

# **FIDDLER'S CREEK**

**COMMUNITY DEVELOPMENT**

**DISTRICT #2**

**February 22, 2023**

**BOARD OF SUPERVISORS**

**REGULAR MEETING**

**AGENDA**

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

**AGENDA  
LETTER**

# 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

February 15, 2023

Board of Supervisors  
Fiddler's Creek Community Development District #2

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

Dear Board Members:

The Board of Supervisors of the Fiddler's Creek Community Development District #2 will hold a Regular Meeting on February 22, 2023 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 minutes per speaker*)
3. Continued Discussion: Claim Against Fiddler's Creek CDD #1 Regarding Anticipatory Breach of Interlocal Agreement [Traffic Signal Cost Sharing]
4. Health, Safety and Environment Report
  - A. Irrigation and Pressure Washing Efforts
  - B. Security and Safety Update
5. Discussion/Consideration of Rescheduling the May Meeting to May 31, 2023 at 10:00 AM
6. Developer's Report/Update
7. Engineer's Report: *Hole Montes, Inc.*
  - Update: Pumphouse Replacement Bid
8. Continued Discussion/Consideration of Proposals for CDD Insurance
9. Discussion/Consideration of Trimmers Holiday Decor, Inc., Proposal for US 41 Entry Lighting
10. Acceptance of Unaudited Financial Statements as of January 31, 2023
11. Approval of January 25, 2023 Regular Meeting Minutes
12. Action/Agenda or Completed Items

13. Staff Reports

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

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

- NEXT MEETING DATE: March 22, 2023 at 10:00 AM

○ QUORUM CHECK

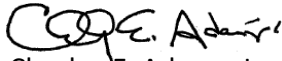
|        |                  |                          |           |                          |       |                          |    |
|--------|------------------|--------------------------|-----------|--------------------------|-------|--------------------------|----|
| SEAT 1 | VICTORIA DiNARDO | <input type="checkbox"/> | IN PERSON | <input type="checkbox"/> | PHONE | <input type="checkbox"/> | NO |
| SEAT 2 | ELLIOT MILLER    | <input type="checkbox"/> | IN PERSON | <input type="checkbox"/> | PHONE | <input type="checkbox"/> | NO |
| SEAT 3 | LINDA VIEGAS     | <input type="checkbox"/> | IN PERSON | <input type="checkbox"/> | PHONE | <input type="checkbox"/> | NO |
| SEAT 4 | JOHN P. NUZZO    | <input type="checkbox"/> | IN PERSON | <input type="checkbox"/> | PHONE | <input type="checkbox"/> | NO |
| SEAT 5 | BILL KLUG        | <input type="checkbox"/> | IN PERSON | <input type="checkbox"/> | PHONE | <input type="checkbox"/> | NO |

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

14. Adjournment

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

Sincerely,

  
 Chesley E. Adams, Jr.  
 District Manager

**FOR BOARD MEMBERS AND STAFF TO ATTEND BY TELEPHONE**  
**CALL IN NUMBER: 1-888-354-0094**  
**PARTICIPANT PASSCODE: 709 724 7992**

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

**4A**

# CDD 2 Pressure Washing/ Irrigation

- CDD 2  
CONTRACTED  
RESPONSIBILITIES

- 1. Tree Canopy Trimming
- 2. Irrigation
  - [irrigation@fiddlerscreek.com](mailto:irrigation@fiddlerscreek.com)
- 3. Pressure Washing
  - [Pressurewashing@fiddlerscreek.com](mailto:Pressurewashing@fiddlerscreek.com)

## • IRRIGATION PROJECTED USAGE

- 20 Programmed Village Satellites
  - Monday, Wednesday, Saturday
  - 9:00pm-8:00am
  - 14 Run Cycles no rain holds
- 9 Programmed Common Satellites
  - Tuesday, Thursday, Sunday
  - 14 Run Cycles no rain holds
- January Water Estimated Usage
  - 5,876,542 Gallons
- Total Water Usage in January was 53,536,037 Gallons versus 55,848,304 Gallons in 2022





- Pressure Washing
  - Finished Pressure washing Fiddlers Creek Parkway and Marsh Point Parking lot.
- Currently Pressure washing Mahogany Bend Drive
  - Championship Drive is the next area intended to be pressured washed
  - Marsh Cove is projected to be the next area after Championship is completed



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

**4B**

# Safety Department Update

---

Department of Safety, Health & Environment

DIRECTOR – Ryan Hennessey  
SAFETY MANAGER – Richard Renaud



Fiddler's Creek®

# Gate Access Control

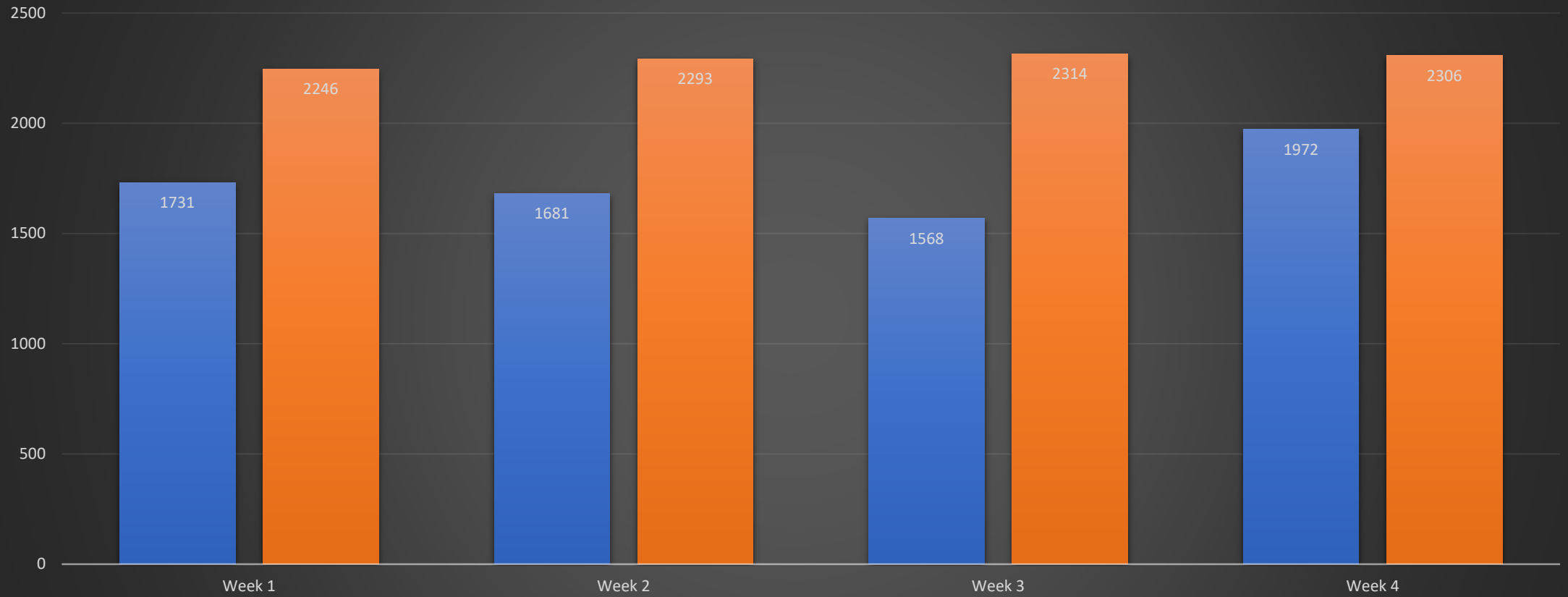
- Call the automated gate house at 239-529-4139
- Enter your guest information on the member's website
- Use the Fiddler's Creek mobile app to register guests
- IF YOU EXPERIENCE DIFFICULTY WITH ANY OF THESE,  
PLEASE SEND THE INFORMATION TO  
[safety@fiddlerscreek.com](mailto:safety@fiddlerscreek.com), ALWAYS INCLUDE YOUR NAME  
AND ADDRESS.
- **Community Patrol 239-919-3705**

