

Naples, Florida

June 17, 1987

LET IT BE KNOWN, that the Pelican Bay Improvement District met on this date in Regular Session at 4:00 P.M., in the Naples Federal Savings & Loan Building, Fifth Floor, 5801 Pelican Bay Boulevard, Naples, Florida, with the following members present:

PRESIDENT:	Miles Scofield
SECRETARY:	Sue E. MacAlister
TREASURER:	Sylvia A. Moll Ramer B. Holtan James D. Hake

ALSO PRESENT: Mr. Gary L. Moyer, District Manager; Mr. James P. Ward, Assistant District Manager; Mr. Steve Means of Wilson, Miller, Barton, Soll & Peek; Mr. Harmon Turner, Consultant to the Board; Mr. John Petty of the Pelican Bay Improvement District; Messrs. Byron Koste, Lou Hoegsted, Ben Briggs and Charles Penn of Westinghouse Communities of Naples, Inc.; Mr. Tony Pires of Woodward & Woodward; Mr. Jack Leeman of Parker-Naples, Inc.; Mr. Gary Gallagher of DSA Group; Mr. James Dunwiddie, Representative of the Pelican Bay Property Owner's Association and Jean Smith, Assistant Secretary.

AGENDA

1. Roll Call.
2. Approval of Minutes of the Meeting held May 20, 1987.
3. Consideration of Fiscal Year 1988 Water Management Budget.

AGENDA (CONT.)

4. Request by Westinghouse Communities of Naples, Inc. to address the Board.
  - A) Northwest Fill Development Program
  - B) Proposed PGA Tournament
5. Consideration of Engineering Proposal with Wilson, Miller, Barton, Soll & Peek for design and construction inspection services to convert existing .5 MGD Irrigation Storage Tank to Potable Water Storage Tank.
6. Consideration of Water Management Easement Modification for Willowbrook.
7. Consideration of Grant of Easement - Glencove - Street Lighting Conduit and Wiring.
8. Award of Bid for Landscaping Improvements.
9. Consideration of Maintenance Agreement for On-Site Water Distribution Facilities in Chanteclair.
10. Consideration of Loan Renewal Documents
  - A) NCNB - Oakmont Phase I Line Distribution System
  - B) Barnett Bank - R.O. Plant Expansion Note.
11. Discussion on Attorney's Services.
12. Engineer's Report
  - A) Update on the Wastewater Treatment Plant Construction
  - B) Review & Recommendations on Hydrogen Sulfide Odor.
13. Manager's Report.
14. Confirmation of Invoices and Requisitions.
15. Supervisor's Requests.
16. Adjournment.

ROLL CALL

Mr. Scofield called the meeting to order at 4:00 P.M. and asked the record show all members present.

MINUTES OF MEETING OF MAY 20, 1987 - APPROVED AS CORRECTED

Mr. Holtan moved, seconded by Mr. Hake and approved unanimously, the Minutes of May 20, 1987, subject to the following corrections:

Page 2123 - In the second paragraph of the page the sentence which read, "Mr. Holtan disagreed that the letter should be written to the Iveys," be amended to "Mr. Holtan stated that in his opinion the letter should not be written to the Iveys."

CONSIDERATION OF FISCAL YEAR 1988 WATER MANAGEMENT BUDGET

Mr. Moyer stated that a copy of the proposed Budget had been included in the Agenda Package for the Board's review and consideration.

He explained that it was necessary at this meeting for the Board to either approve the Budget in the form presented or with modifications and subsequently the July Meeting would be a Public Hearing to receive Public input on the proposed Water Management Budget. He stated that it was a procedural requirement that the Board approve the Budget prior to the advertisement for Public Hearing.

Mr. Moyer advised that the net increase in the Fiscal Year 1988 Water Management Budget in comparison to the 1987 Budget was approximately 3% and the majority of the increase was due to increased payroll and lake maintenance costs. He stated that there was a large reduction in the Fiscal Year 1988 Budget compared to last year's Budget in water connections, which decreased by approximately \$51,000. In summary, he stated that the Fiscal Year 1988 Budget increased from \$564,000 in 1987 to \$613,256, an increase of \$48,606.

Mr. Hake questioned the amount of anticipated interest income as outlined on Page 3 of the proposed Budget. Mr. Moyer explained that during Budget preparation staff tries to be as conservative and realistic as possible and the figure of 5.5% interest was, in his opinion, a realistic number. Mr. Hake also asked why no provision had been made for the "fish program" in the Lake Maintenance portion of the 1988 Budget. Mr. Moyer explained that the costs for the Japanese Koi and Water Hyacinths were part of the Fiscal Year 1987 Budget and since this was a test program no provisions were necessary for Fiscal Year 1988.

Mr. Hake asked Mr. Moyer whether any provisions had been made in the Insurance portion of the proposed Budget for "Supervisors Insurance."

Mr. Ward advised the Board that they currently had Directors and Officers Liability Insurance in effect and the cost for this premium had been included in the Fiscal Year 1988 Budget. Mr. Ward explained that the policy was a \$1,000,000 policy, with a \$25,000 retention loss and stated that it contained certain exclusion provisions; among them Pollution Liability and prior act exclusions. Mr. Holtan commented that the Pollution Liability Exclusion excluded the one item that was likely to cause the Board the most trouble. Mr. Holtan asked whether the Ivey litigation would be covered under the existing policy. Mr. Ward replied that this litigation would not be covered under the current policy. Mr. Ward commented that he had been trying to obtain Pollution Liability Insurance, however, the insurance market during the last year had been extremely tight. He stated that he was currently waiting for some maps from Wilson, Miller, Barton, Soll & Peek and when he obtained these maps he would submit the application for Pollution Liability Insurance.

Mr. Moyer commented that he was very surprised that the District's Insurance Agent, Mr. Tom Benson, had a carrier for Pollution Control as several Insurance Agents he had been dealing with in his other Districts had been unable to obtain this coverage.

Mr. Scofield asked whether the Board had any comfort that the District would stand between them and any personal lawsuit. Mr. Moyer explained that several years ago all suits would have been brought against the District and nothing brought against the Supervisors personally unless it involved an act outside of their responsibilities as a Supervisor. However, he stated that many of the Civil Rights Litigation suits were

being instituted against Public Officials personally. He advised that as a policy of the Board, it was within their jurisdiction to adopt a policy whereby if a suit was brought against any individual Board member, the District would defend them and pay for their defense.

Mr. Moyer explained that the insurance market has just recently started to open up and that six months ago the District was unable to obtain Directors and Officers Liability Insurance.

Mr. Holtan commented that Mr. Ward had promised to write a letter to the Board advising them exactly where they stood on the matter of insurance coverage and to date he had not seen a letter. Mr. Moyer suggested that the letter should come from the District's Attorney as he was more qualified to advise the Board of their liability exposure and further suggested that when the Board determined who their Attorney would be, this could be an initial project for him to perform. Mr. Moyer also commented that since this was a very complex issue a letter from Mr. Ward outlining the Board's exposure to potential litigation "would not be worth the paper it was written on."

Mr. Scofield asked whether anyone knew how the City of Naples or the Collier County Commissioners handled this matter. Mr. Ward commented that he did not know how the City or the County handled the matter of insurance coverage.

