

Naples, Florida

May 18, 1988

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 (Absent)
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. Joe McMackin, Attorney for the District; Mr. Harmon Turner, Consultant to the Board; Messrs. Tom Peek and Steve Means of Wilson, Miller, Barton, Soll & Peek; Ms. Alice Carlson and Mr. Lou Hoegsted of Westinghouse Communities of Naples, Inc.; Mr. Anthony Pires of Woodward & Woodward; Mr. Burt Saunders of A.G. Edwards & Sons, Inc.; Mr. Art Diamond of Fishkind & Associates, Inc.; Mr. Kevin Hale of SunTrust Securities, Inc.; Mr. John Petty of the Pelican Bay Improvement District; Representatives of the Pelican Bay Property Owner's Association; PBID Residents and Ms. Jean C. Smith, Assistant Secretary.

AGENDA

1. Roll Call.
2. Approval of Minutes of the Meeting held April 20, 1988.

AGENDA (CONT.)

3. PUBLIC HEARING:
 - A) Fiscal Year 1989 Street Lighting Budget
 - B) Street Lighting Budget Resolution
4. Consideration of Proposals from Financial Advisors.
5. Discussion on Request by Mr. Karl Kraemer of Southern Gulf Properties, Inc. for a Refund of a Portion of the Total Connection Fees, Meter Use Fees and Water Deposit for Beauville and Lugano.
6. Consideration of Documents for Unit XI (Oakmont Parkway Extension) Water & Sewer Program.
 - A) Engineering Design Proposal from Wilson, Miller, Barton, Soll & Peek, Inc.
 - B) Engineering Design Agreement with Westinghouse Communities of Naples, Inc.
7. Authorization to Bid 1988 Landscape Improvements.
8. Discussion on Final Items From Mr. Portman's Letters of February 12, 1988 and March 3, 1988.
 - A) Gifts for Board Members
 - B) Employee Christmas Bonuses
 - C) Utility Billing Computer Programs for Determining Capacity and Commodity Charges
9. Attorney's Report.
10. Engineer's Report.
11. Manager's Report.
12. Confirmation of Invoices and Requisitions.
13. Supervisor's Requests.
14. Adjournment.

ROLL CALL

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

MINUTES OF MEETING OF APRIL 20, 1988 - APPROVED AS CORRECTED

Ms. Moll moved, seconded by Mr. Holtan and approved unanimously, the Minutes of April 20, 1988, subject to the following corrections:

- Page 2566 - The last full sentence of the page be amended as follows:
"Mr. McMackin agreed that the limits of the indemnity written in the License Agreement are rather broad, and suggested that Section Three (3) be amended to read that the District will require that its Contractor will indemnify the Developer from those specified losses.
- Page 2580 - In the fourth line from the bottom of the page the word, "He" be amended to "Mr. Moyer".

PUBLIC HEARING FOR CONSIDERATION OF THE FISCAL YEAR 1989 STREET LIGHTING
BUDGET

Legal Notice having been published in the Naples Daily News on May 3 and May 10, 1988, as evidenced by the Affidavit of Publication presented for the Record, a Public Hearing was held to consider the District's Street Lighting Budget for Fiscal Year 1989.

Mr. Moyer advised that a copy of the revised proposed Budget had been included in the Agenda Package and explained that the District is the agent for Collier County for the administration of the Special Municipal Street Lighting District created for Pelican Bay and upon the Board's approval of the Budget, the Budget will be submitted to the Collier County Board of County Commissioners for their consideration.

Mr. Moyer remarked that an issue had been raised at the April Meeting as to the effect on the Budget if the District were to end up in litigation with Sterner Lighting Systems, Inc. and whether any legal fees for such litigation had been included in the Budget. He advised that since no provision had been made in the Budget for these expenses, he had contacted Mr. Joseph McMackin, Attorney for the District, who estimated legal fees for such litigation would be approximately \$1,000 per month or \$12,000 a year. Mr. Moyer advised that if \$12,000 for legal fees were to be included in the Budget, the revised total Budget figure would be \$207,062.58; the total Ad Valorem Tax Levy would increase to \$171,023.72 and the resulting millage would be .376 mills.

Ms. Moll asked whether District staff had received any recent correspondence from Sterner Lighting Systems, Inc. regarding the corrosion problem of the street lighting poles. Mr. Moyer remarked that Mr. Ward and

Mr. Hake had recently talked with Mr. Frank Feeney of Sterner and within the last few days, a draft letter from Mr. Feeney had been received which addressed some of the items under discussion. However, he advised that the draft letter was not written on Sterner letterhead and was submitted as a draft letter for review and comments. Thus, it was his opinion that, to date, the District has received no formal response to the District's letter, however, there has now been some communication taking place between the District and Sterner which is more than has taken place during the last couple of months.

It was the opinion of Mr. Hake that there are many factors involved in the problem with the poles and if the Board did not include money in the Budget for this problem they would be remiss. He advised that the money should at least be included in the Budget and if it is not spent, it could be given back next year.

Mr. Dunwiddie advised that the inclusion of additional budget monies for the corrosion problem came about because of a question he had raised at the April meeting and it was not his intent to limit the inclusion of additional funds just to legal expenses and questioned whether the Budget contained monies that might be necessary to repair the problems the District has with the poles.

Mr. Scofield asked the District's Engineers whether they had prepared a cost estimate for repairing the existing poles. Mr. Peek replied that they had recently completed an inventory of the old poles to determine how many had to be modified, however, they were currently tabulating this figure and did not have an estimate available at this time.

Since time was of the essence for transmittal of the Budget to Collier County, Mr. Scofield suggested an additional \$12,000 be designated for legal expenses as well as for repairs and maintenance expenses.

Following this discussion, Mr. Hake moved, seconded by Ms. Moll and approved unanimously, that an additional \$12,000 be included in the Fiscal Year 1989 Street Lighting Budget for legal expenses and repairs and maintenance expenses for the street lighting poles.

At this time, Mr. Scofield called for comments by the Public. Mr. Hake commented that there are many items in the Budget and asked if the Board agreed to the dollar figure whether it meant that the District had to expend the dollars as outlined in the Budget? In other words, he asked whether by approving the Budget the Board was committed to the purchase of Sterner poles or would the Board have the option to purchase poles from another manufacturer. Mr. Moyer responded that if the Board approved the Budget they would not be committed to purchase poles from Sterner and the fail safe was that the Sterner poles are at the high end of the cost spectrum so if the Board decided to proceed with the purchase of other poles, there would most likely be enough money in the Budget to finance a replacement for the Sterner system.

Mr. Scofield asked for clarification from District Management that District staff would no longer purchase any Sterner poles. Mr. Moyer replied that staff would not order any additional poles from Sterner without the Board's approval and advised that staff has never ordered Sterner poles without the Board's approval. Mr. Hake commented that to say the Board would never order additional poles from Sterner would be going a

step too far and suggested that Mr. Scofield's comment be rephrased to state that staff would not order any additional Sterner poles without Board approval and without competitive bidding.

Ms. Moll asked whether there were any additional manufacturers of a similar street lighting pole. Mr. Scofield commented that he had recently found two additional manufacturers and had received their prices.

Mr. Hake commented that Mr. Frank Feeney had stated that, "anyone who would have the knowledge to say that they (Sterner) were the only ones who manufactured this kind of pole was ludicrous." He stated that there have been other manufacturers of Cor-ten poles since 1938.

Mr. Scofield asked why the figure of \$98,837.51 for Debt Service Requirement (Page 1 of the Budget) was so far off the 1988 Budget figure of \$146,561.20. Mr. Ward replied that the District anticipates that it will not receive sufficient tax revenues in time to meet the December payments and thus, forward funding is reflected in this amount.

Mr. Dunwiddie commented on the official position of the Pelican Bay Property Owner's Association regarding the Fiscal Year 1989 Street Lighting Budget. He stated, "the changes that have been made by including all of Pelican Bay in the Street Lighting District have eased what he has felt were the inequities of the way the Street Lighting Budget was handled. Nevertheless, the Board is about to approve \$300,000 of capital expenditures which will be borne by all the residents and property owners in Pelican Bay. Although this affects a fairly small number of those property owners, I believe it would be more equitable and I believe most of the homeowners would agree with me, that instead of doing that, we have

about \$208,000 of outstanding debt and we have a one time assessment of that \$208,000 on all of the people currently living here in the areas where we have street lights and we pay that off and then an assessment, which the owners would be allowed to vote aye or nay on, to cover the street lighting in each new area as street lighting is required. Thus, growth will pay for growth." He commented that he thought this was a fair suggestion and recommended that the Board consider this suggestion.