**WE ARE NOT FIRST RESPONDERS, ALWAYS CALL 911 FOR AN  
EMERGENCY**

**THEN CALL COMMUNITY PATROL TO INFORM THEM OF THE  
INCIDENT**

# Occupancy: Dec. 2022 - Jan. 2023

Total Units 3114



■ 22-Dec ■ 23-Jan

# GATEHOUSES and PATROLS

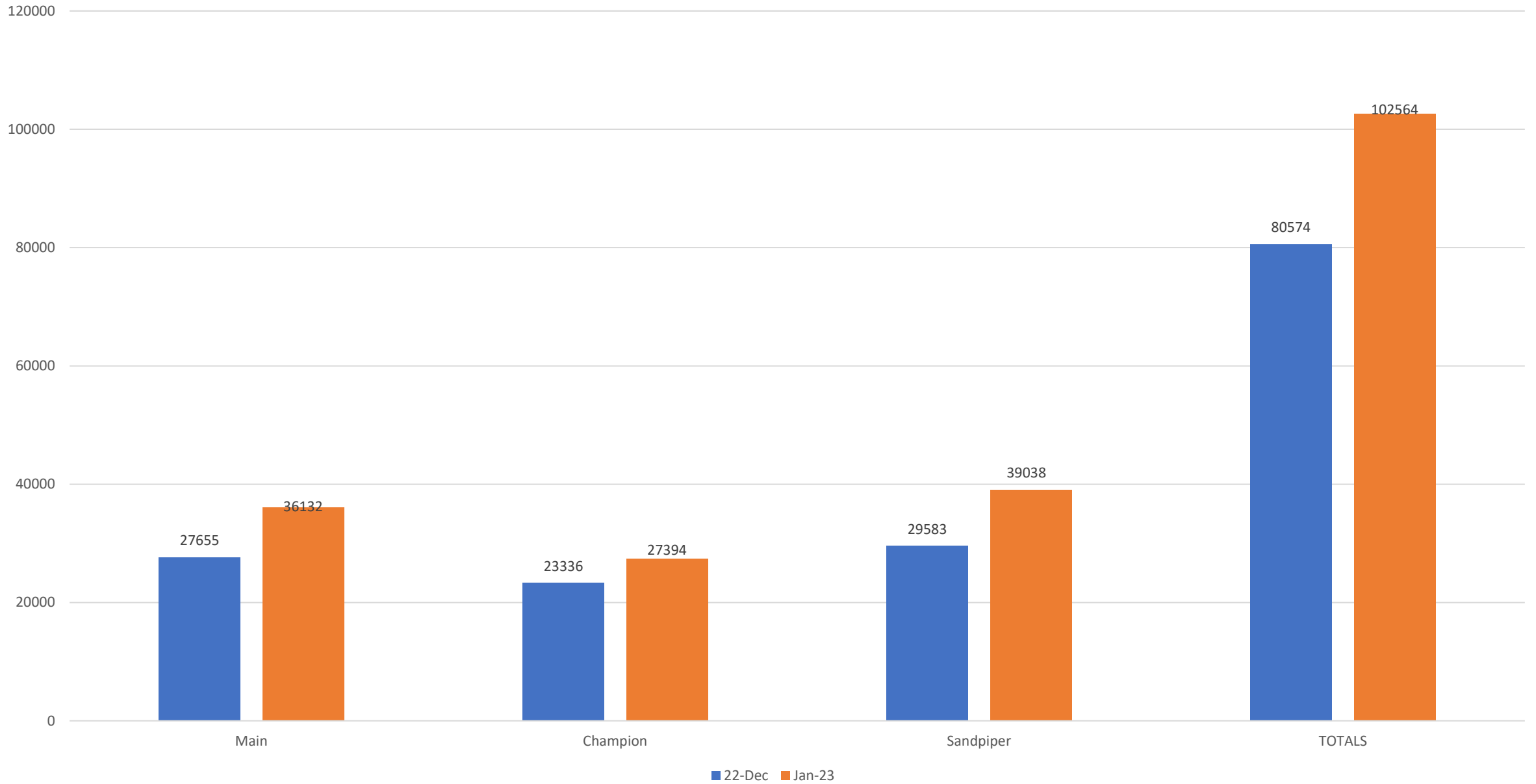
---

- Sandpiper, Championship, Main
- 24x7
- 2 Patrols per shift.
- 24x7

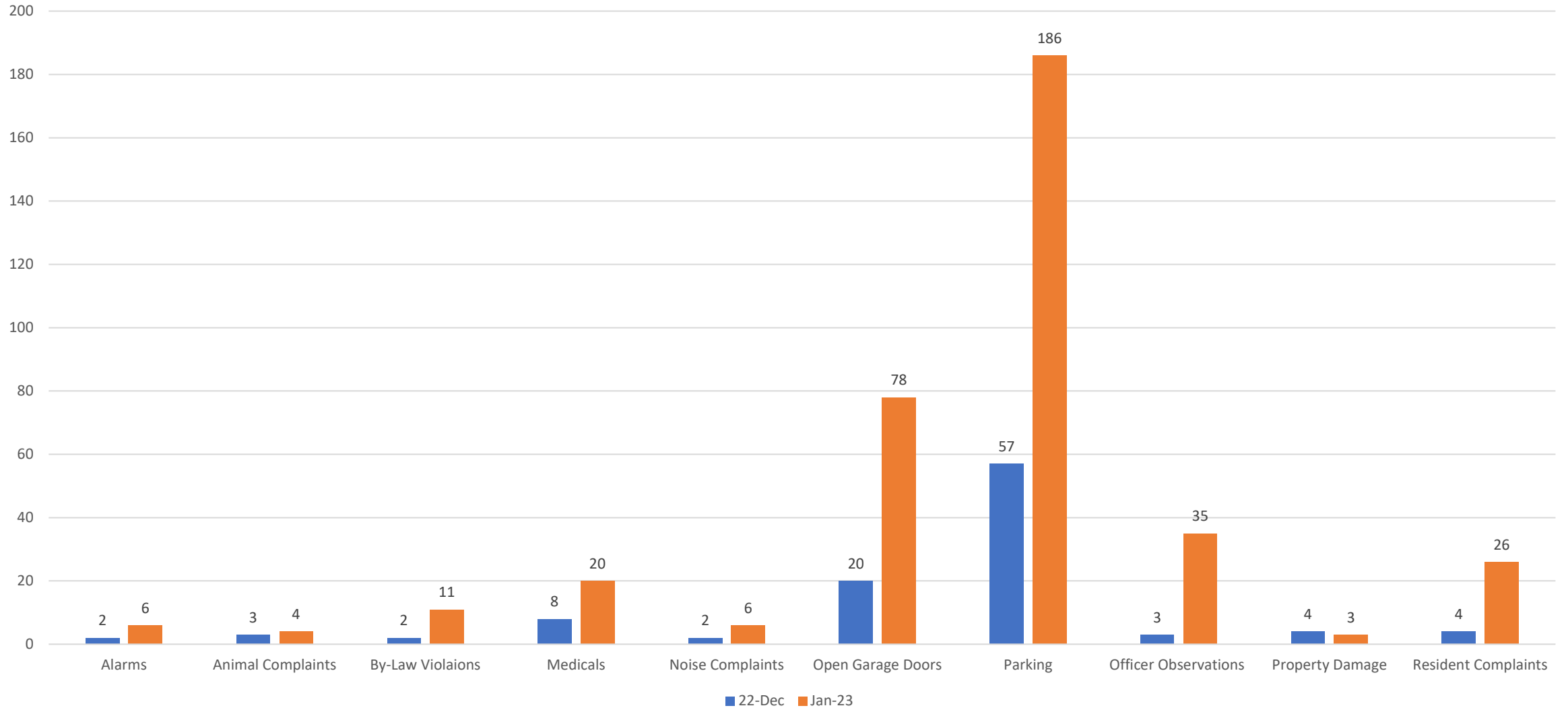


# Gatehouse Activity by Gate

## December, 2022 - January 2023



### Incident Reports / Responses Dec., 2022 - Jan., 2023





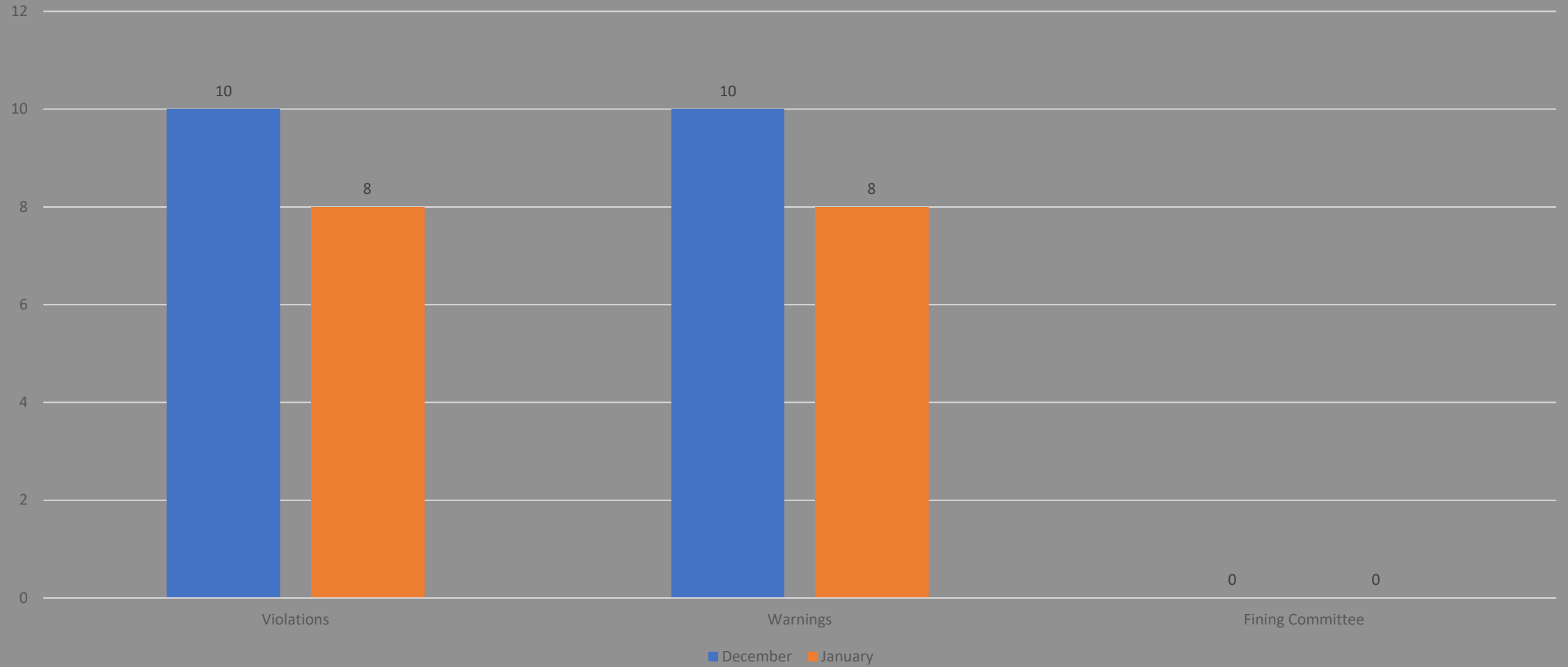
# SPEED DETECTION and ENFORCEMENT

---

- Portable speed detection device.
- Deployed throughout Fiddler's Creek at random
- Fixed devices located on Fiddler's Creek Parkway and Cherry Oaks Trail



# Traffic Hawk Speed Violations December-January



QUESTIONS?

- Thank you



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

**9**



# TRIMMERS

---

## HOLIDAY DECOR INC.

FIDDLERS CREEK  
US 41 ENTRY  
crismondc@whhassociates.com

INSTALL LIGHTING ON 9 ROYAL PALMS

GATEHOUSE

INSTALL C9 LIGHTING ON FRONT ROOFLINE AND TOWER  
INSTALL 2 COLUMN SWAGS WITH BOWS  
INSTALL 6' TOWER WREATH WITH LIGHTS AND BOW

SERVICE INCLUDES:

INSTALLATION OF PREMIUM, COMMERCIAL GRADE QUALITY LED WARM  
WHITE COAXIAL LIGHTING, AND DÉCOR  
BILL KILGUS, OWNER, ON CALL BY CELL 289-2590  
TAKE DOWN AND STORAGE

TOTAL .....\$5,000.00 PER YEAR

CONTRACT FOR 2023, 2024 & 2025 HOLIDAY SEASONS

\*Contract will automatically renew unless notification by either party by March 1<sup>st</sup>  
after the 2025 decorating season.

\*Please have all palms trimmed prior to October 1<sup>st</sup>

Trimmers Holiday Décor, Inc. retains ownership of all merchandise.

50% DUE OCTOBER 1ST OF EACH YEAR

50% DUE JANUARY 15TH OF EACH YEAR

5% late fee for payments received later than 15 days past due date

ACCEPTED BY: \_\_\_\_\_ DATE: \_\_\_\_\_

PLEASE SIGN & EMAIL BACK TO: [BILL@TRIMMERSHD.COM](mailto:BILL@TRIMMERSHD.COM)

