

Naples, Florida September 27, 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 Club at Pelican Bay, 707 Gulf Park Drive, Naples, Florida with the following members present:

PRESIDENT: Salvatore Scuderi
SECRETARY: Douglas Brown

Miles Scofield

TREASURER: Sylvia Moll - Absent
Harmon Turner - Absent

ALSO PRESENT: Gary Moyer, District Manager; James Ward, Assistant Manager; Messrs. Morris, Caldwell and Penn, Coral Ridge-Collier Properties; Messrs. Biery, Eckert and Bywalic, Post, Buckley, Schuh & Jernigan; and Mr. George Varnadoe, Young, van Assenderp, Varnadoe & Benton and Mr. Tracy Bolesky, Attorney for the District.

AGENDA

1. ROLL CALL
2. APPROVAL OF MINUTES OF MEETING HELD AUGUST 23, 1982
3. PUBLIC HEARINGS
 - A. WATER AND SEWER RATES
 - B. FY1982-1983 WATER AND SEWER OPERATING BUDGET
4. CONSIDERATION OF RESOLUTION TO ADOPT THE WATER & SEWER RATES
5. CONSIDERATION OF RESOLUTION TO ADOPT THE WATER & SEWER BUDGET FOR FY 1982-1983
6. CONSIDERATION OF AMENDMENT TO AGREEMENT BETWEEN POST, BUCKLEY, SCHUH & JERNIGAN AND THE DISTRICT TO CHANGE COMPENSATION LIMITS FOR FY1982-1983
7. CONSIDERATION OF DEVELOPER'S FINANCING AGREEMENT RE BRIDGE-WAY VILLAS
8. AWARD OF BID - WATER & SEWER SERVICES FOR BRIDGE-WAY VILLAS
9. CONSIDERATION OF APPLICATION FOR STATE MATCHING FUNDS PROGRAM
 - A. RESOLUTION DESIGNATING PROJECT ADMINISTRATOR AND PROJECT FINANCIAL OFFICER
 - B. BUDGET - FY1982-1983
10. CONSIDERATION OF ENGINEERING DESIGN AGREEMENT BETWEEN CR-CP AND PBID FOR PARCEL E - UNIT FOUR
11. CONSIDERATION OF ENGINEERING DESIGN AGREEMENT BETWEEN CR-CP AND PBID FOR PELICAN BAY UNIT FIVE
12. ADJOURNMENT

ROLL CALL

President Scuderi called the meeting to order at 4:30 P.M. and asked the record show all members present except Treasurer Moll and Mr. Harmon Turner.

MINUTES OF AUGUST 23, 1982 APPROVED AS CORRECTED

Mr. Brown moved, seconded by Mr. Scofield and carried 3-0, with Ms. Moll and Mr. Turner absent, that the minutes of August 23, 1982 be approved with the following corrections:

Page 1070 - Third line from top of page - should read "study the \$38 amount would be raised to \$45 ----"

Page 1070 - Fourth line from top of page - should read "equivalent connections would reach 1,000 -----"

Page 1073 - Title of second item should read - "SUPERVISORS ----"

Page 1073 - Second line under second item - should read "-- their mitigation and fill activities, stating that the mitigation"

REVISED WATER/SEWER RATES FOR FY 1983 - APPROVED AS PRESENTED - PRESIDENT AND SECRETARY AUTHORIZED TO SIGN ACCOMPANYING RESOLUTION

Legal Notice having been published in the Naples Daily News on September 9, 13 and 21, 1982, as evidenced by the Affidavit of Publication presented for the record, public hearing was held to consider the proposed water/sewer rate increases for FY 1983. Mr. Moyer reviewed the August, 1982 analysis that had been presented by Mr. Fred Biery of Post, Buckley, Schuh & Jernigan, saying the increases which are proposed are necessary in order for the District to continue operating its system in accordance with its Bond Resolution. To be in accord with the District's Bond Resolution, the District must operate in a non-deficit position and this will require the following increases:

