

**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 May 25, 2022 at 10:00 a.m., at the Fiddler’s Creek Club and Spa, 3470 Club Center Boulevard, Naples, Florida 34114. Members of the public were able to listen and participate at 1-888-354-0094, Participant Passcode: 709 724 7992.

Present were:

Elliot Miller	Chair
Victoria DiNardo	Vice Chair
Linda Viegas	Assistant Secretary
John Nuzzo (via telephone)	Assistant Secretary

Also present were:

Chuck Adams	District Manager
Cleo Adams	District Manager
Tony Pires	District Counsel
Terry Cole	District Engineer
Valerie Lord	Foundation Counsel
Todd Lux	Fiddler’s Creek Director of Facilities
Jose Castillo	Fiddler’s Creek Director of Facilities
Ed Jasiiecki	Fiddler’s Creek Director of Safety
Richard Renaud	Fiddler’s Creek Security
Scott Bradley	Resident
Michael Buck	Resident

FIRST ORDER OF BUSINESS

Call to Order/Roll Call

Mrs. Adams called the meeting to order at 10:00 a.m. Supervisors Miller, DiNardo and Viegas were present in person. Supervisor Nuzzo was attending via telephone. Supervisor Klug was not present.

On MOTION by Ms. DiNardo and seconded by Mr. Miller, with all in favor, authorizing Mr. Nuzzo’s attendance and full participation, via telephone, due to exceptional circumstances, was approved.

SECOND ORDER OF BUSINESS

Public Comments: Non-Agenda Items

Resident Scott Bradley was concerned about a new area of sidewalk installed by Pulte in Amaranda and about residents falling between the sidewalk and the adjacent sod that was missing in sections. His understanding is that Pulte refuses to repair the area. He showed a photo of an area with a 5" drop.

Ms. Viegas stated she sent photos of multiple areas to Ms. Lord and Mr. Parisi weeks ago. She communicated with Ms. Lord regarding the drops and lack of sod and Ms. Lord advised that Pulte is responsive in addressing the issue and sod would be replaced this week.

Resident Michael Buck distributed an irrigation "mission statement" handout that is a continuation from previous discussions and recommendations regarding what should be done. After the last meeting, he met separately with Mr. Cole, Mr. Jody Benet, and Mike from Aquamatics. The handout incorporates input from those meetings and all parties are mostly on the same page.

Mr. Buck read his "mission statement" handout, responded to questions and asked for CDD #1 and CDD #2 to address the following:

- Identify and address all of the critical issues related to the current irrigation system.
- Identify any issues that could possibly slow or derail a project of this scope.
- Prioritize implementation of management systems so we will be able to see if we are going off track. We need good communication systems to give us instant warnings of potential problems at pumphouses and field locations so we can locate and address problems quickly.
- Address security at the pumphouses and set it in place now.

Discussion ensued regarding security. Mr. Buck stated the aforementioned parties are in agreement in recommending the CDDs implement security enhancements.

- Set up interviews with prospective irrigation manufacturers and irrigation companies. This is in progress and additional options are needed from the manufacturer representatives interviewed regarding a timeline and a plan is needed.

Mr. Miller asked Mr. Buck to address Item #6 on the handout. Mr. Buck stated this item, "Compose a detailed plan with costs to be given to CDD #1 and CDD #2" would likely be done by an Engineer; none of the three individuals was designated to prepare such a plan but this should be addressed. Regarding a master irrigation plan, Mr. Buck stated he reviewed examples

of similar Homeowner’s Association (HOA) systems such as Lely, which implemented a master irrigation plan like the County. Preparation of a master irrigation plan was recommended, as all other major entities of similar size to the CDD that he investigated have a 20-year plan with updates every three to five years. Those plans are available for review online and a lot of information was obtained by reviewing the plans.

➤ Identify and list all villages with their current equipment status. List separately the villages that need to be upgraded soon because of failing or outdated equipment or lack of the necessary equipment to be on the CDD clock terminals.

