

Naples, Florida April 22, 1981

LET IT BE KNOWN, that the Pelican Bay Improvement District 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: Stanley Brooks - Absent

Sylvia Moll
Harmon Turner

ALSO PRESENT: Gary Moyer, District Manager; James Ward, Assistant to the Manager; Jerry Eckert and Fred Biery, Post, Buckley, Schuh & Jernigan; Messrs. Koste and Penn, Coral Ridge-Collier Properties; Elinor Wenzel, the District's retiring Treasurer; Tom Peek, Wilson, Miller, Barton, Soll & Peek, Engineers; Tracy Bolesky, Attorney for the District; George Varnadoe, Young, van Assenderp, Varnadoe and Benton and Jean Swindle, Recording Secretary.

AGENDA

1. ROLL
2. APPROVAL OF MINUTES OF MEETING HELD MARCH 25, 1981
3. OATH OF OFFICE TO MRS. SYLVIA MOLL
4. PRESENTATION OF CERTIFICATE OF APPRECIATION TO MRS. ELINOR WENZEL FOR HER SERVICES AS A SUPERVISOR AND TREASURER OF PBID
5. PRESENTATION OF AWARD FOR ENGINEERING EXCELLENCE PRESENTED BY THE FLORIDA INSTITUTE OF CONSULTING ENGINEERS
6. APPROVAL OF LETTER OF "NO OBJECTION" TO THE VACATION OF CERTAIN WATER MANAGEMENT EASEMENTS AS RECORDED IN PELICAY BAY, UNIT I, PLAT AND PARCEL "P", PELICAN BAY UNIT II PLAT.
7. CONSIDERATION OF FPL GRANT OF EASEMENT UTILIZING A PORTION OF DISTRICT WATER MANAGEMENT EASEMENT.
8. CONSIDERATION OF APPROVAL OF THE UNIT IV PLAT.
9. ENGINEERING STATUS REPORTS
 - a) Consideration of bids for pumping equipment for Wellfield improvements
 - b) Wellfield expansion
 - c) Approval of Certificates of Payment
10. SUPERVISORS' REQUESTS & AUDIENCE PARTICIPATION

11. MANAGER'S REPORT
 - a) Execution of bank resolution and signature cards
 - b) Status report on Booster Pump Station easement
12. FINANCIAL REPORT
13. ADJOURNMENT

ROLL CALL

President Scuderi called the meeting to order and asked the record show Ms. Sylvia Moll, new member of the Board, present together with the rest of the members with the exception of Mr. Stanley Brooks, Treasurer, absent.

MINUTES OF MARCH 25, 1981 - APPROVED AS PRESENTED

Mr. Turner moved, seconded by Mr. Brown and carried 4-0 with Mr. Brooks absent, that the minutes of March 25, 1981 be approved as presented.

OATH OF OFFICE TO MRS. SYLVIA MOLL

Mr. Moyer, District Manager, stated the next order of business was the seating of Mrs. Sylvia Moll as a Supervisor of the Pelican Bay Improvement District. For that purpose, the oath prescribed by Chapter 298 of the water management portion of the State Law which governs the District, was presented and read by Mr. Moyer and thereafter, given to Mrs. Moll for her signature.

PRESENTATION OF CERTIFICATE OF APPRECIATION TO MRS. ELINOR WENZEL FOR HER SERVICES AS A SUPERVISOR AND TREASURER OF PELICAN BAY IMPROVEMENT DISTRICT

Following Mr. Moyer's statement of regret over Mrs. Wenzel's resignation from the District's Board of Supervisors, President Scuderi presented Mrs. Wenzel with a plaque of appreciation, saying, as had Mr. Moyer, that the entire Board felt deep regret at her leaving but wished her well in any future endeavors. Mr. Byron Koste echoed the same sentiments from the Developer after which Mrs. Wenzel thanked everyone and said it had been a pleasure working with everyone.

