

**SUMMARY MINUTES  
PELICAN BAY SERVICES DIVISION ADVISORY BOARD REGULAR SESSION  
DECEMBER 2, 2009**

**LET IT BE REMEMBERED** that the **Pelican Bay Services Division Advisory Board**, in and for the County of Collier, having conducted business herein, met on **Wednesday, December 2, 2009 at 1:00 PM in Regular Session** at the **Community Center at Pelican Bay**, 8960 Hammock Oak Drive, Naples with the following members present:

**Pelican Bay Services Division Advisory Board Members**

Mary Anne Womble, Chairwoman	Michael Levy
Keith Dallas, Vice Chairman	Gerald Moffatt
Tom Cravens	Hunter Hansen
Geoffrey Gibson	Jill Kobe (absent)
John Iazzo (departed 3 p.m.)	Theodore Raia (excused absence)

**Pelican Bay Services Division Staff**

Neil Dorrill, Administrator	Mary McCaughtry, Recording Secretary
Kyle Lukasz, Field Operations Manager	Lisa Resnick, Administrative Assistant

**Community Improvements Plan Update Presentation**

Kevin Mangan, Principal & Landscape Architect, Wilson Miller

**AGENDA**

1. Roll Call
2. Wilson Miller Community Improvement Planning Update
3. Approval of Summary Meeting Minutes
  - a. November 4, 2009 Pelican Bay Services Division Board Regular Session
  - b. November 10, 2009 Community Improvements Plan Joint Workshop
4. Audience Participation
5. Administrator's Report
  - a. North Tram Station Pedestrian Safety Issues update
  - b. Monthly Financial Report
  - c. Discussion of independent review and financier of PBS & J Report (Mr. Dorrill add-on)
6. Chairwoman's Report
  - a. Community Improvement Planning Dual Involvement Update
  - b. Notice of Upcoming Meetings
7. Capital Projects
8. Community Issues
9. Committee Reports and/or Requests
10. Old Business
11. New Business
  - a. Fertilizer order and utilization tracking system discussion (T. Cravens)
12. Miscellaneous Correspondence
  - a. Ongoing Projects Status Sheet
13. Audience Comments
14. Adjournment

**ROLL CALL**

All Board members were present with the exception of Ms. Jill Kobe and Dr. Ted Raia, excused. Ms. Kobe had apparently confirmed her attendance accompanied by Mr. John Baron, her recommendation to replace her membership on the Board upon her resignation. She has not yet resigned.

Mr. Cravens asked if a Board member resigns, or if there is a vacancy, is a quorum based upon the number of remaining seats, or the number of total board seats both held and vacant.

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Madam Chair Womble said in that in the past, they based a quorum upon the percentage of members present and serving at the time. This is a good question and they should address.

Mr. Dorrill said Ms. McCaughtry did pose that question to Ms. Sue Filson, Executive Manager to the Board of County Commissioners. Ms. Filson stated the number of members present must be one more than the majority of current total of serving members. In this case, if the total number of members is ten, a quorum is six members present. He suggested an agenda item following roll call be approval of today's agenda. He recommended an add-on item to the Administrator's report, 5 C regarding his proposal to perform an independent peer review of the PBS & J Clam Bay Analysis report.

Mr. Cravens suggested the Board add "Agenda Approval" to the formal agenda to enable Board members to add emergency items.

Madam Chair agreed and directed staff.

**WILSON MILLER COMMUNITY IMPROVEMENTS PLANNING UPDATE**

Mr. Mangan said the Wilson Miller Community Improvements Planning Team is on schedule to present their conceptual design Phase I report on December 9. They have delivered four presentations, two town hall presentations, two community site walks, and three joint workshops with the Services Division Board and Strategic Planning Committee. Resulting from positive community response, they have added additional community site walks and meetings to the process. He thanked Mr. Hoppensteadt for including community updates in the Pelican Bay Post. As Phase I is closed out, the information will be posted and provide information about upcoming events. Focus has been on identifying areas and elements where they can introduce best management practices, i.e., regarding landscaping, limit sod to reduce water consumption and fertilizer use, removing unhealthy and harmful vegetation for safety and functionality improvements such as those that are blocking street lighting. They are looking for lighting delivery improvements, in terms of functionality and energy efficiency, i.e., replacing lamp bulbs with LED lighting at entranceways to address security issues. They requested incident information from the Sheriff's office that are traffic and criminal related to improve security and safety and to make recommendations for traffic calming, including recommendations for pedestrian safety, introducing high visibility markings and make recommendations for consistency amongst crosswalks. They are also looking for possibilities to widen pathways. Upon review of PUD permits, codes, development orders, they have not yet found any non-compliance issues and are working with consultants Turrell, Hall, & Associates and Agnoli, Barber, & Brundage to make sure they understand easements preserve, wetlands, and other environmental issues. He opened the floor to questions.

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Mr. Gibson complimented the Community Improvements Planning team for immediate issues related to North Tram Station crosswalk. He distributed photos of a "Stop for Pedestrians in Crosswalk" signs located at intersections at the Naples Beach Hotel and Golf Club. He said placing these signs within the intersections would be an inexpensive and interim solution worth looking into.

Mr. Mangan said the signs would be good, at not only the North Tram Station but also communitywide for consistency, especially where no crosswalks exist.

Madam Chair Womble asked if permits were needed to install the signs.

Mr. Mangan said the sign would supplement a total short-term phased solution.

Mr. Dallas said the Naples Beach Hotel and Golf Club has one lane in each direction and in Pelican Bay there are two lanes going in each direction and would need to address.

Mr. Levy said the Naples Beach Hotel and Golf Club also has staff in front of the hotel to pick up the signs if they are knocked down.

