FIDDLER'S CREEK COMMUNITY DEVELOPMENT DISTRICT #2 January, 25, 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

January 18, 2023

ATTENDEES:

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

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

Dear Board Members:

The Board of Supervisors of the Fiddler's Creek Community Development District #2 will hold 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. Members of the public may listen to and participate in the meeting telephonically at **1-888-354-0094**, Participant Passcode: **709 724 7992**. The agenda is as follows:

- 1. Call to Order/Roll Call
- 2. Public Comments: Non-Agenda Items (3 minutes per speaker)
- 3. Health, Safety and Environment Report
 - A. Irrigation and Pressure Washing Efforts: Julie Staar
 - B. Security and Safety Update: Ed Jasiecki
- 4. Developer's Report/Update
 - Architect's Plans for Championship Drive Gatehouse
- 5. Engineer's Report: *Hole Montes, Inc.*
 - Update: Pumphouse Replacement Bid
- 6. Continued Discussion: Claim Against Fiddler's Creek CDD #1 Regarding Anticipatory Breach of Interlocal Agreement [Traffic Signal Cost Sharing]
- 7. Discussion/Consideration: Proposals for CDD Insurance
- 8. Consideration of Collier Paving & Concrete Proposal for Concrete Sidewalk Repairs
- 9. Acceptance of Unaudited Financial Statements as of December 31, 2022
- 10. Approval of December 14, 2022 Regular Meeting Minutes

- 11. Action/Agenda or Completed Items
- 12. Staff Reports
 - A. District Counsel: Woodward, Pires and Lombardo, P.A.
 - B. District Manager: Wrathell, Hunt and Associates, LLC
 - NEXT MEETING DATE: February 22, 2023 at 10:00 A.M.
 - QUORUM CHECK

| Seat 1 | Victoria DiNardo | IN PERSON | No |
|--------|------------------|-----------|----|
| Seat 2 | Elliot Miller | IN PERSON | No |
| Seat 3 | Linda Viegas | IN PERSON | No |
| Seat 4 | John P. Nuzzo | IN PERSON | No |
| Seat 5 | Bill Klug | IN PERSON | No |

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

13. Adjournment

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

Sincerely,

DE. Adarir

Chesley¹E. 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



CDD 2

JANUARY 25, 2023

PRESENTED BY: ED JASIECKI

CDD 2 CONTRACTED RESPONSIBILITIES

- I. Tree Canopy Trimming
- 2. Irrigation

3.

- Irrigation@Fiddlerscreek.com
- Pressure Washing
 - Pressurewashing@Fiddlerscreek.com

TREE CANOPY TRIMMING

- Trimmed Lake Hardwoods
- Trimmed Buffer Wall Hardwoods
- Revisited areas that were missed during initial trimming
- January, 2023 finish trimming Royal Palm hangers



IRRIGATION PROJECTED USAGE

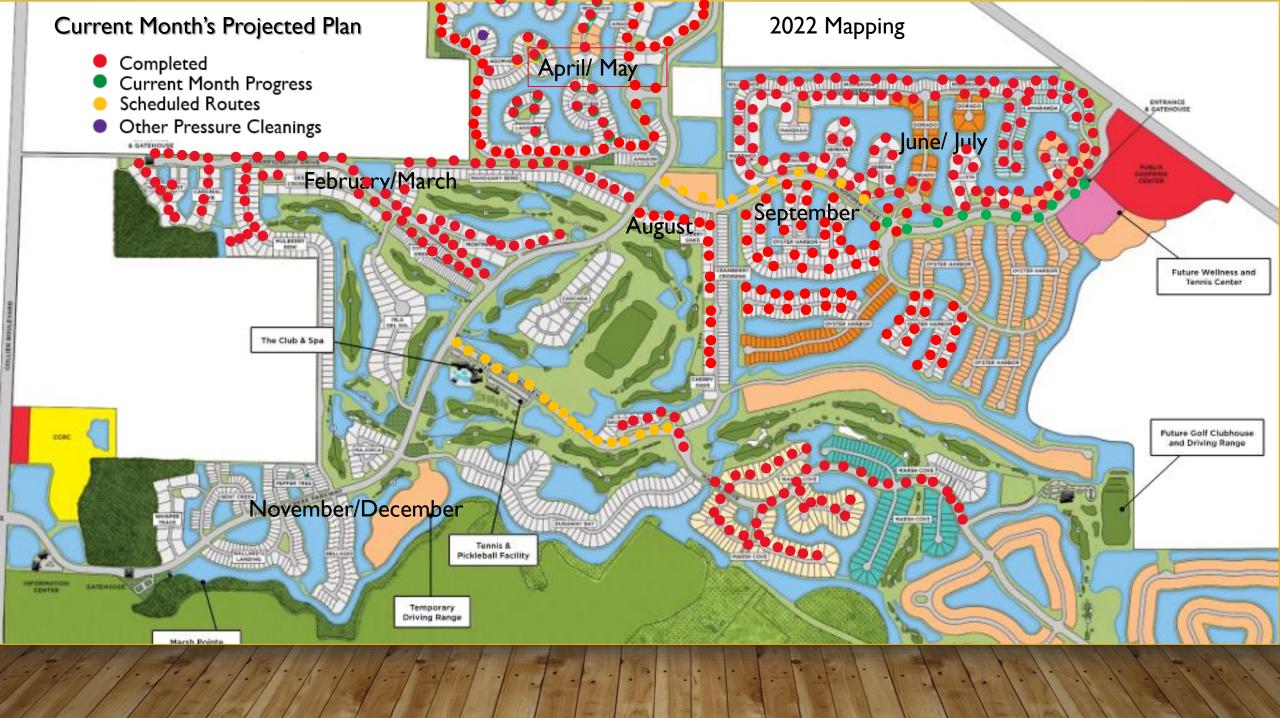
- 20 Programmed Village Satellites
 - Monday, Wednesday & Saturday
 - 9:00 pm 8:00 am
 - 13 Possible Run Cycles / 12 Run Cycles Completed and I Rain Hold
- 9 Programmed Common Satellites
 - Tuesday, Thursday & Sunday
 - 13 Possible Run Cycles / 12 Run Cycles Completed and 1 Rain Holds.
- December Water Estimated Calculation Usage
 - Villages: 9,155,028 Gallons
 - Common: 4,905,672 Gallons
- Total Water Usage in December 2022 was 59,535,754 Gallons versus 61,654,000 gallons in December 2021.
- Avg. Precipitation for December = 2.58"



PRESSURE WASHING

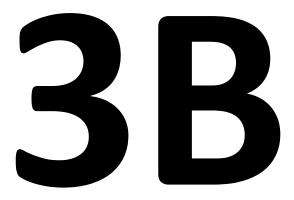
- Past 30 Days:
- Complete work on Fiddler's Creek
 Parkway Older Communities, ie. Mallards
 and Bellagio.
- Projected Next 30 Days:
 - Begin work in Marsh Cove area.







FIDDLER'S CREEK COMMUNITY DEVELOPMENT DISTRICT #2



Department of Safety, Health & Environment

DIRECTOR – Ed Jasiecki SAFETY MANAGER – Richard Renaud



Fiddler's Creek

In an EMERGENCY call 9-1-1

- For all MEDICAL, FIRE and POLICE emergencies dial 9-1-1
- For all non-emergency needs call the Community Patrol at 239-919-3705 or email us at safety@fiddlerscreek.com

WE ARE NOT FIRST RESPONDERS, ALWAYS CALL 911 FOR AN EMERGENCY THEN CALL COMMUNITY PATROL TO INFORM THEM OF THE INCIDENT

Gate Access Control

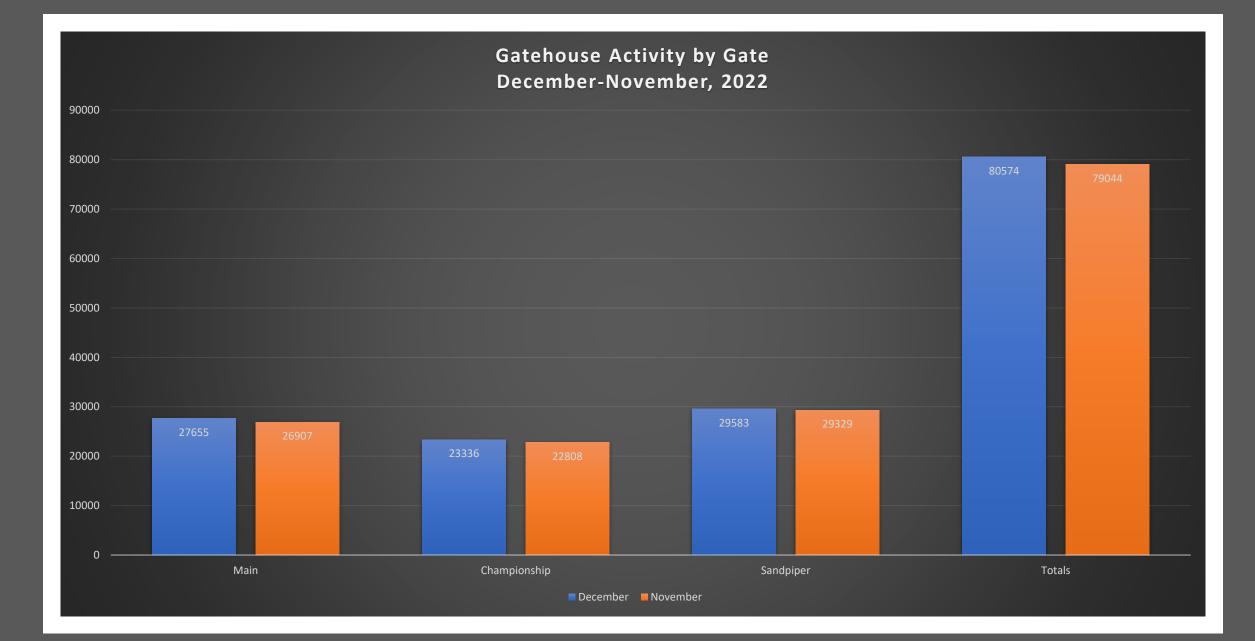
Options for registering your guests, contractors, visitors.

