

**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 Public Hearing and Regular Meeting on August 23, 2023 at 8:00 a.m., at the Fiddler’s Creek Club and Spa, 3470 Club Center Boulevard, Naples, Florida 34114.

**Present at the meeting were:**

Robert Slater	Chair
Joseph Schmitt	Vice Chair
Torben Christensen	Assistant Secretary
Joseph Badessa	Assistant Secretary
Frank Weinberg	Assistant Secretary

**Also present were:**

Chuck Adams	District Manager
Cleo Adams	District Manager
Tony Pires (via telephone & in person)	District Counsel
Terry Cole	District Engineer
Joe Parisi	Developer General Manager
Ryan Hennessey	Fiddler’s Creek Director of Community Services
Alex Kurth	Premier Lakes, Inc.
Mike Barrow	GulfScapes Landscape Management
Chuck Fitzgibbons	Cranberry Board President
Dorothy Hirsch	Resident

**FIRST ORDER OF BUSINESS**

**Call to Order/Roll Call**

Mrs. Adams called the meeting to order at 8:00 a.m.

All Supervisors were present.

**SECOND ORDER OF BUSINESS**

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

No members of the public spoke.

**THIRD ORDER OF BUSINESS**

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

**FIDDLER'S CREEK CDD #1**

**August 23, 2023**

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

- All Sonar® applications were 100% successful.
- The FC #1 through #5 canal system will be treated in the next two to three weeks to address the submersed Illinois pond weed.
- Lake 7A is 90% algae controlled and needs another treatment due to the type of strain.
- The littoral shelves, primarily on the golf course, continue to be a big concern. They are making great progress and the littorals are filling in nicely as the water levels rise. Weed spraying will continue.

Mr. Slater asked for an update on The Rookery situation discussed at the last meeting. Mrs. Adams stated that the vendor is SOLitude Lake Management (SOLitude) and she provided information to Interim General Manager Mr. Anthony Schmitt, who promised to address the condition of the lake. Mr. Parisi suggested a conference call with Mr. Schmitt to review the required maintenance.

Asked about treating the canal system, Mr. Kurth stated that, because the systems run through CDD #1 and CDD #2, they must use a contact herbicide to treat the entire waterbody.

**FOURTH ORDER OF BUSINESS**

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

Mr. Pires stated a response from the County is pending. He will continue following up.

**FIFTH ORDER OF BUSINESS**

**Health, Safety and Environment Reports**

**A. Irrigation and Pressure Cleaning Efforts**

Mr. Hennessey reviewed the Monthly PowerPoint presentation, which included reminders to report questions, comments or concerns to [Irrigation@Fiddlerscreek.com](mailto:Irrigation@Fiddlerscreek.com) or [Pressurewashing@Fiddlerscreek.com](mailto:Pressurewashing@Fiddlerscreek.com) or directly to the Safety Department.

**B. Security and Safety Update**

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

Mr. Slater asked for Security to patrol along the canal on Campanile Circle as kids were observed removing sections of fencing.

**SIXTH ORDER OF BUSINESS**

**Developer’s Report**

Mr. Parisi reported the following:

- The Oyster Harbor and Dorado communities and the Golf Clubhouse are still under construction.
- Championship Gatehouse: The necessary paperwork was filed with the County and the permit was received. It might be necessary to re-locate the stop sign.
- The neighborhood information meeting will be on September 6, 2023, 5:30 p.m., at the south library. It will cover Section 29, which is 57 acres designated for “Workforce Housing” use; it is not part of Fiddler’s Creeks.

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

**This item, previously Item 15A, was presented out of order.**

- **Consideration of Transfer of a Strip of Land Along Fiddler’s Creek [Portion of Parcel 6, Current Driving Range] for Development as Part of Hidden Cove; in Exchange for a Platted Lake Maintenance Easement Over This Same Strip in Favor of the District**

Mr. Pires distributed and presented the memorandum regarding transfer of land in exchange for a 20’ lake maintenance, drainage and access easement to the CDD. Mr. Parisi stated the intent is to construct a seawall along the back end of Hidden Cove, which will be the Developer’s responsibility to control and manage.

Mr. Pires stated that this process will involve obtaining an opinion and approval from Bond Counsel, authorizing Mr. Pires to prepare a Resolution declaring that this property is surplus and/or authorizing the exchange of the property with development of a 20’ strip, as depicted on the yellow green graphic, with the condition that that CDD receive back in the time of platting a dedicated maintenance and access easement over that same 20’ and that the plat be brought back in final form for final submittal to the County.

Discussion ensued regarding the impact to the CDD if homeowners install docks.

It was noted that the County will require the homeowner obtain a Letter of No Objection (LONO) from the CDD and/or Non-Disturbance Agreements or an Easement Use Agreement.

Mr. Parisi noted the Fiddler’s Creek Special Easement Agreement (FCSE) on the plat, which will require homeowners to obtain permission to install a dock. There are specific criteria for residents to build and install a dock.

