

**FIDDLER'S CREEK  
COMMUNITY DEVELOPMENT  
DISTRICT #2**

**REGULAR MEETING  
AGENDA**

**March 28, 2018**

# Fiddler's Creek Community Development District #2

## 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

March 20, 2018

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

Board of Supervisors

Fiddler's Creek Community Development District #2

Dear Board Members:

The Board of Supervisors of the Fiddler's Creek Community Development District #2 will hold a Regular Meeting on Wednesday, March 28, 2018 at 10:00 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. Special Counsel Update
4. Developer's Report/Update
5. Engineer's Report: *Hole Montes, Inc.*
6. Update: Hurricane Irma Recovery
7. Acceptance of Unaudited Financial Statements as of February 28, 2018
8. Staff Reports
  - A. District Counsel: *Woodward, Pires and Lombardo, P.A.*
  - B. District Manager: *Wrathell, Hunt and Associates, LLC*
    - i. NEXT MEETING DATE: April 25, 2018 at 10:00 A.M.
  - C. Operations Manager
9. Consideration of February 28, 2018 Regular Meeting Minutes
10. Supervisors' Requests
11. Adjournment

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

Sincerely,

A handwritten signature in black ink that reads "C.E. Adams, Jr." The signature is written in a cursive style with a large, stylized "C" and "A".

Chesley E. Adams, Jr.  
District Manager

**FIDDLER'S CREEK  
COMMUNITY DEVELOPMENT DISTRICT #2**

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**FIDDLER'S CREEK  
COMMUNITY DEVELOPMENT DISTRICT #2  
FINANCIAL STATEMENTS  
UNAUDITED  
FEBRUARY 28, 2018**

**FIDDLER'S CREEK  
COMMUNITY DEVELOPMENT DISTRICT #2  
BALANCE SHEET  
GOVERNMENTAL FUNDS  
FEBRUARY 28, 2018**

	General	Debt Service Series 2003	Debt Service Series 2004	Debt Service Series 2005	Debt Service Series 2014-1	Debt Service Series 2014-2	Debt Service Series 2014-3	Debt Service Series 2014-4	Debt Service Series 2015A-1	Debt Service Series 2015A-2	Debt Service Series 2015B	Capital Projects Series 2014-2	Capital Projects Series 2015A-1	Total Governmental Funds
<b>ASSETS</b>														
Cash	\$1,512,384	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ 1,512,384
Investments														
Revenue A	-	9,277,577	150,017	210,393	36,068	121,281	41	50	303,742	84,394	19	-	-	10,183,582
Revenue B	-	18	-	-	-	-	-	-	-	-	-	-	-	18
Reserve A	-	173,667	50,294	50,294	-	-	100,495	-	109,136	36,446	185,906	-	-	706,238
Prepayment A	-	5,827,303	785,342	3,595	72,238	2,514	-	-	333,551	97,988	2,178	-	-	7,124,709
Prepayment B	-	507,226	-	-	-	-	-	-	-	-	-	-	-	507,226
Remedial	-	10,244	-	-	-	-	-	-	-	-	-	-	-	10,244
Construction	-	-	-	-	-	-	-	-	-	-	-	261,910	805,431	1,067,341
Optional redemption	-	-	-	-	-	-	69	-	-	-	-	-	-	69
Due from other funds														
Debt service fund series 2003	-	-	-	51	-	-	-	-	-	-	-	-	-	51
Debt service fund series 2004	-	244,175	-	25,559	-	-	-	-	-	-	-	-	-	269,734
Escrow 2003B	-	3,121,358	-	-	-	-	-	-	-	-	-	-	-	3,121,358
Accounts receivable	3,116	-	-	-	-	-	-	-	-	-	-	-	-	3,116
Undeposited funds	296,224	-	-	-	-	-	-	-	-	-	-	-	-	296,224
Due from Fiddler's Creek CDD #1	506	-	-	-	-	-	-	-	-	-	-	-	-	506
Prepaid int expense series A	-	178,802	-	-	-	-	-	-	-	-	-	-	-	178,802
Prepaid int expense series B	-	46,220	-	-	-	-	-	-	-	-	-	-	-	46,220
Total assets	<u>\$1,812,230</u>	<u>\$19,386,590</u>	<u>\$ 985,653</u>	<u>\$289,892</u>	<u>\$108,306</u>	<u>\$ 123,795</u>	<u>\$100,605</u>	<u>\$ 50</u>	<u>\$ 746,429</u>	<u>\$218,828</u>	<u>\$ 188,103</u>	<u>\$261,910</u>	<u>\$ 805,431</u>	<u>\$25,027,822</u>
<b>LIABILITIES AND FUND BALANCES</b>														
<b>Liabilities</b>														
*Accounts payable	\$ 10,300	\$ 367,159	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ 377,459
Principal payable - A1	-	2,333,310	-	-	-	-	-	-	-	-	-	-	-	2,333,310
Interest payable - A1	-	5,702,743	-	-	-	-	-	-	-	-	-	-	-	5,702,743
Principal payable - B	-	4,197,412	-	-	-	-	-	-	-	-	-	-	-	4,197,412
Due to other funds														
Debt service fund series 2003	-	-	244,175	-	-	-	-	-	-	-	-	-	-	244,175
Debt service fund series 2005	-	51	25,559	-	-	-	-	-	-	-	-	-	-	25,610
Due to Fiddler's Creek CDD #1	27,301	-	-	-	-	-	-	-	-	-	-	-	-	27,301
Due to Developer	110,735	-	-	-	-	-	-	-	-	-	-	-	-	110,735
Total liabilities	<u>148,336</u>	<u>12,600,675</u>	<u>269,734</u>	<u>-</u>	<u>-</u>	<u>-</u>	<u>-</u>	<u>-</u>	<u>-</u>	<u>-</u>	<u>-</u>	<u>-</u>	<u>-</u>	<u>13,018,745</u>
<b>Fund balances:</b>														
Restricted for:														
Debt service	-	6,785,915	715,919	289,892	108,306	123,795	100,605	50	746,429	218,828	188,103	-	-	9,277,842
Capital projects	-	-	-	-	-	-	-	-	-	-	-	261,910	805,431	1,067,341
Unassigned	1,663,894	-	-	-	-	-	-	-	-	-	-	-	-	1,663,894
Total fund balances	<u>1,663,894</u>	<u>6,785,915</u>	<u>715,919</u>	<u>289,892</u>	<u>108,306</u>	<u>123,795</u>	<u>100,605</u>	<u>50</u>	<u>746,429</u>	<u>218,828</u>	<u>188,103</u>	<u>261,910</u>	<u>805,431</u>	<u>12,009,077</u>
Total liabilities & fund balances	<u>\$1,812,230</u>	<u>\$19,386,590</u>	<u>\$ 985,653</u>	<u>\$289,892</u>	<u>\$108,306</u>	<u>\$ 123,795</u>	<u>\$100,605</u>	<u>\$ 50</u>	<u>\$ 746,429</u>	<u>\$218,828</u>	<u>\$ 188,103</u>	<u>\$261,910</u>	<u>\$ 805,431</u>	<u>\$25,027,822</u>

\*The entire series 2003 accounts payable relates billing from a third party which is in dispute.

