

**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 Wednesday, April 25, 2018 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
Gerald Bergmoser	Vice Chair
Robert Slater	Assistant Secretary
Charles Turner	Assistant Secretary
Joseph Schmitt	Assistant Secretary

Also present were:

Chuck Adams	District Manager
Cleo Adams	Assistant Regional Manager
Tony Pires	District Counsel
Terry Cole	District Engineer
Ron Albeit	General Manager – The Foundation
Robert Dieckmann	Interim Project Manager – The Foundation
Valerie Lord	Counsel – The Foundation
Tony DiNardo	Developer
Jesse Fritz	Resident
David L. Dralle	Resident
Joanne Marr	Resident

FIRST ORDER OF BUSINESS

Call to Order/Roll Call

Mr. Adams called the meeting to order at 8:03 a.m. All Supervisors were present, in person.

SECOND ORDER OF BUSINESS

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

Mr. David Dralle, a resident, presented photographs and stated that 10' to 12' weeds, plywood and garbage debris were piled on each side of the Marsh Cove Bridge, behind his home, and asked who was responsible. Discussion ensued regarding exact location of the bridge, ownership and lake bank maintenance. Mr. Brougham stated that the CDD owns the lake and is

responsible for maintaining the lake, including weeds, and The Foundation owns the bridge. He directed District Staff to inspect the perimeter of the bridge near Mr. Dralle's home and determine the condition of the weeds. Mrs. Adams would inspect the area and report her findings to the Board and Mr. Cole.

THIRD ORDER OF BUSINESS

Special Counsel Update

In response to Mr. Brougham's inquiry, Mr. Adams confirmed that additional motions were filed and a hearing would be held on Friday, April 27, and Mr. Harvey Pitt's deposition was taken in advance.

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

Public Comments resumed.

Mr. Jesse Fritz, a resident, questioned why the landscaping was removed from the monument on Fiddler's Creek Boulevard and asked if the same would occur on Championship. Mr. Dieckmann stated that Juniper Landscaping (Juniper) was removing vegetation in areas that will be replanted. Mr. Brougham stated that all removed plantings will be replaced by the landscaper. For villages that paid landscapers to install new plantings, at their cost, the CDD would maintain the improvement, subject to Board approval. If Montreux paid for new plantings, which were removed, they must be replanted by restoration project at no cost to Montreux or the District.

In response to a resident's question, Mr. Brougham stated that Mr. Dieckmann, Interim Project Manager for The Foundation, issues a weekly Project Status Report to all Village Presidents who, in turn, distribute the Report to property owners.

FOURTH ORDER OF BUSINESS

Developer's Report

There being no report, the next item followed.

FIFTH ORDER OF BUSINESS

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

Mr. Cole presented the Monthly Engineer's Report. He highlighted the following:

- The Developer's map shows the villages as they exist today.
- A few replatted areas might not be on the map but it was 98% accurate.
- The CDDs were labeled and showed the new boundary line, based on a change last year.

In response to Mr. Brougham's question, Mr. Cole stated that the map does not reflect the proposed Planned Unit Development (PUD) Amendment; typically, the plats or Site Development Plans (SDP)_related to various villages are referenced.

In response to a question, Mr. Cole would follow up with the contractor regarding when sod installations would be completed. In response to Mr. Brougham's inquiry, Mr. Cole confirmed that the contractor was completing the finishing touches from the previous year's bank restoration work. Because of the hurricane, no work is planned for CDD #1 but restoration work on the irrigation lake is planned for CDD #2.

SIXTH ORDER OF BUSINESS

Consideration of LandCare Proposals for Mosquito Control in 2018

- A. Roadways**
- B. Villages**

Mr. Adams presented the LandCare Mosquito Control proposals; spraying would occur every other week, starting May 4 and ending September 21, at a cost of \$15,176.70 for District roads and \$10,810.80 for Villages. Management will send a letter to each Village asking them to confirm or opt-out of the program. In response to a Board Member's question, Mr. Adams confirmed that the unit price, per application, is the same as the previous year and the program will occur in conjunction with the County's aerial spraying.

On MOTION by Mr. Turner and seconded by Mr. Bergmoser, with all in favor, the LandCare Proposals for Mosquito Control treatments, every other week from May 4 through September 21, in a total not-to-exceed amount of \$25,987.50, was approved.

