

Naples, Florida, September 17, 1980

LET IT BE KNOWN, that the Pelican Bay Improvement District Board met on this date in Regular Session at 4:00 P.M. in The Showcase Home, 808 Whimbrel Court, Pelican Bay with the following members present:

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

Stanley Brooks  
Harmon Turner

ALSO PRESENT: Gary Moyer, District Manager; Fred Biery, Post, Buckley, Schuh & Jernigan; Messrs. Obley, Koste, Caldwell 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.

AGENDA

1. ROLL CALL
2. APPROVAL OF MINUTES OF June 18 and August 20, 1980
3. CONSTRUCTION RELATED MATTERS:
  - a) Review and approval of agreements for advancement of funds - construction of water distribution line in Gulf Park Drive
  - b) Award of contract for construction for water distribution line - Gulf Park Drive
  - c) Construction Trust Fund Agreement - above-referenced project
  - d) Review and approval of construction financing agreement for water/sewer facilities - Beach Front facilities
  - e) Award of contract for above-referenced facilities
  - f) Approval of Construction Trust Fund agreement for above-referenced facilities
4. ENGINEERING RELATED MATTERS:
  - a) Well field expansion
  - b) Construction status report
  - c) Approval of Certificates for payment
5. Agreement with CR-CP to provide funds to cover O & M deficits of the Utility System
6. Laurel Oak - Ridgewood Street lighting
7. Supervisor's request and Audience participation
8. Manager's Report
9. Treasurer's Report
10. Approval of invoices
11. ADJOURNMENT AND TOUR OF THE DISTRICT'S FACILITIES

ROLL CALL

President Scuderi called the meeting to order and asked that the record show all members of the Board present.

MINUTES OF JUNE 18, 1980 AND AUGUST 20, 1980 - APPROVED AS PRESENTED

Mr. Turner moved, seconded by Mr. Brown and carried 3-0 with Mrs. Wenzel and Mr. Brown abstaining due to their absence at subject meeting, that the minutes of June 18, 1980 be approved as presented.

Mr. Turner moved, seconded by Mr. Brown and carried 4-0 with President Scuderi abstaining due to his absence at the subject meeting, that the minutes of August 20, 1980 be approved as presented.

CONSTRUCTION FINANCING AGREEMENT AND CONSTRUCTION TRUST FUND AGREEMENT  
RE GULF PARK DRIVE WATER DISTRIBUTION LINE - APPROVED WITH CORRECTION -  
CONTRACT FOR SAME AWARDED SOUTHWEST UTILITIES SYSTEMS, INC. IN THE AMOUNT  
OF \$190,168.15

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Mr. Moyer gave a review of the proposed agreements for the financing and construction of the Gulf Park Drive water distribution line, noting that similiar agreements will be presented to the Board for the financing and construction of the water/sewer lines to service the Beach Front facilities. He indicated there was only one change in the two financing agreements - on page 3 of both documents, the first paragraph, the percentage figure should be 108% instead of the 110% as shown.

Following Mr. Moyer's remarks, Mr. Biery presented for the record the Affidavits of Publication which stated that sealed bids were advertised for the construction of "Utilities for Beach Facility & Unit II - Distribution and Collection Facilities - Pelican Bay Improvement District" on September 2 and 9, 1980 in the Naples Daily News and on September 2 and 9, 1980 in the Fort Myers News-Press. Prior to giving each member a copy of the summary of all bids received, Mr. Biery explained that both projects,

as referenced above, were taken under one bid opening and additionally, all bidders had been requested to bid on four (4) jack and bore crossings to be constructed at specified locations along the proposed Gulf Park Drive project's route. The final bid figures for the project can be found under the title - "Section B" (See attached). Mr. Biery, as representative of Post, Buckley, Schuh & Jernigan, recommended that the contract be awarded to low bidder, Southwest Utilities Systems, Inc. in the amount of \$190,168.15. In conclusion, he stated that Southwest Utilities Systems, Inc. is a qualified, responsible and experienced firm.

Discussion followed which covered the possibility of having to jack and bore "a few potable water crossings" in the future; the meagre possibility of the District paying off the advance construction monies within three (3) years; a defining of Item #7 in the Construction Financing Agreement that puts the Developer on notice that the District can not pledge its revenues on a "par basis" (because of its Bond Resolution) which places this indebtedness junior to the bond holders' claim against the District's utilities revenues and President Scuderi's objection that the District should not have to repay over 100% of the construction costs.