**FIDDLER'S CREEK  
COMMUNITY DEVELOPMENT DISTRICT #2  
STATEMENT OF REVENUES, EXPENDITURES,  
AND CHANGES IN FUND BALANCES  
GENERAL FUND  
FOR THE PERIOD ENDED FEBRUARY 28, 2018**

	Current Month	Year to Date	Budget	% of Budget
<b>REVENUES</b>				
Assessment levy: on-roll - net	\$ 154,014	\$ 1,665,973	\$2,148,501	78%
Assessment levy: off-roll	32,145	160,728	366,459	44%
Interest & miscellaneous	296,273	296,704	7,500	3956%
Total revenues	<u>482,432</u>	<u>2,123,405</u>	<u>2,522,460</u>	84%
<b>EXPENDITURES</b>				
<b>Administrative</b>				
Supervisors	-	6,028	12,275	49%
Management	7,055	35,275	84,662	42%
Assessment roll preparation	-	22,500	22,500	100%
Audit	10,300	10,300	16,500	62%
Legal -general	2,572	9,471	15,000	63%
Legal - litigation	-	824	140,000	1%
Engineering	4,032	10,672	18,000	59%
Telephone	24	118	282	42%
Postage	233	1,172	2,000	59%
Insurance	-	8,446	9,207	92%
Printing and binding	50	248	595	42%
Legal advertising	-	973	2,000	49%
Office supplies	126	126	750	17%
Annual district filing fee	-	175	175	100%
Trustee	-	10,500	25,500	41%
Arbitrage rebate calculation	-	-	8,000	0%
Contingency	192	435	8,332	5%
Total administrative	<u>24,584</u>	<u>117,263</u>	<u>365,778</u>	32%
<b>Field management</b>				
Field management services	952	4,760	11,424	42%
Total field management	<u>952</u>	<u>4,760</u>	<u>11,424</u>	42%
<b>Water management</b>				
Other contractual	-	13,400	130,125	10%
Fountains	21,697	92,327	137,500	67%
Total water management	<u>21,697</u>	<u>105,727</u>	<u>267,625</u>	40%
<b>Street lighting</b>				
Contractual services	2,468	3,503	20,000	18%
Electricity	2,793	6,441	30,000	21%
Miscellaneous	-	-	1,000	0%
Total street lighting	<u>5,261</u>	<u>9,944</u>	<u>51,000</u>	19%

**FIDDLER'S CREEK  
COMMUNITY DEVELOPMENT DISTRICT #2  
STATEMENT OF REVENUES, EXPENDITURES,  
AND CHANGES IN FUND BALANCES  
GENERAL FUND  
FOR THE PERIOD ENDED FEBRUARY 28, 2018**

	Current Month	Year to Date	Budget	% of Budget
<b>Landscaping</b>				
Other contractual	93,745	282,140	1,109,000	25%
Improvements and renovations	13,800	20,824	75,000	28%
Contingencies	-	350	5,000	7%
Hurricane Clean-Up	6,359	132,186	-	N/A
Total landscaping	<u>113,904</u>	<u>435,500</u>	<u>1,189,000</u>	37%
<b>Access control</b>				
Contractual services	23,706	78,276	300,195	26%
Rentals & leases	-	-	26,882	0%
Fuel	542	2,175	5,752	38%
Repairs & maintenance - parts	-	-	3,319	0%
Repairs & maintenance - gate house	314	3,703	11,062	33%
Insurance	-	3,640	3,982	91%
Operating supplies	7,656	16,366	19,912	82%
Capital outlay	-	-	8,850	0%
Total access control	<u>32,218</u>	<u>104,160</u>	<u>379,954</u>	27%
<b>Roadway maintenance</b>				
Contractual services (street cleaning)	125	500	5,000	10%
Roadway maintenance	-	13,426	75,000	18%
Total roadway services	<u>125</u>	<u>13,926</u>	<u>80,000</u>	17%
<b>Irrigation</b>				
Controller repairs & maintenance	48	118	2,000	6%
Supply system	26,608	60,360	97,349	62%
Total irrigation	<u>26,656</u>	<u>60,478</u>	<u>99,349</u>	61%
<b>Other fees &amp; charges</b>				
Property appraiser	-	-	33,570	0%
Tax collector	3,079	33,319	44,760	74%
Total other fees & charges	<u>3,079</u>	<u>33,319</u>	<u>78,330</u>	43%
Total expenditures and other charges	<u>228,476</u>	<u>885,077</u>	<u>2,522,460</u>	35%
Excess/(deficiency) of revenues over/(under) expenditures	253,956	1,238,328	-	
Fund balances - beginning	1,409,938	425,566	467,097	
Fund balances - ending	<u>\$ 1,663,894</u>	<u>\$ 1,663,894</u>	<u>\$ 467,097</u>	



**FIDDLER'S CREEK  
COMMUNITY DEVELOPMENT DISTRICT #2  
STATEMENT OF REVENUES, EXPENDITURES,  
AND CHANGES IN FUND BALANCES  
DEBT SERVICE FUND SERIES 2003  
FOR THE PERIOD ENDED FEBRUARY 28, 2018**

	Current Month	Year to Date	Budget	% of Budget
<b>REVENUES</b>				
Assessment levy: on-roll - net	\$ 126,463	\$ 1,372,668	\$ 1,878,400	73%
Assessment prepayments	-	1,106,420	-	N/A
Interest	14,166	52,524	-	N/A
Total revenues	<u>140,629</u>	<u>2,531,612</u>	<u>1,878,400</u>	135%
<b>EXPENDITURES</b>				
<b>Debt service</b>				
Principal A	-	-	580,000	0%
Interest A	-	-	1,204,238	0%
Total debt service	<u>-</u>	<u>-</u>	<u>1,784,238</u>	0%
<b>Other fees &amp; charges</b>				
Property appraiser	-	-	29,350	0%
Tax collector	2,528	27,357	39,133	70%
Total other fees & charges	<u>2,528</u>	<u>27,357</u>	<u>68,483</u>	40%
Total expenditures	<u>2,528</u>	<u>27,357</u>	<u>1,852,721</u>	1%
Excess/(deficiency) of revenues over/(under) expenditures	138,101	2,504,255	25,679	
Fund balances - beginning	6,647,814	4,281,660	3,878,246	
Fund balances - ending	<u>\$ 6,785,915</u>	<u>\$ 6,785,915</u>	<u>\$ 3,903,925</u>	

**FIDDLER'S CREEK  
COMMUNITY DEVELOPMENT DISTRICT #2  
STATEMENT OF REVENUES, EXPENDITURES,  
AND CHANGES IN FUND BALANCES  
DEBT SERVICE FUND SERIES 2004  
FOR THE PERIOD ENDED FEBRUARY 28, 2018**

	Current Month	Year to Date	Budget	% of Budget
<b>REVENUES</b>				
Assessment levy: on-roll - net	\$ 8,045	\$ 88,594	\$ 182,304	49%
Assessment prepayments	-	401,564	-	N/A
Interest	705	2,846	-	N/A
Total revenues	<u>8,750</u>	<u>493,004</u>	<u>182,304</u>	270%
<b>EXPENDITURES</b>				
<b>Debt service</b>				
Principal	-	-	45,000	1489%
Principal prepayment	-	670,000	-	N/A
Interest	-	62,606	125,213	50%
Total debt service	<u>-</u>	<u>732,606</u>	<u>170,213</u>	430%
<b>Other fees &amp; charges</b>				
Property appraiser	-	-	2,849	0%
Tax collector	160	1,739	3,798	46%
Total other fees & charges	<u>160</u>	<u>1,739</u>	<u>6,647</u>	26%
Total expenditures	<u>160</u>	<u>734,345</u>	<u>176,860</u>	415%
Excess/(deficiency) of revenues over/(under) expenditures	8,590	(241,341)	5,444	
Fund balances - beginning	707,329	957,260	336,793	
Fund balances - ending	<u>\$ 715,919</u>	<u>\$ 715,919</u>	<u>\$ 342,237</u>	

**FIDDLER'S CREEK  
COMMUNITY DEVELOPMENT DISTRICT #2  
STATEMENT OF REVENUES, EXPENDITURES,  
AND CHANGES IN FUND BALANCES  
DEBT SERVICE FUND SERIES 2005  
FOR THE PERIOD ENDED FEBRUARY 28, 2018**