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

**UNAUDITED  
FINANCIAL  
STATEMENTS**

**FIDDLER'S CREEK  
COMMUNITY DEVELOPMENT DISTRICT #2  
FINANCIAL STATEMENTS  
UNAUDITED  
JANUARY 31, 2023**

**FIDDLER'S CREEK  
COMMUNITY DEVELOPMENT DISTRICT #2  
BALANCE SHEET  
GOVERNMENTAL FUNDS  
JANUARY 31, 2023**

|  | General             | Debt Service Series 2004 | Debt Service Series 2005 | Debt Service Series 2014-1A | Debt Service Series 2014-1B | Debt Service Series 2014-2A | Debt Service Series 2014-2B | Debt Service Series 2014-3 | Debt Service Series 2015A-1 | Debt Service Series 2015A-2 | Debt Service Series 2015B | Debt Service Series 2019 | Capital Projects Series 2014-2 | Capital Projects Series 2015A-1 | Total Governmental Funds |
|--|---------------------|--------------------------|--------------------------|-----------------------------|-----------------------------|-----------------------------|-----------------------------|----------------------------|-----------------------------|-----------------------------|---------------------------|--------------------------|--------------------------------|---------------------------------|--------------------------|
| <b>ASSETS</b>  |                     |                          |                          |                             |                             |                             |                             |                            |                             |                             |                           |                          |                                |                                 |                          |
| Cash   | \$ 3,434,201        | \$ -                     | \$ -                     | \$ -                        | \$ -                        | \$ -                        | \$ -                        | \$ -                       | \$ -                        | \$ -                        | \$ -                      | \$ -                     | \$ -                           | \$ -                            | \$ 3,434,201             |
| Investments  |                     |                          |                          |                             |                             |                             |                             |                            |                             |                             |                           |                          |                                |                                 |                          |
| Revenue A  | -                   | 156,017                  | 259,980                  | -                           | -                           | 6,035                       | -                           | 129,615                    | 363,832                     | 122,819                     | -                         | 1,267,884                | -                              | -                               | 2,306,182                |
| Revenue B  | -                   | -                        | -                        | -                           | 349,664                     | -                           | 382,003                     | -                          | -                           | -                           | -                         | -                        | -                              | -                               | 731,667                  |
| Reserve A  | -                   | 52,757                   | 52,758                   | -                           | -                           | -                           | -                           | 105,498                    | 114,482                     | 38,231                      | -                         | 152,760                  | -                              | -                               | 516,486                  |
| Reserve B  | -                   | -                        | -                        | -                           | 130,543                     | -                           | 130,543                     | -                          | -                           | -                           | 195,012                   | -                        | -                              | -                               | 456,098                  |
| Prepayment A   | -                   | 740                      | 60,405                   | 556                         | -                           | 4,500                       | -                           | 3,491                      | 48,106                      | 13,494                      | -                         | 30,485                   | -                              | -                               | 161,777                  |
| Prepayment B   | -                   | -                        | -                        | -                           | 373                         | -                           | 4,033                       | -                          | -                           | -                           | 4,709                     | -                        | -                              | -                               | 9,115                    |
| Interest   | -                   | 4                        | -                        | -                           | -                           | -                           | -                           | -                          | -                           | -                           | -                         | -                        | -                              | -                               | 4                        |
| Construction   | -                   | -                        | -                        | -                           | -                           | 170                         | -                           | -                          | -                           | -                           | -                         | -                        | 117,891                        | 272,467                         | 390,528                  |
| Sinking  | -                   | -                        | -                        | -                           | 461                         | -                           | 540                         | -                          | -                           | -                           | -                         | -                        | -                              | -                               | 1,001                    |
| Optional redemption  | -                   | -                        | -                        | -                           | -                           | -                           | -                           | 73                         | -                           | -                           | -                         | -                        | -                              | -                               | 73                       |
| COI  | -                   | -                        | -                        | -                           | 14                          | -                           | 14                          | -                          | -                           | -                           | -                         | 17                       | -                              | -                               | 45                       |
| Due from other funds   |                     |                          |                          |                             |                             |                             |                             |                            |                             |                             |                           |                          |                                |                                 |                          |
| Debt service fund series 2004                                      | -                   | -                        | 25,559                   | -                           | -                           | -                           | -                           | -                          | -                           | -                           | -                         | -                        | -                              | -                               | 25,559                   |
| Debt service fund series 2014-1A                                   | 321                 | -                        | -                        | -                           | -                           | -                           | -                           | -                          | -                           | -                           | -                         | -                        | -                              | -                               | 321                      |
| Debt service fund series 2014-2A                                   | 1,974               | -                        | -                        | -                           | -                           | -                           | 2,524                       | -                          | -                           | -                           | -                         | -                        | -                              | -                               | 4,498                    |
| Due from other   | 458                 | -                        | -                        | -                           | -                           | -                           | -                           | -                          | -                           | -                           | -                         | -                        | -                              | -                               | 458                      |
| Accounts receivable  | 3,116               | -                        | -                        | -                           | -                           | -                           | -                           | -                          | -                           | -                           | -                         | -                        | -                              | -                               | 3,116                    |
| Total assets   | <u>\$ 3,440,070</u> | <u>\$209,518</u>         | <u>\$398,702</u>         | <u>\$ 556</u>               | <u>\$481,055</u>            | <u>\$ 10,705</u>            | <u>\$519,657</u>            | <u>\$238,677</u>           | <u>\$526,420</u>            | <u>\$174,544</u>            | <u>\$ 199,721</u>         | <u>\$1,451,146</u>       | <u>\$ 117,891</u>              | <u>\$272,467</u>                | <u>\$ 8,041,129</u>      |
| <b>LIABILITIES AND FUND BALANCES</b>                               |                     |                          |                          |                             |                             |                             |                             |                            |                             |                             |                           |                          |                                |                                 |                          |
| <b>Liabilities</b>   |                     |                          |                          |                             |                             |                             |                             |                            |                             |                             |                           |                          |                                |                                 |                          |
| Due to other   | 3,531               | -                        | -                        | -                           | -                           | -                           | -                           | -                          | -                           | -                           | -                         | 3,640                    | -                              | -                               | 7,171                    |
| Due to other funds   |                     |                          |                          |                             |                             |                             |                             |                            |                             |                             |                           |                          |                                |                                 |                          |
| Debt service fund series 2005                                      | -                   | 25,559                   | -                        | -                           | -                           | -                           | -                           | -                          | -                           | -                           | -                         | -                        | -                              | -                               | 25,559                   |
| Debt service fund series 2014-2B                                   | -                   | -                        | -                        | -                           | -                           | 2,524                       | -                           | -                          | -                           | -                           | -                         | -                        | -                              | -                               | 2,524                    |
| Due to general fund  | -                   | -                        | -                        | 321                         | -                           | 1,974                       | -                           | -                          | -                           | -                           | -                         | -                        | -                              | -                               | 2,295                    |
| Due to Developer   | 10,735              | -                        | -                        | -                           | -                           | -                           | -                           | -                          | -                           | -                           | -                         | -                        | -                              | -                               | 10,735                   |
| Due to Fiddler's Creek CDD #1                                      | 46,481              | -                        | -                        | -                           | -                           | -                           | -                           | -                          | -                           | -                           | -                         | -                        | -                              | -                               | 46,481                   |
| Total liabilities  | <u>60,747</u>       | <u>25,559</u>            | <u>-</u>                 | <u>321</u>                  | <u>-</u>                    | <u>4,498</u>                | <u>-</u>                    | <u>-</u>                   | <u>-</u>                    | <u>-</u>                    | <u>-</u>                  | <u>3,640</u>             | <u>-</u>                       | <u>-</u>                        | <u>94,765</u>            |
| <b>DEFERRED INFLOWS OF RESOURCES</b>                               |                     |                          |                          |                             |                             |                             |                             |                            |                             |                             |                           |                          |                                |                                 |                          |
| Deferred receipts  | 450                 | -                        | -                        | -                           | -                           | -                           | -                           | -                          | -                           | -                           | -                         | -                        | -                              | -                               | 450                      |
| Total deferred inflows of resources                                | <u>450</u>          | <u>-</u>                 | <u>-</u>                 | <u>-</u>                    | <u>-</u>                    | <u>-</u>                    | <u>-</u>                    | <u>-</u>                   | <u>-</u>                    | <u>-</u>                    | <u>-</u>                  | <u>-</u>                 | <u>-</u>                       | <u>-</u>                        | <u>450</u>               |
| <b>Fund balances:</b>  |                     |                          |                          |                             |                             |                             |                             |                            |                             |                             |                           |                          |                                |                                 |                          |
| Restricted for:  |                     |                          |                          |                             |                             |                             |                             |                            |                             |                             |                           |                          |                                |                                 |                          |
| Debt service   | -                   | 183,959                  | 398,702                  | 235                         | 481,055                     | 6,207                       | 519,657                     | 238,677                    | 526,420                     | 174,544                     | 199,721                   | 1,447,506                | -                              | -                               | 4,176,683                |
| Capital projects   | -                   | -                        | -                        | -                           | -                           | -                           | -                           | -                          | -                           | -                           | -                         | -                        | 117,891                        | 272,467                         | 390,358                  |
| Unassigned   | 3,378,873           | -                        | -                        | -                           | -                           | -                           | -                           | -                          | -                           | -                           | -                         | -                        | -                              | -                               | 3,378,873                |
| Total fund balances  | <u>3,378,873</u>    | <u>183,959</u>           | <u>398,702</u>           | <u>235</u>                  | <u>481,055</u>              | <u>6,207</u>                | <u>519,657</u>              | <u>238,677</u>             | <u>526,420</u>              | <u>174,544</u>              | <u>199,721</u>            | <u>1,447,506</u>         | <u>117,891</u>                 | <u>272,467</u>                  | <u>7,945,914</u>         |
| Total liabilities, deferred inflows of resources and fund balances | <u>\$ 3,440,070</u> | <u>\$209,518</u>         | <u>\$398,702</u>         | <u>\$ 556</u>               | <u>\$481,055</u>            | <u>\$ 10,705</u>            | <u>\$519,657</u>            | <u>\$238,677</u>           | <u>\$526,420</u>            | <u>\$174,544</u>            | <u>\$ 199,721</u>         | <u>\$1,451,146</u>       | <u>\$ 117,891</u>              | <u>\$272,467</u>                | <u>\$ 8,041,129</u>      |



**FIDDLER'S CREEK  
COMMUNITY DEVELOPMENT DISTRICT #2  
STATEMENT OF REVENUES, EXPENDITURES,  
AND CHANGES IN FUND BALANCES  
GENERAL FUND  
FOR THE PERIOD ENDED JANUARY 31, 2023**

|                                | Current<br>Month | Year to<br>Date  | Budget           | % of<br>Budget |
|--------------------------------|------------------|------------------|------------------|----------------|
| <b>REVENUES</b>                |                  |                  |                  |                |
| Assessment levy: on-roll - net | \$ 56,746        | \$ 1,819,056     | \$2,459,310      | 74%            |
| Interest & miscellaneous       | -                | 21,631           | 7,500            | 288%           |
| Total revenues                 | <u>56,746</u>    | <u>1,840,687</u> | <u>2,466,810</u> | 75%            |
| <b>EXPENDITURES</b>            |                  |                  |                  |                |
| <b>Administrative</b>          |                  |                  |                  |                |
| Supervisors                    | 1,076            | 2,153            | 14,369           | 15%            |
| Management                     | 7,056            | 28,221           | 84,662           | 33%            |
| Assessment roll preparation    | -                | 22,500           | 22,500           | 100%           |
| Audit                          | -                | -                | 16,500           | 0%             |
| Legal - general                | 1,258            | 2,808            | 25,000           | 11%            |
| Engineering                    | 2,805            | 11,726           | 50,000           | 23%            |
| Telephone                      | 27               | 109              | 335              | 33%            |
| Postage                        | 768              | 984              | 2,000            | 49%            |
| Insurance                      | -                | 15,820           | 15,200           | 104%           |
| Printing and binding           | 50               | 198              | 595              | 33%            |
| Legal advertising              | -                | -                | 2,000            | 0%             |
| Office supplies                | -                | -                | 750              | 0%             |
| Annual district filing fee     | -                | 175              | 175              | 100%           |
| Trustee                        | 7,000            | 21,140           | 31,500           | 67%            |
| Arbitrage rebate calculation   | 1,500            | 2,000            | 8,000            | 25%            |
| ADA website compliance         | -                | 210              | 900              | 23%            |
| Contingency                    | 76               | 6,418            | 10,000           | 64%            |
| Total administrative           | <u>21,616</u>    | <u>114,462</u>   | <u>284,486</u>   | 40%            |
| <b>Field management</b>        |                  |                  |                  |                |
| Field management services      | 952              | 3,808            | 11,424           | 33%            |
| Total field management         | <u>952</u>       | <u>3,808</u>     | <u>11,424</u>    | 33%            |
| <b>Water management</b>        |                  |                  |                  |                |
| Other contractual              | 6,197            | 24,790           | 126,712          | 20%            |
| Fountains                      | 59,287           | 104,798          | 167,500          | 63%            |
| Total water management         | <u>65,484</u>    | <u>129,588</u>   | <u>294,212</u>   | 44%            |
| <b>Street lighting</b>         |                  |                  |                  |                |
| Contractual services           | 2,406            | 4,823            | 15,000           | 32%            |
| Electricity                    | 757              | 2,816            | 10,000           | 28%            |
| Capital outlay                 | -                | -                | 10,000           | 0%             |
| Miscellaneous                  | -                | 7,806            | 10,000           | 78%            |
| Total street lighting          | <u>3,163</u>     | <u>15,445</u>    | <u>45,000</u>    | 34%            |

**FIDDLER'S CREEK  
COMMUNITY DEVELOPMENT DISTRICT #2  
STATEMENT OF REVENUES, EXPENDITURES,  
AND CHANGES IN FUND BALANCES  
GENERAL FUND  
FOR THE PERIOD ENDED JANUARY 31, 2023**

|  | Current<br>Month    | Year to<br>Date     | Budget              | % of<br>Budget |
|--|---------------------|---------------------|---------------------|----------------|
| <b>Landscaping</b>   |                     |                     |                     |                |
| Other contractual  | 5,058               | 162,040             | 1,000,000           | 16%            |
| Other contractual-mosquito spraying                          | 2,065               | 2,065               | 23,000              | 9%             |
| Improvements and renovations                                 | -                   | 21,073              | 50,000              | 42%            |
| Contingencies  | 1,500               | 2,480               | 25,000              | 10%            |
| Hurricane clean-up   | 10,400              | 10,400              | -                   | N/A            |
| Total landscaping  | <u>19,023</u>       | <u>198,058</u>      | <u>1,098,000</u>    | 18%            |
| <b>Roadway maintenance</b>                                   |                     |                     |                     |                |
| Contractual services (street cleaning)                       | 350                 | 1,050               | 5,000               | 21%            |
| Roadway maintenance  | 480                 | 575                 | 100,000             | 1%             |
| Roadway capital outlay                                       | -                   | -                   | 35,000              | 0%             |
| Total roadway services                                       | <u>830</u>          | <u>1,625</u>        | <u>140,000</u>      | 1%             |
| <b>Irrigation</b>  |                     |                     |                     |                |
| Controller repairs & maintenance                             | 52                  | 210                 | 2,000               | 11%            |
| Other contractual-irrigation manager                         | -                   | 515                 | 50,000              | 1%             |
| Supply system  | 8,586               | 33,777              | 452,025             | 7%             |
| Total irrigation   | <u>8,638</u>        | <u>34,502</u>       | <u>504,025</u>      | 7%             |
| <b>Other fees &amp; charges</b>                              |                     |                     |                     |                |
| Property appraiser   | -                   | -                   | 38,427              | 0%             |
| Tax collector  | 1,135               | 36,362              | 51,236              | 71%            |
| Total other fees & charges                                   | <u>1,135</u>        | <u>36,362</u>       | <u>89,663</u>       | 41%            |
| Total expenditures and other charges                         | <u>120,841</u>      | <u>533,850</u>      | <u>2,466,810</u>    | 22%            |
| Excess/(deficiency) of revenues<br>over/(under) expenditures | (64,095)            | 1,306,837           | -                   |                |
| Fund balances - beginning                                    | 3,442,968           | 2,072,036           | 1,566,768           |                |
| Fund balances - ending                                       | <u>\$ 3,378,873</u> | <u>\$ 3,378,873</u> | <u>\$ 1,566,768</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 JANUARY 31, 2023**