USER RATES

<u>MONTHLY RATE</u>	<u>PREVIOUS</u>	<u>PROPOSED</u>	<u>MINIMUM</u>
Potable Water	\$1.40/1,000	\$2.65/1,000	\$13.25/5,000 gal
Wastewater	\$1.80/1,000	\$2.00/1,000	\$10.00/5,000 gal
Irrigation	\$0.41/1,000	No Change	\$ 1.64/4,000 gal
Golf Course	\$0.08/1,000	\$0.12/1,000	NA

Mr. Moyer concluded his review by saying the remaining portion of the District's rate structure would continue unchanged - i.e. connection fees; meter use fees. At this time, he asked if the Board members had any questions. Mr. Scofield inquired as to how it was determined that the golf course irrigation rate would be at cost when the other rates included an "over-the-cost" figure. Mr. Moyer explained that when the District's system was originally constructed in 1979, the District entered into an agreement with Coral Ridge-Collier Properties in which they agreed to pay \$300,000 up front to the District's system. This amount of monies permitted the District to build the major transmission line from the wellfield to the utility site. The \$300,000 figure was determined by the District's engineers, Post, Buckley, Schuh & Jernigan, as being the golf course's pro-rata share of the cost of the transmission line and was based on the golf course's projected use of 400,000 gallons/raw water per day. Included in the agreement is the provision that the Developer will be charged only a "cost" figure for the golf course irrigation water which was estimated to be the previous rate of \$0.08/thousand but has been determined to actually be the proposed \$0.12/thousand. Mr. Scofield asked to be provided with a copy of the agreement between the District and CR-CP regarding the golf course irrigation rate.

At this time, President Scuderi asked if there were any questions from the public to which there was no response. Following the President's call for a motion, Mr. Brown moved, seconded by Mr. Scofield and carried 3-0,

with Ms. Moll and Mr. Turner absent, that the Public Hearing be closed.

Mr. Scofield moved, seconded by Mr. Brown and carried 3-0, with Ms. Moll and Mr. Turner absent, that the rates, fees and other charges as referenced previously, be adopted and the President and Secretary be authorized to execute the accompanying Resolution.

WATER AND WASTEWATER BUDGET FOR FY1983 - ADOPTED AS PRESENTED - PRESIDENT
AND SECRETARY AUTHORIZED TO EXECUTE ACCOMPANYING RESOLUTION

Legal notice having been published in the Naples Daily News on September 9, 13, and 21, 1982, as evidenced by the Affidavit of Publication presented for the record, public hearing was held to consider the proposed Water and Wastewater Budget for FY 1983. Mr. Moyer reviewed the proposed budget, pointing out this is the same preliminary budget that was presented to the Board at the August meeting as there had been no changes involved. Mr. Scofield asked if the figures shown in the budget took into consideration the proposed amendment to the agreement between Post, Buckley, Schuh & Jernigan and the District concerning an increase in engineering fees to which Mr. Moyer replied in the affirmative. Following this inquiring, President Scuderi asked for a motion to close the public hearing. Mr. Brown moved, seconded by Mr. Scofield and carried 3-0, with Ms. Moll and Mr. Turner absent, that the public hearing be closed.

At this time, Mr. Scofield moved, seconded by Mr. Brown and carried 3-0, with Ms. Moll and Mr. Turner absent, that the District's Water and Wastewater Budget for FY 1983 be approved as presented and the President and Secretary be authorized to execute the accompanying Resolution.