Ms. Moll commented that the liability limits of \$1,000,000 seemed low and asked what the premium would be for pollution coverage. Mr. Ward replied that he had not received any premium quotes for pollution coverage and that the

insurance figures in the Water Management Budget excluded this premium as it would appear in the Fiscal Year 1988 Water & Sewer Budget.

Mr. Scofield suggested that after the Board resolved the matter of Attorney selection, the insurance issue should be the first matter of priority. He also asked Mr. Ward to find out what the County Commissioners and City Officials carried as far as liability insurance and also suggested that the Board act immediately on the policy of the District defending individual Board members.

Ms. MacAlister suggested that staff would have to advise them whether such a Resolution could be enacted. Mr. Moyer advised that the District could be responsible for the Board's defense in a suit, however, a judgement might be a different matter.

Mr. Scofield asked whether this issue was currently part of the District's By-laws. Mr. Moyer replied that previous Boards had never addressed this issue, however, there was nothing in the District's enabling legislation that addressed this issue with the exception that the District currently benefits from the Sovereign Immunity Provisions of the State of Florida, which is limited to \$100,000 per individual, \$300,000 per occurrence. He stated that several agencies are now looking at self insurance under the Sovereign Immunity Provisions of the State of Florida.

In summary, he advised that the matter of insurance coverage was a very complex area and he would prefer the District's Attorney research this issue for the Board.

Mr. Holtan asked whether the District had an Insurance Consultant who periodically reviewed the District's coverage. Mr. Moyer

replied that the District did not have an Insurance Consultant, however, they did have a very good insurance agent, Mr. Tom Benson, who has handled the District's account for the past several years.

Mr. Scofield commented that Mr. Benson was very knowledgeable in the insurance field and was probably the best Insurance Agent in town. Mr. Hake suggested that rather than hand this issue over to an Attorney, that Mr. Benson attend the next meeting to explain to the Board what coverages the District currently has and what they don't have that they should have.

Mr. Moyer advised the Board that he would contact Mr. Benson and invite him to attend the next meeting to discuss the matter of insurance and the Board's liability.

Ms. MacAlister suggested that Mr. Ward send a letter to the Board which presented an overview of the existing insurance coverage so they could review these coverages prior to the next meeting. Mr. Ward replied that he would forward this information to the Board.

It was the consensus of the Board that the decision on an Insurance Consultant be deferred until after the insurance presentation by Mr. Benson of Crump/BIA Insurance Agency, Inc.

At this time, Mr. Hake moved, seconded by Mr. Holtan and approved unanimously the Resolution approving the Fiscal Year 1988 Water Management Budget and setting the Public Hearing for July 15, 1987.

REQUEST BY WESTINGHOUSE COMMUNITIES OF NAPLES, INC. TO ADDRESS THE BOARD

Northwest Fill Development Program

Mr. Moyer asked Mr. Byron Koste of Westinghouse Communities of Naples to outline the Company's current activities regarding development

in the Northwest Fill Area of Pelican Bay. Mr. Koste used a location map to describe the area more commonly called the Northwest Fill Area. He stated that the Company had not yet named the parcel, however, it would most likely be called either "Bay Colony" or "Pelican Key". He advised that WCN desired to create a "community within a community" on this parcel of land and stated that this would be an area of focus for 1988 and another phase in the development of Pelican Bay. The purpose of his address on this matter was WCN's desire to keep the Board informed on their development activities. He advised that this development would be a private community which gave the appearance of an enclave. The parcel is approximately one mile long and approximately 400-500' in depth and included the last fill permit that Pelican Bay would receive. WCN was given access to three dune washover systems that were uplands area; i.e., they had no environmental sensitivity and were developable without any special permits. He commented that the permitting agencies have allowed WCN to construct a 30' road that will run along the eastern boundary of the parcel so that the three pods could be connected. He advised that the Company is still in the planning stages regarding the type of units that would be built and suggested that this area would require water and sewer service in the near future and he hoped that WCN and the Board could work together to bring service to this area.

Mr. Scofield asked Mr. Koste what specifically would be built on this parcel. Mr. Koste responded by saying that specifically no decision had been made as WCN was still in the process of determining the best way to develop the parcel. He stated that the parcel could accept any housing

type that was found in Pelican Bay, including high rises, however, the depth of the parcel would be the limiting constraint.

Mr. Scofield asked Mr. Koste the zoning of the parcel. Mr. Koste replied that it was zoned the same as everything west of Pelican Bay Boulevard, i.e., Group IV zoning which included buildings up to 200' in height, as long as parking and setbacks were adhered to.

Mr. Ward advised the Board that lines to this area were in the Water and Sewer Master Plan for Pelican Bay and the lines currently in place to the Ritz-Carlton were sized to handle the development of the Northwest Fill Area.

Mr. Koste concluded by stating that WCN considered this parcel as a very valuable piece of property and the new development would be a welcome addition to Pelican Bay.

Mr. Holtan commented that an enormous amount of material would have to be transported to this area and asked Mr. Koste what routes would be used to deliver materials to the site. Mr. Koste replied that currently there were only two alternatives: one through the Ritz area and the second along Pelican Bay Boulevard/Pelican Beach Drive. He advised that in the future there would be a connection to Vanderbilt Beach Drive, however, at this time, he was unable to specifically tell the Board where this would be located. He assured the Board that WCN would endeavor to build a temporary access road to try and circumvent the use of the existing roads in Pelican Bay.

Proposed PGA Tournament

Mr. Koste introduced Mr. Ben Briggs of WCN who addressed the issue of the proposed PGA Senior Tournament at the Club of Pelican Bay.

Mr. Briggs advised the Board that the Tournament was scheduled for the last weekend in February. He stated that WCN had met with representatives of the Club At Pelican Bay, the Homeowner's Association, the Men's Golf Committee and the Women's Golf Committee and had received very positive responses. He stated that if an Agreement was reached it would be a two year commitment with an option for a third year. He commented that it would be a week long event, the first two days being practice days, Wednesday and Thursday being the Pro-Am Event and Friday, Saturday and Sunday being the professional event. He stated that a majority of the revenue from the tournament would go to charity. He advised that at this point there were still a lot of unknowns, however, representatives from the PGA would be on-site from now until the week of the tournament trying to work out all of the details. He commented that he thought the tournament would be good for the Naples area and the Pelican Bay Community. He added that he had been working with District staff and had been keeping them advised of the various problems as they arose. He commented that the tournament would be televised by ESPN and sponsored by Aetna Life Insurance Company and ESPN would need a place to situate their trailers and at this point in time it looked like the the area immediately to the left as you entered the Utility Site was the best place for the trailers. He mentioned other areas of involvement by the District, i.e., the water levels in the lakes, the cattails along the lake edges, etc.

Mr. Scofield asked Mr. Ward whether he had any problem with the use of the Utility Site. Mr. Ward replied that at this time he didn't foresee any problem with ESPN using this site.

Mr. Hake stated that he had no objections as long as it didn't cost the District any money and the District received a firm commitment from WCN in this regard. Mr. Koste commented that the only thing WCN could ask the Board to do were the things that were the District's normal obligations and WCN would guarantee the Board that they would not ask the District to do something that they were not obligated to perform. He stated that it was WCN's desire that staff coordinate cleaning up of the water management areas on the Golf Course to coincide with the Tournament. Mr. Hake suggested that the Board would cooperate as long as District staff was not directed by Tournament Officials to perform duties outside their normal scope of services. Mr. Ward commented that he has always taken the position that the District perform services for which the District was intended through its maintenance program and that were in line with the Budget and he would not take requests from outside parties to perform services outside the normal scope of District services.