Mr. Miller stated his understanding is this survey is in progress.

➤ Set up an Irrigation Committee comprised of a Board Member from CDD #1 and one from CDD #2, an Engineer, Irrigation Managers from Fiddler’s Creek and Fiddler’s Creek Golf Course, representatives of the Developer/Builder and anyone else deemed helpful. Have the most qualified Board Member chair the Committee and have the Committee give updates at every CDD meeting. Splinter groups could record and send minutes to the Chair for distribution.

Mr. Buck stated the CDD is receiving the benefit of water from the Picayune Strand. 10” of rain was received in early May and irrigation was not running and lake levels increased significantly, and water rose in the pond from Campanile Circle to under Fiddler’s Creek Parkway; therefore, in his opinion, it is working. The water levels are now decreasing evenly. All irrigation comes from groundwater, whereas aquifers are in the middle of the four major lakes. The presentation by Collier County about the projects to rehydrate the area are working. In Mr. Buck’s opinion, the CDDs are fine for now, as long as the benefit of redirected canals to the US 41 canal rehydration is occurring. He believed the Golden Gate canal would give the CDD more hydration if completed. The consensus was that the Golden Gate project cannot be funded and completed.

THIRD ORDER OF BUSINESS

Health, Safety and Environment Report

A. Irrigation and Pressure Washing Efforts: *Todd Lux*

Mr. Lux stated he was advised the parts for the new pressure washer arrived and the machine should be assembled within a few weeks. Progress payments were made, and an amount might be due upon completion. The old equipment is operational and in use.

Mr. Lux stated his department is responsible for tree canopy trimming, irrigation, and pressure washing sidewalks, curbs, and monuments. Monuments are routinely cleaned and additional monument cleanings are performed when requested. He reported the following:

- Tree Canopy Trimming: Hardwood trimming along Sandpiper Drive to US 41 is completed. High palms would be trimmed in June.
- Irrigation Projected Usage: Irrigation is managed by 20 programmable satellites within the villages. They run Monday, Wednesday, and Saturday, from 9:00 p.m. to 4:00 a.m. Last month, 13 watering cycles were completed, with two rain holds.
- In the villages, approximately 10.9 million gallons of water were used last month, down from last month due to the rain holds and the rain received. The common areas in CDD #2 used about 6.8 million gallons of water, down approximately 1 million gallons.

Mr. Miller asked if the County still precludes irrigation on Fridays. Mr. Lux replied affirmatively.

- Pressure Washing: Campanile Circle was completed, and crews are working on Museo Circle. Within the next 30 days, crews would proceed to Veneta and the surrounding communities. It was hoped the new machine would be operational within the next 30 days. In the future, crews would proceed on to Aviamar and the surrounding communities.
- Current Month Projected Plan: Areas in red on the graphic were completed, including sidewalks, signs, and curbs. Areas in green represented the current month's cleaning, and yellow areas are scheduled for the next 30 days.

Ms. Viegas asked if Mr. Lux responded to Mr. Nuzzo's request last month regarding which homes in Oyster Harbor are on the satellite system and which are still on manual. The Board was supposed to be copied, but no email was received. Mr. Lux stated he did not recall the request. Mr. Nuzzo stated he would follow up with Mr. Lux.

Mr. Lux introduced Mr. Jose Castillo, the new Director of Facilities, who will replace him as he moves to other responsibilities with Gulf Bay Homes.

Mrs. Adams requested Mr. Castillo's contact information so she can circulate it to the Board and Staff. Mr. Lux stated he would continue to assist during the transition.

