

Naples, Florida March 17, 1982

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
SECRETARY: Douglas Brown

Sylvia Moll
Harmon Turner

Miles Scofield (Newly appointed)

Stanley Brooks (Resigned)

ALSO PRESENT: Gary Moyer, District Manager; James Ward, Assistant Manager; Rhonda Archer, Coral Springs Improvement; Messrs. Obley, Caldwell, Hecht and Penn; Messrs. Eckert and McIntyre, Post, Buckley, Schuh & Jernigan; George Varnadoe, Young, van Assenderp, Varnadoe and Benton; Tracy Bolesky, Attorney for the District and Jean Swindle, Recording Secretary.

AGENDA

1. ROLL CALL
2. PRESENTATION OF PLAQUE - MR. STANLEY BROOKS
3. OATH OF OFFICE - MR. MILES SCOFIELD
4. APPROVAL OF MINUTES HELD FEBRUARY 10, 1982.
5. DISCUSSION ON CONSERVATION AREA
 - a) INTER LOCAL GOVERNMENT AGREEMENT PBID/COLLIER COUNTY
 - b) FUNDING AGREEMENT - PBID/CR-CP
6. CONSIDERATION OF ENGINEERING DESIGN PROPOSAL - UNIT III POTABLE WATER IRRIGATION WATER AND SEWER SYSTEM
7. ENGINEERING REPORT
8. MANAGERS REPORT
 - a) STATUS OF PBID AMENDMENT TO LEGISLATIVE ACT
 - b) STATUS OF SALES TAX
9. SUPERVISORS REQUESTS AND AUDIENCE PARTICIPATION
10. APPROVAL OF INVOICES
11. ADJOURNMENT

ROLL CALL

President Scuderi called the meeting to order and asked the record show four members present with Mr. Brooks, who has resigned and Mr. Scofield, newly appointed member, being in the audience.

PRESENTATION OF PLAQUE - MR. STANLEY BROOKS

At this time, President Scuderi presented Mr. Brooks with a plaque which expressed the District's appreciation for Mr. Brooks' dedicated service and contribution to the Improvement District during his time served on the Board of Supervisors. Additionally, Mr. Brooks was given a wooden pelican sculpture which is well-known as the Pelican Bay development's logo.

OATH OF OFFICE - MR. MILES SCOFIELD

District Manager Moyer administered the Oath of Office to Mr. Miles Scofield following which Mr. Scofield took his seat as the new member on the Board of Supervisors of the Pelican Bay Improvement District.

MINUTES OF FEBRUARY 10, 1982 - APPROVED WITH CORRECTIONS

Mr. Turner moved, seconded by Mr. Brown and carried unanimously, that the minutes of February 10, 1982 be approved with the following corrections:

Page 981 - Under "Sales Tax Report" - fourth sentence -
the word "prerequisite" should be "requisitions"

Page 983 - Last line the words "deletion" and "due to" should
read "assessment of 7 days of liquidated damages."

DISCUSSION ON TWO PROPOSED AGREEMENTS REGARDING CONSERVATION AREA

Mr. Moyer presented for the Board's review and comments only two proposed agreements concerning the 530 acres, more commonly known as the Conservation Area, and the District's participation in the maintaining and preserving of same. He gave a brief history of the Conservation Area saying that one of the stipulations placed upon the Developer by the governmental regulatory agency allowing Coral Ridge-Collier Properties to obtain its "Northwest Fill Permit" is the conveying of some 530 acres of mangrove and wetlands to a governmental entity. At one time, it was thought this could possibly be the Pelican Bay Improvement District but the regulatory agency that issued the permit desires that the entity be Collier County. Coral Ridge-Collier Properties will, in the very near future, be making that dedication. Mr. Moyer stated that it would be in the best interest of the residents of Pelican Bay and the community itself if the District has some management input and involvement in the Conservation Area. To this end, an agreement has been drafted between the District and Collier County, whereby Collier County would assign to the District the responsibility and authority to operate and manage the subject area. Mr. Moyer reiterated that the first draft agreement being presented was only a proposed document and there were questions that would have to be answered. The second proposed agreement is one pertaining to the financing of the maintenance of the Conservation Area and is between the District and Coral Ridge-Collier Properties. The monies involved in the maintenance of the area will be reimbursed by the Developer up to a certain amount and for a certain period of time after which the District will generate revenue for such through the taxing process.