At this time the Board gave their conceptual approval of the Tournament.

CONSIDERATION OF ENGINEERING PROPOSAL WITH WILSON, MILLER, BARTON, SOLL & PEEK FOR DESIGN AND CONSTRUCTION INSPECTION SERVICES TO CONVERT THE EXISTING .5 MGD IRRIGATION STORAGE TANK TO POTABLE WATER STORAGE TANK

Mr. Moyer advised the Board that as part of the facility expansion, it would be necessary to convert the existing irrigation storage tank to a potable storage tank. He stated that a Proposal in an amount not

to exceed \$8,000 had been submitted by Wilson, Miller, Barton, Soll & Peek, Inc. for engineering design and construction services for this project. He advised that the scope of services included preparation of the plans and specifications, the FDER Potable Water Construction Permit, the bidding and contract award process and the construction inspection and certification, within a time frame of sixty (60) working days.

Mr. Scofield asked Mr. Means what would have to be done to convert the irrigation storage tank to a potable water storage tank. Mr. Means explained that the tank would have to be drained and inspected, pressure cleaned and repainted. He also stated that there would be some yard piping changes and the tray aerators would have to be removed.

Mr. Scofield asked Mr. Means whether he had the Engineer's Estimate available outlining the cost of the Irrigation Tank Conversion. Mr. Means advised that WMBS&P had not yet prepared the estimate, however, this figure would be available after preparation of the bid specifications.

Mr. Hake asked Mr. Means why it would take sixty (60) days to complete this work and stated that he could not conceive it would take that long to perform the work. He also stated that he was concerned whether the work would be completed before the peak season. Mr. Means stated that it was WMBS&P's intention to expedite the design as quickly as possible, however, certain matters were beyond their control, i.e., issuance of the construction permit, etc. Mr. Moyer advised that the bidding process could be accomplished during the permitting process. Mr. Means advised that WMBS&P could most likely complete the project in forty five days, however, he did not wish to mislead the Board with a commitment that may not be met.

He advised Mr. Hake that they would do their best to complete the project before the sixty day deadline.

Mr. Dunwiddie suggested that an \$8,000 engineering fee was a little out of line for a project that he thought would cost approximately \$30,000. Mr. Scofield suggested that the sum of \$8,000 was a "not to exceed" figure and not a fixed fee.

Following further discussion, Ms. Moll moved, seconded by Ms. MacAlister and approved unanimously the Proposal from Wilson, Miller, Barton, Soll & Peek, in the amount "not to exceed" \$8,000, for design, permitting and construction inspection services to convert the existing .5 MGD Irrigation Storage Tank to a Potable Water Storage Tank.

CONSIDERATION OF WATER MANAGEMENT EASEMENT MODIFICATION FOR WILLOWBROOK

Mr. Moyer explained that the Willowbrook project was located on Greentree Drive, between Sand Pointe and Villa Lantana and in order to accommodate revisions to the Willowbrook Site Plan, it would be necessary for the District to vacate the existing Water Management Easement and for the Developer to grant a revised easement for the District's facilities.

Mr. Moyer advised that the proposed revisions had been reviewed by the District's Engineer who found them to be acceptable.

Mr. Gary Gallager, a representative from Links & Associates Engineers of Tampa and Parker-Naples, Inc., the Developer of Willowbrook, explained that this request involved expanding the existing Lake II, System III by .6 acres. He further advised that the area at top-of-bank would increase by .35 acres, at water level by .26 acres and the storm water capacity would increase by .58 acre/ft. In response to Mr. Holtan's

concerns over increased maintenance costs as a result of acceptance of this easement, Mr. Gallagher suggested that the Willowbrook Condominium Association would have a great interest in the upkeep of the banks and suggested that the cost to the District for maintenance should not substantially increase over the present costs to maintain the lake.

At this time, Ms. Moll moved, seconded by Ms. MacAlister and approved unanimously, that the vacation of the existing Water Management Easement for the Willowbrook parcel be approved and the revised Grant of Water Management Easement from Parker-Naples Two, Inc. for the Willowbrook parcel be accepted.

CONSIDERATION OF GRANT OF EASEMENT - GLENCOVE - STREET LIGHTING CONDUIT AND WIRING

Mr. Moyer explained that this proposed Grant of Easement was requested by the District. He stated that in order to complete the installation of the current Street Lighting System, the power to the street lights in Glenview Place would come from a Florida Power & Light Co. transformer installed within the Glencove property boundary and this grant would allow the District to utilize this transformer to supply power to the street lighting system.

Via a location map, Mr. Ward outlined the area under consideration. In response to a question by Mr. Hake, Mr. Ward explained that the transformer was owned by Florida Power & Light Co.

At this time, Mr. Holtan moved, seconded by Mr. Hake and approved unanimously, acceptance of the Grant of Easement from Parker Naples, Inc. for the Street Lighting Easement in Glencove.

AWARD OF BID FOR LANDSCAPING IMPROVEMENTS

Mr. Moyer explained that at the last meeting, the Board had authorized District staff to accept bids for landscaping improvements to the rights-of-way in Pelican Bay. He advised that two bids had been received for this work, one from Sunnygrove Nursery in the amount of \$15,448.00 and one from Jacaranda Landscaping in the amount of \$11,322.50.

Mr. Scofield commented that he could not understand the difference in the unit prices received from Sunnygrove and Jacaranda for the 20 Silver Buttonwoods and the 20 White Oleanders. Mr. Ward advised that he had asked Sunnygrove and their response was that they had "loaded" all of their administrative and additional costs into the unit prices for these two items instead of spreading them out among all of the items.

Mr. Hake commented that at the last meeting he had suggested that the District authorize Jacaranda to perform this work and forego the competitive bidding process and had been told that Jacaranda did not wish to perform the work because they did not have adequate personnel. Mr. Ward replied that he had originally been told by Jacaranda that they did not wish to perform this work, however, after the last meeting Jacaranda had asked whether they could bid the work as they had hired additional personnel and found a plant supplier.

Ms. Moll asked the purpose of such a detailed breakdown in the unit prices. Mr. Ward replied that the purpose of the breakdown was so the District could adjust quantities in the field and pay for only the plants that are necessary for the program.

At this time, Mr. Hake moved, seconded by Ms. Moll and approved unanimously award of bid for landscaping improvements to the rights-of-way in Pelican Bay to Jacaranda Landscaping, in the amount of \$11,322.50.

CONSIDERATION OF MAINTENANCE AGREEMENT FOR ON-SITE WATER DISTRIBUTION FACILITIES IN CHANTECLAIR

Mr. Moyer advised the Board that District staff had received a request from the Developers of Chanteclair to provide individual meters to each of the sixteen buildings within the Chanteclair project. Mr. Moyer explained that the proposed Maintenance Agreement included in the Agenda Package was in the same form as had previously been presented for the Lugano project.

Mr. Hake asked Mr. Moyer to explain why the District should get involved in individually metering separate buildings within a project. Mr. Moyer explained that this matter was a policy issue regarding who was better qualified to provide such services and he stated that his concern had always been that the District was in the business of providing service to the community and it was a matter for the Board to decide what level of service the District should provide to the residents of Pelican Bay. He explained that the Condominium Associations do not want to be in the business of running on-site water distribution and wastewater collection systems and they do not have the expertise, thus look to the District to provide this service. This, he explained was the reason for the Maintenance Agreements, whereby, via the Agreements, the Homeowners Associations agree to reimburse the District for all costs incurred in the maintenance and repair of the meters.

