

**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 June 28, 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
Torben Christensen	Assistant Secretary
Joseph Badessa	Assistant Secretary
Frank Weinberg	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
Aaron Hack	Developer’s Deputy General Counsel
Ryan Hennessey	Fiddler’s Creek Director of Human Affairs & Safety
Mike Barrow	GulfScapes Landscape Management
Alex Kurth	Premier Lakes, Inc.
Bill Kurth	Premier Lakes, Inc.
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)

No members of the public spoke.

THIRD ORDER OF BUSINESS

Quality Control Lake Report - Premier Lakes, Inc. (Alex Kurth)

Mr. Bill Kurth presented the Quality Control Lake Report and highlighted the following:

- Additional Sonar® treatments were applied to previously treated lakes; initial results look very good. The herbicide remains in the water for a time as it works slowly; 100% control is anticipated.
- Water levels are improving but are still very low.
- Broad leaf weeds in the broad littoral shelves have been a challenge but headway is being made. Areas mentioned last month were sprayed multiple times but more work is needed. Bare areas are doing well with beneficial littoral plant growth and should look significantly better within one month.
- Algae is being treated when observed, particularly in shallow areas such as Cardinal Cove. Aggressive treatments will be repeated.

Discussion ensued regarding the lake across from The Club, which has significant algae.

A Board Member stated that lake is owned by The Rookery. Mr. Kurth stated that area is treated by a different vendor.

FOURTH ORDER OF BUSINESS

Update: Collier County Comprehensive Watershed Improvement Plan (Daniel Roman)

Mr. Pires stated he received an email yesterday advising that Mr. Daniel Roman could not attend today; he will attempt to reschedule.

FIFTH ORDER OF BUSINESS

Health, Safety and Environment Reports

A. Irrigation and Pressure Cleaning Efforts

Mr. Hennessey reviewed the Monthly PowerPoint presentation, which included reminders to report questions, comments or concerns to Irrigation@Fiddlerscreek.com or Pressurewashing@Fiddlerscreek.com or directly to the Safety Department. He reported the following:

➤ The flag outside the building was replaced following the last meeting. It was noted that the flag on the center median on 951 is the one that needs to be replaced. Mr. Hennessey stated it will be addressed promptly.

➤ The hole on Mulberry that was discussed at the last meeting was addressed.

➤ Juniper advised that GulfScapes might have trimmed trees and addressed issues in CDD #1; upon receipt of the invoices, GulfScapes will be compensated based on the CDD's contract with The Foundation. Questions about trees should be emailed to Mr. Hennessey, with a photo and the exact location.

Mrs. Adams submitted information about a CDD oak tree leaning over The Foundation's property that needs to be trimmed back to the hedge. Mr. Slater stated a CDD tree limb is hanging over a homeowner's roof at the corner of Bent Creek and Fiddler's Creek Parkway. Mr. Hennessey stated those will be addressed.

Discussion ensued regarding a dead ligustrum opposite The Club.

Mrs. Adams stated it is on The Foundation's property.

➤ The Championship Gate Monument was pressure washed.

Asked if a proposal for painting the monument was received, Mrs. Adams stated she is waiting on an additional proposal.

➤ Crews were advised to be attentive and perform complete cleanings. The crews will address any unsatisfactory areas, safety concerns and monuments.

Mrs. Adams advised Mr. Hennessey about a slip and fall hazard on Mulberry Lane that needs to be addressed by the pressure cleaning crew.

Mr. Hennessey stated the same pressure cleaning schedule will be followed next year and special needs will be continually addressed and prioritized.

B. Security and Safety Update

Mr. Hennessey reviewed the monthly PowerPoint presentation, which included reminders to first call 911 in an emergency, followed by reporting the incident or other non-emergency matters to the Community Patrol. He encouraged residents to register guests via the member's website, mobile app, calling the Automated Gatehouse or emailing Safety@Fiddlerscreek.com.

➤ Staff members are directing trucks going to Marsh Cove, Cherry Oaks and the golf course to use the construction roads rather than private roads.

