

Naples, Florida, January 8, 1975

LET IT BE KNOWN, that the Pelican Bay Improvement District Board met in regular session at 4:37 P.M. on this date with the following members present:

President: Salvatore Scuderi  
Douglas Brown  
Viola Barclay  
Chet Lanning

Absent: Robert Diefenthaler

ALSO PRESENT WERE: Virginia Magri, Secretary; Mr. Werner Buntmeyer, Vice President, Coral Ridge-Collier Properties; Mr. Jim Smith, Attorney for Coral Ridge Properties, Inc; Commissioner Clifford Wenzel; County Attorney David Bruner and Mr. Harmon Turner.

AGENDA

- I. Call to Order
- II. Roll Call
- III. Minutes of prior meetings
- IV. Accountant for District
- V. Attorney for District
- VI. Manager for District
- VII. Funds for District
- VIII. Bank for District
- IX. Time Table for development - Coral Ridge
- X. New Business

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MINUTES OF DECEMBER 4, 1974 - APPROVED AS CORRECTED

Mr. Lanning moved, seconded by Mrs. Barclay and carried, that the minutes of December 4, 1974 be approved with the following correction:

Page 9, Paragraph 2, line 2  
Change "Hall" to "Hill"

ROGERS MOON & TOWNSEND HIRED AS ACCOUNTANT FOR DISTRICT

Mr. Scuderi introduced Mr. John Hill of Rogers Moon & Townsend, stating that he had been invited to appear regarding handling the accounting for the District. Mr. Hill stated that he had been informed that someone would be needed to handle the monthly routine accounting and in addition prepare annual certified financial statements. He further added that his firm is capable of handling the monthly accounting and annual audit and stated that they did not know the cost involved until they found out how much work was necessary. He stated that the cost is approximately \$3500 to \$7500 for an annual audit for a corporation at full scale, and monthly bookkeeping work averages \$150 per month depending on the type of work involved. Mr. Lanning suggested that a fee be quoted on an hourly basis. Mr. Hill said the average fee for monthly bookkeeping would be \$10 to \$12 per hour and \$25 to \$30 an hour for a CPA in the firm to work on an annual audit.

Mr. Lanning moved, seconded by Mr. Brown and carried, that the accounting firm of Rogers Moon & Townsend be employed on the basis of the rates quoted.

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VIOLA BARKLEY NAMED TREASURER OF PELICAN BAY IMPROVEMENT DISTRICT

Mr. Lanning moved that Mr. John Hill be appointed the Treasurer for the Pelican Bay Improvement District. Mr. Scuderi said he had discussed this with Mr. Hill, and he felt that there would be a problem involved. Mr. Lanning withdrew his motion. Mr. Scuderi moved that Mr. Lanning be appointed Treasurer of the District. Mr. Lanning declined the nomination. Mr. Lanning moved that Mrs. Barclay be the Treasurer of the Pelican Bay Improvement District and asked Mr. Hill to arrange for a bond for her. Mr. Scuderi seconded the motion, which carried unanimously.

DAVID BRUNER HIRED AS ATTORNEY FOR PELICAN BAY IMPROVEMENT DISTRICT BOARD OF COUNTY COMMISSIONERS TO BE ASKED THEIR OPINION RE THIS ACTION

Mr. Scuderi said that he had discussed with Mr. David Bruner, County Attorney, the possibility of his being Attorney for the Pelican Bay Improvement District.

Mr. Bruner said he has informed the Board of County Commissioners that he is interested and sees personally no reason why they might object, stating he had considered the question of a conflict of interest and also had consulted with two attorneys who could see no conflict. Mr. Bruner said that considering the time that the Pelican Bay Board meets and his schedule, he felt that he could take care of the needs of the District without any problems.

Mr. Jim Smith, attorney for the developer said that he felt it would be better for the Board to have an attorney, preferably a firm who would have some backup and further added that he felt in the long struggle to create this District Mr. Bruner opposed the

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creation in every step and added that if the developer and Board is going to be successful and move ahead, they should be comfortable with the people they hire. Adding that his firm would like to feel that they can work with these people, Mr. Smith respectfully requested that the Board consider other local attorneys for this position.

Responding to Mr. Smith's comment, Mr. Bruner said that there was no personal motivation opposing the creation of this District, adding that he followed what he understood to be the direction and the consensus of the Board of County Commissioners.

Mrs. Barclay stated that she has confidence in Mr. Bruner and Mr. Lanning said that he felt that way too.

Commissioner Wenzel stated that it was his understanding that this Board was created primarily to oversee the utility development in this District and he sees no reason to go into county expenditure. Commissioner Wenzel also said that Westinghouse should foot the bill until such time as the people living in the District do so. Mr. Smith agreed with Commissioner Wenzel and noted that similar Boards throughout the state operate with the developer furnishing the attorneys and the manager at the outset.

Mr. Brown said that he felt the fair way to do this would be hire someone completely detached from the Board or Westinghouse.

Commissioner Wenzel noted that the Supervisors, as an independent county board, could avail themselves of the services of the County Attorney without the approval of the Board of County Commissioners.