At this time, Mr. Turner moved seconded by Mr. Brooks and carried 4-1, with President Scuderi dissenting because of the reason stated above, that the Construction Financing Agreement between Coral Ridge-Collier Properties and the Pelican Bay Improvement District for the construction of water lines along Gulf Park Drive, be approved with the following change:

Page 3, First paragraph - the percentage figure should read 108% instead of 110%.

Mr. Turner moved, seconded by Mrs. Wenzel and carried unanimously, that the contract to construct the water lines along Gulf Park Drive be awarded to Southwest Utilities Systems, Inc., low bidder, in the amount of \$190,168.15.

Mr. Turner moved, seconded by Mrs. Wenzel and carried unanimously, that the Construction Trust Fund Agreement between Pelican Bay Improvement District and the Florida Bank at Fort Lauderdale for the construction of water lines along Gulf Park Drive be approved.

CONSTRUCTION FINANCING AGREEMENT AND CONSTRUCTION TRUST FUND AGREEMENT RE BEACH FACILITY WATER/SEWER LINES - APPROVED WITH CORRECTION - CONTRACT FOR SAME AWARDED J. L. SHERMAN, INC. IN THE AMOUNT OF \$65,549.00

Mr. Moyer, having reviewed the proposed agreements for the financing and construction of the water/sewer lines to service the Beachfront facility, as indicated in the previous item, and the Affidavits of Publication having been accepted for the record, turned the meeting over to Mr. Fred Biery who discussed the bid summary as it related to the project of supplying water/sewer lines to the proposed Beachfront facility. The low bidder, as noted in Section A of the Summary of Bids, was Stevens & Layton in the amount of \$46,067.66 but it was determined from Mr. Layton that there had been an error made in his \$3,000.00 electrical portion of the bid so Mr. Biery recommended the next low bidder, J.L. Sherman, Inc. in the amount of \$65,549.00.

Following discussion which covered the one change in the proposed agreement - on page 3 - first paragraph - inserting 108% for the 110% figure, Mr. Turner moved, seconded by Mrs. Wenzel and carried 4-1 with President Scuderi dissenting for the reason previously given, that the Construction Financing Agreement between Coral Ridge-Collier Properties and the Pelican Bay Improvement District for the construction of water/sewer lines to service the Beachfront facility, be approved with the following change:

Page 3, First paragraph - the percentage figure should read 108% instead of 110%.

Mr. Turner moved, seconded by Mrs. Wenzel and carried unanimously, that the contract to construct the water/sewer lines to service the Beachfront facility be awarded to J.L. Sherman, Inc. in the amount of \$65,549.00.

Mr. Turner moved, seconded by Mrs. Wenzel and carried unanimously, that the Construction Trust Fund Agreement between Pelican Bay Improvement District and the Florida Bank at Fort Lauderdale for the construction of water/sewer lines to service the Beachfront facility be approved.

#### ENGINEERING RELATED MATTERS

##### WELL FIELD EXPANSION

In accordance with the Board's request, Mr. Fred Biery reported on the completed investigation made by PBS&J regarding pumpage from the Pelican Bay wellfield and the water usage within the project. He identified the following items that need immediate attention:

1. Unanticipated and abnormally high irrigation demands are being placed on the system by the golf course and single family areas.
2. The metering facilities that were deleted from the original bidding package need to be installed to obtain more accurate flow data from the well field.
3. All major irrigation demands need to be metered.

In order to accomodate the above-referenced areas, Mr. Biery presented the following recommendations:

1. Construct at least three additional wells and associated equipment and extend the wellfield systems all the way to the north end of the site. This will increase the capacity of the system, spread the wells out for a more efficient withdrawal pattern and reduce the concentrated impact on the wellfield.
2. Purchase and install run time meters on each well pump to allow for balanced use of the wells and equalize the drawdown across the wellfield.

3. Purchase and install a master meter on the raw water main at the utility site to indicate, record and totalize flows from the wells.
4. Purchase and install flow meters on the irrigation zones along Pelican Bay Boulevard and Gulf Park Drive.
5. Purchase replacement pump shafts and assorted long term delivery equipment to provide a spare parts inventory.
6. Institute an effective water use management program to educate users and limit consumption to reasonable amounts. If this is not done (soon) and the current pattern of water use is allowed to continue unchecked, the existing supply system will reach total capacity and the District will be faced with seeking other major sources of supply.