Mr. Hake suggested that through these agreements the District was taking away business from the plumbers in the area and also incurring additional payroll expenses for maintaining the added meters. He also commented that if the Board kept approving these agreements, additional field personnel would become necessary. Mr. Scofield suggested that the Maintenance Agreements provide reimbursement for all costs incurred in the maintenance of the meters.

Mr. Hake suggested that on Page 3 of 4, Paragraph D, of the Agreement the last sentence in Paragraph D be amended to read, "Invoices not paid within 30 days by the Homeowners Association shall bear interest at the legal rate established under Florida law and any subsequent amendments thereto". Mr. Moyer advised that this sentence would be amended.

At this time, Ms. MacAlister moved, seconded by Ms. Moll, with Mr. Holtan and Mr. Hake voting nay, and approved, the Maintenance Agreement for on-site water distribution facilities in Chantclair, as amended.

#### CONSIDERATION OF LOAN RENEWAL DOCUMENTS

##### NCNB - Oakmont Phase I Line Distribution System

Mr. Moyer presented, for the Board's consideration, renewal documents for the Oakmont Phase I Line Distribution System Note with NCNB. He explained that the original Note was dated June 18, 1986, in the principal amount of \$230,000, and carried an interest rate of 6.14% through December 31, 1987 and 6.76% beginning January 1, 1988. He explained that the Note was renewable annually upon the principal payment of \$28,750 and

the funds were available for the renewal of this Note, having been budgeted in the Fiscal Year 1987 Water & Sewer Budget. Mr. Moyer recommended renewal of the Note.

At this time, Ms. MacAlister moved, seconded by Ms. Moll, and approved unanimously renewal of the Note for the Oakmont Phase I Line Distribution System with NCNB.

Barnett Bank - R.O. Plant Expansion Note

Mr. Moyer presented, for the Board's consideration, renewal documents from Barnett Bank for the R.O. Plant Expansion Note. He explained that the original Note was dated June 5, 1985, in the principal amount of \$250,000, and carried a fixed interest rate of 8.75%. He explained that the Note was renewable annually upon the principal payment of \$50,000 and the funds were available for the renewal of this Note, having been budgeted in the Fiscal Year 1987 Water & Sewer Budget. Mr. Moyer recommended the renewal of the Note.

Mr. Dunwiddie suggested that this note be paid off in its entirety and a new note be taken out at a lower interest rate. Mr. Hake suggested that District staff contact Barnett Bank to try and negotiate a lower interest rate. Mr. Moyer replied that staff would do this but Barnett Bank might lower the rate but at a floating interest rather than a fixed rate. He commented that this might be smart in the short term, however, in the long term the District might end up paying a higher rate than the current 8.75%.

Following further discussion, Mr. Hake moved, seconded by Ms. Moll, with Mr. Scofield abstaining due to conflict of interest, and

approved, that District staff be authorized to try and renegotiate a lower interest rate for the note, however, if staff was unable to negotiate better terms, the R.O. Plant Expansion Note with Barnett Bank be approved at a fixed interest rate of 8.75%.

DISCUSSION ON ATTORNEY'S SERVICES

Mr. Moyer stated that since the last meeting, District staff had contacted various Legal firms in the area to solicit proposals for consulting legal services and, to date, proposals had been received from the following firms: Cummings & Lockwood; Hardt & Stewart; Quarles & Brady; Vega, Brown, Nichols, Stanley & Martin; and Woodward & Woodward. He stated that these proposals had been sent to the Board under separate cover.

Ms. Moll commented that since she had been unable to attend the last meeting, she asked whether it had definitely been decided to replace Mr. Bolesky as the District's Attorney. She wanted to know why Mr. Bolesky had not presented a proposal and whether he had been asked to submit a proposal. She asked why certain members of the Board were unhappy with Mr. Bolesky and commented that as far as she was concerned Mr. Bolesky had never given the Board a bad legal decision. Mr. Moyer explained that at the last meeting staff had been requested to solicit proposals from other Attorneys and he did not think Mr. Bolesky would have interpreted this to mean that he would have to submit a proposal since the Board was already aware of his capabilities.

Mr. Holtan stated that he did not have any confidence in Mr. Bolesky's opinions; that there were many times when he was supposed to have

gotten something ready for a meeting and he had not been prepared. He further commented that generally he was not pleased with the way Mr. Bolesky worked. He advised that he had requested Mr. Bolesky to present itemized bills which had never presented in the past. He further stated that he felt the Board was ready for a new Attorney, that Mr. Bolesky had been the Attorney for the District so long that he was in "a rut" and was not providing the Board with the service they needed.

Mr. Hake commented that a year ago when he had suggested that the Statutes the District were working under contained various items of notification to the County as well as advertisements in the newspaper, etc., he was more or less laughed at by Mr. Bolesky. He stated that things were now being done in accordance with the Statutes and if Mr. Bolesky had been "on his toes" in serving the Board the way he should have, the District would not have an insurance problem and be without the proper protection they needed. He commented that this was the sort of thing for which the Board should be able to rely on their Attorney. He concluded his comments by stating he was in agreement with Mr. Holtan's opinions.

Ms. Moll commented that she was only aware of one instance where the proper notifications had not been made and she thought this was an error on the part of staff rather than Mr. Bolesky. Ms. MacAlister stated that she did not think it was fair to blame Mr. Bolesky for the insurance problem as it was the responsibility of the Board and suggested that the Board was negligent for not having previously looked into this matter. Ms. Moll stated that she wanted to bring to the Board's attention that the former President of the Board was an Attorney and the matter of

Supervisor's insurance never came to the Board's attention because they hadn't had the "nit picking" problems arise which indicated there would be any need for this type of insurance. Ms. MacAlister suggested that the insurance issue was a problem in any industry today and the market was just beginning to open up. She advised that there were many exclusions in these policies and if the Board desired to have these exclusions covered, it would be extremely costly. She agreed, however, that the Board should look into the insurance matter.

Ms. MacAlister suggested that a Workshop Meeting be held to discuss the issue of new legal counsel in greater depth. Mr. Holtan asked Ms. MacAlister the purpose of the Workshop Meeting. Ms. MacAlister replied that the meeting would be to obtain each Supervisor's opinion on this issue and to discuss the qualifications of the Attorneys who had submitted proposals. She said she didn't see any need to have the Attorney's who submitted proposals present at the meeting. Mr. Hake agreed that further discussion on this issue would be healthy.

At this time, Ms. MacAlister moved, seconded by Ms. Moll and unanimously approved that a decision regarding the appointment of legal counsel be deferred and the Board hold a Workshop Meeting at a date to be determined to discuss this item in greater detail.

Mr. Moyer advised that Ms. Smith would poll the Board in the next few days to arrange an appropriate date for the Workshop and suggested that the meeting be held sometime within the next ten days.

Mr. Hake asked Mr. Moyer why Mr. Bolesky was not in attendance at the meeting. Mr. Ward told the Board that he had recently talked to Mr.

Bolesky and he had apologized for not being able to attend the meeting, but advised Mr. Ward that he had a prior conflict.