- Enter your guest information on the member's website.
- Use the Fiddler's Creek mobile app to register guests.
- Call the Automated Gatehouse number at 239-529-4139
- Send an email to <u>safety@fiddlerscreek.com</u> and remember to include your name and address.
- Send all questions, concerns and suggestions to safety@fiddlerscreek.com

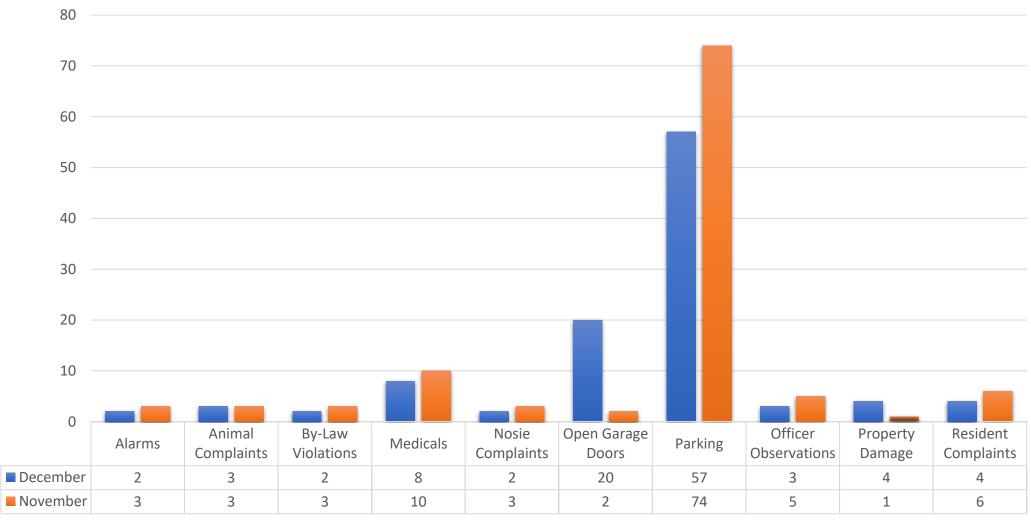
GATEHOUSES and PATROLS

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





Incidents Reported: December-November, 2022



December November

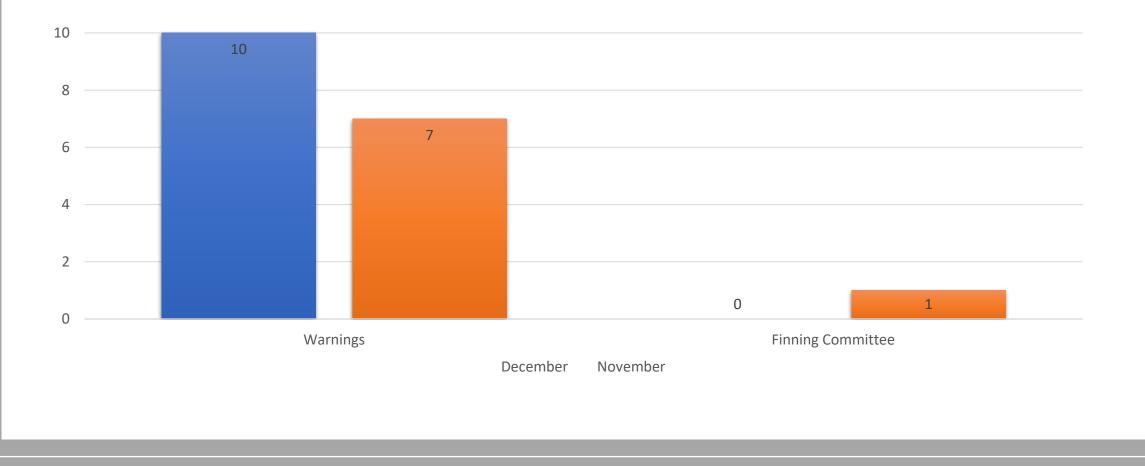
SPEED DETECTION DEVICES

- 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-November, 2022

12



For the month of December, 2022 Collier County Sheriff's Deputies responded to Fiddler's Creek a total of 70 times for the following calls:

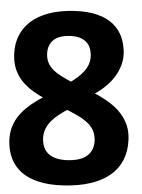
- 1 Missing/Recovered Person
- 1 Welfare Check
- 1 Legal Advice Call
- 39 Extra Patrols
- 8 Alarm Calls
- 1 Gas Leak Call (was unfounded by the fire department)
- 1 Public Assist Call
- 2 VIN Inspections/Verifications
- 2 Medical Emergencies
- 14 911-Hang Ups

QUESTIONS?

•Thank you



FIDDLER'S CREEK COMMUNITY DEVELOPMENT DISTRICT #2





Divisions of Southern Striping Solutions, LLC. 239.591.5903 office 239.351.6080 cell 239.280.0762 fax www.collierpave.com

PROPOSAL

| Date: 19-Dec-22 | | | | | | | |
|-----------------|-----------------------|--|--|--|--|--|--|
| Estimate # | | | | | | | |
| Project: | Concrete Repairs | | | | | | |
| | Fiddler's Creek CDD 2 | | | | | | |
| Contractor: | Fiddler's Creek CDD 2 | | | | | | |
| Location: | Various Streets | | | | | | |
| Scope: | | | | | | | |

| 0.3 | Concrete Sidewalk Grinds CDD 1 | LF | 12 | \$ | 21.00 | \$ 252.00 |
|----------|-----------------------------------|------|----------|--------|------------|-----------------|
| | Concrete Sidewalk Repairs CDD 1 | SF | 750 | \$ | 32.47 | \$ 24,352.50 |
| 0.1 | Mobilization & General Conditions | LS | 1 | \$ | 2,707.00 | \$ 2,707.00 |
| Item No. | Description | Unit | Quantity | l | Jnit Price | Extension |

TERMS AND CONDITIONS

Price excludes all full depth repair to Sub-base

Price excludes all root removal

Price excludes F&I root barrier

No Permits, Fee's or Bond

No traffic control or devices

No Testing

No Q/C Plan or Services

Progress invoicing based on work completed

Price submitted is good for 30 days from date of proposal

Material costs subject to (Fuel Cost Adjustment) base on market pricing after 90/days from contract.

This proposal shall become part of any sub-contract, contract or any agreement <u>Collier Paving & Concrete</u> enters into.

J. Alex DeMarco DeSarco DeColumna De

J. Alex DeMarco Director of Operations



Divisions of Southern Striping Solutions, LLC . 239.591.5903 office 239.351.6080 cell 239.280.0762 fax

www.collierpave.com

Date of Acceptance

by:

FIDDLER'S CREEK COMMUNITY DEVELOPMENT DISTRICT #2

UNAUDITED FINANCIAL STATEMENTS

FIDDLER'S CREEK COMMUNITY DEVELOPMENT DISTRICT #2 FINANCIAL STATEMENTS UNAUDITED DECEMBER 31, 2022

FIDDLER'S CREEK COMMUNITY DEVELOPMENT DISTRICT #2 BALANCE SHEET GOVERNMENTAL FUNDS DECEMBER 31, 2022

| | 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 |
|---|-----------------------|-----------------------------------|-----------------------------------|--------------------------------------|--------------------------------------|--------------------------------------|--------------------------------------|-------------------------------------|--------------------------------------|--------------------------------------|------------------------------------|-----------------------------------|---|--|--------------------------------|
| ASSETS | | | | | | | | | | | | | | | |
| Cash | \$ 4,191,320 | \$- | \$- | \$- | \$- | \$- | \$- | \$- | \$- | \$- | \$- | \$- | \$- | \$- | \$ 4,191,320 |
| Investments | | | | | | | | | | | | | | | |
| Revenue A | - | 143,033 | 189,675 | - | - | 6,017 | - | 62,018 | 274,932 | 93,510 | - | 801,758 | - | - | 1,570,943 |
| Revenue B | - | - | - | - | 209,998 | - | 226,683 | - | - | - | - | - | - | - | 436,681 |
| Reserve A | - | 52,593 | 52,593 | - | - | - | - | 105,169 | 114,125 | 38,112 | - | 152,284 | - | - | 514,876 |
| Reserve B | - | - | - | - | 130,136 | - | 130,136 | - | - | - | 194,404 | - | - | - | 454,676 |
| Prepayment A | - | 737 | 60,217 | 554 | - | 4,486 | - | 3,480 | 48,018 | 13,469 | - | 30,390 | - | - | 161,351 |
| Prepayment B | - | - | - | - | 372 | - | 4,020 | - | - | - | 4,695 | - | - | - | 9,087 |
| Interest | - | 4 | - | - | - | - | - | - | - | - | - | - | - | - | 4 |
| Construction | - | - | - | - | - | 169 | - | - | - | - | - | - | 127,735 | 271,618 | 399,522 |
| Sinking | - | - | - | - | 460 | - | 538 | - | - | - | - | - | · - | · - | 998 |
| Optional redemption | - | - | - | - | - | - | - | 73 | - | - | - | - | - | - | 73 |
| COI | - | - | - | - | 13 | - | 14 | - | - | - | - | 18 | - | - | 45 |
| Due from other funds | | | | | | | | | | | | | | | |
| Debt service fund series 2004 | - | - | 25,559 | - | - | - | - | - | - | - | - | - | - | - | 25.559 |
| Debt service fund series 2004 | 321 | - | 20,000 | - | _ | _ | - | - | _ | _ | - | - | - | | 321 |
| Debt service fund series 2014-17 | 1,974 | | | | _ | | 2,524 | _ | | | | _ | _ | - | 4,498 |
| Due from other | 458 | | | _ | | | 2,524 | | _ | | | | | | 458 |
| Due from general fund | 430 | - 10,127 | - 56,309 | | 112,292 | - | 124,892 | - 54,625 | 71,122 | 23,451 | | 371,580 | | _ | 824,398 |
| - | - | 10,127 | 50,509 | - | 112,292 | - | 124,092 | 54,625 | 71,122 | 23,451 | - | 371,360 | - | - | |
| Accounts receivable Total assets | 3,116 \$ 4,197,189 | \$206,494 | \$384,353 | \$ 554 | \$453,271 | \$ 10,672 | \$488,807 | \$225,365 | \$508,197 | \$168,542 | \$ 199,099 | \$1,356,030 | \$ 127,735 | \$271,618 | 3,116 \$ 8,597,926 |
| LIABILITIES AND FUND BALANCES Liabilities | | | | | | | | | | | | | | | |
| Due to other | 3,531 | - | - | - | - | - | - | - | - | - | - | - | - | - | 3,531 |
| Due to other funds | | | | | | | | | | | | | | | |
| Debt service fund series 2004 | 10,127 | - | - | - | - | - | - | - | - | - | - | - | - | - | 10,127 |
| Debt service fund series 2005 | 56,309 | 25,559 | - | - | - | - | - | - | - | - | - | - | - | - | 81,868 |
| Debt service fund series 2014-1B | 112,292 | - | - | - | - | - | - | - | - | - | - | - | - | - | 112,292 |
| Debt service fund series 2014-2B | 124,892 | - | - | - | - | 2,524 | - | - | - | - | - | - | - | - | 127,416 |
| Debt service fund series 2014-3 | 54,625 | - | - | - | - | - | - | - | - | - | - | - | - | - | 54,625 |
| Debt service fund series 2015A-1 | 71,122 | - | - | - | - | - | - | - | - | - | - | - | - | - | 71,122 |
| Debt service fund series 2015A-2 | 23,451 | - | - | - | - | - | - | - | - | - | - | - | - | - | 23,451 |
| Debt service fund series 2019 | 371,580 | - | - | - | - | - | - | - | - | - | - | - | - | - | 371,580 |
| Due to general fund | - | - | - | 321 | - | 1,974 | - | - | - | - | - | - | - | - | 2,295 |
| Due to Developer | 10,735 | - | - | - | - | - | - | - | - | - | - | - | - | - | 10,735 |
| Due to Fiddler's Creek CDD #1 | 37,895 | - | - | - | - | - | - | - | - | - | - | - | - | - | 37,895 |
| Total liabilities | 876,559 | 25,559 | - | 321 | - | 4,498 | - | - | - | - | - | - | - | - | 906,937 |
| DEFERRED INFLOWS OF RESOURC | | · · · · · | | | | · · · · | | - | | | | | | | , |
| Deferred receipts | 450 | | | | - | | - | - | - | - | - | | - | - | 450 |
| Total deferred inflows of resources | 450 | | | | - | - | - | - | - | - | - | - | - | - | 450 |
| Fund balances: Restricted for: Debt service Capital projects | - | 180,935 | 384,353 | 233 | 453,271 | 6,174 | 488,807 | 225,365 | 508,197 | 168,542 | 199,099 | 1,356,029 | 127.735 | - 271,618 | 3,971,005 399,353 |
| Unassigned | 3,320,180 | - | - | - | - | - | - | - | - | - | - | - | - | - | 3,320,180 |
| Total fund balances | 3,320,180 | 180,935 | 384,353 | 233 | 453,271 | 6,174 | 488,807 | 225,365 | 508,197 | 168,542 | 199,099 | 1,356,029 | 127,735 | 271,618 | 7,690,538 |
| Total liabilities, deferred inflows of resources and fund balances | \$ 4,197,189 | \$206,494 | \$384,353 | \$ 554 | \$453,271 | \$ 10,672 | \$488,807 | \$225,365 | \$508,197 | | \$ 199,099 | . <u> </u> | \$ 127,735 | \$271,618 | |

