

Naples, Florida, September 19, 1979

LET IT BE KNOWN, that the Pelican Bay Improvement District Board met on this date in Regular Session at 4:30 P.M. in Building "F" of the Collier County Courthouse Complex with the following members present:

PRESIDENT: Salvatore Scuderi  
SECRETARY: Douglas Brown  
TREASURER: Elinor Wenzel

Harmon Turner

Joseph Fernandez - Absent

ALSO PRESENT: Gary Moyer, District Manager; Fred Biery, Post, Buckley, Schuh & Jernigan, Messrs. Koste, Penn and Obley; Coral Ridge-Collier Properties; George Varnadoe, Attorney for Smith, Young and Blue; Tracy Bolesky, Attorney for the District and Jean Swindle, Recording Secretary.

#### AGENDA

1. Roll Call
2. Approval of minutes of meeting held August 22, 1979
3. Public Hearing advertised to establish user rates and fees for water and wastewater facilities.
4. Further discussion and approval of fiscal 1979-80 budget.
5. Discussion of Street Lighting District and Lease-Purchase Agreement.
6. Authorization to advertise for bids for the purchase of certain equipment necessary for the operation and maintenance of District facilities.
7. Supervisors' requests
8. Engineer's report
9. Manager's report
10. Treasurer's report
11. Adjournment

#### ROLL CALL

President Scuderi asked that the record show four members present with Mr. Joseph Fernandez absent and excused.

MINUTES OF AUGUST 22, 1979 - APPROVED WITH CORRECTIONS

Mr. Turner moved, seconded by Mr. Brown and carried unanimously, that the minutes of August 22, 1979 be approved with the following corrections:

Page 617 - Under item entitled "Public Hearing and Board Discussion of the Proposed Fiscal 1980 Budget - WATER MANAGEMENT OPERATION" - the figure for Tax & Benefits should read \$2,636

Under the same item - WATER/SEWER BUDGET - an additional figure for Professional Fee needs to be shown in the amount of \$9,048 - making the Total Expense figure correct as shown.

PUBLIC HEARING REGARDING ESTABLISHMENT USER RATES AND FEES FOR WATER AND WASTE-WATER FACILITIES - SAID RATES AND FEES APPROVED

Mr. Gary Moyer, Manager, stated that the necessary advertising had been done as it related to the public hearing being held today for the establishment of the User Rates and Fees for the Pelican Bay Water and Sewer System. He reviewed the action taken by the Board of County Commissioners, Collier County, during the month of August, 1979 at which time they gave approval. Mr. Moyer then turned the presentation over to Mr. Fred Biery.

Mr. Biery recalled that the Board of County Commissioners, in the month of February, 1979, adopted the Connection Fees established for the Pelican Bay Water and Sewer System, following with the recommended approval of the "User Rates and Fees" at their August 14, 1979 meeting. He said that at this time he was recommending to the Pelican Bay Improvement District Board, the adoption of the Meter Fees; the Monthly Service Charges and the Monthly Standby Charges as they appear in the agenda packet. Identification of the use of each of the charges was as follows:

Meter Fees: Used to recover the cost of the physical connection to the distribution system - i.e. tap to the main service lateral meter boxes and meters for both systems (This is a dual charge for both potable and irrigation systems)

Monthly Service Charges: Used to recover operation/maintenance cost of system

Monthly Standby Charges: Used to pay a portion of the applicable debt service on water and waste-water treatment and transmission facilities which are reserved for completed structures

Hydrant rental fee: Used for payment of service that is run to each hydrant placed on private property at the owner's request

RATES AND FEES FOR THE PELICAN BAY WATER & SEWER SYSTEM

METER FEES

Residential	Group I	\$400/unit
	II	230/ "
	III	180/ "
	IV	140/ "
Commercial	Size:	\$400/each
	5/8"	400 "
	3/4"	525 "
	1 "	750 "
	1.5"	1,025 "
	2 "	1,500 "
	3 "	2,175 "
	4 "	3,375 "
	6 "	4,900 "
	8 "	

MONTHLY SERVICE CHARGES

Irrigation-Fire Flow	Per one thousand gals.	\$0.41
	Minimum volume/per connection - 4,000 gals.	
Potable Water	Per one thousand gals.	\$1.40
	Minimum volume/per connection - 5,000 gals.	
Wastewater	Per one thousand gals.	\$1.80
	Minimum volume/per connection - 5,000 gals.	