B. Security and Safety Update: *Ed Jasiiecki*

Mr. Jasiiecki gave the monthly PowerPoint presentation and discussed the following:

- The automated gatehouse telephone number, 239-529-4139, can be used to register guests and vendors. The member website is also available.
- Community patrol can be reached at 239-919-3705.
- The safety@fiddlerscreek.com email address is the preferred method of communication for questions, concerns, and visitor registration. Emails are monitored by all three gatehouses and supervisors 24 hours a day, 7 days a week, and they are generally quick to respond.
- Community Patrol staff are not first responders. In an emergency, 911 should be called first, followed by calling the Community Patrol, who will respond and assist as needed.
- Occupancy Report: April occupancy decreased to approximately 1,840 occupied residences out of 3,000.
- Gate Access: All three gates are operational, manned 24 hours a day, seven days a week.
- Two Community Safety Patrols respond to calls 24 hours a day, seven days a week.

Mr. Miller asked if each road patrol is allocated to a specific CDD. Mr. Jasiiecki stated they are as much as possible. When the patrols are not working together to address an issue, they assign each patrol to one CDD to ensure coverage throughout the day and night. Mr. Miller voiced his opinion that it is important for each CDD to have an assigned officer. Mr. Jasiiecki expressed his understanding and stated the telephone numbers posted are helpful for dispatching patrols to address issues, as necessary, 24 hours a day, seven days a week.

- Gate Access: Access for the three gatehouses decreased from approximately 40,000 in March to approximately 25,000 in April.
- Additional speed detection devices were implemented, as needed, to gather data and address violations. Portable devices and fixed devices are in use. Use of the three devices has resulted in over 150 speeding violations in two months. Ms. Lord is working to send letters and warning notices; severe and repeat offenders will face referral to the fining committee.
- Incidents in April declined in all categories.
- As requested by Mr. Turrin, incidents were split by CDD; the new slide shows that the numbers are fairly evenly split.

Ms. Viegas asked if the Publix gate is operational yet. Mr. Jasiiecki stated it is not due to ongoing conduit and electrical line issues. Work is underway and might be completed within the next few days. Ms. Viegas noted that entrance was built to allow Publix trucks to exit and

asked where they are exiting. Mr. JasiECKi stated the trucks are going around the building and out US 41. In Ms. Viegas’ opinion, that shows the entrance with the gate giving access to Fiddler’s Creek behind the Sandpiper gatehouse was never needed. The consensus was the gate delays are extensive and ongoing. It was hoped that the gate would be operational by the next meeting.

Ms. Viegas asked for Mr. JasiECKi and Mr. Lux’s reports to be included in the agenda for review before the meetings. Mrs. Adams stated she checked with corporate, and their reports were not received in time. Mr. JasiECKi disagreed and stated he sent the report in time.

FOURTH ORDER OF BUSINESS

Update: Status of Taylor Morrison Faulty Design Issues and Potential Claim for Associated Engineering and Legal Expenses

Mr. Pires stated, after the last meeting, he sent Mr. Cole’s emails to Mr. Hough, the Taylor Morrison (TM) attorney. They had a brief conversation, and he did not follow up until yesterday. The materials were re-sent and he would follow up next week.

Mr. Miller asked if it was clear that any release would be limited to the items that are resolved. Mr. Pires replied affirmatively. He believes that the information is being brought back to TM. A draft Temporary Construction and Access Agreement will be revised and circulated within the next few days. He will work with Mr. Cole to get additional information on the scope.

Mr. Cole stated he would be on vacation until June 6, 2022.

FIFTH ORDER OF BUSINESS

Developer’s Report/Update

Ms. Lord reported the following:

- Cleanup of the former design center was scheduled to be completed on June 10, 2022.
- The Publix exit gate permitting is still under review at the County due to questions about emergency vehicle access. Once the questions are addressed, the remaining electrical work will be done, followed by the final inspections.

Mr. Miller asked who is responsible for addressing the questions. Ms. Lord stated the questions would be handled by Mr. Bob Walker. Mr. Miller asked that Mr. Walker be directed to be persistent with the County.

Ms. Viegas asked when the new General Manager will be introduced to the Board. Ms. Lord stated Mr. Parisi will address it at the next CDD meeting.

SIXTH ORDER OF BUSINESS

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

Mr. Cole stated the Aviamar landscape bridge work was completed.