PRESENTATION OF AWARD FOR ENGINEERING EXCELLENCE PRESENTED BY THE FLORIDA
INSTITUTE OF CONSULTING ENGINEERS

Mr. Tom Peek of Wilson, Miller, Barton, Soll & Peek, Engineers, addressed the Board and explained Mr. Barton's inability to be present to make the presentation of award was due to his unexpected hospitalization yesterday. Mr. Peek stated the Florida Institute of Consulting Engineers consists of 200 consulting firms whose purpose is to safeguard the life, health, safety and welfare of the citizens of the State of Florida through the private practise of professional engineering. Each year the Institute recognizes outstanding design work through an engineering excellence award presentation. The unique water and sewer utility system at Pelican Bay has been selected by the Institute as one of the three projects to receive the Certificate of Engineering Excellence in 1981. In recognition of the efforts of the Engineer, the District and the Developer, Mr. Peek then presented the Engineering Excellence Award of the Florida Institute of Consulting Engineers to Mr. Fred Biery of Post, Buckley, Schuh & Jernigan who designed and managed the construction of the project. Mr. Biery accepted the award with thanks, following which Mr. Peek presented similar Certificates to both President Scuderi for Pelican Bay Improvement District and Mr. Byron Koste, Vice-President of Coral Ridge-Collier Properties for the Developer. Appreciation was expressed by each.

LETTER OF "NO OBJECTION" TO THE VACATION OF CERTAIN WATER MANAGEMENT EASEMENTS
AS RECORDED IN PELICAN BAY, UNIT I PLAT AND PARCEL "P", PELICAN BAY, UNIT II
PLAT - APPROVED - PRESIDENT AUTHORIZED TO SIGN SAME

Mr. Moyer presented for the Board's consideration and consent the proposal to vacate those Water Management easements shown on the Unit I plat and also on Parcel "P", Pelican Bay Unit II plat. He stated, as was previously discussed at the last Board meeting, the formal vacation of these

easement can only take place through official action of the Board of County Commission. It is the purpose of this request to eliminate the necessity of going through the formal vacation process as each tract of land is developed and as such, it is recommended this be done at one time and concurrently with the vacation , a separate Grant of Easement (identical to the area being vacated) will be recorded. In so doing, future adjustments to the Water Management areas can be accomplished by the Board of Supervisors of the District.

Discussion followed which covered the District's getting prior approval by the County Engineer for each subsequent realignment of the water management easements as they pertain to individual projects and their needs so that in each and every case, the County Engineer will be apprised of the change.

Mr. Turner moved, seconded by Mr. Brown and carried 4-0 with Mr. Brooks absent, that the President be authorized to sign the letter to County Engineer Barksdale which certifies that the District has approved the vacation and modification of water management easements within the Grosvenor and Dorchester areas - such platted easements being replaced by recorded metes and bounds descriptions.

Mr. Turner moved, seconded by Mr. Brown and carried 4-0 with Mr. Brooks absent, that the letter addressed to the County Engineer regarding the vacation of the entire water management easement be approved and upon meeting the following condition, the President be authorized to sign same:

That a metes and bounds description of said easement be recorded at the same time the easement is taken off of the plat and that future changes of the easement (of this type) have the County Engineer's approval prior to the Board of Supervisors' approving such a change.

FLORIDA POWER & LIGHT GRANT OF EASEMENT UTILIZING A PORTION OF DISTRICT
WATER MANAGEMENT EASEMENT - APPROVED

The District Manager presented for the Board's consideration a Grant of Easement for Florida Power & Light which in essence is an indenture between Coral Ridge-Collier Properties and FPL for an easement which is part of the District's water management area. The Power company will use this portion of the District's easement to construct electric utilities and because the entire water management easement was previously dedicated to the District, it is necessary to get the Board's approval for the FPL Grant of Easement. Mr. Moyer also reminded the Board that this concept had been approved by the Board at the March 25, 1981 meeting.

Mr. Turner moved, seconded by Mr. Brown and carried 4-0, with Mr. Brooks absent, that the Grant of Easement to Florida Power & Light be approved and authorize the President and the Secretary to sign same.