MONTHLY STANDBY CHARGES

	Group I	\$8.50
	II	7.00
	III	6.35
	IV	5.90
Commercial	Per one thousand gals. of estimated usage	0.28
Hydrant Rental Fee	Per year (for all hydrants on private property)	\$50.00

Following discussion which touched upon the meter fee being a one-time fee; private owner purchasing and installing his own hydrant for his private property with the District only servicing such hydrants and being reimbursed via the Hydrant Rental Fee; the projection of the average water bill to be \$38.00 monthly; and the fact that there will be no reduction in the fee per 1,000 gallons no matter how much water is used, President Scuderi asked if there were any registered speakers to address issue. There being none, Mrs. Wenzel moved, seconded by Mr. Turner and carried unanimously, that the public hearing be closed.

Mr. Turner moved, seconded by Ms. Wenzel and carried unanimously, that the User Rates and Fees for water and wastewater facilities of Pelican Bay Improvement District be approved as presented and that the President and the Secretary be authorized to sign the corresponding Resolution.

FISCAL 1979-80 BUDGET REVIEWED AND APPROVED (WATER/SEWER PORTION)

Mr. Moyer stated that now the rates and fees have been approved and the suggested changes have been made, according to the instructions of the Board, he was recommending that the Water/Sewer portion of the FY1979-80 budget be approved.

There being no question forthcoming from the Board, Mr. Turner moved, seconded by Mrs. Wenzel and carried unanimously, that the Water/Sewer portion of the FY 1979-80 budget for Pelican Bay Improvement District be approved.

In relation to the above-approved budget, Mr. Moyer stated the system itself will not be self-sustaining for the next few years but added that it is necessary to have the proper cash flow in order to maintain the operation and maintenance of the utility facilities. Having submitted to the Board, at the last meeting, a proposed agreement between PBID and Coral Ridge-Collier Properties that would provide the interim financing, he again asked for approval for the subject document. Mr. Moyer reviewed the proposed agreement and said it

Mr. Turner moved, seconded by Mr. Brown and carried that the President and the Secretary be authorized to execute the above-referenced Agreement between Coral Ridge-Collier Properties and the District.

DISCUSSION OF STREET LIGHTING DISTRICT AND LEASE-PURCHASE AGREEMENT

Mr. Moyer reviewed the discussion held during the August meeting concerning the lease-purchase agreement between the District and a third financing party for the provision of street lighting equipment from the Sterner Company and stated that today's packet included a warranty from the manufacturer. In answer to President Scuderi's question regarding the subject warranty, Attorney Bolesky stated he had received a letter from Coral Ridge-Collier Properties indicating there would be more information forthcoming but in making a determination from the material he had on hand, he found the warranty to again be too vague.

Discussion followed and it was the consensus of the Board that the manufacturer will be the source to look to for a more comprehensive warranty through the lessor/financier and that the letter from Coral Ridge-Collier Properties concerning said warranty be followed through.

Mr. Moyer asked that he be allowed to advertise for bids for the installation of the street lighting equipment, saying the District could in no way be placed in jeopardy as the District reserves the right to reject all bids. He also said that the advertisement for bids could include not only the specifications but the type of installation warranty that is desired, making it known to the bidder that no purchase has been made yet.

Mr. Turner moved, seconded by Mrs. Wenzel and carried unanimously, that the advertising for the installation of lighting fixtures with the conditions that the District can reject any and all bids; that the bidders know that no purchase of Sterner equipment has been made but will be contingent upon the contract with Sterner - be authorized.