ENGINEER'S REPORT

Update On The Wastewater Treatment Plant Construction

Mr. Steven Means of Wilson, Miller, Barton, Soll & Peek showed the Board updated aerial photographs of the Wastewater Treatment Plant.

Mr. Scofield commented that he did not see much progress on construction of the oxidation ditch when compared to last months photographs. Mr. Means replied that work was progressing rather slowly on the oxidation ditch. Mr. Petty advised that the forms for the ditch had to cure fourteen days before any work could be done and instead of proceeding with the construction of the oxidation ditch Metro had been working on completion of the storage tank.

Mr. Moyer advised the Board that Mr. Ward had held discussions with Metro Construction during the past week regarding paying the Contractor for material on site. He told the Board that Metro Construction had suggested that if the District would waive the thirty day payment as outlined in the specifications and pay them for materials stored on site, they felt they could move the substantial completion date forward thirty days. Mr. Ward advised the Board that the Contract documents did not contain any Beneficial Use Date but simply stated that all the work was scheduled to be completed on December 9, 1987. He stated that Metro Construction has verbally agreed to a Beneficial Use Date of November 9, 1987 subject to payment for materials on site. Mr. Ward further advised that a Change Order would appear in the next Agenda Package documenting

Metro's commitment.

Review And Recommendation On Hydrogen Sulfide Odor

Mr. Means discussed WMBS&P's review of the merits of the degasifier/scrubber system which had been designed as part of the Phase II Utility Site Expansion and the alternative system which would utilize chlorine to remove (oxidize) odor causing chemicals. He stated that the chlorine oxidation method was as much as 100% effective depending on how much chlorine was injected into the system. He commented that the degasifier/scrubber system was generally 80% effective in removing hydrogen sulfide and the remaining 20% would be removed by the chlorine that would be in the system. He explained that the chlorine oxidation system would be run from the new chlorine building and injected into the 12" raw water pipeline that is directed into the new 2.5 MG irrigation tank, whereas, the degasifier/scrubber was to be located up against the 2.5 MG irrigation tank, thus the water that would come out of the degasifier/scrubber would be directed into the tank.

Mr. Hake asked whether the District would incur heavy continuing costs for chlorine which would not be incurred with the degasifier/scrubber system should the chlorine oxidation method be instituted. Mr. Means replied that operation and maintenance costs would be approximately the same under both systems.

In response to a question by Mr. Scofield, Mr. Means advised that WMBS&P's recommendation was to proceed with a chlorine oxidation system and install the temporary chlorination equipment on the newly constructed irrigation storage system, thus, approximately \$4,000 of the cost of the

equipment could be utilized when the permanent system was installed.

Mr. Scofield commented that he had been to the plant approximately four times since the last meeting and had observed very little odor. He also told the Board that he had visited the County Plant on I-75 and S.R. 951 about a month ago and found the odor at this plant ten times greater than the odor at the District's site. He also visited the County Plant this past weekend and found no odor. He suggested that instead of spending an additional \$3,000 for a temporary solution, to proceed with construction as planned. Mr. Ward advised that in his discussions with Metro Construction, Metro indicated they would be willing to install the necessary equipment for the chlorine system on a temporary basis at no additional cost to the District, i.e., deliver and install the equipment immediately, and then convert it to the permanent system as planned for no additional fee. However, as a trade-off for this work Metro Equipment asked that the District waive liquidated damages on the storage tank if this portion of the Contract was not completed within the specified time period. Mr. Moyer advised that since liquidated damages are very difficult to enforce in Court if they exceed actual damages, this trade-off seemed like a good compromise.

Mr. Hake suggested that Metro Construction be informed that what the District was really looking for was completion by the Beneficial Use Date and if they completed the project by this date, the District would most likely overlook the scheduled completion date for individual items within the construction schedule.

Mr. Dunwiddie was concerned that if the Board went ahead with the

chlorine system the storage tank would need to be inspected and cleaned annually if there was settled sulfur and asked whether it would put the District out of business if the tank had to be cleaned and drained. Mr. Means replied that the tank could be cleaned chemically rather than having to drain it for cleaning.

At this time, Mr. Hake moved, seconded by Mr. Holtan and approved unanimously, that the District proceed with the chlorine system for raw water and the degasifier/scrubber system be omitted from further consideration.

MANAGER'S REPORT

Mr. Moyer presented a brief update on the Rate Study Committee Meeting. He advised the Board that the Committee had held several meetings and in his opinion they had all been productive and fruitful meetings. He stated that at this time, the Rate Study Committee had completed its work and had given all of their input to Coopers & Lybrand to make the appropriate modifications to the study. He was hopeful that the revised Rate Study would be available for the Board's review at the July meeting. He commented that the Committee members were desirous that Coopers & Lybrand use the most recent data (the F.Y. 1988 Budget figures), and explained that District staff was waiting for input regarding the Absorption Schedule for Fiscal Year 1988 and once this information had been received, the Fiscal Year 1988 Water & Sewer Budget could be prepared and provided to Coopers & Lybrand. This information, he explained, would be used to generate the commodity portion of the rates.

He stated that one of the major changes made by the Committee

was to address a claim that had been made by WCN regarding the Golf Course. WCN felt that if the District was going to charge the same irrigation rate to everyone in the District, including the Golf Course, then the District should be responsible for a portion of the operating expenses of the Golf Course system. Specifically, he explained, the District was not presently providing the Golf Course with distribution pressure, i.e., the Golf Course had its own pumping facility. Thus, the Committee agreed to look at WCN's electric bills and take over the operating costs of this pumping facility. This cost would then be added to the overall Water & Sewer Operating Budget and everyone in Pelican Bay would be charged a uniform rate per thousand gallons.

He stated that another issue which had been addressed regarded the Bond Resolution and the issue that the District had to have 110% coverage which artificially inflated the rates by 10%. He stated that he had been discussing this issue with Bond Counsel and they determined that the District currently had sufficient funds allocated to various components of the Bond structure. However, he explained if the District ever had to use the renewal and replacement monies, the rates would have to be readjusted to reflect the use of these funds.

Mr. Moyer also commented that Mr. Dunwiddie had suggested that there were certain expenses in the operating and maintenance portion of the Budget that the District paid regardless of how many people resided in the District, and the District had in the past looked at these fixed expenses as variable expenses and loaded them into the commodity charge. Mr. Moyer stated that the monies for these fixed expenses had now been reallocated

into the fixed component of the rate, often referred to as the capacity portion of the rate. He explained that this reallocation would lower the rate per 1,000 gallons, however, it would increase the minimum capacity charge. Via this reallocation, he commented that everyone in Pelican Bay would be paying for the fixed expenses.

Mr. Moyer also advised that staff would be working with WCN on the Shortfall Fee and Connection Fee Agreement and the "take down" of units sufficient to generate monies for the District to pay the principal and interest on the bonds.

Mr. Hake commented that if the District assumed the electrical costs of WCN's pumping station to the Golf Course, the District would most likely receive a lower rate for demand service. He also suggested that the meetings had been very professional and everyone had worked very hard in working toward a constructive end.