|  | Current<br>Month  | Year to<br>Date   | Budget            | % of<br>Budget |
|--|-------------------|-------------------|-------------------|----------------|
| <b>REVENUES</b>  |                   |                   |                   |                |
| Assessment levy: on-roll - net                               | \$ 775            | \$ 24,838         | \$ 33,600         | 74%            |
| Interest   | 588               | 1,852             | -                 | N/A            |
| Total revenues   | <u>1,363</u>      | <u>26,690</u>     | <u>33,600</u>     | 79%            |
| <b>EXPENDITURES</b>  |                   |                   |                   |                |
| <b>Debt service</b>  |                   |                   |                   |                |
| Principal  | -                 | -                 | 10,000            | 0%             |
| Interest   | -                 | 7,762             | 15,525            | 50%            |
| Total debt service   | <u>-</u>          | <u>7,762</u>      | <u>25,525</u>     | 30%            |
| <b>Other fees &amp; charges</b>                              |                   |                   |                   |                |
| Property appraiser   | -                 | -                 | 525               | 0%             |
| Tax collector  | 15                | 497               | 700               | 71%            |
| Total other fees & charges                                   | <u>15</u>         | <u>497</u>        | <u>1,225</u>      | 41%            |
| Total expenditures   | <u>15</u>         | <u>8,259</u>      | <u>26,750</u>     | 31%            |
| Excess/(deficiency) of revenues<br>over/(under) expenditures | 1,348             | 18,431            | 6,850             |                |
| Fund balances - beginning                                    | 182,611           | 165,528           | 164,071           |                |
| Fund balances - ending                                       | <u>\$ 183,959</u> | <u>\$ 183,959</u> | <u>\$ 170,921</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 JANUARY 31, 2023**

|  | Current<br>Month  | Year to<br>Date   | Budget            | % of<br>Budget |
|--|-------------------|-------------------|-------------------|----------------|
| <b>REVENUES</b>  |                   |                   |                   |                |
| Assessment levy: on-roll - net                               | \$ 4,310          | \$ 138,164        | \$ 190,160        | 73%            |
| Prepayment assessments                                       | -                 | 57,144            | -                 | N/A            |
| Interest   | 802               | 2,520             | -                 | N/A            |
| Total revenues   | <u>5,112</u>      | <u>197,828</u>    | <u>190,160</u>    | 104%           |
| <b>EXPENDITURES</b>  |                   |                   |                   |                |
| <b>Debt service</b>  |                   |                   |                   |                |
| Principal  | -                 | -                 | 70,000            | 0%             |
| Principal prepayment   | -                 | 30,000            | -                 | N/A            |
| Interest   | -                 | 53,850            | 107,700           | 50%            |
| Total debt service   | <u>-</u>          | <u>83,850</u>     | <u>177,700</u>    | 47%            |
| <b>Other fees &amp; charges</b>                              |                   |                   |                   |                |
| Property appraiser   | -                 | -                 | 2,971             | 0%             |
| Tax collector  | 86                | 2,762             | 3,962             | 70%            |
| Total other fees & charges                                   | <u>86</u>         | <u>2,762</u>      | <u>6,933</u>      | 40%            |
| Total expenditures   | <u>86</u>         | <u>86,612</u>     | <u>184,633</u>    | 47%            |
| Excess/(deficiency) of revenues<br>over/(under) expenditures | 5,026             | 111,216           | 5,527             |                |
| Fund balances - beginning                                    | 393,676           | 287,486           | 258,437           |                |
| Fund balances - ending                                       | <u>\$ 398,702</u> | <u>\$ 398,702</u> | <u>\$ 263,964</u> |                |

**FIDDLER'S CREEK  
COMMUNITY DEVELOPMENT DISTRICT #2  
STATEMENT OF REVENUES, EXPENDITURES,  
AND CHANGES IN FUND BALANCES  
DEBT SERVICE EXCHANGE FUND SERIES 2014-1A  
EXCHANGED SERIES 2004 AND BIFURCATED SERIES 2014-1  
FOR THE PERIOD ENDED JANUARY 31, 2023**

|  | Current<br>Month | Year to<br>Date | Budget         | % of<br>Budget |
|--|------------------|-----------------|----------------|----------------|
| <b>REVENUES</b>  |                  |                 |                |                |
| Assessment levy: off-roll                                    | \$ -             | \$ 87,581       | \$ 280,163     | 31%            |
| Interest   | 2                | 6               | -              | N/A            |
| Total revenues   | <u>2</u>         | <u>87,587</u>   | <u>280,163</u> | 31%            |
| <b>EXPENDITURES</b>  |                  |                 |                |                |
| <b>Debt service</b>  |                  |                 |                |                |
| Principal  | -                | -               | 105,000        | 0%             |
| Interest   | -                | 87,581          | 175,163        | 50%            |
| Total expenditures   | <u>-</u>         | <u>87,581</u>   | <u>280,163</u> | 31%            |
| Excess/(deficiency) of revenues<br>over/(under) expenditures | 2                | 6               | -              |                |
| Fund balances - beginning                                    | 233              | 229             | 227            |                |
| Fund balances - ending                                       | <u>\$ 235</u>    | <u>\$ 235</u>   | <u>\$ 227</u>  |                |

On June 15, 2018, the District bifurcated the Series 2014-1 Bonds into two separate Bond Series- Series 2014-1 and Series 2014-1B. As a result of the bifurcation, the par amount of the Series 2014-1 Bonds is \$4,000,000; the par amount of the Series 2014-1B Bonds is \$3,815,000.

**FIDDLER'S CREEK  
COMMUNITY DEVELOPMENT DISTRICT #2  
STATEMENT OF REVENUES, EXPENDITURES,  
AND CHANGES IN FUND BALANCES  
DEBT SERVICE EXCHANGE FUND SERIES 2014-1B  
EXCHANGED SERIES 2004 AND BIFURCATED SERIES 2014-1  
FOR THE PERIOD ENDED JANUARY 31, 2023**

|  | Current<br>Month  | Year to<br>Date   | Budget            | % of<br>Budget |
|--|-------------------|-------------------|-------------------|----------------|
| <b>REVENUES</b>  |                   |                   |                   |                |
| Assessment levy: on-roll - net                               | \$ 8,591          | \$ 275,407        | \$ 372,345        | 74%            |
| Interest   | 779               | 2,620             | -                 | N/A            |
| Total revenues   | <u>9,370</u>      | <u>278,027</u>    | <u>372,345</u>    | 75%            |
| <b>EXPENDITURES</b>  |                   |                   |                   |                |
| <b>Debt service</b>  |                   |                   |                   |                |
| Principal  | -                 | -                 | 135,000           | 0%             |
| Interest   | -                 | 112,387           | 224,775           | 50%            |
| Total debt service   | <u>-</u>          | <u>112,387</u>    | <u>359,775</u>    | 31%            |
| <b>Other fees &amp; charges</b>                              |                   |                   |                   |                |
| Property appraiser   | -                 | -                 | 5,818             | 0%             |
| Tax collector  | 172               | 5,505             | 7,757             | 71%            |
| Total other fees & charges                                   | <u>172</u>        | <u>5,505</u>      | <u>13,575</u>     | 41%            |
| Total expenditures   | <u>172</u>        | <u>117,892</u>    | <u>373,350</u>    | 32%            |
| Excess/(deficiency) of revenues<br>over/(under) expenditures | 9,198             | 160,135           | (1,005)           |                |
| Fund balances - beginning                                    | 471,857           | 320,920           | 311,162           |                |
| Fund balances - ending                                       | <u>\$ 481,055</u> | <u>\$ 481,055</u> | <u>\$ 310,157</u> |                |

On June 15, 2018, the District bifurcated the Series 2014-1 Bonds into two separate Bond Series- Series 2014-1 and Series 2014-1B. As a result of the bifurcation, the par amount of the Series 2014-1 Bonds is \$4,000,000; the par amount of the Series 2014-1B Bonds is \$3,815,000.

**FIDDLER'S CREEK  
COMMUNITY DEVELOPMENT DISTRICT #2  
STATEMENT OF REVENUES, EXPENDITURES,  
AND CHANGES IN FUND BALANCES  
DEBT SERVICE EXCHANGE FUND SERIES 2014-2A  
EXCHANGED SERIES 2005 AND BIFURCATED SERIES 2014-2  
FOR THE PERIOD ENDED JANUARY 31, 2023**

|  | Current<br>Month | Year to<br>Date | Budget            | % of<br>Budget |
|--|------------------|-----------------|-------------------|----------------|
| <b>REVENUES</b>  |                  |                 |                   |                |
| Assessment levy: off-roll                                    | \$ -             | \$ 170,249      | \$ 538,500        | 32%            |
| Interest   | 33               | 159             | -                 | N/A            |
| Total revenues   | <u>33</u>        | <u>170,408</u>  | <u>538,500</u>    | 32%            |
| <b>EXPENDITURES</b>  |                  |                 |                   |                |
| <b>Debt service</b>  |                  |                 |                   |                |
| Principal  | -                | -               | 210,000           | 0%             |
| Principal prepayment   | -                | 20,000          | -                 | N/A            |
| Interest   | -                | 164,250         | 328,500           | 50%            |
| Total expenditures   | <u>-</u>         | <u>184,250</u>  | <u>538,500</u>    | 34%            |
| Excess/(deficiency) of revenues<br>over/(under) expenditures | 33               | (13,842)        | -                 |                |
| Fund balances - beginning                                    | 6,174            | 20,049          | (1,690)           |                |
| Fund balances - ending                                       | <u>\$ 6,207</u>  | <u>\$ 6,207</u> | <u>\$ (1,690)</u> |                |

On June 15, 2018, the District bifurcated the Series 2014-2 Bonds into two separate Bond Series- Series 2014-2 and Series 2014-2B. As a result of the bifurcation, the par amount of the Series 2014-2 Bonds is \$8,635,000; the par amount of the Series 2014-2B Bonds is \$4,835,000.

**FIDDLER'S CREEK  
COMMUNITY DEVELOPMENT DISTRICT #2  
STATEMENT OF REVENUES, EXPENDITURES,  
AND CHANGES IN FUND BALANCES  
DEBT SERVICE EXCHANGE FUND SERIES 2014-2B  
EXCHANGED SERIES 2005 AND BIFURCATED SERIES 2014-2  
FOR THE PERIOD ENDED JANUARY 31, 2023**

|  | Current<br>Month  | Year to<br>Date   | Budget            | % of<br>Budget |
|--|-------------------|-------------------|-------------------|----------------|
| <b>REVENUES</b>  |                   |                   |                   |                |
| Assessment levy: on-roll - net                               | \$ 9,557          | \$ 306,350        | \$ 416,404        | 74%            |
| Interest   | 811               | 2,731             | -                 | N/A            |
| Total revenues   | <u>10,368</u>     | <u>309,081</u>    | <u>416,404</u>    | 74%            |
| <b>EXPENDITURES</b>  |                   |                   |                   |                |
| <b>Debt service</b>  |                   |                   |                   |                |
| Principal  | -                 | -                 | 155,000           | 0%             |
| Interest   | -                 | 123,000           | 246,000           | 50%            |
| Total debt service   | <u>-</u>          | <u>123,000</u>    | <u>401,000</u>    | 31%            |
| <b>Other fees &amp; charges</b>                              |                   |                   |                   |                |
| Property appraiser   | -                 | -                 | 6,506             | 0%             |
| Tax collector  | 191               | 6,124             | 8,675             | 71%            |
| Total other fees & charges                                   | <u>191</u>        | <u>6,124</u>      | <u>15,181</u>     | 40%            |
| Total expenditures   | <u>191</u>        | <u>129,124</u>    | <u>416,181</u>    | 31%            |
| Excess/(deficiency) of revenues<br>over/(under) expenditures | 10,177            | 179,957           | 223               |                |
| Fund balances - beginning                                    | 509,480           | 339,700           | 337,365           |                |
| Fund balances - ending                                       | <u>\$ 519,657</u> | <u>\$ 519,657</u> | <u>\$ 337,588</u> |                |

On June 15, 2018, the District bifurcated the Series 2014-2 Bonds into two separate Bond Series- Series 2014-2 and Series 2014-2B. As a result of the bifurcation, the par amount of the Series 2014-2 Bonds is \$8,635,000; the par amount of the Series 2014-2B Bonds is \$4,835,000.