**On MOTION by Mr. Schmitt and seconded by Mr. Weinberg, with all in favor, transfer of a strip of land along Fiddler’s Creek [Portion of Parcel 6, Current Driving Range] for development as part of Hidden Cove; in exchange for a Platted Lake Maintenance Easement over the same strip, in favor of the CDD, subject to the actions noted by District Counsel, was approved.**

**SEVENTH ORDER OF BUSINESS**

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

Mr. Cole reported the following:

- Lake Bank Erosion Repairs: Work on Lake 7A and a small part in Bellagio will commence this week. Repairs at Runaway Bay and Mallard’s Landing were completed.
- Traffic Signal: The Florida Department of Transportation (FDOT) Notice of Intent to issue the permit is pending. If the permit is received soon, the signal could be operational in fall 2024.
- The pumps for Pumphouse #2 are expected next month. Work is underway on a demolition permit to remove the roof for installation purposes.

**A. Discussion/Consideration of Proposals**

- **Install Wood Guard Rail Opposite Whisper Trace**

Mr. Cole distributed and presented a proposal to remove the wooden guard rail opposite Whisper Trace and an additional \$3,500 fee for the permit modification, which is still less than the \$16,000 cost to remove and replace it. He recommended removal, as research proved that the guard rail is not required.

As the CDD is responsible for landscaping, Mrs. Adams will have Mr. Barrow work on landscaping options to submit to the Design Review Committee (DRC) for review and approval.

**On MOTION by Mr. Weinberg and seconded by Mr. Slater, with all in favor, Mr. Cole's recommendation to remove and not replace the guard rail and Southeast Highway Guardrail & Attenuators, LLC, Estimate #4402 for removal and disposal of the wooden guardrail, in a not-to-exceed amount of \$7,498 plus an additional \$3,500 for the permit modification process, were approved.**

- **Repairs/Replacements of Valley Gutter on Mulberry Lane**

Mr. Cole distributed and presented proposals for three options to replace the valley gutter and for asphalt repairs on Mulberry Lane. He recommended Option 2, as, in his opinion, the intersection under Option 3 does not need to be done.

Mr. Schmitt asked Mr. Cole to inspect the pavers at the intersection of Championship Drive and Hawks Nest Drive and, if warranted, obtain proposal for the next meeting. To reduce mobilization costs, the original project will be deferred to the next meeting.

**On MOTION by Mr. Slater and seconded by Mr. Schmitt, with all in favor, Collier Paving and Concrete Estimate #23-457, Option 2, to replace valley gutter and for asphalt repairs, in a not-to-exceed amount of \$14,160.82, was approved.**

- **PVC Fence Repair on Mulberry Lane, Mahogany Bend, Bent Creek and Whisper Trace**

Mr. Cole presented C&C Fence's (C&C) \$5,500 proposal to repair or replace several CDD fence panels at various locations. Mrs. Adams stated that she emailed the contract to C&C yesterday for execution.

Mr. Parisi stated that interviewing Construction Managers capable of managing and designing the irrigation system remains ongoing.

Mr. Parisi stated that The Club included wired baseline systems for all the new communities; there will be no changes necessary for any of those systems.

**EIGHTH ORDER OF BUSINESS**

**Public Hearing on Adoption of Fiscal Year 2023/2024 Budget**

**A. Proof/Affidavit of Publication**

**B. Consideration of Resolution 2023-06, Relating to the Annual Appropriations and Adopting the Budget for the Fiscal Year Beginning October 1, 2023, and Ending September 30, 2024; Authorizing Budget Amendments; and Providing an Effective Date**

Mr. Adams stated that the proposed Fiscal Year 2024 budget is the same as the version presented at the last meeting. The strategy for Fiscal Year 2024 is to utilize about \$31,000 in surplus fund balance to offset the increases and keep the assessments the same as in Fiscal Year 2023.

**On MOTION by Mr. Slater and seconded by Mr. Weinberg, with all in favor, the Public Hearing was opened.**

There were no public comments.

**On MOTION by Mr. Slater and seconded by Mr. Weinberg, with all in favor, the Public Hearing was closed.**

**On MOTION by Mr. Slater and seconded by Mr. Weinberg, with all in favor, Resolution 2023-06, Relating to the Annual Appropriations and Adopting the Budget for the Fiscal Year Beginning October 1, 2023, and Ending September 30, 2024; Authorizing Budget Amendments; and Providing an Effective Date, was adopted.**

**NINTH ORDER OF BUSINESS**

**Consideration of Resolution 2023-07, Making a Determination of Benefit and Imposing Special Assessments for Fiscal Year 2023/2024; Providing for the Collection and Enforcement of Special Assessments; Certifying an Assessment Roll; Providing for Amendments to the Assessment Roll; Providing a Severability Clause; and Providing an Effective Date**

**On MOTION by Mr. Slater and seconded by Mr. Weinberg, with all in favor, the Public Hearing was opened.**

There were no public comments.

