

Naples, Florida, August 20, 1980

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" in the Collier County Courthouse Complex with the following members present:

SECRETARY: Douglas Brown
TREASURER: Elinor Wenzel

Stanley Brooks
Harmon Turner

PRESIDENT: Salvatore Scuderi - Absent

ALSO PRESENT: Gary Moyer, District Manager; George McIntyre, Post, Buckley, Schuh & Jernigan; Messrs. Obley, Koste and Dillon, Coral Ridge-Collier Properties Tracy Bolesky, Attorney for the District; George Varnadoe of Young, van Assenderp, Varnadoe & Benton and Jean Swindle, Recording Secretary.

1. ROLL CALL
2. APPROVAL OF MINUTES OF June 18 and July 30, 1980 meetings
3. OLD BUSINESS:
 - a) Approval of a Resolution adopting the Water Management Budget as presented at the prior meeting.
 - b) Approval of a Resolution adopting the Street Lighting Budget as presented at the prior meeting.
 - c) Approval of a Resolution adopting the Water & Wastewater operations' budget as approved at the prior meeting.
 - d) Consideration of an agreement between CR-CP and the Pelican Bay Improvement District to advance funds to the District to cover operating deficits within the utility system.
4. ENGINEERING STATUS REPORTS
 - a) Certificates of Payment
 - b) Status of Construction
 - c) Consideration of engineering proposal to provide engineering plans and specifications for Beachfront water and sewer facilities.
 - d) Authorization to advertise for bids on Beachfront water and sewer facilities
5. SUPERVISORS' REQUESTS & AUDIENCE PARTICIPATION
6. MANAGER'S REPORT
7. TREASURER'S REPORT
8. APPROVAL OF INVOICES
9. ADJOURNMENT

ROLL CALL

Secretary Brown, in the absence of President Scuderi, called the meeting to order and asked that the record show four members of the Board present with President Scuderi absent as stated above.

APPROVAL OF MINUTES OF JUNE 18, 1980 - POSTPONED UNTIL NEXT REGULAR MEETING -
MINUTES OF JULY 30, 1980 - APPROVED AS CORRECTED

Following Mrs. Wenzel's request that the record show her abstention from voting for the minutes of June 18, 1980 was due to her absence at that meeting, it was the consensus of the Board that such minutes be postponed until the next regular meeting when a full Board would be in attendance.

Mr. Turner moved, seconded by Mrs. Wenzel and carried 3-0 with President Scuderi absent and Mr. Brook abstaining, that the minutes of July 30, 1980 be approved with the following correction:

Page 725 - Second paragraph - the date should read June 18, 1980 both in the title of the item and in the second sentence of the paragraph.

OLD BUSINESS

RESOLUTION LEVYING TAX WITHIN THE PELICAN BAY IMPROVEMENT DISTRICT FOR PAY-
MENT OF DEBT SERVICE AND MAINTENANCE COSTS - Period - October 1, 1980
through September 30, 1981 - ADOPTED

Following Attorney for the District Bolesky's statement that the proposed Resolution levying tax within the District together with the official tax roll was in order, Mr. Turner moved, seconded by Mrs. Wenzel and carried 4-0, with President Scuderi absent, that the aforementioned Resolution be adopted and that Acting President Brown and Acting Secretary Brooks be authorized to sign same.

RESOLUTION BOARD OF SUPERVISORS PELICAN BAY LIGHT MUNICIPAL SERVICE
TAXING DISTRICT OPERATING BUDGET - FY 1981 - ADOPTED

Following Mr. Moyer's explanation that once the proposed Resolution for the operating budget of the Pelican Bay Light Municipal Service Taxing District

is approved, a copy of said Resolution will be transmitted to the County for their records, Mr. Turner moved, seconded by Mrs. Wenzel and carried 4-0, with President Scuderi absent, that the aforementioned Resolution be adopted and that Acting President Brown and Acting Secretary Brooks be authorized to sign same.