**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 JANUARY 31, 2023**

|  | Current<br>Month  | Year to<br>Date   | Budget            | % of<br>Budget |
|--|-------------------|-------------------|-------------------|----------------|
| <b>REVENUES</b>  |                   |                   |                   |                |
| Assessment levy: on-roll - net                               | \$ 4,109          | \$ 131,715        | \$ 178,074        | 74%            |
| Assessment levy: off-roll                                    | -                 | 162,439           | 536,918           | 30%            |
| Interest   | 397               | 1,229             | -                 | N/A            |
| Total revenues   | <u>4,506</u>      | <u>295,383</u>    | <u>714,992</u>    | 41%            |
| <b>EXPENDITURES</b>  |                   |                   |                   |                |
| <b>Debt service</b>  |                   |                   |                   |                |
| Principal  | -                 | -                 | 275,000           | 0%             |
| Interest   | -                 | 214,350           | 428,700           | 50%            |
| Total debt service   | <u>-</u>          | <u>214,350</u>    | <u>703,700</u>    | 30%            |
| <b>Other fees &amp; charges</b>                              |                   |                   |                   |                |
| Property appraiser   | -                 | -                 | 2,782             | 0%             |
| Tax collector  | 83                | 2,633             | 3,710             | 71%            |
| Total other fees & charges                                   | <u>83</u>         | <u>2,633</u>      | <u>6,492</u>      | 41%            |
| Total expenditures   | <u>83</u>         | <u>216,983</u>    | <u>710,192</u>    | 31%            |
| Excess/(deficiency) of revenues<br>over/(under) expenditures | 4,423             | 78,400            | 4,800             |                |
| <b>OTHER FINANCING SOURCES/(USES)</b>                        |                   |                   |                   |                |
| Transfer in  | -                 | 26,013            | -                 | N/A            |
| Total other financing sources/(uses)                         | <u>-</u>          | <u>26,013</u>     | <u>-</u>          | N/A            |
| Net change in fund balances                                  | 4,423             | 104,413           | 4,800             |                |
| Fund balances - beginning                                    | 234,254           | 134,264           | 134,931           |                |
| Fund balances - ending                                       | <u>\$ 238,677</u> | <u>\$ 238,677</u> | <u>\$ 139,731</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 JANUARY 31, 2023**

|  | Current<br>Month  | Year to<br>Date   | Budget            | % of<br>Budget |
|--|-------------------|-------------------|-------------------|----------------|
| <b>REVENUES</b>  |                   |                   |                   |                |
| Assessment levy: on-roll - net                               | \$ 5,441          | \$ 174,404        | \$ 235,797        | 74%            |
| Assessment prepayments                                       | -                 | 44,732            | -                 | N/A            |
| Interest   | 1,122             | 3,620             | -                 | N/A            |
| Total revenues   | <u>6,563</u>      | <u>222,756</u>    | <u>235,797</u>    | 94%            |
| <b>EXPENDITURES</b>  |                   |                   |                   |                |
| <b>Debt service</b>  |                   |                   |                   |                |
| Principal  | -                 | -                 | 60,000            | 0%             |
| Interest   | -                 | 83,600            | 167,200           | 50%            |
| Total debt service   | <u>-</u>          | <u>83,600</u>     | <u>227,200</u>    | 37%            |
| <b>Other fees &amp; charges</b>                              |                   |                   |                   |                |
| Property appraiser   | -                 | -                 | 3,684             | 0%             |
| Tax collector  | 109               | 3,486             | 4,912             | 71%            |
| Total other fees & charges                                   | <u>109</u>        | <u>3,486</u>      | <u>8,596</u>      | 41%            |
| Total expenditures   | <u>109</u>        | <u>87,086</u>     | <u>235,796</u>    | 37%            |
| Excess/(deficiency) of revenues<br>over/(under) expenditures | 6,454             | 135,670           | 1                 |                |
| <b>OTHER FINANCING SOURCES/(USES)</b>                        |                   |                   |                   |                |
| Transfer out   | -                 | (26,013)          | -                 | N/A            |
| Total other financing sources/(uses)                         | <u>-</u>          | <u>(26,013)</u>   | <u>-</u>          | N/A            |
| Net change in fund balances                                  | 6,454             | 109,657           | 1                 |                |
| Fund balances - beginning                                    | 519,966           | 416,763           | 429,508           |                |
| Fund balances - ending                                       | <u>\$ 526,420</u> | <u>\$ 526,420</u> | <u>\$ 429,509</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 JANUARY 31, 2023**

|  | Current<br>Month  | Year to<br>Date   | Budget            | % of<br>Budget |
|--|-------------------|-------------------|-------------------|----------------|
| <b>REVENUES</b>  |                   |                   |                   |                |
| Assessment levy: on-roll - net                               | \$ 1,794          | \$ 57,508         | \$ 77,734         | 74%            |
| Assessment prepayments                                       | -                 | 11,789            | -                 | N/A            |
| Interest   | 363               | 1,128             | -                 | N/A            |
| Total revenues   | <u>2,157</u>      | <u>70,425</u>     | <u>77,734</u>     | 91%            |
| <b>EXPENDITURES</b>  |                   |                   |                   |                |
| <b>Debt service</b>  |                   |                   |                   |                |
| Principal  | -                 | -                 | 30,000            | 0%             |
| Interest   | -                 | 22,450            | 44,900            | 50%            |
| Total debt service   | <u>-</u>          | <u>22,450</u>     | <u>74,900</u>     | 30%            |
| <b>Other fees &amp; charges</b>                              |                   |                   |                   |                |
| Property appraiser   | -                 | -                 | 1,215             | 0%             |
| Tax collector  | 36                | 1,149             | 1,619             | 71%            |
| Total other fees & charges                                   | <u>36</u>         | <u>1,149</u>      | <u>2,834</u>      | 41%            |
| Total expenditures   | <u>36</u>         | <u>23,599</u>     | <u>77,734</u>     | 30%            |
| Excess/(deficiency) of revenues<br>over/(under) expenditures | 2,121             | 46,826            | -                 |                |
| Fund balances - beginning                                    | 172,423           | 127,718           | 130,982           |                |
| Fund balances - ending                                       | <u>\$ 174,544</u> | <u>\$ 174,544</u> | <u>\$ 130,982</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 JANUARY 31, 2023**

|  | Current<br>Month  | Year to<br>Date   | Budget            | % of<br>Budget |
|--|-------------------|-------------------|-------------------|----------------|
| <b>REVENUES</b>  |                   |                   |                   |                |
| Assessment levy: off-roll                                    | \$ -              | \$ 63,594         | \$ 127,188        | 50%            |
| Interest   | 622               | 1,953             | -                 | N/A            |
| Total revenues   | <u>622</u>        | <u>65,547</u>     | <u>127,188</u>    | 52%            |
| <b>EXPENDITURES</b>  |                   |                   |                   |                |
| <b>Debt service</b>  |                   |                   |                   |                |
| Interest   | -                 | 63,594            | 127,188           | 50%            |
| Total expenditures   | <u>-</u>          | <u>63,594</u>     | <u>127,188</u>    | 50%            |
| Excess/(deficiency) of revenues<br>over/(under) expenditures | 622               | 1,953             | -                 |                |
| Fund balances - beginning                                    | 199,099           | 197,768           | 199,878           |                |
| Fund balances - ending                                       | <u>\$ 199,721</u> | <u>\$ 199,721</u> | <u>\$ 199,878</u> |                |

**FIDDLER'S CREEK  
COMMUNITY DEVELOPMENT DISTRICT #2  
STATEMENT OF REVENUES, EXPENDITURES,  
AND CHANGES IN FUND BALANCES  
DEBT SERVICE FUND SERIES 2019  
FOR THE PERIOD ENDED JANUARY 31, 2023**

|  | Current<br>Month    | Year to<br>Date     | Budget            | % of<br>Budget |
|--|---------------------|---------------------|-------------------|----------------|
| <b>REVENUES</b>  |                     |                     |                   |                |
| Assessment levy: on-roll - net                               | \$ 28,435           | \$ 911,524          | \$ 1,242,601      | 73%            |
| Assessment prepayments                                       | -                   | 27,397              | -                 | N/A            |
| Interest   | 2,100               | 6,984               | -                 | N/A            |
| Total revenues   | <u>30,535</u>       | <u>945,905</u>      | <u>1,242,601</u>  | 76%            |
| <b>EXPENDITURES</b>  |                     |                     |                   |                |
| <b>Debt service</b>  |                     |                     |                   |                |
| Principal  | -                   | -                   | 680,000           | 0%             |
| Principal prepayment   | -                   | 70,000              | -                 | N/A            |
| Interest   | -                   | 267,813             | 535,625           | 50%            |
| Total debt service   | <u>-</u>            | <u>337,813</u>      | <u>1,215,625</u>  | 28%            |
| <b>Other fees &amp; charges</b>                              |                     |                     |                   |                |
| Property appraiser   | -                   | -                   | 19,416            | 0%             |
| Tax collector  | 569                 | 18,221              | 25,888            | 70%            |
| Total other fees & charges                                   | <u>569</u>          | <u>18,221</u>       | <u>45,304</u>     | 40%            |
| Total expenditures   | <u>569</u>          | <u>356,034</u>      | <u>1,260,929</u>  | 28%            |
| Excess/(deficiency) of revenues<br>over/(under) expenditures | 29,966              | 589,871             | (18,328)          |                |
| Fund balances - beginning                                    | <u>1,417,540</u>    | <u>857,635</u>      | <u>779,418</u>    |                |
| Fund balances - ending                                       | <u>\$ 1,447,506</u> | <u>\$ 1,447,506</u> | <u>\$ 761,090</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 JANUARY 31, 2023**

|  | Current<br>Month  | Year to<br>Date   |
|--|-------------------|-------------------|
| <b>REVENUES</b>  |                   |                   |
| Interest & miscellaneous                                     | \$ 401            | \$ 1,328          |
| Total revenues   | <u>401</u>        | <u>1,328</u>      |
| <b>EXPENDITURES</b>  |                   |                   |
| Capital outlay   | 10,245            | 19,223            |
| Total expenditures   | <u>10,245</u>     | <u>19,223</u>     |
| Excess/(deficiency) of revenues<br>over/(under) expenditures | (9,844)           | (17,895)          |
| Fund balances - beginning                                    | 127,735           | 135,786           |
| Fund balances - ending                                       | <u>\$ 117,891</u> | <u>\$ 117,891</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 JANUARY 31, 2023**

|  | Current<br>Month | Year to<br>Date |
|--|------------------|-----------------|
| <b>REVENUES</b>  |                  |                 |
| Interest & miscellaneous                                     | \$ 849           | \$ 2,664        |
| Total revenues   | 849              | 2,664           |
| <b>EXPENDITURES</b>  |                  |                 |
| Total expenditures   | -                | -               |
| Excess/(deficiency) of revenues<br>over/(under) expenditures | 849              | 2,664           |
| Fund balances - beginning                                    | 271,618          | 269,803         |
| Fund balances - ending                                       | \$ 272,467       | \$ 272,467      |

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

**MINUTES**



**DRAFT**

**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 25, 2023 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 |
| Bill Klug        | Assistant Secretary |
| John Nuzzo       | Assistant Secretary |

**Also present were:**

|                   |                                    |
|-------------------|------------------------------------|
| Chuck Adams       | District Manager                   |
| Cleo Adams        | District Manager                   |
| Tony Pires        | District Counsel                   |
| Terry Cole        | District Engineer                  |
| Joe Parisi        | Developer’s Representative         |
| Ed Jasiocki       | Fiddler’s Creek Director of Safety |
| Jody Benet        | Fiddler’s Creek Irrigation Manager |
| Valerie Lord      | Foundation Representative          |
| Ron Albeit        | Foundation General Manager         |
| Mike Barrow       | GulfScapes Landscape Management    |
| Steve Schwartz    | Resident                           |
| Steven Ebert      | Resident                           |
| Fran Culver       | Resident                           |
| Shannon Benedetti | Resident                           |
| John Koynock      | 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.

**SECOND ORDER OF BUSINESS**

**Public Comments: Non-Agenda Items (3 minutes per speaker)**

42 Resident Steve Schwartz requested an update on the Amador drainage project and  
43 asked if Taylor Morrison (TM) signed the agreement yet.

44 Mr. Pires stated the draft TM Agreement for Amador is nearly finished but not yet  
45 completed. He and Mr. Miller revised the Agreement, and the last issue relates to limiting the  
46 dollar amount of the duty to defend indemnification on the CDD's part and the CDD's chosen  
47 counsel. TM's attorney, Mr. Hough, will advise his client. Mr. Miller stated the other issue  
48 related to the ceiling requirement is that he does not want the CDD to pay more than it will  
49 receive. Mr. Pires stated, from TM's perspective, this issue is the cap on the CDD's liability.

50 Mr. Miller observed that TM's CEO seems reasonable. He noted that the draft sent to  
51 TM incorporates the points mentioned. The hope is that those issues will be resolved when  
52 TM's attorney speaks with the CEO. Mr. Pires stated he will request a conference call with Mr.  
53 Miller, himself, Mr. Hough, and TM representatives. He thanked Mr. Schwartz for collecting the  
54 license agreements and stated that he will attach exhibits and coordinate communications.