Mr. Hake commented that even though the Board, by approving the Budget, would be setting aside money for certain expenses, it did not mean that the money would necessarily be spent. Mr. Scofield commented that Mr. Dunwiddie's suggestion had been thoroughly discussed by the Street Lighting Committee and the reasoning at that time had been that many of the street light poles are located on the boulevards and benefit all of the residents of Pelican Bay and his recollection was that under the old system WCN was not paying anything and under the new system all of the vacant land in Pelican Bay is paying a fair share of the street lighting expenses. Mr. Hake stated that a year ago the Board made the decision to use the same type of poles that are currently being used and after extended meetings on the rate structures for both water, sewer and lighting, it was suggested at that time that the entire District be brought under one cap and this would satisfy everyone's needs. He advised that this has now been accomplished and the Property Owner's Association now desire "something else" and he personally did not think that this "something else" had anything to do with the Street Lighting Budget because to accomplish this "something else" the Board could do irrespective of the Budget. Mr. Scofield advised that this

whole issue could be discussed when the Report on the problem with the poles was completed and any restructuring of the debt service could be discussed at that time.

Mr. Dunwiddie commented that the thing he has always objected to was the fact that the debt is being written off so rapidly and all of the original owners are paying a disproportionate share and this is still true in spite of the fact that all of Pelican Bay is now included in the street lighting system. He stated that the most he ever recalled saying was that this was better than not doing anything at all but it still has never satisfied him.

Mr. Scofield suggested that comments be limited to the Street Lighting Budget and if the Property Owner's Association desire to rehash the debt service issue it could be gone into at a future meeting. Mr. Hake commented that when the Report on the Sterner problem is issued by the sub-committee, the Board would be in a position to address the whole program at that time.

There being no additional comments from the Public, President Scofield called for a motion to close the Public Hearing. Mr. Hake moved, seconded by Mr. Holtan and approved unanimously, the Public Hearing be closed.

At this time, Mr. Hake moved, seconded by Ms. Moll and approved unanimously, the Street Lighting Budget for Fiscal Year 1989, as amended to include \$12,000 for legal fees and repairs and maintenance costs.

Street Lighting Budget Resolution

Mr. Moyer advised that a copy of the Resolution approving the Budget had been included in the Agenda package.

There being no additional discussion, Mr. Holtan moved, seconded by Mr. Hake and unanimously approved, the Resolution adopting the Budget and that the President and Secretary be authorized to sign the Resolution.

CONSIDERATION OF PROPOSALS FROM FINANCIAL ADVISORS

Mr. Moyer advised that this item was a continuation of the discussion held at the April meeting at which time the Board decided to hire a Financial Advisor in connection with the proposed refunding of the Series 1985 Water & Sewer General Obligation Bonds, however, delayed the selection of an Advisor until such time as the full Board was in attendance. He recalled for the Board that proposals had been received from the following three firms: Fishkind & Associates; SunTrust Securities, Inc. and Speer Financial, Inc. Mr. Moyer advised that Mr. Art Diamond of Fishkind & Associates was in attendance at today's meeting, as well as Mr. Kevin Hale of Sun Bank. (At this time, Mr. Diamond excused himself from this portion of the meeting until such time as Mr. Hale finished his presentation).

Mr. Hale thanked the Board for the opportunity to appear before them and apologized for the absence of Mr. David Fischer who was delayed at the Tampa Airport and unable to be in attendance. Mr. Hale explained that SunTrust Securities' fee, as outlined in their proposal, was limited to services for the refinancing of the bonds. He advised that SunTrust has had extensive experience in this field since 1985, serving in this capacity

in excess of \$2.8 billion dollars of financing and further advised that SunTrust is a local institution with offices in Pelican Bay and currently serves as the Financial Advisor to Collier County. Ms. Moll asked whether the proposed fee of \$15,900 included out-of-pocket expenses. Mr. Hale replied that the \$15,900 fee included all out-of-pocket expenses, including travel and lodging. Ms. Moll asked whether the refinancing would be handled locally. Mr. Hale replied that it would be handled out of the Tampa office, however, SunTrust personnel are in Naples frequently in their capacity as the Financial Advisor to Collier County.

Mr. Dunwiddie asked if the refinancing had to be delayed for any length of time whether the fee as outlined would be an annual fee, a one time fee, etc. and how the fee would be paid if the District had to extend its time frame for the refinancing. Mr. Moyer explained that generally the way Financial Advisors work is similar to the way Underwriters work in that payment is made at the time of issue, i.e, their fee would be a cost of issuance paid from the proceeds of the bonds and if there was a delay or the bonds did not close for any length of time then the Financial Advisor would be at risk for this period of time. Mr. Hale reiterated that SunTrust Securities fee was limited to the specific bond refinancing and there was no time frame or general advisory services related to the fee included in their proposal. Mr. Hake asked Mr. Hale what their fee would be for general advisory services. Mr. Hale replied that he could not respond to this question at this time. Mr. Scofield thanked Mr. Hale for his presentation.

It was Mr. Scofield's opinion that the Board has missed two

"windows" because of having to advertise for a Bond Counsel and a Financial Advisor, and he thought that the Board should act today on a Financial Advisor so that the District would be in a position of having the documents "on the shelf" and ready to go when a "window" appeared . Mr. Hake and Ms. Moll concurred.

Mr. Scofield asked Mr. Moyer to summarize the three proposals for the Board. Mr. Moyer stated that he personally had knowledge of two of the three firms: Fishkind & Associates and SunTrust. He commented that Mr. Fischer of SunTrust owned his own Underwriting Firm, Fischer & Johnson, and in 1978 participated with Goldman, Sachs & Co. on the issuance of District bonds and was very knowledgeable in the area of refinance. Mr. Moyer stated that Dr. Fishkind has done work in the State of Florida, is well respected, and writes a publication called "Econocast" and he has worked with Dr. Fishkind over the past few years in two or three other Special Purpose Tax Districts and finds him and his firm to be very professional and well qualified. He advised that he has had no experience with Speer Financial, Inc.

At this time, Mr. Scofield called for comments by Mr. Art Diamond and asked Mr. Diamond for an estimate of Fishkind & Associates out-of-pocket expenses. Mr. Diamond responded that these expenses would be minor and in the neighborhood of \$2,500.00, unless the bond closing was held out of State.

Mr. Hake questioned whether the Board's purpose was to have a Financial Advisor available for questions other than just the bond issue or whether it was to have the proposals which had been received address

general advisory services. Mr. Diamond explained that Fishkind & Associates' fee as outlined in their proposal included general advisory services as well as services for the refinancing of the bonds.

Mr. Hake suggested that District staff contact the firms who had submitted proposals for the reissue and ask that they also submit a proposal for general financial advisory services so the proposals could be fairly compared.

Mr. Scofield asked Mr. Diamond to summarize the comments he made at the April meeting. Mr. Diamond explained that their proposal was based on two issues: the refunding and general financial advisory services. He stated that Fishkind & Associates had performed a very preliminary analysis of the Series 1985 Bond Issue and had reached the conclusion that they did not feel it was economically feasible for the Board to refund the issue at this time. He advised that this conclusion was based strictly on the fact that the District's 2010 maturity has a 9.25% interest rate and there is not enough spread between the interest rates to afford the District an economic savings at this time. He explained a refunding also gives the District the opportunity to change the underlying bond documents which may be restrictive in nature, however, upon looking at this Resolution Fishkind & Associates found that the Resolution currently in place is a good Resolution. Mr. Diamond commented that Fishkind & Associates had also included general financial advisory services in their fee proposal because they felt very strongly that financial advisory services are no longer strictly performing bond services for a Client; that it goes much further than this, especially since the tax exempt bond market has become so

extremely volatile. He stated that when you deal in financing it takes a great deal of expertise. He suggested that Fishkind & Associates could be helpful to the District in other areas besides bond work and their proposal had been submitted to the District on this basis and more importantly they focused on an overall look to the District's current needs and to the District's future needs because what the District does today is going to have an impact on what the District will do down the road. Mr. Scofield thanked Mr. Diamond for his comments.

At this time, Mr. Scofield asked for Mr. Moyer's advice on how the Board should proceed on this matter. Mr. Moyer responded that he felt it was advisable for the Board to retain the services of a Financial Advisor. He thought the one thing that was now clear in 1988 more than it had been in the past was that the market is a very dynamic place and it is very difficult to predict in what direction interest rates are going to be going. Furthermore, every time a change in the tax code comes about there are any number of financing alternatives that come about in response to these changes. Also, there is now a variety of debt structures that can be incurred by governments. In conclusion, it was Mr. Moyer's opinion that the Board should consider hiring a Financial Advisor for the refunding. Mr. Moyer agreed with Mr. Scofield that the District should be prepared to move forward if and when another "window" appeared and advised that District staff has been working with Bond Counsel over the past month to prepare the documents for proceeding with the refunding.

Mr. Hake asked whether all of the proposals addressed both the issue of the refunding and general financial advisory services and if they

did not asked if District staff could proceed to obtain proposals for these services. Mr. Moyer replied that District staff could certainly do this if it was the desire of the Board.

Ms. Moll asked Mr. Hake whether he wanted to see what it would cost the District to retain the services of a Financial Advisor for general advisory services as well as for services for the refunding of the bond issue. She recalled that at the last meeting the Board moved and passed that the Board would hire a Financial Advisor for the refunding issue only. Mr. Moyer clarified that Mr. Hake was suggesting that this be expanded to obtain information on what it would cost for financial advisory services on an as needed basis, either on a retainer or on a daily rate basis, as well as for financial services for the bond issue.