Mr. Hennessey discussed an incident in which three males were seen on a homeowner's camera at 11:40 p.m., on Wednesday June 14, 2023. It was not reported to Security until Thursday June 15, 2023 at 10:30 a.m. The homeowner thinks one was holding an air horn. Mr. Hennessey immediately advised the caller to contact the Sheriff's Department. Sheriff Deputies canvassed the neighborhood. On Friday, June 16, 2023, a door was knocked on in Chiasso. This is thought to be a TikTok prank involving knocking on doors and running away. There was no invasion, robbery, burglary, violence or vandalism.

SIXTH ORDER OF BUSINESS

Developer's Report

Mr. Parisi reported the following:

➤ The Oyster Harbor and Dorado communities are under construction; 18 homes on Fanny Bay North are sold and most are under construction. Seven in Dorado are under construction.

➤ Construction Compound: Landscaping and hydroseeding were completed. Sod has not been delivered yet. Some fencing issues arose due to a fire hydrant but the fence should be completed next week. When the project is complete, only one set of gates will remain.

➤ Championship Gatehouse: The plan will be submitted next week. It will look similar to the other gatehouses. The intended start date will be August 1, 2023. Mr. Jonathan Walsh, who used to work for the County, is working on the project.

➤ Emails will be sent in mid-July, August and September to remind drivers to avoid Championship Drive. Internal signs will be put on Fiddler's Creek Parkway to deter turning onto Championship Drive and having to turn back.

Mr. Pires noted the Notice of Commencement (NOC) will need to be executed and suggested the Maintenance of Traffic (MOT) Plan be added to the next agenda.

Mr. Parisi introduced Mr. Aaron Hack, Deputy General Counsel.

On MOTION by Mr. Schmitt and seconded by Mr. Slater, with all in favor, authorizing Staff to prepare the Notice of Commencement and for the Chair to execute, was approved.

Mr. Christensen inquired about the excavation markings on Runaway discussed at the last meeting. Mr. Parisi stated he was unable to locate the party responsible for the markings.

Discussion ensued regarding recent surveys in the area and homes for sale.

- Championship Gatehouse: Construction should be completed at the end of October.

Mr. Slater sent the schedule to Mr. Adams to be emailed to the Board Members.

- The Golf Clubhouse is under construction and should be completed by the end of January 2024. Grass for the driving range and practice facility is being installed.

- Design work for the dog park is ongoing and will hopefully be completed in the summer.

The small and large dog parks, facilities and parking will be in CDD #2 by Varena and Laguna.

Discussion ensued regarding the location of the dog park and the Fire Station parcel.

Mr. Parisi believed the dog park cost and maintenance will be borne by The Foundation.

SEVENTH ORDER OF BUSINESS

Engineer's Report: Hole Montes, a Bowman Company

- **Continued Discussion/Consideration of Proposal for Mulberry Lane Road and Valley Gutter Repairs Due to Tree Roots**

Mr. Cole presented a Collier Paving proposal of approximately \$19,000 for valley gutter and road repairs due to tree roots. He suggested monitoring this as it is an aesthetic issue caused by the tree and it is not causing any catastrophic flooding.

Mr. Schmitt discussed spalling in the road and expressed frustration as he believes the area was previously repaired but the tree roots were not treated. He and Mr. Cole discussed the repair and were unable to agree on the location in question. Mr. Cole and Mr. Schmitt will inspect the area and report their findings at the next meeting.

On MOTION by Mr. Slater and seconded by Mr. Schmitt, with all in favor, tabling this item to the next meeting, was approved.

EIGHTH ORDER OF BUSINESS

Discussion/Consideration of Concrete Repairs Proposals

Mr. Cole presented the following:

A. Collier Paving and Concrete, Curb Repairs

Mr. Schmitt inquired about the repairs listed. Mr. Cole stated the repairs in Item 8A represent areas requiring repair and replacement since the last time he inspected; they are structural cracks, not aesthetic repairs. The sidewalks listed in item 8B are lifted and/or cracked.

On MOTION by Mr. Weinberg and seconded by Mr. Slater, with all in favor, the Collier Paving Curb Repairs proposal, in the amount of \$20,519.85, was approved.

Mr. Schmitt suggested adding the repair noted in the Seventh Order of Business to this contract, pending Mr. Cole’s inspection, rather than mobilizing for just one area.