FIDDLER'S CREEK COMMUNITY DEVELOPMENT DISTRICT #2 STATEMENT OF REVENUES, EXPENDITURES, AND CHANGES IN FUND BALANCES GENERAL FUND FOR THE PERIOD ENDED DECEMBER 31, 2022

| | Current Month | Year to Date | Budget | % of Budget |
|--------------------------------|------------------|-----------------|-------------|----------------|
| REVENUES | | | | |
| Assessment levy: on-roll - net | \$ 1,204,178 | \$1,637,073 | \$2,459,310 | 67% |
| Interest & miscellaneous | 21,555 | 21,593 | 7,500 | 288% |
| Total revenues | 1,225,733 | 1,658,666 | 2,466,810 | 67% |
| EXPENDITURES | | | | |
| Administrative | | | | |
| Supervisors | - | 1,077 | 14,369 | 7% |
| Management | 7,055 | 21,165 | 84,662 | 25% |
| Assessment roll preparation | 22,500 | 22,500 | 22,500 | 100% |
| Audit | , _ | - | 16,500 | 0% |
| Legal - general | 351 | 1,550 | 25,000 | 6% |
| Engineering | 4,095 | 8,921 | 50,000 | 18% |
| Telephone | 27 | 81 | 335 | 24% |
| Postage | - | 216 | 2,000 | 11% |
| Insurance | - | 15,820 | 15,200 | 104% |
| Printing and binding | 50 | 149 | 595 | 25% |
| Legal advertising | - | - | 2,000 | 0% |
| Office supplies | - | - | 750 | 0% |
| Annual district filing fee | - | 175 | 175 | 100% |
| Trustee | 14,140 | 14,140 | 31,500 | 45% |
| Arbitrage rebate calculation | 500 | 500 | 8,000 | 6% |
| ADA website compliance | - | 210 | 900 | 23% |
| Contingency | 6,267 | 6,342 | 10,000 | 63% |
| Total administrative | 54,985 | 92,846 | 284,486 | 33% |
| Field management | | | | |
| Field management services | 952 | 2,856 | 11,424 | 25% |
| Total field management | 952 | 2,856 | 11,424 | 25% |
| Water men a serie of | | | | |
| Water management | 6 107 | 10 500 | 100 710 | 1 = 0/ |
| Other contractual | 6,197 | 18,592 | 126,712 | 15% |
| Fountains | 10,398 | 45,511 | 167,500 | 27% |
| Total water management | 16,595 | 64,103 | 294,212 | 22% |
| Street lighting | | | | |
| Contractual services | - | 2,417 | 15,000 | 16% |
| Electricity | 675 | 2,059 | 10,000 | 21% |
| Capital outlay | - | - | 10,000 | 0% |
| Miscellaneous | - | 7,806 | 10,000 | 78% |
| Total street lighting | 675 | 12,282 | 45,000 | 27% |

FIDDLER'S CREEK COMMUNITY DEVELOPMENT DISTRICT #2 STATEMENT OF REVENUES, EXPENDITURES, AND CHANGES IN FUND BALANCES GENERAL FUND FOR THE PERIOD ENDED DECEMBER 31, 2022

| | Current Month | Year to Date | Budget | % of Budget |
|--|------------------|-----------------|-------------|----------------|
| Landscaping | ~~ ~~~ | | | |
| Other contractual | 82,798 | 156,982 | 1,000,000 | 16% |
| Other contractual-mosquito spraying | - | - | 23,000 | 0% |
| Improvements and renovations | 21,073 | 21,073 | 50,000 | 42% |
| Contingencies | - | 980 | 25,000 | 4% |
| Total landscaping | 103,871 | 179,035 | 1,098,000 | 16% |
| Roadway maintenance | | | | |
| Contractual services (street cleaning) | - | 700 | 5,000 | 14% |
| Roadway maintenance | 95 | 95 | 100,000 | 0% |
| Roadway capital outlay | - | - | 35,000 | 0% |
| Total roadway services | 95 | 795 | 140,000 | 1% |
| Irrigation | | | | |
| Controller repairs & maintenance | 52 | 158 | 2,000 | 8% |
| Other contractual-irrigation manager | - | 515 | 50,000 | 1% |
| Supply system | 7,387 | 25,191 | 452,025 | 6% |
| Total irrigation | 7,439 | 25,864 | 504,025 | 5% |
| Other fees & charges | | | | |
| Property appraiser | - | - | 38,427 | 0% |
| Tax collector | 24,084 | 32,741 | 51,236 | 64% |
| Total other fees & charges | 24,084 | 32,741 | 89,663 | 37% |
| Total expenditures and other charges | 208,696 | 410,522 | 2,466,810 | 17% |
| Excess/(deficiency) of revenues | | | | |
| over/(under) expenditures | 1,017,037 | 1,248,144 | - | |
| Fund balances - beginning | 2,303,143 | 2,072,036 | 1,566,768 | |
| Fund balances - ending | \$ 3,320,180 | \$ 3,320,180 | \$1,566,768 | |

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 DECEMBER 31, 2022

| | Current Month | | | Year to Date | | Budget | % of Budget | |
|---------------------------------|------------------|---------|----|-----------------|----|---------|----------------|--|
| REVENUES | | | | | | | | |
| Assessment levy: on-roll - net | \$ | 16,442 | \$ | 22,353 | \$ | 33,600 | 67% | |
| Interest | | 503 | | 1,263 | | | N/A | |
| Total revenues | | 16,945 | | 23,616 | | 33,600 | 70% | |
| EXPENDITURES | | | | | | | | |
| Debt service | | | | | | | | |
| Principal | | - | | - | | 10,000 | 0% | |
| Interest | | - | | 7,762 | | 15,525 | 50% | |
| Total debt service | | - | | 7,762 | | 25,525 | 30% | |
| Other fees & charges | | | | | | | | |
| Property appraiser | | - | | - | | 525 | 0% | |
| Tax collector | | 329 | | 447 | | 700 | 64% | |
| Total other fees & charges | | 329 | - | 447 | - | 1,225 | 36% | |
| Total expenditures | | 329 | | 8,209 | | 26,750 | 31% | |
| Excess/(deficiency) of revenues | | | | | | | | |
| over/(under) expenditures | | 16,616 | | 15,407 | | 6,850 | | |
| Fund balances - beginning | | 164,319 | | 165,528 | | 164,071 | | |
| Fund balances - ending | \$ | 180,935 | \$ | 180,935 | \$ | 170,921 | | |

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 DECEMBER 31, 2022

| | Current Month | | Year to Date | | Budget | | % of Budget | |
|------------------------------------|------------------|----------|-----------------|---------|--------|---------|----------------|--|
| REVENUES | ¢ | 04 400 | ¢ | 404.040 | ¢ | 400 400 | 050/ | |
| Assessment levy: on-roll - net | \$ | 91,462 | \$ | 124,342 | \$ | 190,160 | 65% N/A | |
| Prepayment assessments Interest | | - 645 | | 57,144 | | - | N/A N/A | |
| | | | | 1,718 | | - | | |
| Total revenues | | 92,107 | | 183,204 | | 190,160 | 96% | |
| EXPENDITURES | | | | | | | | |
| Debt service | | | | | | | | |
| Principal | | - | | - | | 70,000 | 0% | |
| Principal prepayment | | - | | 30,000 | | , - | N/A | |
| Interest | | - | | 53,850 | | 107,700 | 50% | |
| Total debt service | | - | | 83,850 | | 177,700 | 47% | |
| Other fees & charges | | | | | | | | |
| Property appraiser | | - | | - | | 2,971 | 0% | |
| Tax collector | | 1,829 | | 2,487 | | 3,962 | 63% | |
| Total other fees & charges | | 1,829 | | 2,487 | | 6,933 | 36% | |
| Total expenditures | | 1,829 | | 86,337 | | 184,633 | 47% | |
| Excess/(deficiency) of revenues | | | | | | | | |
| over/(under) expenditures | | 90,278 | | 96,867 | | 5,527 | | |
| Fund balances - beginning | | 294,075 | | 287,486 | | 258,437 | | |
| Fund balances - ending | \$ | 384,353 | \$ | 384,353 | \$ | 263,964 | | |

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 DECEMBER 31, 2022

| | Current Month | | | rear to Date | Budget | % of Budget | |
|--|------------------|-----|----|-----------------|---------------|----------------|--|
| REVENUES | | | | | | | |
| Assessment levy: off-roll | \$ | - | \$ | 87,581 | \$ 280,163 | 31% | |
| Interest | | 1 | | 4 | - | N/A | |
| Total revenues | | 1 | | 87,585 | 280,163 | 31% | |
| EXPENDITURES | | | | | | | |
| Debt service | | | | | | | |
| Principal | | - | | - | 105,000 | 0% | |
| Interest | | - | | 87,581 | 175,163 | 50% | |
| Total expenditures | | - | | 87,581 | 280,163 | 31% | |
| Excess/(deficiency) of revenues over/(under) expenditures | | 1 | | 4 | - | | |
| Fund balances - beginning | | 232 | | 229 | 227 | | |
| Fund balances - ending | \$ | 233 | \$ | 233 | \$ 227 | | |

