

**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 22, 2023 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:

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
Richard Renaud	Foundation Safety Manager
Ryan Hennesey	Foundation Director
Jody Benet	Fiddler’s Creek Irrigation Manager
Mason Maher	SOLitude Lake Mangmnt – Field Ops Mgr.
Mike Barrow	GulfScapes Landscape Management
Alex Kurth	Premier Lakes
Laura Patterson	Landscape Architect
Fred Creamer	Resident/Cherry Oaks HOA Board Member
George Varianides	Resident
Dorothy Hirsch	Resident

FIRST ORDER OF BUSINESS

Call to Order/Roll Call

Mrs. Adams 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)**

FIDDLER’S CREEK CDD #1

February 22, 2023

Resident George Varianides asked the corner of Fiddler’s Creek Parkway and Sandpiper Drive. Mr. Cole stated The Foundation is re-constructing a temporary storage site and construction trailer and supplementing buffer plantings that were previously removed.

Mr. Slater stated this matter was discussed at the last meeting and it is a permitted use that is recorded in the Planned Unit Development (PUD) documents. He suggested contacting The Foundation or Gulf Bay for additional information. Mr. Parisi discussed the overall project, which he expects to be completed by March 15, 2023.

Resident and Cherry Oaks HOA Board Member Fred Creamer, on behalf of the HOA, asked for the CDD Board to consider installing two permanent “No Construction or “No Commercial Vehicle” signs on Sandpiper and Club Center Boulevard, adjacent to Marsh Cove to eliminate construction traffic, property damage and possible injury.

Discussion ensued regarding GPS directing traffic to these areas and the CDD’s inability to enforce violations as the roads are public and has City or County assigned weight limits.

Mr. Slater motioned to install the requested signage. The motion died due to a lack of a second.

Mr. Schmitt asked if a traffic calming device can be installed to deter turns. Mr. Cole was asked to research this and provide options at the next meeting.

THIRD ORDER OF BUSINESS

Quality Control Lake Report, SOLitude Lake Management, LLC

• **February 2023**

Mr. Maher presented the Quality Control Lake Report.

FOURTH ORDER OF BUSINESS

Health, Safety and Environment Report

A. Irrigation and Pressure Cleaning Efforts

Mr. Renaud reviewed the Monthly PowerPoint presentation, which included reminders to report questions, comments or concerns to the Irrigation@Fiddlerscreek.com or Pressurewashing@Fiddlerscreek.com email addresses or directly to the Safety Department.

Mr. Renaud was asked to make sure the Mahogany Bend sidewalks were cleaned.

B. Security and Safety Update

Mr. Renaud reviewed the monthly PowerPoint presentation, which included reminders to first call 911 in an emergency, followed by reporting the incident or other non-emergency needs to the Community Patrol. Residents can register guests on the mobile app or by calling the Automated Gatehouse or emailing Safety@Fiddlerscreek.com.

Mr. Renaud was asked to research why a temporary meter is still connected to the fire hydrant.

Mr. Parisi introduced the new Director of Community Services Ryan Hennessey who will be overseeing various departments.

Mr. Hennessey spoke of his professional and personal background.

FIFTH ORDER OF BUSINESS

Developer's Report

Mr. Parisi reported the following:

- Construction Compound: Expects completion by March 15, 2023.
- Golf Clubhouse: Residents were advised to stay clear of the active construction site until fencing and signs are re-installed.
- The golf clubhouse and driving range is being relocated so home construction can commence on Parcel 86, in Hidden Cove. Runaway Bay will be contacted at the appropriate time to coordinate construction activity.

SIXTH ORDER OF BUSINESS

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

Mr. Cole reported the following:

- The sidewalk repair project will commence in three weeks. A separate proposal plus 20% will be prepared for the real estate closing on Friday.

Mr. Pires suggested adding 20% to the proposed repair costs that will be kept in escrow.

Discussion ensued regarding the decision for the CDD to incur these costs, making an exception since it was recorded in the real estate documents and the closing is tomorrow, the HOA's delay in informing residents, reactions to Mr. Pires' letter, defining the project and making sure to remove the roots.

- Lake Bank Erosion: Areas at Mallards Landing, Runaway Lane and Bent Creek were identified. Lake 34A will be inspected after the meeting. A priority list and proposals will be presented at the next meeting to deplete the \$60,000 budgeted for Fiscal Year 2023.

- Irrigation Pump House #2: Bid results will be presented at the next meeting.

The scope of work, constructing a new roof, hiring an Architect and meeting with Mr. Benet and an Architect, were discussed.

A separate contractor will be engaged for roof replacement. Mr. Cole will discuss roof options with the Architect and present the options at the next meeting.

Mr. Parisi will coordinate projects with Mr. Cole.

On MOTION by Mr. Weinberg and seconded by Mr. Schmitt, with all in favor, authorizing a not-to-exceed amount of \$35,000 for Professional Architectural Design Services related to Irrigation Pump House #2, was approved.

- Sandpiper Drive Traffic Signal: Bid results will be presented at the next meeting.

Regarding the traffic light, Mr. Cole hopes the Florida Department of Transportation (FDOT) will approve the resubmitted plans by early March. The bid results will be presented at the March meeting. He hopes it will be operational by the first quarter of 2024.

Regarding the sidewalk repair project on Mulberry Lane, Mr. Cole stated he will email the start date to Mrs. Adams, Mr. Albeit and Security to notify the residents.