B. Collier Paving and Concrete, Sidewalk Repairs

On MOTION by Mr. Schmitt and seconded by Mr. Weinberg, with all in favor, the Collier Paving Sidewalk Repairs proposal, in the amount of \$12,290.93, was approved.

C. Timo Brothers, Inc., Paver Repairs

On MOTION by Mr. Schmitt and seconded by Mr. Weinberg, with all in favor, the Timo Brothers, Inc., Paver Repairs proposal, in the amount of \$1,020, was approved.

Continued: Engineer’s Report: Hole Montes, a Bowman Company

Mr. Schmitt asked if the sidewalk from Fiddler’s Creek Parkway to the main gate was evaluated. Mr. Cole believes all areas were evaluated and some only need aesthetic repairs.

Mr. Cole reported the following:

- Lake bank repairs are nearing completion and the crew is waiting for the sod.
- The permanent bags are in place and sacrificial bags are in place but they will not be cut until sod delivery is confirmed because rain could wash away the sand. Most work occurred along the south side of Mallard's Landing; several spots along the south side of Runaway and one location in Bellaggio were addressed. He will survey another area.

Mr. Christensen recalled that, at the last meeting, evaluating the rest of Runaway and a portion of Marsh Cove was recommended. Mr. Cole noted the limited funds budgeted and stated the inspector identified numerous areas, which will be inspected, prioritized and addressed according to severity.

- Florida Department of Transportation (FDOT) approval of the traffic signal is pending. More comments were received but he is optimistic that approval will be forthcoming. Completion by summer 2024 is anticipated.

Discussion ensued regarding one-month warning and one-month blinking light periods, equating to approximately two months, before the light is fully functional, once installed.

- The irrigation pumphouse pumps were ordered and replacement is expected in August or September. The entire roof must be removed to install the pump skid. The architect is working on the roof replacement plans and the permits will be submitted to the County in July.

Mr. Schmitt asked if the roofing material was resolved. Mr. Cole believes it was to be a tile roof. Mr. Schmitt recommended a tile roof. Mr. Cole will coordinate with the architect.

Mr. Parisi thanked the group that has been working on the Baseline community irrigation project, including Valerie, Aaron and Mr. Benet. He met with consultants and received a request to begin thinking about submitting a Request for Proposals (RFP); he recommended hiring a Construction Manager who understands how to coordinate the installation. He will keep the Board apprised of further developments.

Mr. Parisi stated preparations to develop Parcel 6, which is the Driving Range, are underway. The creek is on the outside edge so he would like to install a seawall on the Lake Maintenance Easement (LME).

Discussion ensued regarding easements, permits and engineering.

Mr. Pires stated the property was the subject of one of the bond series so it might be necessary to engage Bond Counsel to determine if a Supplemental Trust Indenture is needed, as well as a Resolution authorizing the conveyance and a Maintenance Agreement. Mr. Pires stated these issues will be addressed before the next meeting.

Mr. Parisi stated the old Hidden Cove, behind Oyster Harbor, will now be called Live Oaks. The Hidden Cove, by Runaway, will remain as Hidden Cove.

Mr. Schmitt stated six or seven sections of perimeter fence along Mulberry slipped and a portion of fence on Championship is leaning. Mr. Cole stated it was probably caused by Hurricane Ian; he will have the areas inspected and locate a contractor.

Mr. Schmitt stated, in the area where bougainvillea were recently trimmed, he observed rotted wooden guard rails by the creek before the guardhouse; one has bolts falling off. He described the location of the guard rail. Mr. Cole believes the guard rail is required. Mr. Parisi stated, when the bougainvillea were trimmed, trees were also cut down and now there is an open view to residents' yards. He recalled the Board being advised that the community-wide standard needs to be maintained and stated that affected residents are complaining. He will forward photographs of the affected area to address the issue.

Mr. Cole stated he will inspect the area and research the requirements.

NINTH ORDER OF BUSINESS**Discussion: Fiscal Year 2024 Budget**

Mr. Christensen noted that the revenues and Equivalent Residential Units (ERUs) on Page 3 assume no new sales. Mr. Adams stated he will confirm that and noted that ERUs usually come in later in the process; although, all 1,510 units are anticipated, as all are platted.