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 DECEMBER 31, 2022

| | Current Month | | | Year to Date | | Budget | % of Budget |
|---------------------------------|------------------|-----------------------|----------|------------------|----------|---------|----------------|
| REVENUES | • | | <u>^</u> | | ^ | | 0- 0/ |
| Assessment levy: on-roll - net | \$ | 182,314 | \$ | 247,855 | \$ | 372,345 | 67% |
| Interest Total revenues | | <u>572</u> 182,886 | | 1,840 249,695 | | 372,345 | N/A 67% |
| Total revenues | | 102,000 | | 249,095 | | 572,545 | 07 /0 |
| EXPENDITURES | | | | | | | |
| Debt service | | | | | | | |
| Principal | | - | | - | | 135,000 | 0% |
| Interest | | - | | 112,387 | | 224,775 | 50% |
| Total debt service | | - | | 112,387 | | 359,775 | 31% |
| Other fees & charges | | | | | | | |
| Property appraiser | | - | | - | | 5,818 | 0% |
| Tax collector | | 3,646 | | 4,957 | | 7,757 | 64% |
| Total other fees & charges | | 3,646 | | 4,957 | | 13,575 | 37% |
| Total expenditures | | 3,646 | | 117,344 | | 373,350 | 31% |
| Excess/(deficiency) of revenues | | | | | | | |
| over/(under) expenditures | | 179,240 | | 132,351 | | (1,005) | |
| Fund balances - beginning | | 274,031 | | 320,920 | | 311,162 | |
| Fund balances - ending | \$ | 453,271 | \$ | 453,271 | \$ | 310,157 | |

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 DECEMBERR 31, 2022

| | Current Year to Month Date | | | Budget | % of Budget | |
|---------------------------------|-------------------------------|-------|----|----------|----------------|-----|
| REVENUES | | | | | | |
| Assessment levy: off-roll | \$ | - | \$ | 170,249 | \$ 538,500 | 32% |
| Interest | | 28 | | 126 | - | N/A |
| Total revenues | | 28 | | 170,375 | 538,500 | 32% |
| EXPENDITURES | | | | | | |
| Debt service | | | | | | |
| Principal | | - | | - | 210,000 | 0% |
| Principal prepayment | | - | | 20,000 | - | N/A |
| Interest | | - | | 164,250 | 328,500 | 50% |
| Total expenditures | | - | | 184,250 | 538,500 | 34% |
| Excess/(deficiency) of revenues | | | | | | |
| over/(under) expenditures | | 28 | | (13,875) | - | |
| Fund balances - beginning | | 6,146 | | 20,049 | (1,690) | |
| Fund balances - ending | \$ | 6,174 | \$ | 6,174 | \$ (1,690) | |

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 DECEMBER 31, 2022

| | Current Month | | | Year to Date | | Budget | % of Budget |
|---------------------------------|------------------|---------|----|-----------------|----|---------|----------------|
| REVENUES | • | | • | | • | | |
| Assessment levy: on-roll - net | \$ | 202,797 | \$ | 275,701 | \$ | 416,404 | 66% |
| Interest | | 588 | | 1,920 | | - | N/A |
| Total revenues | | 203,385 | | 277,621 | | 416,404 | 67% |
| EXPENDITURES | | | | | | | |
| Debt service | | | | | | | |
| Principal | | - | | - | | 155,000 | 0% |
| Interest | | - | | 123,000 | | 246,000 | 50% |
| Total debt service | | - | | 123,000 | | 401,000 | 31% |
| Other fees & charges | | | | | | | |
| Property appraiser | | - | | - | | 6,506 | 0% |
| Tax collector | | 4,056 | | 5,514 | | 8,675 | 64% |
| Total other fees & charges | | 4,056 | | 5,514 | | 15,181 | 36% |
| Total expenditures | | 4,056 | | 128,514 | | 416,181 | 31% |
| Excess/(deficiency) of revenues | | | | | | | |
| over/(under) expenditures | | 199,329 | | 149,107 | | 223 | |
| Fund balances - beginning | | 289,478 | | 339,700 | | 337,365 | |
| Fund balances - ending | \$ | 488,807 | \$ | 488,807 | \$ | 337,588 | |

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 DECEMBER 31, 2022

| REVENUES | | Current Month | | Year to Date | | Budget | % of Budget |
|--------------------------------------|----|------------------|----|-----------------|----|---------|----------------|
| Assessment levy: on-roll - net | \$ | 87,193 | \$ | 118,538 | \$ | 178,074 | 67% |
| Assessment levy: off-roll | Ψ | - | Ψ | 162,439 | Ψ | 536,918 | 30% |
| Interest | | 297 | | 832 | | - | N/A |
| Total revenues | | 87,490 | | 281,809 | | 714,992 | 39% |
| EXPENDITURES | | | | | | | |
| Debt service | | | | | | | |
| Principal | | - | | - | | 275,000 | 0% |
| Interest | | - | | 214,350 | | 428,700 | 50% |
| Total debt service | | - | | 214,350 | | 703,700 | 30% |
| Other fees & charges | | | | | | | |
| Property appraiser | | - | | - | | 2,782 | 0% |
| Tax collector | | 1,744 | | 2,371 | | 3,710 | 64% |
| Total other fees & charges | | 1,744 | | 2,371 | | 6,492 | 37% |
| Total expenditures | | 1,744 | | 216,721 | | 710,192 | 31% |
| Excess/(deficiency) of revenues | | | | | | | |
| over/(under) expenditures | | 85,746 | | 65,088 | | 4,800 | |
| OTHER FINANCING SOURCES/(USES) | | | | | | | |
| Transfer in | | - | | 26,013 | | - | N/A |
| Total other financing sources/(uses) | | - | | 26,013 | | - | N/A |
| Net change in fund balances | | 85,746 | | 91,101 | | 4,800 | |
| Fund balances - beginning | _ | 139,619 | | 134,264 | | 134,931 | |
| Fund balances - ending | \$ | 225,365 | \$ | 225,365 | \$ | 139,731 | |

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 DECEMBER 31, 2022

| REVENUES | | Current Month | | Year to Date | | Budget | % of Budget |
|--------------------------------------|----|------------------|----|-----------------|----|---------|----------------|
| Assessment levy: on-roll - net | \$ | 115,452 | \$ | 156,956 | \$ | 235,797 | 67% |
| Assessment prepayments | Ŧ | 44,732 | Ŧ | 44,732 | Ŧ | | N/A |
| Interest | | 843 | | 2,498 | | - | N/A |
| Total revenues | | 161,027 | | 204,186 | | 235,797 | 87% |
| EXPENDITURES Debt service | | | | | | | |
| Principal | | - | | - | | 60,000 | 0% |
| Interest | | - | | 83,600 | | 167,200 | 50% |
| Total debt service | | | | 83,600 | | 227,200 | 37% |
| Other fees & charges | | | | | | | |
| Property appraiser | | - | | - | | 3,684 | 0% |
| Tax collector | | 2,309 | | 3,139 | | 4,912 | 64% |
| Total other fees & charges | | 2,309 | | 3,139 | | 8,596 | 37% |
| Total expenditures | | 2,309 | | 86,739 | | 235,796 | 37% |
| Excess/(deficiency) of revenues | | | | | | | |
| over/(under) expenditures | | 158,718 | | 117,447 | | 1 | |
| OTHER FINANCING SOURCES/(USES) | | | | | | | |
| Transfer out | | - | | (26,013) | | - | N/A |
| Total other financing sources/(uses) | | - | | (26,013) | | - | N/A |
| Net change in fund balances | | 158,718 | | 91,434 | | 1 | |
| Fund balances - beginning | | 349,479 | | 416,763 | | 429,508 | |
| Fund balances - ending | \$ | 508,197 | \$ | 508,197 | \$ | 429,509 | |

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 DECEMBER 31, 2022

| | - | Current Month | Year to Date | Budget | % of Budget |
|--|----|------------------|-----------------|---------------|----------------|
| REVENUES | | | | | |
| Assessment levy: on-roll - net | \$ | 38,069 | \$ 51,755 | \$ 77,734 | 67% |
| Assessment prepayments | | 11,789 | 11,789 | - | N/A |
| Interest | | 276 | 765 | - | N/A |
| Total revenues | | 50,134 | 64,309 | 77,734 | 83% |
| EXPENDITURES | | | | | |
| Debt service | | | | | |
| Principal | | - | - | 30,000 | 0% |
| Interest | | - | 22,450 | 44,900 | 50% |
| Total debt service | | - | 22,450 | 74,900 | 30% |
| Other fees & charges | | | | | |
| Property appraiser | | - | - | 1,215 | 0% |
| Tax collector | | 761 | 1,035 | 1,619 | 64% |
| Total other fees & charges | | 761 | 1,035 | 2,834 | 37% |
| Total expenditures | | 761 | 23,485 | 77,734 | 30% |
| Excess/(deficiency) of revenues | | | | | |
| Excess/(deficiency) of revenues over/(under) expenditures | | 49,373 | 40,824 | - | |
| Fund balances - beginning | | 119,169 | 127,718 | 130,982 | |
| Fund balances - ending | \$ | 168,542 | \$ 168,542 | \$ 130,982 | |

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 DECEMBER 31, 2022

| | (| Current Month | Year to Date | Budget | % of Budget |
|---|----|--------------------|---------------------------------|-------------------------------|-------------------|
| REVENUES Assessment levy: off-roll Interest Total revenues | \$ | - 542 542 | \$ 63,594 1,331 64,925 | \$ 127,188 - 127,188 | 50% N/A 51% |
| EXPENDITURES Debt service Interest Total expenditures | | | 63,594 63,594 | 127,188 127,188 | 50% 50% |
| Excess/(deficiency) of revenues over/(under) expenditures | | 542 | 1,331 | - | |
| Fund balances - beginning Fund balances - ending | \$ | 198,557 199,099 | \$ 197,768 199,099 | \$ 199,878 199,878 | |

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 DECEMBER 31, 2022

| | | rrent onth | Year to Date | Βι | udget | % of Budget |
|---------------------------------|-----|---------------|-----------------|--------|----------|----------------|
| REVENUES | | | | | | |
| Assessment levy: on-roll - net | \$6 | 03,410 | \$ 820,333 | \$ 1,2 | 242,601 | 66% |
| Assessment prepayments | | - | 27,397 | | - | N/A |
| Interest | | 1,478 | 4,884 | | - | N/A |
| Total revenues | 6 | 04,888 | 852,614 | 1,2 | 242,601 | 69% |
| EXPENDITURES | | | | | | |
| Debt service | | | | | | |
| Principal | | - | - | 6 | 680,000 | 0% |
| Principal prepayment | | - | 70,000 | | - | N/A |
| Interest | | - | 267,813 | Ę | 535,625 | 50% |
| Total debt service | | - | 337,813 | 1,2 | 215,625 | 28% |
| Other fees & charges | | | | | | |
| Property appraiser | | - | - | | 19,416 | 0% |
| Tax collector | | 12,068 | 16,407 | | 25,888 | 63% |
| Total other fees & charges | | 12,068 | 16,407 | | 45,304 | 36% |
| Total expenditures | | 12,068 | 354,220 | 1 2 | 260,929 | 28% |
| | | 12,000 | 001,220 | | | 2070 |
| Excess/(deficiency) of revenues | | | | | | |
| over/(under) expenditures | 5 | 92,820 | 498,394 | | (18,328) | |
| Fund balances - beginning | 7 | 63,209 | 857,635 | 7 | 779,418 | |
| Fund balances - ending | | 56,029 | \$ 1,356,029 | | 761,090 | |

