

Naples, Florida November 12, 1981

LET IT BE KNOWN, that the Pelican Bay Improvement District met 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

Harmon Turner  
Sylvia Moll

SECRETARY: Douglas Brown - Absent

TREASURER: Stanley Brooks - Absent

ALSO PRESENT: Gary Moyer, District Manager; Jerry Eckert, Post, Buckley, Schuh & Jernigan, Inc.; Messrs. Koste, Caldwell and Hecht, Coral Ridge-Collier Properties; Tracy Bolesky, Attorney for the District; Jim Richardson, Richardson and Associates; George Varnadoe, Young, van Assenderp, Varnadoe & Benton and Jean Swindle, Recording Secretary.

#### AGENDA

1. ROLL CALL
2. APPROVAL OF MINUTES OF SEPTEMBER 16, 1981 AND OCTOBER 6, 1981 MEETINGS.
3. CONSIDERATION OF AWARD ON BIDS ON THE FOLLOWING:
  - a) Truck Purchase
  - b) Aquatic Plant Control
  - c) Maintenance of Right-of-Ways
4. CONSIDERATION OF GRANT OF EASEMENT TO UNITED TELEPHONE SERVICE ALONG HERON POINT DRIVE FROM CORAL RIDGE-COLLIER PROPERTIES
5. AUTHORIZATION TO ADVERTISE FOR BIDS ON THE FOLLOWING:
  - a) Gulf Park Drive Street Lights
  - b) Unit IV, Single Family Street Lights
6. SUPERVISORS' REQUESTS & AUDIENCE PARTICIPATION
7. ENGINEER'S REPORT
8. MANAGER'S REPORT
9. APPROVAL OF INVOICES
11. ADJOURNMENT

ROLL CALL

President Scuderi called the meeting to order and asked the record show Secretary Brown and Treasurer Brooks absent.

MINUTES OF SEPTEMBER 16, 1981 and OCTOBER 7, 1981 - APPROVED AS CORRECTED

Mr. Turner moved, seconded by Ms. Moll and carried 3-0, with Mr. Brown and Mr. Brooks absent, that the minutes of September 16, 1981 and October 7, 1981 be approved with the following corrections:

October 7, 1981 minutes - Mr. Turner's corrections were:

Page 930 - Fifth line from the bottom - the first word should be "properly" not "property".

Page 932 - Eleventh line from the bottom - the addition of the words "and facilities" after the word "services".

Page 938 - Twelfth line from the bottom - In the body of the License itself - the 12th line should have the following additional words - "shall remain the property of the Licensee."

September 16, 1981 minutes - Mrs. Moll's corrections were:

Page 912 - Eighth line from the bottom - the addition of the word " to be met".

Page 919 - Fourth line from the top - the word should be "installed" instead of "install".

POWELL MOTOR COMPANY AWARDED BID FOR THE PURCHASE OF TWO TRUCKS IN THE AMOUNT OF \$13,678.12

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Following Mr. Moyer's presentation of the bid tabulation sheet for the purchase of two trucks to each Board member, he reviewed the two bids received. The firms of Powell Motor Company, North Fort Lauderdale and Tamiami Ford Company, Naples were the two bidders with both firms fulfilling the specifications as shown in the advertised legal ad. The bid price per truck was as follows:

Powell Motor Company	\$6,839.31 (which included AM radio; AC & tinted glass - items not specified)
Tamiami Ford Company	\$6,809.71

Mr. Moyer stated the Powell Motor Company had exceeded the bid requirements by including air conditioning; radio and tinted for \$29.60 per truck and it was his opinion that the Powell Motor bid, which included the above-mentioned items, was significant enough to have the Attorney for the District, Mr. Bolesky, give an opinion on the legality of the District's acceptance of the higher bid. Mr. Bolesky, after having identified the specifications that were put out to bid were shown on the members' bid tabulation sheets, stated the specifications had the additional qualification of "meeting or exceeding" the requirement for competitive bidding and with this being the case, he concluded that the District had the leeway to accept the "most responsible and best bid". Mr. Moyer recommended that the Board accept the Powell Motor Company bid of \$13,678.12 for the purchase of two (2) trucks.

Ms. Moll moved, seconded by Mr. Turner and carried 3-0, with Mr. Brooks and Mr. Brown absent, that the Powell Motor Company be awarded the bid for the purchase of two truck in the amount of \$13,678.12. Mr. Turner asked the record to show that by the District's acceptance of the bid from Powell Motor Company was by no means a reflection on Tamiami Ford's responsible and good bid.