Mr. Scuderi emphasized that it was absolutely imperative that the Board have an Attorney for the District and added that he felt that Mr. Bruner was at the top of the list.

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Mr. Lanning moved that County Attorney David Bruner be hired as Attorney for the District. Mrs. Barclay seconded the motion and upon call for the question the vote was 3-1, Mr. Brown dissenting.

The President directed Mr. Brown to write a letter to the Board of County Commissioners informing them of the action taken and asking if they have any formal objections.

HIRING OF MANAGER FOR DISTRICT - DISCUSSED

Mr. Brown said he felt it difficult to place an ad for a District Manager, as he had previously been requested to do, when he didn't know how much the Board would pay him, where they would keep him and when he would be working. Mr. Scuderi said he was not too sure that a Manager was needed at the present time.

Mr. Lanning moved that the motion made at the previous meeting regarding advertising for a manager be rescinded. Mr. Brown seconded the motion which carried unanimously.

BOARD ACCEPTS \$2000 GRANT FROM CORAL RIDGE

Mr. Scuderi referred to a letter received from Mr. Jim Smith stating that it is unlawful for agencies bearing the Commission of the State to engage in deficit financing. Mr. Smith explained that the Board cannot make financial obligations, because they do not have any funds, and offered a \$2000 grant. This offer had been made at a previous meeting, but it was the Board's thought that it was offered as a loan. Mr. Smith clarified this and said it is a grant.

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Mr. Buntmeyer suggested that a checking account for the Pelican Bay Improvement District be opened and noted that the \$2000 would not last too long; and that an interim budget to cover the administrative expenses for this year should be established and presented to Coral Ridge Properties to see if they are willing and able to make the funds available. Mr. Buntmeyer offered to help in the setup of a budget for the perusal of the Supervisors.

Mr. Lanning moved that the Board accept the grant of \$2000 from Coral Ridge. Mr. Scuderi seconded the motion which carried unanimously.

PALMER BANK SELECTED AS DEPOSITORY FOR PELICAN BAY IMPROVEMENT DISTRICT

Mr. Lanning moved that the Board make the Palmer Bank the depository for the Pelican Bay Improvement District. Mrs. Barclay seconded the motion which carried unanimously.

Mr. Lanning moved, seconded by Mr. Brown and carried, that Mrs. Barclay be authorized to sign the check as Treasurer for expenditures as approved by the Board.

TIME TABLE FOR DEVELOPMENT

Mr. Buntmeyer pointed out the following items of procedure to be considered by the Board for early action:

1. platting of the first subdivision in the Southeast area of the District property should be considered
2. schedule would also provide for the zoning and planning of an additional surrounding area giving approximately 500 acres for that first process
3. drainage and water and sewer facilities - questions must be answered

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4. in order for the developer to be able to proceed properly, the District now has to start to exercise its functions
5. in order to do that an engineering firm would have to be hired to prepare a water management master plan for the services of the District. This will only be a concept... not detailed drawings for construction
6. construction drawings, financing, and questions and recommendations as to how to finance this particular part of the project
7. estimate that it will take 3 months to prepare this particular planning concept after the hiring of the engineer
8. after that it will take 4 to 6 months to obtain the necessary approvals...this is a conservative estimate
9. 3 to 6 months to consider and obtain the financing for the project
10. 10 to 15 months before you could put a spade in the ground
11. an engineering firm must be hired to consider the water and sewer depths of the first planned 500 acres
12. an overall evaluation is to be prepared first by the engineer, which should include financial feasibility and proposals to be prepared for consideration by the Board
13. this would be the basis for detailed planning and design to be utilized for these utilities
14. the time schedule for the preparation of a detailed concept and feasibility study is somewhere in the area of 3 months after the hiring of the engineer
15. if the concept is good and approved, another 6 to 9 months is needed before any construction of major facilities begin

Summarizing, Mr. Buntmeyer suggested that the Board should consider the hiring of an engineering firm, or if necessary two engineering firms, and said that this should be done now.

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Mr. Buntmeyer gave the members a copy of a water and sewer study which is a concept prepared by Gee & Jenson Consulting Engineers Inc. of West Palm Beach, Florida which was made in March of '74. Mr. Buntmeyer told the Board that the engineer that prepared the study would be very willing to appear at no charge to the Board to answer any questions they might have.

During discussion, Mr. Lanning said he would like to have Mr. Harmon Turner considered as a consulting engineer. Mrs. Barclay said that she felt that an engineering firm should be someone who is also concerned about the environment 10 to 15 years from now. Mr. Buntmeyer recalled to the Board that the hiring of an engineering firm falls under the Competitive Negotiations Act; and that the Board would have to advertise and negotiate for an engineering firm.

Mr. Turner said that the purpose of the Board is to cooperate with the developer and pointed out that they should avail themselves of whatever assistance they could get from the property owners.

Mr. Lanning moved that the Board negotiate with Mr. Turner on the basis of his working as a consulting engineer. Mr. Brown remarked that he felt that Mr. Turner's employment would be acceptable to the developer and seconded the motion which carried unanimously.

BILLS - APPROVED FOR PAYMENT

Mr. Scuderi moved, seconded by Mr. Brown and carried that the Board approve the payment of \$21.60 to Florida Corporation Supplies for the seal for the District.

