

Naples, Florida June 7, 2000

LET IT BE KNOWN, that the Pelican Bay MSTBU Advisory Committee met in Regular Session on this date at 3:00 P.M. at the Foundation Center, 8269 Hammock Oak Drive, Naples, Florida 34108 with the following members present:

Mr. Lou Vlasho, Chairman Mr. Herb Hasson (Absent)

Mr. James Carroll, Vice Chairman Mrs. Cornelia Kriegh

Mr. Joseph Bawduniak (Absent) Mr. David Roellig

Mr. Thomas Brown Dr. Alan Varley

Mr. Edward Griffith (Absent) Mr. George Werner

Mr. Glen Harrell

ALSO PRESENT: Approximately eighteen (18) Pelican Bay residents; Mr. Steve Carnell, Director, Collier County Purchasing Department; Mr. Mark Duff, West Florida Lighting; Mr. Bill Snyder, Sterner Lighting Company; Mr. James P. Ward, Department Director, Pelican Bay Services; Mr. Kyle Lukasz, Field Manager, Pelican Bay Services and Mrs. Barbara Smith, Recording Secretary.

AGENDA

1. Roll Call
2. Approval of the Minutes of the May 23, 2000 Special Meeting
3. Administrator's Report
 - Clam Bay Restoration Program
 - Interior Tidal Channels (Phase II & III)
 - Cattail Removal
 - Capital Projects
 - Street Lights
 - Community Issues
 - US 41 Noise Abatement
1. Review of Pelican Bay Services Division Fiscal Year 2001 Budget
2. Committee Requests
 - Pelican Bay Services Division Manager's Job Description – Mr. James Carroll

6. Consideration of Contract Manager Services with the firm of Severn Trent Environmental Services, Inc. for Fiscal Year 2001

7. Financial Statement Review

8. Audience Participation

9. Adjourn

ROLL CALL

Mr. Vlasho called the meeting to order and asked that the record show Messrs. Joseph Bawduniak and Herb Hasson with an excused absence.

APPROVAL OF THE MINUTES OF THE MAY 23, 2000 MEETING

Page 3960, Line 13 should read "Mr. Lukasz stated that it is scheduled on the June 13th Agenda."

Page 3960, Line 15 should read "Mr. Ward replied in the affirmative. It is on the June 13th Agenda and we should start in three to four weeks and is funded by Natural Resources."

Mr. Werner moved, seconded by Mr. Carroll and approved unanimously the Minutes of the May 23, 2000 meeting, subject to the above changes.

ADMINISTRATOR'S REPORT

CLAM BAY RESTORATION PROGRAM

INTERIOR TIDAL CHANNELS (PHASE II AND III)

Mr. Ward reported that the contractor is expected to start work on this project in the next day or so and it is a six to eight week program. Those were the Phase II cuts that were identified by Mr. Lewis.

CATTAIL REMOVAL

Mr. Ward reported that the cattail removal award of bid is on the Agenda for June 13 and work should begin on June 19th. That is a two to three week process for the removal of those cattails.

CAPITAL PROJECTS

STREET LIGHTS

Mr. Ward explained that the major issue that we have to deal with today is the award of bid for the purchase of the luminaires and poles for the replacement of our street lighting system. Tramco and Consolidated were the two vendors who bid the poles. Consolidated was the low bidder on the poles themselves and staff will proceed forward to award the bid to that firm. We bid this project with the ability to award the contract in two separate parts, one for poles and one for luminaires, in the event that something happened such as happened here. We received two separate bids for two different luminaires with two different prices on them. I know we have a load of people in the audience who represents both sides of the coin with the luminaries themselves. Briefly I have provided to you what those bid specifications were for the fixtures that were specified. Those were the Sterner Luminaire, which is exactly what you currently have within the community itself. There is no change in the luminaire itself in terms of the specifications that this staff wrote for purposes of an award. One of the vendors chose to bid an alternative fixture. The company is Western Florida Lighting and it is a fixture by Kim Lighting. I am going to let both of those representatives make the presentation to you with respect to the technical qualifications of why they feel the unit is equal to the one that was specified by staff. At the end of the day with respect to the numbers themselves, if you choose to award the bid, it would be your recommendation that we forward on to the County Commission for

award. The vendors have an opportunity in the normal bid protest procedure to make this same presentation or additional presentations to the Board of County Commissioners. Whatever you decide today is what the recommendation is that we will forward on to the Board of County Commissioners. The numbers are such that the alternative fixture that was proposed by Western Florida Lighting came in overall over the life of the project, approximately \$92,000 less than the Sterner fixture. I see both vendors have a sample of their respective luminaire and I would recommend that you give each vendor a five-minute time allowance. I will tell you that they are requesting additional time and that time allowance for them to make their presentation is your decision.

Mr. Vlasho asked if this was an official protest? It sounds as if it is a specification change.

Mr. Ward replied that this is an official protest that Western Florida Lighting has provided. My recommendation was to award the bid to SESCO based upon the fact that was the specification that we had written and there is a significant aesthetic difference between the SESCO Luminaire and the luminaire bid by Western Florida Lighting. Western Florida Lighting chose to protest that bid award which normally runs through this laborious procedure that we must go through in government. The issue is why does Western Florida Lighting believe that their lighting fixture is equal to or better than the lighting fixture that was specified, which is the SESCO Lighting.

Mr. Vlasho asked if coming to this Advisory Committee was normal procedure?

Mr. Ward replied in the affirmative.

Mr. Roellig stated that the bid forms show Consolidated Electric and Tramco.

Mr. Ward replied that Tramco is the bidder and these cards are the representative's cards.

Mr. Steve Carnell, County Purchasing Director explained that to understand what you are being asked to do today is that Tramco filed a protest of the recommended award of bid. The recommended award for luminaires was with Consolidated Lighting. The bid specifications called for the Manchester product or equal. As you heard from Mr. Ward, Tramco bid an alternate fixture. In reviewing the project which comes through my office and the decision is actually issued by my department, we in reviewing the protest found the prime issue raised was the issue of aesthetics. Their argument is that they are equal in every other sense and they argue they are suitable aesthetically as well. In talking to Mr. Lukasz about this we felt that because aesthetics was such a prominent issue here, which is a very subjective thing, we felt the Advisory Committee was the appropriate place to get feedback on this issue. We are primarily focused on the issue of aesthetics. After you have heard the presentation we want to get some direction from this Committee as to how you feel on the aesthetics issue.

Mr. Vlasho indicated that with the book that was provided to the Committee prior to the meeting we would limit the presentations to five minutes.

Mr. Mark Duff, Western Florida Lighting, representing Kim Lighting explained some of the background as to why they bid the job. We called Ms. Lyn Wood with the Purchasing Department who said that alternate fixtures were definitely welcome. There are a lot of fixtures that are unique. Nobody makes fixtures identical to the inch, etc. and I felt this was a suitable alternate.

Mr. Duff stated that obviously we were \$90,000 cheaper. With regard to the lighting performance, on the average Sterner is at .69 average foot candles based on the criteria that was provided us and Kim is 1.1 so right off the bat, we have 30% more light. We are less expensive, but in no way is this a cheaper fixture. On every point, which we depart from the specifications, I believe I can demonstrate that this is an advantage to the owner. We do not have sheet metal housing. We have a thick one-piece die cast housing. It is thick aluminum, which acts as a heat sync. It is much more durable and makes the fixture operate cooler and last much longer. To look at it here does not really do it justice. We do have the two sizes for the two mounting heights that were specified. Mr. Duff showed slides of local installations. The fixture has a tapered front and what you were looking for when you selected the style was something other than a box. Something a little more streamlined and a little more tapered, which is what you see here. A slide showing the silhouette of the fixture was shown. The Sterner fixture is a little boxier and bulkier. I thought it was important enough for you to look at the two profiles in the color specified and tell me if it was worth \$90,000. The Sterner fixture has a refractor lens. Engineers design at normal viewing angles and not for someone looking straight up into the light. What you will see throughout Pelican Bay is that the lens are very dark and used to be opaque white when they were new. They are now yellow to brown and you have lost easily one-third of your light output and you are buying more of these. You are replacing them after less than twenty years, you are going

to buy more and you are going to have to replace them again.

