

**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 Regular Meeting on January 27, 2021 at 10:00 a.m., at the Fiddler’s Creek Club and Spa, 3470 Club Center Boulevard, Naples, Florida 34114.

**Present were:**

Elliot Miller	Chair
Victoria DiNardo	Vice Chair
Linda Viegas	Assistant Secretary
John Nuzzo	Assistant Secretary
Bill Klug	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
Ron Albeit	The Foundation General Manager
Shane Willis	Fiddler’s Creek Security
Mark Kimmel	Resident
Shannon Benedetti	Resident

**FIRST ORDER OF BUSINESS**

**Call to Order/Roll Call**

Mrs. Adams called the meeting to order at 10:00 a.m. All Supervisors were present, in person.

**SECOND ORDER OF BUSINESS**

**Public Comments: Non-Agenda Items**

Resident Mark Kimmel noted that he is no longer the Amador Village HOA President and stated that, as a homeowner, he still has an ongoing drainage issue behind his home. He presented four letters from individual homeowners dealing with the same issue on Campanile Circle. He conferred with six of seven homeowners impacted by the issue and they all agreed that the swale should be restored to how it was originally designed by the builders and they are willing to sacrifice the ficus hedge. Mr. Miller stated that he received an email from one of Mr. Kimmel’s neighbors with the same swale issue and responded that the swale issues are outside

***Disclaimer:** These minutes are a summary of the meeting and are intended to highlight the topics discussed, items considered and actions taken.*

of the scope of CDD #2's responsibilities. Asked what the response was from the HOA Board, Mr. Kimmel stated there was no response. Mr. Miller suggested Mr. Kimmel call for a Special HOA Board Meeting and ask the HOA Board to create a special committee consisting of the seven individual owners to work towards resolving the swale issue.

Resident Shannon Benedetti documented her observations regarding the Veneta Fountain and transmitted a report to Mrs. Adams and Ms. Smith. Ms. Smith stated the issues were being addressed with the landscapers. Discussion ensued regarding LandCare and the bougainvillea, plants, grass, mulch, median, and fountain areas. Ms. Benedetti would take additional photographs of the fountain and transmit another report to the Field Operations Staff. Mr. Miller stated that the Field Operations Staff are cognizant of and handling all landscaping issues.

Mr. Klug recalled a recent discussion he had with the Chair regarding motorists going the wrong way around traffic circles. A possible solution involved installing spiked plates in those locations, similar to those used at rental car return parking lots. Mr. Pires was doubtful that would be an allowable traffic control device. He advised against Supervisors conducting District business outside of Board Meetings, as it violates the Sunshine Law. Mr. Willis stated that the Fire and the Police Departments would not support the idea.

**THIRD ORDER OF BUSINESS****Health, Safety and Environment Report**

Referencing a PowerPoint presentation, Mr. Willis reported the following:

➤ Gate Access Control: The gatehouse slide was the same. Security Staff has been transitioning to the Radio Frequency Identification (RFID) system and registered 2,600 vehicles thus far. The statistics would become more accurate once the RFID system is complete. The current statistics are based off the Championship Drive entrance only, since the Sandpiper gate is closed, and the main gate is still under construction.

Asked about the status of completing the remaining RFID distribution, Mr. Willis stated appointments are booked until the end of February. Upon signing up on the Fiddler's Creek members' website, residents are given a time and Patrol Staff go to each home to register vehicles up to 8:30 p.m. Asked when the system would be operational at the main gate, Mr. Willis expressed his hope to have it operational at the beginning of February.

➤ Occupancy Report: Due to the pandemic, including Canadian residents and snowbirds not returning, occupancy plummeted in 2020. The numbers are beginning to increase, and December occupancy was at 5,600.

➤ Incident Report: Parking and open garage door violations were ongoing.

Mr. Willis discussed a recent incident wherein a resident entered the main gate and assaulted a security guard at the gate. The resident was arrested on a third-degree battery charge and subsequently bonded out. Asked if the Fining Committee would act, Mr. Albeit stated the case was turned over to the Attorney.

➤ Irrigation: With the dry season, water usage increased by 5 million gallons. The Irrigation Manager met with LandCare to adjust the irrigation times.

Asked if the County still prohibits watering on Fridays, Mr. Willis applied affirmatively.

