

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

The Board of Supervisors of the Fiddler’s Creek Community Development District #2 held a Public Hearing and Regular Meeting on August 26, 2020 at 10:00 a.m., in-person at the Fiddler’s Creek Club and Spa, 3470 Club Center Boulevard, Naples, Florida 34114, and remotely, via Zoom, at <https://us02web.zoom.us/j/87198129597>, Meeting ID 871 9812 9597 and via conference call at 1-929-205-6099, Meeting ID 871 9812 9597.

**Present were:**

Elliot Miller	Chair
Victoria DiNardo	Vice Chair
Linda Viegas	Assistant Secretary
Bill Klug	Assistant Secretary
John Nuzzo	Assistant Secretary

**Also present were:**

Chuck Adams	District Manager
Cleo Adams	Assistant District Manager
Tammie Smith	Operations Manager
Tony Pires	District Counsel
Terry Cole	District Engineer
Joe Parisi	Developer
Daniel Ferrao	Developer
Ron Albeit	The Foundation General Manager
Shane Willis	Fiddler’s Creek Security
Lieutenant Walker	Sheriff’s Office
Kayla Soler	Cardinal Management
Michael O’Neil	The Foundation

**FIRST ORDER OF BUSINESS**

**Call to Order/Roll Call**

Mrs. Adams called the meeting to order at 10:01 a.m. All Supervisors were present.

**SECOND ORDER OF BUSINESS**

**Public Comments: Non-Agenda Items**

Ms. Kayla Soler, of Cardinal Management, stated that the landscaping behind the Pulte lots, along Aviamar Circle, is not being properly maintained and Pulte is unsure if the

landscaping responsibilities rest with the CDD or with Amaranda. Mrs. Adams stated that Pulte received the Design Review Committee (DRC) approval on January 27, 2020 and Mr. Pires has the License Agreement and is following up with Pulte for execution. In December 2019, Pulte requested permission to make improvements to CDD property, with the understanding that they would maintain a dual license agreement between the HOA and the CDD. Mr. Miller stated that the deal approved by the Board stipulated that Amaranda would be responsible for the landscape maintenance. Ms. Soler would forward her email address to Mrs. Adams so that Mr. Pires could transmit a draft of the License Agreement for landscaping to pass to the HOA for review and execution.

▪ **Developer's Report/Update**

**This item, previously the Tenth Order of Business, was presented out of order.**

Referencing slides, Mr. Parisi gave the following update:

- The 951 entrance gatehouse would be under construction for two to three months and should be completed by the end of November. Cones would be used to facilitate traffic flow.
- The Sandpiper Drive entrance would be completely closed for approximately five months due to roadwork necessary for the relocation of the gatehouse.
- The Aviamar construction access would be closed because of the location of the new gatehouse, as well as the construction traffic entrance coming off of Sandpiper Drive, up to Oyster Harbor (OH).
- The Championship Drive entrance would be staffed 24/7 with security guards.
- Creative Lane would be the new construction road for construction vehicle usage and non-residential Sandpiper Drive traffic.
- The location of the new gatehouse was confirmed to be before the current Aviamar and OH construction entrances, when exiting Fiddler's Creek on Sandpiper Drive.
- There is a Service Agreement between The Foundation and CDD, which provides for insurance, a right to access and control of the gatehouses, security, etc.

Mr. Parisi answered questions about the time frame, construction and Publix entrances, emergency vehicle access, gate protocol, construction funding and the Service Agreement. Mr. Pires was unsure if Creative Lane was covered by the existing Service Agreement. Mr. Miller suggested drafting a letter amending the Agreement to cover Creative Lane.

**On MOTION by Mr. Klug and seconded by Ms. DiNardo, with all in favor, authorizing Staff to draft an amendment to the Service Agreement between The Foundation and the CDD, providing insurance coverage for Creative Lane, and authorizing the Chair to execute, was approved.**

▪ **Health, Safety and Environment Report**

**This item, previously the Ninth Order of Business, was presented out of order.**

Referencing PowerPoint slides, Mr. Willis reported the following:

- Gatehouse entries increased by 7,000 since June. Occupancy increased as snowbirds returned.

Discussion ensued regarding the occupancy rate and the Canadian border.

- The two most common incident categories were parking and fishing.
- Irrigation was deactivated on Saturday, in preparation for the tropical storm, and switched back on as the storm was downgraded.
- Pressure washing was completed in Aviamar and OH.

Mr. Willis stated he invited Lieutenant Walker, of the Sheriff’s Office, to address concerns raised about the Sandpiper Drive closure and crime prevention.

Lieutenant Walker reported the following:

- Year-to-date 2020 crime decreased by 28% compared to 2019. The safety and security apparatus in Fiddler’s Creek are stronger than in neighboring communities.
- Regarding the Sandpiper Drive closure, there would be an impact but it would not significantly decrease response time for emergency vehicles.
- Urban rioting is manageable in the surrounding area. The Naples Sheriff’s Office partners with Marco Island law enforcement and the Florida Highway Patrol (FHP) to handle protestors.
- Although car burglaries and construction-related thefts are the most frequently-occurring crimes in the Naples area, Fiddler’s Creek has a strong and intelligent access control system, augmented by roving patrols to address these trends.

