

Naples, Florida, February 13, 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:

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

Joseph Fernandez  
Harmon Turner

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

AGENDA

1. ROLL CALL
2. APPROVAL OF MINUTES OF MEETING HELD JANUARY 9, 1980
3. ENGINEERING DESIGN AGREEMENT - Extension of facilities in Ridgewood Drive
4. WELL FIELD SITE ACCESS
5. STREET LIGHTING SYSTEM
  - a) Master Plan
  - b) Enlargement of existing Street Lighting District
6. ENGINEER'S REPORT
  - a) Construction status report
  - b) Certificates of Payment
7. MANAGER'S REPORT
  - a) Policies relating to deposits and connection fees
8. TREASURER'S REPORT
9. PAYMENT OF INVOICES
10. ADJOURNMENT

ROLL CALL

President Scuderi asked that the record show all members of the Board present.

MINUTES OF JANUARY 9, 1980 - APPROVED WITH CORRECTION

Mr. Turner moved, seconded by Mr. Brown and carried unanimously, that the minutes of January 9, 1980 be approved with the following correction:

On Page 671 - first sentence of last paragraph - the word "Special" be deleted and the word "Continued" be inserted - per Mr. Harmon's request.

ENGINEERING DESIGN AGREEMENT BETWEEN THE DISTRICT AND CORAL RIDGE-COLLIER PROPERTIES FOR THE EXTENSION OF UTILITY SERVICE IN RIDGEWOOD DRIVE- APPROVED

Following District Manager Moyer's review of the position of the District and its relation to any engineering services being requested by a developer - that is - pursuant to the District's policies, extension service of this nature requires the design of plans and specifications and the party requesting said extension pays the engineering fees involved, he presented, for the Board's perusal, an Engineering Design Agreement between the District and Coral Ridge-Collier Properties. Said agreement to provide the engineering plans and specifications for the water distribution and wastewater collection facilities to a portion of Ridgewood Drive, approximately 400' to 900', as requested by the Developer and outlining the advancement of the necessary funds by Coral Ridge-Collier Properties, Inc. to the District. Additionally, the agreement calls for the repayment of such advancement by the District to the Developer, once the construction of water and sewerage improvements are undertaken.

Mr. Turner moved, seconded by Mr. Brown and carried unanimously, that Mr. Moyer be authorized to instruct the Engineers to proceed with the plans for the extension of the water/sewer line for that portion of Ridgewood Drive,

for approximately 400' to 900', after receiving the commitment from the Developer to pay for the engineering fees.

INVESTIGATION OF WELL FIELD SITE ACCESS - AUTHORIZED

Mr. Moyer stated that when the District purchased the well field site on Immokalee Road, access was provided by a culvert in a drainage swale (the drainage swale being part of the Immokalee road right-of-way) and a Florida Power and Light bridge which is in need of extensive repairs. Recently, the County has removed the culvert from the drainage ditch and with the wooden bridge of FPL in such deplorable condition, for all intents and purpose, the District no longer has any ingress or egress to the well field site. Mr. Moyer requested the Board to authorize him to instruct the Engineer to make a cost study of the following two alternatives which would provide access to the site:

1. Negotiate with FPL to use their bridge and make certain improvements
2. Investigate the possibility of the District building and providing its own bridge

Following discussion, Mr. Turner moved, seconded by Mrs. Wenzel and carried unanimously, that Mr. Moyer be authorized to instruct the Engineer to make a cost study of the two referenced alternatives and bring a report to the Board at the next meeting.

DISCUSSION OF THE STREET LIGHTING SYSTEM MASTER PLAN - ENLARGEMENT OF EXISTING STREET LIGHTING DISTRICT - AUTHORIZED

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Mr. Moyer stated that it had been at the request of Mr. Fernandez during the regular meeting of December, 1979, that a Master Street Lighting Plan be formulated and it is this prepared map and Plan that Mr. Biery would be presenting to the Board. Mr. Biery gave a copy of a memo with an attached map and from a displayed color-coded map explained the plan, indicating there are four different types of light fixtures with three phases of implementation.

He identified Phase 1A as being "along Pelican Bay Boulevard and in the single family area "; Phase 1B as being "Pelican Bay Boulevard extension to the intersection of Gulf Park Drive and Gulf Park Drive to the entrance road of the club and lastly, Phase 1C as being "Ridgewood Drive and Laurel Oak in the area of the banks. All three phases are anticipated to be completed during the year 1980. Mr. Biery asked that the Master Plan as submitted be accepted for the record, explaining that only those streets coded in red (Phase 1A) have been authorized by the Board for construction while the other areas are anticipatory and will have to be brought back for future authorization.