Mr. Cravens said there is a security person stationed at North Tram Station 8 who could take care of downed signs and referred to Mr. Hoppensteadt.

Mr. Hoppensteadt said yes and no because someone is not there regularly.

Mr. Gibson said he is surprised a major incident has not happened. From the people he talked to, such as dog walkers and others who walk the area two to three times daily, they say the residents are not the problem. The problem is non-residents using Pelican Bay Boulevard as an escape route from U.S. 41 at 8 AM and 4 PM to 5:30 PM. He understands they are looking into a long-term solution, but this would be an inexpensive short-term solution.

Madam Chair Womble said she has observed workers in Pelican Bay racing through the residential areas when they leave in the evening.

Mr. Mangan said he would find out the permit requirements and get back.

Mr. Cravens said this discussion should be referred to item 5 A because it is more appropriate.

Madam Chair Womble thanked Mr. Mangan for the update.

**APPROVAL OF THE NOVEMBER 4, 2009 PELICAN BAY SERVICES DIVISION BOARD REGULAR SESSION SUMMARY MINUTES**

Mr. Cravens made a motion to approve the Pelican Bay Services Division Board Regular Session Summary Minutes of November 4, 2009.

Mr. Dallas seconded the motion.

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Madam Chair Womble as if there was any discussion.

Mr. Levy said on page 8142, the number of petitions should be 2,400, not 24,000.

Madam Chair said on page 8232, the Services Division and the Foundation Board should approve the need for ordering additional "Water Runs Through It" DVD's.

There was no further discussion and a Board vote was taken. The minutes were approved as amended unanimously.

***Mr. Cravens made a motion to approve the Pelican Bay Services Division Board Regular Session Summary Minutes of November 4, 2009. Mr. Dallas seconded the motion. A Board vote was taken and the minutes were approved as amended unanimously.***

**APPROVAL OF THE NOVEMBER 10, 2009 PELICAN BAY SERVICES DIVISION BOARD AND FOUNDATION STRATEGIC PLANNING COMMITTEE COMMUNITY IMPROVEMENTS PLAN JOINT WORKSHOP SUMMARY MINUTES**

Mr. Dallas made a motion to approve the November 10, 2009 Pelican Bay Services Division Board and Foundation Strategic Planning Committee Community Improvements Plan Joint Workshop Summary Minutes.

Mr. Levy seconded.

There was no discussion and a Board vote was taken. The minutes were approved as is unanimously.

***Mr. Dallas made a motion to approve the November 10, 2009 Pelican Bay Services Division Board and Foundation Strategic Planning Committee Community Improvements Planning Study Joint Workshop Summary Minutes. Mr. Levy seconded. There was no discussion and a Board vote was taken. The minutes were approved as is unanimously.***

**AUDIENCE PARTICIPATION**

Mr. Steve Seidel from San Marino asked Mr. Mangan about how much attention has been paid to driveway visibility. He is upset because the entrance to the Commons has small flag and he said a larger flag, such as the one at the Bay Colony entrance be placed there.

Madam Chair Womble said she liked Mr. Seidel's idea and the Foundation could address this.

Mrs. Marcia Cravens referred to agenda item 11 regarding fertilizer tracking and utilization. Biological Monitoring reports over the past ten years reported repeatedly that there is a nitrogen and phosphorus spike. The timing occurs at the same time as fertilization. Heavy rains and runoff accumulates in Clam Bay. The spotlight is on Clam Bay right now and, "it would be really dumb to continue in the same vein that has been done every year and make a notation that the spike is happening again, and, guess what, it happens when we do our fertilization program. I guess our water management system is working because it does not always show up in the Bay. I hope that everyone take heed and

please take action today to do something to gain control over the amount of fertilizer, pesticides and other chemicals that are used and end up in Clam Bay.”

**ADMINISTRATOR’S REPORT**

**MONTHLY FINANCIAL REPORT**

Mr. Dorrill said he distributed a newly formatted and much improved financial report. The income statement is only for the primary general fund to focus on large dollar amounts and variances. The report provides the adopted or amended budget, actual expenditures, and associated variances for revenue and expenditure sources. While budgeted revenues were anticipated to be \$2.26 million, actual was slightly less at \$2.19 million. This is due to residents who chose to take advantage receiving a discount for paying their property taxes prior to being delinquent. Projected expenses were \$2.47 million, while actual expenses were \$2.2 million, less than budgeted. When he became Administrator, they discussed deficit or loss spending. The Board was planning to “burn down” excess accumulated cash reserves as opposed to allowing an artificially high tax assessment to appear on the tax bill. Because not as much was spent as projected overall, the projected loss of \$300,000 was only \$40,000, so there is approximately \$250,000 remaining. Higher projections were made for expenses related to fuel, maintenance, and personnel. He expects the budget process to work better with the help of the Budget subcommittee. He is still concerned how the County treats fixed assets and how they are depreciated. Depreciation does not appear on individual balance sheets and he asked the County to produce balance sheets by fund with the actual cash position at the beginning of the year. He has more questions for the County.

Mr. Iaizzo asked about capital. The vehicles are paid for by the community, but who owns them.

Mr. Dorrill said they are titled in the name of the Board of County Commissioners but they should appear on the Services Division’s balance sheet as a fixed depreciable asset.

Mr. Iaizzo said he would like to see that changed and titled in the name of the community.

Mr. Dorrill said the community as a whole does not own any of the assets because the Services Division is a part of the County government. For purposes of proper accounting and inventory control, those assets must be shown as owned by Pelican Bay Services Division funds, not some County’s catchall.

Mr. Moffatt asked when they could expect to see the 2010 interim results. He likes the September 2009 format. It would be nice to see on a monthly or quarterly basis a comparison of budgeted and actual expenditures.