RESOLUTION BOARD OF SUPERVISORS APPROVING AND ADOPTING THE FISCAL YEAR 1981 BUDGET FOR WATER & WASTEWATER OPERATIONS - ADOPTED

Following Mr. Moyer's presentation of the proposed Resolution, Mr. Turner moved, seconded by Mrs. Wenzel and carried 4-0, with President Scuderi absent, that the water and wastewater operating budget Resolution be adopted and that Acting President Brown and Acting Secretary Brooks be authorized to sign same.

AGREEMENT BETWEEN CORAL RIDGE - COLLIER PROPERTIES AND PELICAN BAY IMPROVEMENT DISTRICT TO ADVANCE FUNDS TO DISTRICT TO COVER OPERATING DEFICITS WITHIN THE UTILITY SYSTEM - DEFERRED UNTIL NEXT REGULAR MEETING

Mr. Moyer presented the proposed agreement between Coral Ridge - Collier Properties and the District which, in essence, would permit the advancement of funds from the Corporation to the District to cover operating deficits within the utility system for the fiscal year 1980-81 and the repayment stipulations of such advances. Discussion followed which covered Attorney Bolesky's statement that the agreement, as it necessarily had to be written, constitutes a "gentlemen's agreement" not a document that would be enforceable in a court of law; the addition of two paragraphs that identify the priority and method of repayment of the advances; such an agreement being to the advantage of not only the District but the Developer as well; Mr. Obley's and Mr. Koste's confirmation of such an agreement and the premise that the operating and maintenance budget had been projected for the FY 1980-81 on a very tight schedule.

It was the consensus of the Board that any action on the proposed agreement be deferred until a full membership would be in session.

ENGINEERING STATUS REPORTS

Certificates of Payment

Following Mr. McIntyre's presentation and explanation of the final Change Order and Certificate of Payment for Gator Utilities Service, Inc., totaling \$9,623.02, Mr. Turner moved, seconded by Mrs. Wenzel and carried 4-0, with President Scuderi absent, that the Change Order (Final) be approved and the final Certificate of Payment be paid with the stipulation that such payment be withheld until "a few valve boxes and one fire hydrant have been adjusted".

Mr. McIntyre explained the final Change Order and reviewed the final Certificate of Payment for Collier Electric Company, Inc. totaling \$7,104.00. After the review, Mr. Turner moved, seconded by Mr. Brooks and carried 4-0, with President Scuderi absent, that the final Change Order be approved. Also Mr. Turner moved, seconded by Mrs. Wenzel and carried 4-0, with President Scuderi absent, that the final Certificate of Payment for Collier Electric Company, Inc. in the amount of \$7,104.00, be paid.

In conclusion, Mr. Turner moved, seconded by Mrs. Wenzel and carried 4-0, with President Scuderi absent, that the submitted bill from Post, Budkley, Schuh & Jernigan in the amount of \$2,672.84 be approved for payment.

(List of above-referenced Certificates of Payment shown below)

<u>CERTIFICATE NO.</u>		<u>CONTRACTOR</u>	<u>AMOUNT</u>
CRCP - Contract D	No.11 Final	Gator Utilities Service, Inc.	\$ 9,623.02
Roadway Lighting- Construction	No. 5 Final	Collier Electric Company, Inc.	\$ 7,104.00
304-001.00B/304-002.00B		Financial & Management Support Post, Buckley, Schuh & Jernigan	\$ 2,672.84
	TOTAL AMOUNT ALL INVOICES		\$ 19,399.86

Status of Construction

Mr. McIntyre gave the following project progress report:

PELICAN BAY IMPROVEMENT DISTRICT
PROJECT PROGRESS REPORT
PROGRESS UPDATED TO AUGUST 20, 1980

CONTRACT C-1 - R.O. Water Plant

Permutit Installation Engineer on Site

Permutit Installer (Harn) on Site Working

R.O. Plant Ran Performance Test Satisfactorily on August 16, 1980,
Subject to Correction and Adjustment of P.H. Meter, Automatic
Acid Feed System, Caustic Tank Level Switch, Product Conduc-
tivity Meter, Chemical Transfer Pumps, and Finalization of
Warranties, Guarantees and 3 Year Service Agreements.