Mr. Miller asked Mr. Cole to discuss the traffic signal during the proposed Fiscal Year 2023 budget discussion.

- **Continued Discussion: Status of Collier County's Availability of RIQ Water**

Mr. Cole stated he did not know why this item is on the agenda, as the matter was discussed at the last meeting. RIQ water is not available and there is no piping in the area.

Ms. DiNardo asked Mr. Cole to comment on the irrigation "mission statement" distributed earlier by Mr. Buck.

Mr. Cole stated the CDD has had an Irrigation Master Plan in development for 20 years; the entire distribution system was designed with pumphouses, on which he will be reporting. He has tried to assemble an irrigation group for over a year; the next meeting is scheduled for June 7, 2022, with representatives from CDD #1, CDD #2, The Foundation, the HOAs, the Developer and The Foundation's Irrigation Manager or designee. Mr. Jody Benet and a representative from Aquamatics were involved in previous discussions. Several meetings were held, and, at a meeting last fall, information was obtained from Baseline and Rainbird. Baseline appears to be the preferred system for these controllers. The majority of the controllers are controlled by the HOAs, with some common areas to be controlled by the CDDs and some by The Foundation. A number of controllers need to be integrated in a master system, as Mr. Buck suggested, and the CDD is trying to work toward this. Some proposed improvements would be presented during budget discussions, but controllers would not be addressed yet, as the needs are not determined yet.

Ms. DiNardo asked if a timeline would be provided following that meeting. Mr. Cole stated he would provide an update of the information that is available, but he felt that this group needs to have the oversight of the community, including requirements and standards for various HOAs. He stated some rogue HOAs only have one filter when they are supposed to have two, which has been discussed for decades, and they are complaining about clogged filters but,

in some cases, it is their fault because the HOAs are not installing the correct systems. Mr. Cole believed the HOAs are endeavoring to improve those systems, and many have; however, there needs to be coordination with the controllers. He stated a survey is underway. He expressed his opinion that this group should eventually have oversight in order to allocate water; the controlling system should be managed by the Irrigation Manager and each village would be monitored to have water come on as appropriate.

Mr. Miller asked Mr. Cole if he is dealing with the HOA Management Companies or the HOAs themselves. Mr. Cole stated he is having discussions; he believes the correct people need to be involved. Mr. Miller stated each village has its own HOA and responsibility is delegated. He wanted to ensure the correct entities are involved. He asked Ms. Lord to raise this issue with The Foundation.

Ms. Lord stated this was discussed at the last meeting. She would discuss it with The Foundation to obtain what is needed from the villages. Responsible parties and delegation of management of irrigation by the various entities were discussed. Mr. Miller felt that there are many interested parties to consider.

Mr. Cole distributed a \$1,250 pay draw for work related to the 3-way stop signs and GradyMinor’s permitting work.

Ms. Viegas asked Mr. Cole if, based on his comments, the majority of the items listed on the “mission statement” are completed. Mr. Cole stated many of the items are done and most of the rest are in progress.

SEVENTH ORDER OF BUSINESS

Consideration of Resolution 2022-02, Approving a Proposed Budget for Fiscal Year 2022/2023 and Setting a Public Hearing Thereon Pursuant to Florida Law; Addressing Transmittal, Posting and Publication Requirements; Addressing Severability; and Providing an Effective Date

Regarding Item 3 of the Resolution, Mr. Miller asked if a copy of the proposed Fiscal Year 2023 budget should be provided to the CDD #2 Board. Mr. Adams stated no; the proposed budget will be sent to the County to put the County on notice that the CDD intends to include

assessments on the property tax bill. The proposed budget will be posted on the CDD website 60 days prior to the Public Hearing.

Mr. Miller asked how the increase in gross revenues is calculated. Mr. Adams stated the revenues are driven by the expenses.

Mr. Miller questioned the "Interest & miscellaneous" line item. Mr. Adams stated that line item can be reduced to \$1,500 or \$2,000.