	Current Month	Year to Date	Budget	% of Budget
<b>REVENUES</b>				
Assessment levy: on-roll - net	\$ 15,801	\$ 170,928	\$ 230,281	74%
Interest	178	494	-	N/A
Total revenues	<u>15,979</u>	<u>171,422</u>	<u>230,281</u>	74%
<b>EXPENDITURES</b>				
<b>Debt service</b>				
Principal	-	-	60,000	0%
Interest	-	71,250	142,500	50%
Total debt service	<u>-</u>	<u>71,250</u>	<u>202,500</u>	35%
<b>Other fees &amp; charges</b>				
Property appraiser	-	-	3,598	0%
Tax collector	316	3,419	4,798	71%
Total other fees & charges	<u>316</u>	<u>3,419</u>	<u>8,396</u>	41%
Total expenditures	<u>316</u>	<u>74,669</u>	<u>210,896</u>	35%
Excess/(deficiency) of revenues over/(under) expenditures	15,663	96,753	19,385	
Fund balances - beginning	274,229	193,139	193,349	
Fund balances - ending	<u>\$ 289,892</u>	<u>\$ 289,892</u>	<u>\$ 212,734</u>	

**FIDDLER'S CREEK  
COMMUNITY DEVELOPMENT DISTRICT #2  
STATEMENT OF REVENUES, EXPENDITURES,  
AND CHANGES IN FUND BALANCES  
DEBT SERVICE EXCHANGE FUND SERIES 2014-1 (SERIES 2005)  
FOR THE PERIOD ENDED FEBRUARY 28, 2018**

	Current Month	Year to Date	Budget	% of Budget
<b>REVENUES</b>				
Assessment levy: on-roll - net	\$ 2,938	\$ 31,783	\$ 58,250	55%
Assessment levy: off-roll	-	259,677	709,461	37%
Assessment prepayments	-	34,145	-	N/A
Interest	66	405	-	N/A
Total revenues	<u>3,004</u>	<u>326,010</u>	<u>767,711</u>	42%
<b>EXPENDITURES</b>				
<b>Debt service</b>				
Principal	-	-	205,000	0%
Principal prepayment	-	180,000	-	N/A
Interest	-	280,294	560,588	50%
Total debt service	<u>-</u>	<u>460,294</u>	<u>765,588</u>	60%
<b>Other fees &amp; charges</b>				
Property appraiser	-	-	910	0%
Tax collector	59	636	1,214	52%
Total other fees & charges	<u>59</u>	<u>636</u>	<u>2,124</u>	30%
Total expenditures	<u>59</u>	<u>460,930</u>	<u>767,712</u>	60%
Excess/(deficiency) of revenues over/(under) expenditures	2,945	(134,920)	(1)	
Fund balances - beginning	105,361	243,226	32,218	
Fund balances - ending	<u>\$ 108,306</u>	<u>\$ 108,306</u>	<u>\$ 32,217</u>	

**FIDDLER'S CREEK  
COMMUNITY DEVELOPMENT DISTRICT #2  
STATEMENT OF REVENUES, EXPENDITURES,  
AND CHANGES IN FUND BALANCES  
DEBT SERVICE EXCHANGE FUND SERIES 2014-2 (SERIES 2005)  
FOR THE PERIOD ENDED FEBRUARY 28, 2018**

	Current Month	Year to Date	Budget	% of Budget
<b>REVENUES</b>				
Assessment levy: on-roll - net	\$ 11,411	\$ 123,436	\$ 277,117	45%
Assessment levy: off-roll	-	361,013	1,015,440	36%
Interest	77	1,569	-	N/A
Total revenues	<u>11,488</u>	<u>486,018</u>	<u>1,292,557</u>	38%
<b>EXPENDITURES</b>				
<b>Debt service</b>				
Principal	-	-	370,000	0%
Principal prepayment	-	1,365,000	-	N/A
Interest	-	455,250	910,500	50%
Total debt service	<u>-</u>	<u>1,820,250</u>	<u>1,280,500</u>	142%
<b>Other fees &amp; charges</b>				
Property appraiser	-	-	4,330	0%
Tax collector	228	2,468	5,773	43%
Total other fees & charges	<u>228</u>	<u>2,468</u>	<u>10,103</u>	24%
Total expenditures	<u>228</u>	<u>1,822,718</u>	<u>1,290,603</u>	141%
Excess/(deficiency) of revenues over/(under) expenditures	11,260	(1,336,700)	1,954	
Fund balances - beginning	112,535	1,460,495	7	
Fund balances - ending	<u>\$ 123,795</u>	<u>\$ 123,795</u>	<u>\$ 1,961</u>	

**FIDDLER'S CREEK  
COMMUNITY DEVELOPMENT DISTRICT #2  
STATEMENT OF REVENUES, EXPENDITURES,  
AND CHANGES IN FUND BALANCES  
DEBT SERVICE EXCHANGE FUND SERIES 2014-3 (SERIES 2005)  
FOR THE PERIOD ENDED FEBRUARY 28, 2018**

	Current Month	Year to Date	Budget	% of Budget
<b>REVENUES</b>				
Assessment levy: off-roll	\$ -	\$ 252,404	\$ 709,900	36%
Interest	-	270	-	N/A
Total revenues	<u>-</u>	<u>252,674</u>	<u>709,900</u>	36%
<b>EXPENDITURES</b>				
<b>Debt service</b>				
Principal	-	-	205,000	0%
Interest	-	252,450	504,900	50%
Total debt service	<u>-</u>	<u>252,450</u>	<u>709,900</u>	36%
Excess/(deficiency) of revenues over/(under) expenditures	-	224	-	
Fund balances - beginning	100,605	100,381	107,770	
Fund balances - ending	<u>\$ 100,605</u>	<u>\$ 100,605</u>	<u>\$ 107,770</u>	

**FIDDLER'S CREEK  
COMMUNITY DEVELOPMENT DISTRICT #2  
STATEMENT OF REVENUES, EXPENDITURES,  
AND CHANGES IN FUND BALANCES  
DEBT SERVICE EXCHANGE FUND SERIES 2014-4 (SERIES 2005)  
FOR THE PERIOD ENDED FEBRUARY 28, 2018**

	Current Month	Year to Date	Budget	% of Budget
<b>REVENUES</b>				
Assessment levy: off-roll	\$ -	\$ 309,697	\$ 874,500	35%
Interest	-	50	-	N/A
Total revenues	<u>-</u>	<u>309,747</u>	<u>874,500</u>	35%
<b>EXPENDITURES</b>				
<b>Debt service</b>				
Principal	-	-	255,000	0%
Interest	-	309,750	619,500	50%
Total expenditures	<u>-</u>	<u>309,750</u>	<u>874,500</u>	35%
Excess/(deficiency) of revenues over/(under) expenditures	-	(3)	-	
Fund balances - beginning	50	53	2	
Fund balances - ending	<u>\$ 50</u>	<u>\$ 50</u>	<u>\$ 2</u>	

**FIDDLER'S CREEK  
COMMUNITY DEVELOPMENT DISTRICT #2  
STATEMENT OF REVENUES, EXPENDITURES,  
AND CHANGES IN FUND BALANCES  
DEBT SERVICE FUND SERIES 2015A-1  
FOR THE PERIOD ENDED FEBRUARY 28, 2018**

	Current Month	Year to Date	Budget	% of Budget
<b>REVENUES</b>				
Assessment levy: on-roll - net	\$ 17,386	\$ 190,322	\$ 313,326	61%
Assessment levy: off-roll	-	40,320	69,926	58%
Assessment prepayments	-	305,604	-	N/A
Interest	460	1,859	-	N/A
Total revenues	<u>17,846</u>	<u>538,105</u>	<u>383,252</u>	140%
<b>EXPENDITURES</b>				
<b>Debt service</b>				
Principal	-	-	80,000	0%
Principal prepayment	-	635,000	-	N/A
Interest	-	148,975	297,950	50%
Total debt service	<u>-</u>	<u>783,975</u>	<u>377,950</u>	207%
<b>Other fees &amp; charges</b>				
Property appraiser	-	-	4,896	0%
Tax collector	348	3,762	6,528	58%
Total other fees & charges	<u>348</u>	<u>3,762</u>	<u>11,424</u>	33%
Total expenditures	<u>348</u>	<u>787,737</u>	<u>389,374</u>	202%
Excess/(deficiency) of revenues over/(under) expenditures	17,498	(249,632)	(6,122)	
Fund balances - beginning	<u>728,931</u>	<u>996,061</u>	<u>348,562</u>	
Fund balances - ending	<u>\$ 746,429</u>	<u>\$ 746,429</u>	<u>\$ 342,440</u>	