Scheduled Progress 100%

Actual Progress 99.9%

R.O. Plant is Available for and Being Used for Potable Water

CONTRACT C-2 - Storage Treatment Facilities

Biltmore Co-ordinating Completion of Punch List With Sub-Contractors

Biltmore Has Some Punch List Items To Complete Yet.

All Items Should be Complete During Week of August 25, 1980.

Scheduled Progress 100%

Actual Progress 99.9%

Elapsed Time 180%

Days in Contract 300

Days Used to Date 540

Finalization of Contracts C-1 and C-2 Should Occur at Next District
Meeting.

Status of Construction (Continued)

Additionally, Mr. McIntyre stated that because the original contract for the RO plant called for 300 days and to date, the contractor has used 540 days, Post, Buckley, Schuh & Jernigan are preparing the necessary documents which could very possibly be used to bring the charge of "liquidated damages" against the contractor. He asked that someone representing the Board be in attendance at a meeting where all such information will be reviewed and some decision made. It was the consensus of the Board that Mr. Turner participate bringing to the meeting input from the Board and reporting to the members at the next regular meeting.

Engineering Design Agreement to Provide Engineering Plans and Specifications for Beachfront Water and Sewer Facilities - Approved

Mr. Moyer presented, for the Board's consideration, a proposal which would provide engineering plans and specifications for the Beachfront water and sewer facilities. In review, Mr. Moyer stated that during the June, 1980 meeting the Developer had presented a conceptual plan of the proposed facilities for the Beachfront area and by the use of a map, Mr. Moyer identified the already constructed boardwalk and the proposed beachfront buildings. He reminded the Board that last month at the regular meeting, the District had granted the Developer a permit to use a portion of the District's berm in order to connect the boardwalk with the park area. Mr. Moyer said that the request before the Board today was the authorization for Post, Buckley Schuh & Jernigan to prepare plans and specifications to extend the water and sewer facilities that are existing in Pelican Bay Boulevard to the Boardwalk area and then to have plans designed for a lift station which in turn will provide water and sewer to the beachfront location. Continuing, Mr. Moyer explained, that even though this particular area does not fall precisely into

policy guidelines, it is his opinion as well as that of the Engineer, that the proposed facility is public in nature to the residents of the District and as such, the District should be responsible for the preparation of the plans and specifications and ultimately, for the construction of same. He concluded that work would be done in accordance with previous agreements between the District and Coral Ridge-Collier Properties which allows that the monies for both engineering and construction work will be advanced by CR-CP to be repaid when the utility system generates sufficient surplus and/or such debts to be incorporated into a future bond issue.

Discussion followed with Mr. Koste identifying the proposed buildings as being "men and women lockers with restroom facilities", a shade shelter and a snack bar for Phase One - Phase Two will include a restaurant and more locker space; Mr. Moyer gave the approximate figure of \$120,000 for construction costs and explained that the present water/sewer lines under the boardwalk were constructed at the expense of the developer but will be "turned over" to the District for maintenance and operation once the connection has been made; Mr. Obley commented that such facilities will be restricted in use to the people of Pelican Bay and Mr. Moyer reviewed Post, Buckley, Schuh and Jernigan's proposal to prepare the engineering plans for a cost not to exceed \$9,500.00.

Mr. Turner moved, seconded by Mr. Brooks and carried 4-0, with President Scuderi absent, that the Engineering Design Agreement between Coral Ridge-Collier Properties, Inc. and the District be approved and that Acting President Brown and Acting Secretary Brooks be authorized to execute same

Mr. Turner moved, seconded by Mr. Brooks and carried 4-0, with President Scuderi absent, that the District Manager be authorized to sign the agreement with PBJ&J for the preparation of the design of the water/sewer facilities and to advertise for bids for such facilities.

