

Naples, Florida November 01, 1982

LET IT BE KNOWN, that the Pelican Bay Improvement District met on this date in Regular Session at 4:30 P.M. in the Naples Federal Savings and Loan building, 5th Floor, 5801 Pelican Bay Boulevard, Naples, Florida with the following members present:

PRESIDENT: Salvatore Scuderi
SECRETARY: Douglas Brown
TREASURER: Sylvia Moll

Harmon Turner
Miles Scofield

ALSO PRESENT: Gary Moyer, District Manager; James Ward, Assistant Manager; Messrs. Obley, Morris, Caldwell and Penn, Coral Ridge-Collier Properties; Messrs. Eckert and Bywalic, Post, Buckley, Schuh & Jernigan; Mr. George Varnadoe, Young van Assenderp, Varnadoe & Benton, Mr. Dan Brundage, Holes, Montes and Associates; Mr. Robert Higgins, Gee and Jenson, Inc.; Mr. Tracy Bolesky, Attorney for the District; Robert Parmelee, Plant Supervisor for the District and Jean Swindle, Administrative Aide.

AGENDA

1. ROLL CALL
2. APPROVAL OF MINUTES OF MEETING HELD SEPTEMBER 27, 1982
3. AUTHORIZATION TO ADVERTISE FOR BIDS FOR CHEMICAL WEED CONTROL OF THE DISTRICT'S LAKE AREAS
4. AUTHORIZATION TO ADVERTISE FOR BIDS ON THE MAINTENANCE OF PELICAN BAY BOULEVARD AND OTHER SIMILAR PLANTING AREAS
5. CONSIDERATION OF A CONSTRUCTION FINANCING AGREEMENT FOR THE LAS BRISAS PROJECT
6. CONSIDERATION OF ENGINEERING PROPOSAL TO PREPARE PLANS AND SPECIFICATIONS FOR A PORTION OF PARCEL D, UNIT V AND RELATED ENGINEERING DESIGN AGREEMENT
7. ENGINEER'S REPORT
 - a. CONSIDERATION OF AWARD OF CONTRACT FOR WATER AND SEWER SERVICE TO THE LAS BRISAS PROJECT
 - b. PRESENTATION OF SYSTEM FOUR AND FIVE WATER MANAGEMENT PLAN
8. MANAGER'S REPORT

Pelican Bay Improvement District
November 01, 1982

ROLL CALL

President Scuderi called the meeting to order at 4:30 P.M. and asked the record show all members present.

MINUTES OF SEPTEMBER 27, 1982 - APPROVED AS PRESENTED

Mr. Brown moved, seconded by Mr. Scofield and carried unanimously, that the minutes of September 27, 1982 be approved as presented.

AUTHORIZATION TO ADVERTISE FOR BIDS FOR CHEMICAL WEED CONTROL OF THE DISTRICT'S WATER MANAGEMENT AREAS - APPROVED

Mr. Moyer reviewed the request for authorization to advertise for bids regarding the necessary chemical weed control of the District's water management areas, stating since March, 1982 this work has been done under contract with the firm, Lakes & Waterways Management Services, Inc. Yet for the past month the District has been unable to contact them in order to determine why the monthly control service has not been done. After repeated attempts to call Lakes and Waterways Management Services with no success and understanding from different sources, that the firm has become insolvent, a registered letter was sent October 20, 1982. The registered letter contained the request, pursuant to the terms of the contract, that a date be set, in writing, within seven days (7) of notice to proceed otherwise the contract would be cancelled. There has been no answer nor any contact made within this period therefore, Mr. Moyer requested the authorization to bid the work.

Mr. Harmon Turner asked if this action had been approved by the Attorney for the District, Mr. Bolesky, to which Mr. Bolesky replied in the affirmative, saying that a final letter should be written to Lakes and Waterways Management Services which states that since there has been no response, their contract is hereby cancelled.

Ms. Sylvia Moll inquired if the firm had fulfilled its contract up to this present time and Mr. Moyer stated they had done their work most

Mr. Miles Scofield asked how many firms in the area do this kind of work and Mr. Moyer said approximately six (6), adding all of these firms are based on the east coast of Florida. Mr. Scofield then asked for a copy of the bid specifications and proposal used in the District's competitive bid process for the chemical weed control. Mr. Moyer stated he would forward the requested copy.