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 DECEMBER 31, 2022

| | Current Month | | Year to Date | |
|--|------------------|--------------------|-----------------|--------------------|
| REVENUES Interest & miscellaneous Total revenues | \$ | 351 351 | \$ | 927 927 |
| EXPENDITURES Capital outlay Total expenditures | | - | | 8,978 8,978 |
| Excess/(deficiency) of revenues over/(under) expenditures | | 351 | | (8,051) |
| Fund balances - beginning Fund balances - ending | \$ | 127,384 127,735 | \$ | 135,786 127,735 |

FIDDLER'S CREEK COMMUNITY DEVELOPMENT DISTRICT #2 STATEMENT OF REVENUES, EXPENDITURES, AND CHANGES IN FUND BALANCES CAPITAL PROJECTS FUND 2015 FOR THE PERIOD ENDED DECEMBER 31, 2022

| | Current Month | Year to Date |
|--|-----------------------|-----------------------|
| REVENUES Interest & miscellaneous | \$ 740 | \$ 1,815 |
| Total revenues EXPENDITURES | 740 | 1,815 |
| Total expenditures | - | <u>-</u> |
| Excess/(deficiency) of revenues over/(under) expenditures | 740 | 1,815 |
| Fund balances - beginning Fund balances - ending | 270,878 \$ 271,618 | 269,803 \$ 271,618 |

FIDDLER'S CREEK COMMUNITY DEVELOPMENT DISTRICT #2

MINUTES

| | | DRAFT | | | | | |
|----------|--|--|--|--|--|--|--|
| 1 | MINUTES OF MEETING | | | | | | |
| 2 | FIDDLER'S CREEK COMM | UNITY DEVELOPMENT DISTRICT #2 | | | | | |
| 3 | | | | | | | |
| 4 | | iddler's Creek Community Development District #2 | | | | | |
| 5 | held a Regular Meeting on December 14, | 2022 at 10:00 a.m., at the Fiddler's Creek Club and | | | | | |
| 6 | Spa, 3470 Club Center Boulevard, Naples, | Florida 34114. Members of the public were able to | | | | | |
| 7 | listen and participate telephonically at 1-88 | 8-354-0094, Participant Passcode: 709 724 7992. | | | | | |
| 8 | | | | | | | |
| 9 | Present were: | | | | | | |
| 10 | | | | | | | |
| 11 | Elliot Miller | Chair | | | | | |
| 12 | Victoria DiNardo | Vice Chair | | | | | |
| 13 | Linda Viegas | Assistant Secretary | | | | | |
| 14 | Bill Klug | Assistant Secretary | | | | | |
| 15 | John Nuzzo | Assistant Secretary | | | | | |
| 16 | | | | | | | |
| 17 | Also present were: | | | | | | |
| 18 | | | | | | | |
| 19 | Chuck Adams (via telephone) | District Manager | | | | | |
| 20 | Cleo Adams | District Manager | | | | | |
| 21 | Tony Pires | District Counsel | | | | | |
| 22 | Terry Cole (via telephone) | District Engineer | | | | | |
| 23 | Joe Parisi | Developer's Representative | | | | | |
| 24 | Ed Jasiecki | Fiddler's Creek Director of Safety | | | | | |
| 25 | Jody Benet | Fiddler's Creek Irrigation Manager | | | | | |
| 26 | Valerie Lord | Foundation Representative | | | | | |
| 27 | Ron Albeit | Foundation General Manager | | | | | |
| 28 | Mike Barrow | GulfScapes Landscape Management | | | | | |
| 29 | Cathy Ashline | Resident | | | | | |
| 30 | | | | | | | |
| 31 | | | | | | | |
| 32 | FIRST ORDER OF BUSINESS | Call to Order/Roll Call | | | | | |
| 33 | | | | | | | |
| 34 | Mrs. Adams called the meeting to o | rder at 10:00 a.m. All Supervisors were present. | | | | | |
| 35 | | | | | | | |
| 36 | SECOND ORDER OF BUSINESS | Public Comments: Non-Agenda Items (3 | | | | | |
| 30 37 | SECOND ONDER OF DOSINESS | minutes per speaker) | | | | | |
| 38 | | innutes per speakerj | | | | | |
| 30 39 | Resident Cathy Ashling snarking | on behalf of Menaggio homeowners whose homes | | | | | |
| | | | | | | | |
| 40 | | s enjoyed the view of the lake, which previously had | | | | | |
| 41 | sporadic clumps of grasses. She displayed before and after photos of areas of the lake and | | | | | | |

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stated, in mid-November, someone sprayed and killed the grasses in the lake. In her opinion,
the view is now unsightly and the wildlife habitat is ruined, and wildlife are no longer present.

Mr. Miller stated his home backs up to that lake and he sees many birds; he does not believe the wildlife has been disturbed. Ms. Ashline agreed that wildlife is starting to return but, in her opinion, there are fewer birds, and the view is not nice. She displayed photographs and expressed her opinion that all the grasses are dead. She spoke to her HOA, and no one knows why the Menaggio lake was sprayed so heavily. Asked who sprayed, Ms. Ashline stated in mid-November technicians on a golf cart were observed spraying all the vegetation.

50 Mrs. Adams reviewed the photos, and, in her opinion, they do not show damage. The 51 cypress trees on the bank are dormant, not dead. Invasive species, such as torpedo grass, were 52 likely sprayed.

53 Mr. Miller asked if these issues were caused by the hurricane or the spraying. Ms. 54 Ashline stated the grasses survived the hurricane and died after being sprayed. She observed 55 spraying from a golf cart and an HOA member observed technicians spraying from a boat.

56 Mrs. Adams stated invasives might have been sprayed; she needs to see what littorals 57 are present. Lily pads are sprayed per the contract, as they are invasive.

58 Mr. Klug felt that, rather than looking at photos, Staff should inspect the lake conditions 59 so the Board can discuss the present conditions rather than speculate.

60 Ms. Ashline felt that other lakes look nicer and have grasses and cattails.

61 Mrs. Adams asked to be informed about the presence of cattails, which are invasives

and must be removed; she will inspect the area with Ms. DiNardo during their next lake review.

63 Mr. Barrows, of GulfScapes, stated the trees on the lake bank are dormant, not dead.

64

THIRD ORDER OF BUSINESS Administration of Oath of Office to Elected 65 Supervisors, Elliott Miller [SEAT 2] and 66 67 William (Bill) Klug [SEAT 5] (the following 68 to be provided in a separate package) 69 Mrs. Adams, a Notary of the State of Florida and duly authorized, administered the Oath 70 of Office to Mr. Miller and Mr. Klug. Both are already familiar with the following: 71 72 Α. Guide to Sunshine Amendment and Code of Ethics for Public Officers and Employees 73 Β. Membership, Obligations and Responsibilities

74 C. Financial Disclosure Forms

| | FIDDI | ER'S C | REEK CDD #2 | DRAF | T December 14, 2022 |
|-------------------------|--|----------|---------------------|------------------------|--|
| 75 | | I. | Form 1: Stater | nent of Financial Inte | erests |
| 76 | | н. | Form 1X: Ame | ndment to Form 1, S | tatement of Financial Interests |
| 77 | | III. | Form 1F: Final | Statement of Financ | ial Interests |
| 78 | D. | Form | 8B, Memorandu | Im of Voting Conflict | |
| 79 | | | | | |
| 80 81 82 83 | FOUR | TH OR | DER OF BUSINES | 5 | Consideration of Resolution 2023-01, Designating Certain Officers of the District, and Providing for an Effective Date |
| 84 | | Mrs. | Adams presented | d Resolution 2023-01 | Mr. Klug nominated the following slate: |
| 85 | | | Chair | | Elliot Miller |
| 86 | | | Vice Chair | | Victoria DiNardo |
| 87 | | | Secretary | | Chesley (Chuck) E. Adams, Jr. |
| 88 | | | Assistant Secre | etary | Linda Viegas |
| 89 | | | Assistant Secre | etary | Bill Klug |
| 90 | | | Assistant Secre | etary | John Nuzzo |
| 91 | | | Assistant Secre | etary | Craig Wrathell |
| 92 | | No o | ther nominations | s were made. Prior a | ppointments by the Board for Treasurer and |
| 93 | Assist | ant Tre | asurer remain ur | naffected by this Reso | lution. |
| 94 | | | | | |
| 95 96 97 98 | | Reso | lution 2023-01, [| - | d by Mr. Nuzzo, with all in favor, Officers of the District, as nominated, dopted. |
| 99 100 101 102 | FIFTH | ORDEI | R OF BUSINESS | | Discussion: Holiday Decorations at the Sandpiper Gatehouse Near Publix |
| 103 | | Mr. I | Nuzzo stated sev | eral neighbors asked | him why the Sandpiper Gatehouse was not |
| 104 | decor | ated fo | or the holidays. N | oting that it is a bud | get line item requiring approval, he asked the |
| 105 | Board | l to con | isider adding it to | the Fiscal Year 2024 | budget. |
| 106 | | Mr. M | Viller suggested | there might be conti | ngency funds and asked how much it would |
| 107 | cost. | Mrs. A | Adams thought it | would be too late t | o install holiday decorations this year. Asked |
| 108 | why t | he fror | nt gate was decor | ated, Mrs. Adams sta | ated, historically, it is decorated every year. A |
| 109 | Board Member stated it was already included in the budget; it is a Foundation item that CDD #1 | | | | |
| 110 | pays for because it has historically done so. | | | | |

