

**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 February 24, 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
Michael O’Neil	Counsel for The Foundation
Scott Windham	Windham Studio Inc.
Shannon Benedetti	Landscape Committee
April Locks	Resident
Patrick Garvey	Resident
Marjorie Cardillo	Resident
Marlo McQuaker	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 Patrick Garvey presented photographs and voiced his opinion that, compared to other areas in the community, several concrete pavers in the driveway near his home were defaced and damaged, which he felt reflected poorly on him, as a homeowner. Mr. Miller asked if the pavers were in the driveway or on the street. Mrs. Adams stated that Mr. Garvey was referring to the valley gutters. Per Mr. Miller, Mr. Cole would inspect the valley gutters and facilitate any necessary repairs.

Resident Marlo McQuaker stated several homeowners complained that the Ficus hedge buffer, adjacent to Fiddler's Creek Parkway and Campanile Circle, is continuously infested with white fly on the resident side of the hedge and, at a few homes, the Ficus hedge is within 2' of the residents' lanais, where pools are being constructed. She indicated that the homeowners would like the hedges trimmed back or replaced with another type of privacy hedge, such as Clusia. Ms. McQuaker voiced her awareness that Taylor Morrison (TM) and the CDD were working together to address the drainage issues, but she hoped the CDD would address the Ficus hedges, which she believed were diseased.

Regarding issues raised by Mr. Kimmel at a prior meeting, Ms. McQuaker stated Mr. Kimmel was no longer the President of the Amador Village Board and Amador Village homeowners do not want Mr. Kimmel speaking on their behalf. She stated that the only issue that pertains to the CDD involves the homeowners impacted by hedges on their properties, primarily the homes at 9622 and 9626 Campanile Circle. Discussion ensued regarding TM, drainage issues, yard drains, mosquitoes, white flies, the HOA, and landscapers.

Mr. Cole distributed handouts and gave a brief history of the Ficus and drainage issues in a PowerPoint presentation that he previously emailed to the Board. He discussed the buffer/Ficus hedges, Hurricane Irma, the drainage plan, swales, and the yard drain installations by TM. He noted that homeowners complained about the lack of drainage and stated he felt that, to resolve the issues, a topographic survey was needed to ascertain the drain locations.

Mr. Pires noted that the issues with the pools being constructed were addressed in his January 26, 2021 letter to TM, to which there was no reply. A second letter integrating the new information that Mr. Cole provided would be drafted and sent. Mr. Cole and Mr. Pires suggested that the Board take the following actions:

1. Authorize Hole Montes to perform a topographic survey to verify existing conditions. The cost would be \$3,500.
2. Have the topographic data reviewed to determine if it validates the ability to install the required drainage features, such as swales, yard drains, and piping, in the western 7.5' drainage easement without removing the Ficus hedge. The review would cost \$500.
3. Notify TM of the results of the survey and modification options, including Ficus hedge removal adjacent to Lots #4 and #5.

Ms. DiNardo asked if it was more cost-effective to trim back the Ficus hedge or remove it to facilitate the pool construction. Mr. Pires stated that, per Florida Statutes, homeowners are allowed to cut back any vegetation and roots encroaching on their property. Mr. Cole stated removal of the Ficus hedge would be costly. In addition, yard drains would have to be installed at the property corners, with pipes between them to drain correctly into Lake #89. Discussion ensued regarding the project costs, accrued damages, legal cost for reimbursement, TM's obligation, as-builts, the drainage plan, and code violations.

On MOTION by Mr. Klug and seconded by Mr. Nuzzo, with all in favor, authorizing Hole Montes to perform a topographic study, in the amount of \$3,500, and authorizing District Counsel and the District Engineer to pursue violations with the County against Taylor Morrison, was approved.

Ms. McQuaker stated two additional properties, at 9564 and 9570 Campanile Circle, have the same drainage issues but no hedge. Mr. Pires asked Ms. McQuaker to forward the information for inclusion with his response to TM and his discussions with the County.

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. 3,200 vehicles were registered over the past month and were issued Radio Frequency Identification (RFID) system stickers. The process was ongoing, and the system was operational at the Championship Drive entrance.