Mr. Miller questioned the "Field management services" line item. Mr. Adams stated that is for the District Management team's Field Management Services. The fees have not increased since 2006; the same amount budgeted for Fiscal Year 2022 was budgeted for Fiscal Year 2023.

Regarding "Irrigation supply services", Mrs. Adams stated the pumphouse expenses have nothing to do with The Foundation.

Regarding why the Assessment Summary shows zero dollars for Off-Roll assessments, Mr. Adams stated all assessments in the CDD will be on-roll in Fiscal Year 2023.

Ms. Viegas asked why the on-roll ERUs only increased by 48, while there were 62 off-roll ERUs in the Fiscal Year 2022 budget. Mr. Adams stated there was a reduction in the number of units. Regarding the boundary transfer from CDD #1, Mr. Adams stated that was all included; all properties are platted and would be on-roll.

Mr. Adams stated the "applicable taxes" on Supervisors' Fees, on Page 3, refers to FICA taxes.

Mr. Miller asked if the "Fountains" amounts, on Page 4, should be increased due to the Ninth Order of Business to be discussed. Mrs. Adams stated the amount would likely be increased.

Regarding the definitions on Page 5, Mr. Miller noted there is only one landscape company now. Ms. Viegas believed the amount should be decreased by \$5,000 because the GulfScapes overall bid was less than LandCare. Asked how LandCare took the news of their termination, Mrs. Adams stated LandCare was disappointed but not surprised; LandCare's President attended the CDD #1 meeting, and they are very committed to serving the CDD.

Mr. Miller asked which "Roadway services" contractor the CDD utilizes for street sweeping. Mrs. Adams stated Precision Cleaning has been the contractor for many years.

Mr. Miller referred to "Roadway capital" and voiced his belief that the costs now exceeded \$100,000. Ms. Viegas stated the numbers will be discussed during the Thirteenth Order of Business and the numbers will change. The consensus was that costs are increasing.

Ms. Viegas recalled that fee increases were approved for Engineering and Legal and asked if those line items should be adjusted accordingly. Mr. Adams thought the number of hours worked will be fewer, so he was comfortable keeping them the same.

Ms. Viegas asked why the Trustee and Arbitrage rebate calculations increased, as she believed they are one-time charges. Mr. Adams stated that they are charged one time on each bond; however, not all bonds are calculated or invoiced at the same time.

Ms. Viegas stated the Board voted to reduce mosquito spraying to every other week, so the amount should be reduced. Ms. DiNardo felt that additional spraying might be needed. The consensus was to reduce the amount to reflect the current contract.

Ms. Viegas stated the Aviamar entrance was redone and, since no other landscape renovations are needed in Oyster Harbor, she suggested reducing the budgeted amount. Mr. Miller wanted any reduction to be added to the "Contingency" line item. Ms. Viegas expressed concern about increasing assessments. The consensus was to reduce "Improvements and Renovations" to \$50,000 and increase "Contingency" to \$25,000.

Ms. Viegas stated the CDD is no longer using Passarella and Associates, as noted on Page 3, so the verbiage should be changed to FL GIS Solutions, LLC. She asked if the amount should be adjusted. Mr. Adams stated most of the amount is engineering, so the difference would be minimal; the contracted hourly rate was adjusted accordingly.

Ms. Viegas asked if the new SOLitude contract increase was factored into the total on Page 4. Mrs. Adams would review and adjust as necessary.

Ms. Viegas stated the "Other Contractual - Mosquito Spraying" verbiage should reflect that spraying is done every other week.

Ms. Viegas believed two of the amounts in the Adopted Budget Fiscal Year 2022 column, on Page 7, reflected Fiscal Year 2021 amounts and stated she would forward what she believes is the correct information to Mr. Adams. She thought that the interest expense, on Page 9, needs to be corrected, as it would impact projected fund balance, and an additional minor

correction is needed on page 21. She felt that the debt service numbers, on Page 32, are incorrect, as debt service assessments should remain the same throughout the life of the bond.