| | FIDDLER'S CREEK CDD #2 D | RAFT | December 14, 2022 | | | |
|---------------------------------|--|-------------------------------|---|--|--|--|
| 111 | Mr. Nuzzo stated CDD #1 has a \$16,000 line item for holiday decorations. | | | | | |
| 112 | Ms. DiNardo noted that the Sandpiper Gatehouse is part of CDD #2. | | | | | |
| 113 | Mrs. Adams stated CDD #1 pays for t | he main entrance and Ch | ampionship Gatehouse | | | |
| 114 | holiday decorations. | | | | | |
| 115 | Ms. Viegas stated the Sandpiper entry | was never decorated in th | e past and asked why it | | | |
| 116 | should be decorated now. | | | | | |
| 117 | Mr. Miller felt that it is because of the | growth in Oyster Harbor. | | | | |
| 118 | Ms. Viegas asked Mrs. Adams to obtair | n quotes for holiday decora | itions for the Sandpiper | | | |
| 119 | Gatehouse for consideration during the Fiscal | Year 2024 budget discussion | ons. | | | |
| 120 | | | | | | |
| 121 122 123 124 125 | SIXTH ORDER OF BUSINESS | CDD #1 Regarding | gainst Fiddler's Creek Anticipatory Breach of nt [Traffic Signal Cost | | | |
| 126 | Mr. Miller stated he attended the ea | arlier meeting when CDD | #1 considered CDD #2 | | | |
| 127 | lawyer's detailed letter regarding the Antici | patory Breach of the Int | erlocal Agreement. He | | | |
| 128 | outlined the lawyer's letter, the Halvorsen Agreements, and CDD #2's obligations. He explained | | | | | |
| 129 | that the Interlocal Agreement requires CDD #2 | 1 to pay for half the cost of | f the traffic signal. In its | | | |
| 130 | budget, CDD #1 wants to take half of CDD #2's | \$200,000 payment from H | lalvorsen by taking that | | | |
| 131 | payment off the total cost of the traffic signal. | | | | | |
| 132 | Mr. Miller stated he was shocked that | the CDD #1 Board only dis | cussed this very briefly | | | |
| 133 | and dismissed it to be considered at the ne | ext meeting. While the CI | DD #1 Board Members | | | |
| 134 | stated they cannot understand the damages, | , he felt that the damages | are clear because the | | | |
| 135 | CDD #1 Board stated, on the record when | adopting the budget, that | t the expense is being | | | |
| 136 | budgeted as though the \$200,000 is taken off | the top of the full expense | | | | |
| 137 | Mr. Miller stated he spoke with CDD | #1 Chair Bob Slater and | Board Member Torben | | | |
| 138 | Christensen after the meeting and he advise | d them that, if this is not | t resolved, the CDD #2 | | | |
| 139 | Board might vote to sue CDD #1; he was disma | ayed to hear the cavalier a | ttitude with which they | | | |
| 140 | responded. He believes that the CDD #2 Board | has a serious obligation to | o its constituents not to | | | |
| 141 | give away \$100,000 of CDD #2's money. Mr. S | Slater stated he will bring | the matter up seriously | | | |
| 142 | at the next meeting and have a vote on it. | | | | | |
| | | | | | | |

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Mr. Miller is confident CDD #2's position will be adopted, not unanimously, but by a majority vote, at CDD #1's next meeting. He asked for this item to be included on the next agenda. If it is not adopted and, if CDD #1 does not agree to pay its half of the traffic signal cost, he would like the CDD #2 Board to seriously consider suing CDD #1.

147 Mrs. Adams stated this item will be included on the January meeting agenda.

148 Mr. Klug asked how CDD #1's disapproval would impact CDD #2.

149 Mr. Miller stated it would essentially cost CDD #2 an additional \$100,000 to accede to 150 CDD #1's demand to take Halvorsen's \$200,000 payment off the top of the full cost.

151 Mr. Klug asked which CDD has the legal obligation to pay the shortfall if CDD #2 pays 152 what it believes is its share, but CDD #1 pays less.

Mr. Miller stated the Interlocal Agreement explicitly states that each CDD will pay essentially one-half the gross cost of the light and he believes CDD #2 can get a Summary Judgement against CDD #1. Asked how the obligation for CDD #1's shortfall would shift to CDD #2, Mr. Miller stated CDD #2 has an obligation with Halvorsen to install the traffic signal.

157 A resident asked for the details of the situation. Mr. Miller explained the Interlocal 158 Agreement between CDD #1 and CDD #2 and noted the following:

The Interlocal Agreement explicitly states that each CDD will pay for half the gross cost
of the traffic signal to be installed on US41.

CDD #2 only has a contract with Halvorsen, whose property is located on CDD #2 property. One agreement CDD #2 has with Halvorsen gives Halvorsen the right to enter CDD #2's property, bring trucks on CDD #2 property and build the Publix. Another agreement with Halvorsen obligated CDD #2 to move the gate, which it did. A separate agreement obligates CDD #2 to install the traffic signal. In exchange for the obligation and for moving the gate and allowing access to CDD #2 property, Halvorsen agreed to pay CDD #2 \$200,000.

167 Mr. Miller stated, while the Interlocal Agreement says that Halvorsen will pay CDD #2 168 when the light is approved, Mr. Parisi has been negotiating on CDD #2's behalf to receive the 169 payment in installments.

170

171 SEVENTH ORDER OF BUSINESS
172
173
174

Discussion: Agreement with Halvorsen Holdings, LLC, Regarding Timeline of Installment Payments

DRAFT

Mr. Parisi stated that Halvorsen requested an Amendment to the Traffic Signal Light Agreement. He prepared the Amendment, as previously discussed, such that the initial payment will be received when the warrants are done. The warrants have been received so, when the Amendment is signed, an invoice can be submitted to request the first payment. Additional installments will be paid when permits are approved, when the traffic signal is 50% complete, and upon receipt of approval by the governmental authorities to go into operation.

181 Mr. Parisi stated he will print and provide the Amendment as soon as possible.

182 Mr. Miller stated he would like to sign the Amendment to receive the first payment as 183 soon as possible.

184 Mr. Parisi stated Halvorsen sold the entire shopping center to Publix. All the smaller 185 stores now belong to Publix; this is common procedure for Halvorsen.

186 Mr. Klug asked if the Agreement was assigned to the new owner. Mr. Parisi stated it was 187 not; the Agreement remains and Halvorsen will make the scheduled payments.

188

189EIGHTH ORDER OF BUSINESSHealth, Safety and Environment Report

190

191 A. Irrigation and Pressure Washing Efforts: Julie Staar

192 Mr. Jasiecki stated he recently assumed responsibility for this report. He did not have 193 slides to present, but reported the following:

Irrigation Projected Usage: 20 programmable satellites within the villages are
 programmed to run Monday, Wednesday, and Saturday, from 9:00 p.m. to 8:00 a.m. There
 were 13 possible run days last month; all watering cycles were completed, with no rain holds.

197 Mr. Miller asked why irrigation cannot occur on Fridays. Mr. Jasiecki stated he just 198 assumed this responsibility and does not know the reason for Collier County's ordinance. Mr. 199 Benet stated he read the ordinance word for word, and it does not say why. Mr. Pires stated his 200 belief that part of it comes from the South Florida Water Management District (SFWMD), given 201 that all SFWMD counties must comply.

Irrigation Projected Usage: Nine programmable satellites within the common areas are
 programmed to run Tuesday, Thursday, and Sunday, from 9:00 p.m. to 8:00 a.m. There were 13
 possible run days last month; all watering cycles were completed, with no rain holds.

205 ➤ In November, the villages used over 10,290,000 million gallons of water. The common
 206 areas in CDD #2 used over 6,031,000 million gallons of water.

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FIDDLER'S CREEK CDD #2

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207 Mr. Klug stated he observed an irrigation malfunction in Varenna last weekend with 208 water pouring into the street. He asked for the protocol and who to call for weekend irrigation 209 malfunctions. Mr. Jasiecki stated the Safety Department should be called and they will shut 210 down the valves if they know where they are and will notify the appropriate parties.

Pressure Washing: During the past 30 days, work was completed on Sandpiper Drive,
 including sidewalks, curbs, and gutters; the new equipment is in use. Cleaning of Fiddler's Creek
 Parkway is underway, and crews will then move on to Club Center Boulevard and spot cleaning
 requested by residents.

215 Ms. DiNardo stated, when the Veneta monument signs were cleaned, the sides were 216 apparently not cleaned all the way through and, in her opinion, they are unsightly. She provided 217 photos. Mr. Jasiecki stated he would have staff address the issue.

Asked if the old equipment is in use simultaneously with the new equipment, Mr. Jasiecki stated he does not have the manpower to operate an additional crew, simultaneously. Mr. Albeit stated the intention is to keep the old equipment as a backup so that operations do not cease when the new equipment requires maintenance or programming.

Tree Canopy Trimming: All CDD #2 fruited palms were trimmed, and low-hanging
 branches damaged by Hurricane Ian and subsequent storms were addressed. The large, leaning
 Hong Kong Orchid on Sandpiper Drive was staked. The contracted work should be completed by
 the end of the year.

Mr. Miller asked if Juniper still maintains its equipment on site, as the contract requires during hurricane cleanup. Mr. Jasiecki stated some cherry picker trucks and equipment are on property. Mr. Albeit stated Juniper has equipment on site for current work. The equipment that was required to be kept on property after the hurricane was removed over two months ago.

Ms. DiNardo stated a stump on Fiddler's Creek Parkway required removal after the hurricane. Mrs. Adams stated she provided the location and pictures before the meeting. Mr. Jasiecki stated he will ask Juniper about it after the meeting.

233 B. Security and Safety Update: Ed Jasiecki

234 Mr. Jasiecki discussed the following:

Gatehouses and Patrols: All three gatehouses are operational and manned 24-hours a
day, seven days a week.

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FIDDLER'S CREEK CDD #2

DRAFT

AVTech technicians are working to repair the gates now that all parts and equipment
 were received. The vendor assured him that the main gate should be operational by close of
 business today and all three gates should be working properly by Friday, December 16, 2022.

240 Mr. Jasiecki stated he will follow up regarding gate repairs after the meeting.

241 > Incidents: Parking issues, open garage doors and animal complaints continue to be the
 242 most common incidents; they are addressed as they arise.

243 Mr. Miller asked about violators. Mr. Jasiecki did not believe any violators were sent to 244 the Fining Committee last month. Repeat offenders are sent to Ms. Lord, who sends initial 245 warning notices and schedules Fining Committee appearances.

Mr. Miller recalled his prior suggestion that a patrol car be assigned to each CDD so that the Community Patrol officers can patrol like a police officer on the beat. His understanding is that Mr. Jasiecki did not feel that would work and asked why. Mr. Jasiecki stated that one patrol car is assigned to each CDD, but there are certain times when both patrol cars are needed in one CDD, which is why both vehicles can sometimes be observed in one CDD. Each patrol has specific regular tasks and tasks to document in their respective CDDs and villages, such as looking for dirty street signs in need of cleaning, that Staff will follow up on.

253 Ms. DiNardo asked which CDD needs more attention. Mr. Jasiecki stated, if two medical 254 calls are received in CDD #1, two cars might respond as needed, but both CDDs are very well-255 covered and well-taken care of.

256 Mr. Parisi stated he and Mr. Jasiecki meet occasionally and, after speaking with several 257 residents, they noted the following and advised staff accordingly:

258 > The officer at the Championship gate must step forward to ensure they are seen.

The Sheriff's Office asked roving patrols not to stop at a home when a Sheriff's vehicle is
 present; rather, they were asked to drive by and let the officers do their job. Roving patrols
 monitor their respective patrol areas but do not interfere with the officers.

262

263 NINTH ORDER OF BUSINESS

264

Architect's Plans for Championship Drive Gatehouse

266 Mr. Parisi reported the following:

267 Normal construction is continuing in Dorado and in Oyster Harbor. New projects and
 268 new homes and buildings start every day. The construction compound is nearly complete.

8

Developer's Report/Update

DRAFT

New construction is essentially on hold due to the inability to procure Florida Power &
 Light (FPL) meters because they are being sent to emergency areas following Hurricanes Ian and
 Nicole. He contacted the Florida Speaker of the House and others in an attempt to expedite
 delivery of meters so that construction can proceed.