At this time, there being no questions from the members regarding the accepted Master Plan, Mr. Moyer requested that Attorney Bolesky be authorized to prepare an amendment to the District's Street Lighting Ordinance which would include Gulf Park Drive in its boundaries and submit same to the Board of County Commissioners for approval. This would enable the District to include this area on the tax rolls for the year 1981.

Following discussion, Mr. Turner moved, seconded by Mrs. Wenzel and carried unanimously, that Attorney Bolesky be authorized to prepare an amendment to the District's Street Lighting Ordinance which will allow the inclusion of Gulf Park Drive in its boundaries and submit said amendment to the Board of County Commissioners for approval.

#### ENGINEER'S REPORT

Construction status report: Mr. Biery presented each member of the Board a copy of the Project's Progress Report (See attached) and stated that Contracts A, B, D, E and F were completed with Contracts C-1 (Water Plant) and C-2 (Storage and Treatment) are ~~only~~ lacking <sup>deleted</sup> the installation of electrical gear; (the arrival date for such equipment promised for mid April, 1980) ~~to be completed.~~ <sup>the additional</sup> work on storage tank on the waste water treatment plant and other site improvements before being completed.

Prior to reviewing the Certificates of Payments, Mr. Biery asked the Board to consider the following change orders which would have an impact on the Certificate of Payments:

Change Order #5 for Gator Utilities Services, Inc. -Contract D (Water and Wastewater Systems/Collection & Distribution Systems). Mr. Biery stated this Contract is ready to be closed out and the proposed change will make an addition for sales tax in the amount of \$13,648.38, bringing the final contract amount to \$900,174.46. Following Mr. Turner's statement that this transaction was simply a matter of getting the sales tax figure into the contract as the monies have already been paid the Contractor, he moved, seconded by Mrs. Wenzel and carried unanimously, that Change Order #5 in the amount of \$13,648.38 for a total figure of \$900,174.46 in the name of Gator Utilities Services, Inc., be approved.

Attorney Varnadoe asked if the assignment of refund, as it relates to the matter of sales tax, will be obtained before final payment is made to which Mr. Biery replied in the affirmative. Mr. Turner then inquired if the District "will get the sales tax back" and Mr. Varnadoe stated the prospect looks favorable.

Change Order #1 Final for Gator Utilities Services, Inc. - Contract for Tierra Mar Water & Sewer. Mr. Biery reviewed the final close-out Change Order, stating that the total addition would be \$8,372.69 for a close-out figure of \$86,506.19 and recommended approval. Mr. Turner moved, seconded by Mrs. Wenzel and carried unanimously, that Change Order #1 Final for Gator Utilities Services, Inc. - Tierra Mar Water & Sewer, be approved in the amount of \$8,372.69 for a total figure of \$86,506.19.

#### CERTIFICATES OF PAYMENT

Mr. Biery presented the Certificates of Payment, stating that they had also been reviewed by Mr. Harmon Turner and asked that the Board consider the certificate "CRCP - Contract D No. 9, Gator Utilities Service, Inc. - \$62,941.93", reminding the members that this is the contract for which they had previously approved a Change Order (See above item), and requested the Board to approve the following recommendation:

Reduce the retainer for Gator Utilities Services, Inc. to \$5,000.  
Not close-out the contract.  
And have the services, at already stated prices, for any small jobs remaining, as agreed to by Gator Utilities Services, Inc.

Discussion followed which touched upon the possibility of such an agreement being subterfuge/not putting the work out to bid; the use of bids if the

job appears to be large; the legality of the District's participation in such an arrangement and the time element involved before the contractor would be called upon to do the "small work".

Mr. Turner then moved, seconded by Mrs. Wenzel and carried unanimously, that Attorney Bolesky research the subject and bring back to the Board, the answer of their legality in going into such an agreement with the contractor.

Following Mr. Biery's explanation that the Certificate No. R&G -Tierra Mar - No. 3- Gator Utilities Service, Inc. in the amount of \$17,414.82 is a final payment with his recommendation for payment following the receipt of the Certificate and the "as constructed drawings", Mrs. Wenzel moved, seconded by Mr. Brown and carried unanimously, that the Certificates be paid as presented.

Mr. Biery asked the Board to consider one other item as it pertains to the construction of the Dorchester and the developer's original water management plan. He stated that when this water management plan was drawn up, approved and permits given, there was an easement shown on the plat that would accommodate the berm and that the District has, upstream of this easement/berm, an easement for the storage of water. The size of the District's easement was calculated to take the volume of water per the plan as submitted with the understanding that the District would work together with the developers as they present their water management plans. Mr. Biery said this is the first developer that needs to have the easement boundary lines redefined and asked that the Board authorize him, together with the Attorney, to prepare the proper documents that will vacate the old boundary lines and record the newly defined lines.