ADDENDUM TO AGREEMENT BETWEEN DISTRICT, DEVELOPER AND ENGINEER FOR PROFESSIONAL
SERVICES - APPROVED WITH CORRECTIONS

Mr. Moyer presented for the Board's consideration an Addendum to the

original Agreement between the District and Post, Buckley, Schuh & Jernigan to change the compensation limits of their general consultation for FY1983. It is proposed that for FY 1982-83, the quarterly amount payable from the Water/Sewer fund; the Water Management fund and the Street Lighting fund be \$5,300 for annual fee of \$21,200. He reminded the members that during the past year, the District negotiated a retainer contract with the Engineers to provide certain general engineering services on a daily basis. After a careful review of the time spent for FY 1981-82, it is proposed that the compensation limits be increased to the above-stated amounts. President Scuderi asked if the proposed increased compensation reflects an anticipated increase in construction in Pelican Bay. Both Mr. Biery and Mr. Eckert explained that there are two or three areas which will begin the necessary planning and construction - i.e. the remainder of Unit Four and all of Unit Five but additionally, the increased fee is due to the careful review of the time spent during the FY 1981-82 which proved to be more than was anticipated.

There were two changes requested by the Engineers on the third page of the document - titled "Attachment A - Compensation" - in Paragraph A - the third and fourth sentences from the top - should read "The quarterly payments for the " "Budget Year 1982-1983 shall be paid on or before the last day of" and under "Invoicing Procedure - second sentence - should read "Services on a quarterly basis for payment as outlined above. ----". Mr. Moyer stated he had reviewed and recommended such changes.

Mr. Scofield moved, seconded by Mr. Brown and carried 3-0, with Ms. Moll and Mr. Turner absent, that the Addendum to Agreement between District, Developer and Engineer for Professional Services be approved with the above-referenced corrections.

CONSTRUCTION FINANCING AGREEMENT FOR BRIDGE-WAY VILLAS - APPROVED AS PRESENTED
PRESIDENT AND SECRETARY AUTHORIZED TO SIGN SAME - BID AWARD GIVEN TO CADEN-
HEAD & SONS CONSTRUCTION CO., INC. IN THE AMOUNT OF \$86,541.84

Mr. Moyer presented for the Board's consideration the District's standard Construction Financing Agreement between Bridge-Way, Inc. and the District for the financing of the water distribution system and the sewerage collection system to service the project, Bridge-Way Villas. The project is located between Tierra Mar and Bay Villas and is being constructed by the same developer, Mr. George Rubinton. It will consist of sixty (60) units with a Group II identification. Mr. Moyer explained the District's standard procedure whereby the Developer advances the monies for the referenced construction with the understanding that such monies will be repaid, according to the schedule shown on page two of the Agreement, when the District's system has generated sufficient surplus. The time frame for the repayment and/or purchase by the District is hopefully within a ten (10) year period. President Scuderi asked if the District agreed to pay interest on all such construction financing agreements with developers and Mr. Moyer answered in the affirmative. Mr. Scofield asked if he should refrain from voting due to what might be termed "a conflict of interest" as he is building the bridge for the project but Attorney Bolesky answered he could see no "conflict in interest" for this particular phase of the project's construction.

Following discussion, Mr. Scofield moved, seconded by Mr. Brown and carried 2-1, with Ms. Moll and Mr. Turner absent and President Scuderi dissenting, that the Construction Financing Agreement between Bridge-Way, Inc. and the District be approved and the President and Secretary authorized to sign same.

Following the presentation of the bid tabulation and after reviewing the recommendation by the District's engineers that the low bidder, Cadenhead and Sons Construction Company, Inc., be awarded the bid for construction of

the utility service to Bridge-Way Villas, Mr. Scofield moved, seconded by Mr. Brown and carried 3-0, with Ms. Moll and Mr. Turner absent, that Cadenhead & Sons Construction Company, Inc. be awarded the bid in the amount of \$86,541.84.

RESOLUTION DESIGNATING A PROJECT ADMINISTRATOR AND PROJECT FINANCIAL OFFICER OF THE DISTRICT IN COMPLIANCE WITH THE STATE AQUATIC PLANT CONTROL FUNDING PROGRAM - ADOPTED - PRESIDENT AND SECRETARY AUTHORIZED TO SIGN SAME

The application, in the form of a Resolution and accompanying Budget which will allow the District to be partially funded in the area of aquatic plant control by the State's Aquatic Plant Control Funding Program, was presented to the Board by Mr. Moyer. He explained that the necessity of having a administrator and financial officer designated for this program is due to the great amount of paper work involved in reporting to the State Aquatic Plant Control Funding program but stated this paper work will permit the District to receive approximately 15% of the operating expenditures on the control of aquatic plants in the water management areas.