Mr. Dorrill said he is expecting to show this type of balance sheet information monthly and have a broader discussion quarterly and a budget workshop in February, before the County Manager announces his budget calendar.

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Mr. Dallas asked when the budget subcommittee started meeting last year.

Mr. Moffatt said it might have been December. They had several meetings where they focused on the prior year's budget, but should not be necessary this year. February is probably a good time to start in order to be finished by the end of May.

Mr. Dorrill said that is why he is suggesting February. They should be getting midyear actual around that time, which is a good indicator of overall financial condition. Most people have paid their ad-valorem and non ad-valorem taxes, which includes the assessment, by that time.

Madam Chair Womble asked the budget subcommittee if they wanted to meet in February.

Mr. Levy said they should establish a date for February.

Madam Chair Womble said she believes the Budget Subcommittee met on Tuesday afternoons.

Mr. Levy said they met on Tuesday afternoons and the dates could not conflict with the Community Improvements Planning workshops.

Mr. Moffatt said to find out what dates are reserved and go from there.

Madam Chair Womble asked Ms. McCaughtry if any dates were held and there may be Safety Committee meetings reserved that they could use.

Ms. McCaughtry said she would check reservations with Ms. Margaret Evans at the Community Center. Because it is a small group, finding a room is not difficult generally.

Mr. Hansen asked Mr. Dorrill about the operating fund statement under right of way beautification field category expenses, line item other operating supplies, the "other" line items could be itemized to find out where spending is getting out of hand, rather than lumping it into "other."

Mr. Dorrill said he is not big on miscellaneous expense categories. In Florida, they are bound by the State Chart of Accounts, a uniform accounting system, where there are additional and more descriptive line items they can use to get away from "catchall," or "miscellaneous" categories.

Mr. Levy said especially when the categories are overrun.

Mr. Dorrill said if there are no other questions, it should be the Board's practice to accept these unaudited financial reports discussed today.

Mr. Moffatt made a motion to accept the unaudited financial reports that Mr. Dorrill discussed today.

Mr. Dallas seconded.

A Board vote was taken and approved unanimously.

*Mr. Moffatt made a motion to accept the unaudited financial reports that Mr. Dorrill discussed today. Mr. Dallas seconded. A Board vote was taken and approved unanimously.*

**ADMINISTRATOR'S REPORT (ADD ON)**

**DISCUSSION OF PBS & J CLAM BAY ANALYSIS: INDEPENDENT PEER REVIEW & FINANCIER**

Mr. Dorrill explained there has been general concern of the PBS & J Clam Bay Analysis report, in particular as it appears to criticize or portray historical work inaccurately or incompletely to reach conclusions. "I have heard you," and has been working with the County Manager and his staff to propose a starting point to address concerns. From his understanding, the top concern is the conclusion that the Pelican Bay Services Division should have or required to report historical water quality data into STORET, the State of Florida's water quality database. He would like to get closure on the historical work to date, what are their obligations as a governmental entity with respect to STORET. There are other issues concerning observation, the way samples are collected, that sampling locations and technique are important, and clarification needed. There is a generic statement concerning certain limited errors made in reporting prior to 2005. They are quick to say there is no indication of error in data after 2005, but he would like to get further information on that. Finally, the original methodology used in the circulation model and performed by this community, this Board, and is part of the public record, leads to the conclusion, or some underlying concern that water of the Clam Bay system is impaired verifiably. That is what has been most disturbing. He has offered, subject to the Board's approval, a proposal to the County Manager that he has accepted, that jointly, the Services Division and Coastal Zone Management department jointly select and fund an independent third party in a non-consulting role, who has a national reputation representing an academic or institute or part of a university system. A recommendation was made from the University of Florida, but he would have to get back with the individual's name and vitae information. This individual would review the work performed by the Services Division historically and the Post Buckley report before any further work is authorized. The County Manager agrees this is a better idea than having a "firestorm" before the County Commission. He was very quick to tell him the Clam Bay Advisory Committee will sunset on December 31. By ordinance, an update must be provided although it will now be conditioned by the Services Division's concerns in order to do two things: seek an extension of the current sunset of the Clam Bay Advisory Board, and broadening the budget and scope for further water quality data collection, and or modeling that would also be subject to peer review. This will be recommended to the County Commission on December 15. Although he is a contract employee, Mr. Dorrill reports to the County Manager, Leo Ochs. They met at lunchtime today and he informed Mr. Ochs regarding the PBS & J report, although it is what it is at this point and narrowly approved by the Coastal Zone and Clam Bay Advisory Boards, there

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appears to be some valid concerns that need additional clarification. Mr. Ochs is in support of that. He asked for comments and consensus by the Board to pursue.

Mr. Cravens said he liked how Mr. Dorrill is proceeding, however his only concern is that he would like more information about the person or group under consideration to perform the peer review and seek advice from an organization like the Conservancy to make recommendations as to who would be a good choice.

Mr. Dorrill said it was his proposal to recommend an independent peer review by someone with nationally recognized academic credentials, such as the Mote Marine Laboratory, University of Miami at Coral Gables, or University of Florida, or somewhere out there where there is someone perceived to be an expert on mangrove back bay systems adjacent to the Gulf of Mexico. He is trying to move away from what appears to be professional jealousy and competing interest between big consulting firms looking for work.

Mr. Moffatt said he agrees with much of what Mr. Dorrill has proposed. To ensure the peer review does happen, he is willing to offer that the Services Division pay for the entire study. If the Services Division pays 100%, they do not have to worry about County budgetary restraints. If the review is this important to Pelican Bay, then it should be done regardless of the cost. He asked Mr. Dorrill what he estimates the cost to be.