Mr. Scofield commented that if the Board decided to solicit additional proposals for general financial advisory services this would again be a delay of another thirty or sixty days. Mr. Hake commented that if the Board desired to proceed with the selection of a financial advisor, he would stand aside, because he was not prepared to vote on this issue at this time.

Mr. Holtan commented that he has been trying to get the Board to hire a Financial Advisor for the past several months and he personally was very impressed by Mr. Diamond's presentation, however, he was concerned with the fact the proposal from Fishkind & Associates included Mr. Moyer as a recommendation and questioned whether this would upset the selection of this firm. Mr. Holtan commented that if he received a favorable reply from Mr. McMackin on this matter he was ready to recommend the selection of

Fishkind & Associates. Ms. Moll asked Mr. Holtan for which proposal; for the refunding or as a general financial advisor. Mr. Holtan replied for both. Mr. Moyer suggested that if the Board decided to proceed with either of the three firms staff could come back at the next meeting with a proposal from the selected firm which would identify the scope of services in more detail.

Mr. Scofield asked for Mr. McMackin's opinion on the matter of Mr. Moyer being named as a recommendation in Fishkind & Associates proposal. Mr. McMackin stated that the manner in which to proceed would be to have Mr. Moyer and Mr. Diamond explain their relationship so there would be full disclosure to the Board and the Board could then make a decision on whether they considered this relationship to be a conflict.

Mr. Diamond stated that Mr. Moyer was named as a reference in their proposal and a reference is not necessarily someone who might recommend their firm. He advised that Fishkind & Associates is very careful about who they include as a reference and Mr. Moyer was included as a reference because he knew both the good things and bad things about their firm and this was the reason he was included as a reference in their proposal. He advised that all of their references are included for this reason; that his firm has done nothing in all the years of their experience which they are ashamed of and further advised that Mr. Moyer was not included in the proposal as a recommendation but rather as a reference.

Mr. Moyer advised the Board that he personally represents several other Districts and Dr. Fishkind and Mr. Diamond have never worked for him personally. He explained that some of his other Districts have retained

the services of Fishkind & Associates but he personally is not a part of Fishkind & Associates and has never received compensation from Dr. Fishkind nor has Dr. Fishkind ever received compensation from him.

Mr. McMackin advised that the fact that Fishkind & Associates included Mr. Moyer as a reference in their proposal is not a conflict which would automatically exclude them from consideration and he did not feel the Board must exclude every firm which has worked with Mr. Moyer. He suggested the Board take Mr. Moyer's comments about his relationship with Fishkind & Associates as truthful and he did not think this created any legal conflict.

Following Mr. McMackin's comments, Mr. Holtan moved, seconded by Ms. Moll and approved with Mr. Hake abstaining, that the firm of Fishkind & Associates, Inc. be retained as a Financial Advisor to the District for the \$9,275,000 bond issue and for general financial advisory services and that staff return at the June meeting with an Agreement from Fishkind & Associates which outlined the scope of services and fees to be paid.

DISCUSSION ON REQUEST BY MR. KARL KRAEMER OF SOUTHERN GULF PROPERTIES, INC.
FOR A REFUND OF A PORTION OF THE TOTAL CONNECTION FEES, METER USE FEES AND
WATER DEPOSIT FOR BEAUVILLE AND LUGANO

Mr. Moyer advised that the request for a refund from Mr. Kraemer was summarized in the Agenda Letter and the total refund amount to \$20,160.00 and came about because the Beauville and Lugano projects did not construct the number of units for which they had paid connection fees. Mr. Moyer recommended the refund of these fees, subject to two conditions: (1) The District will not refund any capacity charges from the date of application until the date of refund and (2) a formal document be prepared

in which the Developer releases capacity in the District's facilities, the form to be reviewed and approved by District Counsel. At this time, Mr. Moyer introduced Mr. Tony Pires an Attorney with Woodward & Woodward, who was in attendance on behalf of the Developer. In response to a question by Mr. Scofield, Mr. Pires advised that Mr. Kraemer has agreed to the two conditions as provided above. Mr. Holtan asked Mr. Pires why there had been a reduction in the number of units. Mr. Pires replied that one reason was prevailing market conditions and secondly certain individuals in Beauville desired two parcels of land for one unit and this ultimately reduced the number of units to be constructed.

Following further discussion, Ms. Moll moved, seconded by Mr. Hake and unanimously approved the request by Southern Gulf Properties, Inc. for a refund of \$20,160.00 for a portion of the total connection fees, meter use fees and water deposits for Lugano and Beauville, subject to the conditions as stipulated above.

CONSIDERATION OF DOCUMENTS FOR UNIT XI (OAKMONT PARKWAY EXTENSION) WATER AND SEWER PROGRAM

Engineering Design proposal from Wilson, Miller, Barton, Soll & Peek

Mr. Moyer explained that a Proposal had been received from Wilson, Miller, Barton, Soll & Peek, Inc. for the design of the backbone water distribution and wastewater collection system, along with the subdivision facilities, for Unit XI (Oakmont Parkway Extension).

By the use of a site drawing, Mr. Hoegsted of Westinghouse Communities of Naples, Inc. presented the development plans for Oakmont Parkway Extension. He advised that this parcel would consist of sixty eight single family home sites and the District would be responsible for

the major mains, while WCN would be responsible for the subdivision facilities.

Following Mr. Hoegsted's presentation, Ms. Moll moved, seconded by Mr. Hake and approved unanimously, the Engineering Design Proposal (WA-18) from Wilson, Miller, Barton, Soll & Peek, Inc., in an amount not to exceed \$28,000, for Unit XI Oakmont Parkway Extension Water and Sewer facilities.

Engineering Design Agreement With Westinghouse Communities of Naples

There being no discussion, Ms. Moll moved, seconded by Mr. Hake and unanimously approved, the Engineering Design Agreement with Westinghouse Communities of Naples, Inc. for Unit XI, Oakmont Parkway Extension Water and Sewer facilities.

AUTHORIZATION TO BID 1988 LANDSCAPE IMPROVEMENTS

Mr. Moyer advised that a summary of the locations and plant materials for the proposed landscaping improvements had been included in the Agenda Package. He explained that the program as proposed would focus on the entrance ways at Pelican Bay Boulevard and Gulf Park Drive, along with the cul-de-sacs in the single family areas. At this time, Mr. Moyer asked the Board's permission to bid the proposed improvements estimated at approximately \$7,813.00.

Mr. Hake asked Mr. Moyer who came up with the idea for the types of plants to be planted in the cul-de-sacs. Mr. Ward replied that he, in conjunction with Mr. Jack Lieber and Jacaranda Landscape, determined the proposed plant materials. Mr. Hake asked whether District staff had talked to any of the people who live in the cul-de-sac areas in order to

receive their input as to what they desired. Mr. Hake agreed that the cul-de-sacs needed to be dressed up but he did not feel the summary included in the Agenda Package outlined in enough detail exactly what would be accomplished. Mr. Ward responded that Jacaranda is currently in the process of cleaning up all the cul-de-sac areas taking out all of the dead material and the plants as outlined on the enclosed summary would replace some of the plant materials that are removed. It was his opinion that once the cul-de-sacs are on a decent maintenance program, they will be similar to what they were a few years ago. He explained that all of the plants under consideration are currently located along the boulevards and do not require excessive maintenance. He also commented that Oleanders were included in the planting materials as some of the complaints from the single family owners had been that there is not enough color in the cul-de-sacs.

Mr. Hake asked how much it would cost to have sketches prepared of the cul-de-sacs in order to show everyone what they would look like. Mr. Ward replied that the cost for drawings had not been included in the Budget but his guess was that it would cost from \$500.00 to \$700.00 to have sketches prepared. He suggested that the cost of the drawings could be better spent in plant materials to upgrade the quality and appearance of the cul-de-sacs.

Mr. Moyer suggested that instead of spending money on drawings a better way to proceed would be for the Board members or any other interested party to meet with Mr. Ward and let him explain what would be done in these areas. Mr. Ward offered that he would be happy to meet with

any individual who desired to offer suggestions on the plantings for the cul-de-sac areas.

Mr. Moyer suggested that the Board proceed to put out for competitive bidding a landscaping program not to exceed \$8,000 and any Board member or resident who wanted to meet with Mr. Ward in the next week to ten days to look at and discuss the cul-de-sacs could do so and the program could then be adjusted. Thus, by the next meeting staff would be in a position to proceed with the landscaping program.

Following Mr. Moyer's suggestion, Ms. Moll moved, seconded by Mr. Hake and unanimously approved, that District staff be authorized to competitively bid the landscape replanting program, in an amount not to exceed \$8,000, and that during the next week to ten days any individual desiring input into the types of planting material could meet with Mr. Ward to offer their suggestions.

DISCUSSION ON FINAL ITEMS FROM MR. PORTMAN'S LETTER OF FEBRUARY 12, 1988
AND MARCH 3, 1988

Mr. Moyer advised that staff's response to Mr. Portman's concerns as outlined in his letters of February 12, 1988 and March 3, 1988 had been distributed at the April meeting and had been made an official part of the April Minutes.