Mr. Duffy continued that Sterner is going to tell you that these lens are polycarbon and we are going to supply a credit. Well it is still plastic, it still ages, it still turns yellow and it does not hold up. It is yellowed by two main ingredients one is heat, of which we have plenty of in South Florida. You are heating up this fixture since the lamp and ballast both provide a lot of heat. That is why it is so important that you have thick aluminum housing which wicks that heat away and makes those ballast's last longer. Ten degrees Fahrenheit inside that box can mean three to five years shorter ballast life, then Mr. Lukasz has to go out there with a lift and replace those ballasts and this is well outside of the warranty period. UV inhibiting does not eliminate UV. These are high-pressure sodium fixtures that do not have UV and this discoloration was done just solely from heat.

Mr. Duff showed a six year old Kim installation in Fort Myers. The lens is perfectly clear; the optical chamber is not full of bugs. The Sterner small 100-watt unit is not sealed. Those bugs get into these lights if they are not sealed. In normal viewing angles using only a 100- watt lamp like they have on Fifth Avenue South, they are quite a bit brighter at eight feet. When you put them twenty feet in the air and unless you stand under the pole and look up, you are never going to see that brightness. This is thirty years of cut-off technology from Kim Lighting.

Mr. Bill Snyder, Sesco Representative for Sterner Lighting - As you are aware the product from Sterner is installed in your community now and has been for the last twenty years. Some things have been said quite frankly that are not true and we could get into a big discussion and go through them, but for the sake of time I am going to spare you that. The fact of the matter is that I have worked with Pelican Bay Services for the last year on a decision for a fixture that would be best suited for your community. I think we first started out with a decorative ornate luminaire and evolved up to the decision of where we are today. Through the process I had provided samples to Pelican Bay Services in physical form that would meet expectations of the Kim Luminaire and if possible in some cases exceed them. The fact of the matter is that I was informed that is not what the community was looking for and that they did not want something with the aesthetic value of a "parking lot fixture". There was also a pole issue that we needed to address and that Pelican Bay wanted to change the poles. They had been having problems with some of the poles in the past and they wanted to get rid of a metallic pole altogether. That is why we decided to go with the concrete octagonal.

Mr. Snyder continued that the only thing the two fixtures basically have in common is that they are both constructed out of aluminum which is different types of aluminum. The way the light comes out of the fixture is absolutely 100% different. One is sent through a refractor and the other is sent through a clear lens. The surrounding high-end residential communities in this area tend to go with some sort of refractor in their fixture to either shape the form of light or to cut down on the glare. Mediterra, Bonita Bay and basically all of your high-end golf courses that are using ornamental street lighting are using a refractor in a decorative luminaire to surround the lamp to give it distribution and also to reduce the glare. Without the refractor those decorative luminaires would be glare bombs and in some cases they still are.

Mr. Snyder continued that the fixture that was in the specifications is more expensive. It is more expensive to produce. It is not mass-produced with the tooling that you just pour in molten aluminum magnesium alloy and have it set up. This fixture is hand welded. The fixtures that you have had out there for twenty years have done very well. Twenty years for a fixture is a long time. If you go into some parking lots such as Albertson's and Publix the wattage may be different, but that is typically what you see. There is glare. We wrote the specifications around that because that is what I thought this community wanted. I had offered these materials that are the same, if not less money and we decided against them. We decided it was not what the community wanted. I believe this is a little more of a contemporary look, but if you could imagine that on an octagonal concrete pole I am not sure that is the look that you are going to want.

Mr. Vlasho asked for questions from the Committee.

Mr. Werner asked Mr. Ward if he worked with the people from Sesco for a year and you feel the fixture they decided to write the specifications around is the best fixture for our community?

Mr. Ward replied in the affirmative.

Mr. Roellig stated that we certainly should look at both of these. The bid calls for a brand name or equal which is the way most government proposals are written. If somebody said they wanted a Ford F-150 pickup, it certainly would not preclude Chevrolet from bidding. The point I am making and I hope everyone feels this way, is that there

is no advantage to be named the name supplier or equal. The "or equal" stands at equal footing as far as I am concerned and I think we have to look at the aesthetics and the cost. If the service life seems about the same, I think we ought to go with the cost savings.

Mr. Vlasho asked Mr. Ward to explain about the Jeff Hassell Report that was included in the book.

Mr. Ward replied Mr. Hassell is with us if you would like to ask him questions. Mr. Hassell was actually the original designer of the Pelican Bay street lighting system. He is a local Lighting Engineer who has done work all over southwest Florida for his entire career. I had asked him, at least with respect to the technical specifications, to take a look at both of the fixtures and to provide the Advisory Committee with technical information as to the quality of both of the fixtures. I think his report stands on its' own. At the end of the day if you like the look of this fixture versus the one that I had recommended to you the technical issue which I see is really different is the diffuser itself on the light. I personally think that for the community of Pelican Bay that is what you should have and not a direct light onto the streets. The diffusion of that light gives a softer, nicer look to the community and is one of the reasons that we chose the Sterner fixture. The Report itself was good and compiled into three pages, two books worth of information provided by both Sterner and Kim Lighting.

Mr. Vlasho asked if it basically said either one?

Mr. Ward replied it basically says they are both good fixtures and you can use either one. You have to decide aesthetically which one you really want. The major technical difference is the way the light comes down onto the street and whether you use the refractor diffuser or you use a clear light underneath it. That is a subjective decision. You have had that diffuser in this community for many, many years just as the Sterner representative indicated to you and is more common in community lighting than parking lot lighting. I think it does a better job of boulevard lighting in a community such as Pelican Bay.

Mr. Harrell stated that I do not want to be a lighting expert, I do not want to know everything about lighting and I do not want to get into this.

Dr. Varley asked Mr. Hassell if the refractor would be the appropriate way of going in this community?

Mr. Hassell replied that he could not tell you any major advantage to either one of them. If you look up at any one of the Kim Luminaires you are going to see a brighter smaller point. If you look into the Sterner you are going to see a larger, more spread out, but less bright at any individual spot. I cannot tell you that I see a lot of difference myself between them. The light from the pole is almost the same with both fixtures. One has a little higher average than the other does. The data that Sterner supplied showed a lower lumen output lamp than the light that Kim showed. So the light output that Sterner showed their average being less than the Kim Luminaire did substantially if you use the same lamp in both fixtures. They are two good fixtures and I do not think you can go wrong with either one of them. It is an easy choice or hard choice depending upon how you want to look at it.

Dr. Varley asked if Mr. Hassell thought the community would recognize the difference? Is it that obvious? I do not have any idea what the difference would be on the boulevard. Is this something someone is immediately going to say "holy smoke, what did you do to the lamps"?

Mr. Hassell replied that it never would have occurred to me that they would. I can't tell you that they won't.

Mr. Roellig stated that there has been some indication from Kim that you could use a lower wattage and get the same output, is that something that you could use a 175 wattage instead of a 250 wattage?

Mr. Hassell stated that I would be surprised if you couldn't find a difference. The specifications that went out called for a 250-watt pulse start, metal halide lamp. I am talking about the larger luminaires along the boulevard. I am not sure that 250-watt pulse start metal halide is available from Kim. It may be. When Pelican Bay was built there was not 250-watt high-pressure sodium available from Westinghouse so we put in 200-watt high-pressure sodium at the time. Again, I am not sure the 250-watt metal halide is available.