Mr. Dorrill said a peer review should be ongoing as a condition of any technical work to be done in this very fragile, very important environmental system. The County budget staff allocated \$50,000 for all work that would occur this fiscal year, so the immediate need for a thorough peer review of historical work to date would be approximately \$10,000, but if he is incorrect, would report back, once the scope of services is identified.

Mr. Dallas said an independent peer review is a good idea, but the expert should be considered "above the fray" and information about that person vetted early. It is very important that everyone respect the expert.

Mr. Dorrill said that is why he recommends soliciting input but the decision be made jointly by the Services Division Board and Coastal Zone Management department.

Mr. Iaizzo asked if there could be a pool of three candidates.

Mr. Dorrill said he did not know how many candidates there would be; he recommends the person not be an affiliate of any engineering or consulting firm, but an academic institution.

Madam Chair Womble recognized people in the audience who may have information on scientifically based experts for this type of report.

Mrs. Cora Obley said the Coastal Zone Management peer review budget was reduced to \$5,000.

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Mr. Dorrill said from what he understands, Mr. Gary McAlpin, Director of Coastal Zone Management reduced the budget for independent expert peer review from \$50,000 to \$5,000 and \$5,000 is not sufficient to begin to address these issues. He suggested the Services Division request from the Board of County Commissioners a budget amendment to fund at whatever level is appropriate. As Mr. Moffatt has suggested, if the Services Division decides to pay for all of it by phase, that is a policy decision this Board will have to make.

Madam Chair Womble said, "And even more incredible is Mr. Moffatt is Co-Chair of the Budget subcommittee. I think you are right, Jerry."

Ms. Cravens said there are several knowledgeable people involved with the Comprehensive Everglades Restoration Project (CERP) who she said are "above the fray" with worldwide credentials. Mr. McAlpin's suggestion to use Dr. Robert Dean, University of Florida is questionable.

Madam Chair Womble suggested Ms. Cravens provide names and recommendations to the Board through the Services Division office.

Ms. Cravens said if this Board is recommending using Pelican Bay assessment dollars to pay for the study, this Board should be actively involved in the selection process, not just the Administrator.

Mr. Dorrill said he did not suggest the decision be made by the Administrator. He added that someone involved in CERP might be "just as tainted" as any other expert, the reason why they should solicit as much information as they can, and a decision made jointly by this Board and the Coastal Zone Management department. He recommended a motion be made and vote taken authorizing the Chairwoman to draft an appropriate response to the County Manager to request an independent expert peer review of the PBS & J Clam Bay Analysis report for work performed to date. The expert should be nationally recognized with academic credentials and unaffiliated with any engineering or consulting firm. This expert shall also be selected and paid for jointly by the Services Division and Public Services Division/Coastal Zone Management department. In addition to a review of the PBS & J recent analysis report, the peer review would require an acceptable scope of services including historical water quality collection methods, lab analysis, and modeling. This effort should move forward to allow the Board of County Commissioners to address at their December 15 meeting.

Mr. Moffatt asked for clarification of the motion. If the County cannot find the other half of the funds to pay for independent review, that Pelican Bay would fund 100%.

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Mr. Dorrill said it was Mr. Moffatt's suggestion that the Services Division fund 100%. The motion would be that if the County cannot find the other half of funds to pay for independent review that Pelican Bay would fund 100% of the first phased independent peer review.

Mr. Moffatt said he would use the offer to fund 100% as a fallback position, not initial offer.

Madam Chair Womble requested Mr. Moffatt make a motion to go forward with the letter to the County Manager with concerns and suggestions.

Mr. Dorrill said he believes it is important that the Services Division select individual and fund jointly, but if necessary fund the entire amount of the peer review.

Mr. Iaizzo said if the Services Division does not have complete control, then why they should fund 100%.

Mr. Dorrill said they would have control during the selection process and it is important enough for them to pay for half of that. He said from what he understands it is important enough to Mr. Moffatt to have it done and done objectively to agree to pay the full 100%.

Mr. Iaizzo said he believed the County was behind getting this done.

Mr. Dorrill said not at a level sufficient to address the Services Division's immediate needs. Their peer reviews are for future efforts to collect data and modeling. By then, sometime next year, it will be too late.

Mr. Moffatt said the report issued by PBS & J is devastating to Pelican Bay.

Mr. Levy said even if the Services Division pays 100%, it is still important that the County select the expert jointly. The expert should be acceptable to both.

Mr. Iaizzo said if the County chooses the expert with the Services Division joint, they would have to accept, even if the results come back favorable. If they did not have a choice in selection, then they do not have to accept results by that particular party.

Ms. Bellone said the Foundation and Strategic Planning Committee having worked with the Services Division, jointly splitting decisions and cost, that it is important for the Services Division to follow the same path with the County, jointly selecting expert and funding study.

Mr. Iaizzo said if the Services Division "goes our own way, we will be turned down by the County."

Mr. Moffatt said he is not suggesting they go their own way, but do everything jointly. If the County cannot find the budget dollars, then the Services Division can step up to the plate and fund 100%.

Mr. Dallas said that takes away one of their arguments regarding affordability.

Mr. Cravens asked for a question on the motion.

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Madam Chair Womble asked for a clarification of the motion.

Mr. Dorrill said the motion is to authorize the Services Division Chair to forward correspondence to the County Manager that identifies their concerns that he indicated. To obtain clarification, the Services Division offers to select and fund jointly, an independent third party expert to perform a peer review of both the historical data performed by the Services Division and review of the more recent Post Buckley Clam Bay Analysis report.

Mr. Iaizzo asked if that letter could be stated by Mr. Dorrill and signed by the Chairwoman.

Mr. Dorrill said he could write it, and probably would.

