

# **FIDDLER'S CREEK**

**COMMUNITY DEVELOPMENT**

**DISTRICT #1**

**January 25, 2023**

**BOARD OF SUPERVISORS**

**REGULAR MEETING**

**AGENDA**

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

**AGENDA  
LETTER**

# 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

January 18, 2023

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

**ATTENDEES:**  
Please identify yourself each time you speak to facilitate accurate transcription of meeting minutes.

Dear Board Members:

The Board of Supervisors of the Fiddler's Creek Community Development District #1 will hold a Regular Meeting on January 25, 2023 at 8:00 a.m., at the Fiddler's Creek Club and Spa, 3470 Club Center Boulevard, Naples, Florida 34114. Members of the public may listen to and participate in the meeting via conference call at **1-888-354-0094**, Participant Passcode: **709 724 7992**. The agenda is as follows:

1. Call to Order/Roll Call
2. Public Comments: Non-Agenda Items (*3 minutes per speaker*)
3. Ratification the Actions of the District's Board of Supervisors from its December 14, 2022 Regular Meeting
4. Quality Control Lake Report, *SOLitude Lake Management*
  - January 2023
5. Health, Safety and Environment Report
  - A. Irrigation and Pressure Cleaning Efforts
  - B. Security and Safety Update
6. Developer's Report
  - A. Golf Course Site Development Plans
7. Engineer's Report: *Hole Montes, Inc.*
8. Continued Discussion: Notice of Anticipatory Breach of Interlocal Agreement with Fiddler's Creek CDD #2 [Traffic Signal Cost Sharing]
9. Discussion: Temporary Construction Site Fiddler's Creek Parkway and Sandpiper
10. Consideration of Collier Paving & Concrete Proposal for Concrete Sidewalk Repairs

- 11. Acceptance of Unaudited Financial Statements as of December 31, 2022
- 12. Approval of December 14, 2022 Regular Meeting Minutes
- 13. Action/Agenda or Completed Items
- 14. Staff Reports
  - A. District Counsel: *Woodward, Pires and Lombardo, P.A.*
  - B. District Manager: *Wrathell, Hunt and Associates, LLC*
    - NEXT MEETING DATE: February 22, 2023 at 8:00 A.M.

○ QUORUM CHECK

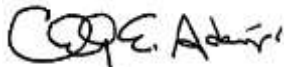
SEAT 1	JOSEPH BADESSA	<input type="checkbox"/> IN PERSON	<input type="checkbox"/> PHONE	<input type="checkbox"/> No
SEAT 2	TORBEN CHRISTENSEN	<input type="checkbox"/> IN PERSON	<input type="checkbox"/> PHONE	<input type="checkbox"/> No
SEAT 3	JOSEPH SCHMITT	<input type="checkbox"/> IN PERSON	<input type="checkbox"/> PHONE	<input type="checkbox"/> No
SEAT 4	ROBERT SLATER	<input type="checkbox"/> IN PERSON	<input type="checkbox"/> PHONE	<input type="checkbox"/> No
SEAT 5	FRANK WEINBERG	<input type="checkbox"/> IN PERSON	<input type="checkbox"/> PHONE	<input type="checkbox"/> No

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

- 15. Supervisors' Requests
- 16. Public Comments
- 17. 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

**FOR BOARD MEMBERS AND STAFF TO ATTEND BY TELEPHONE**  
**CALL IN NUMBER: 1-888-354-0094**  
**PARTICIPANT PASSCODE: 709 724 7992**

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

**4**

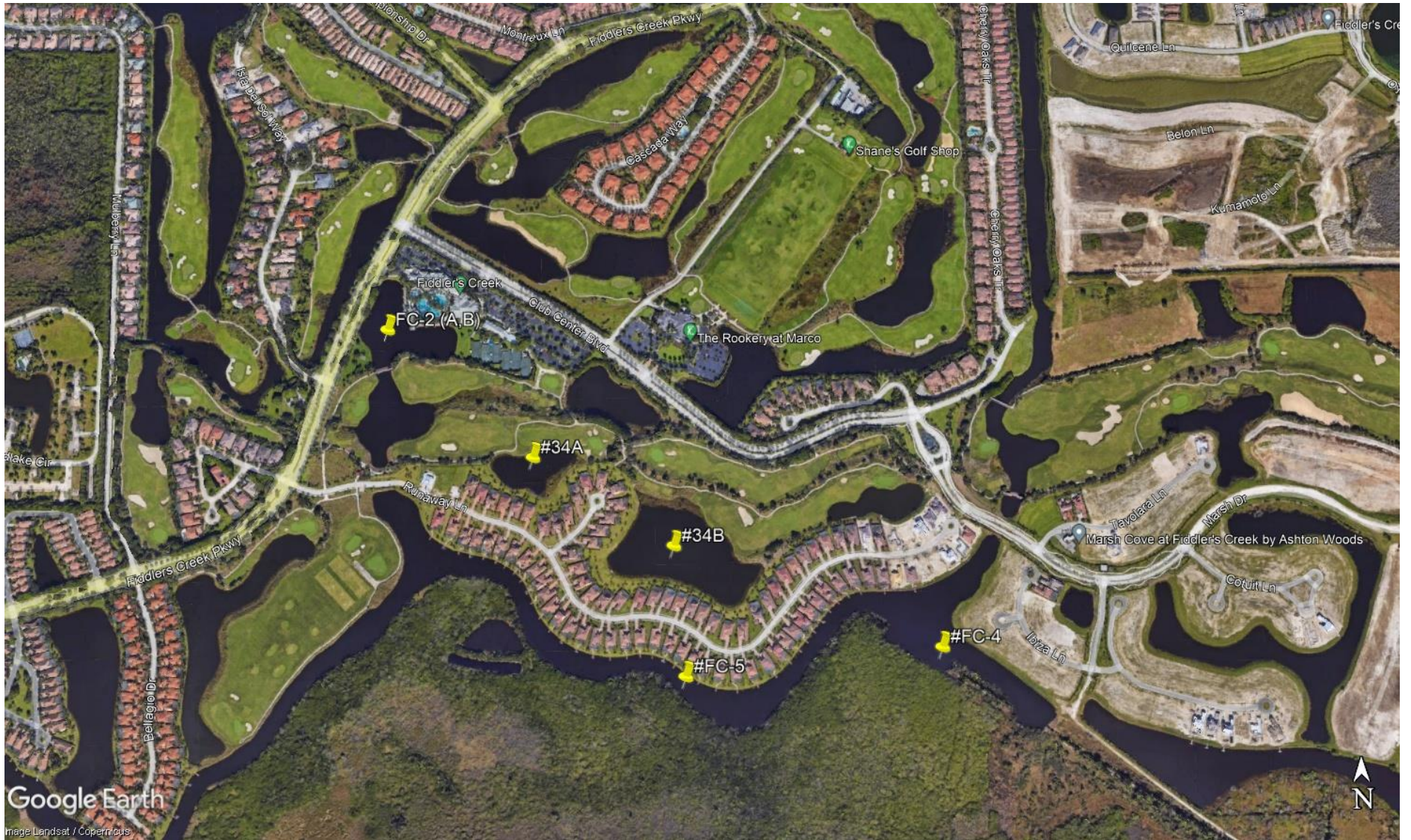
**FIDDLER'S CREEK CDD #1**  
**Quality Control Lake Report**

#	Inspection Date	Action Items Observed	*Treatment Date	*Target
<b>Group B</b>				
15	1/12/2023	No action necessary at this time.		
16	1/12/2023	No action necessary at this time.		
17	1/12/2023	No action necessary at this time.		
18	1/12/2023	No action necessary at this time.		
21	1/12/2023	No action necessary at this time.		
22	1/12/2023	No action necessary at this time.		
30	1/12/2023	No action necessary at this time.		
34	1/12/2023	No action necessary at this time.		
34A	1/12/2023	SFA	1/17/2023	Surface algae
34B	1/12/2023	Tg	1/17/2023	Torpedograss
35	1/12/2023	No action necessary at this time.		
FC-2 (A/B)	1/12/2023	CFH and SFA	1/19/2023	Crested floating heart and surface algae
FC-4	1/12/2023	Tg	1/19/2023	Torpedograss
FC-5	1/12/2023	Tg	1/19/2023	Torpedograss
65-A	1/12/2023	No action necessary at this time.		

\* Treatment dates and targets are susceptible to change due to site conditions: wind, rain, flooding etc.

Abbreviation Key								
Alligator Weed	Aw	Chara	Ch Illinois Pondweed	Pi	Southern Naiad	Ns	Water Hyacinth	Wh
Bottom Algae	Ba	Crested Floating Heart	CFH Pennywort	Pw	Surface Algae	SFA	Water Lettuce	WL
Bulrush	Bul	Duckweed	Dw Primrose	Pr	Torpedograss	Tg		
Cattails	Ct	Hydrilla	H Planktonic Algae	Pa	Vines	Vi		

# FIDDLER'S CREEK CDD #1 Quality Control Lake Report





**FIDDLER'S CREEK CDD #1  
Quality Control Lake Report**

#	Re-Evaluation	Action Items Observed	Completed
<b>Group A</b>			
1	January 2023	Tg around bulkheads	1/17/2023
3	January 2023	PA	1/17/2023
4	January 2023	CFH (southern cove)	1/17/2023
6	January 2023	Tg spot treat	1/17/2023
9	January 2023	SFA (roadside)	1/17/2023
10	January 2023	SFA (southern portion of lake)	1/17/2023
95	January 2023	Tg spot treat	1/17/2023
FC-1	January 2023	Tg near gazebo	1/17/2023

\* This portion will be completed the month following the initial inspection when the action items were previously identified to ensure compliance\*

# FIDDLER'S CREEK CDD #1 Quality Control Lake Report



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

**5A**



# CDD I

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JANUARY 25, 2023

PRESENTED BY: ED JASIECKI

# CDD I CONTRACTED RESPONSIBILITIES

1. Tree Canopy Trimming
2. Irrigation
  - [Irrigation@Fiddlerscreek.com](mailto:Irrigation@Fiddlerscreek.com)
3. Pressure Washing
  - [Pressurewashing@Fiddlerscreek.com](mailto:Pressurewashing@Fiddlerscreek.com)

# TREE CANOPY TRIMMING

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- Trimmed Fruited Palms
- Revisited areas missed during initial trimming
- January 2023 will finish trimming Royal Palm hangers.