Mr. Duff, Western Florida Lighting. There are a lot of things written in the various stages of protest. It could be very confusing because Mr. Hassell was not privy to this information. The point we are trying to make is if you look at how degraded these lenses are; tempered glass does not do that. We feel like we could use a lower wattage

compared to how the aged brown and yellow lens would perform because you lose that much light. That was the comparison. We felt we could perform as well down the road, years later, with a lower wattage and that's what that remark went to. I wanted to clarify that.

Mr. Vlasho stated that for both of the presenters, I do not like to hear presentations where you talk about the other guy's product as opposed to talking about yours. You have already done that so we will let that stand. In making comments on your fixtures they talked about how they would be attached to the concrete pole, is that an issue or not?

Mr. Duff replied not at all. We work with that vendor and those structures all the time.

Mr. Roellig asked if this fixture could use both a 175-watt or 250-watt fixture?

Mr. Duff replied yes and we have a wide variety of lamps that you can use in them.

Mr. Roellig stated then if we wanted to use a 175-watt lumen it might be possible without changing the fixture?

Mr. Duff replied yes. We would be glad to run a revised point by point for you based on that data.

Mr. Snyder stated that the fact of the matter is that the specification had required a refractor. A refractor has not been provided. The refractor on the small luminaire does have a gasket and has a dual gasket like the 23-inch that is provided. Also in Mr. Hassell's report you will see that the technology in the acrylic refractors that are in your location are twenty years old and the technology has come ten fold forward in UV stabilized lens. You will not be getting the same product that is out there right now, but the twentieth century version of it. Almost every acrylic lens in commercial applications is virgin acrylic.

Mr. Ward explained that I heard that in the Tramco presentation and there has been a change on the technology from the luminaire. The diffuser that we used twenty years ago to what it is today is a non-issue at all to staff. The new diffuser is a much better material, what we specked and what we prefer to use. Irrespective of Tramco's comments about using less lighting on the boulevards I was not and did not recommend to you and still do not recommend to you that we go to lower level lighting, below the 250-watts. That is a non-issue to me also. We specked this program to utilize a 250-watt metal halide bulb on the boulevard for a number of reasons and we ought to stick with that decision. It is not something in my mind that we need to revisit.

Mr. Vlasho stated that he is like Mr. Harrell in that I have already learned more about lighting than I wanted to. The problem is that there is \$90,000 at stake and that is a big number. I am not sure that the residents of Pelican Bay would notice the difference one way or the other. What is the will of the Committee?

Mr. Roellig stated that I have dealt with specifications like this in government and unless we have a strong reason to take a higher bid, I would be surprised that County Purchasing would go along with our recommendation.

Mr. Vlasho asked if aesthetically there is an issue with one as opposed to the other? That is the only thing we have to give an indication on. Do you really care?

Dr. Varley stated I like the Kim fixture better.

Mrs. Kriegh stated she like the Sterner better.

Mr. Vlasho asked for an informal poll.

Mr. Brown stated that he leans toward the lower cost unit with the cast aluminum unit. It think as wear and tear over the years and if it puts off a little more light it is so diffused with all of the trees out there that is kind of irrelevant.

Dr. Varley stated that Kim looks more streamlined and attractive to me.

Mr. Roellig stated that he would tend to go with the Kim Lighting. Presumably it also presents a lower wind load on

the pole which is good.

Mr. Carroll replied that he would go along with that also.

Mr. Harrell stated that I think it is more important that we show unity to the County Commissioners. If we start splitting votes here, they are going to get the same presentation and make their own decision. I will go where the Committee wants us to go and that is with Kim.

Mrs. Kriegh stated that she is a hold out, but she really doesn't care that much.

Mr. Werner stated that I used to be in construction equipment. This is a favorite tactic that is used when you have a bid and someone has the specs written for a certain piece of equipment. You go bid something less and throw some gingerbread on it make it look competitive. I don't know anything about lights and I am like Mr. Harrell and I don't want to know a heck of a lot about lights, but I thought that is what we were paying Mr. Ward and Mr. Lukasz for. Mr. Lukasz do you have any problem with the fixtures we have now?

Mr. Lukasz replied no and that is what the specs were written for.

Mr. Werner asked if you have had experience with that for fifteen or twenty years?

Mr. Lukasz replied for eight years and we have not had any problem.

Mr. Ward explained that one of Mr. Lukasz's comments to me and the Sterner representative alluded to it earlier, was that we did spend a lot of time looking at a lot of fixtures. We sort of came around the circle and went back to the original fixture that we had. The Sterner representative's comments to you was that he could have bid other fixtures at this point in time that is different than what the actual specification was and knew that we were looking at the Sterner fixture in terms of utilizing that particular kind of a product. If there was a manufacturer that could come up with something that looked like Sterner, had a diffuser on it, had the look of the Sterner fixture, that was not a problem. This is a different fixture. It is aesthetically different, has the different light source underneath it and different than what the specification was.

Mr. Harrell stated that I am on the fence here. I think we ought to be unified and the Committee needs to vote unanimously here and make a recommendation to the County Commission.

Mr. Vlasho asked the Purchasing Director if we had a split vote, what is the procedure after we give you whatever direction we are going to give you?

Mr. Carnell replied that the nice thing is that it falls back into my lap either way. Don't get too hung up on that either way. I am listening and getting your feedback here. What I am going to do is take the feedback I get from this Committee and I am going to talk to Mr. Ward and Mr. Lukasz and decide what we recommend as the protest decision.

Dr. Varley stated we could have saved a half an hour here.

Mr. Carnell replied no, this is very important. One of the things I wanted to do was to get a citizen's perspective on what you were saying. Was this important to you or not and that is why I appreciate the discussion.

Mr. Vlasho stated that on the flip side we are sensitive as an Advisory Committee of always being second-guessed or having to submit. We ought to decide what we want in Pelican Bay as opposed to letting you go back with Mr. Ward and perhaps ending up with something we wouldn't like to have. The real problem here is \$90,000 and about a forty percent reduction in costs.

Mr. Werner stated that you could find someone else to come in with a different fixture a little bit cheaper than that.

Mr. Werner asked Mr. Carnell if we went back and said we would like the alternate fixture and the cost overrides the aesthetics or whatever, do you then open that to other people to bid or is it just automatically awarded to Tramco?

Mr. Carnell replied that the intent would be to make the decision among the bids that are on the table now. At this point we are not looking at re-bidding or other alternatives. Really what we are looking at is that Tramco offered the apparent low bid. The question is, does Tramco meet our specifications?

Mr. Vlasho replied, and the answer is no.

Mr. Carnell replied that is what we are trying to determine right now.

Mr. Vlasho replied that it is no.

Mr. Carnell stated that Tramco is your apparent low bidder.

Mr. Vlasho asked did they meet the specifications or not?

Mr. Carnell stated that what we have heard from your engineer so far is that they were essentially the same product in terms of technical terms. The next issue was aesthetics and this is where again we are looking for citizen input in terms of when you look at that light, given your community and your expectations, do you see something that is acceptable? Particularly with Tramco being the apparent low bidder.

Mr. Ward stated that he wanted to add to what Mr. Carnell said because this is where I part from the norm. Aesthetics are part of the bid process itself and we specked a lighting fixture that had a particular aesthetic look to it including the diffuser that was underneath of it. I do not believe what was bid met the specifications. There is no question about that because the specification clearly identified the look of that fixture including the diffuser underneath of it. So this is an alternative product that in my opinion does not meet the specifications as bid, which happens to include the aesthetic portion of the look of that fixture. If you want to award it and depart from that, that is fine. That is what we are here to do, but the specification in its' entirety has to look at the size and how it looked with the diffuser underneath of it.