Mr. Moyer stated that the last item he wished to discuss under his Report was that Mr. Ward, Mr. Petty and Mr. Means had in the past few weeks attended two meetings with D.E.R. regarding the overflow to the irrigation lagoon. He explained that this Lagoon had been constructed when the plant was constructed in 1979 and it was an original part of the Permit at that time. However, he explained that during recent inspections by D.E.R. District staff had been told that any overflow was illegal. He stated that after the meeting held yesterday, D.E.R. had advised Mr. Ward that they were still reviewing their position as to whether they would levy a fine, etc., however, in all likelihood the District would have to obtain a permit for emergency discharge. He stated that part of the disagreement

involved whether a permit was required back in 1979, that the new regulations came into effect in 1983 and thus the District could possibly argue a "Grandfather" position. He suggested, that staff did not want to get into an argument with D.E.R. because they had always been very cooperative in the past, however, by the same token the District had no desire to be fined for something that had been addressed back when the original plant was constructed. He told the Board that staff would continue negotiations with D.E.R. and report the status of these negotiations as necessary. Mr. Koste asked Mr. Moyer what D.E.R. told the District they had harmed by this discharge. Mr. Ward replied that D.E.R. told them that they had not harmed anything.

Mr. Hake asked whether this was a result of the Ivey suit. Mr. Moyer replied that he felt that when D.E.R. visited the site they felt they must find something wrong and this was the only thing they could find. Mr. Moyer commented that they have been to the site on numerous occasions in the past and had never brought this matter to anyone's attention.

At this time, Mr. Hake offered a thank you from the Board and District staff to Mr. Jim Dunwiddie and Mr. Lou Hoegsted for the professional way in which they presented their input to the Committee and for all the "homework" they had done.

CONFIRMATION OF INVOICES AND REQUISITIONS

At this time the following Certificates Of Payment were presented for approval by the Board:

<u>CERTIFICATE NO.</u>		<u>CONTRACTOR</u>	<u>AMOUNT</u>
1985 Bond Proceeds WWTP - Construction Services	No. 124	Post, Buckley, Schuh & Jernigan	\$ 3,066.37
1985 Bond Proceeds WWTP - Construction Services	No. 125	Metro Equipment & Construction	215,631.90
TOTAL AMOUNT ALL INVOICES			\$ 218,698.27

Following this discussion, Ms. Moll moved, seconded by Mr. Holtan and approved unanimously, that the Certificates of Payment be approved as presented.

CONFIRMATION OF INVOICES

Water/Sewer Operating Summary and Invoices For May 1987 - Approved As Presented

At this time, Ms. Moll moved, seconded by Mr. Holtan and carried unanimously, that the Water/Sewer Operating Summary and Invoices for May, 1987, be approved as presented.

Water Management Operating Summary and Invoices For May 1987 - Approved As Presented

At this time, Ms. Moll moved, seconded by Mr. Holtan and carried unanimously, that the Water Management Operating Summary and Invoices for May, 1987, be approved as presented.

SUPERVISORS REQUESTS

Mr. Hake asked who was responsible for paying for the cleaning of the storm sewers and for all of the debris, earth and sand, etc. that was caused by poor housekeeping on all of the construction sites. Mr. Moyer replied that cleaning of the sewers is paid for by the County, if it is on a Public Road, or by the Homeowner's Association, if it is within a subdivision. He advised that these expenses are not paid for by the

District, i.e., the District does not maintain the secondary drainage system within Pelican Bay.

Mr. Scofield asked Mr. Ward to briefly explain the correspondence that had been taking place between District staff and John Schwam regarding the water deposit for the Stratford. Mr. Ward explained that it has been the Homeowner's position that the District should refund the water deposit to the Homeowner's Association, a position which the District disagrees with. He explained that the reason for the District's position has been outlined in several letters and he has explained this position both verbally and in writing on numerous occasions. He advised that the Homeowner's Association disagreed with this position. Mr. Moyer explained that the only leverage the District has for unpaid bills is through the water deposit and if the District adopted a policy of transferring water deposits, then the District would end up having to go through civil litigation to collect unpaid water bills. Mr. Scofield suggested that Mr. Ward hold a meeting with John Schwam and Mr. Counselman in order to resolve this issue. Mr. Hake suggested that he would like to be in attendance at this meeting. Mr. Scofield asked that this matter be cleared up before any legal proceedings were begun and that Mr. Hake represent the Board at any meetings regarding this issue. Mr. Ward commented that he would contact all concerned parties to determine if a meeting to discuss this issue was required.

Mr. Scofield asked Mr. Petty the size of the Japanese Koi used to stock the Tierra Mar Lake. Mr. Petty advised that the size of the fish was between 5" and 10" in length and they seemed to be doing quite well.

Pelican Bay Improvement District  
June 17, 1987

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In response to a another question by Mr. Scofield he advised that it was too early to tell whether the Koi had begun eating the weeds.

Mr. Hake asked Mr. Means to follow-up on his suggestion at the last meeting that WMBS&P take a look at the future facilities expansion schedule as he was still convinced that overloading the plant was the cause of the odor problem and he did not wish this to be a problem in the future. Mr. Ward commented that as soon as the Fiscal Year 1988 Water and Sewer Budget has been completed, he would sit down with the Engineers and go through the projections.

ADJOURNMENT

There being no further business to come before the Board, the meeting was adjourned. Time: 6:20 P.M.

  
MR. MILES B. SCOFIELD  
PRESIDENT  
PELICAN BAY IMPROVEMENT DISTRICT

PELICAN BAY IMPROVEMENT DISTRICT  
WATER/SEWER INVOICES  
MAY 1987

<u>PAYEE</u>	<u>DESCRIPTION</u>	<u>AMOUNT</u>
Alpha Chemical	R.O. Plant Supplies	\$ 78.00
Bay Electric of Collier	Electrical Repairs	412.89
B & B Builders	R.O. Plant Supplies	136.81
Tracy H. Bolesky	W/S Portion Legal Services February 23, 1987 Thru March 24, 1987	1,440.00
Tracy H. Bolesky	W/S Portion Legal Services March 25, 1987 Thru April 23, 1987	410.00
Burroughs Corporation	W/S Portion Annual B20 Site PSA	185.00
Coast Pump & Supply	Irrigation Supplies	49.06
Coral Springs Improvement District	W/S Portion May Health & Dental Insurance & Office Services	512.04
City of Naples	Water Service To May 1, 1987	27,074.04
Clarks Nursery	W/S Portion - Plants	250.00
Coopers & Lybrand	Rate Study Committee Expenses	1,632.00
Driftwood Garden Exchange	W/S Portion Planters	106.30
Federal Express Corp.	W/S Portion April Courier Service	98.02
File One	W/S Portion April Office Supplies	170.76
Fischer & Porter	Flexible Tubing WWTP	100.00
Fisher Scientific	Laboratory Supplies	308.17
Florida Power & Light	W/S Portion March Electric	7,394.76
Government Finance Officers Association	W/S Portion Accounting Manuals	16.25
Graybar Electric	Starter - Master Lift Station	245.00
Gregory, Ryan	Diving Services - STP Clarifier	200.00
Gulf Oil	Fuel - W/S Inspection	6.50
H.F. Scientific, Inc.	Laboratory Supplies	45.23
Imperial Homes	Reimbursement For Repairs - Spollen Residence	488.00
J.C. Drainfield	Pump D-14 Lift Station	175.00
J.N. Environmental	Groundwater Monitoring Analyses	502.50
Jackson, Nancy	Reimbursement For Travel Expenses & Office Supplies	25.10
Mitchell & Stark Construction Co.	Repair Manholes at Las Brisas	2,700.00
Mitchell & Stark Construction Co.	HSP Irrigation Lines	3,200.00
Naples Lumber	Building Materials R.O. Plant	350.23
North Trail Auto Parts	W/S Portion Transportation Supplies	35.24
Palmer Cablevision	Repair Cable - West Boulevard	78.30
Park Tire Center	Tire Repair	5.00
PB&S Chemical Co.	R.O. Plant Chemicals	805.40
John Petty	Reimbursement For Operation Manual	79.95