Discussion followed which covered the change in indemnification language as requested by the County - i.e. the County will hold the District harmless except in those cases where the District is actually doing the

maintenance work and is responsible for such equipment, etc.; the County's request for an estimate of monies that will be necessary for the maintenance of the conservation area with the request being dated July, 1982 and to be reimbursed by the County; who will be responsible for funding the maintenance of the beach area; Mr. Obley's comment that heretofore the expenses for the area have been trivial and his contemplation that such expenses will be few and far between in the future; the identification of the land use restrictions imposed by the State and those imposed by the Developer; the increase of the limit of \$100 to \$500 in the amount of expenditures for conservation and maintenance of the Conservation Area before written approval has to be obtained from the Developer; the Developer's power to veto any such reimbursements; the question of the District's ability to levy taxes which with the passage of the Amendment to the District's Special Act will be answered in the affirmative; the District's responsibility to police the area; the County's responsibility for reimbursement of the expenditures spent on the maintenance of the public beach areas and finally, the continued negotiations between the District, the County and the Developer with the Attorney for the District reviewing and accepting the final draft before the issue is again brought before the Board.

ENGINEERING DESIGN PROPOSAL FOR UNIT III, PELICAN BAY BOULEVARD EXTENSION
POTABLE WATER, IRRIGATION WATER AND SEWER SYSTEM - APPROVED IN THE AMOUNT
OF \$1,650.00

Mr. Moyer presented for the Board's consideration, an item which was deferred from a prior Board meeting and stated that the original invoice from Post, Buckley, Schuh & Jernigan for the engineering design work on the Unit III, Pelican Bay Blvd. extension utility facilities was \$3,300.00. He explained that the additional expense in the design fee was due to a necessary

reconfiguration of the parcel as the actual site plan had been changed which resulted in some changes in design. Additionally, there were changes in some materials together with several 8" water service road crossings to parcels along the west side of Pelican Bay Boulevard. Following a meeting between the District and Coral Ridge-Collier Properties, it was determined that to be equitable to all concerned, the invoice should be divided equally. Following Mr. Moyer's recommendation of payment, Mr. Turner moved, seconded by Mr. Scofield and carried unanimously with President Scuderi stating he wanted it understood that he does not agree to paying the Developer interest in any instance, that Post, Buckley, Schuh & Jernigan's Engineering Design fee in the amount of \$1,650.00 for the utility facilities/Unit III, Pelican Bay Boulevard Extension, be approved.

ENGINEERING REPORT

Mr. Jerry Eckert presented the following report on the previously requested utility site odor abatement:

**Utility Site Odor Abatement Investigation
Pelican Bay Improvement District**

We have investigated the odor from the water storage tanks and have looked into various methods for abatement of the odors being discharged from the aerator.

We have determined that DeLoache, a company which manufactures aerators, has an induction air system skirt which can be installed in aerators of this size and have been very effective in several locations in the past.

We have transmitted aerator drawings to this firm and asked for pricing for the air induction skirting size to fit this particular installation and should have drawings and pricing available for the next PBID meeting.

This air induction system is relatively simple. It involves a skirt affair which encompasses the diameter of the aerator which has induction slots at the bottom and an exhaust fan at the top. This exhaust fan spirals the odors up into the air and they are dissipated considerably above normal ground level and will not be noticed by the using public.

We are also investigating the odors coming from the irrigation pond and believe that compressed air injected into the water will be the best and cheapest method to overcome any odors which may be discharged from the irrigation pond.

We will have a full report on the irrigation pond odors for the next PBID meeting.

Mr. Eckert also stated there was another method being looked into and that was one of chlorination at the wellfield. This will be studied at greater length and a written report together with the costs involved will be ready for presentation at the next Board meeting.

CHANGE ORDER NO. 1 FOR MID-CONTINENT ELECTRIC, INC. IN THE AMOUNT OF \$948.00 - APPROVED

Following Mr. Eckert's presentation of the Change Order No. 1 for Mid-Continent Electric, Inc. which covers the additional conduit line to facilitate the Street Lighting Electrical Crossing at the bridge on Gulf Park Drive, Mr. Turner moved, seconded by Mr. Brown and carried unanimously, that Change Order No. 1 for Mid-Continent Electric, Inc. in the amount of \$948.00, be approved for payment.

CHANGE ORDER NO. 2 FINAL FOR GATOR UTILITIES SERVICES, INC./CONTRACT A-2, PART B IN THE AMOUNT OF \$3,042.65 - APPROVED

Following discussion which covered the item on the change order concerned with the investigation and remedial work done on the bow in Well #7 and the use of PVC casing in the wellfield, Mr. Turner moved, seconded by Mr. Scofield and carried unanimously that the Change Order No. 2 Final for Gator Utilities Services, Inc. - Contract A-2, Part B in the amount of \$3,042.65

be approved for payment and the District Manager be instructed to research the possibility of the District being repaid a portion of these monies from the corresponding insurance company.