55 Mr. Klug asked what will happen if this impasse cannot be resolved. Mr. Pires detailed  
56 his dialogue with TM in which he noted that, while he considers the likelihood of TM being sued  
57 for work performed by the CDD or a CDD contractor to be minimal, a lawsuit can be brought for  
58 anything, and such a lawsuit would be defended via summary judgment. Mr. Miller stated,  
59 while litigation is possible, TM's CEO has been very reasonable, and it is hoped that she will  
60 acquiesce to the CDD's two reasonable arguments. In Mr. Miller's opinion, the CDD should  
61 defend any issue with its Counsel and the CDD should not pay more than what will be  
62 recovered. Mr. Klug concurred and voiced his opinion that a firm position should be taken.

63 The possibility of litigation and possible parties to any litigation were discussed.

64 Mr. Miller recalled that the Board authorized the Agreement, subject to the changes  
65 being made. Mr. Pires stated he will schedule the conference call.

66 Mr. Schwartz asked to be kept informed about this matter. He asked how soon the work  
67 should be completed after the Agreement is signed. Mr. Miller recalled that TM has 30 days to  
68 make payment; the work will be completed after funds are received.

69 Resident Steven Ebert stated two stop signs, one on Quilcene Lane and one on Oyster  
70 Harbor Boulevard, are tilted in the wrong direction; he thinks the signs were damaged during  
71 the hurricane and present a safety issue. He noted that a "15 mph" speed limit sign on Quilcene

72 Lane that should be 3' from the curb line is 11' into a homeowner's yard so it cannot be seen at  
73 night. Ms. Viegas stated she sent photos to Mrs. Adams and Mr. Cole. Mrs. Adams stated the  
74 repair is already on the list.

75 Mr. Ebert expressed concern that the riprap rock wall installed at 3221 Kumamoto Lane  
76 is in the easement area and in violation of the site plans. He noted that 8' of the wood wall was  
77 removed, causing an incline issue. Mr. Parisi agreed and stated the issue was raised with the  
78 subcontractor that implemented the solution that was not on the site plan. Engineering is  
79 reviewing the matter and the wall will be lowered and the normal 4:1 slope and the grass in the  
80 back will be restored. The wall was designed with a wraparound turn; he believes the wall is  
81 already completed. The side of the wall facing the pond will have littoral plants to soften the  
82 appearance of the wall and the bulkhead easement will be softened. The riprap will be  
83 removed when it is no longer needed for temporary stabilization.

84 Ms. Viegas noted she had sent photos of these concerns to Mrs. Adams and Mr. Cole.  
85 She thanked Mr. Cole for sending Mr. Ferguson out so quickly.

86 Amaranda resident Fran Culver asked who is responsible for cleaning mold on the  
87 sidewalks. Mr. Miller asked her to send the addresses to Staff who will contact Mr. Jasiocki who  
88 will address the issue. Ms. Culver noted the presence of anthills on the sidewalks and on the  
89 corner of Amaranda and Aviamar. Mrs. Adams directed Mr. Barrow to inspect the anthills and  
90 have them treated or advise if this is not a CDD responsibility. Ms. Culver stated that the street  
91 sign at the corner of Aviamar and Amaranda is at an angle. Mrs. Adams stated the repair has  
92 been on the list of pending repairs since the hurricane. Ms. Culver stated a sprinkler head near  
93 the mailboxes is not working properly. Mrs. Adams stated that is an HOA issue.

94 Mr. Miller asked if The Foundation paid the \$13,880 that the CDD paid to clean up  
95 hurricane debris. Mrs. Adams stated that payment has not been received; she will re-send the  
96 request that was sent to Mr. Albeit and Mr. Parisi on Friday. Mr. Albeit will follow up on it.

97 Mr. Miller asked if the \$25,000 payment was received from Halvorsen under the  
98 Amendment to the Traffic Light Agreement. Mr. Parisi stated it is necessary to submit a request;  
99 the Amendment stipulates conditions to be met before each payment. The consensus was that  
100 the request was not made. Mr. Parisi stated the four triggers and documentation must be

101 submitted with backup. Mr. Adams asked Mr. Cole to send the documentation for the first  
102 \$25,000 payment to him and to ascertain if more can be requested.

103

104 **THIRD ORDER OF BUSINESS**

**Health, Safety and Environment Report**

105

106 **A. Irrigation and Pressure Washing Efforts**

107 Mr. Jasiacki reported the following:

108 ➤ Several email addresses are available for submission of concerns. Emails should be sent  
109 to [irrigation@fiddlerscreek.com](mailto:irrigation@fiddlerscreek.com) or [pressurewashing@fiddlerscreek.com](mailto:pressurewashing@fiddlerscreek.com) as appropriate. Emails  
110 are monitored daily, and issues are forwarded to appropriate staff.

111 ➤ Tree trimming concerns should be sent to [safety@fiddlerscreek.com](mailto:safety@fiddlerscreek.com).

112 ➤ Tree Canopy Trimming: In December all lake hardwoods and buffer wall hardwoods  
113 were trimmed and areas missed during initial trimming were revisited and touched up.  
114 Trimming of all hardwood hangers is now being completed.

115 Mr. Miller observed that the villages used an estimated 9.155 million gallons of water in  
116 December and asked what water is used and who pays for their water. Mr. Benet stated the  
117 water comes from the lakes. Mr. Adams stated the CDD pays for the water transmission and  
118 supply system.

119 ➤ Irrigation Projected Usage: 20 programmable satellites within the villages are  
120 programmed to run Monday, Wednesday, and Saturday, from 9:00 p.m. to 8:00 a.m. There  
121 were 13 possible run days last month; 12 watering cycles were completed, with one rain hold.

122 ➤ Irrigation Projected Usage: Nine programmable satellites within the common areas are  
123 programmed to run Tuesday, Thursday, and Sunday, from 9:00 p.m. to 8:00 a.m. There were 13  
124 possible run days last month; 12 watering cycles were completed, with one rain hold.

125 ➤ In December, the villages used over 9 million gallons of water. The common areas in  
126 CDD #2 used over 4.9 million gallons of water.

127 ➤ Total water usage was 59.5 million gallons in December 2022, versus 61.6 million gallons  
128 in December 2021.

129 ➤ Average precipitation in December was 2.58".

130 ➤ Pressure Washing: During the past 30 days, work was completed on Fiddler's Creek  
131 Parkway and in Mallards and Bellagio; Club Center Drive is underway. Within the next 30 days

132 crews will move to Club Center Boulevard and the Marsh Cove area. Crews will inspect and spot  
133 clean sidewalks, as needed.

134 Mr. Miller asked if the new machine is as beneficial as anticipated. Mr. Jasiiecki stated it  
135 is much faster than the old equipment and it allows crews to move quicker.

136 Ms. DiNardo asked how long it takes to respond to a resident request. Mr. Jasiiecki  
137 stated the crews try to respond within 24 hours, when possible. Mr. Parisi stated, if a resident  
138 makes a request, the crews must still follow the schedule. If something was missed, they will go  
139 back. If they were to address every resident request immediately, they would never get  
140 through the schedule. Mr. Jasiiecki stated every request is inspected and, if it is a legitimate slip  
141 hazard, they follow up right away; however, if it is cosmetic, they will not address it as quickly.

142 Resident Shannon Benedetti stated she inspects some of the areas and sends photos to  
143 Mr. Jasiiecki, when necessary.

144 Resident Fran Culver asked for the pressure washing schedule. Mr. Jasiiecki stated there  
145 is no formal schedule.

146 An Oyster Harbor (OH) resident asked who controls the irrigation gauges and clocks. Mr.  
147 Parisi stated there is a problem, in that some villages are still using battery packs installed by  
148 the builders; those areas are not controlled. Ms. Viegas noted the CDD only controls the CDD  
149 common areas, and the village landscapers control the village irrigation. Mr. Jasiiecki stated the  
150 irrigation schedule is set in accordance with Collier County's limitations and requirements. Mr.  
151 Parisi will speak with the resident regarding his further irrigation questions.

## 152 **B. Security and Safety Update**

153 Mr. Jasiiecki discussed the following:

154 ➤ Gatehouses and Patrols: The Safety Department are not first responders; in a police, fire  
155 or medical emergency, call 911 first. The Safety Department will respond as secondary help and  
156 assistance. Nonemergency information can be sent to [safety@fiddlerscreek.com](mailto:safety@fiddlerscreek.com).

157 Mr. Miller asked if Mr. Richard Renaud is still employed. Mr. Jasiiecki replied  
158 affirmatively. Mr. Miller asked for the distinction between their roles. Mr. Jasiiecki stated they  
159 work together; he oversees operations and works with the communities and builders, while Mr.  
160 Renaud manages day-to-day issues with the gatehouses and in the field. Asked if Mr. Renaud  
161 reports to him, Mr. Jasiiecki replied affirmatively.

- 162 ➤ Gate Access Control: Guest information can be entered on the members' website or  
163 mobile app, emailed to [safety@fiddlerscreek.com](mailto:safety@fiddlerscreek.com), or via the Automated Gatehouse number.
- 164 ➤ All three gatehouses are operational and manned 24-hours a day, seven days a week.
- 165 ➤ Two road patrols are operational 24-hours a day, seven days a week.
- 166 ➤ Gatehouse Activity by Gate: In December, the three gatehouses processed over 80,000  
167 vehicles; in November, the gatehouses processed 79,000 vehicles.
- 168 ➤ Incidents: Parking issues, open garage doors and medical emergencies are the most  
169 common incidents. Repeat violators are referred to the Fining Committee.
- 170 ➤ Portable radar detection devices are moved around in an attempt to slow traffic and  
171 encourage drivers to obey traffic signs. When violators are identified, the license plates can be  
172 looked up and referred to the Fining Committee. In egregious cases, the Sheriff's Office can be  
173 called to assist by writing a motor vehicle summons.
- 174 ➤ Sheriff's Deputies are on site regularly to assist with enforcement of traffic laws or to be  
175 a visible presence. Deputies responded to 70 calls in Fiddler's Creek in December.
- 176 ➤ The portable radar device led to the issuance of ten warnings in December and seven in  
177 November; of the seven, one was a significant speeding violation that was referred to the Fining  
178 Committee.

179 Mr. Miller asked what the welfare check entailed. Mr. Jasiiecki stated a family member  
180 was unable to reach a resident for two days; a patrol made sure that the resident was fine.

181 Mr. Klug asked for the gate access breakdown between attended and automatic. Mr.  
182 Jasiiecki estimated that 65% are processed by a guard and 35% use RFIDs. A significant number  
183 of vendors, contractors and visitors come through the gates. The Championship Gate processes  
184 the lowest number of non-RFID visitors.

185 Ms. Viegas noted that the Occupancy Report was missing. Mr. Jasiiecki stated it was an  
186 oversight and he will email it separately and include it in future presentations.

187 Ms. Viegas asked for an update on the major oil spill around the traffic circle at Aviamar  
188 Circle and Dorado Lane. Mr. Jasiiecki stated Mr. Parisi will address it.

189 A resident stated she received a text alert about a guest at the gate from a company  
190 that she did not recognize. Mr. Jasiiecki stated he will speak with her after the meeting.

191

192 **FOURTH ORDER OF BUSINESS****Developer's Report/Update**

193

194 Mr. Parisi reported the following:

195 ➤ Construction is ongoing in OH on Kumamoto Lane, Fanny Bay North, and Belon. There  
196 have been some issues, including the one discussed earlier on Lot 134. Mr. Jonathon Walsh,  
197 P.E., was hired to review lake bank erosion, grass, and drainage issues for Phases 1 and 2, and  
198 develop a Report, which was shared with TM. A meeting will be scheduled, and the Report will  
199 be shared with the TM Division President to have the issues addressed; Mr. Cole will attend the  
200 meeting.

201 ➤ Due to ongoing construction in Dorado and the presence of nails, screws, etc., a street  
202 sweeper typically sweeps the roads once or twice a week. The oil spill at Dorado was  
203 determined to be due to the street sweeper's hydraulic line malfunction which dumped oil on  
204 the brush and caused a wide streak of oil to be brushed around the traffic circle. Two efforts to  
205 clean it with absorbents have not been successful. It will be pressure washed in the hopes of  
206 improvement. Due to ongoing construction, the final lift of asphalt has not been done but,  
207 when the final lift is done, they will discuss paving the traffic circle.

208 Asked if the oil can be cleaned now, Mr. Parisi stated it was researched and they have  
209 had good success with cleaning petroleum products but it seems that the only solution for a  
210 hydraulic oil stain might be milling the road. He will contact the individual involved and  
211 pressure washing will be attempted, but, because Dorado remains to be done, it might be an  
212 issue of timing, as he prefers to have all the road work performed at one time.