Gifts For Board Members

Mr. Moyer expressed his opinion that all the Board members serve on the Board with very little compensation and spend a great deal of their time performing a service to the residents of Pelican Bay and it was his feeling that the very least the residents of Pelican Bay could do for the

Board members would be to give them something nice to remember their term on the Board.

Mr. Scofield commented that he had talked to Mr. Portman at great length on this item and Mr. Portman did not object to gifts for Board Members but desired that the Board establish a policy regarding this matter. He stated that the question seemed to be whether the Board desired to recognize past members of the Board and if so how much they wished to spend on these gifts.

Mr. Scofield asked Mr. Moyer what had been spent in the past for gifts for departing Board Members. Mr. Moyer replied that the money spent has varied depending on the tenure of the Board member and staff has tried very hard not to be extravagant in the expenditures but has tried to purchase gifts that are meaningful.

Ms. Moll stated that common sense told her that retiring Board members should be recognized in some manner.

Mr. Holtan's opinion was that retiring Board members be given nothing.

It was Mr. Hake's opinion that the District is a public organization and should not spend money on gifts for Board members, however, he suggested that a nice thank you letter or a proclamation or Resolution of the Board might be appropriate. He further suggested that this item be tabled until the next meeting at which time he would bring a proclamation he had received for the Board to look at.

The Board concurred that this matter be tabled until the June meeting.

Employee Christmas Bonuses

Mr. Scofield advised that employee Christmas Bonuses have been previously given by the Administrators and amounted to one day's salary. It was his opinion that this was little enough and he personally thought that the Administrators should have this authority. Ms. Moll commented that the bonuses had been included in the Budget. Mr. Hake asked whether all employees received a Christmas bonus. Mr. Ward replied in the affirmative. Mr. Holtan suggested that he preferred that staff did not label this as "Christmas Bonus" but rather "Christmas Present" and that it be labeled as such in future budgets. Mr. Scofield asked whether administration was satisfied with one day's salary as a Christmas present. Mr. Ward replied in the affirmative.

At this time, Mr. Hake moved, seconded by Mr. Holtan and approved unanimously that future Employee Christmas Presents be one day's salary for each employee.

Utility Billing Computer Programs For Determining Capacity and Commodity Charges

Mr. Moyer advised that staff's position on this matter was thoroughly outlined on Page 2598 of the April Minutes.

Mr. Hake asked what purpose would be served and what the Board would learn if these additional programs were purchased. Mr. Ward replied that this was the point of staff's position on this matter; that the current service level allowed the District to sufficiently track its objectives and this additional information could not be utilized by the District in a productive manner.

Mr. Moyer was also of the opinion that no useful purpose would be

served by breaking out the capacity and commodity portion of the rates, that the Board could look at the connection fee category on the monthly financial summary to determine how the District was doing. Mr. Moyer also advised it would take several thousand dollars to adjust the software to accomplish this breakdown.

Mr. Holtan commented that if management said they didn't need this additional information, this was good enough for him.

There being no additional discussion, Mr. Holtan moved, seconded by Ms. Moll and unanimously approved that additional computer programs for determining the capacity and commodity charges was not needed.

ATTORNEY'S REPORT

Mr. McMackin had nothing to report at this time.

ENGINEER'S REPORT

Mr. Scofield asked how the Engineers were proceeding with the study of the Utility Site, i.e., establishing the boundary line; determining whether there should be a swap of the R.O. Building and the Golf Course Maintenance Facility, etc.

Mr. Ward advised that he has held preliminary discussions with Mr. Hoegsted of WCN on whether WCN would be desirous of swapping the R.O. Building for the Golf Course Maintenance Building and advised WCN seemed to be receptive to this idea and was currently putting together their numbers on the value of the Golf Course Maintenance Building. He further advised that as soon as Mr. Hoegsted transmitted these figures to him, some decision could be reached on the swap of the buildings.

Mr. Scofield directed staff to present something at the next

meeting regarding this matter. Mr. Hoegsted offered that WCN would have something ready by the next meeting.

It was Mr. Holtan's opinion that the important thing at this point was to purchase the property for \$100,000 and do it right now. He stated that if this wasn't accomplished by December 31st, WCN could sell the property. He suggested that this be done immediately.

Mr. Scofield advised that it was the Board's desire that this matter be pursued by District staff and the District's Engineers in order to wrap this matter up and for them to do whatever had to be done to bring this matter to a conclusion.

Mr. Holtan asked Mr. McMackin how the District, at this time, could make a binding tender of \$100,000 and exercise this option now and get title to the property, with a decision that if there is a change in the boundaries it would be part of the tender.

Mr. McMackin advised that the District currently has a Lease on the entire parcel and the option to purchase the ten acres extended to December 31, 1988. He explained that District staff was trying to incorporate the acquisition of the ten acres; the placing of the future facilities on the ten acre parcel to insure there was room for the future plant expansion and the exchange of the Golf Course Maintenance Building for the R.O. Building as an entire package. He reiterated that it was Mr. Holtan's suggestion to purchase the ten acres as specified in the Lease immediately and defer the other matters until a later date. Mr. Scofield suggested that since it was only May and there was still six months left under the Purchase Agreement, if staff and the Engineers continued to

pursue this matter it could all be wrapped up at the same time. Mr. Holtan advised that all he was trying to do was get someone's attention and suggested maybe he got it and withdrew his suggestion of the immediate binding tender. The Board directed staff to have a presentation on this matter ready for the June meeting.

Mr. Scofield asked for an update on the Georgetown lakes. Mr. Ward recalled for the Board that at the last meeting some modifications to be performed by the Developer, in accordance with Mr. Peek's proposal, were discussed and the Developer was currently working on the modifications in accordance with the Proposal. Mr. Scofield advised that he was concerned about the two narrow bodies of water on each side of the entrance and asked Mr. Ward if staff had considered taking all of the fill being excavated from the middle of the lakes and filling these areas. Mr. Ward replied that the filling of these areas was not a part of Mr. Peek's proposal and it was decided at the April meeting to leave these two areas the way they were and that District personnel would work to maintain these areas in a manner that was acceptable to the residents of Georgetown.

Mr. Scofield asked whether the specifications for the building of future lakes in Pelican Bay had been completed. Mr. Peek replied that the Plan Review Manual is now in draft form and ready to be submitted to District Management, however, the Manual not only included the lakes but was a Review Manual for many other things involved in the District's operations.

MANAGER'S REPORT

Mr. Scofield advised that he recently had driven around Pelican

Bay and in the Oakmont Area it looked like the concrete bases on the street lighting poles were about two inches above the grass and in the older section the concrete bases were below the grass. He asked if there was some way the bolts could be extended to raise the bases above the moisture zone. Mr. Peek replied that this matter was currently under advisement as part of the inventory that WMBS&P had performed and it had been determined that some of the bases could be corrected by reshaping the earth around the poles and lowering the grass and landscaping and in other locations the bases would have to be modified to elevate the base above the sod. He advised that all of the poles had been inventoried and WMBS&P was currently in the process of determining which pole could be handled in which manner and preparing cost estimates for the modifications. Mr. Scofield also noticed that none of the installation plates had gaskets and all of them were cracked open. He asked whether this problem had been addressed. Mr. Peek advised that they had received a recommendation from one expert who had visited the site who advised that if the inspection plates were left on there should be a neoprene gasket installed around the plates in order to make them watertight. Mr. Hake suggested to Mr. Scofield that he expected to take this matter up with Mr. Frank Feeney of Sterner Lighting Systems in subsequent conversations.

Mr. Moyer advised the Board that the Wastewater Treatment Plant has now been operating for several months and for the last few months, Mr. Petty has been watching and learning the operations of the plant and had recently raised some concerns about the capacity of the plant as it related to what had actually been represented to the District. He suggested that

the next step might be to spend some engineering dollars with WMBS&P so they could meet with Post, Buckley, Schuh & Jernigan, Inc., the design Engineer, to find out exactly what was designed by PBS&J on behalf of the District, find out what their design assumptions were and so WMBS&P could ultimately re-evaluate the capacity of the plant. He stated that the plant is currently generating far more solids that have to be wasted to the old package treatment plant because there is insufficient room on site for the waste and this certainly was not part of the original design for the plant. He commented that it was a good thing that the old plant was not sold because it is now back in service performing a necessary function. He advised that staff did not want to "cry wolf" after turning the plant on for a month or two but that Mr. Petty now had enough operating history and had identified certain expectations which differed from what was expected upon completion of the construction of the plant and, furthermore, Mr. Petty now had enough data to confront PBS&J as it related to their design.

Mr. Moyer commented that he would keep the Board advised of these discussions. Mr. Holtan asked whether the odor problem was related to this matter. Mr. Moyer replied that the odor problem seems to come and go depending on the maintenance that is taking place at the plant. Mr. Petty advised that the plant is currently carrying the capacity and there are no odors attributable to current operations. He advised that he is worried about the future operations producing odors if the plant exceeds its capacity. In response to a question by Mr. Hake, Mr. Petty identified one period of odor that was attributable to the boat clarifier when it was shut down for about eight hours and explained that when the boat clarifier was

turned back on the septic sewage that had collected in the plant was aerated and for a period of about one and a half hours there was an obnoxious odor.