SEVENTH ORDER OF BUSINESS

Consideration of Award of Contract for Lake and Wetland Maintenance

Mrs. Adams presented the bid results for the Lake and Wetland Maintenance contract. She recommended awarding the contract to Premier Lakes, Inc., (Premier), as Premier's key personnel are former Lake Masters/SOLitude Lake Management staff who have worked with the CDD for over 20 years.

On MOTION by Mr. Weinberg and seconded by Mr. Badessa, with all in favor, awarding the Lake and Wetland Maintenance contract to Premier Lakes, Inc., in the amount of \$175,920 for the first year and considering the renewal option for the second year later, due to the cost, was approved.

FIDDLER’S CREEK CDD #1
EIGHTH ORDER OF BUSINESS

February 22, 2023

Discussion/Consideration of Landscape Architect (to be provided under separate cover)

Mrs. Adams introduced GulfScapes in-house Landscape Architect Laura Patterson. She will assess the landscaping and make recommendations for improvements and will present a proposal at the next meeting for the Board’s consideration. Mr. Badessa mentioned the bougainvillea’s and asked for a landscape replacement schedule to be included in Ms. Patterson’s Report.

NINTH ORDER OF BUSINESS

Consideration of First Horizon Bank Remaining Renewal Loan Documents

- A. Consideration of Renewal Revolving Credit Note**
- B. Consideration of Amended and Restated Revolving Loan Agreement**

This item was deferred, as the bank submitted incorrect documents. Mr. Adams responded to questions about determining a sufficient loan amount for emergencies, such as a hurricane and the bank’s name change.

TENTH ORDER OF BUSINESS

Acceptance of Unaudited Financial Statements as of January 31, 2023

The Unaudited Financial Statements as of January 31, 2023 were included for informational purposes.

Mrs. Adams distributed and reviewed the Financial Highlights Report. Mr. Christiansen asked for the appropriate adjustments to be made to the “Due from Fiddler’s Creek CDD #2” budget line item.

The financials were accepted.

ELEVENTH ORDER OF BUSINESS

Approval of January 25, 2023 Regular Meeting Minutes

Mr. Slater presented the January 25, 2023 Regular Meeting Minutes. The following changes were made:

Line 67: Insert “geo-tube” after “blown”

Line 110: Change “STP” to “SDP”

Line 143: Change “Court” to “County Clerk”

Regarding Line 67, Mr. Cole will inspect the geo-tube on Lake 34-A after the meeting.

Regarding Line 107, once finalized, Mr. Parisi will email the architectural renderings of the Championship Drive Gatehouse to Mrs. Adams to distribute to the Board.

On MOTION by Mr. Weinberg and seconded by Mr. Badessa, with all in favor, the January 25, 2023 Regular Meeting Minutes, as amended, were approved.

TWELFTH ORDER OF BUSINESS

Action/Agenda or Completed Items

Items 3, 4, 5, 7, 8, 9, 11, 13, 19 and 21 were completed.

Combine Item 18 with Item 6.

Item 10: Mr. Pires will follow up on status of Watershed Improvement Plan.

Item 12: There is only one downed tree left to address.

THIRTEENTH ORDER OF BUSINESS

Staff Reports

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

Mr. Pires distributed copies of letters sent to the residents and to Southwest Property Management, which is the Manager for the Mulberry HOA. Supporting documents were included informing the property owners’ of their responsibility to maintain their property and the obligation to pay to repair damages on CDD property caused by tree roots. He felt that the notice that the Mulberry HOA sent resulted in a positive reaction.

Mr. Schmitt read Mulberry’s blog and voiced his opinion that the letter generated more confusion for the residents, making them think they need to engage a sidewalk contractor.

A resident stated that most residents are accepting responsibility and requested cost estimates so they can budget accordingly.

It was noted that the Board decided to incur these costs this time but, going forward, the CDD might assess property owners if it is determined they did not take corrective action to prevent roots damaging CDD property.

Resident Dorothy Hirsch asked if the new homeowner must pay for the repairs. Mr. Badessa replied affirmatively, as the costs were already included in the closing documents.

A Mulberry HOA Board Member asked for help drafting information to post on the blog.

Discussion ensued about property owners notifying their insurance carriers regarding liability and property owners being responsible for maintaining the landscaping all way to the valley gutter.

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

- **NEXT MEETING DATE: March 22, 2023 at 8:00 A.M.**
 - **QUORUM CHECK**

Supervisors Badessa, Christensen, Schmitt and Slater confirmed their attendance at the March 22, 2023 meeting. Supervisor Weinberg will not be present.

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

Mrs. Adams distributed and presented the Monthly Field Operations Report.

Mrs. Adams asked Mr. Parisi for assistance with stonework on the decorative bridge in Marsh Cove, as she is having difficulty reaching the contractor. Mr. Parisi stated that changes will be made to the area next year and the CDD might need to consider different materials. Mrs. Adams will email the information to Mr. Parisi.

FOURTEENTH ORDER OF BUSINESS

Supervisors' Requests

There were no Supervisors' requests.

FIFTEENTH ORDER OF BUSINESS

Public Comments

Mr. Creamer appreciated the Board having Mr. Cole research traffic calming device options at Sandpiper and Marsh Cove.

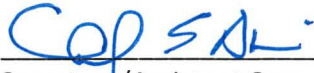
Mr. Cole read a response to the email he sent earlier in the meeting, in which Norm stated that the Fire Department is a bit of a challenge. He will contact the Fire Department to discuss and report his findings at the next meeting.

SIXTEENTH ORDER OF BUSINESS

Adjournment

There being nothing further to discuss, the meeting adjourned at 9:33 a.m.

[SIGNATURES APPEAR ON THE FOLLOWING PAGE]



Secretary/Assistant Secretary



Chair/Vice Chair