**FIDDLER'S CREEK  
COMMUNITY DEVELOPMENT DISTRICT #2  
STATEMENT OF REVENUES, EXPENDITURES,  
AND CHANGES IN FUND BALANCES  
DEBT SERVICE FUND SERIES 2015A-2  
FOR THE PERIOD ENDED FEBRUARY 28, 2018**

	Current Month	Year to Date	Budget	% of Budget
<b>REVENUES</b>				
Assessment levy: on-roll - net	\$ 5,777	\$ 63,138	\$ 104,388	60%
Assessment levy: off-roll	-	11,458	22,978	50%
Assessment prepayments	-	89,118	-	N/A
Interest	134	532	-	N/A
Total revenues	<u>5,911</u>	<u>164,246</u>	<u>127,366</u>	129%
<b>EXPENDITURES</b>				
<b>Debt service</b>				
Principal	-	-	40,000	0%
Principal prepayment	-	190,000	-	N/A
Interest	-	42,800	85,600	50%
Total debt service	<u>-</u>	<u>232,800</u>	<u>125,600</u>	185%
<b>Other fees &amp; charges</b>				
Property appraiser	-	-	1,631	0%
Tax collector	115	1,249	2,175	57%
Total other fees & charges	<u>115</u>	<u>1,249</u>	<u>3,806</u>	33%
Total expenditures	<u>115</u>	<u>234,049</u>	<u>129,406</u>	181%
Excess/(deficiency) of revenues over/(under) expenditures	5,796	(69,803)	(2,040)	
Fund balances - beginning	<u>213,032</u>	<u>288,631</u>	<u>110,028</u>	
Fund balances - ending	<u>\$ 218,828</u>	<u>\$ 218,828</u>	<u>\$ 107,988</u>	

**FIDDLER'S CREEK  
COMMUNITY DEVELOPMENT DISTRICT #2  
STATEMENT OF REVENUES, EXPENDITURES,  
AND CHANGES IN FUND BALANCES  
DEBT SERVICE FUND SERIES 2015B  
FOR THE PERIOD ENDED FEBRUARY 28, 2018**

	Current Month	Year to Date	Budget	% of Budget
<b>REVENUES</b>				
Assessment levy: off-roll	\$ -	\$ 117,645	\$ 235,313	50%
Interest	144	2,291	-	N/A
Total revenues	<u>144</u>	<u>119,936</u>	<u>235,313</u>	51%
<b>EXPENDITURES</b>				
<b>Debt service</b>				
Principal prepayment	-	1,640,000	-	N/A
Interest	-	117,656	235,313	50%
Total debt service	<u>-</u>	<u>1,757,656</u>	<u>235,313</u>	747%
Total expenditures	<u>-</u>	<u>1,757,656</u>	<u>235,313</u>	747%
Excess/(deficiency) of revenues over/(under) expenditures	144	(1,637,720)	-	
Fund balances - beginning	187,959	1,825,823	232,673	
Fund balances - ending	<u>\$ 188,103</u>	<u>\$ 188,103</u>	<u>\$ 232,673</u>	

**FIDDLER'S CREEK  
COMMUNITY DEVELOPMENT DISTRICT #2  
STATEMENT OF REVENUES, EXPENDITURES,  
AND CHANGES IN FUND BALANCES  
CAPITAL PROJECTS FUND EXCHANGE 2014-2 (SERIES 2005)  
FOR THE PERIOD ENDED FEBRUARY 28, 2018**

	Current Month	Year to Date
<b>REVENUES</b>		
Interest & miscellaneous	\$ 207	\$ 831
Total revenues	<u>207</u>	<u>831</u>
<b>EXPENDITURES</b>		
Capital outlay	<u>7,708</u>	<u>9,485</u>
Total expenditures	<u>7,708</u>	<u>9,485</u>
Excess/(deficiency) of revenues over/(under) expenditures	(7,501)	(8,654)
Fund balances - beginning	<u>269,411</u>	<u>270,564</u>
Fund balances - ending	<u><u>\$ 261,910</u></u>	<u><u>\$ 261,910</u></u>

**FIDDLER'S CREEK  
COMMUNITY DEVELOPMENT DISTRICT #2  
STATEMENT OF REVENUES, EXPENDITURES,  
AND CHANGES IN FUND BALANCES  
CAPITAL PROJECTS FUND 2015  
FOR THE PERIOD ENDED FEBRUARY 28, 2018**

	<u>Current Month</u>	<u>Year to Date</u>
<b>REVENUES</b>		
Interest & miscellaneous	\$ 957	\$ 3,971
Total revenues	<u>957</u>	<u>3,971</u>
<b>EXPENDITURES</b>		
Capital outlay	-	524,154
Total expenditures	<u>-</u>	<u>524,154</u>
Excess/(deficiency) of revenues over/(under) expenditures	957	(520,183)
Fund balances - beginning	804,474	1,325,614
Fund balances - ending	<u>\$ 805,431</u>	<u>\$ 805,431</u>

**FIDDLER'S CREEK  
COMMUNITY DEVELOPMENT DISTRICT #2**

**8C**



**Wrathell, Hunt and Associates, LLC**

TO: Fiddlers Creek CDD #2 Board of Supervisors

FROM: Cleo Adams – Assistant Regional Manager

DATE: March 28, 2018

SUBJECT: Monthly Status Report – Field Operations

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**Fountain Service/Repairs:** Staff will continue to update the Board via email as information is obtained. This is on-going, and Staff has no additional information at this time.

**Landscape:** Staff continues to tour/review the property to ensure project completions as well as day to day activities are being met. Staff's last tour was completed on Tuesday, March 13<sup>th</sup>.

**Hardwood Pruning:** Pruning of all of the hardwoods is an exercise normally completed in January however with the Irma cleanup effort's, we pushed this off until March. We anticipate project completion by mid April.

**Landscape Architect/Arborist:** District #1 requested Staff to seek out an Architect/Arborist to review the pruning guidelines that were put in place in 2009 and are being followed by both District's. This was after Staff reached out to Scott Smith of Waldrop Engineering to discuss the observations made in their report surrounding the extensive tree damage due to poor maintenance or improper arbor care over time.

Upon receipt of the report Staff will be providing to both Districts. The name of the Architect is Michael McGee of McGee & Associates, located in Naples. Mr. McGee has been a Landscape Architect for 30 years and an Arborist for 20.

**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 1<sup>st</sup> to include Seagrapes & Firebush, followed by Bougies commencing June 5<sup>th</sup> with an anticipated completion of June 30<sup>th</sup> based on the specifications of the contract.

**Landscape Damages:** On January 28<sup>th</sup> there was a vehicle accident which caused \$7,200.00 in landscape damages at the intersection of Sandpiper and Oyster Harbor. District has reached out to the Sherriff's Department for assistance as Staff has been unable to obtain the report in order to follow-up with the insurance company of the person that caused the damages.

Lake Maintenance: Hurricane Irma damaged 12 Wax Myrtles – Solitude Lake Management will be cutting those back to five feet and removing all debris. This is located on the shelf of Lake 85-D.

Storm Debris removal: As the water levels continue to drop, staff is observing more storm debris. Solitude Lake Management will be conducting a sweep of all ponds to address.