In response to Mr. Turner's question, Mr. Moyer answered that the request for bids would be advertised in the local newspapers.

At this time, Mr. Scofield moved, seconded by Mr. Turner and carried unanimously, that the District be authorized to advertise for bids for the chemical weed control maintenance of the water management lakes and areas with the one stipulation of Mr. Turner's that the firm of Lakes and Waterways Management Services, Inc. be notified that their contract has been cancelled.

AUTHORIZATION TO ADVERTISE FOR BIDS FOR ROW MAINTENANCE ON PELICAN BAY BLVD AND SIMILAR PLANTING AREAS - APPROVED

In reviewing the second item to come before the Board, Mr. Moyer explained this is a request to advertise for bids for the maintenance of Pelican Bay Boulevard and other similar areas. Continuing, he stated, this contract will be awarded in the month of December, 1982 and it is now the proper time to advertise for competitive bids. Mr. Moyer said that in the past Richardson and Associates have been doing this work and the District has been very pleased with his performance but according to operating procedures, it is necessary to go out for competitive bids on an annual basis.

Mr. Turner asked if the monies for this maintenance work had been included in the 1982-1983 budget and Mr. Moyer answered in the affirmative. Mr. Turner moved, seconded by Ms. Moll and carried unanimously, that the

District Manager be authorized to advertise for competitive bids for the ROW maintenance on Pelican Bay Boulevard and other similar planting areas.

CONSTRUCTION FINANCING AGREEMENT BETWEEN LAS BRISAS AT PELICAN BAY AND
THE DISTRICT - APPROVED

Mr. Moyer presented for the Board's consideration the Construction Financing Agreement for the project Las Brisas at Pelican Bay, saying the development lies south on Gulf Park Drive across from The Club at Pelican Bay and will consist of 50 units. Post, Buckley, Schuh & Jernigan, the District's engineers, designed the water, sewer and irrigation facilities and approximately six (6) weeks ago, the Board authorized putting the construction for such facilities out to bid. This Agreement, Mr. Moyer continued, will allow the District to have the monies to enter into a construction agreement with the low bidder as determined by the bid tabulation sheet.

There were two corrections to be made on the agreement document as follows:

1. First paragraph should read PELICAN WEST ASSOCIATES, a Florida joint venture -----.
2. The word "Corporation" should be changed to read "Developer" throughout the entire document

Mr. Turner asked if the Developer had agreed to the subject agreement and Mr. Moyer replied in the affirmative. Mr. Scofield asked how much engineering supervision would be available for the contractor (Cadenhead & Son Construction Company as low bidder on the project) to which Mr. Jerry Eckert of Post, Buckley, Schuh & Jernigan replied the supervision would be a joint effort between the District's personnel and the engineers.

At this time, Mr. Scofield moved, seconded by Mr. Turner and carried 4-1, with President Scuderi dissenting - citing his usual objection to repaying any developer the interest as shown in the agreement's repayment schedule - that the Construction Financing Agreement between Pelican West Associates and the District, be approved.

Following the motion, there was discussion regarding the origin of the "repayment schedule" which is incorporated in all the District's construction financing agreements with developers and shows a maximum interest of 8% (See schedule below).

0 to 3 years	100% of construction cost
4th & 5th years	105% of construction cost
6th & 7th years	106% of construction cost
8th & 9th years	107% of construction cost
after the 9th year	108% of construction cost

Mr. Moyer recalled that Mr. Werner Buntmeyer had explained to the Board of Supervisors early in the year 1978-79 that the interest to be repaid to all developers for the advancement of monies to the District for construction was more in the form of administrative-in-house expenses rather than interest. Additionally, Mr. Moyer said according to his limited memory it was a necessary accounting procedure if the advanced monies were to be carried as receivables. President Scuderi remarked that he was not asking for a review of the original argument for he remembered it very clearly but he is still of the opinion that the developer recoups his construction expenses in the sale price of his real estate. Mr. Turner stated his position as one of agreement with the present repayment schedule but if, in the future, the developers would accept a construction financing agreement without such schedule he would be willing to agree to it. Mr. Scofield said he would like to try and omit the repayment portion of the agreement in future financing of construction. Mr. Obley offered to review the past presentations and bring to the Board a resume of what had transpired at the original formation of the District's agreement.