LAKES & WATERWAYS AWARDED BID FOR AQUATIC PLANT CONTROL FOR THE DISTRICT'S WATER MANAGEMENT AREAS IN THE AMOUNT OF \$5,988.00

Mr. Moyer presented each member with a copy of the bid tabulation sheet of the four (4) bids received for the aquatic plant control program of the District's water management areas. In review, Mr. Moyer gave the following bid figures with the corresponding firms:

Lake Doctors	\$8,940.00
Lake & Waterways	5,988.00
Joyce Environmental	15,390.00
Florida Aquatic	10,500.00

He stated he was familiar with all four firms and each have performed satisfactorily in the past. This being the case, he recommended the low bidder, Lakes & Waterways, in the amount of \$5,988.00. When Mr. Turner

inquired about the bid specification of having monthly treatments when the situation might well call for two treatments in one month and none the next, Mr. Moyer replied that the contract calls for "no less frequently than once a month" but if there is a need then additional service will be requested.

Mr. Turner moved, seconded by Ms. Moll and carried 3-0, with Mr. Brooks and Mr. Brown absent, that Lakes and Waterways be awarded the bid for aquatic plant control of the District's water management areas for a period of one year in the amount of \$5,988.00.

RICHARDSON & ASSOCIATES, INC. AWARDED BID FOR ONE YEAR MAINTENANCE OF RIGHTS-OF-WAY IN THE AMOUNT OF \$95,264.00

Following Mr. Moyer's presentation of the bid tabulation sheet to each Board member, he reviewed the bid figures as they were presented by the sole bidder, Richardson & Associates.

Base Bid	\$95,264.00	
Gulf Park Drive		\$34,136.00
Crayton Road		9,384.00
Laurel Oak Drive		6,720.00

Because Gulf Park Drive, Crayton Road and Laurel Oak Drive are not yet on line, Mr. Moyer asked that the bid be awarded only for the Base Bid which includes, among other areas, Pelican Bay Boulevard, saying the other three locations would be bid again. He recommended that Richardson & Associates, the firm presently doing the maintenance work, be awarded the base bid in the amount of \$95,264.00.

Ms. Moll moved, seconded by Mr. Turner and carried 3-0, with Mr. Brooks and Mr. Brown absent, that Richardson & Associates be awarded the annual rights-of-way contract for the base bid only in the amount of \$95,264.00.

GRANT OF EASEMENT ALONG HERON POINT DRIVE TO UNITED TELEPHONE SERVICE FROM CORAL RIDGE-COLLIER PROPERTIES - APPROVED - PRESIDENT AND SECRETARY AUTHORIZED TO SIGN SAME

Mr. Moyer reviewed the request by Coral Ridge-Collier Properties to allow United Telephone Service use of a portion of the District's drainage easement located along Heron Point Drive. In way of explanation, Mr. Moyer

stated that the subject easement was granted to the District by Coral Ridge-Collier Properties previously and in order for the Company to allow United Telephone Service to make use of a portion of said easement, the District must give its approval.

Mr. Turner moved, seconded by Ms. Moll and carried 3-0, with Mr. Brooks and Mr. Brown absent, that the grant of easement between Coral Ridge-Collier Properties and United Telephone Service for the use of a portion of the District's drainage easement located along Heron Point Drive, be approved.

FINANCING AGREEMENT FOR PURCHASE AND INSTALLATION OF STREET LIGHTS ON GULF PARK DRIVE AND UNIT IV, SINGLE FAMILY - APPROVED - PRESIDENT AND SECRETARY AUTHORIZED TO SIGN SAME - ADVERTISEMENT FOR BIDS FOR SAID INSTALLATION - AUTHORIZED

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Mr. Moyer presented for the Board's consideration the request to place an order for the necessary street lighting fixtures to accommodate Gulf Park Drive and Unit IV, Single Family through the District's purchase order system. Additionally, the request for authorization to advertise for competitive bids for the installation of the above-referenced street lights was made. He stated that in the past the District has made separate arrangements with the Exchange Bank for the financing of such projects but because the Bank is not in the position to repeat such a procedure, Coral Ridge-Collier Properties has agreed to give the District interim backing until another lending institution can be found. After giving a copy of the proposed financing agreement to each Board member, Mr. Moyer explained that even though there is only a slight chance of having to make use of the subject agreement before arrangements can be made with an alternate financing firm, it is necessary that such an agreement be available to the District before a purchase order can be issued for the necessary fixtures. Additionally, he pointed out the section of the agreement which proposes to repay the Company at the same rate of interest that a banking institution

would charge or, if such an arrangement can not be made, then pay the 9½% rate of interest which the District now has with Exchange Bank.