POST, BUCKLEY, SCHUH & JERNIGAN, INC. AUTHORIZED TO ADVERTISE FOR BIDS FOR THE CONSTRUCTION OF WATER/SEWER LINES FROM THE INTERSECTION OF GULF PARK DRIVE AND PELICAN BAY BOULEVARD EASTWARD ON GULF PARK DRIVE, PELICAN BAY, UNIT 2

Mr. Turner moved, seconded by Mrs. Wenzel and carried 4-0, with President Scuderi absent, that PBS&J be authorized to advertise for bids for the construction water/sewer line from the intersection of Gulf Park Drive and Pelican Bay Boulevard eastward on Gulf Park Drive, located in Pelican Bay, Unit 2. Mr. Moyer stated that probably the bids would be received in time to be submitted to the Board at the next regular meeting for consideration on the award of contract.

SUPERVISORS' REQUESTS & AUDIENCE PARTICIPATION

Mr. Turner suggested that each member of the Board go out and see the RO plant now that it is operating.

Mr. Moyer suggested that the next regular meeting be held at the Showcase Home and after the completion of the meeting, the members of the Board could be taken on a tour of the plant and other points of interest. It was the consensus of the Board that the meeting be held on September 17, 1980 with Mr. Moyer verifying the location and time at a later date.

ADDITIONAL WATER WELLS DISCUSSED

In answer to Mr. Brown's question concerning additional water wells, Mr. Moyer reported that Mr. Biery had requested that the utility system be given a month to operate so as to better ascertain what the actual usage would be. And even though the rains have begun again, there is evidence that additional wells are needed. He stated that he and Mr. Biery had met with Missimer and Associates to determine the best placement of the new wells with the resulting location being the far north end of the well field. Mr. Moyer said there was money available in the construction trust fund that could be used for the well field development which would include the construction of the wells

and the installation of the necessary pumps.

Mr. Turner asked that Mr. Biery come to the next regular meeting with a definite recommendation instead of waiting for the October session.

PLANTING DESIGN FOR THE RO PLANT AND SURROUNDING BUILDINGS SUBMITTED BY DEVELOPER

Mr. Koste identified the utility site on a display map and reviewed the planting design that will soften the view of the buildings from the residents of Pelican Bay. Mr. Dennis Fowler, Director of Development, Pelican Bay, stated the landscaping planting would begin within the next two weeks. Mr. Turner requested that the District's engineer be permitted to look over the plans to determine that each planting will not interfere with the utility site's lines and pipes. Mr. Moyer explained that because the District's primary budget for the system had been so precise, the landscaping of the site had been deleted and because of this early deletion, he thinks the District should participate, to some degree, in the payment of the Developer's expense. He concluded that Mr. Biery will review the plan and be able to make a recommendation as to what portion of the planting plan could be designated the District's responsibility.

TREASURER'S REPORT

Mr. Turner moved, seconded by Mr. Brooks and carried 4-0, with President Scuderi absent, that the financial reports, as shown, be approved.

(See attached)

PELICAN BAY IMPROVEMENT DISTRICT
 WATER & WASTEWATER OPERATING SUMMARY
 FOR PERIOD ENDING AUGUST 20, 1980

	<u>BUDGET</u>	<u>ACTUAL</u>	<u>VARIANCE</u>
REVENUE:			
Meter Fees	\$ 27,050.00	\$ 22,192.00	\$ (4,858.00)
Conn. Fees	108,720.00	116,694.38	7,974.38
WA & SW Revenue	6,186.00	3,376.97	(2,809.03)
IRR. Revenue	<u>390.00</u>	<u>24,279.14</u>	<u>23,889.14</u>
Total	<u>\$ 142,346.00</u>	<u>\$ 166,542.49</u>	<u>\$ 24,196.49</u>
 EXPENDITURES:			
Chemicals	\$ 795.00	\$ 1,245.92	\$ (450.92)
Electric	27,830.00	10,690.71	17,139.29
Maint/Repair	5,236.00	683.14	4,552.86
Payroll	40,562.00	14,750.00	25,812.00
Payroll Taxes	5,438.00	904.17	4,533.83
Professional Fees			
A. Eng.	4,620.00	9,258.89	(4,638.89)
B. Legal	1,834.00	1,804.43	29.57
C. Audit	1,834.00	-0-	1,834.00
Other	18,216.00	12,713.08	5,502.92
Meter	<u>-0-</u>	<u>6,195.03</u>	<u>(6,195.03)</u>
	<u>\$ 106,365.00</u>	<u>\$ 58,245.37</u>	<u>\$ 48,119.63</u>