ACCEPTANCE OF SURFACE WATER FROM UNIT IV PLAT, PELICAN BAY - APPROVED -
PRESIDENT AND SECRETARY AUTHORIZED TO SIGN THE SUBJECT PLAT - ATTORNEY
BOLESKY INSTRUCTED TO PREPARE RESOLUTION ACCEPTING THE DRAINAGE EASEMENTS
BY METES AND BOUNDS

Using a plat map, Mr. Peek and Mr. Moyer identified that area known as Unit IV, Single Family, Pelican Bay which consists of 130 acres and is surrounded by existing plats and U.S. 41. Mr. Peek stated it is a standard part of the continued development of the street plans in Pelican Bay and requested the District's acceptance of all drainage water from this portion of the Pelican Bay development.

Mr. Jerry Eckert, Post, Buckley, Schuh & Jernigan, explained that he had reviewed the plat and with the exception of requesting several different easements for the District's water management plan, the plat fits into the master plan. Continuing, he said, bids have been accepted with contracts having been awarded on the first phase of construction for water sewer facilities for Unit IV, Single Family, Pelican Bay. He also

commented that approval of the preceeding Grants of Easement facilitates the construction of the District's water management facilities.

Mr. Turner clarified the question of the drainage easements for the area by stating that though the easements are not dedicated by plat, they will be dedicated to the District by a metes and bounds description.

Mr. Turner moved, seconded by Mr. Brown and carried 4-0, with Mr. Brooks absent, that the Unit IV, Single Family Plat be approved; that the surface water from this development be accepted by the District and President and Secretary be authorized to sign same; and that Attorney Bolesky be instructed to prepare a Resolution accepting the easement by metes and bounds.

ENGINEERING STATUS REPORTS

Consideration of bids for pumping equipment for the Wellfield improvements

Mr. Jerry Eckert presented to each member of the Board a bid tabulation sheet for all bids received on the pumping equipment for the Wellfield expansion. Additionally, he presented for the record, Affidavits of Publication verifying that the advertisement for Bids had appeared in the Ft. Myers News-Press on April 9 and 16, 1981 and in the Naples Daily News on the same dates.

Following the Board's examination of the bid tabulation sheet and Mr. Eckert's explanation of the deletion of Items 26, 27, 28 and 29 (as these items pertain to water services installation price per unit), he recommended the contract be awarded to Gator Utilities in the amount of \$185,556.00 for the first part of the contract to construct the wellfield expansion. Additionally, Mr. Eckert recommended the second part of the contract, which is a firm unit installation price for water services effective for a period of one year, be awarded to Gator Utilities (See costs on the attached bid sheet).

Mr. George Varnadoe of Young, van Assenderp, Varnadoe and Benton, stated that during the process of acquiring the necessary information for the District's court case to retrieve sales tax from the State, Gator Utilities, as one of the biggest contractors on the original construction, was asked to provide their portion of such information. The company stipulated that because they had provided the information once before they would require a payment of approximately \$700.00 to research their records.

At this time, Mr. Turner moved, seconded by Mr. Brown and carried 4-0, with Mr. Brooks absent, that Contract A-2, Wellfield Expansion - Part B be awarded to Gator Utilities in the amount of \$185,556.00.

Additionally, Mr. Turner moved, seconded by Mr. Brown and carried 4-0, with Mr. Brooks absent, that the contract for the installation for water services be awarded to Gator Utilities for a period of one year at the cost figures shown on the attached bid tabulation sheet.

Wellfield Expansion

Following Mr. Moyer's explanation of the report on the Water/Sewer Bond Fund Construction Status dated March 31, 1981 and with each member receiving a copy of said report, it was stated there will be a balance of \$15,258.70 in the Construction Fund after the payments of outstanding balances of present contracts and the proposed construction of Phase II Wellfield and Booster Pump Station. Mr. Jerry Eckert said the wellfield expansion project is ready to be awarded with the contract set to run for 90 days although it is his hope that construction will not take that long. Continuing he reported that the pump suppliers have stated it will take 10 weeks delivery for the pumps themselves but even so, the other work can proceed. Mr. Eckert said that within a three month period there should be an increase in the capacity of the wellfield from 1.3 million gallons a day to approximately 2 million gallons.

