

Naples, Florida, August 9, 1978

LET IT BE KNOWN, that the Pelican Bay Improvement District Board met in Regular Session at 4:50 P.M. in Building "F" of the Collier County Courthouse Complex with the following members present:

PRESIDENT: Salvatore Scuderi  
TREASURER: Viola Barclay  
Harmon Turner

ABSENT: Douglas Brown, <sup>Secretary</sup> ~~Treasurer~~  
Robert Diefenthaler

ALSO PRESENT: Debbie Pantano, Recording Secretary; Tracy Bolesky, Attorney for the Board; Werner Buntemeyer, Coral Ridge-Collier Properties; George Varnadoe, Attorney of Smith, Young & Blue; Fred Biery of Post, Buckley, Schuh & Jernigan; Gary Moyer, District Manager for Pelican Bay; and Tom Peek, Wilson Miller, Barton, Soll & Peek, Inc.

AGENDA

1. Roll Call
2. Approval of minutes
3. Discussion re bids received for reverse osmosis plant.
4. Request by Engineers re adjustment of contracts and fees.
5. Discussion re first Subdivision Plat of Pelican Bay.
6. Status Report
7. District Engineers Invoice No. 13
8. Treasurer's Report
9. Adjournment

ROLL CALL

The meeting was called to order. It was noted by President Scuderi that Robert Diefenthaler and Douglas Brown were not present.

MINUTES OF JULY 12, 1978 - APPROVED AS CORRECTED

Mr. Moyer noted he is referred to in the minutes as representing Coral Springs Improvement District and requested that it be changed to District Manager for Pelican Bay Improvement District per action taken in the meeting in June. He also requested that page 496, last line, "130 acres" be corrected to read "336 acres" and on page 497, line 13, "15,000 sq. ft." be corrected to read "18,500 sq. ft."

Mr. Turner moved, seconded by President Scuderi and carried unanimously 3/0, that the minutes of July 12, 1978 be approved with the aforementioned corrections.

DISCUSSION RE PROPOSED BUDGET FOR WASTEWATER AND WATER MANAGEMENT - TO BE ON THE AGENDA IN SEPTEMBER

Mr. Moyer explained this item is a public hearing and has been advertised according to the Special Act pertaining to budgets and has been available in the Clerk's office for public use. He recommended that discussion of the budget be postponed until the September meeting as the Board has not yet adopted a rate structure and any action taken on the proposed budget at this time would be premature. He further stated, however, the public be allowed to speak if anyone desires.

Mr. Turner moved, seconded by Mrs. Barclay and carried unanimously 3/0 that the public hearing be closed.

President Scuderi then instructed this item be placed on the Agenda for the next meeting.

BIDS RE REVERSE OSMOSIS TREATMENT PLANT -- ALL BIDS REJECTED

Mr. Moyer noted that bids had been advertised for and received by the Board for a reverse osmosis treatment plant and the engineers

have reviewed said bids and found at least one irregularity in all of the bids submitted.

Mr. Bolesky stated he has researched the matter and noted that "material deviation" is cause to either reject all of the submitted bids or to award the bid to the next lowest bidder.

Mr. Biery stated he has reviewed the bids and concluded that all bids received are responsive in meeting the required specifications and all prices quoted are competitive and within the budget. He recommended the Board consider waiving the irregularities and to award the contract to the lowest bidder, Basic Technology, Inc. in the amount of \$368,130. He further stated he does not consider any of the said irregularities to be "material deviation."

John Shorlonger, <sup>Permit</sup> Bermuda Company, protested the awarding of the contract to any bidder based on the fact that there are irregularities in the submitted bids.

Mr. Bolesky then recommended the Board reject all the submitted bids based on the irregularities affecting material deviation from the specifications in the bid.

Mrs. Barclay moved, seconded by Mr. Turner that all the bids be rejected. Motion carried unanimously 3/0.

DISCUSSION RE REQUEST BY POST, BUCKLEY, SCHUH & JERNIGAN RE  
ADJUSTMENT OF FEES - AMENDMENT TO CONTRACTS ADOPTED

Mr. Moyer noted the engineering report by Post, Buckley, Schuh & Jernigan was prepared for the Board's review of the engineering services rendered through June, 1978 for major projects for the Improvement District and that additional requirements and adjustments are needed to complete the work in each contract; however, the total amount of the contract remains the same - \$457,600.

Mr. Biery explained that adjustments are necessary within the contracts on an item per item basis, or a shifting of line items.

Mr. Turner commented he has reviewed this matter to make sure it was accurate.

Mr. Turner moved, seconded by Mrs. Barclay to approve the item by item transfer within said contracts. Motion carried unanimously 3/0.

Mr. Moyer noted that at the September meeting he will have the amended agreement pertaining to the contracts.

CONSIDERATION OF FIRST SUBDIVISION PLAT OF PELICAN BAY - PLAT APPROVED WITH STIPULATION

President Scuderi stated he preferred to defer action regarding plat approval as he has not yet had an opportunity to review the plat plan.

Mr. Buntmeyer explained that all the Board would be approving is acceptance of the easements and the drainage plan as outlined in the plat.