CHANGE ORDER NO. 3 FINAL FOR B & I CONTRACTORS, INC. - CONTRACT A-2, PART C
IN THE AMOUNT OF MINUS \$643.24 - APPROVED

Prior to Mr. Eckert's presentation of the Final Change Order for B & I Contractors, President Scuderi submitted for the record a letter from the contractor in which he complained about the method of payment that was employed during the length of his Contract A-2, Part C. Mr. Eckert explained that the largest single cause for the delay in payment was due to the contractor having to resubmit each requisition because of lack of necessary documents and/or incorrect procedure.

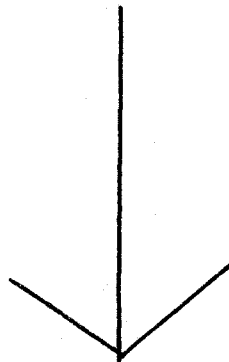
At this time, Mr. Scofield moved, seconded by Mr. Turner and carried unanimously, that Change Order No. 3 Final for B & I Contractors, Inc. Contract A-2, Part C in the amount of -\$643.24, be approved.

MANAGERS REPORT

Pelican Bay Improvement District's Amendment to Legislative Act was passed by the House and Senate and will become law on March 18, 1982.

STATUS OF SALES TAX

Mr. Ward gave the following report on the District's sales tax:



PELICAN BAY IMPROVEMENT DISTRICT
STATUS OF SALES TAX

The following are the remaining items needed to complete the package necessary for a refund of sales tax from the State of Florida, Department of Revenue.

As you can see the balance of the work are assignments from the vendors to the contractors. These assignments are usually for work completed in mid-year 1979 and it has been necessary for these suppliers to research their sales tax returns to the State of Florida for the period involved. Usually the amount remitted to the State is somewhat less than the actual amount received by the vendor. This is a type of collection fee the vendor receives and it is our understanding the amount may vary between vendors.

Contract A - Layne-Atlantic

Assignment from Layne & Bowler, Inc., Highway Equipment and Supply Company and American Cast Iron Pipe Company

Contract B - Gator Utilities

Assignment from American Cast Iron Pipe and Davis Meter & Supply

Contract C-1 - Permutit

All information complete

Contract C-2 - Biltmore

Waiting on vendor assignments to Biltmore. Mailed to District on 3/16/82.

Contract D - Gator Utilities

Assignment from American Cast Iron Pipe

Contract E - Toppino Sons

Assignment from Ewell Pipe and Drain and Joelson Concrete Pipe Company, Inc.

Contract F - Toppino & Sons

Assignment from Florida Steel Corporation

Southwest Utilities Contract

Assignment from American Cast Iron Pipe and Davis Meter & Supply Co.

ANNUAL FINANCIAL REPORT FOR UNITS OF LOCAL GOVERNMENT

It was the consensus of the Board that no motion was necessary in order to have President Scuderi sign the District's Annual Financial Report for Units of Local Government.

SUPERVISORS REQUESTS AND AUDIENCE PARTICIPATION

There were no requests from the Board nor any participation from the audience.

APPROVAL OF INVOICES

Mr. Turner moved, seconded by Ms. Moll and carried unanimously, that the following Water Management Operating Summary and Invoices for the period ending February 28, 1982, be approved as presented:

WATER MANAGEMENT INVOICES
February 28, 1982

| | | |
|------------------------|------------|----------|
| Hospitalization - CSID | Employees | \$193.49 |
| National Linen | Uniforms | 46.06 |
| Travel exp. | Board | 40.28 |
| Naples Daily News | Legal ads | 22.95 |
| Hoffman Office supply | File | 240.80 |
| Cronwell Refinish. | Desk | 65.00 |
| Naples Steel Prod. | Chair rep. | 14.50 |
| Purolator | Courier | 56.90 |
| Transportation Exp. | Office | 108.00 |
| Phillips Petrol | Trucks | 54.28 |
| Lakes & Waterways | Maint. | 499.00 |
| Benson Ins. | Truck | 45.00 |
| Smith-Locher Lechler | Board | 109.00 |