There are still negotiations being held in trying to obtain the easement for the booster pump station which is the third step in this phase of the wellfield expansion. Once this is accomplished the work will start immediately on this final step.

Certificates of Payments - Approved

Following Mr. Moyer's explanation of certain engineering expenses that had been paid from the District's General Fund but should have been paid from the Construction Trust Fund and the adjusting of such expenses to proper fund, it had been determined that the proposed engineering budget of \$20,000.00 had been exceeded. He requested that the Board authorize an increase in engineering budget to \$30,000.00.

Mr. Turner moved, seconded by Mr. Brown and carried 4-0, with Mr. Brooks absent, that the engineering budget be increased to \$30,000.00.

At this time, the list of Certificates to approved were reviewed with reference being made to the one Certificate to Gator Utilities for work done more than 2 years ago and initially caused by Toppino Company's error. After Mr. Turner asked that Mr. Moyer continue to try and collect said monies from Toppino for the corrective work done by Gator Utilities, Mrs. Moll moved, seconded by Mr. Brown and carried 4-0, with Mr. Brooks absent, that the following Certificates be authorized for payment:

<u>CERTIFICATE NO.</u>	<u>CONTRACTOR</u>	<u>AMOUNT</u>	
W/S - Engineering	No. 15	Post, Buckley, Schuh & Jernigan	\$ 2,477.12
W/S - Engineering	No. 16	Post, Buckley, Schuh & Jernigan	336.18
W/S - Contingencies	No. 29	Young, Van Assenderp, Varnadoe, & Benton, P.A.	350.00
W/M - Engineering	No. 10	Post, Buckley, Schuh & Jernigan	133.46
Laurel Oak-Ridgewood Dr. Drive - Street Lighting	No. 4	Post, Buckley, Schuh & Jernigan	532.23
Crayton Road Utilities	No. 5	Post, Buckley, Schuh & Jernigan	1,042.27
Crayton Road Utilities	No. 6	Post, Buckley, Schuh & Jernigan	433.63
Unit IV - Single Family	No. 2	Post, Buckley, Schuh & Jernigan	8,956.52
W/M - Contingencies	No. 5	Gator Utilities Service, Inc.	1,024.80
Contract D-3, Section A	No. 2	J.L. Sherman, Inc.	24,720.57
Contract D-4	No. 1	Stevens & Layton, Inc.	55,929.37
		TOTAL AMOUNT ALL INVOICES	\$95,936.15

SUPERVISORS' REQUESTS & AUDIENCE PARTICIPATION

The only request from the Board was whether the next Board meeting date had been set and it was the consensus of all that the next regular meeting should be May 13, 1981, the second Wednesday of the month.

In answer to Mrs. Moll's question concerning the resolution of the Biltmore Contract, Mr. Moyer explained briefly the previous actions taken by both the District and the contractor regarding this issue and stated the District has offered a final figure which is being reviewed by Biltmore for acceptance. Mr. Moyer concluded it is the hope of all concerned that the issue can be resolved without the District going to court but that such an avenue has not been ruled out.

MANAGER'S REPORT

Following Mr. Moyer's presentation of new bank resolutions and signature cards to accommodate the resignation of Ms. Wenzel as Treasurer and the nomination of Mr. Brooks for that position together with Mr. James Ward, Assistant to the Manager, being added to the list of authorized

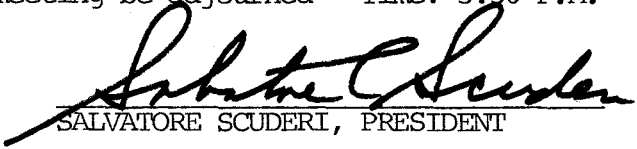
personnel, Mr. Turner moved, seconded by Mr. Brown and carried 4-0, with Mr. Brooks absent, that the Secretary and President be authorized to sign the new bank resolution with the following persons holding the authority to sign checks: Mr. Scuderi, President; Mr. Brooks, Treasurer; Mr. Brown, Secretary; Mr. Moyer; District Manager and Mr. Ward, Assistant to the Manager. Included in the motion was the request that all such persons be included and covered under the District's surety bond.