213 • **Architect's Plans for Championship Drive Gatehouse**

214 Mr. Parisi stated the architectural drawings for the Championship Gate were received.  
215 Prices will be requested, and they will try to match the aesthetics of the other two gatehouses.

216 The construction compound in CDD #1 should be completed by the end of February.  
217 Some landscaping, fencing and Florida Power & Light (FPL) meters are in short supply due to  
218 Hurricane Ian.

219 Mr. Ebert asked if there is a set quantity of palm trees and hardwoods for each lot in  
220 Fiddler's. Mr. Miller stated that is not a CDD matter and asked Mr. Ebert to speak with Mr.  
221 Parisi after the meeting.

222

223 **FIFTH ORDER OF BUSINESS****Engineer's Report: *Hole Montes, Inc.***

224

225 Mr. Cole distributed and presented Draw 181 and Draw 182. Draw 181, for  
226 approximately \$1,800, is for soft costs related to final acceptance of Fiddler's Creek Plaza,  
227 including Grady Minor's inspection work for Sandpiper Drive Gatehouse modifications. Draw  
228 182, for approximately \$8,400, is for work related to the traffic signal by Trebilcock Consulting,  
229 who is doing the design work and permitting for the signal.

230 Mr. Cole reported the following:

231 ➤ The traffic signal 100% Design Submittal will be resubmitted on Friday to address the  
232 Florida Department of Transportation (FDOT) comments. It is anticipated that FDOT will  
233 approve those plans around March 1, 2023. In the meantime, Staff will work with Trebilcock to  
234 send bid packages and advertise a public bid. It is anticipated that the bids will be opened, and  
235 a recommendation presented at the March CDD meeting.

236 Mr. Miller asked how many bids were received for the signal on 951. Mr. Cole believed  
237 that two bids were received; he did not recall who bid and stated it is very specialized work.  
238 Mrs. Adams believed Southern Signal was one of the bidders. Mr. Miller hoped that more than  
239 one bid will be received.

240 Mr. Nuzzo asked if the overall schedule needs to be revised. Mr. Cole stated it is only a  
241 few weeks behind which is good, considering the impact of the hurricane. He expects the light  
242 to be operational in the first quarter of 2024. Materials could be delayed because of Covid,  
243 particularly electronics and the three large mast arms, which have a long lead time.

244 Mr. Miller noted that the pricing increased dramatically since the project was first  
245 discussed; current estimates are over \$1 million. He asked if estimates increased since the last  
246 meeting. Mr. Cole stated he would not be surprised if the price has increased, but he will not  
247 know until the bids are received.

248 Ms. DiNardo asked if the accepted bid price will be firm, or if the cost can increase  
249 during the process. Mr. Cole stated the price will be firm; after the bid opening, he will present  
250 a recommendation to award the bid to the lowest responsive, responsible bidder.

251 ▪ **Consideration of Collier Paving & Concrete Proposal for Concrete Sidewalk Repairs**

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



253 Mr. Cole presented the Collier Paving proposal for CDD #2's portion of the sidewalk  
254 repairs. Mr. Miller asked what "Q/C Plan or Services" refers to. Mr. Cole stated that Q/C refers  
255 to quality control; no formal plan will be submitted as the work will be done and inspected and  
256 addressed via a punch list, if necessary.

257 Ms. Viegas noted the exclusions for root removal, full depth repair to sub-base, etc., and  
258 asked Mr. Cole if he anticipates any of these would increase the cost. Mr. Cole did not. Ms.  
259 Viegas asked why CDD #2's per unit price is higher than the per unit price for CDD #1. She  
260 believes CDD #2 should get the same unit price since the overall project is within the  
261 community. Mr. Cole noted the difference is a few dollars per foot. The Board directed Mr. Cole  
262 to pursue the matter with the contractor. He was directed to do so. Mr. Adams suggested  
263 approving a not-to-exceed amount.

264 Mr. Klug asked what "F&I root barrier" means. Mr. Cole stated F&I refers to "furnish and  
265 install". Mr. Klug asked if any of the tear outs were necessary due to tree roots. Mr. Cole stated  
266 not that he recalled, but he will ask the contractor. Mr. Klug expressed his opinion that root  
267 issues might necessitate some tear outs.

268 Mr. Miller questioned the Quality Control exclusion and asked if it is important to have a  
269 quality control plan and services. Mr. Cole discussed the quality control measures taken when  
270 performing the work and stated it might be that these are standard exclusions for their jobs and  
271 this exclusion refers more to large concrete jobs. Mr. Miller asked if Mr. Cole believes the  
272 exclusion will be a problem. Mr. Cole stated he did not.

273 Mr. Klug asked if there is a continuing warranty obligation to fix and make repairs after  
274 installation, if necessary. Mr. Cole replied affirmatively.

275 Mr. Nuzzo noted the proposal states it is only good for 30 days and asked if that will be  
276 an issue because more than 30 days have passed. Mr. Cole stated it will not be an issue.

277

278 **On MOTION by Ms. DiNardo and seconded by Mr. Klug, with all in favor, the**  
279 **Collier Paving proposal, in the not-to-exceed amount of \$27,311.50, was**  
280 **approved.**

281

282

283 Referring to a graphic of the Aviamar entry traffic circle, Mr. Cole stated some  
284 landscaping outside CDD #2's right-of-way (ROW) will be removed. A meeting was held with

285 GulfScapes and Gulf Bay Homes. Some landscaping will be removed from Dorado's lot. They will  
286 coordinate with Bentley Electric to turn the power off.

287 ➤ Irrigation Pumphouse #2 bid documents are being prepared and will be advertised soon.  
288 He anticipates possibly considering the bids at the March CDD meeting.

289 Ms. Viegas asked for an update on the irrigation system installation. Mr. Cole stated he  
290 spoke with Ms. Valerie Lord and the irrigation team will be reconvened to discuss it.

291 Ms. Viegas asked about the oil stains on Aviamar Circle and Cranberry Crossing, that she  
292 discussed in previous meetings. Waste Management was supposed to clean them, but they  
293 have not been addressed. Mr. Cole stated his staff has been trying to follow up on the issue. His  
294 understanding is that the stains are not that large. Ms. Viegas felt that the stains are significant  
295 in that they continue as though the leaking vehicle drove through the street in both directions.  
296 She suggested Mr. Cole tour the locations.

297 Ms. Viegas asked if the homeowner at 3126 Aviamar Circle, who had ponding issues  
298 after heavy rains, contacted him. Mr. Cole did not recall.

299 Ms. Viegas asked if a proposal will be submitted for the Ficus buffer discussed at the last  
300 meeting. Referring to a graphic, Mr. Cole asked which areas are in question.

301 The cost and the wall adjacent to Creative Lane were discussed.

302 Ms. DiNardo stated the area in question is from the pumphouse to 9233 Museo Drive;  
303 much of the Ficus was already missing. Mr. Cole estimated a cost of at least a few hundred  
304 thousand dollars to remove and replace the Ficus or install a wall.

305 Mr. Klug believed there is no other wall in Fiddler's Creek other than the exterior walls  
306 and questioned why a wall would be installed there. Mrs. Adams noted there is a concrete wall  
307 adjacent to Creative Lane and the Developer installed a chain-link fence after Hurricane Irma.

308 Mr. Cole recalled a section of wall beginning at US41 that ended in the vicinity and a  
309 fence. Mrs. Adams stated there is chain-link fence. Mr. Cole stated it was tremendously  
310 damaged during Hurricane Irma. Mr. Cole stated his belief that Ms. DiNardo requested a  
311 proposal for a wall in the area. Ms. DiNardo stated she requested a proposal so it can be  
312 evaluated with and without a wall. Mr. Cole stated he will work with Mr. Barrow to obtain a  
313 cost estimate to remove and replace the plantings. He will request a quote for stackable  
314 concrete panel walls, which he estimates will cost \$100 per foot.

315 Laguna resident John Koynock noted that a wall between Fiddler's and the elementary  
316 school has been damaged since Hurricane Irma. Ms. DiNardo stated that is not the wall being  
317 discussed. Mr. Cole stated the decision was made years ago not to do anything with that wall  
318 since it is concealed by landscaping.

319

320 **SIXTH ORDER OF BUSINESS**

**Continued Discussion: Claim Against  
Fiddler's Creek CDD #1 Regarding  
Anticipatory Breach of Interlocal  
Agreement [Traffic Signal Cost Sharing]**

321

322  
323  
324  
325 Mr. Miller explained that the Interlocal Agreement between CDD #1 and CDD #2 stated  
326 that, when the light was installed on 951, each CDD paid for half the cost of the traffic light.

327 **Mr. Pires left the meeting at approximately 11:05 a.m.**

328 Mr. Miller stated the cost of the US41 signal is over \$1 million and each CDD is obligated  
329 to pay half of that cost. When Halvorsen was developing the Publix on CDD #2 property, CDD #2  
330 entered into two agreements with Halvorsen and with the Fiddler's Creek Developer. One was  
331 an access agreement, in which CDD #2 agreed to give Halvorsen access and made several  
332 commitments including moving the gate, which was done. Another was the traffic light  
333 agreement, in which CDD #2 assumed the obligation to get the traffic light installed. In  
334 consideration of those two agreements and CDD #2's obligations under those agreements,  
335 Halvorsen agreed to pay CDD #2 \$200,000. The original agreement stated CDD #2 would receive  
336 the payment when the light is installed and approved by Halvorsen; however, Mr. Parisi worked  
337 to secure the payment in installments.

338 Mr. Miller stated, when the CDD #1 Board prepared its Fiscal Year 2023 budget, the  
339 Board wanted to take the \$200,000 off the full cost of the traffic light. CDD #2's attorneys sent  
340 a letter to CDD #1 regarding the Anticipatory Breach of the Interlocal Agreement and noting  
341 that CDD #1 is not entitled to any of the \$200,000. CDD #1 has refused to address the issue at  
342 last month's meeting or at its meeting this morning. He discussed why he feels that is  
343 unacceptable. CDD #1 declined to respond to CDD #2's attorney's letter so he suggested the  
344 attorney prepare a summons of the complaint.

345 Discussion of the out-of-pocket costs, seeking damages in the amount of legal fees, and  
346 which legal steps should be taken to protect CDD #2's interests, ensued.

347 Mr. Klug stated it is a future obligation and asked why anything should be done right  
348 away. Mr. Miller stated he does not want to waive any rights by not acting now.

349 Discussion ensued about whether to consult the attorney and the anticipatory breach.

350 Mr. Miller will ask the attorney for his opinion on the waiver of rights.

351

352 **SEVENTH ORDER OF BUSINESS**

**Discussion/ Consideration: Proposals for  
353 CDD Insurance**

354

355 Ms. Viegas recalled for Mr. Adams that Mr. Miller asked for the CDD insurance expenses  
356 to be bid and that Mr. Parisi stated a consultant might be able to assist with shopping the  
357 insurance. Mr. Miller stated he requested competitive bidding due to the amount of the  
358 invoice. Mr. Adams stated there is one other provider in the market; the current provider is the  
359 largest provider in the CDD market. He is happy to request an equivalent proposal from the  
360 other provider, Florida League of Cities (FLC), which works mostly in the municipal market. He  
361 noted that FLC is typically more expensive, but the comparison might give peace of mind.

362

363 **EIGHTH ORDER OF BUSINESS**

**Consideration of Collier Paving & Concrete  
364 Proposal for Concrete Sidewalk Repairs**

365

366 This item was presented in conjunction with the Fifth Order of Business.

367

368 **NINTH ORDER OF BUSINESS**

**Acceptance of Unaudited Financial  
369 Statements as of December 31, 2022**

370

371 Mrs. Adams presented the Unaudited Financial Statements as of December 31, 2022.  
372 The Financial Highlights Report was emailed. Assessment collections are at 67% due to early  
373 payments by those who paid in November. "Interest & Miscellaneous" is at 288% of budget due  
374 to the insurance claim that was paid for the fountain repairs.

375 Ms. Viegas asked why the claim funds were not credited to the "Fountains" line item  
376 since that is where it was expensed. Mrs. Adams stated, per the governmental accounting  
377 process, all claims are credited to Revenues, not as a credit to the expense line item.

378 Mr. Albeit stated he does not see a receivable from The Foundation for the landscaping  
379 bill. Mr. Miller recalled that the amount paid to GulfScapes was \$13,880. Mr. Adams noted it

380 would have been recorded under "Landscape maintenance – other contractals" and stated  
381 that he will send proof of payment and a copy of the invoice.