➤ Power Washing: The sidewalk power washing team was working on Mahogany Bend and would then move to the Veneta community.

Ms. DiNardo asked about maintaining a schedule to power wash the monuments. Mr. Willis stated the monuments are power washed after the Villages are completed but a separate request can be made for a monument to be done at any time. Ms. Viegas asked if the FAQs section and road closure information would be posted on the members' website, as previously promised. Mr. Willis stated it would be done sometime in the future.

**FOURTH ORDER OF BUSINESS**

**Developer's Report/Update**

Mr. Miller stated he would like the following items to be addressed:

- 1) The Aviamar Fountain landscaping.
- 2) Allowing the CDD Board to be involved in the design of the landscaping at the gatehouses and in new developments, as the CDD is responsible for maintaining those areas.

• **Discussion: Landscaping at Gate Houses**

Mr. Albeit gave the following update:

- The Landscaping Advisory Board (LAB) pointed out deficiencies at the Aviamar Fountain.
- Mr. Scott Smith, formerly of Waldrop Engineering (Waldrop) and a current Landscape Architect at Juniper Landscaping (Juniper), inspected the Aviamar Fountain area and submitted a \$2,800 proposal.

Mr. Miller noted that the Aviamar Fountain is further back from the roadway. Ms. Benedetti expressed her opinion that the Aviamar Fountain landscaping is very unattractive. The LAB received several complaints about it over the years and discussed the landscaping/design issues. She suggested engaging Mr. Smith for the project. Mr. Miller stated, if engaged, Mr. Smith would be a consultant to CDD #2. Ms. Viegas stated the District previously engaged Juniper for the same scope of work, after Hurricane Irma, which resulted in an unacceptable landscaping plan. Mr. Miller noted that Mr. Smith was employed at Waldrop at that time. Ms. Viegas voiced her opinion that Juniper should address the fact that they were compensated for the project two years ago, implemented a poor plan, and should offer the District a substantial discount on the Aviamar Fountain project. Discussion ensued regarding the previous work by Waldrop and GulfScapes and whether to engage Mr. Smith as a consultant or some other alternative. Mr. Miller suggested inviting Mr. Smith and other consultants to the next meeting to present landscaping/irrigation plans, justify costs and answer questions.

**On MOTION by Mr. Klug and seconded by Ms. DiNardo, with all in favor, engaging a Landscape Architect/Consultant to design the Aviamar entrance area, was approved.**

**On MOTION by Mr. Klug and seconded by Ms. Viegas, with all in favor, exploring engaging other Landscape Architects and alternative proposals not associated with Juniper Landscaping, was approved.**

Mr. Miller asked if the consultant that would be engaged to landscape the Aviamar Fountain could also coordinate with the landscaper that will be engaged by the developer to enhance the areas around the gatehouses. Mr. Albeit stated he is not authorized to make landscaping decisions. In response to Mr. Miller’s request, Mr. Albeit would ask the Developer to appear at the next meeting to speak about the landscaping at the gatehouses.

**FIFTH ORDER OF BUSINESS**

**Discussion: Replacement of Stone Bench at Aviamar Fountain**

Ms. Viegas reported that one of the stone benches at the Aviamar Fountain was completely destroyed. Mr. Willis stated an incident report was filed and forwarded to

Management. Discussion ensued regarding the bench incident, whether the bench should be replaced and the noise level in the area.

**On MOTION by Ms. Viegas and seconded by Mr. Klug, with all in favor, not replacing the destroyed stone bench at the Aviamar Fountain, was approved.**

**SIXTH ORDER OF BUSINESS**

**Discussion: Sandpiper/US 41 Traffic Signal Budget and Funding Split Requirements**

Mr. Cole reviewed the Funding Obligations spreadsheet and discussed the total signal cost, bond funds, additional funding required upfront, future traffic signal costs, site work, Engineering, bidding and construction costs, the traffic study, permitting, and the installation timeframe. Mr. Cole stated \$750,000 would be required, upfront, to commence work on the traffic signal and, after contributions by 7-Eleven and the County, each District must contribute \$350,000. CDD #2’s contribution would be reduced by \$115,000 in costs previously paid by the 2005 bond for Engineering and permitting and reduced further by \$200,000 in funds being received from Halvorsen, which, after those reductions, leaves \$35,000 that the District would need to contribute. Discussion ensued regarding the spreadsheet, trying to negotiate the up-front costs with Halvorsen, timing of the awarding of the construction contract, Collier County, and the slight reduction in the cost of the traffic signal. Mr. Pires would attempt to negotiate the traffic signal up-front costs with Halvorsen.