FINANCIAL REPORT

Mr. Turner moved, seconded by Mr. Brown and carried 4-0, with Mr. Brooks absent, that the attached financial reports be approved as presented.

ADJOURNMENT

There being no further business to come before the Board, Mr. Turner moved, seconded by Mr. Brown and carried 4-0, with Mr. Brooks absent, that the meeting be adjourned - Time: 5:30 P.M.


SALVATORE SCUDERI, PRESIDENT

PELICAN BAY IMPROVEMENT DISTRICT

WATER AND SEWER
BOND FUND CONSTRUCTION STATUS - MARCH 31, 1981

		<u>MARKET</u>	
Principal Cash		\$ 589.00	
Investments		<u>438,687.62</u>	
	Balance	<u>439,276.62</u>	\$439,276.62

Balances on O/S Contracts:

McGregor Pump	A-2	\$ 6,862.53	
Permutit	C-1	3,518.94	
Biltmore	C-2	111,180.15*	
Eng-Wellfield Expansion		<u>26,900.30</u>	\$148,461.92

Proposed Construction Budgets: (Estimates)

	Contract A-2B		
Phase II Wellfield		185,556.00	
Phase Booster Pump		90,000.00	275,556.00
			\$424,017.92
			<u>15,258.70</u>

If Booster Pump Station is deleted balance is

\$105,258.70

*Final position taken by Post, Buckley, Schuh & Jernigan

PELICAN BAY IMPROVEMENT DISTRICT
 WATER AND WASTEWATER OPERATING SUMMARY
 Period ending April 22, 1981

<u>Revenue:</u>	<u>BUDGET</u>	<u>ACTUAL</u>	<u>VARIANCE</u>
Connection fees	\$102,095.00	\$119,597.37	\$17,502.87
Meter Use fees	25,808.00	27,342.00	1,534.00
Water & Sewer	16,588.00	18,001.85	1,413.85
Irrigation	20,296.00	19,035.62	(1,260.38)
TOTALS	<u>164,787.00</u>	<u>183,977.34</u>	<u>19,190.34</u>
<u>Expenses:</u>			
Chemicals	2,464.00	4,148.79	(1,684.79)
Electric	25,048.00	20,167.00	4,881.00
M & R	4,262.00	13,002.00	(8,639.00)
Salaries & Benefits	24,225.00	20,703.86	3,521.14
Engineering	2,916.67	6,908.01	(3,991.34)
Legal	2,916.67	1,245.00	1,671.67
Audit	-0-	-0-	-0-
Water Quality	2,916.67	1,521.17	1,395.50
Other*	<u>11,179.00</u>	<u>9,150.56</u>	<u>2,028.44</u>
Totals	76,029.01	76,846.39	(817.38)
*Includes:	Transportation	1,886.98	
	Telephone	1,823.08	
	Office	1,080.05	
	Meter Install.	2,413.45	
	Contingencies	<u>1,947.00</u>	
	Total	9,150.56	

PELICAN BAY IMPROVEMENT DISTRICT
 WATER MANAGEMENT OPERATING SUMMARY FOR
 Period ending April 22, 1981

	<u>BUDGET</u>	<u>ACTUAL</u>	<u>VARIANCE</u>
Supervisors	\$ 3,500.00	\$ 3,500.00	-0-
Travel	175.00	84.80	90.20
Legal Notice	87.50	35.25	52.25
Office	1,750.00	1,991.07	(241.07)
Eng.	4,666.67	13,191.72	(8,525.05)
Legal	3,500.00	2,733.75	766.25
Audit	-0-	-0-	-0-
Trustee	875.00	100.00	775.00
Salaries & Benefits	22,729.58	16,397.78	6,331.80
Transp.	6,183.33	1,089.53	5,093.80
Swale Maint.	14,583.33	-0-	14,583.33
Use Chg	16,293.67	-0-	16,293.67
Ins.	3,117.92	-0-	3,117.92
Lawn Maint.	47,444.83	21,634.19	25,810.64
TOTALS	<u>124,906.83</u>	<u>60,758.09</u>	<u>64,148.74</u>