Request for Littoral Removals: Staff has received a request from a resident that resides on Lake 90. They have requested that the District remove the Spike Rush from the lake – directly abutting their property - total cost to remove should the Board consider is \$655.00. Note that there is Spike Rush around the majority of this lake.

Park Benches: Resident contacted Staff requesting that the District consider installing park benches in various areas of the community. Once all information has been received, Staff will provide to the Board for discussion/consideration.

Patrol Services: February Stats:

(22) Details Reported. Stops: 100, (83) Warnings and (17) Citations. (53) Issued to Residents; (33) issued to Guest, (01) Staff and (13) issued to Vendors.

- Stop Signs: 62
- Speeding: 35
- Other: 03

**Note:** March thru the Easter Holiday (Sunday, April 1<sup>st</sup>); patrols will continue at 2 days per week, 4 hour patrols.

**FIDDLER'S CREEK  
COMMUNITY DEVELOPMENT DISTRICT #2**

9



1 **MINUTES OF MEETING**  
2 **FIDDLER’S CREEK COMMUNITY DEVELOPMENT DISTRICT #2**  
3

4 A Regular Meeting of the Board of Supervisors of the Fiddler’s Creek Community  
5 Development District #2 was held on Wednesday, February 28, 2018 at 10:00 a.m., at the  
6 Fiddler’s Creek Club and Spa, 3470 Club Center Boulevard, Naples, Florida 34114.  
7

8 **Present at the meeting were:**  
9

10 Elliot Miller	Chair
11 Victoria DiNardo	Vice Chair
12 Joseph Mayer	Assistant Secretary
13 Linda Viegas	Assistant Secretary
14 Bill Klug	Assistant Secretary

15  
16  
17 **Also present were:**

18	
19 Chuck Adams	District Manager
20 Cleo Adams	Assistant Regional Manager
21 Zach Lombardo	District Counsel
22 Terry Cole	District Engineer
23 Carrie Robinson ( <i>via telephone</i> )	Tobin & Reyes, P.A., Litigation Counsel
24 Bill Reagan	FMSbonds
25 Cheryl Guth ( <i>via telephone</i> )	Bond Counsel, McGuire Woods
26 Tony DiNardo	Developer
27 Valerie Lord	Developer Counsel
28 Ron Albeit	The Foundation
29 Marie Puckett	Fiddler's Creek Security
30 Robert Dieckmann	Project Manager
31 John Nuzzo	Resident
32	
33	

34 **FIRST ORDER OF BUSINESS**

**Call to Order/Roll Call**

35  
36 Mr. Adams called the meeting to order at 10:00 a.m. All Supervisors were present, in  
37 person.  
38

39 **SECOND ORDER OF BUSINESS**

**Public Comments: Non-Agenda Items**

40  
41 Mr. Miller asked if there were any public comment cards, Mr. Adams stated he had not  
42 received any. Mr. Miller asked if any members of the audience wished to comment. No  
43 members of the public wished to speak.

44 **THIRD ORDER OF BUSINESS****Special Counsel Update**

45

46 Ms. Robinson provided an overview of the interpleader case, stating that Wilmington  
47 Trust (Wilmington) originated the case to interplead certain funds in the Court registry, pending  
48 a resolution of the dispute between the District, Fiddler's CDD Investor, and the ITG  
49 Defendants. Wilmington has since been removed from the suit and has created a separate  
50 account to safeguard the money originally in dispute. Since then, the ITG Defendants were  
51 granted their request for leave to amend their Complaint against Fiddler's CDD Investor and the  
52 District, related to the non-payment, under the 2003A bonds. That was appropriately identified,  
53 in the amendment, as having not been paid by Wilmington, when due, and claimed that the non-  
54 payment was made as a result of a formal objection made by Fiddler's CDD Investor, the  
55 bondholder; however, they acknowledged that the District did not "formally" object that the non-  
56 payment was not made by Wilmington. As a result of those allegations, the CDD has moved to  
57 dismiss count II of the Amended Complaint, which relates to the non-payment, because they  
58 failed to include Wilmington in the claim, although it was clearly a result of Wilmington's  
59 failure so Wilmington is no longer a disinterested party, by virtue of ITG's own allegations. If  
60 the claim moves forward, all appropriate parties should be listed in the complaint, including  
61 Wilmington, as Wilmington is a necessary, "indispensable" party to the claim, with respect to the  
62 non-payment of the 2003A bond. Mr. Miller asked whether there was a return date. Ms.  
63 Robinson stated that it is State Court; therefore, there is no return date but a response would be  
64 needed before a hearing occurs; there is no actual deadline to respond.

65 Mr. Miller asked for an overview of the scheduling of depositions, related to the U.S.  
66 Bank National Association (U.S. Bank) litigation. Ms. Robinson stated that, in the underlying  
67 case against U.S. Bank, Counsel was in the process of scheduling depositions but it was not easy  
68 to do, due to the number of parties and schedules of everyone involved. Mr. Harvey Pitt's  
69 deposition, which must occur prior to scheduling any hearing on the outstanding motions for  
70 punitive damages against U.S. Bank, individually, will occur March 27, 28 or 29, in Washington  
71 D.C. The District has the motion pending, but U.S. Bank objected to the hearing proceeding  
72 unless or until Mr. Pitt is redeposed by U.S. Bank, individually. Mr. Miller stated that Ms.  
73 Robinson might want to ask Mr. Pitt if he is aware of the \$631 million fine against U.S. Bank for  
74 improper conduct. Ms. Robinson responded that this would be brought up in advance of Mr.  
75 Pitt's deposition, during preparation sessions, and once Mr. Pitt's deposition is formally  
76 scheduled, and noticed, Counsel would immediately schedule a hearing on the motion for

77 punitive damages. Additional depositions would occur sometime in mid-April, beginning with  
78 the continuation of the depositions of Ms. Kathy Broecker, of U.S. Bank, and Mr. Warren  
79 Bloom, of U.S. Bank, followed by the CDD #2 and CDD #1 Corporate Representative, and Mr.  
80 Miller individually, as well. The ITG Defendants have requested the deposition of Mr. DiNardo.

81 Ms. Robinson confirmed she would attend a separate meeting with Mr. Miller to discuss  
82 interrogatories, document production requests, and requests for admissions.

83 ***\*\*\*Ms. Robinson left the meeting at 10:08 a.m.\*\*\****

84 **▪ Consideration of Request for the Bifurcation of the Series 2014-1 Bonds**

85 ***\*\*\*This item, previously the Sixth Order of Business, was presented out of order.\*\*\****

86 Mr. Bill Reagan, Managing Director of FMSbonds, Inc. (FMSbonds), stated that he was  
87 working with the bond owner of the Series 2014-1 and 2014-2 bonds that originated from the  
88 restructuring of the Series 2014 bonds, which were the old Series 2004 and 2005 bonds, which  
89 were then bifurcated into four separate bond series, with four different allocation areas. This  
90 discussion is about two of those four. These documents are similar to the documents used for  
91 the bifurcation last year; there were no changes to the par amounts, boundaries, yield or maturity.  
92 Mr. Miller asked if the interest rate would be lower. Mr. Reagan replied no and expressed  
93 concern about the one bond with the 6% interest rate, which is close to current market; these  
94 bonds were still attractive, compared to other bonds on the market.

