

FIDDLER'S CREEK
COMMUNITY DEVELOPMENT
DISTRICT #1

REGULAR MEETING
AGENDA

May 23, 2018

Fiddler's Creek Community Development District #1
OFFICE OF THE DISTRICT MANAGER
2300 Glades Road, Suite 410W • Boca Raton, Florida 33431
Phone: (561) 571-0010 • Fax: (561) 571-0013 • Toll-free: (877) 276-0889

May 16, 2018

<p><u>ATTENDEES:</u> Please identify yourself each time you speak to facilitate accurate transcription of meeting minutes.</p>

Board of Supervisors
Fiddler's Creek Community Development District #1

Dear Board Members:

The Board of Supervisors of the Fiddler's Creek Community Development District #1 will hold a Regular Meeting on Wednesday, May 23, 2018 at 8:00 a.m., at the Fiddler's Creek Club and Spa, 3470 Club Center Boulevard, Naples, Florida 34114. The agenda is as follows:

1. Call to Order/Roll Call
2. Public Comments: Non-Agenda Items (*3 minutes per speaker*)
3. Special Counsel Update
4. Developer's Report
5. Engineer's Report: *Hole Montes, Inc.*
6. Consideration of Resolution 2018-02, Approving a Proposed Budget for Fiscal Year 2018/2019 and Setting a Public Hearing Thereon Pursuant to Florida Law; Addressing Transmittal, Posting and Publication Requirements; Addressing Severability; and Providing an Effective Date
7. Continued Discussion/Update: Hurricane Irma Recovery
8. Acceptance of Unaudited Financial Statements as of April 30, 2018
9. Consideration of April 25, 2018 Regular Meeting Minutes
10. Action Items
11. Staff Reports
 - A. District Counsel: *Woodward, Pires and Lombardo, P.A.*
 - B. District Manager: *Wrathell, Hunt and Associates, LLC*
 - ii. NEXT MEETING DATE: June 27, 2018 at 8:00 A.M.

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

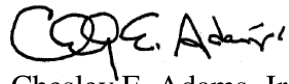
12. Supervisors' Requests

13. Public Comments

14. Adjournment

Should you have any questions, please do not hesitate to contact me directly at 239-464-7114.

Sincerely,



Chesley E. Adams, Jr.
District Manager

**FIDDLER'S CREEK
COMMUNITY DEVELOPMENT DISTRICT #1**

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RESOLUTION 2018-02

A RESOLUTION OF THE BOARD OF SUPERVISORS OF FIDDLER'S CREEK COMMUNITY DEVELOPMENT DISTRICT #1 APPROVING A PROPOSED BUDGET FOR FISCAL YEAR 2018/2019 AND SETTING A PUBLIC HEARING THEREON PURSUANT TO FLORIDA LAW; ADDRESSING TRANSMITTAL, POSTING AND PUBLICATION REQUIREMENTS; ADDRESSING SEVERABILITY; AND PROVIDING AN EFFECTIVE DATE

WHEREAS, the District Manager has heretofore prepared and submitted to the Board of Supervisors (“**Board**”) of Fiddler’s Creek Community Development District #1 (the “**Board**”) prior to June 15, 2018, a proposed budget (“**Proposed Budget**”) for the fiscal year beginning October 1, 2018 and ending September 30, 2019 (“**Fiscal Year 2018/2019**”); and

WHEREAS, the Board has considered the Proposed Budget and desires to set the required public hearing thereon.

NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF SUPERVISORS OF FIDDLER'S CREEK COMMUNITY DEVELOPMENT DISTRICT #1:

1. **PROPOSED BUDGET APPROVED.** The Proposed Budget prepared by the District Manager for Fiscal Year 2018/2019 attached hereto as **Exhibit A** is hereby approved as the basis for conducting a public hearing to adopt said Proposed Budget.

2. **SETTING A PUBLIC HEARING.** A public hearing on said approved Proposed Budget is hereby declared and set for the following date, hour and location:

DATE: August 22, 2018

HOUR: 8:00 A.M.

LOCATION: Fiddler’s Creek Club and Spa
3470 Club Center Boulevard
Naples, Florida 34114

3. **TRANSMITTAL OF PROPOSED BUDGET TO LOCAL GENERAL PURPOSE GOVERNMENT.** The District Manager is hereby directed to submit a copy of the Proposed Budget to Collier County at least 60 days prior to the hearing set above.

4. **POSTING OF PROPOSED BUDGET.** In accordance with Section 189.016, *Florida Statutes*, the District’s Secretary is further directed to post the approved Proposed Budget on the District’s website at least two days before the budget hearing date as set forth in Section 2, and shall remain on the website for at least 45 days.

5. **PUBLICATION OF NOTICE.** Notice of this public hearing shall be published in the manner prescribed in Florida law.

6. **SEVERABILITY.** The invalidity or unenforceability of any one or more provisions of this Resolution shall not affect the validity or enforceability of the remaining portions of this Resolution, or any part thereof.