**THIRD ORDER OF BUSINESS**

**Continued Discussion: Park Bench Recommendations (Bill Klug and Victoria DiNardo)**

Ms. DiNardo recalled questions at the previous meeting regarding whether certain benches were in CDD-owned areas. The situation was resolved, as indicated by the aerial and other photographs of CDD-owned proposed locations in OH and the Museo Circle area. Both areas have sufficient natural shade. There are already four CDD-owned benches in Aviamar with undetermined new locations that should be re-examined.

**A. Bench Standards (draft)**

In the “Standards for Pedestrian Bench Placement on CDD2 Owned Property” document, Mr. Miller took issue with a reference to Rep Services Inc., in the 3<sup>rd</sup> bullet, and felt that the last bullet point was unnecessary. Mr. Pires stated the 6<sup>th</sup> bullet point presents an engineering issue. Ms. Viegas would prepare a revised version and send it to Mrs. Adams.

**B. Accurate Pavers**

**I. Sketch**

In reference to the Accurate Pavers sketch, Mrs. Adams requested approval to expand the pad and pavers in the Campanile Circle bench location, so it connects to the sidewalk.

**II. Proposal to Expand Park Bench Landing Pad**

**On MOTION by Ms. DiNardo and seconded by Mr. Nuzzo, with all in favor, installation of a pad and pavers in the Campanile Circle bench location, in the amount of \$1,544, pending DRC approval, was approved.**

**C. Suggested Bench Location Exhibits**

Mrs. Adams requested approval of three bench locations; two in OH and one on Museo Circle, in a not-to-exceed amount of \$4,000 per bench. Mr. Nuzzo stated that a homeowner would reimburse the District for one of the OH benches.

**On MOTION by Ms. DiNardo and seconded by Mr. Nuzzo, with all in favor, installation of two benches in Oyster Harbor and one on Museo Circle, in a not-to-exceed amount of \$4,000 per bench, was approved.**

Mr. Klug pointed out that the placement of benches on Sandpiper Drive, which is a large thoroughfare, was not addressed.

**Consideration of Southern Striping  
Sidewalk and Curb Repairs and Restriping  
Proposals**

Mr. Cole presented the Southern Striping Sidewalk and Curb Repairs proposal, in the amount of \$47,631.35, and the Restriping proposal, in the amount of \$25,927.45. The Board and Staff discussed the proposal terms and conditions, pricing, the budget and insurance coverage. Mr. Miller directed Mr. Cole to have exclusions stricken from the proposals and a waiver lien added.

**On MOTION by Ms. DiNardo and seconded by Mr. Klug, with all in favor, the Southern Striping sidewalk and curb repair proposal, in the amount of \$47,631.35, and the restriping proposal, in the amount of \$25,927.45, were approved.**

**FIFTH ORDER OF BUSINESS**

**Continued Discussion: Request for County  
Assistance for 7-Eleven Contribution for  
Traffic Signal**

Mr. Adams stated CDD #1 approved the concept and directed District Staff to draft a letter asking 7-Eleven to contribute to the traffic signal. Mr. Pires stated that there would be a Planning Commission meeting on September 17<sup>th</sup> and the Board could authorize either District Counsel or the District Engineer to attend and raise questions. Mr. Miller directed either one to attend the meeting.

**SIXTH ORDER OF BUSINESS**

**Public Hearing on Adoption of Fiscal Year  
2020/2021 Budget**

**A. Proof/Affidavit of Publication**

The affidavit of publication was included for informational purposes.

**B. Consideration of Resolution 2020-13, Relating to the Annual Appropriations and Adopting the Budgets for the Fiscal Year Beginning October 1, 2020, and Ending September 30, 2021; Authorizing Budget Amendments; and Providing an Effective Date**

Mr. Adams noted that Ms. Viegas’ submitted corrections to Resolutions 2020-13 and 2020-14, which would be incorporated.

Mr. Miller referred to Section 3B of Resolution 2020-13, which allows the District Manager or Treasurer to authorize increases and decreases in the budget in between Board meetings. Mr. Adams would have the following verbiage added:

Resolution 2020-13, Section 3B: Insert: “In collaboration with the Chair.”

Mr. Adams responded to questions regarding Tax Collector and Supervisors’ fees.

**Mr. Miller opened the public hearing.**

No members of the public spoke.

**Mr. Miller closed the public hearing.**

Mrs. Adams presented Resolution 2020-13.

**On MOTION by Ms. DiNardo and seconded by Mr. Klug, with all in favor, Resolution 2020-13, as amended, Relating to the Annual Appropriations and Adopting the Budgets for the Fiscal Year Beginning October 1, 2020, and Ending September 30, 2021; Authorizing Budget Amendments; and Providing an Effective Date, was adopted.**

**SEVENTH ORDER OF BUSINESS**

**Consideration of Resolution 2020-14, Making a Determination of Benefit and Imposing Special Assessments for Fiscal Year 2020/2021; 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**

Mrs. Adams presented Resolution 2020-14.