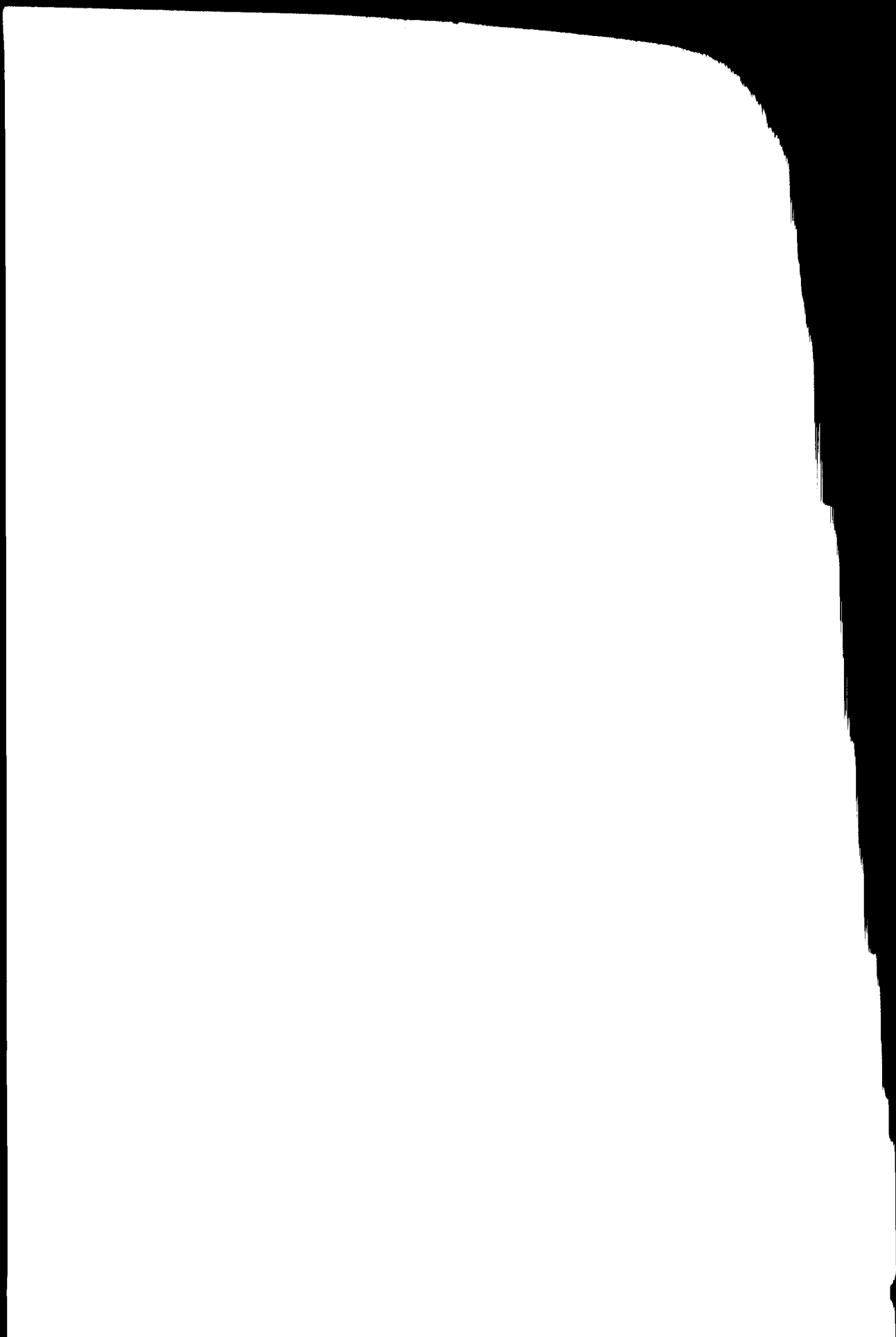
provides Coral Ridge-Collier Properties will advance to the District the funds as required to supplement the fees collected by the District for utility services which, on a monthly basis, would equal the expenses of the system. The advances would be made interest free and the District's responsibility would be to repay only the outstanding indebtedness. At this time, he identified the changes as being: Section 1 - "Corporation shall advance funds to the District's Utility System on a monthly basis within Ten (10) days written notice of ----"; Section 6: The addition of the words, "except as otherwise provided herein." at the conclusion of the paragraph; Section 7 in its entirety is an addition and covers the Corporation's priority in repayment and Section 8 in its entirety is an addition and is devoted to the method of repayment and the agreement of the District to "pay simple interest on the amounts repaid in any given year as set forth herein, said interest not to commence until after three (3) years from the date of this Agreement" with the interest increasing 1% for each following two-year span.

Discussion followed which covered the legality of repaying the Corporation first before any other obligation to any other developer; Mr. Bolesky's statement that the Bond Resolution provides that the first monies from revenue goes into the operation and maintenance of the system; after that into the bond fund and finally into the surplus fund; the redefinition of "System Revenue Surplus"; and Mr. Moyer's opinion that there will be enough monies generated to repay such advances without reaching the three (3) year stipulation as it relates to the use of interest.