7. **EFFECTIVE DATE.** This Resolution shall take effect immediately upon adoption.

PASSED AND ADOPTED THIS ____ DAY OF _____, 2018.

ATTEST:

**FIDDLER'S CREEK COMMUNITY
DEVELOPMENT DISTRICT #1**

Secretary/Assistant Secretary

By:_____

Its:_____

Exhibit A: Fiscal Year 2018/2019 Budget

**FIDDLER'S CREEK
COMMUNITY DEVELOPMENT DISTRICT #1**

8

**FIDDLER'S CREEK
COMMUNITY DEVELOPMENT DISTRICT #1**

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1 **MINUTES OF MEETING**
2 **FIDDLER’S CREEK COMMUNITY DEVELOPMENT DISTRICT #1**

3
4 The Board of Supervisors of the Fiddler’s Creek Community Development District #1
5 held a Regular Meeting on Wednesday, April 25, 2018 at 8:00 a.m., at the Fiddler’s Creek Club
6 and Spa, 3470 Club Center Boulevard, Naples, Florida 34114.
7

8 **Present at the meeting were:**

9		
10	Phil Brougham	Chair
11	Gerald Bergmoser	Vice Chair
12	Robert Slater	Assistant Secretary
13	Charles Turner	Assistant Secretary
14	Joseph Schmitt	Assistant Secretary

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16 **Also present were:**

17		
18	Chuck Adams	District Manager
19	Cleo Adams	Assistant Regional Manager
20	Tony Pires	District Counsel
21	Terry Cole	District Engineer
22	Ron Albeit	General Manager – The Foundation
23	Robert Dieckmann	Interim Project Manager – The Foundation
24	Valerie Lord	Counsel – The Foundation
25	Tony DiNardo	Developer
26	Jesse Fritz	Resident
27	David L. Dralle	Resident
28	Joanne Marr	Resident

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31 **FIRST ORDER OF BUSINESS**

Call to Order/Roll Call

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33 Mr. Adams called the meeting to order at 8:03 a.m. All Supervisors were present, in
34 person.
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36 **SECOND ORDER OF BUSINESS**

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

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

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

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48 **THIRD ORDER OF BUSINESS**

Special Counsel Update

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

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

54 Public Comments resumed.

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

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

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66 **FOURTH ORDER OF BUSINESS**

Developer’s Report

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68 There being no report, the next item followed.

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70 **FIFTH ORDER OF BUSINESS**

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

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

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

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

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

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85 **SIXTH ORDER OF BUSINESS**

**Consideration of LandCare Proposals for
Mosquito Control in 2018**

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87

88 **A. Roadways**

89 **B. Villages**

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

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**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.**

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104 **SEVENTH ORDER OF BUSINESS**

**Continued Discussion/Update: Hurricane
Irma Recovery**

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107 **A. FEMA Reimbursement**

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

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

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

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

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

134 **C. Update: Phase 2 and 3**

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

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

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

145 Mr. Brougham directed District Staff to have the old, damaged split leaf philodendron, on
146 the north side of Fiddler’s Creek Parkway, removed before installation of new plants. Mr.
147 Dieckmann was asked to bring any issue with this request to the Board’s attention so that it could
148 be resolved. Discussion ensued regarding the philodendron, which contractor was responsible
149 for removal and cost. Mr. Brougham stated that, after removal, Juniper should install what they
150 are contracted to install and subsequent replanting or additional plantings is the responsibility of
151 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.

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159 Mr. Cole continued:

160 ➤ Pavers on the south side of Fiddler’s Creek Parkway need repairs. Staff will identify and
161 measure the areas and secure proposals for the repair work. The CDD was responsible.

162 ➤ Park benches on Championship and Sandpiper were damaged and require replacement.

163 A Board Member reported that catch basins on Mulberry and Championship need repairs.

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165 **EIGHTH ORDER OF BUSINESS**

Acceptance of Unaudited Financial Statements as of March 31, 2018

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

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171 **NINTH ORDER OF BUSINESS**

Consideration of March 28, 2018 Regular Meeting Minutes

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

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

177 Lines 91, 94 and 120: Insert “Greater Naples Fire District’s” before “Resolution 2015-
178 09”

179 Line 162: Change “grating” to “grading”
 180 Line 163: Change “aerators” to “areas”
 181 Line 167: Delete “The District had access responsibility but not maintenance
 182 responsibility” and insert “The District has an access easement along the Treasure Cove
 183 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.

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Secretary/Assistant Secretary

Chair/Vice Chair

DRAFT

**FIDDLER'S CREEK
COMMUNITY DEVELOPMENT DISTRICT #1**

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ACTIVE ACTION ITEMS

For May 23, 2018 Meeting

Action Item status updates to be provided prior to or at the meeting.