273 Mr. Miller asked if electrical service would be available if the meters were there. Mr. 274 Parisi replied affirmatively. Transformers are present, but homes without meters cannot 275 connect to power. A generator was rented to power lights and enable work to continue at the 276 construction compound. Staff continues to request assistance from, and provide information 277 to, contacts at FPL to facilitate inspections and emphasize the urgency of the need.

Asked if construction has come to a halt, Mr. Parisi stated four homes were completed last week, which is good, but that is below normal. Work on some homes is halted, and there are probably ten critical homes that are significantly delayed so exterior work will be done until interior work can resume.

282 Mr. Albeit stated, unfortunately, the Irrigation Manager Agreement between The Foundation and CDD #1 and CDD #2 terminated in May 2022. The Foundation continued to bill 283 284 the CDDs and both have been paid through December, based on the old rate, which was frozen 285 at \$50,000 per CDD. The Agreement includes a 7.5% Consumer Price Index (CPI) adjustment, 286 but The Foundation agreed to renew the contract with a cost increase of 5% each year, for the 287 next three years, beginning as of January 1, 2023, rather than retroactively. He requested Board 288 approval in substantial form, pending District Counsel's review. Mr. Pires will review the 289 Agreement. It was noted that E-Verify language is a new requirement for all agreements.

290 Mrs. Adams stated CDD #1 approved the Agreement, subject to District Counsel's 291 revisions, to go into effect January 1, 2023.

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On MOTION by Mr. Klug and seconded by Ms. DiNardo, with all in favor, the Irrigation Manager Agreement, as discussed and in substantial form subject to District Counsel's review, and authorizing the Chair or Vice Chair to execute, was approved. TENTH ORDER OF BUSINESS Engineer's Report: Hole Montes, Inc.

301 Mr. Cole reported the following:

DRAFT

Inspections of street signs that need straightening or repair following the hurricane are
 being coordinated with Mrs. Adams and Lykins-Signtek. Proposals will be requested.

Sidewalks are being inspected to determine areas that need grinding or replacement to
 eliminate trip hazards. Proposals were requested from Collier Paving.

Mr. Miller asked where the issues are located. Mr. Cole stated some are located on Club Center Drive, in Mulberry, in CDD #1, but he did not remember specific locations in CDD #2. Mr. Klug stated he observed locations marked in orange at several locations in Museo.

A proposal was requested from GulfScapes for storm drain cleaning of yard drains on
 the west side of lots on Quilcene Lane in Oyster Harbor.

311 Mr. Barrow stated these will be edged and cleaned out and included in the monthly 312 service contract as there are only five affected lots.

313 Mr. Cole stated that he and Mr. Barrow met with the contractor building Dorado 314 regarding some CDD #2 landscaping next to Aviamar Circle outside of CDD #2's right-of-way. 315 The landscaping in the Dorado development area needs to be removed and minor 316 modifications to the irrigation system are also needed.

317 • Update

Update: Traffic Signal Plans

Mr. Cole stated Trebilcock Consulting Solutions submitted the 90% plans on November 7, 2022, only one week later than originally anticipated, which was not too bad considering the hurricane. It was anticipated that the Florida Department of Transportation (FDOT) would review those plans and respond by December 1, 2022, but no response has been received yet; he understands there were delays related to Hurricane Ian. At this point, Staff is awaiting FDOT review of the 90% plans; he will send a follow-up email tomorrow.

324 Mr. Cole stated a meeting was held on Monday with Irrigation Manager Jody Benet and 325 an outside firm to discuss replacement of pumphouse 2. The firm drafted a preliminary scope of 326 work for the CDD to include in bid documents. As previously discussed, the entire pumphouse 327 must be replaced as the internal pumps, filters, and controls are 20 years old and have fulfilled 328 their useful life. The bid will be published in January. The cost will be several hundred thousand 329 dollars. CDDs #1 and #2 have been budgeting for the project for a few fiscal years. The funds 330 will be expended over a few months' time; it is anticipated that the bid will be awarded in the 331 first quarter of 2023. Work will likely be done in September or October 2023, as it will take 332 some time to order and receive equipment that will be paid for during Fiscal Year 2023.

333 • Update: Irrigation System Installation

This item was not discussed.

Continued Discussion: Remove and Replace Ficus Buffer with Perimeter Wall Adjacent to Museo Circle

Mr. Cole stated a significant amount of work will be required to install a perimeter wall in the place of the Ficus buffer on Museo Circle. He has not met with a contractor, but a supplier who installed decorative fence elsewhere in the CDD estimated it could cost \$600,000 to \$700,000 to remove the Ficus plants and install a concrete fence.

341 Ms. DiNardo believes repair of the damaged buffer should be considered a part of the 342 hurricane-related expenses, as plants were damaged, and the homes are exposed.

343 Ms. Viegas believes a landscaping buffer proposal should be considered, as that is 344 currently in the area and has sufficed for many years.

345 Ms. DiNardo noted the homes are not protected from vehicle traffic.

346 Mr. Miller felt that this issue cannot be addressed today and asked for it to be put on 347 the next agenda.

348 Mr. Cole was directed to obtain a proposal from Mr. Barrow for removal of the Ficus 349 hedges and installation of a new buffer. A separate proposal will be requested for removal of 350 the Ficus hedges and installation of a concrete wall and perimeter plantings.

351 Mr. Klug asked for visuals, including aerial views with the sections delineated, to be 352 provided along with the proposals for the presentation at the next meeting.

353 Ms. Viegas asked Mr. Cole for the result of the meeting with Grady Minor regarding 354 completion of the punch list items, so CDD #2 can stop paying for bond renewals for the work. 355 Mr. Cole stated he did not follow up but will have an update at the next meeting.

356 Ms. Viegas asked if there is an update on the oil stains on Aviamar Circle and Cherry 357 Oaks Trail. Mr. Cole stated that the inspector looked at them and spoke with Waste 358 Management, and Waste Management planned to clean the oil stains. Ms. Viegas stated they 359 have not been cleaned. Mr. Cole will follow up.

Ms. Viegas asked if the ponding behind some homes on Aviamar Circle, following heavy rains, was inspected. She noted photos were sent, an inspector went out, and one homeowner stated the problem was fixed, but another said it was not. Mr. Cole stated it was inspected several times and, to his knowledge, the pipe is clear. He explained that, following heavy rains, some ponding occurs for a short time, but it will eventually drain. The berm is designed to retain water, so the system is apparently functioning as intended. Ms. Viegas stated the

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homeowner believes the drain is full of silt, mud, and roots. She will advise the homeowner tocontact Mr. Cole directly for follow up.

368

369 ELEVENTH ORDER OF BUSINESS370371

Consideration of Keefe McCullough, Rate Increase Engagement Letter

372 Mr. Miller asked why a revised six-page letter was received from Keefe McCullough to 373 replace the version in the agenda book.

Ms. Viegas referred to the paragraph at the top of Page 3, which stated "We identified the risk of management's override of controls as a significant risk of material misstatement in the prior period audit and believe this is still relevant. Since our audit planning has not concluded we may make modifications to the identified risks. If new significant risks are identified, we will communicate them to those charged with governance. Our audit of financial statements does not relieve you of your responsibilities."

Ms. Viegas stated there was no such risk in the prior audit. She immediately contacted Mr. Adams and Ms. Cindy Calvert, of Keefe McCullough, because it was incorrect. She worked with Ms. Calvert and the paragraph was replaced in the revised letter with the following new language: "Current auditing standards require the significant risk of management override of controls to be identified as part of our audit planning. If we identify any management override of controls during our audit, we will communicate them to those charged with governance."

- 386 The Board discussed the original language and the revision.
- 387 Mr. Miller agreed that the erroneous paragraph in the original letter is not applicable to 388 the CDD.

389 Mrs. Adams stated the Engagement Letter indicates that Keefe McCullough is requesting 390 a \$1,500 increase, raising the current rate from \$16,500 to \$18,000. She stated that is 391 comparable to the fee similar firms charge for the same service.

- 392 Mr. Pires stated that public records language and E-Verify language need to be added to393 the Engagement Letter, which Keefe McCullough will do upon request.
- 394

| 395 | On MOTION by Ms. DiNardo and seconded by Mr. Nuzzo, with all in favor, the |
|-----|--|
| 396 | Keefe McCullough Rate Increase Engagement Letter, as revised and as to be |
| 397 | amended, was approved. |
| 398 | |

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400 Ms. Viegas stated that, on Page 5, it states that monthly invoices will be submitted. Mrs.401 Adams stated that is acceptable.

402 Mr. Miller stated Mr. Albeit just presented the first amendment for the Halvorsen 403 Agreement regarding the payment schedule. Mr. Miller signed and dated the Amendment. Mr. 404 Albeit will send a copy to Mrs. Adams when it is fully executed.

405

409

406TWELFTH ORDER OF BUSINESSAcceptance of Unaudited Financial407Statements as of October 31, 2022408

Mrs. Adams presented the Unaudited Financial Statements as of October 31, 2022.

410 Mr. Miller asked why the "Insurance" line item was at 104%. Mrs. Adams stated the 411 actual one-time expenditures are 4% over budget due to normal premium increases. One-time 412 insurance premium expenses were collected for the "Fountain" and "Street Lighting-413 Miscellaneous" line items. Mr. Miller asked how the insurance is procured. Mrs. Adams believes 414 Egis Insurance has the best rates.

415 Mr. Pires suggested Mr. Adams check into defense counsel coverage amounts. He gave 416 an example of another client, which saved them money.

417 Mr. Miller stated he would like to look for other bidders for CDD insurance.

418 Carrier responsiveness, insuring public institutions, expertise, and issues in the public 419 sector insurance niche market, were discussed.

420 Mr. Parisi stated, when there are multiple carriers, there is probably a consultant that 421 will go into that market and get the best rate. Mrs. Adams stated this will be included on the 422 January agenda. Mr. Miller asked Mr. Parisi to give the name of his consultant to Mrs. Adams.