Following President Scuderi's statement of objection regarding the payment of interest to the Company and Ms. Moll's suggestion that the two agreements - one for Gulf Park Drive and one for Unit IV, Single Family - be made into one agreement, Mr. Turner moved, seconded by Ms. Moll and carried 2-1, with President Scuderi dissenting and Mr. Brooks and Mr. Brown absent, that the one agreement covering the purchase of the necessary street lighting fixtures for Gulf Park Drive and Unit IV, Single Family be approved and the President and Secretary be authorized to sign same.

Ms. Moll moved, seconded by Mr. Turner and carried 3-0, with Mr. Brooks and Mr. Brown absent, that the advertising for bids for the installation of the above-referenced street lights, be authorized.

#### SUPERVISORS' REQUESTS & AUDIENCE PARTICIPATION

##### Status of Sales Tax

In answer to Mr. Turner's query regarding the sales tax situation, Mr. Moyer stated that Attorney Varnadoe had submitted to the District a list of names of contractors from whom the District, itself, will endeavor to get copies of all invoices pertinent to past contracts and even though some of this information has been previously gathered, there is still more to be done. Mr. Varnadoe defined the District's "tax exempt" status as being that situation when the District purchases the materials and stands responsible for all such purchases before and during a contracted installation. He also stated that for the most part the District would not want to be in such a position but would prefer to leave such responsibility to the contractors themselves.

##### Status of the District's Special Act Amendment

In response to Ms. Moll's question regarding the District's proposed

Amendment to its Special Act, Mr. Moyer stated Attorney Bolesky had presented the Amendment, on October 30, 1981, to the Legislative delegation and at that time the School Board Attorney requested that a portion of the recommended Amendment be revised - i.e. the portion that governs the District's authority to provide security <sup>and is</sup> in school buildings must have the approval of the Collier County School Board. The original Amendment together with the request by the School Board was approved by the Legislative delegation and will be ~~introduced~~ introduced in this session of the Legislature.

#### ENGINEER'S REPORT

Change Order #1 - Contract A-2 - Wellfield Expansion - Parct "C" - Booster Station for B & I Contractors, Inc. in the amount of \$3,280.41 - Approved

Mr. Jerry Eckert, Engineer, presented for the Board's consideration Change Order #1 for Contract A-2, Part "C", Wellfield Expansion - Booster Station in the name of B & I Contractors in the amount of \$3,280.41 and explained it was necessary in order to relocate the existing 12" raw water main which will keep the proposed booster station entirely outside of the Department of Transportation's right-of-way and within the booster station site.

Mr. Turner moved, seconded by Ms. Moll and carried 3-0, with Mr. Brooks and Mr. Brown absent, that Change Order #1 for B & I Contractors in the amount of \$3,280.41 be approved and the President and the Secretary be authorized to sign same.

#### Status Reports

Mr. Jerry Eckert, Engineer, stated that three of the four ongoing contracts in Pelican Bay will be finished and finalized before next month's meeting. Bay Villas will be finished within three weeks; Unit IV, Single Family will be completed next week and Well #5 under the Wellfield contract is ready for service and on line while Well #6 will be ready and on-line as of tomorrow. Well #7 will be ready next week. All of the pipe for the

booster station is being pre-assembled so that the necessity for the utility site to be without water will be eliminated. Also the pre-assembling will decrease the time the well water meter is out of service. This pipe laying will begin next week. Mr. Eckert concluded with the statement that the pump for the booster station has not arrived nor has there been a definite date given for its arrival.

In answer to Mr. Turner's question as to whether or not the new well would increase the amount of water available for consumption, Mr. Eckert replied that there will be one million gallons per day for the developer.

CERTIFICATES OF PAYMENT

Following review by Mr. Eckert, Ms. Moll moved, seconded by Mr. Turner and carried 3-0, with Mr. Brooks and Mr. Brown absent, that the following certificates of payment be approved:

CERTIFICATE NO.	CONTRACTOR	AMOUNT
Unit IV - Single Family - No. 6 Construction Services	Post, Buckley, Schuh & Jernigan	\$ 4,631.96
Unit IV - Single Family - No. 8 Design Services	Post, Buckley, Schuh & Jernigan	\$ 2,156.10
Bay Villas Utilities - No. 4 Construction Services	Post, Buckley, Schuh & Jernigan	\$ 1,661.38
Contract D-5, Part "C" No. 3	K & L Contractors, Inc.	\$ 37,067.60
Contract A-2/Part B No. 4	Gator Utilities Service, Inc.	\$ 36,068.08
Contract D-6 No. 2	Cadenhead & Son Construction Co.	\$ 19,753.20
Contract D-6 No. 3	Cadendead & Son Construction Co.	\$ 15,147.90
	TOTAL AMOUNT ALL INVOICES	\$116,486.22