Mr. Turner moved, seconded by Mr. Brown that the Agreement, as submitted, between Coral Ridge-Collier Properties and the District be approved.

The motion carried 3-1 with the roll call vote as follows:

President Scuderi	No
Secretary Brown	Yes
Treasurer Wenzel	Yes
Mr. Turner	Yes



AUTHORIZATION TO ADVERTISE FOR BIDS FOR THE PURCHASE OF CERTAIN EQUIPMENT NECESSARY FOR THE OPERATION AND MAINTENANCE OF DISTRICT FACILITIES - APPROVED

The request for authorization to advertise for bids for the purchase of certain equipment is being made, Mr. Moyer stated, because the construction of the Water Management facilities is quickly coming to a conclusion and certain pieces of equipment are necessary to the operation and maintenance of same. He continued, that Mr. Biery had accompanied him around the site on the first of September and from their observations, had prepared a broad list of equipment needed-i.e. tractor; mow trimmer. It is for these pieces that Mr. Moyer requested authorization to advertise for bids.

Upon learning that there was \$100,000 out of Bond proceeds earmarked for the purchase of machinery, Mr. Turner moved, seconded by Mr. Brown and carried unanimously, that the advertising for bids for the purchase of certain equipment necessary for the operation and maintenance of District facilities, be authorized.

MANAGER'S REPORT

Mr. Moyer submitted to the Board an Agreement between the District and Coral Ridge-Collier Properties, Inc. which will result in the Corporation paying the District an ~~annual~~<sup>delete \$</sup> fee of approximately \$300,000 for irrigation water to be used on the Corporation's golf course facilities. It was noted that this figure includes Coral Ridge-Collier Properties pro-rata share of the construction cost of said raw water supply system, as shown in Exhibit "A" of the Agreement and is for a period of one year - October 1, 1979 through September 30, 1980 with review to be made prior to October 1 of each year.

Following discussion, Mr. Turner moved, seconded by Mrs. Wenzel and carried unanimously, that the Agreement between the District and Coral Ridge-Collier Properties, Inc. for the payment of an annual fee of approximately \$300,000 for irrigation water to be used on the Corporation's golf course facilities

for the period October 1, 1979 through September 30, 1980, be approved and the President and the Secretary be authorized to sign same.

SUPERVISORS' REQUESTS

None

ENGINEER'S REPORT

Mr. Fred Biery of Post, Buckley, Schuh & Jernigan, Inc. and Project Engineer, presented the project progress reports for Contracts A, B, C-1, C-2, D, E and F (See appended report) and gave each member of the Board aerial photographs of the District denoting the progress that is being made. Following this report, he stated that Contract B/Construction of the water transmission main is ready to be finalized and presented for the Board's consideration - Final Change Order No. 2 in the name of Gator Utilities Service, Inc. and amounting to \$7,283.01. Mr. Biery reported that all quantities had been re-measured; all lines retaped; all valves recounted and every unit item that was in the contract was reviewed. He indicated that Item 91 in the amount of \$13,387.51 as shown on the Final Change Order No. 2 as Administrative charges is the total sales tax figure while Item 88 is the installation of a 6" temporary connection to irrigation line in the amount of \$1,000, adding that the Board had previously approved this item in the amount of \$1,200. Mr. Biery, at this time, recommended that the Board approve Final Change Order No. 2 for Gator Utilities Service, Inc. in the amount of \$7,283.01.

Mr. Turner moved, seconded by Mr. Brown and carried unanimously, that the Final Change Order No. 2 for Gator Utilities Service, Inc. in the amount of \$7,283.01 be approved.

CERTIFICATES OF PAYMENT

Mr. Biery submitted the Certificates of Payment as listed below and stated Mr. Turner had reviewed them all. In reference to the Item No. 7

Pelican Bay Improvement District Board  
 September 19, 1979

for Gator Utilities/Contract B, Mr. Biery stated that until the final testing is accomplished on this completed project, the Certificate of Payment should be withheld, adding that such testing should be done within the next day or two.