Ms. Moll asked if the problem was that the capacity was no where near what the documents reflected. Mr. Moyer replied that Mr. Petty is concerned that the plant will not be able to handle the winter season peak flows.

Mr. Dunwiddie asked whether the monies already spent to correct some of the difficulties with the plant could legally be collected and asked Mr. McMackin if the District should take any legal action at this point in time to protect the District's position. Mr. McMackin suggested that it would be premature to take legal action at this time and from a legal stand point the first issue is what is it that you bargained for, i.e., when the District asked PBS&J, Metro Construction or United Industries to design and build the boat clarifier, what did the District contract for. Did they contract for a boat clarifier that would handle 1 MGD or did they contract for a boat clarifier that would handle peak capacity of 1.4 MG or did they contract for something else? Assuming that the District contracted for what they expected to get, i.e., a boat clarifier that could handle 1.0 MGD plus peak periods of 1.4 MG, it appeared that the District did not get what was contracted for. The next question would be, why? Was it designed inadequately, was the construction inadequate or was it a combination of bad design and bad construction? It was his opinion that before the District put everyone on notice that they were not satisfied, to have Mr. Peek and District Management meet with

PBS&J was a good way to begin. Mr. Holtan advised Mr. McMackin to get on this issue "right now".

Mr. Moyer advised that staff is currently holding very preliminary discussions with Collier County regarding the District becoming a part of the Regional Wastewater Treatment Plant. He further advised that there are many questions yet to answered such as the financial implications to the District of going to the County plant as compared to staying with its own wastewater system and expanding the system.

Mr. Moyer advised that the Pollution Liability Risk Assessment, previously authorized by the Board, was now complete and available for distribution to the Board. He asked that each member pick up a copy after the meeting and to study it between now and the next meeting, at which time it would be placed on the June Agenda. He explained that this assessment is precedent upon the District obtaining Pollution Liability Insurance.

Mr. Dunwiddie commented that ever since he has been coming to the meetings, he has been watching the amounts of money the District spends on water meters and he recognized that all the meter invoices are approved by the Board and have always been under \$5,000. He stated that he had recently been told that the County is purchasing similar meters at a considerably cheaper price than the District and that the City purchases meters on the County's Purchase Orders. He recommended that the Board direct District staff to look into whether the District could either buy its own meters less expensively through the competitive bidding process or purchase its meters by riding on the County or the City's "coattails". Mr. Moyer advised Mr. Dunwiddie that staff would be happy to look into this

matter. In response to a question by Mr. Scofield, Mr. Moyer advised that the District originally took bids on meters, however, this process was stopped because District personnel preferred to remain with the same type of meter as it made it easier for replacement parts, replacement registers, etc., rather than having to maintain several different types of meters. Mr. Scofield asked whether the District used the same type of meter as the County or the City. Mr. Ward replied that the District is using a precision meter and the County is currently using a Neptune water meter. He advised that the County spends over \$600,000 a year on water meters and to date the District has only spent \$6,700.00 for meters. He also commented that he highly doubted that the District is paying substantially more than the County for water meters but would be happy to research this issue.

Mr. Dunwiddie remarked that when the meeting was held at the Utility Site regarding the landscaping of the site there had been considerable conversation about what the District should do as far as painting and camouflaging the buildings, not with landscaping but with color. Since he had heard nothing further about this issue, he asked where this matter now stood. Mr. Ward advised that several meetings ago, it had been decided that this issue be put on hold until such time as the problems with the Wastewater Treatment Plant were solved, as these funds were coming from Bond funds.

Mr. Dunwiddie also remarked that he had seen the letter from Collier County regarding whether the County was going to supply services to the District for sewage disposal. He advised that this was a very major

question and he believed staff should not be discussing this matter with the County without the Board's approval, as the District could get itself semi-committed if they were not careful. Ms. Moll recalled for Mr. Dunwiddie that the Board had previously authorized Management to look into this matter. Mr. Ward responded that to date the discussions with the County have been between himself, Mr. Peek and Mr. Tom Crandall, the County Utilities Administrator, and the discussions have been very preliminary and have revolved around the fact that the County is interested in supplying the District with Wastewater Treatment Plant capacity and beyond that particular question, the numbers were still in the process of being identified. He advised that once he has received a firm proposal from the County he would bring it to the Board for their discussion and evaluation. He advised the Board that staff obviously would make no commitment on behalf of the District and discussions had not yet reached the upper staff levels of the County.

Mr. Hake remarked that he did not recall ever discussing this issue. Mr. Moyer advised that the Board look at the issue, however, suggested if the Board did not wish staff to talk to the County they would not pursue this matter any further. He further commented if the District did not explore the County alternatives then by default the District would remain in the sewer business and until staff received more facts he was not sure that this is the position the Board should take.

Mr. Hake asked what it was that sent staff seeking the County's help in the first place. Mr. Moyer replied that at this point in time the County has expressed some interest in Pelican Bay becoming part of their

sewer system and the District has some interest in looking into this because of the problems that have been experienced in the past with the residents living around the Wastewater Treatment Plant and the impact of the Wastewater Treatment Plant to the rest of Pelican Bay. He advised that it did not cost the District anything to explore the alternatives as in two or three years the District was going to have to build another sewer plant on the Utility Site. Mr. Ward advised Mr. Hake that these discussions were triggered by a letter which he had received from Collier County. Ms. Moll asked Ms. Smith to send a copy of the letter from Collier County to each Board member.

Mr. Peek remarked that he did not understand the great concern about the conversations taking place with Collier County and about two administrations talking to one another to find out if there is a long range solution to a problem. He advised that he has been in the utility business for twenty-five years and every sewage treatment plant he has been around "smells" at one time or another and if the Board desired to keep a Wastewater Treatment Plant at the Utility Site, they should plan on this plant emitting odors two or three times a year. He advised the Board that if it was their desire that he and Mr. Ward keep talking to the County to try and solve a problem then they would be happy to do so, however, if they did not wish them to continue their talks with the County then they would refrain from any further discussions.

Mr. Hoegsted advised that it costs the District nothing to talk and the end result of the discussions might save the District a lot of money down the road.

In response to a comment by Mr. Wayne Bergun, a PBID resident, Mr. Peek explained that staff has reported every conversation that has been held with the County to the Board and at this time Mr. Moyer read the most recent letter, dated May 6, 1988, received from Collier County to the Board. He advised that, to date, staff has not responded to this letter and this Board meeting was the first opportunity staff has had to bring the letter to the Board's attention.

It was Mr. Scofield's opinion that District staff should continue with their discussions with Collier County. The Board concurred.

Mr. Dunwiddie asked if there was any reason that staff should not also talk to the City of Naples. Mr. Peek responded that they could ask the City whether they had any interest in Pelican Bay, however, it was his opinion that the 201 Plan, developed under the guidelines of E.P.A and which sets forth the jurisdiction area in which treatment plants for certain areas are to be located, included Pelican Bay within the County's area which goes to the North Naples Treatment Plant. However, he indicated he had no problem with asking the City Utilities Director if they had any interest in servicing Pelican Bay.

CONFIRMATION OF INVOICES

Water/Sewer Operating Summary and Invoices For April 1988 - Approved As Presented

Following discussion, Mr. Hake moved, seconded by Ms. Moll and carried unanimously, that the Water/Sewer Operating Summary and Invoices for April 1988, be approved as presented.

Pelican Bay Improvement District
May 18, 1988

Water Management Operating Summary and Invoices For April 1988 - Approved As Presented

Following discussion, Mr. Hake moved, seconded by Ms. Moll and carried unanimously, that the Water Management Operating Summary and Invoices for April 1988, be approved as presented.

Street Lighting Invoices For April 1988 - Approved As Presented

At this time, Mr. Hake moved, seconded by Ms. Moll and carried unanimously, that the Street Lighting Invoices for April 1988, be approved as presented.

CERTIFICATES OF PAYMENT

Change Order No. One (1), Mitchell & Stark Construction Co., Inc.
Contract D-25, To Increase The Contract By \$400.00

Mr. Ward advised that the original Contract price for Contract D-25 (Oakmont Phase II, Unit 7) was \$143,675.46 and Change Order No. One (1) called for an increase to the Contract in the amount of \$400.00 and was for the modification of the cul-de-sac island irrigation meter installation to accommodate additional irrigation outside of the cul-de-sac. He advised that this modification had been requested by Westinghouse Communities of Naples, Inc. and would be paid for by them. With approval of the Change Order, the final contract price would be \$144,075.46.

At this time, Ms. Moll moved, seconded by Mr. Holtan and carried unanimously, that Change Order No. One (1), to increase Contract D-25 with Mitchell & Stark Construction Co., Inc., in the amount of \$400.00, be approved.