ENGINEERING PROPOSAL TO PREPARE PLANS AND SPECIFICATIONS FOR A PORTION
OF PARCEL D, UNIT V AND RELATED ENGINEERING DESIGN AGREEMENT - APPROVED

Mr. Moyer presented, for the Board's consideration, an Engineering Proposal and Engineering Design Agreement for the project known as The Shaw project, consisting of 21 units and located on Gulf Park Drive just east of The Club. He also stated that even though Mr. Shaw has not completed the negotiations for ownership of the piece of property, he does not want to lose the five or six weeks between board meetings when and if ^o in ^o fact he completes his negotiations. Mr. Moyer gave his recommendation as being approval subject to Mr. Shaw's ability to show ownership of the property.

Following discussion, Mr. Turner moved, seconded by Mr. Brown and carried unanimously, that the Engineering Proposal and Engineering Design Agreement for the project called The Shaw Project be approved subject to the acquisition of the property by Mr. Shaw from Coral Ridge-Collier Properties.

ENGINEERING'S REPORT

AWARD OF CONTRACT TO CADENHEAD & SON FOR CONSTRUCTION WATER AND SEWER SERVICE
TO LAS BRISAS AT PELICAN BAY - APPROVED IN THE AMOUNT OF \$93,954.97

Mr. Jerry Eckert of Post, Buckley, Schuh & Jernigan presented each Board member with a copy of the bid tabulation sheet for the construction of water, sewer and irrigation services to Las Brisas at Pelican Bay. After his review of the tabulation sheet, he said his recommendation to the Board was to award the contract to Cadenhead & Son in the amount of \$93,954.97 as the lowest and most responsible bidder.

Ms. Moll asked about the 2% decrease in the Cadenhead bid as shown on the sheet and Mr. Eckert explained the 2% decrease was to be applicable in the event Cadenhead was to receive the entire contract on his bid of \$95,872.42. In such an event, the Cadenhead bid would be for \$93,954.97

and this was the bid figure Mr. Eckert used in his recommendation of Cadenhead & Son for the award of contract.

Mr. Scofield moved, seconded by Mr. Turner and carried unanimously, that Cadenhead & Son be awarded the contract to construct the water, sewer and irrigation services to Las Brisas at Pelican Bay in the amount of \$93,954.97.

PRESENTATION OF SYSTEMS FOUR, FIVE AND SIX WATER MANAGEMENT PLAN

Following his introduction by Mr. Jerry Eckert, Mr. Dan Brundage of Hole, Montes and Associates gave the following presentation regarding the water management plan for Systems Four and Five. He stated his firm has been working with Post, Buckley, Schuh & Jernigan in the design of the water management facilities and basically what he presented to the Board is the design for the remaining portions of System Four and System Five drainage systems that were spelled out in previous permit applications dated 1979. The status of those permits were that, in their entirety, Systems One, Two and Three and the golf course portion of System Four including the lands seaward of the golf course were permitted. Remaining to be permitted for construction purposes were System Four, which he identified by the dark red line on the display map, and System Five, identified by the lighter red line. Both systems have been presented to the South Florida Water Management District and the Collier County water management Advisory Boards for conceptual approval. Five years ago they gave conceptual approval to the systems and his firm had now taken the concepts expressed in those permits and designed systems accordingly. System Four consists primarily of a linear type of a lake which serves as a water management storage device and will discharge through a pipe into the golf course portion of System Four. Once the waters have gone that far they will go ahead and be treated and handled as part of the regular System Four system and will be discharged

through a detention berm into the wetlands as spelled out in past permit applications. System Five follows generally the same approach in that it will have a system of interconnected lakes. The lakes will start in the higher regions and cascade one into the other toward the lower portion of the drainage system which are located in this area. They are interconnected with pipes and swales and weir controlled structures. All of these have been designed in accordance with South Florida Water Management and Collier County's criterias. Ultimate disposal of the waters from System Five will take place through weir structure located in a hardwood hammock area (he identified the hardwood hammock area as being delineated by the green line on the display map). The waters will enter the hardwood hammock areas by sheet flow through a detention or sheet flow berm while the water passing out of the system will go through the weir into the System Six's system. He summed up his presentation by stating this is basically the water management system his firm has proposed and reiterated that the system has been designed in accordance with South Florida Water Management and Collier County criterias. Mr. Brundage opened the floor for questions.

