

**PELICAN BAY SERVICES DIVISION BOARD REGULAR SESSION MEETING MINUTES
WEDNESDAY, JULY 7, 2010**

LET IT BE REMEMBERED that the **Pelican Bay Services Division Board** met in regular session **Wednesday, July 7, 2010** at **1:00 p.m.** at the Community Center at Pelican Bay, located at 8960 Hammock Oak Drive with the following members present:

Pelican Bay Services Division Board

Keith J. Dallas, Chairman
Mary Anne Womble, Vice Chairwoman
John P. Chandler *absent*
Tom Cravens
Johan Domenie

Geoffrey S. Gibson
John Iaizzo
Michael Levy
Theodore Raia, Jr. *absent*
John Baron *absent*
Hunter H. Hansen

Pelican Bay Services Division Staff

W. Neil Dorrill
Kyle Lukasz

Mary McCaughtry
Lisa Resnick

AGENDA

1. Roll Call
2. Agenda Approval
3. Collier County Sheriff's Request for Funds to Purchase Two Jet Skis for Emergency Response in Clam Bay (add on)
4. Approval of Meeting Minutes
 - a. May 26, 2010 Community Improvement Plan Workshop
 - b. June 2, 2010 Pelican Bay Services Division Board Regular Session
5. Audience Participation
6. Administrator's Report
 - a. Deepwater Horizon Oil Spill Update
 - b. Governance Update
 - c. Monthly Financial Report
7. Chairman's Report
 - a. Peer Review of PBS&J Report Update
 - b. Community Improvement Plan Priorities
 - c. Management Contract Review
 - d. Announcements
8. Community Issues
9. Committee Reports and/or Requests
10. Old Business
11. New Business
 - a. Vegetation Overgrowth (T. Cravens add on)
12. Miscellaneous Correspondence
 - a. Ongoing Projects Status Sheet
13. Audience Comments
14. Adjourn

ROLL CALL

With the exception of Mr. Baron, Mr. Chandler, and Dr. Raia, all Board members were present.

AGENDA APPROVAL

Chairman Dallas added agenda item three to allow the Collier County Sheriff's office to request funding to purchase two jet skis for emergency response in Clam Bay; and he would include discussing suggestions distributed by Mr. Cravens for the Clam Bay Estuary Peer Review Scope of Work when they discuss the Chairman's Report, Peer Review of PBS&J update.

Mr. Cravens added discussion of vegetation overgrowth along Pelican Bay Boulevard that is obscuring existing street lighting, and overgrowth along the west side of the berm under new business.

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Vice Chairwoman Womble announced that it was Mrs. Cora Obley's birthday. Mr. Cravens announced that it was also his birthday, as well as Mr. Coleman Connell's birthday.

Mr. Cravens made a motion, second by Mr. Gibson to approve the agenda as amended. The Board voted unanimously in favor of the motion.

COLLIER COUNTY SHERIFF'S REQUEST FOR FUNDS TO PURCHASE TWO JET SKIS FOR EMERGENCY RESPONSE IN CLAM BAY

Sergeant Jake Walker and Corporal Carmine Marceno of the Collier County Sheriff's North Naples Community Policing substation requested \$23,000 to purchase two jet skis and trailers to respond to medical calls along the beach, suspicious boaters, and suspicious incidents and people in general to provide efficient patrol and emergency response and rescue services within inaccessible areas of Clam Bay. Law enforcement best management practice asserts that two watercraft should operate in tandem. The Board postponed further discussion until August 4.

APPROVAL OF MEETING MINUTES

Chairman Dallas and Vice Chairwoman Womble noted Scrivener's errors for correction. The title of the May 26 minutes, page 105 should read "workshop" not "regular session." The June 2 meeting minutes, page 8381 should read, "... general fund has approximately..."

Mr. Cravens made a motion, second by Mr. Levy to approve the May 26 and June 2 meeting minutes as amended. The Board voted unanimously in favor of the motion.

AUDIENCE PARTICIPATION

Ms. Marcia Cravens submitted a document with suggestions for the peer review. She said the June 25 governance memorandum is inconsistent with observations made at public meetings. She is concerned and questioned the intent and benefit of Pelican Bay of becoming an independent district if they could lose control over Clam Bay.

Mr. Dorrill said he does not believe the County will give up ownership or decision making authority of any conservation areas, including Clam Bay.

Regarding the Administrator's contract, Ms. Cravens said that the Board should consider cutting administrative costs because there are less administrative responsibilities in Clam Bay currently.

ADMINISTRATOR'S REPORT
DEEPWATER HORIZON OIL SPILL UPDATE

Mr. Dorrill reported that an application for an emergency permit to close Clam Pass is complete and in a position to be filed with the Florida Department of Environmental Protection in the event of a declared emergency where oil or byproducts might pose a threat to the coastline. The application requires Board of County Commission Chairman or his designee's signature, therefore, when an emergency declared, the application would channel through accelerated procedures and submitted. As there is

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sufficient sand forward of the dune line, sand will be used as the fill material. There was some discussion about how closing Clam Pass would affect the health of the mangroves. Mr. Hall said if the Pass is closed, the health of the mangroves is dependent upon the weather.

GOVERNANCE UPDATE

Mr. Dorrill reported that the Pelican Bay Foundation has taken the lead to explore the possibility of Pelican Bay becoming an independent district. They will examine the business points of the deal to define which assets and under what terms and conditions are those assets the independent district should acquire, i.e., roadways, water management facilities, the twelve-acre operations site, and neighborhood parks.

Mr. Gibson noted that they should consider it a priority to produce more reclaimed water for the community.