Following a brief discussion, Mr. Scofield moved, seconded by Mr. Brown and carried 3-0, with Ms. Moll and Mr. Turner absent, that the application for the District to receive partial funding from the State Aquatic Plant Control Funding Program be approved and the President and Secretary be authorized to sign same.

ENGINEERING DESIGN AGREEMENT FOR SEWER, POTABLE WATER AND IRRIGATION WATER SYSTEMS FOR UNIT FOUR, PARCEL "E", PELICAN BAY - APPROVED - PRESIDENT AND SECRETARY AUTHORIZED TO SIGN SAME

Following Mr. Moyer's presentation of the District's standard Engineering Design Agreement to prepare the engineering plans for the sewer, potable water and irrigation water systems as they relate to Unit Four, Parcel "E", Pelican Bay, Mr. Dave Caldwell identified the physical location of the proposed project. He stated the project is located on Ridgewood Drive

within the single family area and borderlines on US 41 and the extension of the current Unit One single family area. It will consist of sixteen (16) single family homes - all to be free-standing with a number of them to be placed in a cluster arrangement. All of the home sites will take advantage of existing water management lakes and areas and will share a common architectural theme as all construction will be done by the same builder. The future buyers of such homes will buy both the land and the house and will be part of the homeowners association which will eventually be formed to manage all the common areas involved. Mr. Caldwell concluded his remarks with the request from Coral Ridge-Collier Properties, the Developer, that the District's engineers, Post, Buckley, Schuh & Jernigan, proceed with the design of the water and sewer system to service these proposed homes.

Mr. Scofield moved, seconded by Mr. Brown and carried 3-0, with Ms. Moll and Mr. Turner absent, that the Engineering Design Agreement and the Engineering Proposal in the amount of \$8,000 be approved and the President and Secretary be authorized to sign the Agreement where indicated.

ENGINEERING DESIGN AGREEMENT FOR PELICAN BAY UNIT FIVE WATER DISTRIBUTION
AND SEWER COLLECTION SYSTEM - APPROVED - PRESIDENT AND SECRETARY AUTHORIZED
TO SIGN SAME

Following Mr. Moyer's presentation of the District's standard Engineering Design Agreement to prepare the engineering plans for the sewer, postable water and irrigation water systems as they relate to the proposed platted area, Pelican Bay Unit Five, Mr. Dave Caldwell identified the location of the subject area as being bounded by US 41 on the east, Gulf Park Drive on the south and the golf course on the west. It contains 54 acres m/1 and will be composed of Group II residential and neighborhood commercial zoning classifications. He stated that Coral Ridge-Collier Properties has a customer for a Group II villa project consisting of approximately 20 units and a buyer for a commercial venture. He asked that the District's

engineers, Post, Buckley, Schuh & Jernigan, proceed with the engineering plans for the sewer, potable water and irrigation water systems for the proposed platted area, Pelican Bay Unit Five.

Mr. Scofield moved, seconded by Mr. Brown and carried 3-0, with Ms. Moll and Mr. Turner absent, that the Engineering Design Agreement and Engineering Proposal in the amount of \$18,000 be approved and the President and Secretary be authorized to sign the Agreement where indicated.

SUPERVISORS REQUEST

It was the consensus of the Board that the members be contacted to determine what date will be satisfactory for the next regular meeting of the Board.

MANAGER'S REPORT

Mr. Moyer reported that the Collier County had approved a Resolution advertising the District's Referendum Election and he suggested that the residents in Pelican Bay be made aware of the particulars of the Referendum Election before they are called upon to vote on it. Mr. Moyer stated he would prepare a fact sheet covering the District's present duties; the District's origin and what the District is authorized to do which will be encompassed in the Referendum Election. Additionally, he suggested that such a news letter be followed up by a meeting with the Pelican Bay Homeowners Association in order to bring all concerned up to date with the activities of the District.