<u>CERTIFICATE NO.</u>	<u>CONTRACTOR</u>	<u>AMOUNT</u>
W/S - Administrative No. 14	Tracey H. Bolesky, Attorney	\$ 1,462.50
W/S - Contingencies No. 9	Harlan Engineering Labs	\$ 387.50
W/S - Contingencies No. 10	Wilson, Miller, Barton, Soll & Peek, Inc.	\$ 635.50
W/S - Contingencies No. 11	Coral Ridge-Collier Properties, Inc.	\$ 1,200.00
W/S - Contingencies No. 12	Wilson, Miller, Barton, Soll & Peek, Inc.	\$ 393.98
W/S - Contract B No. 7	Gator Utilities Service	\$ 46,119.45
W/S - Contract C-1 No. 1	Permutit Company	\$ 67,500.00
W/S - Contract C-2 No. 6	Biltmore Construction Company	\$ 145,521.90
W/M - Contract E No. 7	Charlie Toppino & Sons	\$ 71,070.30
W/M - Contract F No. 7	Wadsworth Golf Construction Company	\$ 43,377.75
CRCP- Engineering No. 7	Post, Buckley, Schuh & Jernigan, Inc.	\$ 2,558.24
CRCP- Contract D No. 7	Gator Utilities Service	\$ 58,843.46
R&G - Tierra Mar No. 1	Gator Utilities Service	\$ 29,033.19
304-001.00A/304-002.00A	General Consult-Meetings PBSJ Financial & Management Support PBSJ	\$ 1,645.12
<b>TOTAL ALL INVOICES</b>		<b>\$469,748.89</b>

Mr. Turner moved, seconded by Mrs. Wenzel and carried unanimously, that the Certificates of Payment, as referenced above, be approved with the exception of Item #7 - W/S Contract B - Gator Utilities Service in the amount of \$46,119.45, which will be signed and delivered after the final testing is done satisfactorily.

REMARKS BY MR. CHARLES TURNER RE CONSTRUCTION OF LAKES IN THE DISTRICT

Mr. Moyer stated that Mr. Charles Turner of Coral-Ridge Collier Properties had been working with Mr. Harmon Turner of the Board for the past several months on the prospect of changing the present detention and retention swales, located

in Pelican Bay district, into lakes. For a report on the progress of the proposed change, Mr. Moyer called on Mr. Charles Turner who stated those areas being considered are the water management areas that have a high visibility from the project. Mr. Turner presented each member of the Board a map which indicated the areas that are now permitted for the construction of lakes and stated they will be constructed according to County standards (4-1 side slopes with no more than 6' in depth). He concluded that these 5 areas will be in addition to the 10 lakes that were approved sometime ago for the golf course and that the cost of the lakes will be paid by Coral-Ridge Collier Properties.

#### TREASURER'S REPORT

Following Mrs. Wenzel's presentation of the Treasurer's report for the period August 23, 1979 through September 19, 1979, Mr. Turner moved, seconded by Mr. Brown and carried unanimously, that the Treasurer's report be approved as submitted.

Mrs. Wenzel submitted the following bills:

FPL (Initial service charge)	\$ 583.40	
Attorney Tracy Bolesky	1,014.30	
Naples Daily News	19.90	
BCC	99.90	
Invoice 25/PBS&J	1,645.12	(General consultation meetings; Regional Mgr. and Eng.; PBS&J surcharge; LD phone calls; financial & mgmt report; typist)
Coral Springs/PBID	631.43	(Telephone Expense FY1979)
Coral Springs/PBID	<u>36.60</u>	(Reproduction costs)
	\$ 4,030.65	

Mr. Turner moved, seconded by Mr. Brown and carried unanimously that bills, as presented, be approved for payment.

#### DISTRICT MANAGER AUTHORIZED TO HIRE CHIEF OPERATOR/FIELD FOREMAN FOR THE WATER/SEWER PLANTS IN THE DISTRICT

Following discussion, Mr. Turner moved, seconded by Mr. Brown and carried unanimously, that the District Manager be authorized to implement the

budget and hire personnel, including the position of Chief Operator/Field Foreman, as needed and in accordance with the approved budget.

It was Mr. Turner's suggestion that Treasurer Wenzel work with Mr. Kosta to determine the amount of monies needed for advances to the District.

Mr. Moyer stated that in order to be in compliance with the Disclosure Law, the meeting dates for the Board had been advertised through September, 1980 with the meeting day being the second Wednesday of each month. President Scuderi stated there would be no meeting in October due to the absence of Board members.

Mr. Turner said he had rendered a bill of \$200 to the developer for the month of August.

There being no further business to come before the Board, the meeting was adjourned by order of the Chair - Time: 6:30 P.M.