**SEVENTH ORDER OF BUSINESS**

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

Mr. Cole reported the following:

- Draws #166, for \$58,000, and #167, for \$246,000, were presented for work related to Fiddler’s Creek Plaza. Both invoices were covered by bond funds.
- Permanent erosion repair bags were installed in Lake #88.
- Valley gutter and curb repairs were completed; a few punch list items were pending.
- Mr. Cole met with the Irrigation Manager and the contractors regarding the overall irrigation system in Fiddler’s Creek. Proposals for necessary repairs would be presented at the next meeting.

➤ Recommendations for other repairs and upgrades, such as changing the controls from analog to digital, were also being prepared and would be presented at a future meeting. Some of the repairs are immediate; the others should be budgeted and could wait.

Ms. Viegas asked for an update regarding the undeveloped land in Amaranda and the depressions on Aviamar Circle, in Millbrook. Mr. Cole stated he would follow up with Mr. Parisi about the land in Amaranda and the depressions would be repaired within the next week or two. Mr. Klug felt that the large green boxes throughout the community need maintenance and asked who is responsible for maintaining them. Mrs. Adams stated Florida Power & Light (FPL) is responsible. Staff would contact FPL and request that the boxes be painted.

**EIGHTH ORDER OF BUSINESS**

**Acceptance of Unaudited Financial Statements as of December 30, 2020**

Mr. Adams presented the Unaudited Financial Statements as of December 30, 2020. In response to Mr. Miller’s question, Mr. Adams stated investments consisted of CDs and short-term safe instruments. Discussion ensued regarding the District’s insurance carrier, including a recent audit of the property, the Sandpiper gatehouse, the stone bench, and whether pumps, motors, and monument repairs were covered by the insurance policy and surplus fund balance.

The financials were accepted.

**NINTH ORDER OF BUSINESS**

**Approval of December 9, 2020 Regular Meeting Minutes**

Mrs. Adams presented the December 9, 2020 Regular Meeting Minutes. The following changes were made:

Line 57: Change “must” to “should”

Line 128: Insert “in CDD #1” after “Trail”

**On MOTION by Ms. DiNardo and seconded by Mr. Nuzzo, with all in favor, the December 9, 2020 Regular Meeting Minutes, as amended, were approved.**

**TENTH ORDER OF BUSINESS**

**Public Comments**

There were no public comments.

**ELEVENTH ORDER OF BUSINESS**

**Staff Reports**

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

Mr. Pires commended Management on the consistent maintenance of the District’s website for ADA compliance and on their handling of public records requests.

Mr. Pires reported the following:

➤ Lennar’s attorney, Mr. Charles Mann, stated Lennar agreed to fund the Aviamar Circle depression repairs.

➤ Regarding the drainage issues, the following letter was received from the attorney for Taylor Morrison (TM):

“In lieu of reconstructing the berm or request the CDD to do so at this time, Taylor Morrison has installed new drains and drainage pipes that will ultimately drain Lots 1 through 7 at Lake #89.”

Mr. Kimmel stated that was inaccurate. Mr. Pires suggested the Board direct the District Engineer to perform a field inspection of the drains/drainage pipes referenced in the letter. Discussion ensued regarding as-built plans, the HOA, the drainage issues at Mr. Kimmel’s property, title insurance, a general release, and the Amaranda License Agreement.

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

- **NEXT MEETING DATE: February 24, 2021 at 10:00 A.M.**

- **QUORUM CHECK**

The next meeting would be held on February 24, 2021 at 10:00 a.m.

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

The Field Operations Report for January was included for informational purposes.

**TWELFTH ORDER OF BUSINESS**

**Supervisors’ Requests**

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

**THIRTEENTH ORDER OF BUSINESS**

**Adjournment**

There being no further business to discuss, the meeting adjourned at 11:55 a.m.

  
Secretary/Assistant Secretary

  
Chair/Vice Chair