ENGINEER'S REPORT

Mr. Scofield moved, seconded by Mr. Brown and carried 3-0, with Ms. Moll and Mr. Turner absent, that the following Certificate of Payment be approved for payment:

Bridge-Way Utility Design No. 3	PBS&J	\$2,482.73
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Mr. Scofield asked Mr. Caldwell to review Coral Ridge-Collier Properties position concerning the construction of a parking area on the north end of property at Vanderbilt Beach road. Mr. Caldwell said according to Pelican Bay's PUD documents and the agreements the Developer has with Collier County, Coral Ridge-Collier Properties was obliged to give to Collier County, when the Northwest Fill Permits were received, a 5 acre piece of land located at the north end of the property. Additionally, the Developer was obliged to improve this land with a 120 parking spaces. The property itself, which has been deeded to Collier County, consists of 220 feet on the Gulf of Mexico and approximately 1,000 feet on Vanderbilt Beach road. The entire project should be turned over to Collier County during this year's season if the area's weather permits.

APPROVAL OF INVOICES

Mr. Scofield moved, seconded by Mr. Brown and carried 3-0, with Ms. Moll and Mr. Turner absent, that the following Water Management Invoices and Operating Summary together with the Water/Wastewater Invoices and Operating Summary be approved as presented:

WATER MANAGEMENT INVOICES
AUGUST 1982

BIA	\$277	
Coral Ridge-Collier Properties	135.41	Rent, utilities & postage
Tracy Bolesky	\$1,417.50	Legal services
Naples Federal	75.00	Meeting room rental
PBID W/S	346.85	ROW irrigation
FPL	1,290.61	
Tom's Tractor Service	1,760.00	W/M areas maintenance
UTS	62.71	
IBM	161.18	
Hoffman's	4.76	
Naples Daily News	17.50	
Lakes & Waterways	499.00	Aquatic Weed Control
Big Cypress	654.50	Monitoring
Richardson & Associates	8,167.42	Lawn Maintenance

PELICAN BAY IMPROVEMENT DISTRICT
 OPERATING SUMMARY
 WATER MANAGEMENT ACCOUNT

	BUDGET (PERIOD 8/01/82 THRU 8/31/82)	ACTUAL (PERIOD 8/01/82 THRU 8/31/82)	VARIANCE (PERIOD 8/01/82 THRU 8/31/82)	BUDGET (PERIOD 10/01/81 THRU 8/31/82)	ACTUAL (PERIOD 10/01/81 THRU 8/31/82)	VARIANCE (PERIOD 10/01/81 THRU 8/31/82)
MEETING EXPENSE:						
Supervisors Fees	\$ 500	\$ 500	-0-	\$5,500	\$5,500	-0-
Travel Expense	25	54	(29)	275	251	24
Legal Notice	12	17	(5)	133	129	4
PROFESSIONAL FEES:						
Engineering	541	541	-0-	5,951	5,951	-0-
Legal	500	1,417	(917)	6,000	5,307	693
Audit	-0-	-	-	2,250	2,250	-0-
Trustee	-0-	-	-	1,500	1,500	-0-
SYSTEM OPERATING EXPENSE						
Office	323	1,016	(693)	3,554	5,079	(1,525)
Payroll	4,363	3,298	1,065	49,045	33,376	15,669
PR taxes & benefits	1,137	239	898	11,970	4,666	7,304
Transportation	135	40	95	9,200	8,767	433
Swale Maintenance	2,083	4,297	(2,214)	22,914	19,711	3,203
Water Quality	666	655	11	7,328	4,216	3,112
Insurance	-0-	277	(277)	2,896	4,277	(1,381)
ROW Maintenance	13,387	8,167	5,220	147,260	85,594	61,666
Water Connex & Use	2,668	347	2,321	29,351	4,883	24,468
Contingencies	88	-0-	88	3,051	525	2,526
Renewal & Replcmt	500	-0-	500	5,500	-0-	5,500
TOTALS	\$26,928	\$20,865	\$6,063	\$313,678	\$191,982	121,696