Mr. Vlasho stated that if we did that then Mr. Werner has a point and we should send it back out for bids again.

Mr. Werner stated that it has to be an even playing field. You just can't put out the specs and someone comes in with different specs and lower price and we say we will give it to them and not give the other party a chance to respond. It just does not seem fair to me.

Mr. Ward replied it is not fair.

Mr. Brown stated that for over twenty years I worked and sold to governments. We would help a political subdivision write the specs and they were always written for a specific product or equal, but they were written in such a way that the other vendors trying to sell the government would have a very difficult time matching the exact specifications. I was counseled not to get wrapped up and say that it doesn't meet the specs. I guarantee you that there is nobody in this room, other than the lighting company representatives and Mr. Hassell, that can tell you one difference between the lighting at the Marketplace and the lighting on the boulevard. Any lights that go up would be readily accepted and be fine. What you are looking at is \$90,000.

Mr. Carroll stated that I believe our Manager has made a judgment that he brought to us and suggested we do a certain thing. I have swung around and think we ought to vote with what the Manager has recommended.

Mr. Werner moved, seconded by Mr. Harrell and approved on a vote of 6/2 that we recommend to the Board of County Commissioners that the bid be awarded to Consolidated Electric in the amounts specified in the Bid Tabulation. Those casting a nay vote were Messrs. Brown and Roellig.

Mr. Werner asked if we had heard anything from the State on our upland water studies?

Mr. Ward replied no.

COMMUNITY ISSUES

US 41 NOISE ABATEMENT

Mr. Ward explained that a request has come in from the residents for noise abatement on US 41. We have done a number of items. We are discussing with FDOT, the Environmental Division out of Bartow any necessary noise abatement issues as a result of the US 41 widening. We are also currently in discussions with a contractor who provides what are real noise abatement walls that you see along major interstates throughout this State, to address that issue. We will be doing some soil borings along the US 41 berm to identify a location if a wall does to go in. Then to try to come up with some realistic cost estimates for the installation of a noise abatement wall. Once we complete that, we can discuss how that can be paid for either through Pelican Bay Services Division or through a community program for those residents along US 41.

Mr. Vlasho asked if you are keeping Mr. Skaggs and Dr. Swart informed?

Mr. Ward replied that Mr. Skaggs is here and Mr. Lukasz does keep him up to speed. Mr. Swart is up north at his summer home and I spoke with him two weeks ago before he left and indicated that during the summer months if he would call I would be glad to give him an update on those issues. I gave him an update as of two weeks ago.

Mr. Werner stated that he is curious as to the cost of these borings. It seems to me like we are jumping the gun a little.

Mr. Ward replied the cost of the borings is relatively minor and probably not more than \$2,000. In order to determine a wall location, the best location is going to be on top of the berm or somewhere near the top of that berm and in order to understand the actual cost we will need to do some soil borings.

Mr. Werner asked under which of the purposes for creating the Pelican Bay Services Division would we be using the soil borings for a noise abatement wall?

Mr. Ward replied any one of the powers that you have, whether you consider that additional landscaping services or community infrastructure in whatever form, you can certainly do it. If what I hear you saying is that you do not want to spend any money with respect to moving the process forward, then as a Committee you would need to so direct me to do that. What I thought I heard before was that you wanted to at least come up with some estimates of costs with respect to that wall. In order to do that I certainly obviously need to spend some money in order to do some soil borings to come up with a cost for the installation of that wall.

Mr. Werner stated that he wanted to remind the rest of the Committee that this unit was created for the purpose of providing street lighting, water management, extraordinary law enforcement service and beautification.

Mr. Vlasho asked if anyone else on the Committee has a problem with the direction that the Manager is taking?

Mr. Carroll replied that he does not have a problem with it. I feel we need to do this to get some preliminary feeling for whether it is astronomical in price or has any feasibility at all. I think if we don't recognize that there is a problem as a Committee that would be a mistake.

Dr. Varley asked if it has been determined that there is a problem? I know the residents feel there is a problem, but weren't there going to be some decibel readings, etc.? What ever happened to that?

Mr. Ward replied that the residents have gotten some decibel readings. We are sort of doing a two front approach for attack. One is I don't think there is much question, at least in my mind, that there is a problem along that area. I am sure the new noise readings will bear that out. That is why we have contacted FDOT and asked them to come in and look at that issue again for us. I also don't think it would hurt to pursue looking at what kind of a wall that they would have. Even if we choose not to pay for it ourselves it certainly would not hurt to facilitate that process in getting that information to the residents.

Dr. Varley stated that I feel a little like Mr. Werner. It seems to me that I would first establish what the problem is and what can be done about it rather than figuring out immediately what the soil will handle as far as the wall is concerned.

Mr. Ward replied that in simplistic terms, the only thing that you can do when your trying to deal that kind of a noise

issue, which is a recognized solution, is to install some sort of a noise abatement wall. That tends to solve a lot of the problem and not all of it. There are standard walls that you can utilize in this State to solve that problem. It is, in my mind, one of the only recognized ways to solve it. The question as to whether or not the residents think it is a problem, I think you have clearly heard that it is, at least in their minds. I am not so sure I would disagree with it. I think both looking at FDOT's analysis of the noise levels, along with pursuing the wall solution, which includes some soil borings, is a reasonable way in which to proceed.

Mr. Vlasho stated that I for one had thought that the direction we gave the Manager and maybe I heard it wrong was to work with the owners and come up with some solutions. In my mind the two issues are will it look okay and who is going to pay for it when it is done? My feeling would be, assuming the Committee agrees, as long as we spend some reasonable amount of funds then we are trying to be responsive to that particular group of homeowners.

Mr. Harrell stated that I don't think we need to be giving Mr. Ward a mixed message. We have to either go do something or don't do something. We are all agreeing this is a sensitive issue. I don't think any of us have agreed on how to fund this and we need to be careful on that. We certainly can't figure out if a wall is going to work on that without knowing if the land will hold it. This is a sensitive issue. The sound is only affecting a certain group of residents and property owners in Pelican Bay. How do we deal with it and how do we do it sensibly. I do think we need to make sure Mr. Ward knows if we are desirous of proceeding or not.

Dr. Varley stated that I thought I heard someone make the statement that we would have to put a twenty-foot wall on top of the berm in order to do any good. If that is the case, it seems to me that aesthetically it isn't going to fly. It would seem to me that I would try to figure out those problems before I start doing test borings. I suppose the amount of money that is being spent is not all that significant.

Mr. Harrell asked that if there was not already a six-foot section of wall some place?

Mr. War replied that the walls that have been put up are similar to what you see at the Barrington Club. It was a decorative wall. Some of the residents along that area have installed additional pieces of that wall going up and down US 41. They don't really solve the problem, they are at the base of the berm and in order to stop sound you need to put it from the top of that berm upwards. I can't address the question with regard to the size of it. I don't know the answer to that question. My first question is can we even put it on top of that berm knowing what it was constructed out of over the past fifteen years? That was my first question, along with can we even move forward with the project? In order to know the answer to that question we need to know what that berm looks like because there are no record drawings of it.

Mr. Roellig stated that if we want to do a cost estimate we have to do the borings. If the soil is as poor as Mr. Ward indicated the cost could easily double.

Mr. Vlasho stated that I have a concern that if the FDOT does it themselves we may have no say in what the wall looks like. The reservation that I have is that they will take another reading, they will say something needs to be done and then they will do whatever they want to do and it may look like the dickens.