Change Order No. Four (4), Metro Equipment & Construction Association
Wastewater Treatment Plant Expansion, To Increase The Contract By
\$11,135.54

Mr. Ward advised that this was the final balancing Change Order for work performed for the construction of the Wastewater Treatment Plant and approval of this Change Order would result in a final contract price of \$2,697,344.69. He advised that the purpose of this Change Order was to adjust the final quantities to reflect the work that had actually been performed.

Mr. Dunwiddie asked whether the District had any right to withhold any funds from Metro's Contract due to the problems being experienced at the Wastewater Treatment Plant. Mr. Ward replied that the problem is with the Boat Clarifier and this was built by United Industries and all Metro had done was install the Clarifier.

At this time, Ms. Moll moved, seconded by Mr. Holtan and carried unanimously, that Change Order No. Four (4), to increase the Facilities Expansion Contract with Metro Equipment & Construction Association, in the amount of \$11,135.54, be approved.

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

Pelican Bay Improvement District
 May 18, 1988

<u>CERTIFICATE NO.</u>	<u>CONTRACTOR</u>	<u>AMOUNT</u>
1985 Bond Proceeds Convert 0.5 MG Irrigation Tank to Potable Tank	No. 169 Wilson, Miller, et. al.	\$ 240.00
1985 Bond Proceeds Utility Site Improvements & Instrumentation	No. 170 Wilson, Miller, et. al.	79.80
1985 Bond Proceeds Utility Site Land- scape Revisions	No. 171 Wilson, Miller, et. al.	2,358.70
1985 Bond Proceeds Utility Site Paving	No. 172 Wilson, Miller, et. al.	258.00
1985 Bond Proceeds WWTP - Construction	No. 173 Metro Equipment & Construction	212,337.72
1985 Bond Proceeds WWTP - Construction Services	No. 174 Post, Buckley, Schuh & Jernigan	7,982.78
Oakmont Phase II, Unit VII, Design Contract D-25	No. 5 Wilson, Miller, et. al.	233.75
WWTP Effluent Disposal Alternatives	No. 1 Wilson, Miller, et. al.	270.00
Utility Site - Review Phase II Exp. Const. for FDER Permit	No. 1 Wilson, Miller, et. al.	180.00
Bay Colony Shores - Design	No. 2 Wilson, Miller, et. al.	180.00
Bay Colony - Design	No. 4 Wilson, Miller, et. al.	2,623.00
Oakmont, Phase II, Unit VII, Construc- tion, Contract D-25	No. 3 Mitchell & Stark Construction	7,583.77
TOTAL INVOICE AMOUNT		\$234,327.52

Following presentation of the invoices, Ms. Moll moved, seconded by Mr. Holtan and unanimously approved, payment of the invoices as presented.

SUPERVISOR'S REQUESTS

Mr. Hake asked who maintained the fire hydrants in Pelican Bay. Mr. Moyer replied that the North Naples Fire Department maintained the hydrants. Mr. Hake asked how often they were inspected. Mr. Petty

responded that the hydrants are inspected on a regular basis. Mr. Hake advised that he had recently received some comments from residents about how ugly, rusty and dirty the hydrants were and they were wondering whether they were going to work if there was a fire.

Mr. Hake also commented that everyone seemed to be worried about indemnification at the last meeting and he remarked that you could write all the indemnifications you want, however, if a Contractor goes bankrupt, you still have nothing. It was his opinion that indemnification didn't really mean too much.

Mr. Hake commented on the construction of the water and sewer lines to The Island and The Strand. It was his opinion that the way it was outlined in the Minutes of the last meeting was that all that had to be done was to have one individual at the end of the line and the District would have to install the lines all the way to the end of the parcel.

Mr. Hake advised that the District had at its disposal, in a Bill that created the Pelican Bay Improvement District, Chapter 72-462 F.S., Subsection 2, No. 8, an Advisory Committee. He read from the Statutes as follows: "Certain lands within the boundaries of the District have been designated in the plan approved by the South Florida Regional Planning Council and other lands may, in the future, be designated for preservation, conservation and recreational purposes. A three person advisory Committee is hereby created to make recommendations to the Board on the types of activities, construction, use, maintenance, etc. of the lands designated for preservation, conservation and recreational purposes". He advised that he had brought this matter up about six to eight months ago and it had

fallen on deaf ears and if the Board were to have such a Committee, then the Board could have residents like Rudy Small, Jim Buck, etc. on a Committee to look at the lakes and bring information to the Board in an advisory capacity. He recommended that the Board think about establishing such a Committee and at the next meeting he would possibly make a motion that such an Advisory Board be created. Ms. Moll asked what the purpose would be for such a Committee. Mr. Hake replied, "to look after the preservation and conversation and recreational purposes of the designated lands". He further read from the Statute as follows: "The Advisory Committee shall be appointed by and shall serve at the direction of the Board or as required by General Law. The Advisory Committee members shall set the time and place of their meetings and shall receive no compensation per diem for expenses." Mr. Scofield asked whether there was a limit as to the scope of the Committee. Mr. Hake replied in the affirmative and advised that this was all spelled out in the Statute.

Mr. Moyer advised that the specific intent of this section of the Statutes dealt with the Clam Pass Estuary.

Mr. Scofield suggested that it would be agreeable to him to have this item placed on the June Agenda.

Mr. Hake commented that about three or four meetings ago the Board had lengthy discussions on the noisy gear box and he recalled that the Board passed a motion that the gear box was to be replaced by one that did not whine. He asked whether this had been accomplished. Mr. Petty advised Mr. Hake that he had called the manufacturer and told them of the Board's decision to have the gear box replaced and they countered with the

suggestion that they would check the oil. The oil was then analyzed by an independent laboratory and the findings showed there was no metal content present in the oil. Thus, the manufacturer's position is that there are no bad bearings or gears that should be subject to failure. Mr. Hake asked why then there was such a difference in the noise between the two motors. Mr. Petty replied that according to the manufacturer no two motors sound alike and the noise is within the limits of the specifications. Mr. Holtan advised that he is still receiving complaints about the motor. Mr. Ward replied that staff has installed the acoustical equipment to solve the rotor motor problem and the last he heard from Mr. Tom Wagner was that the installation of the acoustical equipment had solved the noise problem and the noise was now at an acceptable level. Mr. Ward replied that the noise that is currently the subject of complaints could be coming from the rotors themselves which are churning the water. Mr. Hake stated he has received complaints that the noise is usually around 11:00 P.M. to 2:00 A.M. and it sounds like the hum of a transformer. Mr. Ward replied that the rotors run twenty four hours a day so this most likely is not the source of the noise. Mr. Petty advised that the Golf Course Pumps come on around 11:00 P.M. and this could be the source of the noise. Mr. Hake asked that this matter be investigated in order to determine the source of the noise.


Mr. Holtan asked whether there is an Agreement between the Golf Course and the Pelican Bay Improvement District for allowing the Golf Course to remove water from the lakes. Mr. Ward replied that there is no such agreement; that the lakes are the District's retention areas. Mr. Holtan advised that the Golf Course has been pumping water from the lakes

for quite awhile and he asked whether the District was getting paid for this water. Mr. Ward replied that the District has been withdrawing water from the lakes and pumping it into the Lagoon in order to meet the demands of the Golf Course irrigation needs. He explained that we are in a very hot, dry period and the demands of the Golf Course are such that it has been necessary for the District to withdraw water from the lakes. He also advised that this water is being metered and the Golf Course is paying for it.

Mr. Scofield advised that he had received a call from a Bay Villa's resident complaining about the watering of the boulevards during the day time. Mr. Ward explained that he has received many complaints of this nature, however, PBID is a major water user of the system and in order to try and keep the pressures up so the residents have decent pressure for sprinkling, the District has adjusted its system to try not to water during the times the residents wish to water. Mr. Ward was hopeful that this problem would be solved in the next few weeks as Jacaranda is currently trying to adjust the watering schedule in response to these complaints.

ADJOURNMENT

There being no further business to come before the Board, Mr. Hake moved, seconded by Ms. Moll and approved unanimously, the meeting be adjourned. Time: 6:30 P.M.



MR. MILES B. SCOFIELD
PRESIDENT
PELICAN BAY IMPROVEMENT DISTRICT

NAPLES DAILY NEWS
Published Daily Except Saturday
Naples, Florida 33940

Affidavit of Publication

State of Florida
County of Collier

Before the undersigned authority, personally appeared

Nina Iverson, who on oath says that

he is the Ass't Secretary of the Naples Daily News, a daily newspaper published by Collier County Publishing Co., Inc., at Naples, Collier County, Florida, that the attached copy of advertisement, being a

Notice of Public Hearing

in the matter of Street Light Budget

in the _____ Court, was published in said newspaper in the issues of

May 3, 10, 1988

Affiant further says that the said Naples Daily News is a newspaper published by Collier County Publishing Co., Inc., at Naples, in said Collier County, Florida and that the said newspaper has heretofore been continuously published in said Collier County, Florida, each day, and has been entered as second class mail matter at the post office in Naples, in said Collier County, Florida, for a period of one year next preceding the first publication of the attached copy of advertisement; and affiant further says that he has neither paid nor promised any person, firm or corporation any discount, rebate, commission or refund for the purpose of securing this advertisement for publication in the said newspaper.