MANAGER'S REPORT

Water Management Operating Summary Fiscal Year 1981 - Approved

Mr. Turner moved, seconded by Ms. Moll and carried 3-0, with Mr. Brooks and Mr. Brown absent, that the following Water Management Operating Summary

Pelican Bay Improvement District  
 November 12, 1981

for Fiscal Year 1981, be approved:

PELICAN BAY IMPROVEMENT DISTRICT  
 WATER MANAGEMENT OPERATING SUMMARY

FISCAL YEAR 1981  
 October 1, 1980 thru September 30, 1981

	<u>BUDGET</u>	<u>ACTUAL</u>	<u>VARIANCE</u>
Maintenance Tax Revenue* shown as net distribution	\$189,756.00	\$195,710.92	\$ 5,954.92
<u>MEETING EXPENSE</u>			
Supervisors Fees	6,000.00	6,000.00	-0-
Travel Reimbursement	300.00	285.15	14.85
Legal Notification	150.00	155.26	( 5.26 )
<u>ADMINISTRATION, OFFICE &amp; OPERATING EXPENSE</u>			
Office	5,000.00	4,426.68	573.32
Payroll	34,200.00	27,620.06	6,579.94
P/R taxes & benefits	4,765.00	1,977.13	2,787.87
Transportation	10,600.00	2,173.46	8,426.54
Swale Maintenance	25,000.00	16,958.70	8,041.30
Water Quality Testing	3,500.00	1,127.00	2,373.00
Insurance	5,345.00	2,620.67	2,724.33
Lawn Maintenance	74,344.00	61,631.97	12,702.03
Connection Fees	27,392.00	18,704.73	9,227.27
<u>PROFESSIONAL FEES</u>			
Engineering	13,000.00	12,249.79	750.21
Legal	6,000.00	3,836.25	2,163.75
Audit	3,000.00	1,800.00	1,200.00
Trustee	1,500.00	1,600.00	(100.00)
TOTALS	\$220,626.00	\$163,166.85	\$57,459.15

Water & Wastewater Operating Summary for Fiscal Year 1981 - Approved

Mr. Turner moved, seconded by Ms. Moll and carried 3-0, with Mr. Brooks and Mr. Brown absent, that the following Water & Wastewater Operating Summary for Fiscal Year 1981 be approved:

PELICAN BAY IMPROVEMENT DISTRICT

WATER & WASTEWATER OPERATING SUMMARY

FISCAL YEAR 1981

October 1, 1980 thru September 30, 1981

	<u>BUDGET</u>	<u>ACTUAL</u>	<u>VARIANCE</u>
<u>REVENUE</u>			
Connection Fees	\$179,029.00	\$318,733.02	\$139,704.02
Meter Use Fees	44,696.00	61,228.52	16,532.52
Water & Sewer Revenue	44,997.00	49,498.01	4,501.01
Irrigation Revenue	36,163.00	37,423.21	1,260.21
TOTAL	<u>\$304,885.00</u>	<u>\$466,882.76</u>	<u>\$161,997.76</u>
<u>EXPENDITURES:</u>			
<u>Administration &amp; Operating</u>			
Chemicals	6,104.00	10,116.17	(4,012.17)
Electric	44,450.00	49,063.33	(4,613.33)
Maintenance & Repair	7,480.00	21,536.26	(14,056.26)
Payroll	41,580.00	40,958.74	621.26
Water Quality	5,000.00	4,223.96	776.04
Other*	17,162.00	10,012.25	7,149.75
<u>Professional</u>			
Legal	5,000.00	9,969.25	(4,969.25)
Audit	2,000.00	1,800.00	200.00
Trustee	2,000.00	2,000.00	-0-
Engineering	5,000.00	11,117.07	(6,117.07)
TOTALS	<u>\$135,776.00</u>	<u>\$160,797.03</u>	<u>(\$25,021.03)</u>

Other\*

Transportation, Telephone Office, Insurance, Contingencies

Pelican Bay Improvement District  
November 12, 1981

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Mr. Turner moved, seconded by Ms. Moll and carried 3-0, with Mr. Brooks and Mr. Brown absent, that the invoices for water/sewer and water management as presented, be approved.

NEXT BOARD MEETING TO BE DECEMBER 9, 1981

It was the consensus of the Board that the next regular Board meeting be held December 9, 1981.

Mr. Turner presented the developer a bill for \$200.00.

ADJOURNMENT

Mr. Turner moved, seconded by Ms. Moll and carried 3-0, with Mr. Brooks and Mr. Brown, that the meeting be adjourned - Time: 5:30 P.M.

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SALVATORE C. SCUDERI, PRESIDENT  
PELICAN BAY IMPROVEMENT DISTRICT