PELICAN BAY IMPROVEMENT DISTRICT
 OPERATING SUMMARY
 WATER MANAGEMENT ACCOUNT
 FOR PERIOD ENDING 2/28/82

| | (PERIOD 2/1/82 THRU 2/28/82) | | | (PERIOD 10/1/81 THRU 2/28/82) | | |
|--|------------------------------|--------|----------|-------------------------------|--------|----------|
| | BUDGET | ACTUAL | VARIANCE | BUDGET | ACTUAL | VARIANCE |

MEETING EXPENSE:

| | | | | | | |
|------------------|--------|--------|------|---------|---------|-----|
| Supervisors Fees | \$ 500 | \$ 500 | -0- | \$2,500 | \$2,500 | -0- |
| Travel Expenses | 25 | 40 | (15) | 125 | 115 | 10 |
| Legal Notice | 12 | 23 | (11) | 61 | 23 | 38 |

PROFESSIONAL FEES:

| | | | | | | |
|-------------|-----|-----|------|-------|-------|-------|
| Engineering | 500 | 541 | (41) | 2,500 | 2,705 | (205) |
| Legal | 500 | -0- | 500 | 2,000 | 566 | 1,434 |
| Trustee | -0- | -0- | | 1,500 | 1,500 | -0- |

SYSTEM OPERATING
EXPENSE:

| | | | | | | |
|------------------|---------------|---------------|---------------|----------------|---------------|---------------|
| Office | 323 | 377 | (54) | 1,616 | 1,637 | (21) |
| Payroll | 4,363 | 2,738 | 1,625 | 21,817 | 14,424 | 7,393 |
| taxes & benefits | 1,137 | 360 | 777 | 5,688 | 2,178 | 3,510 |
| Transportation | 200 | 155 | 45 | 8,065 | 8,020 | 45 |
| Swale Maint. | 2,083 | 499 | 1,584 | 10,416 | 2,612 | 7,804 |
| Water Quality | 666 | -0- | 666 | 3,332 | 813 | 2,519 |
| Insurance | 241 | 154 | 87 | 1,206 | 154 | 1,052 |
| ROW Maint | 13,387 | 7,038 | 5,449 | 66,938 | 37,636 | 29,302 |
| Wtr Connex & Use | 2,668 | -0- | 2,668 | 13,343 | 1,545 | 11,798 |
| Contingencies | 416 | -0- | 416 | 2,082 | 523 | 1,559 |
| Renewl & Replcmt | 500 | -0- | 500 | 2,500 | -0- | 2,500 |
| TOTALS | 27,521 | 13,325 | 14,196 | 145,689 | 76,951 | 68,738 |

PELICAN BAY IMPROVEMENT DISTRICT
WATER - WASTEWATER OPERATING
SUMMARY
FOR PERIOD ENDING 2/28/82

| | (PERIOD 2/1/82 TO 2/28/82) | | | (PERIOD 10/1/81 TO 2/28/82) | | |
|--------------------------|----------------------------|---------------|-----------------|-----------------------------|----------------|-----------------|
| | <u>BUDGET</u> | <u>ACTUAL</u> | <u>VARIANCE</u> | <u>BUDGET</u> | <u>ACTUAL</u> | <u>VARIANCE</u> |
| REVENUE | | | | | | |
| Connection fees | \$48,920 | \$53,910 | \$4,990 | \$87,320 | \$109,100 | \$21,780 |
| Meter Use fees | 11,320 | 9,630 | (1,690) | 21,880 | 23,200 | 1,320 |
| Water & sewer Rev. | 7,919 | 6,992 | (927) | 36,337 | 33,406 | (2,931) |
| Irrigation Rev. | 2,898 | 4,891 | 1,993 | 13,221 | 25,045 | 11,824 |
| TOTALS | 71,057 | 75,423 | 4,366 | 158,758 | 190,751 | 31,993 |
| OPERATING EXPENSE | | | | | | |
| Payroll | 5,666 | 4,480 | 1,186 | 28,330 | 25,204 | 3,126 |
| PR Taxes/benefits | 1,414 | 827 | 587 | 7,072 | 4,960 | 2,112 |
| Engineering | 833 | 875 | (42) | 4,165 | 4,375 | (210) |
| Legal | 500 | -0- | 500 | 2,500 | 992 | 1,508 |
| Office & Billing | 912 | 471 | 441 | 3,854 | 2,118 | 1,736 |
| Insurance | 466 | 45 | 421 | 2,104 | 50 | 2,054 |
| Trustee | -0- | -0- | -0- | 2,000 | 2,000 | -0- |
| Electric | 5,221 | 5,858 | (637) | 25,245 | 25,296 | (51) |
| Chemicals | 2,945 | -0- | 2,945 | 13,126 | 4,127 | 8,999 |
| Transportation | 813 | 84 | 729 | 9,497 | 8,061 | 1,436 |
| Water Quality | 416 | 35 | 381 | 2,082 | 1,145 | 937 |
| Repair and Maint. | 1,638 | 1,047 | 591 | 8,190 | 3,057 | 5,133 |
| Contingencies | 416 | -0- | 416 | 2,082 | 881 | 1,201 |
| Audit | 2,000 | 2,000 | -0- | 2,000 | 2,000 | -0- |
| CAPITAL - METERS | 578 | -0- | 578 | 8,703 | 2,075 | 6,628 |
| TOTALS | 23,818 | 15,722 | 8,096 | 120,950 | 86,341 | 34,609 |
| Net Operating Income | | | | | \$104,410 | |