PELICAN BAY IMPROVEMENT DISTRICT
 WATER MANAGEMENT OPERATING SUMMARY
 FOR PERIOD ENDING 8/20/80

REVENUE:	<u>LEVIED</u>	<u>RECEIVED</u>
Maint Tax Revenue	\$ 87,006.00	\$ 87,006.00

EXPENDITURES:

	<u>BUDGET</u>	<u>ACTUAL</u>	<u>VARIANCE</u>
Meeting	\$ 5,500.00	\$ 5,500.00	\$ -0-
Office	917.00	407.35	509.65
Secretary	917.00	704.93	212.07
Legal	5,500.00	3,710.54	1,789.46
Accounting	1,375.00	-0-	1,375.00
Advertising	275.00	26.59	248.41
Insurance	4,051.00	2,389.80	1,661.20
Travel	550.00	208.60	341.40
Administrative	5,959.00	5,959.00	-0-
Engineering	5,500.00	5,548.55	(48.55)
Payroll	16,271.00	8,583.00	7,688.00
Payroll Taxes	2,417.00	526.16	1,890.84
Transportation	1,650.00	641.45	1,008.55
Swale Maint.	18,334.00	-0-	18,334.00
Water Quality	4,584.00	1,705.40	2,878.60
Contingencies	4,584.00	-0-	4,584.00
Trustee	1,375.00	-0-	1,375.00
	<u>\$79,759.00</u>	<u>\$35,911.37</u>	<u>\$ 43,847.63</u>

PELICAN BAY IMPROVEMENT DISTRICT
CONFIRMATION OF BILLS
AUGUST 20, 1980

WASTE WATER

DAVIS METER	METER PARTS	\$ 1,141.08
NEPTUNE WATER MGT.	METERS	986.80
CREEK FORD TRACTOR	GENERAL MAINT.	88.80
NAPLES WELL DRILLING	REPAIR-TEMP. WELL	201.95
GATOR UTILITIES	MTR. INST.-NAPLES FED.	2,907.05
" "	" " -CHATEAUMERE	590.00
POST BUCKLEY		2,054.82

WATER MANAGEMENT

CARLS OFFICE SUPPLY	DICTAPHONE	296.00
HOFFMAN OFFICE SUPPLY	OFFICE FURNITURE	

APPOINTMENT OF MR. BROWN AND MR. BROOKS AS ACTING PRESIDENT AND ACTING SECRETARY RESPECTIVELY - APPROVED

Because certain documents were approved during today's session which require the signatures of the President and Secretary and due to President Scuderi's absence, Mr. Turner moved, seconded by Mrs. Wenzel and carried 4-0, with President Scuderi absent, that Mr. Brown be appointed temporary Acting President and Mr. Brooks be appointed temporary Acting Secretary for the purpose of signing the approved documents from today's meeting.

BILLS - APPROVED FOR PAYMENT

Mr. Turner moved, seconded by Mrs. Wenzel and carried 4-0, with President Scuderi absent, that the following bills be approved for payment.

Board of County Commissioners	\$10.00
Bob Dean Supply (W/S Budget)	48.00
Travel Vouchers	

Mr. Turner submitted a bill to the Developer in the amount of \$300.00.

ADJOURNMENT

There being no further business to come before the Board, the meeting was adjourned by order of the Chair - Time: 6:00 P.M.

PELICAN BAY IMPROVEMENT DISTRICT

Douglas Brown, Acting President