Mr. Harrell asked if we should assume that with the berm on our side the noise is less than it is on the Pine Ridge side with no berm? Could it be foreseeable that FDOT could come in and fence both sides of US 41 for three miles?

Mr. Ward replied I am not sure they would go that far, but that certainly is the possibility with a State agency.

Mr. Vlasho asked what direction the Committee would like to give Mr. Ward, to continue as he has or redirect his efforts?

Mr. Brown asked where does the noise go? If you go over to Wyndemere that is right next to I-75 at the back of the house you don't hear any noise because it is blocked. If you get out on the golf course you hear noise. Does a wall dissipate the noise up and it never comes back down or does it just move it out fifty yards inland? Before we go chasing any windmills we need to find out exactly what a wall does. Does it dissipate the noise or just move it fifty yards inland? I think you need to find that out before you put up a wall or even discuss it.

Mr. Carroll stated that what we are talking about is what I call a feasibility study. I think we have had enough concern expressed by the people along that street that we have an obligation to study it to a point to determine whether it is feasible or not. Mr. Vlasho has stated looks and cost. The third thing Mr. Brown had alluded to is the effectiveness and that is probably more important than the looks and the cost. Sound is an elusive and technical thing and I don't think anyone could answer Mr. Brown's question without further analysis. My feeling is that we have an obligation to go ahead and make a feasibility study on whether this can be done and soil borings are a part of that study. More important are a couple of sound experts that can tell us how high a wall, what kind of a wall, or whether a wall is practical or not.

Mr. Werner stated that I could go along with a feasibility study. I don't want this thing developing a life of its' own. I don't mean to be unsympathetic with the people that have moved there, but you moved next to a busy highway and it may have gotten busier. US 41 was there long before Oakmont was put in. Eleven years ago we looked at a house on Arrowhead Lane in model row and the reason we did not buy there was because it was too noisy. I just don't understand the psychology of this.

Mr. Vlasho expressed that perhaps we need to have a budget for the feasibility study, just so we know what it will be. Maybe at the next meeting you can give us that. I sense even though there is some concern; you should keep going in the direction that you are going.

REVIEW OF PELICAN BAY SERVICES DIVISION FISCAL YEAR 2001 BUDGET

Mr. Ward explained that your Fiscal Year begins on October 1, of this year and ends on September 30, 2001 and it is time we begin to review the Pelican Bay Services Division budget for that ensuing Fiscal Year. You have a Budget Workshop scheduled for June 14, which will give us an opportunity to work in a more informational setting to review some of the details of the budget itself. You had seen at your last meeting the Budget Plan for Pelican Bay Services for Fiscal Year 2001. This is the detail of the Plan itself. We will go through the budget on a line-for-line, page-by-page basis at the Workshop.

Mr. Ward went through the details of the Budget with the Committee and identified how we budget within Pelican Bay. In government we use a form of accounting called "Fund Accounting" which is an anomaly in the industry itself. You can set up a number of funds dependent upon what it is you are trying to do and where the source of revenue is that you are using in order to fund those operating expenses. General Funds are funds you use when you assess your community either through an Ad valorem Tax or through Non-ad valorem assessments or some other forms of revenue unique to government that we do not use here for the purposes of providing operating services and expenditures for the community.

Dr. Varley asked if the Uninsured Assets were included with the other Capital Assts.

Mr. Ward replied no, its' balances are not included and I will show you where that is a little later.

Mr. Carroll asked if the \$4,269,000 was the projected budget for next year?

Mr. Ward replied correct.

Mr. Carroll asked what the budget is for this year?

Mr. Ward replied \$4,146,000.

Dr. Varley stated that the \$4,269,000 obviously includes some other things that are not assessed or taxed for this year, otherwise these bottom numbers do not work out at all. Is that Carryover?

Mr. Ward replied in the affirmative.

Dr. Varley asked if we could see a break down of just that number. I can't make the numbers come out right.

Mr. Ward replied in the affirmative.

Mr. Werner asked if the north berm has already been resurfaced?

Mr. Ward replied that it has not been done and will be done after season. We should be doing that this summer.

Mr. Werner asked what funds were proposed for the \$300,000 Transfer to Other Funds?

Mr. Ward replied that would go toward your Fund located on Page 88 and I will get to that in a few minutes, which is your US 41 Landscaping, Berm Landscaping, Boulevard, Street Lighting, Irrigation and Community Landscaping Improvement Fund.

Dr. Varley asked, is it correct and do I understand that in the Community Beautification, after the year is over, you are projecting that you will have \$826,000 left over?

Mr. Ward replied correct.

Dr. Varley asked if that was not a lot of Carryover? That budget was only a little over \$1,000,000 for last year.

Mr. Ward replied correct. If you look further down the page you will notice that I am recommending two things to you. The first is, of the \$826,000 to the bottom, \$614,100 is our normal amortization of equipment. We keep for 2001 that much of it for use in future years to amortize equipment that is getting older. Then further up the line, \$38,000 is a County decision so to speak, as to how we keep enough money back to deal with future personnel raises during the next Fiscal Year. \$55,000 of it will be transferred to Carryforward, which means that is used to offset your assessments for the next year. \$300,000 would be left over so to speak at the end of 2001, which represents roughly 24% of your Operating Budget, such that by the end of 2001 your Projected Fund Balance will decrease from \$826,000 to \$510,000.

Dr. Varley asked that why the 2001 budget would not throw off the same amount of cash?

Mr. Ward replied that it is a much smaller budget, so the variances are not going to be particularly different but you are throwing off the Projected Fund Balance projected at September 30, 2001 of \$320,000.

Mr. Vlasho asked on the Salary Adjustment does this mean that in the current Operating Budget we will be reserving for the following years increases?

Mr. Ward replied in the budget I presented to you, you are preserving for that year. If the Board of County Commissioners in however it does that approved raises for staff during the year, then I move it out of this Reserve into the Line Item for Personnel for the year.

Mr. Carroll asked why do we budget for so much surplus? Why not make it \$200,000?

Mr. Ward replied that the criteria that we are using are that you keep your Operating Reserves, which is the \$345,000 at 25% of your Total Operating Expenditures. You can lower or raise that whatever you want to do.

Mr. Werner asked Mr. Ward to explain why you do that.

Mr. Ward replied we do that because we levy an assessment. Tax bills go out in November; you don't usually get your money until the end of December or early January, so you use that Reserve to operate the Division on for the months of October, November, and December. This community pays pretty much in the November/December time schedule so we normally get our money in December, but you need two or three months' worth of Operating Capital.

Dr. Varley stated that when we start out we have left over \$826,000 and you do a number of manipulations with this and put money here, here and here and you end up with a Projected Balance on September 30, 2000 of \$510,000. Why on Page 8 in the Community Beautification Department, is the Carryforward only \$93,000?

Mr. Ward replied that if you look at the Transfer to Carryforward in the Reserved for Operations it is \$55,000. In addition to that further down Reserve For Capital Outlay, Current year Transfer to Carryforward \$46,100 you will

move those two amounts of money into the Revenue stream for next year. \$46,000 of it is used to specifically pay for equipment replacements going on within the Budget itself. The \$55,000 is used to offset the assessment rate for Fiscal Year 2001. Those two numbers will add to the \$97,000 that you see.

Dr. Varley replied okay, then where does the \$510,000 go?

Mr. Ward replied that the \$510,000 at end of the day, \$164,100 will be left in the bank for future amortization and \$345,000 will be used to operate the Division for October, November and December, so your cash balances will decrease. Then when you start to get your Revenue in, it will increase itself back up such that by the end of Fiscal Year 2001 you will have that amount left back in the bank again.

Mr. Werner asked if we are spending \$5,000 on the osprey nests?

Mr. Ward replied yes and I am hopeful we can get it done for that.