95 Mr. Reagan provided a brief summary of the Series 2014 bonds. Currently,  
96 approximately \$8,125,000 is outstanding, which would be bifurcated into two parts of  
97 \$4,105,000 and \$4,020,000. The latter parcel was very marketable because it has the most build  
98 out and was ready to be sold, but the other would be delayed another year or so; the only reason  
99 to market that piece would be to add a debt service reserve fund. These bonds do not currently  
100 have a debt service reserve fund but a debt service reserve fund would be added to the two issues  
101 being sold, which would help the financial institutions. The plan for the Series 2014-2 bonds is  
102 to bifurcate the outstanding \$13,810,000 into \$8,850,000 and \$4,960,000 pieces, the latter being  
103 the development portion, where Lennar owns most of the lots; those should be very marketable  
104 and should be started as soon as possible. Mr. Miller asked whether FMSbonds started  
105 marketing those bonds. Mr. Reagan stated that the Board's approval was necessary before that  
106 could be done. Mr. Miller asked how the debt service reserve fund figure is determined. Mr.  
107 Reagan explained that it would be negotiated off the price of the bonds; all costs involved are  
108 paid by the bondholder and not the CDD. In response to Mr. Miller's request for confirmation,

109 Ms. Guth stated her firm was charging the same amount they charged for the prior bifurcation  
 110 transaction. Mr. Miller asked for a complete explanation of the debt service reserve funds. Mr.  
 111 Reagan stated, when the bonds were re-structured, there was no cash because the cash was used  
 112 during the bankruptcy. Mr. DiNardo interjected that the bondholders, not the Developer, used  
 113 funds from the reserve, revenue, and construction accounts to pay their legal fees. Mr. Reagan  
 114 stated that, to make the bonds marketable, cash was needed in the reserve fund and the amount  
 115 would be negotiated during the process. He anticipated an amount of \$50,000 to \$75,000, per  
 116 addition, which would be held by the Trustee and only used for principal and interest payments,  
 117 if the District defaults. Mr. Miller stated that, for the motion, the reserve account amount must  
 118 be determined. Mr. DiNardo stated, similar to the previous transaction, Fiddler's CDD Investor  
 119 was paying the CDD's attorney's fees, Mr. Reagan's fees, and putting money into the reserve  
 120 account; there would be no cost to the District. Mr. Reagan suggested that Ms. Guth prepare a  
 121 document similar to the last one, which he believed had \$100,000 or less. Mr. Miller, Mr.  
 122 Reagan, and Mr. DiNardo agreed on \$75,000 or less.

123 Ms. Guth stated that the motion should be to approve the modifications to the 2014-1 and  
 124 2014-2 Series bonds, as described by Mr. Reagan, and authorize the Chair to approve and  
 125 execute a supplement to the 2014 Supplemental Indentures, to implement those modifications,  
 126 and any other documents deemed necessary to complete the transaction.

**On MOTION by Ms. DiNardo and seconded by Mr. Mayer, with all in favor, the modifications to the 2014-1 and 2014-2 Series bonds, as described by Mr. Reagan, and authorizing the Chair to approve and execute a supplement to the 2014 Supplemental Indentures, to implement those modifications, and any other documents deemed necessary to complete the transaction were approved.**

137 Mr. Miller asked Mr. Reagan if he had a time frame for this. Mr. Reagan stated that it  
 138 would be two to three weeks.

139 *\*\*\* Ms. Guth and Mr. Reagan left the meeting at 10:20 a.m.\*\*\**

141 **FOURTH ORDER OF BUSINESS**

**Developer's Report/Update**

143 Mr. DiNardo stated there were no Developer updates. Mr. DiNardo noted that there were  
144 outstanding utility bonds. Money from the construction account was used to finish the work and  
145 asked for confirmation that, on the day the utilities are transferred to the County, the utility bonds  
146 would be released. Mr. Cole stated this information would be addressed in his report.

147

148 **FIFTH ORDER OF BUSINESS**

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

149

150 Mr. Cole discussed and presented the following items:

151 ➤ The County completed its final inspections on lingering projects and approved four of the  
152 five projects.

153 Mr. Cole stated that he followed up with Grady Minor & Associates, P.A. (GradyMinor),  
154 who did the design work and did the submittals, to have them follow up and confirm that Collier  
155 County received everything and that it was in order to submit to the Board of County  
156 Commissioners for final acceptance; then those utility bonds could be released. Regarding the  
157 project that was not approved, GradyMinor must make some minor plan changes, with regard to  
158 sidewalk changes and things that changed over the years. Once finalized, the County would  
159 release that last utility bond and no old projects would remain. Mr. Miller asked for the location  
160 of the last area. Mr. Cole stated it was Aviamar, Phase 5, Unit #2. Another project within that,  
161 Amaranda, was being re-platted to revise some utility connections. The County agreed to release  
162 the Phase 5, Unit #2 utility bond and hold anything related to the Amaranda area with the  
163 Amaranda utility bond. In response to the question of when the other four utility bonds would be  
164 released, Mr. Cole stated that he expected them to be released within the next several weeks.  
165 Mr. Miller asked if anything further needed to be done to get the utility bonds released. Mr. Cole  
166 stated that he was in constant contact with GradyMinor to confirm they were following through  
167 to confirm that Collier County had everything necessary to process those four items so that they  
168 are placed on the agenda for approval by the County Commissioners.

169 ➤ Mr. DiNardo asked if there was any other outstanding CDD infrastructure attached to  
170 utility bonds. Mr. Cole replied there were two remaining; the first was closing the construction  
171 entrance on Fiddler's Creek Parkway, south of Veneta Way, and the second was closing the  
172 Aviamar, Phase 5, Unit #2 construction entrance, just south of the construction gatehouse. Mr.  
173 DiNardo asked if he must have a utility bond on those two items. Mr. Cole stated that the  
174 County has not identified the requirement of a utility bond. Mr. DiNardo stated that, if the  
175 County requires a utility bond, he would negotiate to add it into Amaranda's utility bond.

176 Mr. DiNardo suggested going over how much remains in the bond construction accounts,  
177 at the next meeting, and, where those funds should be allocated.

178 Mr. DiNardo stated funds out of the construction bond will be utilized to build the wall  
179 that will close off the construction entrance into Aviamar Circle at the Callista monument sign.

180 Mr. DiNardo noted on the other side of Sandpiper, where the commercial development is  
181 being proposed, there will be a lake and landscaping material that the District will not be  
182 responsible to maintain since we cannot charge O & M.

183 Discussion ensued regarding a wall replacement, extension, and fencing, use of  
184 construction bond funds to complete the fencing, other work that the Developer would pay for  
185 and earmarking bond funds for those projects. Mr. Miller voiced his understanding that  
186 \$625,000 was allocated for the guardhouse. Mr. DiNardo stated that that the District would own  
187 the 50' buffer; however, the Association would be responsible for landscaping and lake  
188 maintenance.

189 Mr. Miller asked Mr. DiNardo if he knew the solvency of the buyers of the property. Mr.  
190 DiNardo stated that it would be a function of who the tenants are but it would not be an issue  
191 because, as long as the Developer owns land in the community, it is part of the Association, and,  
192 if the owner does not maintain the property, the Association would do it and bill the owner  
193 accordingly.

194 Mr. Klug asked who would be the owner of record. Mr. DiNardo stated FCC Preserve  
195 would be the owner of record, until the parcels are sold to individual owners. He expected there  
196 to be five to six outparcels that would make up the 23 acres, a retail area, and a storage facility in  
197 the back, similar to the one near I-75 and SR 951.

198 Ms. Viegas referred to all the work that would be completed in that area and noted that  
199 the Landscape Architect's new plan included a lot of trees and additions to that area and asked if  
200 that could be delayed until this is done, to avoid wasting the District's money due to the damage  
201 that will be done during the construction. Mr. DiNardo replied no and stated that they would not  
202 be landscaping that property. Ms. Viegas stated that the Landscape Architect plans she was  
203 referring to were in the median, and on the other side, where the wall was going. Mr. DiNardo  
204 stated that the wall and landscaping would be coordinated. Ms. Viegas asked if the planting  
205 would be delayed then. Mr. DiNardo reiterated that he would not be delaying the planting; the  
206 wall would be installed and planting would follow. Discussion ensued regarding the contracts  
207 for the walls in CDD #1 and CDD #2, commencing work, etc.