# IRRIGATION PROJECTED USAGE

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- 19 Programmed Village Satellites
  - Monday, Wednesday & Saturday
  - 9:00 pm – 8:00 am
  - 13 Possible Run Cycles / 12 Run Cycles Completed with 1 Rain Hold
- 11 Programmed Common Satellites
  - Tuesday, Thursday & Sunday
  - 13 Possible Runs / 11 Run Cycles Completed and 2 Rain Holds.
- December Water Estimated Calculation Usage
  - Villages: 6,910,240 Gallons
  - Common: 2,881,549 Gallons
- Total Water Usage in December, 2022 was 59,535,754 gallons versus 61,654,000 gallons in December, 2021.
- Avg. Precipitation for December = 2.58"





# PRESSURE WASHING

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- Complete work on Fiddler's Creek Parkway Older Communities, ie. Mallards and Bellagio.
- Future: January, 2023
  - Begin working on Marsh Cove area.

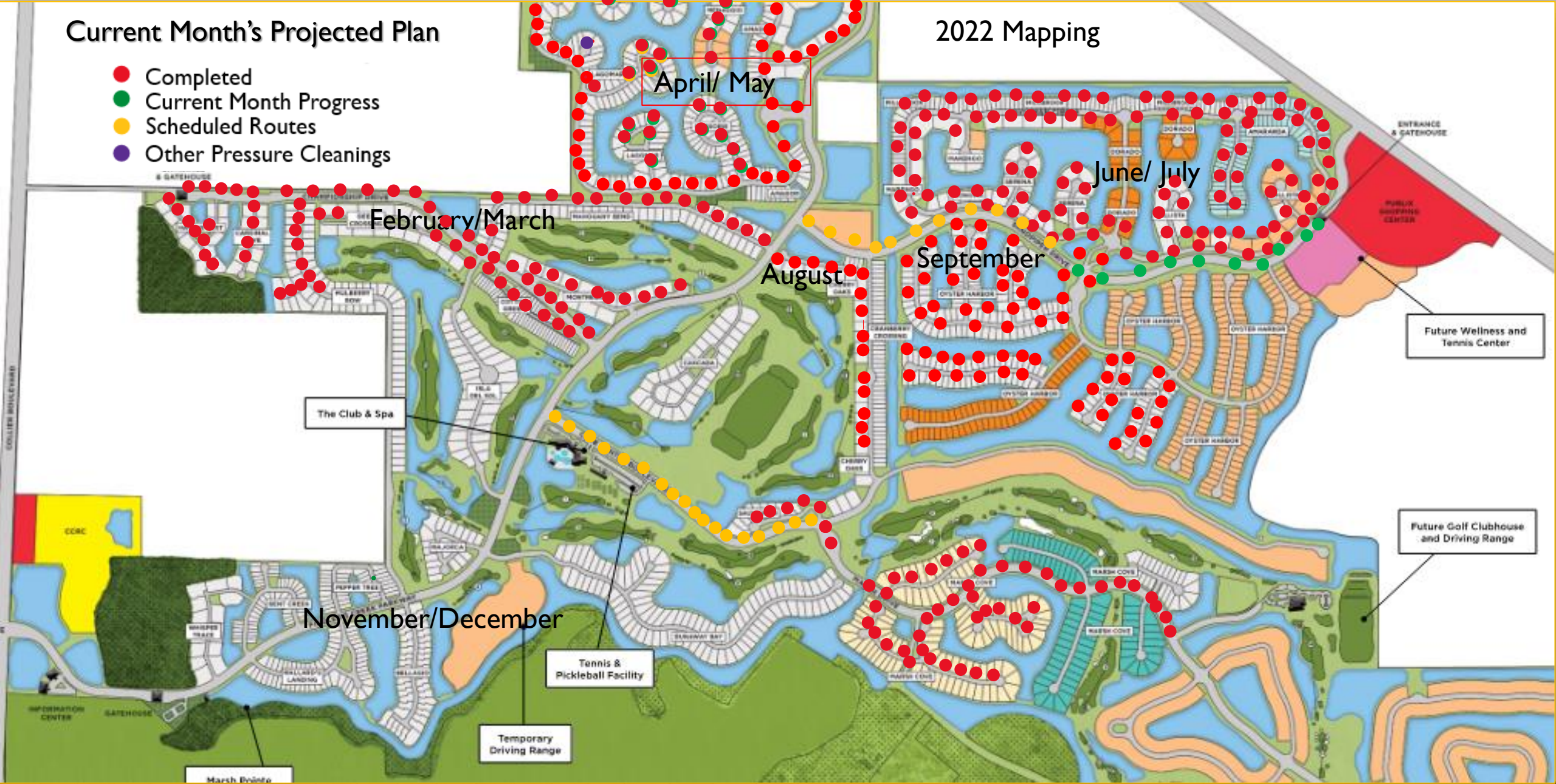




# Current Month's Projected Plan

- Completed
- Current Month Progress
- Scheduled Routes
- Other Pressure Cleanings

# 2022 Mapping







Questions?



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

**5B**

# Safety Department Update

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## Department of Safety, Health & Environment

DIRECTOR – Ed Jasiiecki  
SAFETY MANAGER – Richard Renaud



*Fiddler's Creek*<sup>®</sup>

# In an EMERGENCY call 9-1-1

- For all MEDICAL, FIRE and POLICE emergencies dial 9-1-1
- For all non-emergency needs call the Community Patrol at 239-919-3705 or email us at [safety@fiddlerscreek.com](mailto:safety@fiddlerscreek.com)

WE ARE NOT FIRST RESPONDERS, ALWAYS CALL 911 FOR AN  
EMERGENCY

THEN CALL COMMUNITY PATROL TO INFORM THEM OF THE  
INCIDENT

# Gate Access Control

Options for registering your guests, contractors, visitors.

- Enter your guest information on the member's website.
- Use the Fiddler's Creek mobile app to register guests.
- Call the Automated Gatehouse number at 239-529-4139
- Send an email to [safety@fiddlerscreek.com](mailto:safety@fiddlerscreek.com) and remember to include your name and address.
- Send all questions, concerns and suggestions to [safety@fiddlerscreek.com](mailto:safety@fiddlerscreek.com)

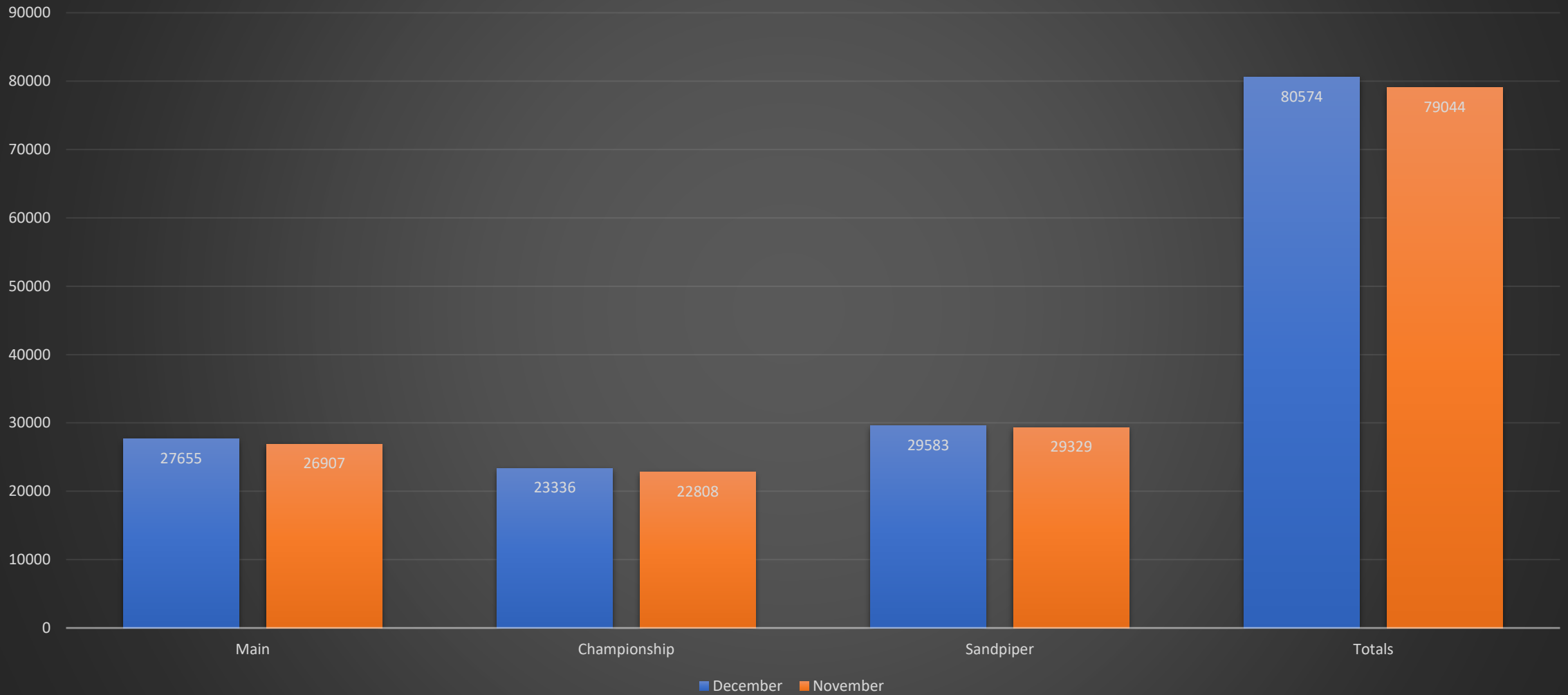
# GATEHOUSES and PATROLS

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- Sandpiper, Championship, Main
- 24x7
- 2 Patrols per shift.
- 24x7