- Occupancy Report: Although the system was down in January, there was a slight uptick in population.
- Incident Report: Parking was the main issue in the January Incident Report. Several vehicles were illegally parked on the streets, grasses and driveways by new residents and renters. Animal complaints decreased and residents were putting their trash cans out later.
- Irrigation: With only one month of data, there was very little to report.
- Power Washing: Power washing on Mahogany Bend was completed and Veneta was in process.

Per Mrs. Adams, Mr. Willis would make sure that the monument signs at the Aviamar entrance are power washed. Ms. DiNardo stated that one of the urns in Veneta should be addressed, as it has a black line on the bottom. Ms. Smith would have the landscapers check the liners in each of the four urns.

FOURTH ORDER OF BUSINESS

Developer's Report/Update

Mr. Albeit had nothing to report.

Mr. Michael O'Neil inquired about the decision at the last meeting against replacing the stone bench at the Aviamar Fountain and stated that the Design Review Committee (DRC) must be asked for approval of the decision not to replace the bench. Ms. Viegas explained why the Board decided against replacing the bench. Mrs. Adams would submit a letter to the DRC explaining the reasons why the District decided not to replace the bench and request approval from the DRC to not require the District to replace it.

FIFTH ORDER OF BUSINESS

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

Mr. Cole reported the following:

- Lake erosion repairs at Lake #88 were ongoing and would soon be completed.
- There were no draws for the Board's approval.
- The first lift of asphalt at Fiddler's Creek Plaza should be completed next week and the final lift would be completed the following week. It should be open to traffic by mid-March.
- The Main gate, on Collier, should be done next week.

Mr. Pires stated the Districts would receive a complete packet of all of the improvements, certificates with the County, completion details and occupancy, etc.

Mr. Miller recalled that, per the contract with the Developer, he was supposed to receive proof of payment, throughout the project but he has not received anything to date. Mr. Pires stated that he would contact Mr. Parisi.

Ms. Viegas asked about the undeveloped land in Amaranda. Mr. Cole stated that he contacted Mr. Parisi but did not receive a response.

Regarding the pavement depressions on Aviamar Circle, in Millbrook, Mr. Cole stated that his firm inspected them and there were no issues. In response to Ms. Viegas' question regarding whether asphalt tracked down the street from the fill was considered an issue, Mr. Cole replied no and stated that the marks would fade, over time. Mr. Cole confirmed that Lennar paid for the work.

SIXTH ORDER OF BUSINESS

Discussion/Consideration: Aviamar Entry Landscape Renovation Project

Mr. Miller recalled that, at the previous meeting, Mr. Albeit suggested that the CDD engage a Landscape Architect from Juniper Landscaping of Florida, LLC (Juniper) to renovate the landscape at the Aviamar entry. Asked if he broached the topic to have a CDD landscape architect involved in reviewing gatehouse and new development landscaping with Mr. Parisi, Mr. Albeit stated Mr. Miller should confer directly with Mr. Parisi. Asked if a representative from Juniper was present today, Mrs. Adams stated that the consultant was invited but was not present. She was able to obtain a proposal from Windham Studio Inc., and stated Mr. Scott Windham was present.

Mr. Windham introduced himself as an experienced Landscape Architect, presented a proposal, and responded to questions regarding the Aviamar entrance, the scope of services, his staff, esthetic design creation, and landscaper recommendations.

Mr. Windham discussed obtaining CAD files, supplying a plant list, conceptual design and development, demolition, walk-through, and the fee schedule. The proposed project cost was \$15,700 plus hourly billing for additional items. Asked if the mileage fee could be stricken

from the proposal, Mr. Windham replied affirmatively. Ms. Viegas asked if an irrigation plan is included in the estimate and questioned additional billing for minor changes and the difference between "Client" and "Owner" in the proposal. Mr. Windham would prepare and submit an irrigation estimate, clarify revisions regarding billing for minor changes, and address the difference between "Client" and "Owner" if requested by the Board. Mr. Miller thanked Mr. Windham and stated the Board would consider his proposal and notify him of the decision.

Resident April Locks asked if residents would have any input in the decision-making process for the appearance of the entrance. Mr. Miller replied no but noted that the Board was open to thoughts and ideas from the residents.

The Board and Staff discussed the \$2,800 Juniper proposal and Mr. Smith's absence from the meeting. Mrs. Adams stated that additional information was requested from Mr. Smith and he was invited to attend but there was no response. Mr. Albeit stated that he had not spoken to Mr. Smith since presenting Mr. Smith's proposal at the last meeting.