MS. SYLVIA MOLL NOMINATED TREASURER OF THE BOARD OF SUPERVISORS

President Scuderi opened the floor for nominations to fill the vacancy of Treasurer left on the Board of Supervisors when Mr. Brooks resigned.

Mr. Turner nominated Ms. Sylvia^o Moll^{is} and when there were no further nominations, Mr. Turner moved, seconded by Mr. Brown that the nominations be closed.

President Scuderi welcomed Ms. Moll to her new position of Treasurer on the Pelican Bay Improvement District's Board of Supervisors.

CERTIFICATES OF PAYMENT - APPROVED AS PRESENTED

Ms. Moll moved, seconded by Mr. Brown and carried unanimously, that the Certificates of Payment be approved as presented. (See attached)

REGULAR MEETING FOR THE MONTH OF APRIL TO BE APRIL 21, 1982

It was the consensus of the Board that the regular monthly meeting of the Board of Supervisors be held April 21, 1982. Mr. Turner stated he would not be available on that date.

ADJOURNMENT

There being no further business to come before the Board, Mr. Turner moved, seconded by Mr. Brown and carried unanimously, that the meeting be adjourned - Time: 6:30 P.M.

SALVATORE SCUDERI, PRESIDENT
PELICAN BAY IMPROVEMENT DISTRICT

| CERTIFICATE NO. | | CONTRACTOR | AMOUNT | PAYING AGENT |
|--|-------|---------------------------------|--------------|--|
| Unit III - Const. Ser. | No. 1 | Post, Buckley, Schuh & Jernigan | \$ 2,785.94 | Advance By Coral Ridge-Collier Properties |
| Water Management System V Design | No. 4 | Post, Buckley, Schuh & Jernigan | \$ 895.93 | PBID C&A Account at First Pennsylvania Bank |
| Unit IV - Phase I - Street Lighting - Design | No. 2 | Post, Buckley, Schuh & Jernigan | \$ 160.41 | Advance By Coral Ridge-Collier Properties |
| Unit IV - Phase I - Street Lighting - Cons. Ser. | No. 2 | Post, Buckley, Schuh & Jernigan | \$ 1,023.38 | Advance By Coral Ridge-Collier Properties |
| Gulf Park Dr. - Street Lighting - Design | No. 2 | Post, Buckley, Schuh & Jernigan | \$ 428.85 | PBID Special Purpose Account From Loan Proceeds-Southeast Bank |
| Gulf Park Dr. - Street Lighting - Cons. Ser. | No. 2 | Post, Buckley, Schuh & Jernigan | \$ 2,221.45 | PBID Special Purpose Account From Loan Proceeds-Southeast Bank |
| PBID Street Lighting Acct. Gulf Park Drive Contract D-7 | No. 2 | Southwest Utility Systems, Inc. | \$ 200.00 | PBID Special Purpose Account From Loan Proceeds-Southeast Bank |
| Unit IV - Phase I & Gulf Park Dr. Roadway Light. Contract A-2/Part "C" | No. 1 | Southwest Utility Systems, Inc. | \$124,896.50 | Advance By Coral Ridge-Collier Properties |
| | No. 1 | Mid-Continent Electric, Inc. | \$ 20,022.03 | PBID Special Purpose Account From Loan Proceeds-Southeast Bank |
| | No. 2 | B & I Contractors, Inc. | \$ 50,458.60 | PBID C&A Account At First Pennsylvania Bank |
| Contract A-2/Part "B" | No. 5 | Gator Utilities Service, Inc. | \$ 20,359.03 | PBID C&A Account At First Pennsylvania Bank |
| TOTAL AMOUNT ALL INVOICES | | | \$223,452.12 | |