(See attached Summary of Costs which shows a figure of \$234,000 as the total estimated cost for the above-indicated recommendations)

Discussion followed which covered the increase in construction costs of needed wells should there be a delay in getting the necessary approval; the strong need for a booster pumping station in addition to the presently proposed three (3) wells; President Scuderi's request for a "total picture" of the District's wellfield, pumping station request, etc so that the Board may make the kind of decision which will eliminate the need to repeat the process in six months and Mr. Biery's observation that it would be better to install the pumping station together with the proposed three (3) wells than to construct the remaining permitted six (6) wells with no station.

At this time, Mr. Turner moved, seconded by Mrs. Wenzel and carried unanimously, that the Engineer be authorized to proceed with the plans and specifications for the installation of three (3) wells with such plans to be brought back before the Board during the October meeting. Additionally, Mr. Biery will bring to the Board a total picture of the District's wellfield future costs and construction.

CONSTRUCTION STATUS REPORT

Mr. Biery gave the following progress report:

PELICAN BAY IMPROVEMENT DISTRICT  
PROJECT PROGRESS REPORT  
PROGRESS UPDATED TO SEPTEMBER 16, 1980

CONTRACT C-1 - R.O. Water Plant

Permutit Installation Engineer on Site

Scheduled Progress 100%

Actual Progress 100%

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

Permutit Making Some Final Adjustments.

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.

Scheduled Progress 100%

Actual Progress 100%

Elapsed Time 189%

Days in Contract 300

Days Used to Date 568

Final Adjustments To Be Completed On High Service Pump Controls.

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

Final Documents For Contract C-2 Being Prepared By Engineers.

APPROVAL OF CERTIFICATES FOR PAYMENT

Following Mr. Biery's presentation of the final Change Order for K & L Contractors, Inc. who constructed the extension of water & wastewater lines along Ridgewood and Laurel Oak Drive in the total amount of \$50,841.10, Mr. Turner moved, seconded by Mrs. Wenzel and carried unanimously that the final Change Order No. 1 for K. & L. Contractors, Inc. in the amount of \$50,841.10 be approved.

At this time, Mrs. Wenzel moved, seconded by Mr. Brown and carried unanimously that the Certificate No. 5 in the amount of \$6,452.20 for K & L Contractors, Inc. which completes the final Change Order No. 1 for said firm, be approved for payment.

Mr. Biery presented for payment Certificate No. 24 to Harn Construction Company in the amount of \$1,590.55 for the installation of the raw water feed line and caustic injector conduit and wire from PH sensor in the R/O Building to the Potable Storage Tank and identified the construction as being part of the work previously approved by the Board. There was discussion during which President Scuderi questioned the authority that was employed to approve such construction as the item had not been reviewed nor condoned by the Board of Supervisors. It was the consensus of the majority of the Board members that Mr. Moyer's on-the-spot authorization which coincided with both Mr. Biery's and Mr. Turner's recommendation was appropriate for the speedy conclusion of work previously approved by the Board. Following Attorney for the Board Bolesky's opinion that it would not be operating under Florida's Sunshine Law, which governs the Board of Supervisors, for the members to name a certain limit of monies that could be expended without first having the Board's review and/or approval, Mrs. Wenzel moved, seconded by Mr. Brown and carried unanimously, that Certificate No. 24 for Harn Construction Company in the amount of \$1,590.55 be approved for payment.

At this time, Mr. Moyer explained that even though the payment for Harn Construction Company was being taken care of through Contingencies, there is the alternative of using a change order under the Biltmore contract to cover this expense. President Scuderi asked that the record show that no more payments for work done be executed through this method used with Harn Construction Company but rather use the "change order" routine.

AGREEMENT WITH CR-CP TO PROVIDE FUNDS TO COVER O & M DEFICITS OF THE UTILITY SYSTEM - APPROVED

Mr. Moyer reviewed the proposed agreement between the District and CR-CP which would allow the Developer to advance monies to the District in the event there would be deficits in the O & M operations of the utility system for the coming fiscal year. It also provides for the District to raise its rates to cover any such advancements when the budget for 1981-82 is prepared. The monies would carry no interest as they would be determined to be short term loans.