To allow proper vetting of the idea of independence, the consensus is that a draft bill could go before the Legislative Delegation during the 2012 Legislative Session at the earliest.

Mr. Cravens made motion, second by Mr. Domenie that Pelican Bay Services Division Chairman Dallas is included in the Pelican Bay Foundation's ad-hoc governance committee. The Board voted unanimously in favor of the motion.

MONTHLY FINANCIAL REPORT

Mr. Dorrill reported that the third quarter financials are "looking extremely good." They received a \$13,000 reimbursement from the County for selling surplus property. Tree trimming is over budget, however overall they are under budget and he estimates finishing the year under budget by \$100,000.

Mr. Hansen said they should itemize the line item "other operating supplies" under "right of way beautification" that is over budget by 50%. Mr. Lukasz said "other operating supplies" includes miscellaneous supplies and equipment, but that he would review it. Mr. Dorrill added there might be some items there that are misclassified.

Mr. Cravens said he sees Services Division vehicles running when not occupied and Mr. Dorrill said to report such incidents to the office to deal with as they occur.

Mr. Cravens made a motion, second by Mr. Hansen to accept the June, 2010 monthly financial report as presented. The Board voted unanimously in favor of the motion.

CHAIRMAN'S REPORT

PEER REVIEW OF PBS&J REPORT UPDATE

Chairman Dallas summarized the current revised peer review scope of work document and proposed evaluation process.

Mr. Levy expressed concern that the current document does not clearly state that the goal is to perform a peer review of the PBS&J report only, and the geographical definition of Clam Bay is expanded to include Doctor's Pass. The document infers that the Pelican Bay Services Division is working continuously with the County on the Clam Bay Estuary. The peer review should

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be limited to what was originally proposed and what the Commissioners approved. Mr. Cravens agreed. Consensus was that this Board has already addressed these concerns and they appeared to be back at square one.

Mr. Cravens made a motion, second by Mr. Hansen to accept the Chairman's peer review scope of work as presented. Chairman Dallas called a question on the motion and the Board voted unanimously in opposition of the motion.

Mr. Cravens made a motion, second by Mr. Domenie to amend first paragraph of the peer review scope of work document to read, "During their regular December 15, 2009 meeting, the Board of County Commissioners approved an independent peer review of the October, 2009 PBS&J Clam Bay Estuary Data Collection & Analysis final report." The Board voted unanimously in favor of the motion.

Mr. Cravens made a motion, second by Mr. Levy to amend the second paragraph of the peer review scope of work document by striking, "... or national estuary program." The Board voted unanimously in favor of the motion.

Chairman Dallas reviewed the draft letter to Chairman Sorey of the Coastal Advisory Committee with the Services Division's concerns regarding the Clam Bay Estuary modeling study. Of concern was how the Clam Bay Estuary was defined geographically, as well as an ever-expanding scope. Mr. Gibson said they should address these issues in the letter. Vice Chairwoman Womble suggested they use the Board of County Commissioners' approved language from April 22, 2008 and December 15, 2009. Board members were instructed to return their peer review scope of work suggestions and concerns regarding the Clam Bay Estuary modeling study to Ms. Resnick by July 19 to approve a new draft document at the August 4 meeting, and agenda packets were scheduled to be available July 26.

COMMUNITY IMPROVEMENT PLAN PRIORITIES

Chairman Dallas reviewed the Community Improvement Plan priorities form. Four members responded. Members challenged the methodology and the Board consensus was to rank all items one through infinity and do not reuse the same number twice. The Board was instructed to complete and return to Ms. Resnick by July 19. The responses would be entered and mean calculated with cumulative dollar amount.

MANAGEMENT CONTRACT REVIEW

Mr. Gibson made a motion, second by Mr. Iaizzo to increase Mr. Dorrill's minimum compensated hours from six hours to eight hours weekly thereby increasing his compensation by \$1,580 per month. The Board voted unanimously in favor of the motion.

ANNOUNCEMENTS

Chairman Dallas said members should be mindful of the Sunshine Law. He suggested that if members wish to comment on an email, to send comments to Ms. Resnick and she would provide to all members at the next public meeting.

July 8 at 10:30 a.m. the Budget committee will meet to discuss how to approach prioritizing community improvement plan projects and alternative financing options. The Clam Bay subcommittee meets July 15. The Foundation does not meet in July.

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COMMUNITY ISSUES

The Clam Bay channel maintenance permit application is in process. The Army Corp. of Engineers submitted a request for additional information to Mr. Hall that appears to be routine. An update would be provided at the August 4 meeting.

COMMITTEE REPORTS/REQUESTS No discussion

OLD BUSINESS No discussion

NEW BUSINESS

Mr. Cravens said tree growth is obscuring street lighting on Pelican Bay Boulevard and suggested the Services Division address the issue by trimming or removing trees.

Mr. Dorrill said tree removal permits would probably have to be obtained.

Mr. Lukasz said the Services Division has pruned trees identified as obscuring street lighting in the Wilson Miller report. He would provide his recommendations with costs at the August 4 meeting.

Mr. Cravens said there is overgrown vegetation along the west side of the berm and suggested the Services Division trim.

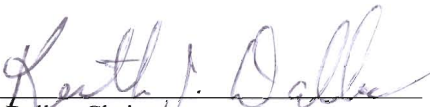
Mr. Hall said they do not need a permit to trim the area because it is part of the maintenance of the water management system and Mr. Lukasz said he would address it.

MISCELLANEOUS CORRESPONDENCE No discussion

AUDIENCE COMMENTS No discussion

ADJOURN

Mr. Cravens made a motion, second by Mr. Domenie to adjourn. The Board voted unanimously in favor of the motion.



Keith J. Dallas, Chairman