Mr. Turner asked if the already constructed and approved portion of System Four which includes the golf course was designed to take care of the proposed additional drainage. Mr. Brundage replied in the affirmative saying that when System Four was permitted, the above-referenced flows were included. He identified on the display map, a block of land that will take a lake or storage area of so many acre feet of capacity and the proposed system meets these requirements. Mr. Jerry Eckert also remarked that the proposed lake in the remainder of System Four would eliminate some of the problems that have been experienced with the golf course this past year during the heavy rains by no longer having the sheet flow running across the course.

Mr. Turner stated that the original design of lakes for the system did not allow the lakes to be "continuously lakes" so it was necessary for the District to go back and get another permit in order to dig the lakes deeper. His question was are the proposed lakes to be lakes rather than ponds. ² Mr. Brundage answered that the lakes have been shown in two ways - First - what Pelican Bay Improvement District will be responsible for, which is in essence, the same type of system we had originally permitted (a shallow dry retention type of system with depths of three or four feet approximately). Second-the design also shows the plan that will allow the Developer, at his own option, to deepen the lakes to those depths which will make "deep water bodies" out of the lakes. Mr. Brundage also stated that the permit has already been modified to accommodate this future desire of the Developer. Mr. Turner asked if the District was responsible for financing of future deepening of the proposed lakes or for just what is required for the water management criteria. Mr. Brundage answered the District is responsible for only the depth that is required for water management systems.

Mr. Scofield asked how long the proposed lake in System Four will be and Mr. Brundage responded the length is to be approximately 2,000 feet with the width being the minimum criteria shown on the master plan. The lake will have two vehicular bridges for crossing which he identified on the display map.

Mr. Turner wanted to know where the Systems Four and Five discharge into System Six to which Mr. Brundage answered that the discharge into System Six occurs into a weir structure which will then go to a swale or pipe that will carry the flow into a water body which Mr. Higgins of Gee and Jenson will explain as being part of the System Six system. At this time, he concluded his remarks by saying his firm had coordinated with Gee and Jenson during the course of design and it was their hope "everything locks up

together as it should".

After he had identified himself, Mr. Bob Higgins of Gee and Jenson stated his firm has been working on the design portion of System Six. At the present time, the design is still a conceptual design up to the point of incorporating the drainage from System Five into System Six to make sure everything can work well together. He continued that Gee and Jenson will proceed from this point forward into final design. Using the display map, Mr. Higgins identified the area in green as representing the original Northwest Fill area as far as the permitting goes. He pointed out the drainage part of System Four, showing the ^{upper} ~~upper~~ portion as being future System Six drainage. The region located north of the identifying map line is the only portion of acreage that currently has a fill permits, he continued, and all fill activities are being confined to this region. The drainage concept really saves a natural concept in that the pond in System Five will come down into the pond in System Six which then will travel into another natural area and finally into the last of the existing ponds. Mr. Higgins then identified the dune swales which are waterward of the flow line and will be left in a natural state. The drainage will be directed toward the dune which is a lower area letting the drainage water flow naturally in the low area up to a certain point. At this point there will be control structures which will limit the discharge coming down into Upper Clam Bay.

Mr. Turner questioned what kind of system would be running east and west - swales or pipes and Mr. Higgins answered it is going to be an open area with the exception of a possible culvert crossing and ultimately a culvert connection from the hardwood hammock into the pond. He explained that the system is basically natural down into the tidal elevations. Mr. Turner then wanted to know if there is now tidal water in the existing pond areas and Mr. Higgins replied both of the ponds do not get much tidal action but as part of the overall system they will be converted over into fresh water

and will receive drainage from Systems Five and Six.

Mr. Scofield wanted to know the difference between the right and left side of the dotted map line and Mr. Higgins explained that north of the line the area has received the Corp's permit for filling wet lands whereas south of the line the permit application is still in the process of being granted. Mr. Scofield also asked Mr. Obley how many miles could be developed and he replied it was something a little less than a mile. The original agreement with Collier County said that the southern two miles would not be developed while the northern mile could be developed.

Mr. ^{Higgins} ~~Eckert~~ stated that there will be roughly 10 to 50 feet of natural vegetation left between the fill line down to the existing water's edge.