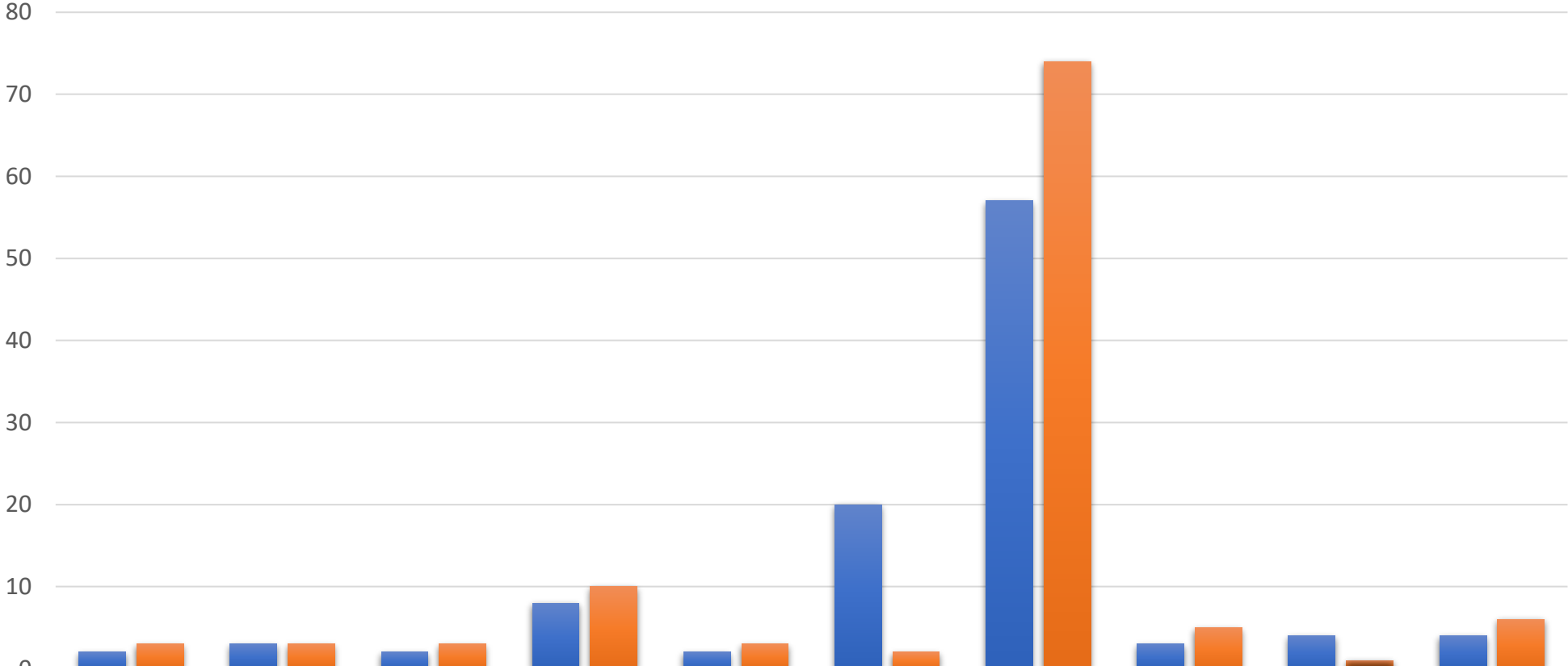


## Gatehouse Activity by Gate December-November, 2022





# Incidents Reported: December-November, 2022



	Alarms	Animal Complaints	By-Law Violations	Medicals	Nosie Complaints	Open Garage Doors	Parking	Officer Observations	Property Damage	Resident Complaints
December	2	3	2	8	2	20	57	3	4	4
November	3	3	3	10	3	2	74	5	1	6

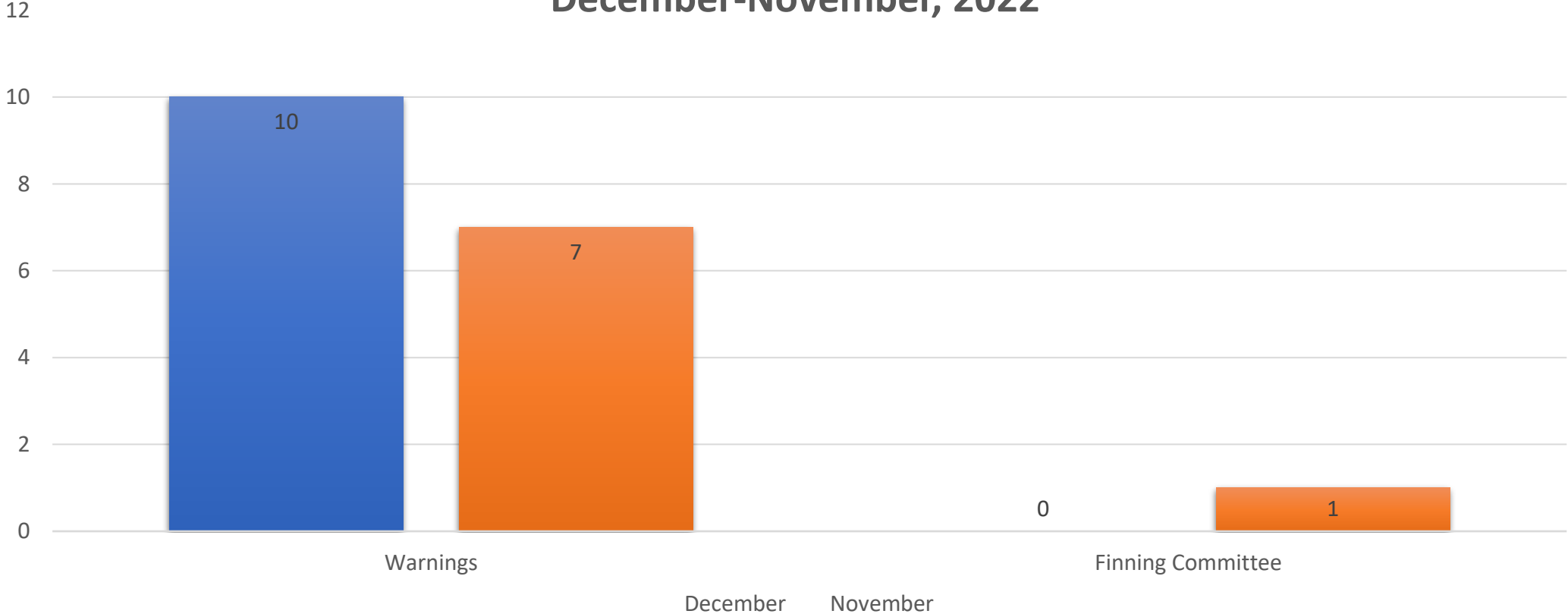
December November

# SPEED DETECTION DEVICES

- Portable speed detection device.
- Deployed throughout Fiddler's Creek at random
- Fixed devices located on Fiddler's Creek Parkway and Cherry Oaks Trail



# Traffic Hawk Speed Violations December-November, 2022



For the month of December, 2022 Collier County Sheriff's Deputies responded to Fiddler's Creek a total of 70 times for the following calls:

- 1 Missing/Recovered Person
- 1 Welfare Check
- 1 Legal Advice Call
- 39 Extra Patrols
- 8 Alarm Calls
- 1 Gas Leak Call (was unfounded by the fire department)
- 1 Public Assist Call
- 2 VIN Inspections/Verifications
- 2 Medical Emergencies
- 14 911-Hang Ups



QUESTIONS?

- Thank you



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

**9**

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**From:** jschmitt@comcast.net <jschmitt@comcast.net>

**Sent:** Tuesday, January 3, 2023 5:11 PM

**To:** Cleo Adams <crismondc@whhassociates.com>; Chuck Adams <adamsc@whhassociates.com>

**Subject:** Emailing:

IMG\_2614.jpg, IMG\_2615.jpg

Cleo

Chuck

Six or seven months ago I raised the issue of the development of a parcel at the corner of Fiddle's Creek Pkwy and Sandpiper. Attached are current pictures of the lot. This is a disaster and a disgrace when considering the Foundation's position on the appearance of communities and landscaping throughout the community. The lot is actually zoned residential multi-family but is designated to be used as a temporary construction office and materials storage area. I know that the lot is under development and is designated to be a temporary storage area but the current appearance is totally unacceptable. Joe Parisi noted 6 months ago that the Foundation was taking action but frankly nothing of significance has been done for 6 months other than constructing a temporary office building. The fence was actually destroyed by the hurricane over 4 years ago and still has not been fixed. I request that an item be entered on the agenda to discuss the state of this lot and to have the Developer provide a schedule on when improvements will be made to improve the appearance of the lot.

*Joe*

Joseph K. Schmitt

Office: 239-417-9147

Cell: 239-248-4931



01/03/2023





01/03/2023





01/03/2023





01/03/2023





01/03/2023





01/03/2023





01/03/2023

## Tobi Charbonneau

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**From:** BellowsRay <Ray.Bellows@colliercountyfl.gov>  
**Sent:** Friday, February 11, 2022 4:09 PM  
**To:** Terry Cole  
**Cc:** WilloughbyChristine  
**Subject:** FW: Fiddler's Creek Construction Office - Tract 25  
**Attachments:** Const. Trailer site plan (SDPI-2003-AR-4411).PDF; Proposed Const. Office - 2022.pdf

Hi Terry,

I have reviewed the attached documents and I determined that the proposed construction office is allowed with a temporary use permit. Time extensions will be requested as needed beyond the initial 24 month time period.

Respectfully,

*Ray*

Raymond V. Bellows, Zoning Manager  
Zoning Division - Zoning Services Section  
Growth Management Department  
Telephone: 239.252.2463; Fax: 239.252.6350



*Exceeding expectations, every day!*

Tell us how we are doing by taking our Zoning Division Survey at [lxtw33k\\_kpi\\_rzuX](#) \$

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**From:** Terry Cole <TerryCole@hmeng.com>  
**Sent:** Thursday, February 10, 2022 12:25 PM  
**To:** BellowsRay <Ray.Bellows@colliercountyfl.gov>  
**Cc:** walkerr@gulfbay.com; Mark Strain <StrainM@gulfbay.com>; Jazer Challenger <ChallengerJ@gulfbay.com>; Joe Parisi <parisiJ@gulfbay.com>  
**Subject:** FW: Fiddler's Creek Construction Office - Tract 25

**EXTERNAL EMAIL:** This email is from an external source. Confirm this is a trusted sender and use extreme caution when opening attachments or clicking links.