Ms. Viegas raised the following matters:

- Since the reason for Mr. Smith's absence from the meeting was not known, she felt that he should be given the benefit of the doubt if the Board decides to proceed with the project.
- She was not impressed with Mr. Windham's presentation or the proposed cost and inquired about contacting other firms if the project proceeds.
- In touring the Veneta and Aviamar fountains, she recalled that the same plants were used at both and questioned why the same plants were not acceptable for the Aviamar entry and fountain area.
- As the Aviamar entrance and fountain areas were replanted two years ago, she questioned whether anything needs to be done and suggested not redoing the entire entrance.

Landscape Committee Member Shannon Benedetti recalled that she previously suggested modifications to the Aviamar entrance but not a complete redo.

On MOTION by Ms. Viegas and seconded by Ms. DiNardo, with all in favor, not engaging a Landscape Architect, was approved.

SEVENTH ORDER OF BUSINESS

Consideration of Aqua-Matic Irrigation Systems, Inc., Proposal for Irrigation Valve Replacement (Fiddler's Creek CDDs #1 and #2)

Mr. Cole presented the Aqua-Matic Irrigation Systems, Inc., proposal for valve replacement. The total proposed cost of \$2,400 would be split between the two CDDs; CDD #2's portion would be \$1,200.

On MOTION by Mr. Miller and seconded by Ms. DiNardo, with all in favor, the Aqua-Matic Irrigation Systems, Inc., proposal for valve replacement, with CDD #2's portion not-to-exceed \$1,200, was approved.

EIGHTH ORDER OF BUSINESS

Acceptance of Unaudited Financial Statements as of January 31, 2021

Mrs. Adams presented the Unaudited Financial Statements as of January 31, 2021. Ms. Viegas noted that General Ledger details she requested remained pending. The financials were accepted.

NINTH ORDER OF BUSINESS

Approval of January 27, 2021 Regular Meeting Minutes

Mrs. Adams presented the January 27, 2021 Regular Meeting Minutes. The following changes were made:

Line 130: Insert "by the Developer" after "engaged"

Line 158: Change "trying to negotiate the up-front costs with Halvorsen" to "requesting that Halvorsen make the payment upon the District's request"

Line 161: Delete "the" after "with"

Regarding Lines 188 through 190, Mr. Miller stated his preference for more detail in the discussions, including the comments made, and less use of "Discussion ensued regarding...". Ms. Viegas stated that she has suggested more detail when she edits the draft minutes but she was told that the minutes are meant to be a summary of what occurred at the meeting. Mrs.

Adams confirmed that the minutes are intended to be a summary of the meeting, highlighting the topics discussed, items considered and actions taken. Mr. Miller voiced his preference for more detailed minutes.

On MOTION by Ms. DiNardo and seconded by Ms. Viegas, with all in favor, the January 27, 2021 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.*

Ms. Viegas asked if the Amaranda License Agreement was executed, as the area was still not being maintained, and a dead palm tree required removal. Mr. Pires stated that there was no response from the Management Company, and he would follow up with a certified letter. Asked if there was any response from Halvorsen, Mr. Pires stated he would meet with Mr. Parisi and they would contact or meet with Halvorsen together.

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

- **NEXT MEETING DATE: March 24, 2021 at 10:00 A.M.**
 - **QUORUM CHECK**

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

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

The Field Operations Report was included for informational purposes.

Ms. DiNardo asked about tree removal and LandCare repair costs and asked if trees would be replaced. Ms. Smith clarified that tree stakes were removed, not trees, and there was no cost involved. Asked about the Cascada and Montreux white fly treatment charges, Ms. Smith stated that CDD #1 would be charged for those costs, as the areas are in CDD #1, not CDD #2.

Ms. Viegas asked if Staff followed up with Florida Power & Light (FPL) regarding the utility boxes that Mr. Klug asked about at the last meeting. Ms. Smith stated she did not but clarified that Marco Island has a different power company and that company allows decorative painting on the boxes. Asked if Staff was able to negotiate a lower price with Lykins-Signtek, Ms. Smith replied affirmatively.

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.

[SIGNATURES APPEAR ON THE FOLLOWING PAGE]



Secretary/Assistant Secretary



Chair/Vice Chair