Mr. Cravens said he thought the Chair, with staff assistance, would prepare and to copy all Board members.

Mr. Moffatt made a motion to authorize the Chairwoman, with staff assistance, to forward correspondence to the County Manager that identifies the Services Division's concerns and desire for clarification of conclusions made by PBS & J in their October 2009 Clam Bay Analysis report. To obtain this clarification, the Services Division offers to select and fund jointly an independent third-party expert to perform a peer review of both Services Division historical data and the PBS & J Clam Bay Analysis.

Mr. Dallas seconded the motion.

A Board vote in favor unanimously carried the motion.

***Mr. Moffatt made a motion to authorize the Chairwoman, with staff assistance, to forward correspondence to the County Manager that identifies the Services Division's concerns and desire for clarification of conclusions made by PBS & J in their October 2009 Clam Bay Analysis report. To obtain this clarification, the Services Division offers to select and fund jointly an independent third-party expert to perform a peer review of both Services Division historical data and the PBS & J Clam Bay Analysis. The peer review would require an acceptable scope of services including historical methods for water quality collection, lab analysis, and modeling. Mr. Dallas seconded the motion. A Board vote in favor unanimously carried the motion.***

**CHAIRWOMAN'S REPORT**

**COMMUNITY IMPROVEMENTS PLAN DUAL INVOLVEMENT UPDATE**

Madam Chair Womble provided a recap that Mr. Mangan's Community Improvements Plan updates included some suggestions and possibilities for crosswalks and street lighting. Mr. Carmine Marcino from the Collier County Sheriff's office would provide a North Tram Station crosswalk and pedestrian safety update when he arrives. She received a letter about the south end of Green Tree and Gulf Park Drive. There is a limited amount of light there due to a canopy of trees and Mr. Mangan will address the area. The Strategic Planning Committee reviewed the seven priorities identified as part of the master plan and some are complete, including air conditioning to the Sandbar, windows and doors upgraded at Sandbar, Sandpiper and Sunset, cedar reinforced with metal, menus revamped, and safety and

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security improvements made with AED deployment, first aid oxygen stations, and four wheel drive ambulance cart. Wilson Miller is also assisting with priorities related to the environment. Mr. Hoppensteadt and Ms. Bellone are assisting with technology upgrades. New Foundation membership cards are available at the Commons and mandatory to use facilities after January 1, 2010. Mr. Bob Uek is assisting with levels of service and funding and Pelican Bay is in excellent shape. Redevelopment feasibility assessment is being done to ensure Pelican Bay is keeping up with standards. There are programs galore and suggested getting involved. The Pelican Bay Post and Foundation website has program information. The Pelican Bay Services Division has the meeting schedule and minutes. The web address is <http://pelicanbayservicesdivision.net>. She thanked Ms. Resnick and Ms. McCaughtry for updating and upgrading the Services Division new website. It is a work in progress but coming along nicely.

Mr. Moffatt asked if they were in process of doing an updated replacement reserve study because he did not believe that needed to be done.

Madam Chair Womble said no, the reserves are just fine.

**NOTICE OF UPCOMING MEETINGS**

Madam Chair Womble announced upcoming meetings. On December 9 at 10 o'clock, the Wilson Miller Community Improvements Planning Team will present the latest data report. On December 21, there is a joint Services Division and Strategic Planning Committee joint workshop at 2 o'clock. On January 6, 2010, 1 p.m. there is a Services Division Board meeting. The Wilson Miller Community Improvements Planning Team will present an update at Services Division Board meetings regularly, at 1 p.m. of the first Wednesday of each month. On January 11, 2010, there will be an Educational Meeting to the Community for residents. There is a 2 p.m. – 4 p.m. session and 7 p.m. – 9 p.m. session. January 26, 2010, there is a 90% Design Review joint workshop at 2 p.m. – 4 p.m. She advised the audience to check the Services Division's website for future meeting schedule.

Mr. Cravens said he would like to bring to attention an article in the Pelican Bay Post's most recent issue entitled, "Services Division Advisory." Historically, this title is used for Services Division material that appears in the Pelican Bay Post. This article states a Pelican Bay Services Division candidate forum is going to be held by Pelican Bay Property Owners Association (PBPOA) on January 19, 2010 at 7 p.m. – 9 p.m. It announces that there are two residential vacancies due to Mr. Gravenhorst's resignation and Mr. Moffatt's term expiring. They plan to have candidates appear at this forum. Part of the problem with this article is that it is written by Pat Bush and Stan Farb, PBPOA members however, they are identified at top of article as Services Division Board members.

Madam Chair Womble said thank you to Mr. Cravens and she has contacted David Trecker to resolve.

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Mr. Levy said it is a good article because it tries to get others interested in the two positions.

Mr. Cravens announced there are forthcoming vacancies on the Services Division Board if interested.

Madam Chair Womble added there are four vacancies: two residential and two commercial. She agreed with Mr. Cravens that the article is a very good solicitation for new members. The Board needs new members to be appointed in March 2010. She reiterated that the candidate forum is January 19, 2010 at 7 p.m. – 9 p.m. and there will be refreshments following. She encouraged participation by the audience and the Board members. There is an election if there are more people running than there are seats. If that does occur, the votes are counted, and the Board of County Commissioners review results, and actually determines who is appointed.

Mr. Levy said the Commissioners always follow the recommendations.

Madam Chair Womble said not always.

Mr. Cravens said what Mr. Levy is saying is whenever there has been an election, the Board of County Commissioners have always deferred to the will of the community of who will fill the seats.

Madam Chair Womble said in any case, they need two residential positions filled and said to Mr. Moffatt that she does hope he reapplies because the Board needs his expertise.

Mrs. Cravens asked if Services Division Board applications received could be posted on the Services Division website for review by the community.