PELICAN BAY IMPROVEMENT DISTRICT  
 WATER/SEWER INVOICES  
 MAY 1987  
 (PAGE 2)

<u>PAYEE</u>	<u>DESCRIPTION</u>	<u>AMOUNT</u>
Plastic Piping Systems	Irrigation Supplies	1,349.62
Purolator Courier Corp.	W/S Portion Courier Service	9.90
R. Lane Construction	Meter Lid - Dorchester	740.00
R.B. Grove	Battery Charger	388.01
Robbins Telephone	W/S Portion May Answering Service -	33.16
Answering Service	R.O. Plant	
Signs & Things	W/S Portion Letter Office Window	150.00
Smith Aerial	Aerial Photographs - WWTP	100.50
Mark Stevenson	Reimbursement For R.O. Plant Supplies	10.27
Sunset Office Supply	W/S Portion Computer Ribbons	15.75
Underground Supply	Irrigation Supplies	1,143.20
Underground Supply	Butterfly Valve	615.00
United Telephone	W/S Portion April Telephone	458.19
U.S. Postmaster	Postage Stamps	44.00
Weavers Office Supply	W/S Portion April Office Supplies	80.57
Weavers Office Supply	W/S Portion Filing Cabinets	132.00

PELICAN BAY IMPROVEMENT DISTRICT  
WATER MANAGEMENT INVOICES  
MAY 1987

<u>PAYEE</u>	<u>DESCRIPTION</u>	<u>AMOUNT</u>
Asgrow Florida Co.	Swale Maintenance Chemicals	53.05
Tracy H. Bolesky	W/M Portion Legal Services - March 9, 1987 Thru March 26, 1987	1,050.00
Tracy H. Bolesky	W/M Portion Legal Services - March 27, 1987 Thru April 20, 1987	1,840.00
Burroughs Corporation	Annual B20 Site PSA	185.00
Clarks Nursery	W/M Portion - Plants	250.00
Coral Springs Improvement District	W/M Portion May Health & Dental Insurance, Office Services & Lake Samples	1,282.04
Driftwood Garden Exchange	W/M Portion Planters	106.30
Florida Power & Light	Crayton Road Sprinkler Clock - April	9.00
Federal Express Corp.	W/M Portion April Courier Service	57.00
File One	W/M Portion April Office Supplies	194.67
Government Finance Officers Association	W/M Portion Accounting Manuals	16.25
Gulf Oil Corporation	Fuel	6.50
Helena Chemical Co.	Lake Maintenance Chemicals	5,625.00
Jacaranda Landscape	April R-O-W Maintenance & Irrigation Repairs	15,758.50
Nancy Jackson	Reimbursement for Travel Expenses	4.56
Naples Daily News	Legal Advertising	151.07
Naples Federal	Meeting Room Rental 2/17/87, 3/18/87 3/27/87, 4/15/87 & 5/20/87	250.00
North Trail Auto Parts	W/M Portion Transportation Supplies	35.24
Park Tire Center	Tire Repair	5.00
PBID W/S Account	R-O-W Maintenance 02/15/87 - 3/15/87 & 03/15/87 - 4/15/87	1,213.53
Purolator Courier Service	W/M Portion Courier Service	9.90
Robbins Telephone Answering Service	W/M Portion May Answering Service - R.O. Plant	33.16
Signs & Things	W/M Portion Lettering Office Window	150.00
Spectrum Laboratories	April Lake Samples	154.00
Sunset Office Supply	W/M Portion Computer Ribbons	15.75
United Telephone	W/M Portion April Telephone	360.02
U.S. Postmaster	Postage Stamps	44.00
W.H. Turner	April Consultation Services	250.00
Weavers Office Supply	W/M Portion April Office Supplies	80.59
Weavers Office Supply	W/M Portion Filing Cabinets	132.00

PELICAN BAY IMPROVEMENT DISTRICT  
WATER AND WASTEWATER OPERATING SUMMARY  
MAY 1987

	<u>MONTH TO DATE</u>				<u>YEAR TO DATE</u>		
	<u>FISCAL YEAR 1986 BUDGET</u>	<u>BUDGET</u>	<u>ACTUAL</u>	<u>VARIANCE FAVORABLE (UNFAVORABLE)</u>	<u>BUDGET</u>	<u>ACTUAL</u>	<u>VARIANCE FAVORABLE (UNFAVORABLE)</u>
<u>CHARGES FOR SERVICES</u>							
Connection Fees	\$ 830,750	24,630	82,400	57,770	169,490	564,991	395,501
Meter Use Fees	28,250	2,250	1,750	( 500)	14,750	78,130	63,380
<u>USER REVENUE</u>							
Water	482,866	40,502	46,796	6,294	316,689	349,019	32,230
Sewer	395,998	33,132	37,192	4,060	279,439	280,532	1,093
Irrigation	368,298	30,639	36,498	5,859	224,982	230,423	5,441
<u>TOTAL REVENUE</u>	<u>\$2,106,162</u>	<u>131,153</u>	<u>204,636</u>	<u>73,483</u>	<u>1,005,350</u>	<u>1,503,095</u>	<u>497,745</u>
<u>PROFESSIONAL FEES</u>							
Engineering	\$ 18,000	0	1,454	( 1,454)	9,000	5,098	3,902
Legal	15,000	1,250	1,850	( 600)	10,000	12,990	(2,990)
Audit	8,058	0	0	0	8,058	8,058	0
Trust	6,584	0	0	0	6,584	6,584	0
<u>SYSTEM OPERATING EXPENSES</u>							
Office	23,367	1,947	1,805	142	15,576	15,044	532
Billing	2,484	207	0	207	1,656	0	1,656
Insurance	26,894	0	0	0	26,894	26,894	0
Payroll	130,238	15,027	10,425	4,602	90,162	72,159	18,003
Transportation	9,750	813	51	762	6,500	725	5,775
Water Quality	18,183	1,515	1,171	344	12,120	9,873	2,247
Repairs & Maintenance	75,100	4,092	12,525	( 8,433)	58,732	67,181	( 8,449)
Electric	124,103	9,798	7,895	1,903	84,200	82,217	1,983
Chemicals	34,411	2,001	805	1,196	26,242	25,004	1,238
Contingencies	5,000	0	1,632	(1,632)	5,000	6,263	( 1,263)
City of Naples Water	134,473	11,206	27,074	(15,868)	89,648	27,074	62,574
Meters	6,272	576	615	( 39)	3,776	28,137	(24,361)
<u>TOTAL EXPENSES</u>	<u>\$ 637,917</u>	<u>48,432</u>	<u>67,302</u>	<u>(18,870)</u>	<u>454,148</u>	<u>393,301</u>	<u>60,847</u>