Mr. Brown asked if somebody said those nest have to be thirty feet in the air?

Mr. Ward replied yes, that is what I have been told.

Mr. Brown stated that the Osprey's now need to be told. If you go from here to Marco the Osprey are nesting ten feet off the water on the channel markers. The osprey's can nest on the little signs that say "canoe".

Mr. Ward replied yes, Mr. Werner. That is the estimate of our cost. The issue that we really are not sure about is how you get a thirty foot pole out on the beach and get it in the ground. I don't know whether that \$4,000 is going to cover the cost of it or not. As we get further into the Osprey nest issue if it becomes too difficult we certainly will bring it back to you.

Mr. Carroll stated that on Page 9, the Street Lighting Fund shows \$236,000 this year and \$213,000 projected for next year. On Page 62, we see those numbers again, but we see the \$236,000. That is this year's right?

Mr. Ward replied in the affirmative.

Mr. Carroll asked how we get to a \$261,000 over expenditure there? Is the budget \$236,000 or \$497,000?

Mr. Ward replied that if you go to Page 63, which is your Fund Balance Analysis you have \$291,000 in actual cash in the bank, currently. What I had indicated to you previously is a part of that Fund Balance roughly \$250,000 was reserved for the issue we just got done talking about and that was street light pole and street light luminaire replacement. We had \$250,000 in this fund that we could use in order to do that. What you see going on here is the use of that money coming from the Reserve Account and using \$250,000 of it for the Capital replacement of luminaires and the street light pole purchases. If you recall this will be just for the single-family area for Fiscal Year 2000. That is where that money is coming from. For budget purposes I have shown it to you this way as a part of the award of bid that goes to the County Commissioners with this particular item that Mr. Carnell just finished with you. There is an amendment to our budget to move \$250,000 worth of Reserves into a specific line item to pay for those luminaires and poles for the current Fiscal Year.

Mr. Brown asked if there is any reclaim value from the existing luminaires?

Mr. Lukasz replied that it was reflected in the bid that was received for the installation. There was about a \$70,000 difference between the low bidder and second low bidder. Rather than having to pay for the disposal of the old materials, he is probably going to utilize those fixtures.

Mr. Brown stated that he is going to put the lights up somewhere else.

Mr. Lukasz replied that he may use the poles and maybe some of the lights.

Mr. Brown stated that there is nothing wrong with the lights, it is the poles that are bad right?

Mr. Lukasz right. We are going with the metal halide, which is a brighter light.

Mr. Vlasho asked if the \$70,000 was in the booklet that was passed out?

Mr. Lukasz replied no, the \$70,000 is in the installation bid.

Mr. Vlasho stated that when you look back at Page 11 it says Interfund Transfers \$177,800. I assumed that was Interfunds between Pelican Bay Funds, but in this case is it from outside of the County funds?

Mr. Ward replied, yes it is.

Mr. Vlasho asked if this was more revenue to us as opposed to taking it from one fund and putting it in another?

Mr. Ward replied in the affirmative.

Mr. Vlasho stated then when you go to page 5 there is \$477,800. Normally a transfer out of one is a plus on the other and it would wash out. This is \$477,000 coming from outside of Pelican Bay?

Mr. Ward replied it is \$177,000 from outside of Pelican Bay and the other \$300,000 is an Interfund between the funds. That was the \$300,000 I referenced to you earlier going out of the Community Beautification and into the Capital Fund.

Mr. Vlasho stated that it already came to us as revenue once. Now it is coming to us as revenue again.

Mr. Ward replied it is not coming to you as revenue but as a source of funds. Budgets in government have to balance so we always have to show a source of funds equal to our total expenditures.

Mr. Vlasho asked why the \$300,000 is not on Page 90?

Mr. Ward replied that it is on Page 88. You see it in the Revenue Summary as a Transfer from Community Beautification.

Mr. Vlasho stated that I can deal with you later, but I still do not understand why it is a plus on Page 12.

Mr. Ward replied that you will see it only on Page 37 as a transfer out and you see it going into the fund that you just referenced a second ago. Then it is carried forward as a positive number onto the Summary Sheet itself.

Dr. Varley asked if this budget is accepted we have escrowed all of the money to pay for all of the landscaping on US 41, both phases and also the berm improvements, the wall or whatever needs to be done is that correct?

Mr. Ward replied not the wall, the landscaping.

Dr. Varley asked and all of the street lighting has been paid for?

Mr. Ward replied yes.

Dr. Varley asked where the \$1,033,100 in the Uninsured Asset Fund sits in the budget?

Mr. Ward replied that it sits in this particular fund but it is not assessed, so it does not have an affect on the budget per se. The money rolls forward from year to year. We earn the interest on it. We budget the interest income coming in and this has no affect on your assessment rate.

Dr. Varley stated that I understand that it does not affect the assessment rate but when you look at the budget you don't know that we have put aside \$1,000,000 for uninsured assets.

Mr. Ward replied only in this format, you're right.

Dr. Varley asked if there are any other budgets like that?

Mr. Ward replied no.

Mr. Carroll asked do you mean that it is not in the \$4,269,000?

Mr. Ward replied no that it is not shown.

Dr. Varley asked shouldn't it be?

Mr. Brown replied no. It is the difference between a balance sheet and an operating statement.

Mr. Ward agreed. What you see in the Income Statement, which is in the \$4,200,000, is the income coming off of it, but you don't see the actual cash number in it. It is a balance sheet item and you don't see a balance sheet in the budget, but I can also provide you those balance sheets. In a snapshot if you look at those fund balances in each of the departments, that is the balance sheet.

Mr. Werner asked if we are going to spend \$4,200,000 next year or not?

Mr. Ward replied yes.

Mr. Werner stated I thought you had just said no.

Mr. Ward replied no, I said yes.

Mr. Werner asked the time of the Budget Workshop?

Mr. Ward replied 1:00 P.M. on Wednesday, June 14.

Mr. Vlasho stated that he mentioned to Mr. Ward before the start of the meeting and last year, this budget is not meant for executive action of a Board. As was obvious, you have to flip through and try to compare and most of us couldn't do it. Some of us think we can follow numbers, but I have to tell you most of us cannot follow these numbers. If at all possible we need a comparison like you prepared for the funds. Use Page 17 as an example. We need one for all of the funds that is similar to that. We see all of the pieces but never see where it all adds up together. Wages are scattered through here and we see portions of people's wages and we never see a total as to what we are paying people. I had mentioned to you that we as a Board need to see what we are spending on Administration as a percentage of the total. I am not sure, but my feeling is that it may be high, but I don't know because I can't see the numbers. That would then break it down between field and administration.

Mr. Vlasho continued that with Capital Acquisitions in total, the pieces are here but no place can you see all of the capital items we are going to replace. Tied to that is in this budget it talks about a new computer system in two or three places. What is the upgrade and what is the total we are going to spend on the computer system?

Mr. Vlasho stated that with Contract Labor you use as our regular hired labor the current year's budget, but on the April 30, 2000 statement we are running favorable \$129,000 but yet we are asking for funds there. At the same time we have increased the contract labor and we are spending a lot of dollars on contract labor. A question we can answer at the Budget Workshop between Mr. Ward and Mr. Lukasz is what are we getting and are we paying a premium by having such a large number of contract laborers? I assume that is supplemental to the workforce and we need an answer there. Who provides that day labor? I would like to know how does that happen every day, do you go to the labor pool and get them or does it come from a service.