SEVENTH ORDER OF BUSINESS

Continued Discussion/Update: Hurricane Irma Recovery

- A. FEMA Reimbursement**

Mr. Adams stated that the Federal Emergency Management Agency (FEMA) recently requested additional information from the County. He would follow up with the County to regarding whether a response was submitted and apprise the Board. In response to Mr.

Brougham's question, Mr. Adams stated that the CDD requested approximately \$600,000 in reimbursement for removal of material in the right-of-ways (ROWs).

B. Wall Install Schedule and Plant Removal/Replacement Adjacent to the Walls

Mr. Brougham stated that LandCare removed the entire ficus hedge, adjacent to the Pepper Tree, Bent Creek and Whisper Trace neighborhoods, and the fence is being installed from the Championship Gate upwards. Mr. Schmitt asked if the ficus trees along Championship would be replanted. Mr. Brougham stated that BrightView Landscapes (BrightView) completed their work and, after the fence is installed, if residual tree pruning work is necessary, it should be completed by the District. Mr. Cole stated that the Restoration Plan proposed groundcover plants all along the wall and fence, which the CDD would maintain, per the Plan. Mr. Turner asked for an update on the Hawk's Nest fence line. Mr. Cole stated that a Status Report on Hawk's Nest is included on the Engineer's Report. In response to Mr. Turner's question regarding sidewalk restoration on Sandpiper, Mr. Dieckman stated that the contractor's focus was on the biggest, worst sections first, which will be completed within a matter of days, and work would then move on to Championship and Mulberry. In response to Mr. Schmitt's inquiry regarding new plantings in areas where sidewalk repairs were occurring and whether repair equipment could damage fresh concrete, Mr. Dieckmann stated that the plan is to access one section at a time and, if damage occurs, the contractors would make the repairs.

Ms. Joanne Marr, a resident, questioned why a fence was never installed in Whisper Trace. Mr. Cole stated that there was a preserve near Whisper Trace and a fence ends at Bent Creek. Mr. Slater stated that Bent Creek was recently reimbursed 95% for damage to the water lines and controllers and advised other Villagers to demand reimbursement because it is in the contract that residents are to be refunded for damages caused by lightning or hurricanes.

C. Update: Phase 2 and 3

Mr. Cole distributed the Restoration Report and highlighted the following items:

- BrightView completed all tree removals and was in the process of a final cleanup.
- A final inspection will be performed by District Staff upon completion.
- Juniper began the restoration work, consisting of grading, irrigation and planting.
- CDD #1 is 80% graded.
- Within the next two weeks, everything up to Pepper Tree will be completed, except the sod.
- Sod will be installed at the end of the CDD #1 work.

- The Hawk’s Nest fence documents will be submitted to the County tomorrow; submission of a landscape plan related to the wall was not required.

Mr. Brougham directed District Staff to have the old, damaged split leaf philodendron, on the north side of Fiddler’s Creek Parkway, removed before installation of new plants. Mr. Dieckmann was asked to bring any issue with this request to the Board’s attention so that it could be resolved. Discussion ensued regarding the philodendron, which contractor was responsible for removal and cost. Mr. Brougham stated that, after removal, Juniper should install what they are contracted to install and subsequent replanting or additional plantings is the responsibility of the District and the Design Review Committee (DRC).

On MOTION by Mr. Schmitt and seconded by Mr. Brougham, with all in favor, removal and replacement of philodendron on Fiddler’s Creek Parkway, in conjunction with the Restoration Project, in a not-to-exceed amount of \$50,000, was approved.

Mr. Cole continued:

- Pavers on the south side of Fiddler’s Creek Parkway need repairs. Staff will identify and measure the areas and secure proposals for the repair work. The CDD was responsible.
 - Park benches on Championship and Sandpiper were damaged and require replacement.
- A Board Member reported that catch basins on Mulberry and Championship need repairs.

EIGHTH ORDER OF BUSINESS

Acceptance of Unaudited Financial Statements as of March 31, 2018

Mr. Adams presented the Unaudited Financial Statements as of March 31, 2018. On-roll assessment revenue collections were at 84%.