PELICAN BAY IMPROVEMENT DISTRICT
 WATER - WASTEWATER
 OPERATING SUMMARY

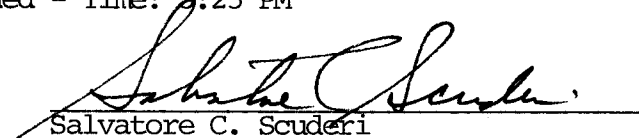
	BUDGET (PERIOD 8/01/82 THRU 8/31/82)	ACTUAL	VARIANCE	BUDGET (PERIOD 10/01/81 THRU 8/30/82)	ACTUAL	VARIANCE
REVENUE:						
Connection Fees	\$110,865	\$100,000	(\$10,865)	\$373,220	\$271,686	(\$101,534)
Meter Use Fees	18,070	-	(18,070)	74,030	35,554	(38,476)
Water & Sewer Revenue	9,669	7,299	(2,370)	89,806	73,340	(16,466)
Irrigation Revenue	3,305	5,137	1,832	32,757	64,902	32,145
TOTAL REVENUES:	\$141,909	\$112,436	(\$29,473)	\$569,813	\$445,482	(\$124,331)
OPERATING EXPENSES:						
Payroll	5,666	3,998	1,668	62,326	52,080	10,246
P/R taxes & benefits	1,414	413	1,001	15,559	8,017	7,542
Engineering	875	5,983	(5,018)	9,625	24,679	(15,054)
Legal	500	-	500	5,500	2,506	2,994
Audit	-	-	-	2,250	2,250	-
Office & Billing	912	868	44	9,326	6,575	2,751
Insurance	300	277	23	5,896	6,082	(186)
Trustee	-	-	-	2,000	2,000	-
Electric	5,498	6,807	(1,309)	57,551	60,749	(3,198)
Chemical	3,494	1,798	1,696	33,011	12,087	20,924
Transportation	257	192	65	9,632	8,654	978
Water Quality	417	502	(85)	4,582	4,887	(305)
Repairs & Maintenance	1,638	2,566	(928)	18,018	18,438	(420)
Contingencies	74	-	74	3,572	2,760	812
CAPITOL:						
Meters	16,938	653	16,285	49,654	17,742	31,912
Wellfield Purchase	-	-	-	16,367	16,367	-
TOTAL EXPENDITURES:	\$ 37,983	\$ 23,967	\$14,016	\$304,869	\$245,873	\$ 58,996

WATER - SEWER INVOICES
August 1982

National Linen	\$ 90.02	
United Telephone Service	255.38	
Coral Ridge-Collier Properties	135.21	Rent/Utilities/Postage
BIA	277.00	Commercial policy
Florida Power & Light	6,806.56	
Qualicom	29.50	Beeper service
Missimer Associates	330.00	
J.N. Environmental	120.00	
Coral Springs Improvement Dist.	469.30	Computer billing
PB&J Chemical	1,025.45	
Ryder Truck	772.75	Chemical Shipment
Phillips Petroleum	162.45	
Gridley Environmental Service	52.00	Water tests
Ryder Truck	232.25	Pump shipping
Davis Meter	34.00	Meter repair parts
Gould Pump	1,880.39	Repair high service pump
SW Electric Supply	11.90	
Sears	226.21	
Gold Coast Chemical	91.28	
Ray Brothers	70.77	
H & L Sales	20.08	
Davis Meter	653.56	

ADJOURNMENT

There being no further business to come before the Board, Mr. Brown moved, seconded by Mr. Scofield and carried 3-0, with Ms. Moll and Mr. Turner absent, that the meeting be adjourned - Time: 5:25 PM



Salvatore C. Scuderi
PRESIDENT
PELICAN BAY IMPROVEMENT DISTRICT