Mr. Vlasho continued that with regard to the Sheriff's number I have two questions. One, we are not spending the total dollars this year, but I suppose that probably deals with the reserve and how we pay them. It appears that we are going to spend less than we committed to, but that is because he doesn't get his money on time, which is interesting. Two, if the Committee agrees I would like to see somebody from the Sheriff's Department come in so we can have a discussion. We always talk about if we are getting our money's worth and my personal feeling is that "we" collectively aren't managing it properly because I have no idea what they are supposed to be doing. I do

not want to hear a report that they issued fourteen tickets at this street corner and handled this many security alarms. What is the program so that when we have a periodic report, which is going to be quarterly now, we know how to measure them?

Mr. Vlasho stated that we really ought to see a balance sheet so we know where all of these reserves are. If we could just make this a summary it would help. I am not faulting what you do here because you have to do all of the pieces, but on the other hand this does not have a total we can react to. I guess I personally don't enjoy trying to figure it out in preparation for these meetings. If you could prepare something that could help us at the next meeting at least I will appreciate it.

COMMITTEE REQUESTS

PELICAN BAY SERVICES DIVISION MANAGER'S JOB DESCRIPTION – MR. JAMES CARROLL

Mr. Carroll explained that a little history of my involvement on this job description process is that several months ago at a Foundation Board Meeting there was a brief memo presented on the division of responsibilities of the three organizations, the MSTBU, the County and the Foundation. I saw some errors and when I brought this to their attention, Mr. Censits said why don't you fix it? I then prepared a draft of such a memo that spelled out the responsibilities of each organization. My intention was to bring that to this Committee for review. Before I had a chance to do this the question of Mr. Ward's contract extension began to come up. It seemed to me that incorporating the division of responsibilities and my thoughts on a job description could be combined and I prepared a draft that I gave to Mr. Ward following our last meeting.

Mr. Carroll continued that what seemed important to me and still does is that this Committee review a manager's job description and update the old Exhibit "A" to meet the current needs. Last week I met with Mr. Ward and reviewed my draft in depth. Mr. Ward felt that the detailed reference to the other two organizations and his involvement with them did not fit a contractual agreement. We agreed he would take some of my comments and include them in an updated Exhibit "A". We also agreed that I would prepare a separate memo, which dealt with the responsibilities of the three organizations, which provide all of the services for our community. This Committee could then see in detail what each organization did and then determine whether Exhibit "A" adequately defines the job we want our manager to do. Mr. Ward took some of my comments from my draft and incorporated them into Exhibit "A". He then asked for my comments on Exhibit "A" and he then incorporated them into the Revised Exhibit "A" which you received.

Mr. Carroll stated that the way I would like to see us go about this review is to first go over Exhibit "A" as amended to see if that description meets with your approval. It is certainly an opportunity for you to input to that if you would like to add or subtract. Then I suggest we go over the memo on Division of Responsibilities. I will call it Exhibit "B", just to give it a handle. We could then determine whether focusing on this division of responsibilities suggests changes or additions to Exhibit "A" or whether we simply include it as a separate exhibit for the enlightenment of the Manager and the Advisory Committee. My thinking is we will see when we look at that Division of Responsibilities whether some of those things belong in Exhibit "A" because we want Mr. Ward or our Manager, whoever, or whether we say they are too complicated. Mr. Carroll explained that there are thirteen items on Exhibit "A".

Mr. Vlasho stated that I have not had the opportunity to review the Revised Memo that came this morning, but asked Mr. Carroll what is your feeling on Exhibit "A" since you have been working on it?

Mr. Carroll replied that one observation I have had is that when I looked and reread the entire contract and the old Exhibit "A", one of the things that sort of startled me and stuck out in my mind was that the Advisory Committee was never mentioned. It was as if when it was prepared eight years ago we did not exist, or matter, whatever. I was not around here then, so I don't know what the significance of that was at that time. What I am saying about this is that I have attempted and Mr. Ward has gone along with interjecting this Committee into the various statements throughout. As far as the specifics, I think it is covering most of the things we have talked about, but I would be interested if there is any other reaction to this.

Mr. Werner thanked Mr. Carroll for preparing this. When I got the first draft I went through and highlighted things. When I got the revised draft I was pleasantly surprised to see that where it had one reference to the County and I wanted to have the Manager reportable to us too and you had included that. I like that and I think that is moving in the direction that I want to move.

Mr. Carroll stated that the second document is the MSTBU/County/Foundation Division of Responsibilities. As I worked on this job description I could not help but keep wanting to address what we expected the Manager to do as the interface with these other two organizations. If you look at Page 2, we list the MSTBU in some detail and all the things that we do. We know all of these things pretty well. We focus down on the County and the things they do for us in this community such as street maintenance, trash, water/sewer, building code enforcement, etc. The question that comes to my mind is how do the people in our community deal with the County? When an issue such as a pot hole on Pelican Bay Boulevard is causing a lot of trouble, who is it that goes to the County and who in the County does somebody go to? Right now as I sit here, people are expected to access this service by themselves. Of course a lot of people would not know how to do that. My thought when I wrote this was that our Manager might very well be the person who was our go between with the various County departments.

Mr. Vlasho asked if that was in Exhibit "A"?

Mr. Carroll replied no. I don't think Mr. Ward feels he should do that. I think we need to explore that a little bit.

Mr. Vlasho stated that the people who come to this meeting are assuming this is the place to come.

Mr. Roellig stated that he feels that is a mistake. If you didn't live in Pelican Bay and you had a pothole, where would you go? Would you be quiet? No, you would call your County Commissioner or Public Works. I don't think that the people of Pelican Bay are any different than the people who live any place else in the County.

Mr. Carroll asked if we are trying to become different?

Mr. Roellig stated there are some things we don't need to be different about. We have an elected County Commissioner for this area and typically if you have a problem you can't resolve with a County employee or agency you take it to your Commissioner. That is the way it seems to work everywhere else.

Mr. Vlasho asked Mr. Ward if someone called your office and Mrs. Smith answered the phone and they said there was a pothole at the corner of Gulf Park Drive and Pelican Bay Boulevard what would you do, tell them to call the County Commissioner?

Mr. Ward replied no, Mrs. Smith tell them what you do.

Mrs. Smith explained that she actually takes their name, telephone number and location of the problem and then calls County Road and Bridge to report it.

Mr. Ward explained that the first number in the telephone book under Pelican Bay is Pelican Bay Services. We get every single phone call that has any relationship to Pelican Bay. Within the County structure itself, my staff, if a resident calls and it is an issue relative to Collier County, we take their name, phone number and contact the appropriate County department and try to help that individual through the process. That is the standard operating protocol.

Mr. Carroll asked if we wanted to put that in the job description this one item you wrote maybe your intention was that it covered that and that is number 11. "The Manager will work with such other organizations as necessary when issues relating to the operations and maintenance of the Division's activities arise". Is that where that is? That does not get specific. Would you object to our in effect notifying all of the people in Pelican Bay that if they have a problem with County items they go to your office?

Mr. Ward replied, I don't think that is our responsibility. What I said is certainly if someone calls and needs help within a County agency, just as a department within the County we have a responsibility to help them through that process and we do that. But as a matter of making me contractually responsible for that, I cannot accept that responsibility, but I certainly can implement Standard County procedures for you in terms of helping individuals within the County get through the County process. That is what we do for a living, but the actual assumption of responsibility for either street maintenance, trash or water/sewer is not something I can contractually take responsibility for.

Mr. Carroll stated that I did not assume you would be responsible for street maintenance. It would be more for the responsibility to pursue whoever it is in the County to the point where they got the job done.

Mr. Ward replied, again, that is not my responsibility. That is someone else's responsibility in the County to do that and I have no authority over anyone else in the County. We are a low-level department within the County. If I called Road and Bridge and asked them to do something and they chose in whatever infinite wisdom not to do a follow up and it did not get done and I have a contractual responsibility that it gets done, that is a breach of my contract. I can't be responsible for those actions. I can certainly advise people to do things, or ask them or beg them, but I can't take the responsibility for ensuring that work gets done that is not under my control.