PELICAN BAY IMPROVEMENT DISTRICT BOARD

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Salvatore Scuderi, PRESIDENT

TREASURER'S REPORT

FOR THE PERIOD AUGUST 23, 1979 THROUGH SEPTEMBER 19, 1979

PELICAN BAY IMPROVEMENT DISTRICT

NAPLES, FLORIDA

	AUGUST 23, 1979 THROUGH SEPTEMBER 19, 1979	<u>YEAR TO DATE</u>
CASH BALANCE - BEGINNING OF PERIOD	\$ 3,858.53	\$ 16,625.17
CASH RECEIVED:		
Coral Ridge Properties	5,000.00	32,000.00
R. B. Enterprises	<u>-0-</u>	<u>4,500.00</u>
	<u>8,858.53</u>	<u>53,125.17</u>
EXPENDITURES		
Meeting Expenses	500.00	5,900.00
Office Expenses	3.80	260.73
Secretarial Expenses	42.50	884.55
Attorney Fees	1,035.00	21,643.27
Consulting Fees	970.56	5,567.41
Classified Advertising	250.00	1,410.00
Travel Expenses	23.77	305.21
Insurance Expense	( 86.00)	86.00
District Manager	22.26	354.70
	<u>816.66</u>	<u>11,433.32</u>
	3,578.55	47,845.19
CASH BALANCE - END OF PERIOD		
Cash in bank	\$ 5,259.98	
Petty Cash	<u>20.00</u>	
	\$ <u>5,279.98</u>	\$ <u>5,279.98</u>