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PURCHASES - APPROVED

Mr. Lanning moved, seconded by Mrs. Barclay and carried, that Mr. Brown be authorized to purchase the necessary stationary, envelopes and the like for the District.

ADVERTISEMENT FOR ENGINEERING FIRM

Mr. Buntmeyer pointed out that the developer would like to proceed and asked that the Board consider the placing of an ad for an engineering firm for specific work to be performed.


Mr. Scuderi moved that Mr. Brown consult with Mr. Turner as to how the proposed ad should read and proceed with the placement of it. Mr. Brown seconded the motion which carried unanimously.

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There being no further business Mr. Lanning moved, seconded by Mr. Scuderi and carried, that the meeting be adjourned at 6:03 P.M.

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PELICAN BAY IMPROVEMENT DISTRICT

  
Salvatore Scuderi, President

Naples, Florida, January 24, 1975

LET IT BE KNOWN, that on this date the Pelican Bay Improvement District Board met in Special Session with the following members present:

President: Salvatore Scuderi  
Treasurer: Viola Barclay  
Secretary: Douglas Brown  
Chet Lanning  
Robert Diefenthaler

ALSO PRESENT WERE: Virginia Magri, Secretary; Mr. Werner Buntmeyer, Vice President, Coral Ridge-Collier Properties; and Mr. Jim Smith, Attorney for Coral Ridge Properties, Inc.

DONALD RHODES OF SOROKOTY MONACO & CERVELLI SELECTED AS ATTORNEY FOR PELICAN BAY IMPROVEMENT DISTRICT

Mr. Scuderi stated that the purpose of this special meeting was to select an attorney for the Pelican Bay Improvement District since the Board of County Commissioners had not approved the previous selection of the County Attorney.

Mr. Scuderi asked that the Board consider Donald Rhodes who is associated with the firm of Sorokoty Monaco & Cervelli or Robert Neinas who practices with Dudley Goodlette. He further added that he had spoken to Mr. Neinas who stated that he is only interested if the firm is retained. Mr. Scuderi told the Board that it is usually the practice that the junior attorney attend Board meetings and therefore, he felt that Mr. Goodlette would be spending more time with the Board than Mr. Neinas.

Mr. Scuderi said he would like to see Donald Rhodes of Sorokoty Monaco & Cervelli retained, and Mr. Lanning supported Mr. Scuderi stating that he felt the larger firm has more advantages.

Mr. Lanning moved, seconded by Mrs. Barclay that Mr. Donald Rhodes of Sorokoty Monaco & Cervelli be hired as the attorney for the Pelican Bay Improvement District Board. Mr. Lanning asked the representatives from Coral Ridge if they had any objections to the selection. Mr. Buntmeyer asked if consideration had been given for the compensation. Mr. Scuderi recommended that they be hired on the basis of \$50.00 per hour. Mr. Buntmeyer stated that a contract should be executed with the Board stipulating the attorney's responsibilities. Mr. Scuderi said that he intended to write a letter setting forth the duties expected. Upon call for the question, the motion carried unanimously.

#### GEE & JENSEN PROPOSAL CLARIFIED

Referring to the water and sewer study prepared by Gee & Jensen which was distributed to the Board at the previous meeting, Mr. Lanning asked Mr. Buntmeyer to explain certain aspects.

Mr. Buntmeyer explained that under the enabling legislation, once the engineering firm has established the skelton outline of the water management, it is put in the form of a booklet which will eventually end up before the court for public hearing to determine if this is a correct and proper plan, and added that the court will also appoint commissioners for the purpose of establishing the value that would accrue to the property because of these contemplated improvements. Mr. Buntmeyer further added that court action is a final approval of the plan made by the engineer.

PAYMENT OF BILLS - APPROVED

Mrs. Barclay reported that Mr. Charles Penn of Coral Ridge-Collier Properties had given her bills for previously rendered secretarial services, noting that two had been paid by Coral Ridge in the amount of \$94.40 and one was due for payment of \$45.30.

Mr. Brown moved, seconded by Mr. Lanning and carried, that Coral Ridge be reimbursed for \$94.40 and the Board of County Commissioners be paid \$45.30.

BUDGET

Mr. Scuderi suggested that if the stipends allocated to the Board members had been paid, the initial \$2000.00 contribution would be nearly depleted and that it might be well to request an additional \$10,000.00 from the developer.

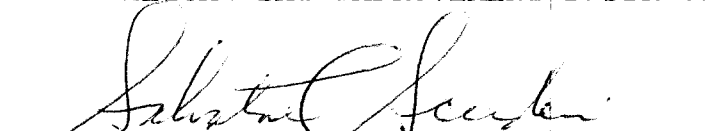
Mr. Buntmeyer said that he would work up some kind of budget for the Board's consideration and if they find it is in order it could be adopted.

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There being no further business Mr. Lanning moved, seconded by Mr. Scuderi and carried, that the meeting be adjourned at 4:59 p.m.

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PELICAN BAY IMPROVEMENT DISTRICT

  
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Salvatore Scuderi, President