Mr. Turner commented he has reviewed the plat and could see no problem with it.

Mr. Peek briefly commented on the review process the plat must go through before final approval by the County Commissioners. He noted the Board could approve the plat plan, accepting the easements, but not necessarily authorized the Chairman to sign said plat until he has reviewed it and in that way, the plat would be able to begin to be reviewed by other County agencies <sup>as</sup> required.

Mr. Turner moved, seconded by Mrs. Barclay and carried unanimously 3/0, that the plat be approved subject to acceptance of the easements, *Chairman not authorized to sign said plat at this time.*

STATUS REPORT

Mr. Biery explained that due to the PUD document approved by the Board of County Commissioners, the Improvement District is required to submit all plans and specifications to various County agencies for approval. He noted that the Environmental Advisory Council and the Water Management Advisory Board have recommended approval of the Wastewater and Water Management Plan for Phase I to the Board of County Commissioners and it is scheduled for review by the CAPC the following week and by the County Commissioners September 5, 1978.

Mr. Moyer noted that since the bids for the reverse osmosis <sup>Plant</sup> ~~plant~~ have been rejected, he requested the engineers be authorized to advertise for the total water and wastewater facilities for the Pelican Bay District.

Mr. Biery requested authorization to advertise for bid proposals for all of the projects once the plans and specifications have been approved by all required County agencies.

Mr. Moyer stated the bond validation <sup>final judgement</sup> ~~resolution~~ has been approved. Mr. Bolesky submitted a copy of the <sup>final judgement</sup> ~~resolution~~ to the Board for the record (on file).

In reference to the <sup>perm</sup> ~~perm~~ situation, Mr. Biery noted that it is possible the District will have DER and the Corps. of Engineer permits approximately October or November.

Mr. Turner moved, seconded by Mrs. Barclay and carried unanimously 3/0, that the engineer be authorized to advertise for water and sewer <sup>Plans</sup> ~~facility plants~~, including the reverse osmosis plant.

TREASURER'S REPORT

FOR THE PERIOD JULY 10, 1978 THROUGH AUGUST 9, 1978

PELICAN BAY IMPROVEMENT DISTRICT

NAPLES, FLORIDA

|                                    | July 10, 1978<br>Through<br><u>August 9, 1978</u> | <u>Year<br/>to<br/>Date</u> |
|------------------------------------|---|-----------------------------|
| CASH BALANCE - BEGINNING OF PERIOD | \$ 22,831.25                                      | \$ 3,008.17                 |
| CASH RECEIVED:                     |   |                             |
| Coral Ridge Properties             | <u>-0-</u>  | <u>42,500.00</u>            |
|                                    | \$ 22,831.25                                      | \$45,508.17                 |
| EXPENDITURES:                      |   |                             |
| Meeting Expense                    | 500.00  | 5,500.00                    |
| Office Expense                     | 4.90  | 99.69                       |
| Secretarial Expense                | 89.25   | 835.52                      |
| Attorney's Fees                    | 1,742.40  | 17,105.41                   |
| Accounting Services                | -0-   | 900.00                      |
| Classified Advertising             | 259.28  | 345.10                      |
| Insurance                          | -0-   | -0-                         |
| Miscellaneous                      | -0-   | 85.00                       |
| Travel Expense                     | <u>36.38</u>                                      | <u>438.41</u>               |
|                                    | \$ 2,632.21                                       | \$ 25,309.13                |
| CASH BALANCE - END OF PERIOD       |   |                             |
| Cash in Bank                       | \$20,179.04                                       |                             |
| Petty Cash                         | <u>20.00</u>                                      | <u>\$ 20,199.04</u>         |
|                                    | \$ 20,199.04                                      | \$ 20,199.04                |

Respectfully Submitted,

VIOLA S. BARCLAY  
Treasurer

DISTRICT ENGINEERS INVOICE NO. 13

Mr. Turner moved, seconded by Mrs. Barclay and carried unanimously 3/0, that the developers be authorized to pay Invoice #13 in the amount of \$54,018.40.

TREASURER'S REPORT

Mr. Turner moved, seconded by President Scuderi, that the Treasurer's Report be approved as presented. Motion carried unanimously 3/0.

Mrs. Barclay noted a bill was received from the Attorney for fees in the amount of \$2,464.50 and a bill from the Board of County Commissioners for secretarial services in the amount of \$47.55 as well as the travel vouchers.

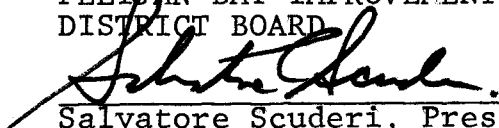
Mr. Turner moved, seconded by President Scuderi, that the bills as mentioned be authorized for payment. Motion carried unanimously 3/0.

Mr. Turner noted he has given the developer a bill for \$250.00 for services rendered for the month of July.

ADJOURNMENT

Mr. Turner moved, seconded by Mrs. Barclay that the meeting be adjourned. Motion carried unanimously 3/0. Time - 6:05 P.M.

PELICAN BAY IMPROVEMENT  
DISTRICT BOARD

  
Salvatore Scuderi, President