NINTH ORDER OF BUSINESS

Consideration of March 28, 2018 Regular Meeting Minutes

Mr. Brougham presented the March 28, 2018 Regular Meeting Minutes and asked for any additions, deletions or corrections. The following changes were made:

Lines 81 through 83: Delete sentence beginning “Mr. Fitzgibbons.....”

Lines 91, 94 and 120: Insert “Greater Naples Fire District’s” before “Resolution 2015-09”

Line 162: Change "grating" to "grading"

Line 163: Change "aerators" to "areas"

Line 167: Delete "The District had access responsibility but not maintenance responsibility" and insert "The District has an access easement along the Treasure Cove Boulevard ROW but not maintenance responsibility of the ROW."

On MOTION by Mr. Slater and seconded by Mr. Turner, with all in favor, the March 28, 2018 Regular Meeting Minutes, as amended, were approved.

TENTH ORDER OF BUSINESS

Action Items

This item was not discussed.

ELEVENTH ORDER OF BUSINESS

Staff Reports

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

Mr. Pires recalled a previous discussion regarding the speed limit and whether the Sheriff's Department could enforce anything below 25 miles per hour (mph). He subsequently learned through the Sheriff's legal advisor that there was no authority to enforce a speed limit lower than 25 mph. Discussion ensued regarding the speed limit, the Foundation's rules and regulations and the Masters Association.

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

i. 1,140 Registered Voters in District as of April 15, 2018

Mr. Adams stated that there were 1,140 registered voters residing within the boundaries of the District as of April 15, 2018.

ii. NEXT MEETING DATE: May 23, 2018 at 8:00 A.M.

The next meeting will be held on May 23, 2018 at 8:00 a.m., at this location.

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

Mrs. Adams presented the Monthly Status Report dated April 25, 2018. In response to Mr. Brougham's inquiry regarding Mr. Spano's letter, Mrs. Adams stated that, based on contract specifications, the Arborist is to forward a letter certifying that all pruning was completed as required. The Landscape Architect's opinion was pending.

On MOTION by Mr. Slater and seconded by Mr. Turner, with all in favor, abandoning the street sweeping operation with Precision Cleaning, was approved.

A Board Member asked if the Landscape Architect's opinion, when submitted, would resolve the issue that the CDD did not properly trim trees, as per comments made at The Foundation and if he would perform periodic evaluations to make sure trees were trimmed. Mr. Brougham replied affirmatively. In response to a question regarding the CDD's attempt to recoup funds from a contractor that damaged a section of Fiddler's Creek Parkway, Mrs. Adams stated that a \$5,000 check from Annese Telecom was pending. In response to a question, Mr. Albeit stated that The Foundation's response to the special assessment was "very good."

Regarding the roving patrol, Mrs. Adams stated that they have coordinated with Property Management companies to perform fire watches numerous times per day, in a 24-hour period, in a few neighborhoods; it is not part of the CDD's Post Orders. Mr. Turner stated that, if a sprinkler system is down, the patrol units are notified and do a fire watch to make sure that the building is monitored; nobody sits and watches. Discussion ensued regarding the roving patrols.

TWELFTH ORDER OF BUSINESS

Supervisors' Requests

Mr. Brougham stated that Commissioner Bill McDaniel would visit Monday for a Town Hall meeting at 3:00 p.m. He represents District 5 and is very open-minded.

The District successfully postponed any action at Manatee Park. A commitment was made that no action would be taken by any Housing Department Staff, until and unless they come back to the Parks Board, and no earlier than next fall. In response to a question regarding rezoning, Mr. Brougham stated that the Fiddler's Creek LLC PUD Rezoning Amendment will go before the Planning Commission on May 3, 2018 at 9:00 a.m.

THIRTEENTH ORDER OF BUSINESS

Public Comments

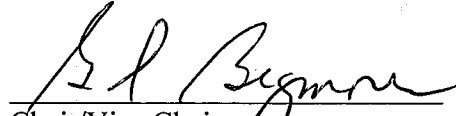
There being no public comments, the next item followed.

FOURTEENTH ORDER OF BUSINESS

Adjournment

There being no further business to discuss, the meeting adjourned at 9:13 a.m.


Secretary/Assistant Secretary


Chair/Vice Chair