Mr. Pires asked if any comments regarding the assessments were received by fax, email or letter. Mr. Adams and Mrs. Adams replied no.

**On MOTION by Mr. Slater and seconded by Mr. Weinberg, with all in favor, the Public Hearing was closed.**

**On MOTION by Mr. Slater and seconded by Mr. Weinberg, with all in favor, Resolution 2023-07, Making a Determination of Benefit and Imposing Special Assessments for Fiscal Year 2023/2024; Providing for the Collection and Enforcement of Special Assessments; Certifying an Assessment Roll; Providing for Amendments to the Assessment Roll; Providing a Severability Clause; and Providing an Effective Date, was adopted.**

**TENTH ORDER OF BUSINESS**

**Discussion: Maintenance of Traffic Plan**

This item will be removed from future agendas.

**ELEVENTH ORDER OF BUSINESS**

**Update: Letter to CDD #2 Regarding Combining Districts**

Mr. Adams will be able to provide an update after the CDD #2 meeting, which will commence after this meeting.

**TWELFTH ORDER OF BUSINESS**

**Acceptance of Unaudited Financial Statements as of July 31, 2023**

Mr. Christensen asked about the transfer of \$189,353 from CDD #1 to CDD #2. Mr. Adams stated it is shared costs with CDD #2 that Accounting should be transferring each month. Specific details about this item will be emailed to the Board.

The financials were accepted.

**THIRTEENTH ORDER OF BUSINESS**

**Approval of July 26, 2023 Regular Meeting Minutes**

The following changes were made:

Line 148: Insert “generally” after “system”

Line 169: Change “a” to “approximately”

**On MOTION by Mr. Weinberg and seconded by Mr. Schmitt, with all in favor, the July 26, 2023 Regular Meeting Minutes, as amended, were approved.**

**FOURTEENTH ORDER OF BUSINESS**

**Action/Agenda or Completed Items**

Items 2, 3, 4, 5, 6, 7, 9, 10 and were completed.

Regarding Item 7, Mr. Barrow stated an area adjacent to Ms. Hirsch’s residence needs to be re-landscaped. He will submit a proposal to Mrs. Adams.

**FIFTEENTH ORDER OF BUSINESS**

**Staff Reports**

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

- **Consideration of Transfer of a Strip of Land Along Fiddler’s Creek [Portion of Parcel 6, Current Driving Range] for Development as Part of Hidden Cove; in Exchange for a Platted Lake Maintenance Easement Over Tris Same Strip in Favor of the District**

This item was presented following the Sixth Order of Business.

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

- **NEXT MEETING DATE: September 27, 2023 at 8:00 AM**
  - **QUORUM CHECK**

Supervisors Badessa, Christensen, Schmitt and Weinberg confirmed their in-person attendance at the September 27, 2023 meeting. Mr. Slater will attend via telephone.

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

The Monthly Field Operations Report was included for informational purposes.

**SIXTEENTH ORDER OF BUSINESS**

**Supervisors’ Requests**

Mr. Slater asked Mr. Barrows to inspect the low hanging Royal Poincianas along Championship Drive and at the end of Mulberry, as he thinks they need to be trimmed.



▪ **Limited Cost-Sharing Agreement with Cranberry Crossing Village Association and Cherry Oaks**

**This item was an addition to the agenda.**

Mr. Pires distributed and presented the draft Limited Cost-Sharing Agreement in which the CDD would contribute a portion equal to one-third, up to \$10,000 of the cost of the Trebilcock Agreement, to provide professional services related to the traffic calming improvements on Cherry Oaks Trail. Payment will be made after the project is completed. Mr. Slater asked for additional language specifying “that this is all predicated and subject on approval and permitting by the County” of the installed solution.

Resident and Cranberry Crossing Board President Mr. Chuck Fitzgibbons thanked the Board for its support. All the proper signatures from all the homeowners were secured. The estimated cost is over \$40,000.

Discussion ensued regarding Norm taking the lead and making sure everything is in compliance; the CDD being relieved of any responsibility for maintenance, an Agreement to include holding the CDD harmless, the POA’s criteria for speed limit and speed devices, signage language and location and the project timeline.

Mr. Pires will present a revised draft Agreement at the next meeting. He noted that the CDD has no obligation to make any payment until the CDD executes the Agreement.

Mr. Cole stated he gave Fred an estimate of \$8,000 for Hole Montes to help coordinate with Norm to complete the work.

**SEVENTEENTH ORDER OF BUSINESS**

**Public Comments**

No members of the public spoke.

**EIGHTEENTH ORDER OF BUSINESS**

**Adjournment**

**On MOTION by Mr. Slater and seconded by Mr. Schmitt, with all in favor, the meeting adjourned at 9:18 a.m.**

[SIGNATURES APPEAR ON THE FOLLOWING PAGE]

  
Secretary/Assistant Secretary

  
Chair/Vice Chair