208     ▪     **Consideration of Request by The Foundation to Install a Gate in the Fence Along**  
 209     **Creative Lane to Allow Direct Access to Staging Area During Phase 3 of Hurricane**  
 210     **Irma Recovery**

211     *\*\*\*This item, previously the Eighth Order of Business, was presented out of order.\*\*\**

212     Mr. Miller described Creative Lane as a public, small, unsightly dirt road. Utilizing a  
 213     map, Mr. DiNardo stated that the Developer owns the road leading to the pump station, the  
 214     fence, and the surrounding area and the District owns the berm and trees, in front of it.

215     Mr. DiNardo is requesting a gate be cut in the broken section of the wall to give access to  
 216     the 18 wheelers that will be bringing in the materials for Phase 3 of the Restoration Plan. The  
 217     area used for the staging is owned by the Developer and will become the linear park at some  
 218     future time. The area is between the homes in Veneta and the berm. The Foundation will install  
 219     a chain link fence where the wall is going to be cut for access.

220     Mr. DiNardo pointed out the staging area on the visual and discussed the Developer’s  
 221     plans. Mr. DiNardo directed Mr. Dieckmann to obtain a quote to replace the concrete wall; in  
 222     the interim, there would be a chain-link fence with a gate for trucks to enter through. Regarding  
 223     who would control the gate. Mr. DiNardo stated that Ms. Puckett’s staff would be in control of  
 224     the gate and ensure that the gate is locked. When the work is completed, Mr. DiNardo stated, he  
 225     would clean the area up, grade it, and, possibly, hydro seed it. In response to a question from  
 226     Mr. John Nuzzo, a resident, regarding whether the Developer would have stored material  
 227     insurance, Mr. DiNardo stated that he, as the Developer, was not responsible for it; it was the  
 228     landscaper’s problem, and suggested installing an alarm on the gate, if possible.

230     **On MOTION by Mr. Mayer and seconded by Ms. DiNardo,**  
 231     **with all in favor, authorizing The Foundation to install a gate**  
 232     **in the fence along Creative Lane to allow direct access to the**  
 233     **staging area during Phase 3 of Hurricane Irma Recovery, was**  
 234     **approved.**

235  
 236  
 237     The Engineer’s Report resumed. Mr. Cole discussed and presented the following items:

- 238     ➤     The Lennar Aviamar and Lagomar areas would be inspected sometime next week to
- 239     determine if any items needed to be addressed.

240     Mr. DiNardo stated inspection should be coordinated with Ms. Puckett and Mr. Cole  
 241     since Lennar was requesting the return of their deposit. Ms. Viegas, who resides in Millbrook,

242 was asked for the name of the Millbrook President who should be involved. Ms. Viegas stated it  
243 is Ms. Sally Snyder. Mr. Cole should coordinate efforts inspecting the property and taking  
244 pictures of items that must still be addressed in both the Millbrook and Lagomar areas.

- 245 ➤ The three lakes just east of the entryway in Oyster Harbor, Phase 3, would be inspected.
- 246 ➤ Requisition #17, dated February 13, 2018, in the amount of \$27,608.10, for  
247 improvements in Oyster Harbor, Phase 2, including roadway, sanitary sewer, earthwork,  
248 and clearing work was distributed.

249 In response to Mr. Klug’s question, Mr. Cole stated that the Developer, not the District,  
250 paid the repaving expenses related to running the utility lines at Aviamar Circle. Mr. Klug asked  
251 for the status of the irrigation system. Mr. Cole stated that he was in discussions with Mrs.  
252 Adams, and Ms. Puckett was working with the landscape vendor to resolve satellite issues. Mrs.  
253 Adams stated that it was a communication issue from the satellite to the mainframe. Ms. Puckett  
254 stated the landscape contractor, Wesco Turf, Inc., was halfway through their inspection and  
255 would return early April to finish. Mrs. Adams asked if the issues were being resolved. Ms.  
256 Puckett replied affirmatively and stated that a lot fewer were in error now, but several still need  
257 to be repaired. Ms. Puckett discussed the issues, which ranged from incorrect settings, series  
258 repairs, minor tweaks, existing issues prior to the hurricane, those damaged by the hurricane,  
259 programming, and local boxes not receiving signals. It was noted that the issue remains with the  
260 Villages, and not the CDD.

**SIXTH ORDER OF BUSINESS**

**Consideration of Request for the Bifurcation of the Series 2014-1 Bonds**

265 This item was presented following the Third Order of Business

**SEVENTH ORDER OF BUSINESS**

**Update: Hurricane Irma Recovery**

269 Mr. Cole distributed an email regarding the Hurricane Irma Restoration Project and  
270 provided the following overview:

- 271 ➤ BrightView Landscapes, LLC (BrightView) completed 95% of the tree cutting and  
272 removal project. Mr. Dieckmann identified a few punch list items that must be addressed  
273 by BrightView, such as minor debris removal pickup, etc.
- 274 ➤ The disturbed areas requiring clean up and replanting, such as in the area across from the  
275 Veneta Fountain, near Lake 88, would be addressed during the restoration process.



- 276 ➤ Meetings between Waldrop Engineering (Waldrop), the developer of the plan, and  
277 Juniper Landscaping (Juniper), the low bidder on the contract, Mr. Cole, Mr. Dieckmann,  
278 and all other involved parties, were being scheduled to review procedures, scheduling,  
279 work locations, and the phased turnover, as the work is completed. Some landscaping in  
280 CDD #1 would be delayed pending installation of the walls, which could possibly impact  
281 some CDD #2 areas; a meeting was being scheduled to review and coordinate the  
282 timeline.
- 283 ➤ Regarding the wall causing a delay, preventing finalization of the landscape project, Mr.  
284 DiNardo stated they could change the order of starting the project to CDD #2 first,  
285 instead of CDD #1; however, because these sections are bonded independently, CDD #1  
286 would not be able to start, stop, and restart the project. Discussion ensued regarding the  
287 contract for the CDD #2 wall was not yet finalized, 40% to 45% of the work occurring in  
288 CDD #1, the plan to complete CDD #1's work first because it has the most visibility, and  
289 potential public relations issues if the project changed order. Mr. DiNardo stated that the  
290 decision of which CDD would go first must be made very soon since he expects both the  
291 Juniper and the fence company's contracts to be executed by March 15, as his completion  
292 deadline is November 1. Mr. Cole stated he would coordinate with Mr. Dieckmann to set  
293 a date to meet with the vendors. Mr. Dieckmann stated a meeting with the installers of  
294 the CDD #1 fence was scheduled for Friday, to establish the phases of the project.  
295 Bentley Electric was repairing the streetlights, wherever possible, while awaiting  
296 replacement parts.
- 297 ➤ The signage contract with Lykins-Signtek (Lykins) was being finalized.
- 298 ➤ CDD #2's contract for the walls should be in place by mid-March.
- 299 ➤ The proposals for sidewalk repairs in both CDDs were being reviewed by Mr.  
300 Dieckmann and the work should begin within the month.
- 301 Discussion ensued about delaying the sidewalk project until the other projects are  
302 completed. Mr. DiNardo concurred.
- 303 Mr. Klug asked whether the information relating to the Villages' landscape cleanup  
304 project, noted in the report and scheduled to be completed in March, also referred to stump  
305 removal. Mr. Cole replied affirmatively and stated, because of the utility locates, some stumps  
306 were still on the punch list.

307 Mr. Klug asked about trimming limbs on the hardwoods, located in the Villages and  
308 CDD #2. Mr. DiNardo asked that the exact locations of any issues be provided to Mr.  
309 Dieckmann; certain stumps, near the park, would be cut, instead of being removed. Mr.  
310 Dieckmann stated stumps with foliage all around them would be flush cut; this was an ongoing  
311 project and, for each stump, a decision would be made whether it would be flush cut, removed or  
312 grinded. He and BrightView toured the area, which resulted in a five-page punch list. Mr.  
313 DiNardo indicated \$175,000 was being held back in Phase 2 until all parties are satisfied.