Mr. Christensen noted that \$28,000 is budgeted for the "Street lighting- Electricity" line item but electricity is currently \$3,000 per month. Mr. Adams will adjust it to \$36,000.

Mr. Weinberg recalled discussions about needing road markings. Mrs. Adams stated Mr. Cole submitted estimates in advance of the last meeting and the estimates were included.

Mr. Adams stated the "Lake Bank Erosion" line item was increased from \$60,000 to \$100,000 since the last discussion.

Mr. Schmitt stated some of the erosion measures deteriorated. He asked if there is a warranty. Mr. Adams thinks the warranty on the fabric is 15 years; he will research it. Mr. Schmitt noted that some of the areas are new. Mr. Cole asked for the specific information so that he can check on it.

Mr. Adams recalled discussion about directing surplus fund balance to the traffic signal project. Mr. Cole stated the current estimate has grown to approximately \$1.420 million. Mr. Adams will adjust the budgeted amount to \$710,000.

TENTH ORDER OF BUSINESS

Acceptance of Unaudited Financial Statements as of May 31, 2023

The financials were accepted.

ELEVENTH ORDER OF BUSINESS

Approval of May 31, 2023 Regular Meeting Minutes

The following changes were made:

Line 39: Insert “association” before “Boards”

Line 110: Insert “Lake” before “41”

Line 192: Change “POA” to “HOA”

On MOTION by Mr. Schmitt and seconded by Mr. Slater, with all in favor, the May 31, 2023 Regular Meeting Minutes, as amended, were approved.

TWELFTH ORDER OF BUSINESS

Action/Agenda or Completed Items

Items 2, 5, 6 and 10 were completed.

Item 7: Delete

Mr. Schmitt thinks the stop sign exiting Cherry Oaks was hit, as the frame is bent. Mrs. Adams stated a request was already sent to Lykins. Mr. Weinberg stated the “No Thru Traffic” sign entering Mahogany Bend is faded. Numerous faded stop signs, including exiting Isla Del Sol, were noted.

Mr. Cole will review the plat because the plats might continue several hundred feet.

Resident Dorothy Hirsch asked about landscaping the Championship Drive berm near her home. Mr. Barrow will address it.

THIRTEENTH ORDER OF BUSINESS

Staff Reports

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

• South Florida Water Management District Engineers Program

Mr. Pires reported the following:

- Documents were recently forwarded to Mr. Parisi regarding the costs associated with the Boundary Amendment; it is hoped that the CDD will receive reimbursement.
- He emailed the County to reschedule the presentation.
- The CDD is a member of the Sunshine 811 call-in program so the CDD is eligible to find out who has called for permission to dig. Mr. Cole will look into this.

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

• Consideration of Meeting Date Change from December 27, 2023 to December 13, 2023

On MOTION by Mr. Schmitt and seconded by Mr. Slater, with all in favor, changing the December 27, 2023 meeting to December 13, 2023, was approved.

• NEXT MEETING DATE: July 26, 2023 at 8:00 A.M.

○ QUORUM CHECK

Supervisors Slater, Christensen, Schmitt and Weinberg confirmed their in-person attendance at the July 26, 2023 meeting. Supervisor Badessa will not attend.

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

Mrs. Adams distributed the Monthly Field Operations Report.

FOURTEENTH ORDER OF BUSINESS

Supervisors' Requests

There were no Supervisors' requests.

FIFTEENTH ORDER OF BUSINESS

Public Comments

No members of the public spoke.

SIXTEENTH ORDER OF BUSINESS

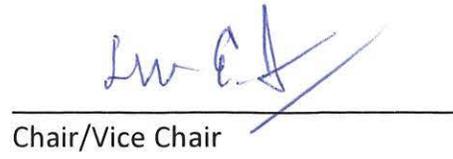
Adjournment

There being nothing further to discuss, the meeting adjourned at 9:16 a.m.

[SIGNATURES APPEAR ON THE FOLLOWING PAGE]



Secretary/Assistant Secretary



Chair/Vice Chair