Ray,

This Tuesday we had a County pre-application meeting for an SDPA to SDP#2000-104 to construct a construction office on Tract 25.

There are also several Conex boxes onsite to store materials and equipment. Previously there have been several construction

trailers and a steel storage building permitted on the site. They have been removed due to the previous economic downturn.

Here is the permitting history:

Original SDP 00-104 approved for 6 construction trailers

SDP-AR-459 approved for adding a 70' x 125' steel building

SDPI 2001-AR-1065 approved for increasing the steel building to 70' x 150'

SDPI 2003-AR-4411 approved for adding construction trailer #7 – see attached plan

Due to cost considerations and hurricane safety, it is now proposed that a 24' x 60' construction office be built consisting of a metal building with slab on grade as shown on the attached proposed site plan.

Christine Willoughby mentioned that the PUD Master Plan amended in 2018 shows this tract as Residential. She asked if this was a permanent structure, and I said ultimately “no”. It will be a metal building constructed on a concrete slab, but will be removed whenever the tract is developed as residential in the future. She indicated that we need to have you provide a determination that the construction office will be allowed.

A temporary use permit will be requested along with the SDPA for this tract. Time extensions will be requested as needed beyond the initial 24 month time period.

Please consider this request and let me know if you have any questions.

thank you,



W. Terry Cole, P.E.  
Senior Vice President/Principal  
Hole Montes, Inc.  
950 Encore Way, Suite 200  
Naples, FL 34109  
Main Line: (239) 254-2000  
Direct Line: (239) 254-2024  
Mobile No.: (239) 572-3316  
Facsimile: (239) 254-2099  
Email: [terrycole@hmeng.com](mailto:terrycole@hmeng.com)

Both Terry Cole and Hole Montes, Inc., intend that this message be used exclusively by the addressee(s). This message may contain information that is privileged, confidential, and exempt from disclosure under applicable law. Unauthorized



disclosure or use of this information is strictly prohibited. If you have received this communication in error, please notify Hole Montes immediately at [info@hmeng.com](mailto:info@hmeng.com) or call (239) 254-2000, and permanently dispose of the original message.

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Under Florida Law, e-mail addresses are public records. If you do not want your e-mail address released in response to a public records request, do not send electronic mail to this entity. Instead, contact this office by telephone or in writing.



**COLLIER COUNTY TEMPORARY USE PERMIT  
CONSTRUCTION & DEVELOPMENT  
PERMIT NO. TU - PL20220004658**

During the construction of any development for which at least a preliminary development order has been granted, the developer may request a temporary use permit to authorize the location and use of a trailer for administrative functions directly associated with the actual processes of construction. If utilities connections (electricity, plumbing) are required, the Building Review and Permitting Department must be contacted. For holding tanks contact the Health Department.

Offices for Construction/Administration  
Other Use Authorized by LDC Sec. 5.04.03

**EFFECTIVE DATES:**

**Permit valid from** September 01, 2022 **to** September 01, 2024

- *(Twenty-four (24) month maximum. Requests for renewal must be submitted to the Planning Services Director prior to expiration.)*

**PROPERTY LOCATION**

**Description:** Fiddler's Creek Construction Trailer - Temporary Use  
**Address of Site:** 3269 Sandpiper DR, Naples, Building  
**Zoning SDP** SDP-PL#00-104

**APPLICANT INFORMATION**

Tobi Charbonneau - Hole Montes  
950 Encore Way  
Naples, FL 34110  
Telephone: (239) 254-2021

**OWNER INFORMATION**

FCC MARSH LLC  
8156 FIDDLERS CREEK PKWY  
NAPLES, FL 34114

**By acceptance of this permit, the applicant agrees to defend, hold harmless and indemnify Collier County and its agents from any and all liability which may arise as a result of the issuance of this permit. This permit does not constitute approvals which may also be necessary under other local, state and federal regulations, including, but not limited to right-of-way permit, building permit, FAA, FCC, fire district, & DEP. This TU permit is issued pursuant to information provided by the applicant.**

**Reviewed By:**

Stephene Barter, Planner  
**Date:** August 15, 2022

**THIS PERMIT SHALL BE DISPLAYED ON SITE**

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

**10**



*Divisions of Southern Striping Solutions, LLC.*

239.591.5903 office

239.351.6080 cell

239.280.0762 fax

[www.collierpave.com](http://www.collierpave.com)

# PROPOSAL

Date: 19-Dec-22  
 Estimate # \_\_\_\_\_  
 Project: Concrete Repairs  
Fiddler's Creek CDD 1  
 Contractor: Fiddler's Creek CDD 1  
 Location: Various Streets  
 Scope: \_\_\_\_\_

Item No.	Description	Unit	Quantity	Unit Price	Extension
0.1	Mobilization & General Conditions	LS	1	\$ 4,263.00	\$ 4,263.00
0.2	Concrete Sidewalk Repairs CDD 1	SF	1437	\$ 31.22	\$ 44,863.14
0.3	Concrete Sidewalk Grinds CDD 1	LF	52	\$ 21.00	\$ 1,092.00
<b>TOTAL PRICE SUBMITTED</b>					<b>\$ 50,218.14</b>

## TERMS AND CONDITIONS

Price excludes all full depth repair to Sub-base

Price excludes all root removal

Price excludes F&I root barrier

No Permits, Fee's or Bond

No traffic control or devices

No Testing

No Q/C Plan or Services

Progress invoicing based on work completed

Price submitted is good for 30 days from date of proposal

Material costs subject to (Fuel Cost Adjustment) base on market pricing after 90/days from contract.

This proposal shall become part of any sub-contract, contract or any agreement Collier Paving & Concrete enters into.

**J. Alex DeMarco**  
 Digitally signed by  
 J. Alex DeMarco  
 Date: 2022.12.19  
 15:24:53 -05'00'

*J. Alex DeMarco*  
*Director of Operations*



*Divisions of Southern Striping Solutions, LLC.*

239.591.5903 office

239.351.6080 cell

239.280.0762 fax

[www.collierpave.com](http://www.collierpave.com)

Date of Acceptance \_\_\_\_\_

by: \_\_\_\_\_

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

**UNAUDITED  
FINANCIAL  
STATEMENTS**



**FIDDLER'S CREEK  
COMMUNITY DEVELOPMENT DISTRICT #1  
FINANCIAL STATEMENTS  
UNAUDITED  
DECEMBER 31, 2022**

**FIDDLER'S CREEK  
COMMUNITY DEVELOPMENT DISTRICT #1  
BALANCE SHEET  
GOVERNMENTAL FUNDS  
DECEMBER 31, 2022**

	General 001	Debt Service Series 2014-1 Refunded 2002B	Debt Service Series 2014-2A Refunded 2002A	Debt Service Series 2014-2B Refunded 2002A	Debt Service Series 2014-3 Refunded 2005	Debt Service Series 2014-4 Refunded 2005	Total Governmental Funds
<b>ASSETS</b>							
Operating accounts							
SunTrust	\$ 3,322,278	\$ -	\$ -	\$ -	\$ -	\$ -	\$ 3,322,278
Assessment account-Iberia	301,409	-	-	-	-	-	301,409
Centennial Bank - MMA	77,856	-	-	-	-	-	77,856
Finemark - MMA	249,015	-	-	-	-	-	249,015
Finemark - ICS	726,101	-	-	-	-	-	726,101
Investments							
Revenue	-	285,938	-	264,866	-	-	550,804
Reserve - series B	-	-	-	105,077	-	-	105,077
Prepayment	-	-	991	74,886	-	-	75,877
Prepayment - 2002B exchange	-	1,210	-	-	-	-	1,210
Undeposited funds	31,387	-	-	-	-	-	31,387
Due from general fund	-	214,665	-	96,883	-	-	311,548
Due from Fiddler's Creek CDD #2	37,895	-	-	-	-	-	37,895
Prepaid expense	1,262	-	-	-	-	-	1,262
Deposits	5,125	-	-	-	-	-	5,125
Total assets	<u>\$ 4,752,328</u>	<u>\$ 501,813</u>	<u>\$ 991</u>	<u>\$ 541,712</u>	<u>\$ -</u>	<u>\$ -</u>	<u>\$ 5,796,844</u>
<b>LIABILITIES &amp; FUND BALANCES</b>							
<b>Liabilities:</b>							
Due to other funds							
Debt service 2014-1	214,665	-	-	-	-	-	214,665
Debt service 2014-2B	96,883	-	-	-	-	-	96,883
Total liabilities	<u>311,548</u>	<u>-</u>	<u>-</u>	<u>-</u>	<u>-</u>	<u>-</u>	<u>311,548</u>
<b>Fund balances:</b>							
Restricted for							
Debt service	-	501,813	991	541,712	-	-	1,044,516
Unassigned	4,440,780	-	-	-	-	-	4,440,780
Total fund balances	<u>4,440,780</u>	<u>501,813</u>	<u>991</u>	<u>541,712</u>	<u>-</u>	<u>-</u>	<u>5,485,296</u>
Total liabilities and fund balance	<u>\$ 4,752,328</u>	<u>\$ 501,813</u>	<u>\$ 991</u>	<u>\$ 541,712</u>	<u>\$ -</u>	<u>\$ -</u>	<u>\$ 5,796,844</u>

**FIDDLER'S CREEK  
COMMUNITY DEVELOPMENT DISTRICT #1  
STATEMENT OF REVENUES, EXPENDITURES,  
AND CHANGES IN FUND BALANCES  
GENERAL FUND 001  
FOR THE PERIOD ENDED DECEMBER 31, 2022**