Respectfully submitted,

Elinor A. Wenzel  
Treasurer

PROJECT PROGRESS REPORT

CONTRACTS

FEBRUARY    MARCH    APRIL    MAY    JUNE    JULY    AUGUST    SEPTEMBER    OCTOBER

NOVEMBER  
DECEMBER

A

PROPOSED

ACTUAL  
WELLFIELD

B

PROPOSED

ACTUAL  
TRANSMISSION  
MAIN

C-1

PROPOSED

ACTUAL  
WATER PLANT

C-2

PROPOSED

ACTUAL  
STORAGE AND  
TREATMENT  
PLANT

D

PROPOSED

ACTUAL  
WATER AND  
SEWER

E

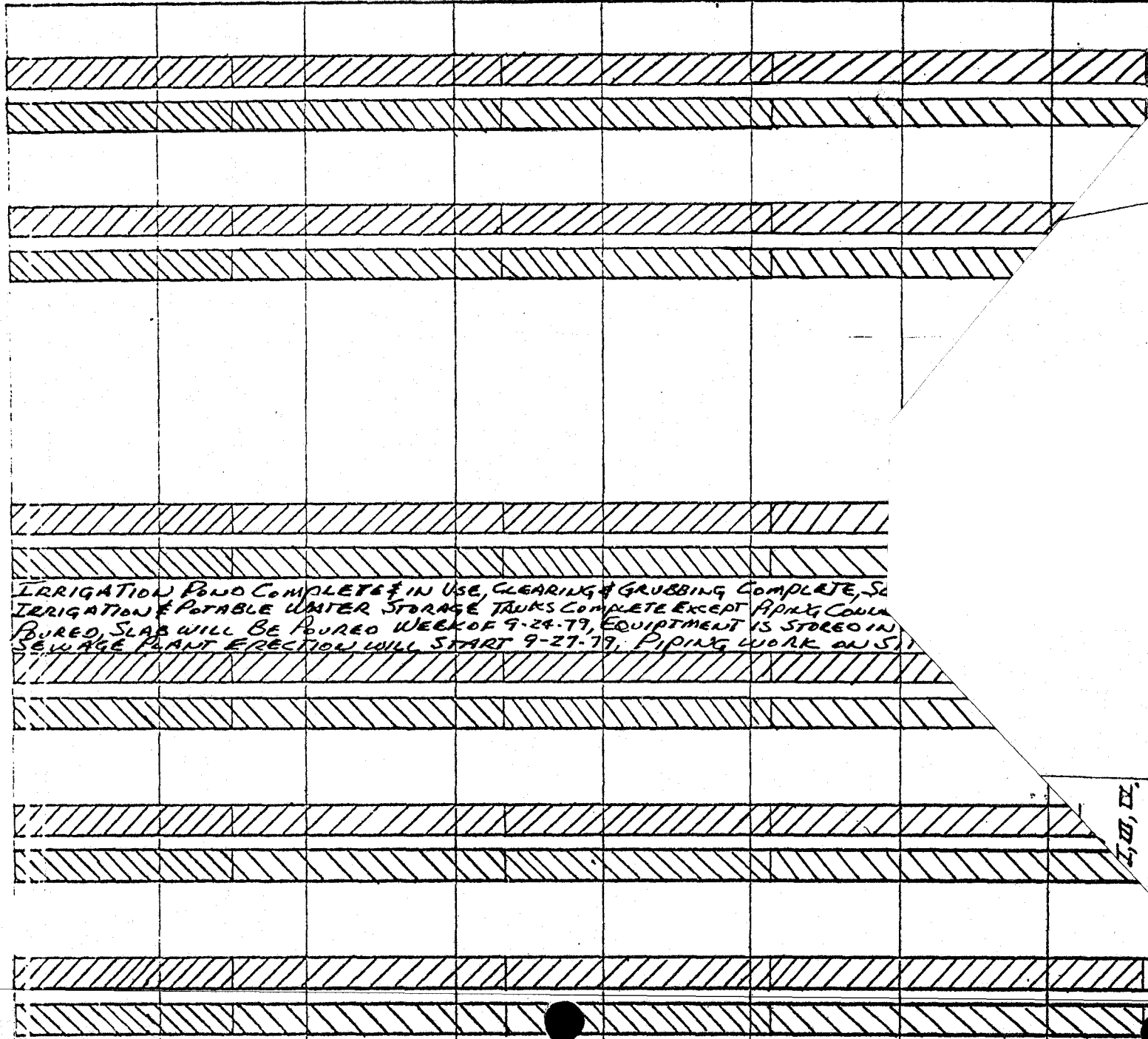
PROPOSED

ACTUAL  
GRADING AND  
DRAINAGE

F

PROPOSED

ACTUAL  
GRADING AND  
DRAINAGE



Sept  
except  
group

IRRIGATION POND COMPLETE & IN USE, CLEARING & GRUBBING COMPLETE, SEWER  
IRRIGATION & POTABLE WATER STORAGE TANKS COMPLETE EXCEPT APRIL, CONCRETE  
POURED, SLAB WILL BE POURED WEEK OF 9-24-79, EQUIPMENT IS STORED IN  
SEWERAGE PLANT ERECTION WILL START 9-27-79, PIPING WORK ON SITE

I, II, IV

PROJECT COMPLETE  
EXCEPT MINOR SEWERING

95.0%

100.0%



# POST, BUCKLEY, SCHUH & JERNIGAN, INC.

CONSULTING ENGINEERS AND PLANNERS

PRESIDENTIAL SUITE  
6326 PRESIDENTIAL COURT  
FORT MYERS, FLORIDA 33907  
TELEPHONE 813/481-4488

September 13, 1979

Mr. Gary Moyer, Manager  
Pelican Bay Improvement District  
10300 N.E. 11 Manor Maplewood  
Coral Springs, Florida 33065

Reference: Certificates of Payment

Dear Gary,

Attached is one set of the Certificates of Payment listed below, which I will be presenting to the Board of Supervisors for Approval on September 19, 1979.

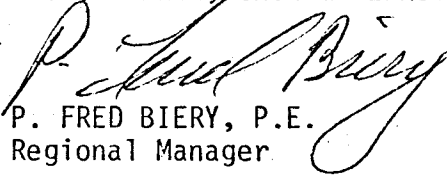
<u>CERTIFICATE NO.</u>	<u>CONTRACTOR</u>	<u>AMOUNT</u>
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R&G - Tierra Mar No. 1	Gator Utilities Service	\$ 29,033.19
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TOTAL ALL INVOICES		\$469,748.89

Mr. Gary Moyer, Manager  
September 13, 1979  
Page 2

Please note that we are recommending final payment on Contract B. For this purpose, I am also attaching Change Order No. 2, which reflects actual installed quantities and other required changes.

Very truly yours,

POST, BUCKLEY, SCHUH & JERNIGAN, INC.

  
P. FRED BIERY, P.E.  
Regional Manager

PFB/shb

Attachments

cc: Mr. Harmon Turner  
Mr. Byron Koste

304 (Special Billing File)