Approval of October 26, 2022 Regular

Meeting Minutes

423 The financials were accepted.

424

425 THIRTEENTH ORDER OF BUSINESS

426 427

428 Mrs. Adams presented the October 26, 2022 Regular Meeting Minutes.

429 The following changes were made:

- 430 Line 65: Change "Veranda" to "Varenna"
- 431 Line 80: Change "void" to "devoid"

432 Regarding recommendations for maintenance of the Veneta monument sign, Mrs.

433 Adams stated Mr. Burrow addressed the monument beds, and she ordered two park benches.

| | FIDDL | ER'S CREEK CDD #2 | DRAFT | December 14, 2022 |
|-------------------|--------|------------------------------|--|----------------------------------|
| 434 | | Ms. DiNardo stated the | decorative portion of the Vene | ta monument is on the ground |
| 435 | and is | in need of repair. The mo | onument is clean in the front, bu | t additional decorative features |
| 436 | on the | e side and in the back are l | plack with mold and need to be c | leaned. |
| 437 | | Mr. Miller asked if a claim | m was made against The Founda | tion for the \$13,880 GulfScapes |
| 438 | invoic | e for hurricane debris rem | oval. Mrs. Adams replied affirma | atively. |
| 439 | | | | |
| 440 441 442 | | | lardo and seconded by Mr. Nuzz ar Meeting Minutes, as amended | |
| 443 444 | • | Action/Agenda or Comp | lated Itoms | |
| 445 | • | This item was not discus | | |
| 446 | | This item was not discus | seu. | |
| 447 | FOUR | TEENTH ORDER OF BUSIN | ESS Staff Report | s |
| 448 | 1001 | | · | - |
| 449 | Α. | | vard, Pires and Lombardo, P.A. | |
| 450 | | | aylor Morrison (TM) Agreemer | |
| 451 | | | two outstanding issues deal with | - |
| 452 | | | M agreed to limit CDD #2's inde | |
| 453 | the C | DD can receive under the | contract. Regarding the duty to o | defend, Mr. Miller felt that CDD |
| 454 | #2 sh | ould choose its own atto | orney. Mr. Pires stated he ema | ailed the language to TM and, |
| 455 | althou | ugh no response was recei | ved yet, TM has been responsive | ·. |
| 456 | | Mr. Pires stated that Mr | . Schwartz has been helpful in ol | btaining homeowner signatures |
| 457 | for th | e licensing and access agre | eements for Oyster Harbor. | |
| 458 | В. | District Manager: Wrath | nell, Hunt and Associates, LLC | |
| 459 | | NEXT MEETING D | DATE: January 25, 2023 at 10:00 | A.M. |
| 460 | | • QUORUM | I CHECK | |
| 461 | | All Supervisors confirme | d their attendance at the January | y 25, 2023 meeting. |
| 462 | C. | Operations Manager: W | rathell, Hunt and Associates, LL | С |
| 463 | | Ms. DiNardo noted a lig | ht pole at 9259 Museo Circle wa | is removed, but it has not been |
| 464 | replac | ced. This should be added | back to the list. Mrs. Adams st | ated this was being addressed. |
| 465 | Anoth | er light pole seems to b | e missing from 9263 Museo Ci | rcle; there is an opening with |
| 466 | electr | ical wires sticking out. | | |
| | | | | |

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467 Mr. Miller asked if TM agrees to the CDD choosing its own Counsel and has Mr. Pires 468 sent the agreement to the other Board Members. Mr. Pires stated no response was received 469 from TM yet and suggested Mr. Miller wait to receive a new redlined version before the 470 agreement is sent out to the other Board Members.

471 Mrs. Adams presented the Monthly Status Report and noted the following:

472 > The Aviamar and Veneta fountain repairs are supposed to be completed today.

473 Ms. DiNardo stated the turquoise discoloration is evident again at the Veneta fountain,

474 despite the fountain being sealed last year. She asked how long sealing should last. Mrs. Adams475 will check.

476 Ms. DiNardo stated the benches around the Veneta fountain are not bolted down and477 voiced her opinion that it presents a hazard.

478 Mr. Miller asked if insurance coverage might apply to items such as the benches that 479 were damaged during the hurricane. Mrs. Adams will inquire.

480 Ms. DiNardo asked if the downed palm tree will be replaced. Mrs. Adams stated that 481 numerous trees are down and GulfScapes is performing a tree audit. The Foundation will speak 482 with Juniper to identify downed trees so that a remedy can be sought all at once.

Ms. Viegas asked if Bentley inspected all the lighting issues, including Oyster Harbor, that were reported before the hurricane. Mrs. Adams stated that Bentley has been unavailable to inspect, as they are addressing emergencies, but they will try to come on Saturday to address a main power source issue impacting numerous lights in Oyster Harbor. She is working with Lykins and Bentley and hopes they will be out on Saturday; emergencies will be prioritized over routine service calls.

489

490 FIFTEENTH ORDER OF BUSINESS Adjournment
491
492 There being no further business to discuss, the meeting adjourned at 11:38 a.m.
493
494
495 [SIGNATURES APPEAR ON THE FOLLOWING PAGE]

496497498499500Secretary/Assistant Secretary

Chair/Vice Chair

FIDDLER'S CREEK COMMUNITY DEVELOPMENT DISTRICT #2

ACTION/AGENDA ITEMS

| # | MTG DATE ADDED TO LIST | ACTION | ACTION/AGENDA or COMPLETED ITEM | ONGOING | POSSIBLY COMPLETED BEFORE NEXT MTG | COMPLETED | MTG DATE MOVED TO COMPLETED |
|----|---------------------------------|--------------------|---|---------|---|-----------|-----------------------------------|
| | 08.25.21 | ACTION | When CDD is required to send Mailed Notice of an assessment | | | | |
| 1 | | | increase, the Mailed Notice and public notices should be included | Х | | | |
| | | | as an agenda item for Board review and editing prior to mailing. | | | | |
| 2 | 09.22.21 | 2.21 ACTION | Mr. Pires: Address scope of work agreed upon with TM and the | Х | | | |
| | | | resulting indemnifications necessary. | | | | |
| 3 | 09.22.21 | | Mr. Pires: Work with Mr. Parisi regarding proposed changes to | X | | | |
| - | 10 27 24 | | deeds, to be brought back at the next meeting. | | | | |
| 4 | 10.27.21 | ACTION | Mr. Cole: Submit the repaying budget to the Board. | Х | | | |
| 5 | 11.10.21 | | Mr. Cole: Provide estimates for the geotube repairs in the budget | Х | х | | |
| | | | for the next fiscal year. | | | | |
| 6 | 12.08.21 | | Mr. Cole: Amend the original signage plan as needed at the intersection of Campanile Circle and Museo Circle. | х | х | | |
| | | ACTION | Mr. Cole: Submit a proposal for 3 additional permanent sign posts | х | | | |
| 7 | 08.31.22 | | for pedestrian crossings. | | | | |
| | | 22 ACTION | Mr. Cole: Provide update on the Developer meeting with Grady | | | | |
| 8 | 8 10.26.22 | | Minor regarding punch list items. | Х | | | |
| 9 | 10.26.22 | ACTION | Mr. Adams: Provide info regarding short term Treasury Notes. | Х | | | |
| | | | Mrs. Adams: Inspect Menaggio Lake area with Ms. DiNardo and | | | | |
| 10 | | | review lake's history to address grass and littoral issues. | Х | | | |
| | | 12.14.22 ACTION | Mrs. Adams: Obtain quotes for Sandpiper Gatehouse holiday | х | | | |
| 11 | 12.14.22 | | decorations for consideration in budgeting for Fiscal Year 2023. | | | | |
| 12 | 12.14.22 | ACTION | Mr. Cole: Send email to FDOT regarding review of the 90% plans. | Х | | | |
| 10 | 12.14.22 | ACTION | Mr. Cole: Obtain proposal from Mr. Barrow for removal of the | v | | | |
| 13 | | | Ficus plants and installation of a new buffer. | Х | | | |
| 14 | 12.14.22 | ACTION | Mr. Cole: Obtain separate proposal for removal of the Ficus plants | х | | | |
| 14 | | | and installation of a concrete wall and perimeter plantings. | | | | |
| 15 | 12.14.22 | 4.22 ACTION | Mr. Cole: Follow up on meeting with Grady Minor re: completion | х | | | |
| 12 | | | of punch list items so CDD #2 can stop paying for bond renewals. | ^ | | | |
| 16 | 12.14.22 | 4.22 ACTION | Mr. Cole: Follow up with Waste Management regarding oil stains | х | | | |
| 10 | 12.14.22 | ACTION | that were to have been cleaned. | ^ | | | |

| # | MTG DATE ADDED TO LIST | ACTION | ACTION/AGENDA or COMPLETED ITEM | ONGOING | POSSIBLY COMPLETED BEFORE NEXT MTG | COMPLETED | MTG DATE MOVED TO COMPLETED |
|----|---------------------------------|--------|---|---------|---|-----------|-----------------------------------|
| 17 | 12.14.22 | ACTION | Ms. Viegas: Advise homeowner to contact Mr. Cole for follow up regarding the drain reported to be full of silt, mud, and roots. | х | | | |
| 18 | 12.14.22 | ACTION | Mr. Adams: Check into defense counsel coverage amounts and consider other bidders on CDD insurances. | х | | | |
| 19 | 12.14.22 | ACTION | Mrs. Adams: Follow up on light pole at 9259 Museo Circle that was removed, but not replaced. Add back to the list. | х | | | |
| 20 | 12.14.22 | ACTION | Mrs. Adams: Inspect light pole at 9263 Museo Circle possibly missing a light; the pole that has an opening with electrical. | х | | | |
| 21 | 12.14.22 | ACTION | Mrs. Adams: Ask if insurance coverage applies to items such as the benches that were damaged during the hurricane. | Х | | | |
| 22 | 12.14.22 | ACTION | Mrs. Adams: Follow up with Bentley regarding lighting issues that were reported before the hurricane, including Oyster Harbor. | х | | | |
| | | | | | | | |

| # | MTG DATE ADDED TO LIST | ACTION | ACTION/AGENDA or COMPLETED ITEM | ONGOING | POSSIBLY COMPLETED BEFORE NEXT MTG | COMPLETED | MTG DATE MOVED TO COMPLETED |
|----|---------------------------------|--------|--|---------|---|----------------------------|-----------------------------------|
| 1 | 10.27.21 | ACTION | Mr. Cole to review the six additional Pedestrian sign requests: two at 9209 Museo Circle, two at 9233 Museo Circle and two at Museo Circle and Tesoro Lane near Lagomar. 07.27.22 Mr. Cole to follow up with Lykins. | | | X After 08.31.22 mtg | 10.26.22 |
| 2 | 12.08.21 | ACTION | Mr. Adams to include the letter of indemnification that was accepted in the official record to be presented to the Board for approval. | | | X After 08.31.22 mtg | 10.26.22 |
| 3 | 03.23.22 | ACTION | Mr. Cole to review the structure and come back to the Board with an Engineering analysis of the irrigation system structure on which the Board can make a judgment. | | | X After 08.31.22 mtg | 10.26.22 |
| 4 | 06.22.22 | ACTION | Mr. Pires to draft a very specific release for Taylor Morrison. | | | Х | 10.26.22 |
| 5 | 08.31.22 | ACTION | Mr. Adams to send Mr. Miller a copy of the Interlocal Agreement. | | | Х | 10.26.22 |
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FIDDLER'S CREEK COMMUNITY DEVELOPMENT DISTRICT #2

STAFF REPORTS

| BOARD OF SUPERVISO | RS FISCAL YEAR 2022/2023 MEETING SCH | IEDULE |
|-----------------------------|--|-------------|
| | LOCATION | |
| Fiddler's Creek Club and Sp | a, 3470 Club Center Boulevard, Naples, Flo | orida 34114 |
| DATE | POTENTIAL DISCUSSION/FOCUS | TIME |
| October 26, 2022 | Regular Meeting | 10:00 AM |
| November 9, 2022* CANCELED | 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