	Current Month	Year To Date	Budget	% of Budget
<b>REVENUES</b>				
Assessment levy	\$ 1,432,279	\$ 2,066,265	\$ 2,447,892	84%
Assessment levy: off-roll	31,387	94,159	376,639	25%
Interest	339	863	-	N/A
Total revenues	<u>1,464,005</u>	<u>2,161,287</u>	<u>2,824,531</u>	77%
<b>EXPENDITURES</b>				
<b>Administrative</b>				
Supervisors	-	1,077	12,918	8%
Management	5,044	15,131	60,525	25%
Assessment roll preparation	25,490	25,490	25,490	100%
Accounting services	1,647	4,941	19,764	25%
Audit	-	-	15,400	0%
Legal	-	1,178	25,000	5%
Engineering	2,387	6,904	50,000	14%
Telephone	70	210	838	25%
Postage	176	324	2,300	14%
Insurance	-	32,826	30,000	109%
Printing and binding	55	165	659	25%
Legal advertising	-	371	2,000	19%
Office supplies	-	-	750	0%
Annual district filing fee	-	175	175	100%
Trustee	-	-	15,500	0%
Arbitrage rebate calculation	-	-	4,000	0%
Contingencies	50	204	4,000	5%
Website/ADA website compliance	-	210	920	23%
Dissemination agent	986	2,957	11,828	25%
Total administrative	<u>35,905</u>	<u>92,163</u>	<u>282,067</u>	33%
<b>Field management</b>				
Field management services	2,186	6,559	26,237	25%
Total field management	<u>2,186</u>	<u>6,559</u>	<u>26,237</u>	25%
<b>Water management maintenance</b>				
Other contractual	19,330	50,191	279,756	18%
Fountains	4,964	13,500	65,000	21%
Total water management maintenance	<u>24,294</u>	<u>63,691</u>	<u>344,756</u>	18%
<b>Street lighting</b>				
Contractual services	-	1,024	15,000	7%
Electricity	2,797	7,616	28,000	27%
Holiday lighting program	-	8,250	16,500	50%
Miscellaneous	-	-	1,500	0%
Total street lighting	<u>2,797</u>	<u>16,890</u>	<u>61,000</u>	28%

**FIDDLER'S CREEK  
COMMUNITY DEVELOPMENT DISTRICT #1  
STATEMENT OF REVENUES, EXPENDITURES,  
AND CHANGES IN FUND BALANCES  
GENERAL FUND 001  
FOR THE PERIOD ENDED DECEMBER 31, 2022**

	Current Month	Year To Date	Budget	% of Budget
<b>Landscaping</b>				
Other contractual - landscape maintenance	107,551	169,861	986,000	17%
Other contractual - flowers	19,462	19,462	52,000	37%
Other contractual - mosquito control	-	-	40,000	0%
Improvements and renovations	3,990	4,660	125,000	4%
Contingencies	-	-	15,000	0%
Hurricane clean-up	-	7,560	-	N/A
Total landscaping	<u>131,003</u>	<u>201,543</u>	<u>1,218,000</u>	17%
<b>Roadway</b>				
Roadway maintenance	-	110	85,000	0%
Capital outlay	-	-	40,000	0%
Total roadway	<u>-</u>	<u>110</u>	<u>125,000</u>	0%
<b>Irrigation supply</b>				
Electricity	62	187	750	25%
Repairs and maintenance	-	-	50,000	0%
Other contractual-irrigation manager	-	-	50,000	0%
Supply system	9,030	30,790	552,475	6%
Total irrigation supply	<u>9,092</u>	<u>30,977</u>	<u>653,225</u>	5%
<b>Other fees &amp; charges</b>				
Property appraiser	-	-	38,248	0%
Tax collector	28,645	41,325	50,998	81%
Total other fees & charges	<u>28,645</u>	<u>41,325</u>	<u>89,246</u>	46%
Total expenditures	<u>233,922</u>	<u>453,258</u>	<u>2,799,531</u>	16%
Excess/(deficiency) of revenues over/(under) expenditures	1,230,083	1,708,029	25,000	
Fund balances - beginning	3,210,697	2,732,751	1,929,977	
Assigned				
Working capital	706,133	706,133	706,133	
Sandpiper traffic signal obligation	352,000	352,000	352,000	
Future Irr. mainline breaks	100,000	100,000	100,000	
Unassigned	3,282,647	3,282,647	796,844	
Fund balances - ending	<u>\$ 4,440,780</u>	<u>\$ 4,440,780</u>	<u>\$ 1,954,977</u>	



**FIDDLER'S CREEK  
COMMUNITY DEVELOPMENT DISTRICT #1  
STATEMENT OF REVENUES, EXPENDITURES,  
AND CHANGES IN FUND BALANCES  
DEBT SERVICE FUND SERIES 2014-1 (REFUNDED SERIES 2002B)  
FOR THE PERIOD ENDED DECEMBER 31, 2022**

	<u>Current Month</u>	<u>Year To Date</u>	<u>Budget</u>	<u>% of Budget</u>
<b>REVENUES</b>				
Assessment levy: on-roll - net	\$ 234,960	\$ 338,963	\$ 396,576	85%
Interest	458	1,502	-	N/A
Total revenues	<u>235,418</u>	<u>340,465</u>	<u>396,576</u>	86%
<b>EXPENDITURES</b>				
<b>Debt service</b>				
Principal	-	-	190,000	0%
Interest	-	98,050	196,100	50%
Total debt service	<u>-</u>	<u>98,050</u>	<u>386,100</u>	25%
<b>Other fees &amp; charges</b>				
Property appraiser	-	-	6,197	0%
Tax collector	4,699	6,779	8,262	82%
Total other fees & charges	<u>4,699</u>	<u>6,779</u>	<u>14,459</u>	47%
Total expenditures	<u>4,699</u>	<u>104,829</u>	<u>400,559</u>	26%
Excess/(deficiency) of revenues over/(under) expenditures	230,719	235,636	(3,983)	
Fund balances - beginning	271,094	266,177	315,151	
Fund balances - ending	<u>\$ 501,813</u>	<u>\$ 501,813</u>	<u>\$ 311,168</u>	

**FIDDLER'S CREEK  
COMMUNITY DEVELOPMENT DISTRICT #1  
STATEMENT OF REVENUES, EXPENDITURES,  
AND CHANGES IN FUND BALANCES  
DEBT SERVICE FUND SERIES 2014-2A (REFUNDED SERIES 2002A)  
FOR THE PERIOD ENDED DECEMBER 31, 2022**

	Current Month	Year To Date	Budget	% of Budget
<b>REVENUES</b>				
Assessment levy: off-roll	\$ -	\$ 95,047	\$ 365,094	26%
Interest	3	10	-	N/A
Total revenues	<u>3</u>	<u>95,057</u>	<u>365,094</u>	26%
<b>EXPENDITURES</b>				
<b>Debt service</b>				
Principal	-	-	175,000	0%
Interest	-	95,047	190,094	50%
Total expenditures	<u>-</u>	<u>95,047</u>	<u>365,094</u>	26%
Excess/(deficiency) of revenues over/(under) expenditures	3	10	-	
Fund balances - beginning	988	981	981	
Fund balances - ending	<u>\$ 991</u>	<u>\$ 991</u>	<u>\$ 981</u>	

**FIDDLER'S CREEK  
COMMUNITY DEVELOPMENT DISTRICT #1  
STATEMENT OF REVENUES, EXPENDITURES,  
AND CHANGES IN FUND BALANCES  
DEBT SERVICE FUND SERIES 2014-2B (REFUNDED SERIES 2002A)  
FOR THE PERIOD ENDED DECEMBER 31, 2022**

	<u>Current Month</u>	<u>Year To Date</u>	<u>Budget</u>	<u>% of Budget</u>
<b>REVENUES</b>				
Assessment levy: on-roll - net	\$ 106,042	\$ 152,981	\$ 225,216	68%
Assessment prepayments	-	68,582	-	N/A
Interest	996	3,692	-	N/A
Total revenues	<u>107,038</u>	<u>225,255</u>	<u>225,216</u>	100%
<b>EXPENDITURES</b>				
<b>Debt service</b>				
Principal	-	-	105,000	0%
Principal prepayment	-	349,844	-	N/A
Interest	-	57,234	114,469	50%
Total debt service	<u>-</u>	<u>407,078</u>	<u>219,469</u>	185%
<b>Other fees &amp; charges</b>				
Property appraiser	-	-	3,519	0%
Tax collector	2,121	3,060	4,692	65%
Total other fees & charges	<u>2,121</u>	<u>3,060</u>	<u>8,211</u>	37%
Total expenditures	<u>2,121</u>	<u>410,138</u>	<u>227,680</u>	180%
Excess/(deficiency) of revenues over/(under) expenditures	104,917	(184,883)	(2,464)	
Fund balances - beginning	436,795	726,595	459,750	
Fund balances - ending	<u>\$ 541,712</u>	<u>\$ 541,712</u>	<u>\$ 457,286</u>	

**FIDDLER'S CREEK  
COMMUNITY DEVELOPMENT DISTRICT #1  
STATEMENT OF REVENUES, EXPENDITURES,  
AND CHANGES IN FUND BALANCES  
DEBT SERVICE FUND SERIES 2014-3 (REFUNDED SERIES 2005)  
FOR THE PERIOD ENDED DECEMBER 31, 2022**

	<u>Current Month</u>	<u>Year To Date</u>	<u>Budget</u>	<u>% of Budget</u>
<b>REVENUES</b>				
Assessment levy: off-roll	\$ -	\$ 180,900	\$ 591,800	31%
Total revenues	<u>-</u>	<u>180,900</u>	<u>591,800</u>	31%
<b>EXPENDITURES</b>				
<b>Debt service</b>				
Principal	-	-	230,000	0%
Interest	-	180,900	361,800	50%
Total expenditures	<u>-</u>	<u>180,900</u>	<u>591,800</u>	31%
Excess/(deficiency) of revenues over/(under) expenditures	-	-	-	
Fund balances - beginning	-	-	187,500	
Fund balances - ending	<u>\$ -</u>	<u>\$ -</u>	<u>\$ 187,500</u>	



**FIDDLER'S CREEK  
COMMUNITY DEVELOPMENT DISTRICT #1  
STATEMENT OF REVENUES, EXPENDITURES,  
AND CHANGES IN FUND BALANCES  
DEBT SERVICE FUND SERIES 2014-4 (REFUNDED SERIES 2005)  
FOR THE PERIOD ENDED DECEMBER 31, 2022**