Mr. Turner moved, seconded by Mrs. Wenzel and carried unanimously, that the Engineer and the Attorney be authorized to prepare the proper documents that will vacate the old easement boundary lines and record the newly defined easement boundary lines with the ~~Secretary and Treasurer~~ <sup>President and Secretary</sup> authorized to execute same.

MANAGER'S REPORT

POLICIES RELATING TO DEPOSITS AND CONNECTION FEES

Mr. Moyer reviewed the operating policies as they relate to the water and sewer system, specifically, the payment of deposits and connection fees. Referring to the memos that had been distributed in the agendas, Mr. Moyer explained the connection fees and water meter deposits in the manner shown below:

Reference:            Connection Fees  
                         Groups I & II

The characteristic of Groups I & II housing - is single family in nature requiring a meter fee, whether attached or detached.

The connection fees, on a per unit basis, are reasonable charges and should be collected, in total, at one time in accordance with the application for the water use permit.

Groups III & IV

- There is a possibility that many units are contained in one structure and for this reason the connection and meter fee charges should be prorated as follows:

Based on the financing report prepared by Post, Buckley, Schuh & Jernigan, 30% of the subdivision line costs are attributable to the irrigation system. This particular irrigation system will be used for construction purposes and, as such, the builder should pay that portion of the connection fee and meter fee charges applicable to the irrigation distribution system. Therefore, whatever the fees are, based on the number of units as determined in the application for a water use permit, 30% should be charged prior to connection to the District's irrigation system.

When the building is under construction and the builder requires connection to the potable system, the applicable percent is 20%.

When the builder desires to hook into sanitary sewer, the balance of 50% is payable at that time.

- This same 30%-20%-50% procedure should be used for commercial and governmental structures as well.

Reference: Water Meter Deposits - Commercial Property

Based on the projected line utilization, as shown in the connection fees, the engineers have determined that commercial property shall be charged \$4,465/acre, which is three (3) times the Group I connection fee.

In determining, therefore, deposits on commercial property for each acre, there should be levied three (3) times the single family deposit amount of \$75 or \$225/acre.

Reference: Water Meter Deposits

The following deposits are required as a condition precedent to the installation of a water meter:

Group I	\$ 75/unit
II	60/unit
III	55/unit
IV	50/unit

The above deposits are based on the following assumptions, pursuant to the engineer's estimated consumption by housing type:

<u>GROUP I</u> - 3 people/unit	120 gals/person/day =	10,950 gals/month
\$1.40/1,000 gals water	=	\$ 15.37
1.80/1,000 gals sewage	=	19.76
		<u>\$ 35.13</u>

Deposit covers a 2-month period which, for Group I, would equal \$70.25 or if rounded to the next highest increment - \$75/unit

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<u>GROUP II</u> - 2.5 people/unit	120 gals/person/day =	9,150 gals/month
\$1.40/1,000 gals water	=	\$ 12.81
1.80/1,000 gals sewage	=	16.47
		<u>\$ 29.28</u>

Total for a 2-month period, Group II, equals \$58.56 or, if rounded, \$ 60/unit

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Continued on following page.

GROUP III - 2.2 people/unit      120 gals/person/day =      8,052 gals/month

\$1.40/1,000 gals water	=	\$11.27
1.80/1,000 gals sewage	=	14.49
		<u>\$25.76</u>

Total for a 2-month period, Group III, equals \$51.52 or, if rounded,  
\$ 55/unit

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GROUP IV - 2.1 people/unit      120 gals/person/day      7,686 gals/month

\$1.40/1,000 gals water	=	\$ 10.46
1.80/1,000 gals sewage	=	3.93
		<u>\$ 14.39</u>

Total for a 2-month period, Group IV, equals \$49.18 or, if rounded,  
\$ 50/unit

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Discussion followed which covered the policy of having the single family builder pay the connection fees "upfront"; the time lag allowed multi-family developers to pay portion of connection fees in the three areas - i.e. 30% for irrigation system; 20% for potable system and 50% for sewer system; the desire not to make it prohibitive for the good builder of multi-story units; the District's need for consistent cash-flow which this policy will accommodate and President Scuderi's comment that the policy for payment of multi-family construction connection fees be consistent with the required payment of the single family construction fee "up-front".

Mr. Turner moved, seconded by Mr. Brown and carried 3-2 with President Scuderi and Treasurer Wenzel dissenting, that the policy as set forth by the District Manager regarding connection fees - i.e. Single-family pay connect fee at one time and Multi-family pay said fee when services are connected, be adopted.