314 Mr. Klug recalled discussion, in the minutes of the last meeting stating that, maintenance  
315 was not properly performed, in trimming the trees, prior to Hurricane Irma, such that, to some  
316 extent, the damages that the broader community experienced was the result of a lack of proper  
317 maintenance. He recalled Waldrop stated they would submit recommendations to the Villages  
318 and the CDDs as to how maintenance should be handled.

319 Mr. DiNardo stated discussions between the parties, when each section's turnover  
320 process occurs, would occur to discuss how and what maintenance items are handled. He was in  
321 discussions with BrightView about hiring a company, or hiring an in-house arborist, dedicated to  
322 trimming only Fiddler's Creek. Mr. Miller voiced his understanding that, previously,  
323 recommendations were made and followed for one or two years and then drifted away. The  
324 District was made acutely conscious of this and just renegotiated its landscape contracts. The  
325 Foundation has the right, under the Supplemental Maintenance Agreement, to tell the District  
326 what to do and, if the District does not, The Foundation could do it and bill the District. Mr.  
327 DiNardo stated that the CDD's Fiscal Year 2018 budget was not affected, but, beginning in  
328 Fiscal Year 2019 and after the study is completed, the Board would be asked to consider  
329 allocating the District's tree trimming budget to The Foundation, which would alleviate the  
330 potential of any party postponing those functions. Mr. Miller stressed the importance of the  
331 CDD's landscape vendors knowing this.

332 ▪ **TEM Systems, Inc.**

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

334 Mr. DiNardo stated that The Foundation was not happy with the gate system and the  
335 vendor, TEM Systems, Inc. (TEM). Other technology, such as drones and radio-frequency  
336 identification (RFID) tags, which are placed on the headlight, were being considered. This  
337 would also be presented to the CDD #1 and CDD #2 Boards when Mr. DiNardo is ready.

338 ▪ **Continued Update: Hurricane Irma Recovery**

339 In response to Mr. Klug’s request for clarification regarding the trimming of storm  
340 damaged trees, Mr. DiNardo stated the bigger areas would be cleaned up, but they would not  
341 address everything.

342

343 **EIGHTH ORDER OF BUSINESS**

**Consideration of Request by The  
Foundation to Install a Gate in the Fence  
Along Creative Lane to Allow Direct  
Access to Staging Area During Phase 3 of  
Hurricane Irma Recovery**

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349 This item was presented following the Fifth Order of Business.

350

351 **NINTH ORDER OF BUSINESS**

**Notice of General Election: November 6,  
2018**

352

353

354 • **Official Candidate Qualifying Period: Noon, June 18, 2018 – Noon, June 22, 2018**

355 **i. Candidates May Pre-Qualify Beginning June 4, 2018 at 10:00 A.M.**

356 Mr. Adams gave an overview of the candidate qualifying and pre-qualifying periods and  
357 processes the CDD would follow in relation to the upcoming November 6, 2018 General  
358 Election. Seats 2 and 5, currently held by Supervisors Miller and Klug, respectively, were up for  
359 election. In response to the question of what happens if there are not multiple candidates, Mr.  
360 Adams replied that the qualified candidate would assume the seat no sooner than two weeks  
361 following the General Election.

362 • **Consideration of Resolution Implementing Section 190.006(3)(A)(2)(C), Florida  
363 Statutes, and Instructing the Collier County Supervisor of Elections to Conduct the  
364 District’s General Election**

365 **i. Resolution 2018-01, Fiddler’s Creek Community Development District #2  
366 [Seats 2 & 5]**

367 Mr. Adams presented Resolution 2018-01.

368

369 **On MOTION by Mr. Klug and seconded by Ms. DiNardo, with**  
370 **all in favor, Resolution 2018-01, Implementing Section**  
371 **190.006(3)(A)(2)(C), Florida Statutes, and Instructing the**  
372 **Collier County Supervisor of Elections to Conduct the**  
373 **District’s General Election, was adopted.**

374

375

376 **TENTH ORDER OF BUSINESS****Acceptance of Unaudited Financial  
Statements as of January 31, 2018**

377

378

379

380 Mr. Adams presented the Unaudited Financial Statements as of January 31, 2018. On-  
381 roll assessment revenue collections were at 70% and off-roll collections were at 35%. One-time  
382 annual costs hit for assessment roll preparation, the insurance premiums, special district fee and,  
383 most significantly, the unbudgeted hurricane cleanup expense of \$125,827. Mr. Adams stated  
384 the "Hurricane Clean-Up" line item amount of \$125,827, for Fiscal Year 2018, combined with  
385 \$170,000, in Fiscal Year 2017, equated to approximately \$296,000, for Category A, which was  
386 the initial Phase 1 clean up expenses. Those were submitted and certified to The Foundation and  
387 payment was received and would be reflected in the February financial statements.

388 Ms. Viegas asked why the "Contractual services" line item amount, under "Access  
389 control", was so much higher than the prior month. Mr. Adams believed that two months of  
390 invoices may have been posted in January.

391

**ELEVENTH ORDER OF BUSINESS****Staff Reports**

392

393

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

394 Mr. Lombardo stated a neighborhood information meeting would be held on March 13,  
395 2018 at 5:30 p.m., at San Marco Catholic Church, to discuss a DRI and a PUD happening north  
396 and east of the District, south of the US 41 and Collier Boulevard intersection. This meeting is a  
397 carryover to a prior meeting.

398 Mr. Klug asked if the Amendment to the Restoration Plan regarding the walls, discussed  
399 at the last meeting, was finalized. Mr. Lombardo would confirm with Mr. Pires whether it was  
400 completed.

**B. District Manager: *Wrathell, Hunt and Associates, LLC*****i. NEXT MEETING DATE: March 28, 2018 at 10:00 A.M.**

403 The next meeting would be held on March 28, 2018 at 10:00 a.m., at this location.

**C. Operations Manager**

405 Mrs. Adams stated the Aviamar Fountain was operating properly; however, the  
406 contractor shut down two of the 12 pumps, due to the leaks in the connecting PVC pipes. Ms.  
407 DiNardo asked if the pumps that are not leaking would continue running. Mrs. Adams replied  
408 affirmatively. Discussion ensued regarding the contractor still trying to locate the leaks and the  
409 possibility of the leak coming from under the fountain and, if so, would repairing it involve

410 destruction to the fountain or tunneling to it. Once Management receives additional information,  
411 an update would be sent. The Board and Staff were impressed with the new contractor’s  
412 responsiveness.

413 Ms. Viegas asked if there was a time frame for when LakeMasters would remove the  
414 trees in the lake behind Callista. Mrs. Adams replied no.

415

416 **TWELFTH ORDER OF BUSINESS** **Consideration of January 24, 2018**  
417 **Regular Meeting Minutes**

418

419 Mr. Adams presented the January 24, 2018 Regular Meeting Minutes and asked for any  
420 additions, deletions or corrections. The following changes were made:

421 Line 57: Change “access” to “assess”

422 Line 339: Insert “.” after “Ms”

423 It was noted by Ms. Viegas that, despite Mr. Miller’s prior request, a District map of each  
424 Village was not posted on the CDD #2 website. Mr. Adams would have the maps added to the  
425 website.

426

**On MOTION by Mr. Miller and seconded by Ms. Viegas, with  
all in favor, the January 24, 2018 Regular Meeting Minutes, as  
amended, were approved.**

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432 **THIRTEENTH ORDER OF BUSINESS** **Supervisors’ Requests**

433

434 There being no Supervisors’ requests, the next item followed.

435

436 **FOURTEENTH ORDER OF BUSINESS** **Adjournment**

437

438 There being no further business to discuss, the meeting adjourned.

439

**On MOTION by Ms. Viegas and seconded by Mr. Mayer, with  
all in favor, the meeting adjourned at 11:24 a.m.**

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[SIGNATURES APPEAR ON THE FOLLOWING PAGE]

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Secretary/Assistant Secretary

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Chair/Vice Chair

DRAFT