	<u>Current Month</u>	<u>Year To Date</u>	<u>Budget</u>	<u>% of Budget</u>
<b>REVENUES</b>				
Assessment levy: off-roll	\$ -	\$ 191,100	\$ 627,200	30%
Total revenues	<u>-</u>	<u>191,100</u>	<u>627,200</u>	30%
<b>EXPENDITURES</b>				
<b>Debt service</b>				
Principal	-	-	245,000	0%
Interest	-	191,100	382,200	50%
Total expenditures	<u>-</u>	<u>191,100</u>	<u>627,200</u>	30%
Excess/(deficiency) of revenues over/(under) expenditures	-	-	-	
Fund balances - beginning	-	-	(1,528)	
Fund balances - ending	<u>\$ -</u>	<u>\$ -</u>	<u>\$ (1,528)</u>	

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

**MINUTES**

**DRAFT**

**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 December 14, 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 Schmitt (via telephone)	Vice Chair
Frank Weinberg	Assistant Secretary
*Torben Christensen	* Holding over until successors appointed
*Joseph Badessa	* Holding over until successors appointed

**Also present were:**

Chuck Adams (via telephone)	District Manager
Cleo Adams	District Manager
Tony Pires	District Counsel
Terry Cole (via telephone)	District Engineer
Joe Parisi	Developer General Manager
Ron Albeit	Foundation General Manager
Ed Jasiocki	Fiddler’s Creek Director of Safety
Jody Benet	Fiddler’s Creek Irrigation Manager
Paul Dougherty	SOLitude Lake Management - Project Mgr.
Mark Grimes	GulfScapes Landscape Management
Mike Barrow	GulfScapes Landscape Management
Ryan Fantasia	Duval Landscape Maintenance
Fred Creamer	Resident/Cherry Oaks HOA Board Member
George Varianides	Resident
Jane Rudy	Resident

**FIRST ORDER OF BUSINESS**

**Call to Order/Roll Call**

Mrs. Adams called the meeting to order at 8:00 a.m. Supervisors Slater and Weinberg and holdover Supervisors Christensen and Badessa were present. Supervisor Schmitt was not present at roll call.

42 **SECOND ORDER OF BUSINESS**43 **Public Comments: Non-Agenda Items (3**  
44 **minutes per speaker)**

45 Mr. Albeit stated that the three-year Irrigation Management Shared Agreement expired  
46 May 5, 2022. He asked approval to present a new Agreement at the next meeting, proposing a  
47 5% increase each year effective January 1, 2023. The CDD was billed at the old rate, which has  
48 not increased in three years; this increase is in line with the Consumer Price Index (CPI).

49

50 **On MOTION by Mr. Slater and seconded by Mr. Christensen, with Mr. Slater,**  
51 **Mr. Christensen and Mr. Badessa in favor and Mr. Weinberg dissenting, the**  
52 **Irrigation Management Shared Three-Year Agreement with a 5% increase per**  
53 **year, effective January 1, 2023, subject to other additional provisions under**  
54 **Florida law for contracts and review by District Counsel, was approved.**  
55 **[Motion passed 3-1]**

56

57

58 Mr. Albeit asked for an update on signage repairs, as he received several complaints on  
59 the matter. Mrs. Adams stated that the CDD already executed the Lykins-Signtek, Inc., contract  
60 to repair or replace signage, as needed.

61 Resident and Cherry Oaks HOA Board Member Fred Creamer, on behalf of the HOA,  
62 asked for approval for the HOA to do the following:

63 ➤ Purchase and install solar lights on the two speed limit signs at either end of Cherry  
64 Oaks Trail.

65 ➤ Seek recommendations and install a traffic calming device on Cherry Oaks Trail.

66 Mr. Creamer suggested installing speed humps or painting the speed limit on the street.  
67 Due to ongoing issues, the HOA Board sent a letter to residents reminding them to be good  
68 citizens and respectful of the laws of Fiddler's Creek.

69 Discussion ensued regarding the Traffic Hawk previously implemented by The  
70 Foundation, adverse effect of speed bumps on the Fire Department response and liability  
71 concerns.

72 Mr. Pires stated, that if signage, traffic control devices and pavement markings are in  
73 compliance with the codes, he sees no liability issues, in terms of the CDD.



74 Regarding a request to install solar panels on speed limit signs, it was noted that the  
75 HOA must obtain approval from the Design Review Committee (DRC) and, if the signs are in the  
76 CDD right-of-way (ROW), the HOA must execute a License Agreement with the CDD.

77 As the 25/35 mile per hour (mph) speed limit signs are within 10’ of the corner, Mr. Cole  
78 stated he must research the possibility of relocating them and find out if painting the roadway  
79 requires County approval. Mr. Creamer will email the addresses to Mrs. Adams to email to Mr.  
80 Cole.

81

**On MOTION by Mr. Slater and seconded by Mr. Weinberg, with all in favor, moving and/or relocating the speed limit signs at Cherry Oaks Trail, subject to Mr. Cole’s review, was approved.**

85

86

87 Resident George Varianides stated the Montreux HOA was billed \$3,800 for repairs to  
88 the water main break on Championship Drive and Montreux and asked where the HOA and  
89 CDD property line is located. Mrs. Adams stated that LandCare inspected the area and  
90 confirmed this was a neighborhood expense.

91

92 **THIRD ORDER OF BUSINESS**

**Consideration of Resolution 2023-01, Declaring a Vacancy in Seats 1 and 2 of the Board of Supervisors Pursuant to Section 190.006(3)(b), Florida Statutes; and Providing an Effective Date**

93

94

95

96

97

98 Mrs. Adams presented Resolution 2023-01. Seats 1 and 2, must be declared vacant  
99 because no one qualified to run for them during the candidate qualifying period.

100

**On MOTION by Mr. Weinberg and seconded by Mr. Slater, with all in favor, Resolution 2023-01, Declaring a Vacancy in Seats 1 and 2 of the Board of Supervisors Pursuant to Section 190.006(3)(b), Florida Statutes; and Providing an Effective Date, was adopted.**

101

102

103

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105

106

107 **FOURTH ORDER OF BUSINESS**

**Consider Appointment of Qualified Elector to Fill Seat 1 Vacancy; Term Expires November 2026**

108

109

110

111 The Fourth and Fifth Orders of Business were presented simultaneously.  
 112 Mr. Weinberg nominated Mr. Badessa and Mr. Christensen to fill vacant Seats 1 and 2,  
 113 respectively. No other nominations were made.

114

115 **On MOTION by Mr. Weinberg and seconded by Mr. Slater, with all in favor, the**  
 116 **appointment of Mr. Joseph Badessa and Mr. Torben Christensen to fill Seats 1**  
 117 **and 2, respectively, as nominated; Terms Expire November 2026, was**  
 118 **approved.**

119

120

121 Mrs. Adams, a Notary of the State of Florida and duly authorized, administered the Oath  
 122 of Office to Mr. Badessa and Mr. Christensen. Both were already familiar with the following:

- 123 • **Administration of Oath of Office to Newly Appointed Supervisor (*the following to be***  
 124 ***provided in a separate package*)**
  - 125 **A. Guide to Sunshine Amendment and Code of Ethics for Public Officers and**  
 126 **Employees**
  - 127 **B. Membership, Obligations and Responsibilities**
  - 128 **C. Financial Disclosure Forms**
    - 129 **I. Form 1, Statement of Financial Interests**
    - 130 **II. Form 1X, Amendment to Form 1, Statement of Financial Interests**
    - 131 **III. Form 1F, Final Statement of Financial Interests**
  - 132 **D. Form 8B, Memorandum of Voting Conflict**

133

134 **FIFTH ORDER OF BUSINESS** **Consider Appointment of Qualified Elector**  
 135 **to Fill Seat 2 Vacancy; *Term Expires***  
 136 ***November 2026***

- 137 • **Administration of Oath of Office to Newly Appointed Supervisor**
- 138
- 139 This item was addressed during the Fourth Order of Business.

140

141 **SIXTH ORDER OF BUSINESS** **Consideration of Resolution 2023-02,**  
 142 **Designating Certain Officers of the District,**  
 143 **and Providing for an Effective Date**

144

145 Mrs. Adams presented Resolution 2023-02.

146 Mr. Christensen nominated Mr. Schmitt as Chair. Mr. Slater nominated Mr. Schmitt as  
147 Vice Chair. It was noted that Mr. Schmitt cannot hold both positions. Mr. Slater nominated  
148 himself as Chair. Mr. Weinberg nominated Mr. Slater as Vice Chair. Mr. Slater declined the  
149 nomination for Vice Chair.

150

151 **On MOTION by Mr. Badessa and seconded by Mr. Weinberg, with Mr. Badessa**  
152 **and Mr. Weinberg in favor and Mr. Slater and Mr. Christensen dissenting,**  
153 **appointment of Mr. Schmitt as Chair, was not approved. [Motion failed 2-2]**

154

155 **On MOTION by Mr. Slater and seconded by Mr. Christensen, with Mr. Slater**  
156 **and Mr. Christensen in favor and Mr. Weinberg and Mr. Badessa dissenting,**  
157 **appointment of Mr. Slater as Chair, was not approved. [Motion failed 2-2]**

158

159

160 Mr. Schmitt joined the meeting at 8:27 a.m., via telephone.

161

162 **On MOTION by Mr. Weinberg and seconded by Mr. Slater, with all in favor,**  
163 **authorizing Mr. Schmitt's attendance and full participation via telephone, due**  
164 **to exceptional circumstances, was approved.**

165

166

167 Mr. Schmitt nominated Mr. Slater as Chair. No other nominations were made.

168

169 **On MOTION by Mr. Weinberg and seconded by Mr. Badessa, with all in favor,**  
170 **appointment of Mr. Slater as Chair, as nominated, was approved.**

171

172

173 Mr. Weinberg nominated Mr. Schmitt as Vice Chair. No other nominations were made.

174

175 **On MOTION by Mr. Weinberg and seconded by Mr. Slater, with all in favor,**  
176 **appointment of Mr. Schmitt as Vice Chair, as nominated, was approved.**

177

178

179 The slate of officers is as follows:

- 180 Robert Slater Chair
- 181 Joseph Schmitt Vice Chair
- 182 Chuck Adams Secretary

- 183 Joseph Badessa Assistant Secretary
- 184 Toben Christensen Assistant Secretary
- 185 Frank Weinberg Assistant Secretary
- 186 Craig Wrathell Assistant Secretary

187 Prior appointments by the Board for Treasurer and Assistant Treasurer remain  
 188 unaffected by this Resolution.

189

190 **On MOTION by Mr. Weinberg and seconded by Mr. Schmitt, with all in favor,**  
 191 **Resolution 2023-02, Designating Certain Officers of the District, as nominated,**  
 192 **and Providing for an Effective Date, was adopted.**

193

194

**SEVENTH ORDER OF BUSINESS**

**Consideration of Award of Contract for  
Landscape Maintenance**

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215

Mrs. Adams discussed the bid process, criteria and tabulation results for the two respondents to the Landscape Maintenance contract. The current contract amount is \$773,222 and expires January 31, 2023. The contract budgeted amount is \$946,000. LandCare USA, LLC, the CDD’s current contractor, indicated that, due to the last several years of losing money on the contract, they declined to bid on the project. They are downsizing and will possibly reconsider at another time.