Following Mr. Moyer's explanation of the submitted water meter deposits schedule, as shown in the members' agendas, and a review of the application for water use permit, Mr. Turner moved, seconded by Mr. Brown and carried unanimously,

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that the water meter deposit schedule, as submitted by the District Manager, i.e. \$225 per acre for Commercial Property; \$75 per unit for Group I; \$60 per unit for Group II; \$55 per unit for Group III and \$50 per unit for Group IV, be adopted.

TREASURER'S REPORT

Mr. Moyer submitted the two following financial statements regarding the District's Water & Wastewater operating summary and Water Management operating summary for that period ending February 13, 1980:

PELICAN BAY IMPROVEMENT DISTRICT  
WATER & WASTEWATER OPERATING SUMMARY  
period ending-FEBRUARY 13, 1980

<u>REVENUE:</u>	<u>Budget</u> <u>Year to Date</u>	<u>Actual</u> <u>Year to Date</u>	<u>Variance</u>
Meter Fees	\$ 6,870.00	\$ 3,890.00	\$ ( 2,980.00)
Connection Fees	22,270.00	14,330.00	( 7,940.00)
Water & Sewer Revenue	677.00	-0-	( 677.00)
Irrigation	21.00	9,661.14	9,640.14
<b>TOTALS</b>	<b>\$ 29,838.00</b>	<b>\$ 27,881.14</b>	<b>\$ ( 1,956.86)</b>

EXPENDITURES:

Payroll	\$ 15,520.00	\$ 6,458.33	\$ 9,061.67
Payroll Taxes/Benefits	2,060.00	396.25	1,663.75
Chemical Expenditures	3,048.00	-0-	3,048.00
Electricity	11,535.00	4,221.90	7,313.10
Maintenance/Repairs	1,250.00	-0-	1,250.00
Professional Fees	3,770.00	3,043.52	726.48
Other Expenditures	9,610.00	2,509.14	7,100.86
<b>TOTALS</b>	<b>\$ 46,793.00</b>	<b>\$ 16,629.14</b>	<b>\$ 30,163.86</b>

SUMMARY:

TOTAL REVENUE	\$ 27,881.14
TOTAL EXPENDITURES	16,629.14
<b>NET GAIN</b>	<b>\$ 11,252.00</b>

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PELICAN BAY IMPROVEMENT DISTRICT  
 WATER MANAGEMENT OPERATING SUMMARY  
 PERIOD ENDING - FEBRUARY 13, 1980

CASH RECEIVED:

Maintenance Tax Revenue	\$ 31,952.40	
Coral Ridge-Collier Properties, Inc.	<u>4,704.54</u>	
		<u>\$ 36,657</u>

EXPENDITURES:

	<u>Budget</u> <u>Year to Date</u>	<u>Actual</u> <u>Year to Date</u>	<u>Variance</u>
Meeting Expense	\$ 2,500.00	\$ 2,500.00	-0-
Secretarial Expense	417.00	325.09	\$ 91.91
Legal Fees	2,500.00	3,303.58	(803.58)
Engineering Fees	2,500.00	1,243.39	1,256.61
Administrative Expense	125.00	3.10	121.90
Insurance	1,841.67	80.50	1,761.17
Travel	250.00	65.66	184.34
Manager's Salary	2,708.33	2,708.33	-0-
Payroll	7,395.00 *	3,750.00	3,645.00
Payroll Taxes	1,098.00 *	230.00	868.00
Office Expense	417.00	-0-	417.00
Accounting	625.00	-0-	625.00
Truck & Transportation	750.00	228.04	521.96
	<u>\$ 23,127.00</u>	<u>\$ 14,437.69</u>	<u>\$ 8,689.31</u>

\* Assumes added employees

Mr. Turner moved, seconded by Mr. Brown and carried unanimously, that the two reports, as submitted and referenced above, be approved.

Invoices were submitted as follows:

Travel Vouchers as presented	
Coral Springs Improvement District	\$ 36.60
(Xeroxing, etc)	
Florida Litho (Printing)	109.30
General Motors (Lease on truck)	228.03
Naples Daily News	3.31
Caymen Corp (water/sewer)	455.19

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PBS&J(General Engineering)	\$2,088.12
Board of County Commissioners (Secretarial Service)	78.77
Naples Daily News	3.19
Attorney Bolesky (Street Lights)	1,522.22
(Professional)	<u>607.50</u>
	\$5,132.23

Mr. Brown moved, seconded by Mr. Fernandez and carried unanimously, the bills, as submitted, be paid.

Mr. Turner asked the record to show he had submitted a bill to the Developer in the amount of \$200.00.

ADJOURNMENT

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

*Douglas S. Brown*  
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Salvatore C. Scuderi, PRESIDENT