DATE ADDED

1. **11/19/14** Per Mr. Brougham, Staff will communicate anything of major importance to residents, via The Foundation, such as tree removal to keep residents informed. **ONGOING**
2. **06/22/16** District Engineer will schedule and perform a semi-annual sidewalk review for trip hazards, slip/fall, cleaning needs and structural integrity. **ONGOING**
3. **07/26/17** Per Mr. Brougham's direction, Staff to verify whether on-site staff could control the irrigation systems, through the main computer and whether Wesco installed rain sensors on local controllers. **ONGOING**
4. **07/26/17** Per Mr. Brougham's direction, security to be reminded of their responsibility to report irrigation issues to the gatehouse. **ONGOING**
5. **07/26/17** Ms. Benedetti to ask Mr. Albeit to include the irrigation matter in the newsletter so residents know who to contact regarding irrigation issues and Mr. Brougham to request that an e-blast be sent to remind residents to call the gate to report sprinkler issues. **ONGOING**
6. **08/30/17** Security to report road spills to Mr. Cole and Mrs. Adams. **ONGOING**
7. **02/28/18** Per Mr. Brougham, for Mr. Dieckmann to look into and remove irrigation controllers and utility markings along Mahogany. **ONGOING**
8. **03/28/18** Per Mr. Brougham, for Mrs. Lord to request that the District receive a status report on its boundary legal bills. **ONGOING**
9. **04/25/18** Per Mr. Brougham, for District Staff to inspect the perimeter of the bridge near Mr. Dralle's home and determine the condition of the weeds. **ONGOING.**
10. **04/25/18** Per Mr. Brougham, for District Staff to have the split leaf philodendron removed from the north side of Fiddler's Creek Parkway. **ONGOING**

COMPLETED ACTION ITEMS

DATE MOVED TO COMPLETED

1. **12/06/17** Per Mr. Brougham, legal bills should be submitted to Mrs. Lord. **COMPLETED**
2. **02/28/18** Place conveyed parcels on Action Item List. **COMPLETED**
3. **02/28/18** Mr. Adams will provide proposal for web based GIS map and give presentation at 2/28/18 Board meeting. **COMPLETED**
4. **02/28/18** Mr. Adams to obtain details of why “Repairs and maintenance” expenses were at 616%. **COMPLETED**
5. **02/28/18** Mr. Adams to obtain details about the expenses for clickers and the number of clickers disbursed. **COMPLETED**
6. **03/28/18** Per Mr. Brougham, for Mr. Cole to work with Mr. Pires to get a change order on the fencing contract or a new contract before C&C vacated the area. **COMPLETED**
7. **03/28/18** Per Mr. Brougham, for Mrs. Adams to obtain a formal quote for the ficus hedge removal from the intersection of Mulberry to Whisper Trace. **COMPLETED**

**FIDDLER'S CREEK
COMMUNITY DEVELOPMENT DISTRICT #1**

11C



Wrathell, Hunt and Associates, LLC

TO: Fiddlers Creek CDD #1 Board of Supervisors

FROM: Cleo Adams – Assistant Regional Manager

DATE: May 23, 2018

SUBJECT: Monthly Status Report – Field Operations

Lake FC-5: At last month's meeting it was brought to our attention that there is an area within the lake tract above the high water mark that requires clean-up of bridge debris/weeding and replanting of Cord Grass on both sides of the bridge. Currently waiting for proposal from Solitude Lake Management and will schedule for on-going maintenance.

Landscape: Staff continues to tour/review the property to ensure project completions as well as day to day activities are being met. Staff toured with Landcare on Tuesday, May 15th.

Irma Restoration: Landcare currently reviewing the property and making a list of all areas that have not been addressed.

Landscape Architect/Arborist: Upon receipt of their findings & recommendations it will be furnished to the Board.

Crown Reducing of Hardwoods: Once the opinion & recommendations have been provided by Michael McGee of McGee & Associates, Staff will review this year's program requirements.

Shrub Pruning:

Pruning Schedule: This exercise to commence the Monday following Easter with the following schedule: Mexican Petunia's & Fakahatchee; May 1st to include Seagrapes & Firebush, followed by Bougies commencing June 5th with an anticipated completion of June 30th based on the specifications of the contract.

Mosquito Control: Applications with a truck mounted sprayer May thru September 2 times per month. This exercise commenced May 4th.

Flowers: May 1st install to include Red Pentas and Lavender Orchid Pentas.

August Rotation: Red and Green coleus - campfire(red) Alabama (green with red)

Plant Renovation Project: As approved at last month's meeting, Staff has identified and will be removing various areas of old/leggy philodendron along the Parkway and Championship Drive commencing the week of May 14th. Staff is currently awaiting a proposal from Scott Smith with Waldrop for a proposal/plant replacement which is required by DRC.

Vehicle/Landscape Damages: As reported at last month's Staff is following up with a Claim submitted for cost of damages incurred - \$8,200.00. Upon speaking with the Claims Department on the 14th that claim had been processed and the check is in the mail.

Street Light/Road Damages: As discussed at our March Board meeting, Annese Telecom has agreed to reimburse the District in full for the required repairs - \$4,980.00. Payment not yet received however Staff will continue to follow-up.

Note: Staff will be putting a program in place to help prevent this from happening moving forward.

Patrol Services: Currently suspended.