Mrs. Adams reported the following regarding respondent Duval Landscape Maintenance, LLC (Duval)

- Does not utilize E-Verify, which disqualifies them, as it is required by Florida Statutes.
- Only one reference in Jacksonville responded and conveyed that “they do a really great job”.
- Failed to provide various licenses.

Mrs. Adams reported the following regarding respondent GulfScapes Landscape Management Services (GulfScapes):

- They have been the vendor for a portion of Fiddler’s Creek CDD #2 since 2015 and were recently awarded the contract for the remaining section.

Mr. Ryan Fantasia, of Duval addressed questions regarding a local office, appropriate county and city licenses, references and staffing at Verona Walk.



216 Mr. Mark Grimes, of GulfScapes gave an overview of GulfScapes and addressed the  
217 same questions directed to Duval Landscape.

218

219 **On MOTION by Mr. Slater and seconded by Mr. Weinberg, with all in favor,**  
220 **awarding the Landscape Maintenance contract to GulfScapes Landscape**  
221 **Management Services, was approved.**

222

223

224 **EIGHTH ORDER OF BUSINESS**

**Quality Control Lake Report – November  
2022: SOLitude Lake Management**

225

226

227 Mr. Dougherty presented the Quality Control Lake Report for November.

228

229 **NINTH ORDER OF BUSINESS**

**Health, Safety and Environment Report**

230

231 **A. Irrigation and Pressure Cleaning Efforts: *Julie Staar***

232 Mr. JasiECKi stated he will present this Report, going forward.

233 Mr. JasiECKi stated the November PowerPoint presentation was not available and  
234 reported the following:

235 ➤ Irrigation: Overall, the irrigation systems are operating properly.

236 A Board Member asked if the rumor about switching to digital equipment to monitor  
237 the irrigation system is true. Mr. JasiECKi stated upgrading and modernizing the existing system  
238 is being researched. It was noted that the equipment is 25-years old and near the end of its life  
239 span.

240 ➤ Pressure Cleaning: Pressure washing was completed in several areas and areas in  
241 Mulberry are being retouched.

242 ➤ Tree Trimming is on schedule. Storm-damaged palms are being removed. He will  
243 inspect, once the contractor advises that the project is completed.

244 Mr. Slater stated that residents reported three down trees off Championship Drive and  
245 Montreux that they think are CDD trees. Mr. JasiECKi believed this was already reported to  
246 Juniper; he will follow up.

247 Mrs. Adams asked Mr. Albeit to give her Juniper's count of trees lost in the hurricane  
248 and the locations so the CDD can replace them.

249 **B. Security and Safety Update: *Ed JasiECKi***

250 Mr. Jasiiecki gave the monthly PowerPoint presentation, which included the reminder  
251 that 911 should be called first in an emergency, followed by calling Community Patrol to report  
252 the incident. AvTech is on site repairing all the gates damaged in the storm and expects all of  
253 them to be operational by Friday.

254 Mr. Christensen asked if some of the speed devices should be relocated to Cherry Oaks,  
255 in addition to the permanent one already in place and if the police should be asked to  
256 concentrate on troubled areas when they patrol.

257 Discussion ensued regarding speeding enforcement on public and private roads,  
258 relocating the speed device to the long stretch of Cherry Oaks and visibility of the patrol car.

259

## 260 TENTH ORDER OF BUSINESS

### Developer's Report

261

#### 262 A. Architectural Renderings of Championship Drive Gatehouse Remodel

263 Mr. Albeit reported the following:

264 ➤ New construction is ongoing.

265 ➤ Utility work is being completed at the Golf Clubhouse.

266 ➤ The construction compound is almost completed. Issues arose with Florida Power &  
267 Light (FPL) not issuing meters for new construction due to the recent hurricane rebuilds, which  
268 resulted in conversations with the Florida Speaker of the House to get this issue addressed.

269 Mr. Slater saw several trailers at the entrance at 951 and Fiddler's Creek Parkway and  
270 asked if it is being used as a holding place. Mr. Albeit stated he will follow up; that area is not  
271 typically used for that.

#### 272 B. Golf Course Site Development Plans

273 This item was not discussed.

274

## 275 ELEVENTH ORDER OF BUSINESS

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

276

277 Mr. Cole reported the following:

278 ➤ Signage Repairs: Lykins-Signtek, Inc., has commenced work on the project.

279 ➤ The sidewalk inspection was completed. Collier Paving is preparing a proposal to repair  
280 or replace critical panels and a separate proposal for Mulberry Lane, as it appears most of those  
281 areas were damaged because of the trees between the road and sidewalk.

282 ➤ Trebilcock Consulting Solutions resubmitted its response and 90% plans to the Florida  
283 Department of Transportation (FDOT) for the traffic signal on Sandpiper Drive. The FDOT's  
284 review of the 90% plans is expected any day.

285 ➤ A meeting was held Monday to discuss the bid package to replace Irrigation Pump  
286 House #2. The hope is to award the project no later than March 2023. A proposal to repair the  
287 doors and screens for the exhaust fan is being obtained.

288 Resident Jane Rudy asked who is responsible for sidewalk repairs on Mulberry Lane. Mr.  
289 Slater stated it is the homeowner's responsibility.

290

291 **TWELFTH ORDER OF BUSINESS**

**Discussion: Notice of Anticipatory Breach  
of Interlocal Agreement with Fiddler's  
Creek CDD #2 [Traffic Signal Cost Sharing]**

292

293

294

295 Mr. Slater asked for comments on the letter from Fiddler's Creek CDD #2. A Board  
296 Member opined that this is a non-issue and questioned how there can be a breach when there  
297 is no invoice or documentation of the total cost. Mrs. Adams was asked to resend the Interlocal  
298 Agreement to the Board. Mr. Slater asked for this item to be on the next agenda.

299

300 **THIRTEENTH ORDER OF BUSINESS**

**Consideration of Non-Disturbance and  
Encroachment Agreement**

301

302

303 Mrs. Adams stated this request will require executing an Interlocal Agreement between  
304 resident Jeff Kelley and the CDD. Mr. Cole stated he reviewed the information. His emailed  
305 response indicating that he has no objections to the proposed encroachment was distributed.  
306 Mr. Pires suggested and the Board agreed to have Mr. Cole's November 15, 2022 email  
307 included in the minutes and for the resident to pay the recording fee and provide a clean copy  
308 of the backup material.

309

310 **On MOTION by Mr. Slater and seconded by Mr. Badessa, with all in favor,**  
311 **resident Jeff Kelley's encroachment request for pool and generator equipment**  
312 **on CDD property, subject to DRC approval and the criteria set forth by Mr. Cole**  
313 **requiring execution of a Non-disturbance and Encroachment Agreement,**  
314 **authorizing the District Manager, District Engineer and District Counsel to**  
315 **prepare the Non-Disturbance and Encroachment Agreement, and authorizing**  
316 **the Chair to execute, was approved.**

317

318

**319 FOURTEENTH ORDER OF BUSINESS****Discussion: Fiddler's Creek Foundation,  
320 Inc., Pressure Cleaning Service Agreement**

321

322 Mrs. Adams stated that this Agreement, which expires September 27, 2023, was

323 included for the Board to consider if it wants to increase services from annually to bi-annually.

324 A Board Member stated this came about because Mahogany Bend residents asked for

325 additional cleanings. The areas in question were already spot cleaned.

326

**327 FIFTEENTH ORDER OF BUSINESS****Continued Discussion: Plat Review of  
328 Mulberry to Determine Maintenance  
329 Responsibilities for Sidewalks Repairs**

330

331 Mr. Pires distributed and presented the December 8, 2022 Southwest Property

332 Management letter, which he will record with the County, along with the attached certified copy

333 of Resolution 2022-05. This will ensure all future property owners are on notice of this rule. Mrs.

334 Adams stated this was also emailed to everyone.

335

**336 SIXTEENTH ORDER OF BUSINESS****Acceptance of Unaudited Financial  
337 Statements as of October 31, 2022**

338

339 Mrs. Adams presented the Unaudited Financial Statements as of October 31, 2022. She

340 was asked to research the fountain issues and email the Board.

341 The financials were accepted.

342

**343 SEVENTEENTH ORDER OF BUSINESS****Approval of October 26, 2022 Regular  
344 Meeting Minutes**

345

346 Mrs. Adams presented the October 26, 2022 Regular Meeting Minutes. The following

347 changes were made:

348 Line 113: Change "Wilcox" to "Trebilcock"

349

350

<b>On MOTION by Mr. Slater and seconded by Mr. Weinberg, with all in favor, the 351 October 26, 2022 Regular Meeting Minutes, as amended, were approved.</b>
--

352

353

354 **EIGHTEENTH ORDER OF BUSINESS** **Action/Agenda or Completed Items**

355  
356 Item 1: Mr. Pires and Mr. Parisi to meet the first week in January to discuss backup  
357 materials.