Madam Chair Womble said yes.

Mr. Cravens added it would be helpful if the Foundation sent the information around via email blast.

Madam Chair Womble said again that in any case, the candidate forum is January 19 at 7 p.m., probably in this room.

Mr. Cravens said the application deadline is January 4, 2010.

Madam Chair Womble said the Commissioner's webpage has the application available.

Mr. Levy said the Pelican Bay Post article directs interested candidates to the Services Division's office.

Madam Chair Womble said she appreciates the PBPOA's recruitment effort.

**ADMINISTRATOR'S REPORT**

**NORTH TRAM STATION PEDESTRIAN SAFETY ISSUES UPDATE**

Mr. Dorrill invited the community Sheriff's office liaison, Carmine Marcino to today's meeting to discuss the North Tram Station and Pelican Bay community pedestrian safety issues, however, Mr. Marcino was dispatched to an event, so he arrived late. Upon arrival, Mr. Dorrill announced Mr. Marcino and his partner David Krantz of the Collier

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County Sheriff's office. He briefly explained that the community has embarked on a master planning process. The number one priority currently is to improve pedestrian safety measures at the North Tram Station crosswalk area. They have some ideas for temporary signage stating "Stop for Pedestrians in Crosswalk" in the middle of the roadway or whatever action is appropriate. Mr. Marcino and Mr. Krantz are here today to discuss community concerns, what enforcement and safety measures are in place.

Mr. Marcino said he and his partner David Krantz of the Collier County Sheriff's office have been working vigorously to deal with complaints at the North Tram Station crosswalk. They have conducted numerous traffic details. They have observed speeds this week as high as 38 MPH, which is less than other areas, so sometimes perception is not necessarily the reality. They would like to see better visibility. When drivers come around the angle at a turn, the approach is immediate. Safety is their number one concern. They are blessed to have Sheriff Rambosk because he is all about the community and facilitating their needs. He urged anyone to call him with complaints. They want to address complaints and he will go to the areas with the person that calls with a complaint, so it can be addressed. They will work together with the Services Division, the Foundation and the County to come up with a long-term solution. Temporary solutions are traffic details, educating people about the enforcement actions they can take if they have too, but safety is their number one concern.

Madam Chair Womble introduced Mr. Marcino to Mr. Mangan who Mr. Marcino should also inform of any ideas that he has.

Mr. Marcino said he has had a great working relationship for a long time with the Services Division and Foundation. He complimented both on being proactive. His partner, David Krantz worked for the Florida Highway Patrol as a traffic and homicide investigator, prior to coming to work for the Collier County Sheriff's office, and traffic is his specialty. Together they have a wealth of knowledge that they can harness to address the issues proactively.

Mr. Dorrill shared Mr. Gibson's photo of the "Stop for Pedestrians in Crosswalk" placed in the middle of the road with Mr. Marcino.

Mr. Gibson said the signage is cheap and quick and a temporary solution until the master plan is in place.

Mr. Marcino said absolutely and offered his and Mr. Krantz' services. They are available anytime to meet and are eager to work with the community.

Madam Chair Womble asked the officers if they had any additional suggestions to the signage.

Mr. Krantz said when they are in the field running radar, he has seen other communities that have reflective lighting in the roadway, something that brings to drivers' attention that they are approaching something. Signage cannot

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be seen by the North Tram Station when coming from the north, so anything that can bring attention and educate people, whether it be the officers or a decoy vehicle, signs in the road are a good idea. Stripes cannot really be seen until a driver is right up on them.

Madam Chair Womble said there are two lanes going north, two lanes going south. Can a sign be placed in the middle of the two lanes on both northbound and southbound sides.

Mr. Krantz said he did not know how far prior they plan to place the signs before the crosswalk. Regardless, the cars will have to slow down and probably be hit and need to be replaced often. They should be placed where they will not change traffic patterns or cause harm to vehicles.

Mr. Gibson said the Naples Beach and Golf Club area is more congested than Pelican Bay Boulevard.

Mr. Marcino said they can work together immediately with the Services Division, Wilson Miller and the Foundation to achieve common goals.

Madam Chair Womble said she likes the word immediately.

Mr. Marcino stressed that they are ready to tackle the safety issues now, as soon as possible.

Mr. Gibson said to Mr. Marcino that he has a friend who walks their dog several times daily near the North Tram Station. His friend said that people use Pelican Bay Boulevard early in the morning and late in the evening as an “escape route” to get to their destination and Mr. Gibson suggested they perform their traffic patrol at 8 a.m. – 8:30 a.m. and 4 p.m. – 5 p.m.

Mr. Marcino said they document their traffic details. If they stop someone, whether they give a verbal warning, or documented citation, all activity is logged. There have not been any violations recently and he is happy to say that. He again stressed they are ready to start immediately and tackle the problem.

Mr. Dallas asked if residents or non-residents are being cited.

Mr. Marcino said there are service people, there are many different types of residents, but it does not matter to them. They are interested in educating people into compliance for safety purposes.

Mr. Dallas asked about bicycles being involved in any incidents.

Mr. Marcino said there was a bicyclist involved in an altercation. They stopped the entire group, educated them into compliance. They are providing literature to local bike stores to distribute to new and seasoned bikers. They are gaining compliance through education or citations, whatever works to make people safe.

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Mr. Cravens suggested that Mr. Marcino observe Gulf Park Drive and Pelican Bay Boulevard any weekday morning 7:15 a.m. – 7:45 a.m. There is a large pack of bicyclists that fail to stop. He said attempts to educate these people have had no effect.

Mr. Marcino said complaints do come through. They can attempt to educate people, but if education fails then they issue citations. Bicyclists must endure the same rules and regulations as motor vehicles. Their ultimate goal is compliance. He will look into that area.