Ms. Viegas asked Mr. Cole if paving will be needed in Fiscal Year 2023. Mr. Cole stated nothing major is expected; he predicted only minor pothole repairs.

On MOTION by Ms. DiNardo and seconded by Mr. Miller, with all in favor, Resolution 2022-02, Approving a Proposed Budget for Fiscal Year 2022/2023, as amended, and Setting a Public Hearing Thereon Pursuant to Florida Law for August 24, 2022, at 10:00 a.m., at the Fiddler’s Creek Club and Spa, 3470 Club Center Boulevard, Naples, Florida 34114; Addressing Transmittal, Posting and Publication Requirements; Addressing Severability; and Providing an Effective Date, was adopted.

EIGHTH ORDER OF BUSINESS

Consideration of Resolution 2022-03, Designating Dates, Times and Locations for Regular Meetings of the Board of Supervisors of the District for Fiscal Year 2022/2023 and Providing for an Effective Date

Mrs. Adams presented Resolution 2022-03.

The following change was made to the Fiscal Year 2023 Meeting Schedule:

DATE: Change “December 28, 2022” to “December 14, 2022”

On MOTION by Ms. DiNardo and seconded by Mr. Miller, with all in favor, Resolution 2022-03, Designating Dates, Times and Locations for Regular Meetings of the Board of Supervisors of the District for Fiscal Year 2022/2023, as amended, and Providing for an Effective Date, was adopted.

▪ **Update: Status of Traffic Light**

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

Mr. Cole stated the consultant designing the traffic light submitted a preliminary plan to the Florida Department of Transportation (FDOT). The consultant is obtaining ground penetrating radar information and will continue with the soil samples and underground information required for installation. Mr. Cole is working with Mr. Jim Banks, the consultant

who assisted with the warrant study, who was preparing the variance request for the turn lanes, which the FDOT indicated they would approve.

Mr. Cole hoped to have information regarding a conceptual plan before the next meeting. He anticipated installation of the light in the fall of 2023.

▪ **Update: Funding for Traffic Signal at US 41 and Sandpiper Drive**

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

Mr. Miller recalled that the previous estimate was over \$1 million and the total is now reduced by 10%. He asked if the estimate might increase again. Mr. Cole was unsure. He stated the overall budget is still \$950,000, but the County contribution was originally estimated at 20%. Mr. Banks thinks the County will contribute nothing and 7-Eleven will only contribute about 5%, depending on total traffic percentages allocated to the signal per the report submitted to the FDOT. Ms. DiNardo asked if future anticipated traffic was included. Mr. Cole replied affirmatively.

Mr. Cole reviewed the revised costs shown in the agenda and noted that the original preliminary opinion of cost was \$660,000 and the estimate increased by 20% for inflation, since January 2021. The consensus was that the amount is subject to change. Mr. Cole stated the issue is how much money is needed upfront for the project to go to contract. The current estimate is \$835,000, split between CDD #1 and CDD #2.

The revised numbers, the amount budgeted last year, CDD #2's up-front contribution, amounts to be reimbursed by Halvorsen to CDD #2, and what needs to be budgeted for Fiscal Year 2023 were discussed.

The potential Line of Credit (LOC) and the surplus fund balance were discussed as options to pay for the amount needed rather than adding to the Operations & Maintenance (O&M) assessment. Mr. Adams stated the surplus fund balance is \$1.5 million. He explained that part of the issue is that CDD #2 will not receive the Halvorsen contribution up front, but the cash is needed up front for the project to proceed. The CDD can pay fund balance back once the Halvorsen funds are received.

The consensus was that it is better for the CDD to borrow from itself and then borrow from the LOC if needed.

Mr. Adams stated \$100,000 would be used from the surplus funds after repayment. It was agreed that use of the surplus fund balance is the best strategy.