358 Item 14: Mr. Cole stated he would provide recommendations at the next meeting.

359

360 **NINETEENTH ORDER OF BUSINESS** **Staff Reports**

361

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

363 There was no report.

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

- 365 • **NEXT MEETING DATE: January 25, 2023 at 8:00 A.M.**

- 366 ○ **QUORUM CHECK**

367 All Supervisors confirmed their attendance at the January 25, 2023 meeting.

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

369 Mrs. Adams presented the December Field Operations Report.

370

371 **TWENTIETH ORDER OF BUSINESS** **Supervisors' Requests**

372

373 There were no Supervisor's requests.

374

375 **TWENTY-FIRST ORDER OF BUSINESS** **Public Comments**

376

377 There were no public comments.

378

379 **TWENTY-SECOND ORDER OF BUSINESS** **Adjournment**

380

381 There being nothing further to discuss, the meeting adjourned at 9:30 a.m.

382

383

384

385

386

[SIGNATURES APPEAR ON THE FOLLOWING PAGE]



387  
388  
389  
390  
391  
392

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Secretary/Assistant Secretary

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Chair/Vice Chair

393

**DRAFT**

**EXHIBIT**

394

**District Engineer 11.15.22 Email**

395

**RE: No Objection to Pool and Generator Encroachment Request**

**Anthony Pires**

*Include in Minutes*

**From:** Terry Cole <TerryCole@hmeng.com>  
**Sent:** Tuesday, November 15, 2022 10:10 AM  
**To:** 'Cleo Adams'  
**Cc:** Anthony Pires  
**Subject:** RE: requesting letter of no objection

I have no objection to the proposed encroachment of pool and generator equipment as long as it is covered in a Non Disturbance and Encroachment Agreement.



W. Terry Cole, P.E.

District Engineer, Fiddler's Creek - CDD 1 and CDD #2

Hole Montes, Inc.

950 Encore Way, Suite 200

Naples, FL 34110

Main Line: (239) 254-2000

Direct Line: (239) 254-2024

Mobile No.: (239) 572-3316

Facsimile: (239) 254-2099

Email: terrycole@hmeng.com

**From:** Cleo Adams <crismond@whhassociates.com>

**Sent:** Tuesday, November 15, 2022 9:32 AM

**To:** Terry Cole <TerryCole@hmeng.com>

**Cc:** Anthony Pires <APires@wpl-legal.com>

**Subject:** FW: requesting letter of no objection

Hi Terry,

This will be added to the December agenda for Board's consideration Non Disturbance and Encroachment Agreement. I don't know if you need to field review however want us to be prepared to approve it at that meeting, noting that he will require approval from the DRC as well.

Cleo Adams

District Manager

Wrathell, Hunt & Associates, LLC

9220 Bonita Beach Road

Suite #214

Bonita Springs, FL 34135

(239) 989-2939 (M)

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

**ACTION/AGENDA  
ITEMS**

### FIDDLER'S CREEK CDD #1

#	MTG DATE ADDED TO LIST	ACTION	ACTION/AGENDA or COMPLETED ITEM	ONGOING	POSSIBLY COMPLETED BEFORE NEXT MTG	COMPLETED	MTG DATE MOVED TO COMPLETED
1	03.27.18	<b>ACTION</b>	Per Mr. Brougham, Ms. Lord to request that the CDD receive a status report on its boundary legal bills. <b>10.24.18</b> , Mr. Pires working with Ms. Lord to resolve a few items. <b>12.09.20</b> , Mr. Pires to speak with Mr. Parisi re reimbursement of CDD legal costs. <b>05.26.21</b> Mr. Pires to pursue settlement offer & discuss with Mr. Parisi. <b>02.23.22</b> Mr. Pires to follow up on this item. <b>03.23.22</b> Mr. Pires to meet with Mr. Parisi to discuss. <b>06.22.22</b> Send details to Mr. Parisi. <b>07.27.22</b> Sending package today. <b>8.31.22</b> Mr. Pires requested to have this resolved. <b>12.14.22</b> Mr. Pires to meet with Mr. Parisi to discuss materials the first week in January 2023.	X			
2	02.23.22	<b>ACTION</b>	Mr. Adams: Request adjustment of the Horizons Bank Revolving Line of Credit Term to match up with the calendar year. <b>03.23.22</b> Revisions to Term Sheet submitted; final documents pending. <b>06.22.22</b> : Awaiting revised documents. <b>07.27.22</b> Bank changed now New Horizons.	X			
3	07.27.22	<b>ACTION/AGENDA</b>	Mr. Cole: Obtain proposal to inspect and repair sidewalk trip hazards. <b>08.31.22</b> Mr. Cole: Have contractor identify reason for damage and provide repair cost per address. <b>12.14.22</b> Mr. Cole: Present Collier Paving proposals at next meeting.	X			
4	08.31.22	<b>ACTION</b>	Mr. Pires: Send letter to Southwest Properties & Mulberry HOA about their responsibility to inform residents of their responsibility to pay for sidewalk repair and tree trimming costs due to tree roots damaging CDD property. Copy of the CDD Rule and Tree Trimming policy will be included in the letter. <b>10.26.22</b> Mr. Cole: Provide photographs to Mr. Pires. Mr. Pires: Record certified copy of the resolution in the public record. <b>12.14.22</b> Mrs. Adams: Ask resident for clean copy of backup materials and have Mr. Cole's Nov 15, 2022 email included in the minutes. Mr. Pires: Work with Staff to prepare Agreement, file letter and Resolution with Court and have resident pay recording fee.	X	X		
5	08.31.22	<b>ACTION</b>	Mr. Adams: Research reason for shortage in assessment levy. <b>10.26.22</b> Mr. Adams: Working with the County.	X			
6	10.26.22	<b>ACTION</b>	Mr. Slater: Ask County, if it will schedule a pickup of curbside debris and advise Mr. Darryll Adams to relay to residents.	X			



### FIDDLER'S CREEK CDD #1

#	MTG DATE ADDED TO LIST	ACTION	ACTION/AGENDA or COMPLETED ITEM	ONGOING	POSSIBLY COMPLETED BEFORE NEXT MTG	COMPLETED	MTG DATE MOVED TO COMPLETED
7	10.26.22	<b>ACTION</b>	Mr. Benet: Confirm satellites at Bent Creek and all Villages are working.	X			
8	10.26.22	<b>ACTION</b>	Mrs. Adams: Review The Foundation Agreement to see if they need to pay for extra pressure washing services.	X	X		
9	10.26.22	<b>ACTION</b>	Mr. Albeit: Track time spent monitoring speeding devices for violations and make necessary adjustments for efficient use of time.	X			
10	10.26.22	<b>ACTION</b>	Mr. Parisi: Have cameras installed at construction area close to Sandpiper.	X			
11	10.26.22	<b>ACTION/AGENDA</b>	Mr. Albeit: Present bids for Championship Gate redesign.	X			
12	10.26.22	<b>ACTION</b>	Mr. Cole: Have Inspector review faded three-way stop sign at Fiddler's Creek Parkway and median on Sandpiper inspected for line of sight issues. Document all signage that needs to be repaired due to Hurricane Ian.	X	X		
13	10.26.22	<b>ACTION</b>	Mr. Parisi: Follow up with Juniper regarding Mr. Fritz's photos of tree trimming work facing Montreux.	X			
14	10.26.22	<b>ACTION</b>	Mr. Cole: Re-assess Mallards and Runaway Lane Creek areas for upcoming lake bank erosion projects. <b>12.14.22</b> Mr. Cole: Provide recommendations at next meeting.	X			
15	10.26.22	<b>ACTION</b>	Mr. Pires: Forward agenda backup materials from County Selection Committee meeting about Watershed Improvement Plan to Mr. Parisi, Mr. Cole and Mr. Adams. Mr. Slater: Obtain further information from Mr. Patterson.	X			
16	12.14.22	<b>ACTION/AGENDA</b>	Mr. Albeit: Provide new Irrigation Management Shared Agreement at next meeting.	X	X		
17	12.14.22	<b>ACTION</b>	Mr. Cole: Research and if possible relocate speed devices to Cherry Oaks Trail and find out if County approval is needed to paint roadway. Mr. Creamer: Email addresses to Mrs. Adams to email to Mr. Cole.	X			
18	12.14.22	<b>ACTION</b>	Mrs. Adams: Have Staff address downed lake entry fountain and email update to Board.	X			
19	12.14.22	<b>ACTION/AGENDA</b>	Agenda Item: Irrigation and Pressure Cleaning Efforts: Replace "Julie Starr" with "Ed Jasiacki"	X			





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

**STAFF  
REPORTS**

**FIDDLER'S CREEK COMMUNITY DEVELOPMENT DISTRICT #1****BOARD OF SUPERVISORS FISCAL YEAR 2022/2023 MEETING SCHEDULE****LOCATION***Fiddler's Creek Club and Spa, 3470 Club Center Boulevard, Naples, Florida 34114*

<b>DATE</b>	<b>POTENTIAL DISCUSSION/FOCUS</b>	<b>TIME</b>
<b>October 26, 2022</b>	<b>Regular Meeting</b>	<b>8:00 AM</b>
<b>December 14, 2022*</b>	<b>Regular Meeting</b>	<b>8:00 AM</b>
<b>January 25, 2023</b>	<b>Regular Meeting</b>	<b>8:00 AM</b>
<b>February 22, 2023</b>	<b>Regular Meeting</b>	<b>8:00 AM</b>
<b>March 22, 2023</b>	<b>Regular Meeting</b>	<b>8:00 AM</b>
<b>April 26, 2023</b>	<b>Regular Meeting</b>	<b>8:00 AM</b>
<b>May 24, 2023</b>	<b>Regular Meeting</b>	<b>8:00 AM</b>
<b>June 28, 2023</b>	<b>Regular Meeting</b>	<b>8:00 AM</b>
<b>July 26, 2023</b>	<b>Regular Meeting</b>	<b>8:00 AM</b>
<b>August 23, 2023</b>	<b>Public Hearing &amp; Regular Meeting</b>	<b>8:00 AM</b>
<b>September 27, 2023</b>	<b>Regular Meeting</b>	<b>8:00 AM</b>

**\*Exception***December meeting date is two weeks earlier to accommodate the Christmas Holiday.*