382 Mr. Miller asked Mr. Adams to send an invoice to Halvorsen for the \$25,000 payment.  
383 Mr. Adams stated he sent the Agreement to Mr. Cole earlier in the meeting. The first payment  
384 was triggered and the threshold for the second payment is nearly met; the second step is  
385 issuance of the permit. Ms. Viegas noted that Mr. Miller keeps saying \$25,000 but her  
386 recollection is that the payment amount will be 25%, such that the first payment will be 25% of  
387 \$200,000, which is \$50,000. Mr. Miller stated Ms. Viegas is correct.

388 Mr. Klug asked why some of the bonds have "Other Fees & Charges" and some do not.  
389 Mr. Adams will ask Ms. Carlson.

390 Mr. Miller asked if the CDD typically has more than two-thirds of its assessment  
391 revenues by now. Mr. Adams noted that, due to the hurricane, the Governor extended the  
392 timeline to receive the 4% early pay discount so people have longer to pay and still receive the  
393 discount. He expects a large amount this month and noted that a large percentage of the  
394 property is held by developers.

395 Regarding "Legal-general" expenses, Mr. Miller asked how it is reflected when Mr. Pires'  
396 invoices are paid by TM. Mr. Adams stated that is reflected as income, offsetting the expense.

397 Mr. Miller asked how the Tax Collector is paid. Mr. Adams stated, while the full amount  
398 based on the amount levied used to be billed and then reconciled, this year, it appears that the  
399 fee is being is taken off the top. Mr. Miller asked if the amount shown is net of fees. Mr. Adams  
400 replied affirmatively.

401 Mr. Miller asked why the "Year to Date" is double the "Budget" amount in the "Fund  
402 balances – ending" line item. Mr. Adams stated that reflects that the CDD is revenue heavy  
403 now, compared to expenses; the revenue will be expended as the year progresses, when  
404 revenue is not coming in.

405 The financials were accepted.

406

407 **TENTH ORDER OF BUSINESS**

**Approval of December 14, 2022 Regular  
Meeting Minutes**

408

409

410 Mrs. Adams presented the December 14, 2022 Regular Meeting Minutes.

- 411 The following changes were made:
- 412 Line 108: Change "A Board Member" to "Mr. Nuzzo"
- 413 Line 128: Insert "two" before "Halvorsen"
- 414 Line 128: Insert "under them" after "obligations"
- 415 Line 161: Change "only has a contract" to "has two contracts"
- 416 Line 163: Change "Another" to "That"
- 417 Line 167: Change "Interlocal" to "Traffic Light"
- 418 Line 473: Insert "algae" after "turquoise"

419

420 **On MOTION by Mr. Klug and seconded by Ms. DiNardo, with all in favor, the**

421 **December 14, 2022 Regular Meeting Minutes, as amended, were approved.**

422

423

424 **ELEVENTH ORDER OF BUSINESS**

**Action/ Agenda or Completed Items**

425

426 This item was addressed following the Twelfth Order of Business.

427

428 **TWELFTH ORDER OF BUSINESS**

**Staff Reports**

429

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

431 Mr. Pires distributed a special warranty deed for Tract D and a graphic. He stated Ms.

432 Viegas asked why the Tract D special warranty deed included a section stating that landscaping

433 and signage for sales would be allowed, given that there are no more units for sale. He was

434 advised that the property in the upper left section of the graphic is still buildable.

435 Mr. Miller believed Mr. Pires is referring to the property between Menaggio and

436 Chiasso, that is owned by the developer. Mr. Pires stated there are still some undeveloped

437 properties. Mr. Pires will arrange a call with Mr. Miller to address his other concerns.

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

- 439 • **NEXT MEETING DATE: February 22, 2023 at 10:00 A.M.**

- 440 ○ **QUORUM CHECK**

441 All Supervisors confirmed their attendance at the February 22, 2023 meeting.

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

443 Mrs. Adams stated the Operations Report was emailed to the Board.

444 **▪ Action/ Agenda or Completed Items**

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

446 Ms. Viegas noted that Items 8 and 15 are duplicates. Item 8 will be deleted. Mr. Cole  
447 stated he followed up monthly; the punch list items are reportedly in progress.

448 Ms. Viegas noted that Item 11 has Fiscal Year 2023 and it should be Fiscal Year 2024.  
449 Mrs. Adams stated that is correct.

450 Items 17, 19, 20, 21 and 22 were completed.

451 Regarding Item 21, Mrs. Adams noted that the benches are not covered by insurance.  
452 Ms. DiNardo stated that, as of yesterday, the benches at the Veneta fountain were still not  
453 bolted. Mrs. Adams stated she inspected them after the last meeting and both of them were  
454 secured, as noted in her Report, although one of the benches had one loose bolt. When the  
455 replacement benches are received the contractor will address the issue.

456 Ms. DiNardo asked when the Palm tree will be replaced. Mrs. Adams stated she asked  
457 The Foundation for the inventory list from Juniper so all items can be addressed at the same  
458 time.

459 Ms. DiNardo asked if Mrs. Adams knows when the benches will be secured. Mrs. Adams  
460 stated the repair will be completed by GulfScapes when they install the two new benches; the  
461 benches were ordered, and her understanding is that they were shipped.

462

463 **THIRTEENTH ORDER OF BUSINESS**

**Adjournment**

464

465

466 **On MOTION by Mr. Klug and seconded by Mr. Nuzzo, with all in favor, the**  
467 **meeting adjourned at 11:37 a.m.**

468

469

470

471

472

473

[SIGNATURES APPEAR ON THE FOLLOWING PAGE]

474

475

476

477

478 \_\_\_\_\_  
Secretary/Assistant Secretary

\_\_\_\_\_ Chair/Vice Chair



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

**ACTION/AGENDA  
ITEMS**

## FIDDLER'S CREEK CDD #2

| #  | MTG DATE ADDED TO LIST | ACTION        | ACTION/AGENDA or COMPLETED ITEM  | ONGOING | POSSIBLY COMPLETED BEFORE NEXT MTG | COMPLETED | MTG DATE MOVED TO COMPLETED |
|----|------------------------|---------------|--|---------|------------------------------------|-----------|-----------------------------|
| 1  | 08.25.21               | <b>ACTION</b> | When CDD is required to send Mailed Notice of an assessment increase, the Mailed Notice and public notices should be included as an agenda item for Board review and editing prior to mailing. | X       |                                    |           |                             |
| 2  | 09.22.21               | <b>ACTION</b> | Mr. Pires: Address scope of work agreed upon with TM and the resulting indemnifications necessary.   | X       |                                    |           |                             |
| 3  | 09.22.21               | <b>ACTION</b> | Mr. Pires: Work with Mr. Parisi regarding proposed changes to deeds, to be brought back at the next meeting.   | X       |                                    |           |                             |
| 4  | 10.27.21               | <b>ACTION</b> | Mr. Cole: Submit the repaving budget to the Board.   | X       |                                    |           |                             |
| 5  | 11.10.21               | <b>ACTION</b> | Mr. Cole: Provide estimates for the geotube repairs in the budget for the next fiscal year.  | X       | X                                  |           |                             |
| 6  | 12.08.21               | <b>ACTION</b> | Mr. Cole: Amend original signage plan for Campanile Circle & Museo Circle intersection, as needed.   | X       | X                                  |           |                             |
| 7  | 08.31.22               | <b>ACTION</b> | Mr. Cole: Submit proposal for 3 additional permanent sign posts for pedestrian crossings.  | X       |                                    |           |                             |
| 8  | 10.26.22               | <b>ACTION</b> | Mr. Adams: Provide info regarding short term Treasury Notes.   | X       |                                    |           |                             |
| 9  | 12.14.22               | <b>ACTION</b> | Mrs. Adams: Inspect Menaggio Lake area with Ms. DiNardo and review lake's history to address grass and littoral issues.  | X       |                                    |           |                             |
| 10 | 12.14.22               | <b>ACTION</b> | Mrs. Adams: Obtain quotes for Sandpiper Gatehouse holiday decorations for consideration in budgeting for Fiscal Year 2024.   | X       | X                                  |           |                             |
| 11 | 12.14.22               | <b>ACTION</b> | Mr. Cole: Send email to FDOT regarding review of the 90% plans.  | X       |                                    |           |                             |
| 12 | 12.14.22               | <b>ACTION</b> | Mr. Cole: Obtain proposal from Mr. Barrow to remove Ficus & install new landscape buffer & cost to install concrete wall panel for area from pumpstation to 9233 Museo Drive.                  | X       |                                    |           |                             |
| 13 | 12.14.22               | <b>ACTION</b> | Mr. Cole: Follow up on meeting with Grady Minor re: completion of punch list items so CDD #2 can stop paying for bond renewals. <b>1.25.23:</b> Punch list items are reportedly in progress.   | X       |                                    |           |                             |
| 14 | 12.14.22               | <b>ACTION</b> | Mr. Cole: Follow up with Waste Management regarding oil stains that were to have been cleaned.   | X       |                                    |           |                             |
| 15 | 12.14.22               | <b>ACTION</b> | Mr. Adams: Check into defense counsel coverage amounts and consider other bidders on CDD insurances.   | X       |                                    |           |                             |
| 16 | 1.25.23                | <b>ACTION</b> | Mr. Cole: Address oil stains at 3130 Aviamar Circle  | X       |                                    |           |                             |



## FIDDLER'S CREEK CDD #2

| #  | MTG DATE ADDED TO LIST | ACTION        | ACTION/AGENDA or COMPLETED ITEM   | ONGOING | POSSIBLY COMPLETED BEFORE NEXT MTG | COMPLETED | MTG DATE MOVED TO COMPLETED |
|----|------------------------|---------------|---|---------|------------------------------------|-----------|-----------------------------|
| 1  | 12.14.22               | <b>ACTION</b> | Ms. Viegas: Advise homeowner to contact Mr. Cole for follow up regarding the drain reported to be full of silt, mud, and roots. |         |                                    | X         | 01.25.23                    |
| 2  | 12.14.22               | <b>ACTION</b> | Mrs. Adams: Follow up on light pole at 9259 Museo Circle that was removed, but not replaced. Add back to the list.              |         |                                    | X         | 01.25.23                    |
| 3  | 12.14.22               | <b>ACTION</b> | Mrs. Adams: Inspect light pole at 9263 Museo Circle possibly missing a light; the pole that has an opening with electrical.     |         |                                    | X         | 01.25.23                    |
| 4  | 12.14.22               | <b>ACTION</b> | Mrs. Adams: Ask if insurance coverage applies to items such as the benches that were damaged during the hurricane.              |         |                                    | X         | 01.25.23                    |
| 5  | 12.14.22               | <b>ACTION</b> | Mrs. Adams: Follow up with Bentley regarding lighting issues that were reported before the hurricane, including Oyster Harbor.  |         |                                    | X         | 01.25.23                    |
| 6  |                        |               |   |         |                                    |           |                             |
| 7  |                        |               |   |         |                                    |           |                             |
| 8  |                        |               |   |         |                                    |           |                             |
| 9  |                        |               |   |         |                                    |           |                             |
| 10 |                        |               |   |         |                                    |           |                             |
| 11 |                        |               |   |         |                                    |           |                             |
| 12 |                        |               |   |         |                                    |           |                             |
| 13 |                        |               |   |         |                                    |           |                             |

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

**STAFF  
REPORTS**

## FIDDLER'S CREEK COMMUNITY DEVELOPMENT DISTRICT #2

### BOARD OF SUPERVISORS FISCAL YEAR 2022/2023 MEETING SCHEDULE

#### LOCATION

*Fiddler's Creek Club and Spa, 3470 Club Center Boulevard, Naples, Florida 34114*

| DATE                              | POTENTIAL DISCUSSION/FOCUS       | TIME     |
|-----------------------------------|----------------------------------|----------|
| October 26, 2022                  | Regular Meeting                  | 10:00 AM |
| November 9, 2022* <b>CANCELED</b> | Regular Meeting                  | 10:00 AM |
| December 14, 2022*                | Regular Meeting                  | 10:00 AM |
| January 25, 2023                  | Regular Meeting                  | 10:00 AM |
| February 22, 2023                 | Regular Meeting                  | 10:00 AM |
| March 22, 2023                    | Regular Meeting                  | 10:00 AM |
| April 26, 2023                    | Regular Meeting                  | 10:00 AM |
| May 24, 2023                      | Regular Meeting                  | 10:00 AM |
| June 28, 2023                     | Regular Meeting                  | 10:00 AM |
| July 26, 2023                     | Regular Meeting                  | 10:00 AM |
| August 23, 2023                   | Public Hearing & Regular Meeting | 10:00 AM |
| September 27, 2023                | Regular Meeting                  | 10:00 AM |

**\*Exceptions**

*November & December meeting dates are two weeks earlier to accommodate holidays*