Nina Iverson

Sworn to and subscribed before me this 10th day of May

A.D. 1988

Nancy J. Neumeyer
Notary Public

My Commission Expires

Notary Public, State of Florida

My Commission Expires Sept. 10, 1989

Reading 148g Troy Fair - Insurance - 1985

NOTICE OF PUBLIC HEARING

Notice is hereby given of a meeting of the Board of Supervisors of the Pelican Bay Improvement District in the Naples Federal Savings & Loan Association Building, 5801 Pelican Bay Boulevard, Fifth Floor, Naples, Florida, on Wednesday, May 18, 1988, at 4:00 P.M. The purpose of this meeting is to conduct general business of the district and to hold a public hearing for the purpose of soliciting public response and input on the proposed fiscal year 1989 street lighting budget.

As citizens' input is requested, copies of the proposed street lighting budget may be reviewed at the District's office located at 801 Laurel Oak Drive, Suite 510, Naples, Florida, beginning May 3, 1988. Additionally, this notice advises that, if a person decides to appeal any decision made by the Pelican Bay Improvement District Board of Supervisors, with respect to any matter considered at this meeting, he will need a record of the proceedings and that, for such purpose, he may need to ensure that a verbatim record of the proceedings is made, which record includes the testimony and evidence upon which the appeal is to be based. Comments may either be submitted in written form prior to the scheduled meeting or may be heard on the day and time specified for the public hearing.

PELICAN BAY IMPROVEMENT DISTRICT

COLLIER COUNTY, FLORIDA

GARY L. MOYER
DISTRICT MANAGER

May 3, 10

No. 2636

PELICAN BAY IMPROVEMENT DISTRICT
WATER/SEWER INVOICES
APRIL 1988

<u>PAYEE</u>	<u>DESCRIPTION</u>	<u>AMOUNT</u>
B-B Builders	Janitorial Supplies	\$ 105.65
B & H Sales	Meters	1,146.60
B & H Sales	Meter Boxes, Covers & Lids	312.00
Bay Electric of Collier	Repair Breaker Lift Station	143.99
Bob's Handyman Service	Repair Brick - Bay Villas	146.00
Brayton, Katherine	Office Supplies	21.60
City of Naples	Water Service 03/01/88 - 04/01/88	20,463.79
Collier County Clerk of Court	Recordation Fees	19.50
Coral Springs Improvement District	Utility Billing Postage	104.70
Federal Express Corp.	W/S Portion March Courier Service	28.25
Ferguson Underground File One	Irrigation Supplies	523.50
Fisher Scientific	April Office Supplies	76.04
Florida Power & Light	Laboratory Supplies	166.09
Goodyear Tire & Rubber	April Electric	5,111.60
Gulf Oil Corp.	Tires 1984 Ford Ranger	88.76
Gulf Shore Associates	Gasoline	6.40
Hall's Paving, Inc.	May Rent & Maintenance	842.97
J.N. Environmental	Repair Brick Bay Villas	850.00
	March W/W Analyses & Groundwater Monitoring Analyses	1,541.00
Mitchell & Stark Construction Co., Inc.	Installation of Air Supply & Pipe - WWTP	4,087.50
Mitchell & Stark Construction Co., Inc.	Welding - WWTP	2,437.50
Naples Daily News	Legal Advertising	119.09
PB&S Chemical Company	Chlorine	2,416.20
Precision Printing	Purchase Orders	79.50
Quarles & Brady	W/S Portion March Legal Services	3,737.60
R.M. Peterson & Associates	Pilot Control H.S.P.	2,025.00
Risk Science International	Risk Assessment	5,125.00
Robbins Telephone Answering Service	W/S Portion April Answering Service - R.O. Plant	34.95
Sears, Roebuck & Co.	Air Conditioner - R.O. Plant	665.00
Southwest Electric Supply	Electrical Supplies	53.70
Sunset Auto Body & Painting	Repair 1983 Ford Ranger	398.72

PELICAN BAY IMPROVEMENT DISTRICT
 WATER/SEWER INVOICES
 APRIL 1988

(PAGE 2)

<u>PAYEE</u>	<u>DESCRIPTION</u>	<u>AMOUNT</u>
The Office	Freight	\$ 43.10
U.S. Postmaster	Postage Stamps	100.00
United Telephone	W/S Portion April Telephone	394.55
W.H. Turner	W/S Portion March Consultation Services	175.00
Weavers Office Supply	April Office Supplies	61.37
Westinghouse Communities of Naples, Inc.	W/S Portion Gasoline, Postage & Copies	83.38
Wholesale Plumbing Supply, Inc.	Irrigation Supplies	113.30
Wilson, Miller, Barton Soll & Peek, Inc.	Engineering Services - Plan Review Manual	330.00
Wilson, Miller, Barton Soll & Peek, Inc.	General Consultation - 02/20/88 to 03/18/88	1,015.92
Wilson, Miller, Barton Soll & Peek, Inc.	Engineering Services - Level Monitor Wells	507.25
Wilson, Miller, Barton Soll & Peek, Inc.	Engineering Services - Golf Course Maintenance Facility	633.00

PELICAN BAY IMPROVEMENT DISTRICT
 WATER MANAGEMENT INVOICES
 APRIL 1988

<u>PAYEE</u>	<u>DESCRIPTION</u>	<u>AMOUNT</u>
Brayton, Katherine	Reimbursement for Office Supplies	21.60
File One	April Office Supplies	76.05
Florida Power & Light	April Electric	34.47
Goodyear Tire & Rubber	Tires 1984 Ford Ranger	88.76
Gulf Oil Corporation	Fuel	6.41
Gulf Shore Associates	W/M Portion May Rent & Maintenance	842.97
PBID W/S Account	R-O-W Maintenance 03/15/88 to 04/15/88	2,968.33
Precision Printing	W/M Portion Purchase Orders	79.50
Jacaranda Landscape	March R-O-W Maintenance	15,631.01
Naples Daily News	Notice of Public Meeting	17.02
Naples Federal Savings & Loan Association	March Meeting Room Rental	50.00
Quarles & Brady	W/M Portion March Legal Services	1,000.00
Robbins Telephone Answering Service	W/M Portion April Answering Service - R.O. Plant	34.95
Schuster, Robert	Applicator's License	5.00
Spectrum Laboratories	March Lake Samples	264.00
Sunset Auto Body & Painting	Repair 1983 Ford Ranger	398.73
United Telephone	W/M Portion April Telephone	295.45
W.H. Turner	W/M Portion March Consultation	175.00
Weavers Office Supply	W/M Portion April Office Supplies	61.39
Westinghouse Communities Of Naples, Inc.	W/M Portion Gasoline, Postage & Copies	83.38
Wilson, Miller, Barton Soll & Peek, Inc.	Engineering Services - Prepare Plan Review Manual	330.00
Wilson, Miller, Barton Soll & Peek, Inc.	Engineering Services - General Consultation 02/20/88 - 03/18/88	836.64
Wilson, Miller, Barton Soll & Peek, Inc.	Engineering Services - Level Monitor Wells	507.25
Wilson, Miller, Barton Soll & Peek, Inc.	Engineering Services - Georgetown Lakes	1,368.50

PELICAN BAY IMPROVEMENT DISTRICT
STREET LIGHT INVOICES
APRIL 1988

<u>PAYEE</u>	<u>DESCRIPTION</u>	<u>AMOUNT</u>
Barnett Bank	Unit 4 Phase I Street Light Loan Principal 5/4/87 to 5/4/88	\$12,000.00
Barnett Bank	Unit 4 Phase I Street Light Loan Interest 5/4/87 to 5/4/88	517.81
Bay Electric	Repair Street Light Wire - Naples Philharmonic	693.77
Florida Power & Light Quarles & Brady	April Electric March Legal Services	870.71 519.20
Southeast Bank, N.A.	Unit 4 Phase III Street Light Loan Interest 1/20/88 to 4/20/88	106.47
Wilson, Miller, Barton Soll & Peek	General Consultation - 02/20/88 to 3/18/88	139.44