Following discussion, Mr. Brooks moved, seconded by Mrs. Wenzel and carried 3-2, with President Scuderi and Mr. Brown dissenting, that the agreement between CR-CP and the District for the advancement, if needed, of monies to pay for O & M deficits of the utility system during 1981-82, be approved.

ENGINEERING DESIGN AND CONSTRUCTION LAYOUT AND INSPECTION FOR LAUREL OAK-RIDGEWOOD STREET LIGHTING - APPROVED

Mr. Moyer presented the proposal made by Post, Buckley, Schuh and Jernigan for the Engineering Design and Construction Layout/Inspection for the street lights on Laurel Oak and Ridgewood Drive in the amount of \$5,500. Additionally, Mr. Moyer asked for the Board's approval of his negotiating with the bank in Collier County for the monies to purchase the street light lamps and the installation of same.

Following discussion, Mr. Turner moved, seconded by Mrs. Wenzel and carried unanimously that the proposal by PBS&J for the Engineering Design and Construction Layout/Inspection for the street lights on Laurel Oak and Ridgewood Drive in the amount of \$5,500, be approved.

Mr. Turner moved, seconded by Mrs. Wenzel and carried unanimously, that Mr. Moyer be authorized to negotiate with a bank in Collier County for the monies to purchase and install the necessary street light lamps.

SUPERVISOR'S REQUEST AND AUDIENCE PARTICIPATION

Determination of Auditor for the District's FY 1980-81 audit to be placed on the Agenda of October 15, 1980

It was the consensus of the Board that the appointment of the firm to do the District's 1980-81 audit be placed on the agenda of the October 15, 1980 regular meeting.

TREASURER'S REPORT

Mr. Turner moved, seconded by Mr. Brown and carried unanimously that the following invoices be confirmed:

WASTE WATER

HOFFMAN OFFICE SUPPLY	Office Furniture	\$1,137.79
NAPLES WELL DRILLING	Water Plant	201.95
NEPTUNE WATER METER CO.	Water Plant	986.80
FLORIDA POWER LIGHT	Water Plant	1,086.01
FLORIDA POWER LIGHT	Immokalee wellfield	5,541.35
UNITED TELEPHONE SERVICE	Water Plant/Office	285.90
UNITED TELEPHONE SERVICE	Wellfield	67.20
GULF OIL CO.	Truck/Water Plant	156.83
GATOR UTILITY	Chateaumere Irrigation	590.00
GATOR UTILITY	Naples Federal meter	2,108.60
DAVIS WATER METER CO	Water Plant	86.25
CREEL FORD TRACTOR	Parts for WP Truck	92.35
DAVIS WATER METER CO	Water Plant	1,201.08
PBS&J	Invoice #35	1,908.45
PBS&J	Invoice #36	1,232.89

Pelican Bay Improvement District  
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WATER MANAGEMENT

RAYMOND H. HEIMS	Dragline Work	281.25
NAPLES DAILY NEWS	Legal Advertising	53.26
ROGERS, SILVA, MOON & CO.	FY 1979 Audit	6,012.00
PBS&J	Invoice #35	1,272.30
PBS&J	Invoice #36	821.93

The following Water Management Operating Summary was accepted for the record:

PELICAN BAY IMPROVEMENT DISTRICT  
 WATER MANAGEMENT OPERATING SUMMARY  
 FOR PERIOD ENDING 9/17/80

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	\$ 6,000.00	\$ 6,000.00	\$ -0-
Office	1,000.00	407.35	592.65
Secretary	1,000.00	704.93	295.07
Legal	6,000.00	3,710.54	2,289.46
Accounting	1,500.00	6,012.00	(4,512.00)
Advertising	300.00	79.85	220.15
Insurance	4,420.00	2,389.80	2,030.20
Travel	600.00	208.60	391.40
Administrative	6,500.00	5,959.00	541.00
Engineering	6,000.00	7,642.78	(1,642.78)
Payroll	17,750.00	10,957.67	6,792.33
Payroll Taxes	2,636.00	928.52	1,707.48
Transportation	1,800.00	641.45	1,158.55
Swale Maint.	20,000.00	281.25	19,718.75
Water Quality	5,000.00	1,705.40	3,294.60
Contingencies	5,000.00	-0-	5,000.00
Trustee	1,500.00	-0-	1,500.00
	<u>\$87,006.00</u>	<u>\$47,629.14</u>	<u>\$39,376.86</u>

Pelican Bay Improvement District  
September 17, 1980

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Because of errors found in the Water & Wastewater Operating Summary, Mr. Moyer asked that the statement be allowed to come back before the Board on the October 15, 1980 agenda.

