$469,000, plus or minus, with the changes mentioned.
- The current draft budget allots \$411,000, which is \$57,000 under Mr. Cole’s suggestion but, fortunately, reserve funds can be accessed if needed.
- Funds will need to be accessed for the pumphouse within one year.

Mr. Slater stated the various capital items listed total \$502,000 instead of \$469,000. Mr. Cole stated the handout that was previously distributed provides additional details about how he calculated his number and the other numbers are split between the two CDDs.

SIXTEENTH ORDER OF BUSINESS

Continued Discussion: LandCare Landscape Concerns

This item was addressed following the Fourteenth Order of Business.

SEVENTEENTH ORDER OF BUSINESS

Acceptance of Unaudited Financial Statements as of April 30, 2022

Mrs. Adams presented the Unaudited Financial Statements as of April 30, 2022.

The financials were accepted.

EIGHTEENTH ORDER OF BUSINESS

Approval of April 27, 2022 Regular Meeting Minutes

Mrs. Adams presented the April 27, 2022 Regular Meeting Minutes.

The following changes were made:

Line 31: Delete entire line

Line 204: Change “Rottis” to “Roddis”

On MOTION by Mr. Slater and seconded by Mr. Christensen, with all in favor, the April 27, 2022 Regular Meeting Minutes, as amended, were approved.

NINETEENTH ORDER OF BUSINESS

Action/Agenda or Completed Items

Item 10: Mr. Pires stated this item was addressed but still needs to be followed up on.

TWENTIETH ORDER OF BUSINESS

Staff Reports

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

There was no report.

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

- **NEXT MEETING DATE: June 22, 2022 at 8:00 A.M.**

- **QUORUM CHECK**

The next meeting will be held on June 22, 2022. Mr. Badessa will not attend.

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

The Field Operations Report was provided for informational purposes.

Mrs. Adams stated oak trees at the buffer between Pepper Tree and Bent Creek need to be trimmed. Mr. Lux would visit the area.

Discussion ensued regarding the GIS mapping files that are pending, decorative finials and an insurance matter.

TWENTY-FIRST ORDER OF BUSINESS

Supervisors' Requests

There were no Supervisor's requests.

TWENTY-SECOND ORDER OF BUSINESS

Public Comments

There were no public comments.

TWENTY-THIRD ORDER OF BUSINESS

Adjournment

There being nothing further to discuss, the meeting adjourned at 9:28 a.m.



Secretary/Assistant Secretary



Chair/Vice Chair