PELICAN BAY IMPROVEMENT DISTRICT
WATER AND WASTEWATER OPERATING SUMMARY
APRIL 1988

	FISCAL YEAR 1988 BUDGET	MONTH TO DATE			YEAR TO DATE		
		BUDGET	ACTUAL	VARIANCE FAVORABLE (UNFAVORABLE)	BUDGET	ACTUAL	VARIANCE FAVORABLE (UNFAVORABLE)
<u>CHARGES FOR SERVICES</u>							
Connection Fees	\$1,065,790	38,130	139,380	101,250	845,160	721,780	(123,380)
Meter Use Fees	48,250	3,500	1,500	(2,000)	27,500	8,500	(19,000)
<u>USER REVENUE</u>							
Water	584,976	51,679	42,261	(9,418)	335,914	292,013	(43,901)
Sewer	436,662	37,903	36,753	(1,150)	249,111	230,146	(18,965)
Irrigation	559,359	49,328	42,581	(6,747)	314,555	300,612	(13,943)
<u>TOTAL REVENUE</u>	<u>\$2,695,037</u>	<u>180,540</u>	<u>262,475</u>	<u>81,935</u>	<u>1,772,240</u>	<u>1,553,051</u>	<u>(219,189)</u>
<u>PROFESSIONAL FEES</u>							
Engineering	\$ 18,000	2,661	2,661	0	12,639	12,639	0
Legal	17,000	3,738	3,738	0	9,982	9,982	0
Audit	8,500	0	0	0	8,500	8,738	(238)
Trust	6,050	0	0	0	2,616	2,616	0
<u>SYSTEM OPERATING EXPENSES</u>							
Office	40,056	1,988	1,829	159	19,416	21,001	(1,585)
Billing	2,352	196	105	91	1,372	713	659
Insurance	40,000	0	5,125	(5,125)	40,000	47,814	(7,814)
Payroll	143,158	16,518	13,387	3,131	88,096	81,220	6,876
Transportation	8,668	722	570	152	5,054	1,352	3,702
Water Quality	17,825	1,485	1,541	(56)	10,395	3,830	6,565
Repairs & Maintenance	97,090	5,674	11,629	(5,955)	68,718	73,645	(4,927)
Electric	126,263	12,094	5,112	6,982	71,893	80,876	(8,983)
Chemicals	55,906	5,276	2,416	2,860	32,039	24,616	7,423
City of Naples Water	229,259	22,236	20,464	1,772	118,080	98,847	19,233
Meters	6,848	571	1,147	(576)	3,997	6,781	(2,784)
Contingencies	20,000	1,333	0	1,333	13,334	9,149	4,185
<u>TOTAL EXPENSES</u>	<u>\$ 836,975</u>	<u>74,492</u>	<u>69,724</u>	<u>4,768</u>	<u>506,131</u>	<u>483,819</u>	<u>22,312</u>

PELICAN BAY IMPROVEMENT DISTRICT
 WATER MANAGEMENT
 OPERATING SUMMARY
 APRIL 1988

	<u>MONTH TO DATE</u>				<u>YEAR TO DATE</u>		
	<u>FISCAL YEAR 1988 BUDGET</u>	<u>BUDGET</u>	<u>ACTUAL</u>	<u>FAVORABLE (UNFAVORABLE) VARIANCE</u>	<u>BUDGET</u>	<u>ACTUAL</u>	<u>FAVORABLE (UNFAVORABLE) VARIANCE</u>
REVENUE							
Maintenance Taxes	\$ <u>532,027</u>	<u>38,911</u>	<u>38,911</u>	<u>0</u>	<u>521,715</u>	<u>521,715</u>	<u>0</u>
TOTAL REVENUE	<u>\$ 532,027</u>	<u>38,911</u>	<u>38,911</u>	<u>0</u>	<u>521,715</u>	<u>521,715</u>	<u>0</u>
MEETING EXPENSE							
Supervisors Fees	\$ 6,000	500	500	0	\$3,500	3,500	0
Legal Notification	800	67	17	50	469	286	183
PROFESSIONAL FEES							
Engineering	15,000	2,186	3,217	(1,031)	9,936	9,936	0
Legal	8,000	1,000	1,000	0	7,244	7,244	0
Audit	8,500	0	0	0	8,500	8,738	(238)
Trust	1,500	0	0	0	1,500	1,546	(46)
SYSTEM OPERATING EXPENSE							
Office	36,556	1,988	1,470	518	19,416	19,700	(284)
Payroll	143,158	16,518	13,271	3,247	88,096	79,184	8,912
Transportation	4,334	361	570	(209)	2,527	1,328	1,199
Lake Maintenance	35,802	2,984	0	2,984	20,888	18,891	1,997
Swale Maintenance	4,000	333	0	333	2,331	689	1,642
Water Quality	7,560	0	264	(264)	4,250	4,243	7
Insurance	14,303	0	0	0	14,303	15,522	(1,219)
Rights-Of-Way	259,113	21,593	15,631	5,962	151,151	116,725	34,426
Replanting Program	20,000	0	0	0	10,450	10,450	0
Water Connection	19,531	0	0	0	0	0	0
Water Use	11,099	925	3,003	(2,078)	6,475	15,203	(8,728)
Renewal & Replacement	6,000	500	0	500	3,500	0	3,500
Contingencies	<u>12,000</u>	<u>1,000</u>	<u>0</u>	<u>1,000</u>	<u>7,000</u>	<u>0</u>	<u>7,000</u>
TOTAL EXPENSES	<u>\$ 613,256</u>	<u>49,955</u>	<u>38,943</u>	<u>11,012</u>	<u>361,536</u>	<u>313,185</u>	<u>48,351</u>

Naples, Florida

February 3, 1988

LET IT BE KNOWN, that the Pelican Bay Improvement District met on this date in a Workshop Session at 4:00 P.M., at the Pelican Bay Improvement District's Utility Site, 6200 Watergate Way, Naples, Florida, with the following members present:

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

ALSO PRESENT: Mr. James P. Ward, Assistant District Manager; Mr. Joe McMackin, Attorney for the District; Mr. Harmon Turner, Consultant to the Board; Messrs. Tom Peek, Steve Means, Keith Kittle and Art Neumann of Wilson, Miller, Barton, Soll & Peek; Mr. Walt Carter of Westinghouse Communities of Naples, Inc.; Mr. John Petty of the Pelican Bay Improvement District; Representatives of the Pelican Bay Property Owner's Association; and PBID Residents.

AGENDA

1. Utility Site Landscaping, Lighting and Fencing.

ROLL CALL

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

UTILITY SITE LANDSCAPING, LIGHTING AND FENCING

The Minutes are summary Minutes only as the meeting was at the Utility Site.

The following decisions were reached at the meeting:

1. Wilson, Miller, Barton, Soll & Peek was directed to determine the final boundary of the Utility Site.
2. It was decided to leave the road at the Utility Site in its current location and no improvements be made to the existing road.
3. The paving of the roads was discussed.
4. Decisions were made on the landscaping, i.e., certain landscaping was to be omitted and certain landscaping would be added to camouflage the tanks.
5. Decisions were made on the type of fence, the color of the fence and the landscaping of the fencing.
6. It would be researched whether the existing street lighting poles which were removed from the medians could be put to use at the Site, according to the lighting plan as originally proposed.

A Memorandum from Mr. Art Neumann of Wilson, Miller, Barton, Soll & Peek, Inc. outlining the changes which were made to the landscaping, grading and fencing plans, as well as a landscape drawing, are attached hereto and made an official part of these Minutes.

Pelican Bay Improvement District
February 3, 1988

ADJOURNMENT

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



MR. MILES B. SCOFIELD
PRESIDENT
PELICAN BAY IMPROVEMENT DISTRICT

MEMORANDUM

DATE: MAY 17, 1988
TO: MR. JAMES P. WARD, ASSISTANT DISTRICT MANAGER
FROM: ARTHUR NEUMANN
SUBJECT: PELICAN BAY UTILITY SITE PUBLIC MEETING

During the February 3, 1988 meeting at the Pelican Bay Utility Site, Arthur Neumann of Wilson, Miller, Barton, Soll & Peek, Inc. was directed by the PBID Board of Supervisors to make changes to the landscaping, grading and fencing plans, Job Number 27954, File Number LD-51A, and dated November 1987.

The following changes were made in accordance with the directions we received at the meeting:

- Item 1.) Provide Flame Vine on existing chain link fence on the entire northern site boundary.
- Item 2.) Provide tall Mahoe trees to buffer the master pump station at the north site boundary.
- Item 3.) Provide Black Olive trees and slight berming to buffer the existing .5 MG tanks on the north half of the site so that visual buffering is blocked from the west.
- Item 4.) Proposed timber retaining wall located at the master pump station on the north site boundary was brought to everyone's attention at the meeting and approved for implementation.
- Item 5.) Local residents wanted to buffer the oxidation ditch on the southern portion of the site. The Board approved the implementation of Mahoe trees to accomplish buffering.
- Item 6.) Chain link fencing was agreed to be placed around the existing site boundaries where no fencing presently occurred. Fencing with black vinyl coating was agreed upon during the meeting.

Item 7.) It was agreed that hedging should be placed against the west side of .5 MG tanks on the north side of site and along the southern exposed walls of the oxidation ditch and filter. It was brought to everyone's attention that the south side of the oxidation ditch and filter would be exposed from the south because of the grade change. This was the rationale for placement of the shrubs against the tanks and placement of vines on the fencing at this location.

Item 8.) There was a concern about the height of the proposed shrubs to be planted against the tank walls on site. We stated they would be @ 36" when planted and would attain a height of 10' - 12' in three years time, if proper watering and fertilization occurred.

Item 9.) Review the paint colors for the two (2) .5 MG storage tanks and re-paint with a color that will blend in.

Please refer to the revised plans dated February 1988 for any further clarification of changes. These revised plans supersede any and all previously prepared plans.