NINTH ORDER OF BUSINESS

Discussion/ Consideration: Oyster Harbor Fountain Utility Bills – April 2016 to Present

Mrs. Adams stated she was contacted weeks ago by the Oyster Harbor property manager regarding Florida Power & Light (FPL) and water bills that the property manager felt are the CDD's obligation. Mr. Nuzzo stated, in April of 2021, he was told by Southwest Management that the utility line item in the budget was incorrect, and the amount was supposed to be returned to Oyster Harbor. Mrs. Adams stated the electric meters are owned by the HOA. The water utility is for the fountain but, when the CDD accepted the fountain, the water utility was not transferred to the CDD. Oyster Harbor's HOA was requesting reimbursement for the water bills since the CDD accepted the fountain on April 1, 2016.

Mr. Miller asked if there is any basis for the CDD to object to the request. Mrs. Adams did not believe so; the HOA neglected to transfer the water meter over, which was the HOA's fault; however, she saw no reason the request should be rejected. Ms. Viegas noted there were extreme fluctuations in the bills she had reviewed, such as going from 0 gallons used in a month to 59 gallons used in a month. She asked if the water meter should be checked. The consensus was to reimburse the HOA for the water utility bills the CDD should have incurred.

On MOTION by Ms. DiNardo and seconded by Ms. Viegas, with all in favor, reimbursing the HOA for the Oyster Harbor Fountain water utility bills, from April 2016 to the present, was approved.

Regarding the irregularities, Mrs. Adams stated the amounts are still less than the other two fountains. The consensus was to leave them alone.

TENTH ORDER OF BUSINESS

Update: Status of Petition for Boundary Amendment

This item was presented following the Eleventh Order of Business.

ELEVENTH ORDER OF BUSINESS

Update: Status of First Horizon Term Sheet for Revolving Line of Credit (Renewal)

Mr. Adams stated his contact at First Horizon is not responding. The last communication was in mid-April when he claimed it was in the works. Mr. Adams asked Mr. Miller to contact his contact. Mr. Miller asked Mr. Adams to forward the last email he received.

▪ **Update: Status of Petition for Boundary Amendment**

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

Mr. Pires stated he received an email from Ms. Silvia Alderman indicating that the State approved CDD #1's application, as of May 23, 2022. Asked if CDD #2 needs to inform the County, Mr. Pires stated he will contact Mr. Urbancic to request a copy of the certified ruling and have him send it to the County.

Mr. Miller asked how the CDD will bill for these new equivalent residential units (ERUs). Mr. Pires and Mr. Adams will find out.

TWELFTH ORDER OF BUSINESS

Consideration of Hole Montes, Inc., Stormwater Management Needs Analysis Report

Mr. Cole stated the Report submitted by the deadline for inclusion in the agenda was incomplete because he did not have numbers from Mr. Adams yet, but the Report is now complete. The spreadsheet provided by Mr. Adams included the last five years of expenses for the stormwater management system and amounts budgeted for Fiscal Year 2022, as well as amounts budgeted for the next five years, with an inflation factor. Mr. Adams stated he maxed it at the allowable 15% without having to provide a narrative; the increase was conservatively estimated, and the Report will be updated every five years. Ms. Viegas stated she reviewed and found errors in the Report. Mr. Cole made the corrections.

On MOTION by Ms. DiNardo and seconded by Mr. Miller, with all in favor, the Stormwater Management Needs Analysis Report, was approved.

THIRTEENTH ORDER OF BUSINESS

Update: Funding for Traffic Signal at US 41 and Sandpiper Drive

This item was presented following the Eighth Order of Business.

FOURTEENTH ORDER OF BUSINESS

Update: Funding of Irrigation System Improvements

A. Metro Pumping Systems, Inc., – ResCom #3 Station PLC Retrofit Control Panel Proposal

B. Metro Pumping Systems, Inc., – ResCom #2 Station Custom Pump System Quotation

Mr. Cole stated he provided the Board with a detailed explanation months ago about the needed repairs. He revised the numbers, as reflected in the agenda book, based on a discussion with Ms. Viegas and the need to split the costs between the CDDs #1 and #2, using a 55%/45% split. Both structural and technical improvements are being made. Pumphouse #2 will be replaced at a cost of \$950,000; the improvement will be significant. Pumphouse #3 is ten years younger than Pumphouses #1 and #2; the control panels will be upgraded.