PELICAN BAY IMPROVEMENT DISTRICT  
WATER MANAGEMENT  
OPERATING SUMMARY  
MAY 1987

	<u>MONTH TO DATE</u>				<u>YEAR TO DATE</u>		
	<u>FISCAL YEAR 1987 BUDGET</u>	<u>BUDGET</u>	<u>EXPENSES</u>	<u>FAVORABLE (UNFAVORABLE) VARIANCE</u>	<u>BUDGET</u>	<u>EXPENSES</u>	<u>FAVORABLE (UNFAVORABLE) VARIANCE</u>
<b>MEETING EXPENSE</b>							
Supervisors Fees	\$ 6,000	500	500	0	\$4,000	4,000	0
Travel Reimbursement	300	25	0	25	200	33	167
Legal Notification	500	42	151	( 109)	334	406	( 72)
<b>PROFESSIONAL FEES</b>							
Engineering	10,800	900	1,303	( 403)	7,200	7,043	157
Legal	6,000	500	2,890	(2,390)	4,000	4,780	( 780)
Audit	4,500	0	0	0	4,500	8,058	(3,558)
Trust	1,500	0	0	0	1,500	1,500	0
<b>SYSTEM OPERATING EXPENSE</b>							
Office	18,007	1,501	1,936	( 435)	12,007	12,635	( 628)
Payroll	108,211	12,486	10,664	1,822	74,916	72,480	2,436
Transportation	4,334	362	51	311	2,893	566	2,327
Swale Maintenance	4,000	333	53	280	2,665	1,502	1,163
Lake Maintenance	17,340	1,445	5,625	(4,180)	11,560	11,696	( 136)
Water Quality	6,720	560	924	( 364)	4,480	3,473	1,007
Insurance	10,694	0	0	0	10,694	13,740	(3,046)
Rights-Of-Way	263,117	21,926	16,196	5,730	175,410	120,714	54,696
Water Connection	70,719	0	0	0	0	0	0
Water Use	17,908	1,492	785	707	11,937	6,165	5,772
Renewal & Replacement	6,000	500	0	500	4,000	0	4,000
Contingencies	8,000	0	250	( 250)	8,000	8,250	( 250)
<b>TOTAL EXPENSES</b>	<u>\$ 564,650</u>	<u>42,572</u>	<u>41,328</u>	<u>1,244</u>	<u>340,296</u>	<u>277,041</u>	<u>63,255</u>

# FORM 8B MEMORANDUM OF VOTING CONFLICT FOR COUNTY, MUNICIPAL, AND OTHER LOCAL PUBLIC OFFICERS

LAST NAME—FIRST NAME—MIDDLE NAME <b>Scotfield, Miles B.</b>	NAME OF BOARD, COUNCIL, COMMISSION, AUTHORITY, OR COMMITTEE <b>Pelican Bay Improvement District Board of Supv.</b>
MAILING ADDRESS <b>501 Tierra Mar Lane West</b>	THE BOARD, COUNCIL, COMMISSION, AUTHORITY, OR COMMITTEE ON WHICH I SERVE IS A UNIT OF: CITY    COUNTY <input checked="" type="checkbox"/> OTHER LOCAL AGENCY
CITY <b>Naples</b>	COUNTY <b>Collier</b>
DATE ON WHICH VOTE OCCURRED <b>June 17, 1987</b>	NAME OF POLITICAL SUBDIVISION: <b>Pelican Bay Improvement District</b>
	MY POSITION IS: <input checked="" type="checkbox"/> ELECTIVE <input type="checkbox"/> APPOINTIVE

### WHO MUST FILE FORM 8B

This form is for use by any person serving at the county, city, or other local level of government on an appointed or elected board, council, commission, authority, or committee. It applies equally to members of advisory and non-advisory bodies who are presented with a voting conflict of interest under Section 112.3143, Florida Statutes. The requirements of this law are mandatory; although the use of this particular form is not required by law, you are encouraged to use it in making the disclosure required by law.

Your responsibilities under the law when faced with a measure in which you have a conflict of interest will vary greatly depending on whether you hold an elective or appointive position. For this reason, please pay close attention to the instructions on this form before completing the reverse side and filing the form.

### INSTRUCTIONS FOR COMPLIANCE WITH SECTION 112.3143, FLORIDA STATUTES

#### ELECTED OFFICERS:

A person holding elective county, municipal, or other local public office **MUST ABSTAIN** from voting on a measure which inures to his special private gain. Each local officer also is prohibited from knowingly voting on a measure which inures to the special gain of a principal (other than a government agency) by whom he is retained.

In either case, you should disclose the conflict:

**PRIOR TO THE VOTE BEING TAKEN** by publicly stating to the assembly the nature of your interest in the measure on which you are abstaining from voting; *and*

**WITHIN 15 DAYS AFTER THE VOTE OCCURS** by completing and filing this form with the person responsible for recording the minutes of the meeting, who should incorporate the form in the minutes.

#### APPOINTED OFFICERS:

A person holding appointive county, municipal, or other local public office **MUST ABSTAIN** from voting on a measure which inures to his special private gain. Each local officer also is prohibited from knowingly voting on a measure which inures to the special gain of a principal (other than a government agency) by whom he is retained.

A person holding an appointive local office otherwise may participate in a matter in which he has a conflict of interest, but must disclose the nature of the conflict before making any attempt to influence the decision by oral or written communication, whether made by the officer or at his direction.

**IF YOU INTEND TO MAKE ANY ATTEMPT TO INFLUENCE THE DECISION PRIOR TO THE MEETING AT WHICH THE VOTE WILL BE TAKEN:**

You should complete and file this form (before making any attempt to influence the decision) with the person responsible for recording the minutes of the meeting, who will incorporate the form in the minutes.

- A copy of the form should be provided immediately to the other members of the agency.
- The form should be read publicly at the meeting prior to consideration of the matter in which you have a conflict of interest.

IF YOU MAKE NO ATTEMPT TO INFLUENCE THE DECISION EXCEPT BY DISCUSSION OR VOTE AT THE MEETING:

- You should disclose orally the nature of your conflict in the measure before participating.
- You should complete the form and file it within 15 days after the vote occurs with the person responsible for recording the minutes of the meeting, who should incorporate the form in the minutes.

**DISCLOSURE OF STATE OFFICER'S INTEREST**

I, Miles B. Scofield, hereby disclose that on June 17, 1987:

(a) A measure came or will come before my agency which (check one)

inured to my special private gain; or

inured to the special gain of Barnett Bank of Naples, by whom I am retained.

(b) The measure before my agency and the nature of my interest in the measure is as follows:

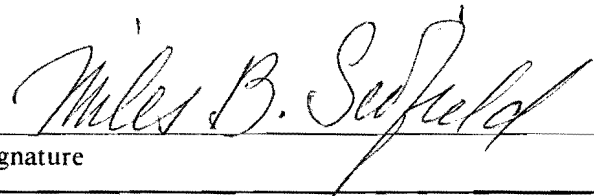
Consideration of Loan Renewal Documents with Barnett Bank for R.O. Plant Expansion Note

Member of Board of Directors - Barnett Bank

June 23, 1987

Date Filed

Signature



NOTICE: UNDER PROVISIONS OF FLORIDA STATUTES §112.317 (1985), A FAILURE TO MAKE ANY REQUIRED DISCLOSURE CONSTITUTES GROUNDS FOR AND MAY BE PUNISHED BY ONE OR MORE OF THE FOLLOWING: IMPEACHMENT, REMOVAL OR SUSPENSION FROM OFFICE OR EMPLOYMENT, DEMOTION, REDUCTION IN SALARY, REPRIMAND, OR A CIVIL PENALTY NOT TO EXCEED \$5,000.