**On MOTION by Mr. Klug and seconded by Ms. DiNardo, with all in favor, Resolution 2020-14, Making a Determination of Benefit and Imposing Special Assessments for Fiscal Year 2020/2021; 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.**

**FIDDLER’S CREEK CDD #2  
EIGHTH ORDER OF BUSINESS**

**August 26, 2020**

**Consideration of Resolution 2020-15, Designating Dates, Times and Locations for Regular Meetings of the Board of Supervisors of the District for Fiscal Year 2020/2021 and Providing for an Effective Date**

Mrs. Adams presented Resolution 2020-15.

**On MOTION by Mr. Klug and seconded by Ms. DiNardo, with all in favor, Resolution 2020-15, Designating Dates, Times and Locations for Regular Meetings of the Board of Supervisors of the District for Fiscal Year 2020/2021 and Providing for an Effective Date, was adopted.**

**NINTH ORDER OF BUSINESS**

**Health, Safety and Environment Report**

This item was presented following the Second Order of Business.

**TENTH ORDER OF BUSINESS**

**Developer’s Report/Update**

This item was presented following the Second Order of Business.

**ELEVENTH ORDER OF BUSINESS**

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

- **Discussion: Closure of Sandpiper Drive and Relocation of the Temporary Construction Access Road**

Mr. Cole presented and/or reported the following:

- Draw #163 for the 2005 Series bond, for \$23,000, for items related to the Fiddler’s Creek Plaza, including permitting by GradyMinor, responding to County comments and to close out punch list items. \$19,000 was for the subdivision bond reimbursement to the Developer for Fiddler’s Creek Plaza.
- The lake erosion repair contract for repairs on Lake 88, as discussed in previous meetings, would be approved.
- The emergency sidewalk repairs for tripping hazards and paver repairs would be completed this week.

➤ Work on Fiddler’s Creek Plaza commenced, including the lake excavation. The Sandpiper Drive entrance would be closed to accommodate the project.

Discussion ensued regarding whether Creative Lane could accommodate the diverted traffic, notifying residents of the Sandpiper Drive closure, and Lennar, in relation to Aviamar Circle.

**TWELFTH ORDER OF BUSINESS**

**Acceptance of Unaudited Financial Statements as of July 31, 2020**

Mrs. Adams presented the Unaudited Financial Statements as of July 31, 2020. The “Landscape improvements and irrigation” line item, at 138%, most likely included the Juniper ficus reduction costs. The “Utilities”, at 278%, and capital outlay for the LED charge would be confirmed with Management Staff. Mr. Miller asked about legal fees of \$20,000. Mr. Adams stated that the fees were from the Trustee. The financials were accepted.

**THIRTEENTH ORDER OF BUSINESS**

**Consideration of July 22, 2020 Regular and Virtual Meeting Minutes**

Mrs. Adams presented the July 22, 2020 Regular and Virtual Meeting Minutes. The following changes were made:

Line 53: Change “two residents” to “one resident”

Line 54: Change “two” to “one”

Line 115: Insert “than” after “higher”

Line 144: Change “and” to “of”

Line 240: Insert period after “Ms”

**On MOTION by Ms. DiNardo and seconded by Mr. Klug, with all in favor, the July 22, 2020 Regular and Virtual Meeting Minutes, as amended, were approved.**

**FOURTEENTH ORDER OF BUSINESS**

**Staff Reports**

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

- **Review of Pulte License Agreement**



Mr. Pires reported the following:

- The Governor’s Executive Orders were extended through October 1, 2020.
- The Pulte License Agreement would be reviewed at the next meeting.
- The Taylor Morrison letter was finalized, forwarded to the District Engineer for review yesterday and would go out tomorrow.
- The Lennar demand letter was in progress and would be sent soon.

Discussion ensued regarding Lennar taking responsibility for depressions on Aviamar Circle, the bond deposit and Pulte. Mr. Parisi asked Mr. Pires to set up a call with the parties involved to discuss issues regarding the deposits from both Lennar and Pulte.

- A PowerPoint presentation on Sunshine Laws would be given at the October meeting.

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

- **NEXT MEETING DATE: September 23, 2020 at 10:00 A.M.**
  - **QUORUM CHECK**

All Supervisors confirmed their attendance at the September 23, 2020 meeting.

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

Mrs. Adams presented the August Field Operations Report.

Mr. Miller stated there were several complaints about mosquitoes and asked about extending the Mosquito control contract. Discussion ensued.

**FIFTEENTH ORDER OF BUSINESS**

**Supervisors’ Requests**

There were no Supervisors’ requests.

**SIXTEENTH ORDER OF BUSINESS**

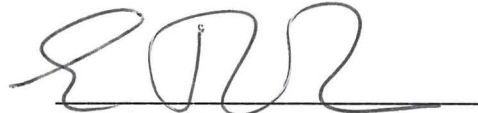
**Adjournment**

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

**On MOTION by Ms. DiNardo and seconded by Mr. Klug, with all in favor, the meeting adjourned at 11:32 a.m.**

[SIGNATURES APPEAR ON THE FOLLOWING PAGE]

  
Secretary/Assistant Secretary

  
Chair/Vice Chair