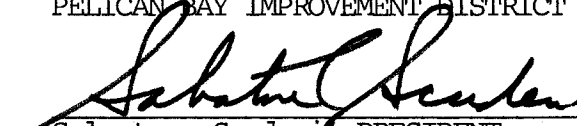
Mr. Turner presented to the Developer a bill in the amount of \$300.00 for the past month.

ADJOURNMENT

There being no further business to come before the Board, Mrs. Wenzel moved, seconded by Mr. Brown and carried unanimously, that the meeting be adjourned - Time: 6:00 P.M.

The Board of Supervisors were, at this time, taken for a tour of the District's utility facilities, the Boardwalk and the development of Pelican Bay in general, after which, they returned to the Showcase Home to enjoy cocktails and hors d'oeuvres.

PELICAN BAY IMPROVEMENT DISTRICT

  
Salvatore Scuderi, PRESIDENT

ACTOR	BID BOND	POWER OF ATTORNEY	SECTION A				SECTION B	CONTRACT D-3 TOTAL BID
			POT. & IRR. WATER	SAN. SEW. & F.M.	ELEC.	TOTAL	POT. & IRR. WATER	
00-910-70 SYSTEMS, INC			20,397 <sup>90</sup>	33,027 <sup>25</sup>	20,500 <sup>00</sup>	73,925 <sup>15</sup>	190,168 <sup>15</sup>	264,093 <sup>30</sup>
08-91-6			16,945 <sup>63</sup>	26,122 <sup>03</sup>	3,000 <sup>00</sup>	46,067 <sup>66</sup>	231,176 <sup>02</sup>	277,243 <sup>68</sup>
			11,124 <sup>00</sup>	20,525 <sup>00</sup>	33,900 <sup>00</sup>	65,549 <sup>00</sup>	218,557 <sup>00</sup>	284,106 <sup>00</sup>
			13,134 <sup>02</sup>	23,840 <sup>00</sup>	33,870 <sup>80</sup>	70,844 <sup>82</sup>	228,708 <sup>16</sup>	299,552 <sup>98</sup>
			15,890 <sup>00</sup>	22,200 <sup>00</sup>	30,000 <sup>00</sup>	68,090 <sup>00</sup>	253,879 <sup>00</sup>	321,969 <sup>00</sup>
			12,020 <sup>00</sup>	34,089 <sup>76</sup>	40,000 <sup>00</sup>	86,109 <sup>76</sup>	265,208 <sup>49</sup>	351,318 <sup>25</sup>
			19,267 <sup>50</sup>	32,100 <sup>00</sup>	21,265 <sup>00</sup>	72,632 <sup>50</sup>	298,500 <sup>00</sup>	371,132 <sup>50</sup>
			44,747 <sup>50</sup>	53,925 <sup>00</sup>	126,500 <sup>00</sup>	225,172 <sup>50</sup>	326,810 <sup>00</sup>	551,982 <sup>50</sup>
			12,660 <sup>00</sup>	21,690 <sup>00</sup>	30,000 <sup>00</sup>	64,350 <sup>00</sup>	265,663 <sup>00</sup>	330,013 <sup>00</sup>

00-910-70  
SYSTEMS, INC  
DATE  
CHK. BY  
COMP. BY

SUMMARY OF COSTS

1. Construct three (3) new wells and associated equipment and extend wellfield systems and access road

ESTIMATED COST = \$160,000

2. Purchase and install seven (7) run time meters

ESTIMATED COST = \$10,000

3. Purchase and install master meter on raw watermain

ESTIMATED COST = \$18,000

4. Purchase and install twenty (20) irrigation meters

ESTIMATED COST = \$20,000

5. Purchase three (3) replacement pump shafts

ESTIMATED COST = \$6,000

6. Engineering fees for items 1 through 5

ESTIMATED FEES = \$20,000

7. Institute water use management program

ESTIMATED FEE = Time charges for services of an advisory nature

TOTAL ESTIMATED COST = \$234,000