Mr. Miller asked if this work might help reduce other costs. Mr. Cole replied affirmatively and noted the system will operate more efficiently. The entire system will be new and repair costs will decrease. Mrs. Adams and Mr. Cole discussed replacement of the pumphouses and pumps. It was noted that pumps will still need to be replaced, as their life is shorter than the lifespan of the entire system.

Ms. Viegas noted that the proposals in the agenda were from February and the costs were only guaranteed for 30 days; therefore, the costs could be significantly higher when the work is done. She found this frightening and noted that, due to the dollar amount of this work, it would go to bid, and the Board would be at the mercy of the costs at that time.

Mr. Miller asked if there was a way to tie the O&M assessment to the Consumer Price Index (CPI). Mr. Pires and Mr. Adams indicated that is not possible, based on Florida Statutes and their knowledge.

FIFTEENTH ORDER OF BUSINESS

Update: Status of Traffic Light

This item was presented following the Eighth Order of Business.

SIXTEENTH ORDER OF BUSINESS

Acceptance of Unaudited Financial Statements as of April 30, 2022

Mrs. Adams distributed the Financial Highlights Report. There were no questions.
The financials were accepted.

SEVENTEENTH ORDER OF BUSINESS

Approval of April 27, 2022 Regular Meeting Minutes

Mrs. Adams presented the April 27, 2022 Regular Meeting Minutes.
The following changes were made:
Line 50: Delete "s" after "meetings"
Line 64: Delete "CDD" after "(HOA)"
Line 340: Change "have been" to "were"

On MOTION by Ms. DiNardo and seconded by Ms. Viegas, with all in favor, the April 27, 2022 Regular Meeting Minutes, as amended, were approved.

• **Action/Agenda or Completed Items**

Items 10, 12, 16, 22, 23, 24, 25, 26 and 28 were completed.

EIGHTEENTH ORDER OF BUSINESS

Staff Reports

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

Mr. Pires stated an email was sent to Mr. Stewart Carter. The Amaranda Board will be meeting today to discuss replacement of the dead palms.

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

- **NEXT MEETING DATE: June 22, 2022 at 10:00 A.M.**

- **QUORUM CHECK**

Supervisors DiNardo, Miller, Viegas and Nuzzo confirmed their attendance at the June 22, 2022 meeting.

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

The Monthly Status Report was emailed to the Board and provided as a handout.

Ms. Viegas asked where the \$38,000 expense for the Aviamar land bridge repairs will be coded in the budget. Mrs. Adams stated it will be included under "Roadway maintenance."

Ms. Viegas asked if Passarella delivered the files, per the contract. Mrs. Adams stated no. She asked Mr. Cole for the CAD files for landscaping. Ms. Viegas asked if there is anything the CDD should do to obtain the files from Passarella. Mr. Cole stated he has the data. It was noted that Passarella has the CDD's data. Mr. Miller asked if the files are public records. Mrs. Adams replied affirmatively, and stated Mr. Pires could get involved. Mr. Pires asked if the contract requires return of work product. The consensus was there is nothing the CDD needs to do.

Ms. Viegas asked if there is an update on the Oyster Harbor insurance claim. Mrs. Adams stated there was no update.

NINETEENTH ORDER OF BUSINESS

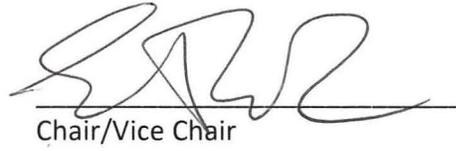
Adjournment

There being no further business to discuss, the meeting adjourned at 12:16 p.m.

[SIGNATURES APPEAR ON THE FOLLOWING PAGE]



Secretary/Assistant Secretary



Chair/Vice Chair