Ms. Bellone said the bicyclist pack sends out a leader, a block or two ahead looking for traffic patrols. They have walkie-talkies in hand to signal back to the rest of the pack.

Mr. Marcino said they have seen that happen and the way they address is to have an unmarked vehicle sit at Gulf Park Drive and Pelican Bay Boulevard. The officer inside observes the violation and marked patrol cars ahead will cite them. They comply when they see marked cars.

Mr. Bob Naegele asked if they could install a flashing yellow light, like as the one at the entrance to Bay Colony Beach Club, as a temporary interim solution, rather than install a \$45,000 crosswalk.

Mr. Gibson said the flashing lights in the ground are more effective, but he is suggesting something that can be installed very quickly, “as soon as next Monday.” Lighting is a great solution but let the experts come up with something.

Mr. Naegele said car-carriers park along Pelican Bay Boulevard creating dangerous conditions. The drivers are disrespectful. The officers need to take a stand and enforce violations or let it go. If there is an accident, it is a liability to the County and goes upstream to the Foundation.

Mr. Marcino said they have received complaints in the past of trucks loading and unloading, but not recently. He offered his telephone number (239-793-9526) at the Sheriff’s office to call with complaints. He also offered residents join them when they conduct traffic details. Perception is not necessarily reality. He will ask participants how fast a car is going and the guess is usually much higher than what is caught on the radar, i.e., perception is 52 MPH, reality is 36 MPH. It puts things into perspective.

A resident of Pebble Creek said he does not recall this Board objecting to installation and dollars spent on the Myra Janco Daniels \$45,000 crosswalk. It is a far more dangerous area and was almost hit five times the other day. He said that he has never seen the lights go on at the crosswalk.

Mr. Levy said the crosswalk is intended for night use.

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Madam Chair Womble agreed it is for night use, and it was much worse before the lights were installed. There are as many as three hundred people walking across Bridge Way it to get to the Phil.

Mr. Gibson said there are many crosswalk areas in need of attention, but too many lights and it will “start to look like Las Vegas.” He is not saying that lights are wrong, but they need an interim inexpensive solution, and a long-term solution that is attractive and pleasant to the neighborhood.

Madam Chair Womble said Mr. Mangan is on it.

Mr. Moffatt said several mornings a week at 7:45 a.m. - 8 a.m. the traffic backs up to Pelican Bay Boulevard at the entrance to Bay Colony and is a safety issue.

Mr. Marcino said he has dealt with this issue with Carlos, the access manager of Bay Colony in the past. Cars line up because they do not allow access until 7:30 a.m. In the past, they rerouted cars to park at Albertsons until it is time. He said they do not have issues in Bay Colony. It is very secure and they run a tight ship. He thanked everyone and the presentation concluded.

Mr. Cravens requested a motion be made that the Board direct Mr. Lukasz to investigate installation of crosswalk signs at the North Tram Station, such as are shown in the photograph distributed by Mr. Gibson.

Madam Chair said she is not sure they can say implement, but Mr. Lukasz can certainly investigate and report at the next meeting.

Mr. Gibson said Mr. Lukasz could investigate and recommend an immediate solution.

Madam Chair Womble said the Board does not need a motion. They can direct staff to look into what would be possible quickly.

Mr. Cravens added Mr. Lukasz could then report his findings at the next meeting.

Mr. Levy said who would pick up the signs when they are knocked down.

Mr. Cravens said the Board designates Mr. Levy the “official picker-upper.”

Mr. Dallas said he lived in a place where the signs would be knocked down all the time. It was in front of a resort and one would think drivers would slow down.

Mr. Levy said an employee should be nearby to pick up the signs when they are knocked down.

Mr. Cravens' concern is the Board talks about addressing issues for months, but never takes action.

Madam Chair Womble said they did address by installing signage, but it did not work very well.

Mr. Levy said the Foundation also moved the driveway to the north parking lot, a step in the right direction.

Mr. Gibson said they could use a cone to hold the signs.

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Mr. Levy said the cones would also be knocked down.

Mr. Gibson agreed and asked Mr. Levy to come up with a better solution.

Mr. Levy said to Mr. Gibson that he was not saying it was not a good idea, just another hazard.

Mr. Dallas said he does not mind implementing cones and signs, but to know in a practical sense they are going to be knocked down frequently.

Mr. Moffatt suggested there be a sign for the next pedestrian to pick up the sign.

Mr. Levy said the signs he would like to see the "Pedestrians have the Right of Way" signs replaced by the "Florida State Law Stop for Pedestrians in Crosswalk" signs along the side of the roadway, not within the crosswalk. He believes they would be more effective.

Mr. Lukasz said there are Florida State Law Stop for Pedestrians in Crosswalk signs right before the crosswalk .

Madam Chair Womble said between Mr. Dorrill and Mr. Perry, they will help to implement the solution.

Mr. Moffatt said he would like to amend Board direction and rather than report back at the next meeting, get it done by the next meeting.

Madam Chair Womble said as soon as possible would be great.

There was no further discussion.

**CAPITAL PROJECTS**

There was no discussion.

**COMMUNITY ISSUES**

Madam Chair Womble said at the prior meeting, the Board had asked Mr. Tim Hall to look into who is responsible for removal of invasive plants by the roadway of the Ritz Carlton.

Mr. Hall did not recall the direction. From his understanding and he looked into it before, the County's Transportation department is ultimately responsible.

Madam Chair Womble said there were some complaints and asked Mr. Hall if he would like to take care of it, or should Kyle contact the Transportation department.

Mr. Hall said he would coordinate with Kyle. He does not believe there is anything that requires additional permitting, just maintenance. He said the Board did direct him to develop a revised water quality collection protocol and it may be available to distribute to the Board at the next meeting in January.