When asked by Mr. Turner when the area will be developed, Mr. Obley replied that the first development in the area is the parking lot which is being given to the County and stated that the first structure may very well have ground broken in 1984.

Additionally, Mr. Obley explained that the fill that is now being used in the area is part of the fill taken from swale areas in earlier sections and by deepening the lakes, the Developer has not gone offsite to bring any fill.

Mr. Moyer concluded the presentation by saying the District's responsibility is for the construction of System Four and System Five while the development of System Six rests with the Developer. There are monies in the Construction Trust Fund to cover the construction System Four and System Five and he thought that within three to six months, the Board would be asked for their permission to bid these systems.

CERTIFICATES OF PAYMENT - APPROVED AS PRESENTED

Following Mr. Eckert's explanation of the requested Certificates of Payment, Mr. Scofield moved, seconded by Mr. Brown and carried unanimously,

that the following Certificates of Payments be approved as presented:

<u>CERTIFICATE NO.</u>	<u>CONTRACTOR</u>	<u>AMOUNT</u>
Bridge-Way Utilities - Construction Services	No. 1 Post, Buckley, Schuh & Jernigan	\$ 3,864.43
Las Brisas Utilities - Design Services	No. 1 Post, Buckley, Schuh & Jernigan	\$ 3,873.47
Las Brisas Utilities - Design Services	No. 2 Post, Buckley, Schuh & Jernigan	\$ 3,116.01
Water & Sewer Design - Unit V	No. 1 Post, Buckley, Schuh & Jernigan	\$ 490.20
Water & Sewer Design - Unit IV, Parcel E	No. 1 Post, Buckley, Schuh & Jernigan	\$ 517.80
	TOTAL AMOUNT ALL INVOICES	\$11,861.91

MANAGER'S REPORT

Under his report, Mr. Moyer stated that November 2, 1982 will be a significant day for the District as the District has on the ballot a referendum question regarding the establishment of a millage cap for Pelican Bay at 10 mills. Office personnel sent out to each qualified elector/property owner a letter explaining what the District wants to accomplish through this millage cap and additionally, Mr. Moyer and Mr. Ward had a meeting with several owners to answer any questions. Finally, each qualified elector/property owner was contacted by telephone and explained what this referendum means to them. He concluded his remarks by saying the response had been favorable and he was hopeful for a positive return.

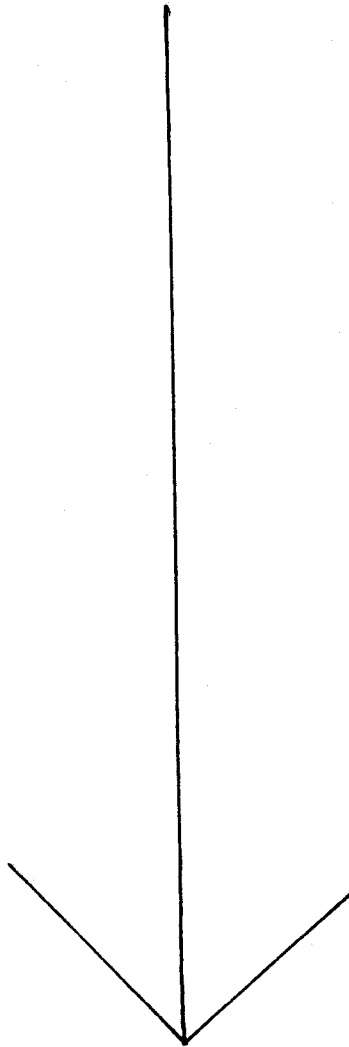
RESOLUTION FOR THE SPECIAL STREET LIGHTING ACCOUNT AT SOUTHEAST BANK -
ADOPTED

Following Mr. Moyer's explanation of the need to have a separate Street Lighting Account in Southeast Bank, N.A. for the payment of street light expenses, Mr. Turner moved, seconded by Mr. Brown and carried unanimously,

that the Bank Resolution authorizing the opening of Street Lighting account at the Southeast Bank, N.A. be adopted and the proper signatures affixed to the signature cards.