There was no further discussion.

**COMMITTEE REPORTS AND / OR REQUESTS**

There was no discussion.

**OLD BUSINESS**

There was no discussion.

**NEW BUSINESS**

**FERTILIZER ORDER AND UTILIZATION TRACKING SYSTEM DISCUSSION (T. CRAVENS)**

Mr. Cravens said he distributed a copy of the South West Florida Regional Planning Council's fertilizer resolution. He said Mr. Lukasz stays apprised of best management practices and implements accordingly. It is hard to do. Best management practices are ways of applying fertilizer using appropriate landscaping, using water correctly, that result in a minimal amount of over fertilization, over watering, and so on. Several years ago, the Board suggested the field employees undergo best management practices training. This was done, but there is a problem. The course takes a day, they take an exam, they pass the exam, and they go back into the field and do not change their behavior. He highlighted areas he believes are important. No fertilizer containing nitrogen or phosphorus be applied during the rainy season and asked Mr. Lukasz if the Services Division is in compliance.

Mr. Lukasz said yes, for the turf applications and spots where there are problems. They do not apply fertilizer from June through September.

Mr. Cravens said the spike of nitrogen occurs during the rainy season. It is not just what the Services Division is doing, it is also what the homeowners associations are doing. The Services Division could be in complete compliance, although he said the Services Division is not, and still have a problem because of non-compliance by homeowners associations. He suggested they educate the associations of the proper protocol. There is also a problem with fertilizer application. It is supposed to only be applied to the affected areas, i.e., if applying to turf, it should only go on the turf, it should not go on impervious surfaces. Pathways are made of asphalt, curbs along the roadways adjacent to the pathways and medians are impervious surfaces. When fertilizer gets on impervious surfaces, i.e., if four or five inches is applied along the pathways and roadway medians, application does not measure up to best management practices and is noncompliant. Fertilizer is wasted, dollars are wasted, and the excess fertilizer is washed in the water management system and Clam Bay, causing problems. He would like to fix this and said he understands Mr. Lukasz is aware of the problem, but not sure how he can resolve. He said although his condominium says they perform best management practices, it is not applied in the field. He urged the Board to educate themselves by reading the document to find out

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best management practices because it will allow them to be better stewards of this community. He does not believe any action needs to be taken at this time.

Mr. Dallas asked Mr. Dorrill if this subject was one that they should be educating the community about considering they are responsible of the water management system.

Mr. Dorrill said the resolution describes blended fertilizer as a recommended course of action and asked if Mr. Cravens can clarify.

Mr. Cravens said from what he understood, the County provides all fertilizer in large plastic bags. They are labeled with the contents.

Mr. Lukasz said they buy through a County bid. They come by the palette in 50-pound clear plastic bags.

Mr. Cravens said he assumes the County protocol for obtaining bids takes in to consideration recommendations made by Southwest Florida Water Management District and other agencies.

Mr. Lukasz said there are multiple blends and the Services Division purchases the blend that falls within the guidelines for best management practices.

Mr. Cravens said good, they do comply.

Mr. Lukasz said there are blends that do not comply to best management practices, however, they purchase the type in compliance.

Mr. Cravens said maybe they can address Mr. Dallas' comment regarding educating the community later.

Mr. Seidel said he believes the City of Naples or the County requires workers who deal with landscaping be certified.

Mr. Cravens said the City of Naples, not the County, passed an ordinance requiring all commercial landscape companies undergo best management practices and have certification. They even had bumper stickers issued to the rear bumpers of all vehicles of the company. This allowed those responsible for enforcement to identify offenders.

Ms. Noreen Murray said the Florida Extension office has a "Yards and Neighbors" educational program.

Madam Chair Womble said they could contact the Extension office to find out what educational program they offer and discuss on a future agenda. The period of most concern is June 1 to September 30, so maybe they can target an educational presentation closer to that time and do some marketing to promote it.

Mr. Cravens concluded his presentation.

**MISCELLANEOUS CORRESPONDENCE**

There was no discussion.

**ONGOING PROJECTS STATUS SHEET**

There was no discussion.

**AUDIENCE COMMENTS**

Mrs. Cravens referring to the fertilizer resolution discussion said nitrogen and phosphorus spikes occur twice a year. Once in December and April for nitrates in particular and yearly reports show it occurs at the time fertilizer is applied. They re-occur at two sites, PD 13 and San Lucia, the testing sites. She suggested Mr. Hall and Mr. Lukasz determine what may be causing the spike and address it, rather than monitoring and reporting on it. It has been recommended they investigate this every year, but it never is addressed.

Mr. Hall said he has discussed this with Mr. Lukasz before. One must realize that Pelican Bay Services Division is not in charge of the majority of fertilizer application within Pelican Bay. Each association has their own company doing their own thing. It is outside of the scope of anything they have been able to do to get all of those companies on the same page.

Madam Chair Womble said there is a different landscape at each house north of the Philharmonic.

Mr. Levy asked if the Foundation has any say regarding this.

Mr. Hall said he believes they did look at that, and he did not recall the Foundation having any restrictions or protocol in place. He believes they could impose restrictions, but he is not sure how they could enforce it.

Madam Chair Womble said Mr. Levy's suggestion is a good one and she would contact Mr. Naegele.


**ADJOURNMENT**

Mr. Cravens made a motion to adjourn.

Mr. Gibson seconded.

The Board voted unanimously to adjourn the meeting at 3:10 PM.

***Mr. Cravens made a motion to adjourn. Mr. Gibson seconded. The Board voted unanimously to adjourn the meeting at 3:10 PM.***

  
Mary Anne Womble, Chairwoman