WATER/SEWER INVOICES - APPROVED AS PRESENTED

Mr. Turner moved, seconded by Ms. Moll and carried unanimously, that the following Water/Sewer invoices be approved as presented:



WATER - SEWER INVOICES
October, 1982

Department HRS	Analysis drinking water	\$156.00
UTS	RO plant #597-2265	100.12
UTS	Ring-down services	106.20
UTS	½ Office #597-1749	47.13
Gulf Stream	Repair HSP #4 pump	550.00
J.N. Environmental	Water quality analysis	251.80
FPL	Wellfields 1 & 2; booster pump station	2,471.72
Phillips Petrol.	Gas & oil	173.50
National Linen	Uniforms	149.82
Coral Ridge- Collier Prop.	Rent; utilities & Postage	177.33
Big Cypress	Well monitoring	654.50
Qualicom	Beeper service	29.50
BIA	Boiler & Mach. premium	1,620.00
Coast Pump & Supply	RO plant supplies	89.95
PB&S Chemicals	Chemicals	772.75
Neptune Meter	Meters	844.40
SW Electric Supply	RO plant supplies	35.66
Missimer & Assoc.	Well monitoring	330.00
Hach & Co.	Chemicals	72.42
QEI Electronics	Plant parts & repair	237.76
Plastic Piping Co.	Parts/Plant acid piping	25.34
N. Trail Auto	Lock & key	3.80
B&B Builders	Potable tank probe	5.92
Zee Medical	Medical Supplies RO plant	39.30
Ashley Repair	Deere mower parts	63.90
B & H Sales	Repair parts for RO raw line	67.86
PB&S Chemicals	Chemicals	772.75
Brad Tucker	Truck Maintenance	45.00
Value Floors	RO Office floor covering	459.75
Creel Ford	Repair of Backhoe	222.20
H & L Sales	Weedwhip line	12.95
Bob Dean Supply	Pressure gauge	39.38
B & B Builders	RO supplies	41.87
Gateway Filter	RO prefilters	612.04
PB&S Chemical	Chemicals	1,025.45
B&H Sales	RO plant supplies	100.35
M.E. Miller	Installation orifice well #6	100.00
Interpace Corp.	1 hydracone	15.90
Weaver Office	½ October billing	43.27
FPL	RO plnt; Booster Pump Sta. & Wellfield #1	4,305.54
FPL	Wellfield #2	853.96
Ashley Repair	J. Deere mower repair	158.30
Qualicom	Beeper Service Oct.	29.50

WATER MANAGEMENT INVOICES - APPROVED WITH CORRECTION

Following Mr. Turner's request that Richardson and Associates' invoice show payment for "ROW maintenance", he moved, seconded by Ms. Moll and carried unanimously that the following water management invoices be approved as corrected:

WATER MANAGEMENT INVOICES
OCTOBER 1982

Minuteman press	Office pads	\$ 18.10
UTS	½ Office 597-1749	47.13
Richardson & Assoc.	Sept. ROW maintenance	8,573.92
Naples Printing	Office stationary	191.10
Coral Ridge-Collier Properties	Rent; utilities & Postage	125.11
Tracy Bolesky	Legal service - 8/25/82 thru 9/27/82	652.50
Mo-Trim	Swivel for tractor	4.54
Weaver's office	½ Oct. office supplies	43.28
Richardson & Assoc.	Oct. ROW maintenance	8,723.92
FPL	Oct. billing Crayton Rd sprinkler clock	6.42
Naples Daily News	Legal advertising	11.00

SUPERVISORS REQUESTS AND AUDIENCE PARTICIPATION

It was the consensus of the Board that the next regular meeting of the Board would be the published date of December 13, 1982 to be held at The Club of Pelican Bay.

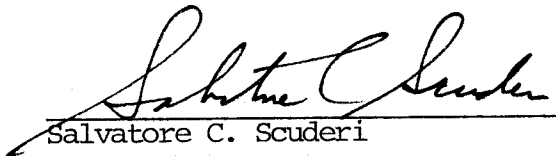
At Mr. Turner's request, Mr. George Varnadoe said he would bring the Board up to date on the question of the "sales tax" at the next Board meeting.

Mr. Turner stated he had given the Developer a bill for \$300.00

ADJOURNMENT

There being no further business to come before the Board, the meeting was adjourned - Time: 5:30 P.M.

Pelican Bay Improvement District
November 01, 1982



Salvatore C. Scuderi
PRESIDENT
PELICAN BAY IMPROVEMENT DISTRICT