Mr. Werner stated that when we talked with Mr. Ilschner the way I understood that it works is the Manager works with the staff. If you want to work with somebody you go to the Commissioner.

Mr. Werner stated that he feels there is a big question mark in your Division of Responsibilities that you attributed to the Collier County Government as far as the Mangrove/Clam Bay maintenance. I think we would all like to see them do it, but I am not sure it is a fact. If you look at the purpose for which this body was created, it is "including but limited to beautification of recreation facilities, sidewalk, street medians and the maintenance of conservation or preserve areas in the above described taxing district". I don't know whether the taxing district includes Clam Bay or not, but that might be a good question to find out.

Mr. Carroll asked if you would strike that item?

Mr. Werner replied no, it is a question, is it in our taxing district?

Mr. Carroll stated that if it were in our district you would take this out of here because it is our responsibility?

Mr. Werner stated that he sure as heck does not want to open a nest.

Mr. Ward stated I am not sure you want to open that box.

Mr. Vlasho stated they are going to fund it this year and next year.

Mr. Werner stated that what they are funding next year is the monitoring costs and I assume there has to be some maintenance on the pass that comes from TDC. Other than that they have not agreed to fund anything. Is that right Mr. Ward?

Mr. Ward replied in the affirmative.

Mr. Brown stated that in the past I have called Pelican Bay Services and asked Mrs. Smith for information. One time she called back and gave me the answer and the other time she called me back with the name and number of who to call. I think they do a great job, Mrs. Smith especially right now without even getting Mr. Ward involved. If she knows where to go and what to do in the County, she will tell you. You had a beautiful example of that today where Purchasing is a County decision. We can do anything we want here and Purchasing is going to do what they are told to do under the County law. Let's not try to re-write County law here with a stroke of the pen and say this is what we want.

Mr. Carroll stated we have no intention of doing that. I think what we are looking to in this County situation is that what we are doing is about what we think we want done as far as our Manager is concerned. Calls from people go to Mrs. Smith and they are either resolved or they are told who to talk to and we take it ourselves from there. If that is our mode of operation, that is fine.

Mr. Vlasho stated that if this is an accurate list, the Sheriff has a separate funding. Water and sewer seems to take care of itself. It sure would be nice to know what we are paying for street maintenance. Trash is a separate item, so funds that flow out of Pelican Bay, if this is accurate, are millions of dollars. We are spending big numbers for street maintenance and building code enforcement. That is interesting.

Mr. Carroll stated that on Page 3 the Pelican Bay Foundation certainly has more interaction. I have listed their responsibilities. If you look these over you see all of the things the Foundation currently does. There is an interface between the two organizations and the question that I raise is what responsibility should our Manager have for working these interfaces with Mr. Kinney?

Mr. Werner replied 100%. He ought to work with the Foundation.

Mr. Roellig stated I think he does work with the Foundation. My opinion is that we do the landscape work for the Foundation and that should be under the Pelican Bay Services Division. As far as I know we cut their grass and trim their bushes. We do landscaping on their property.

Mr. Ward explained that what I added to this Exhibit is item 11. That is to work with other such organizations as necessary when issues relating to the operations and maintenance of the Division's activities arise. This is a sort of all encompassing concept that addresses whether it is the Foundation, the County government or the Sheriff's office or whoever it may be.

Mr. Carroll asked if we should formalize this relationship any more than it currently is? As an example, I have been going to the Foundation meetings and I find regularly that I pick up things and sometimes come back and report them to you that are of interest to us or are perhaps highly interactive with us. I made the point to Mr. Ward that perhaps he should attend those meetings and he didn't think he could or he should. I wonder what the mechanism is for Mr. Ward, or whoever the Manager is, to interface with Mr. Kinney and the Foundation? How does that happen or does it just happen over an issue when it happens to come to both of their attentions?

Mr. Ward replied that I think as it relates to the Foundation and I see Mr. Kinney here, so he is certainly welcome to chime in. I look at my function or the function of Pelican Bay Services as a Public Works function. We provide infrastructure maintenance to the Pelican Bay community. With respect to the interface between the Foundation, we maintain the horizontal infrastructure for the Foundation facilities, be that their landscaping or whatever it may be. There are interfaces that occur at least with respect to what we do for a living and the Foundation, more from us to them than from the Foundation to us. To the extent that issues related to what we do landscaping, lighting, entranceway, etc. we do interface with the Foundation with respect to those issues. If maintenance items come up dealing with the Clam Bay berm or they have gotten a complaint from somebody that really is ours or vice versa, the day-to-day operations of handling the activities of Pelican Bay Services are activities that we all interface on a day-to-day basis with the Foundation. That is how that interface occurs. It just works as a matter of course because that is the function of what we do. It is two agencies overlying the same community and has some common interests in terms of what we do. I am not interested in everything they do, as they are not interested in everything that I do. As a result of that as a Manager, Manager's know how to communicate with one another when necessary in matters of mutual interest to one another.

Mr. Kinney stated that he feels Mr. Ward is absolutely correct. There could be a period of weeks that go by where the two, Foundation and Pelican Bay Services Division, are running parallel and nothing crosses the line. Then in a period of two weeks we might be on the phone because I received a letter that should be handled by the Pelican Bay Services Division and is faxed to Mrs. Smith. They get back in touch with me. Mr. Ward's comments were correct. We both know what our responsibilities are and where it crosses over. Right now we are working on the easements for the signage out front. These are just communications back and forth. I think we are cognizant of each other and I think the Foundation's, Pelican Bay Services and Mr. Lukasz's relationship has become much stronger over the months. We are both very open minded and very cognizant of the fact that we serve the same community. The only thing we tussle about is whose budget picks up the bill. That is just the kind of fun we have as managers, in protecting who pays for what and we all know it is your money. I don't think you need to concrete spell anything out. I think it would be something during an annual review we want to judge whether or not relationships are continuing strong or whether or not a wedge as been divided between it. We coordinate an awful lot. I had questions on the Foundation's side of the cattail removal that I was getting at the Foundation. I sent that over to Mr. Lukasz and in a matter of a couple of days I got a written report back. We are interfacing all the time and I think spelling it out clearly might allow us to say sorry that is not in my scope. That is the worst thing I think you would want to do, because there are times that they help me when they don't necessary have to and I hope that is vice versa.

Mr. Carroll replied good. Then you don't feel there is any need for us to do anything as a Committee, which would further focus on that relationship?

Mr. Kinney replied no. The Foundation is continuing to go through the feasibility on this biweekly newspaper concept and we seek to bridge the gap between the communications to encompass all the groups in the community newspaper. I think that alone is going to be a situation where we are all going to know each other's business. I would be embarrassed, but I guarantee the Foundation probably does not send Mr. Ward or Mr. Lukasz our Communique. It would be a good and timely thing for us to send the Communique to Mr. Ward. It really is not necessary for him to come to the Foundation Board Meetings.

Mr. Kinney continued that if we get into this biweekly newspaper, that avenue is going to open up for them to send us information and we will all be on the same page. Something on a formal basis at this stage I think would be overkill.

Mr. Carroll asked if there are things that either of you is doing that might be better done by the MSTBU or vice versa? Is there some room for looking at that or is it comfortable where it is?

Mr. Kinney replied that the only thing I have is minor and that is that I would love to give Mr. Lukasz the Christmas lighting program. I really don't think so. I think the relationship is fine. In the past it might not have been so open minded, but when I came on board Mr. Ward and Mr. Lukasz came over and we met and sat down and made an agreement that whatever happened in the past is in the past and let's work together. I think that over the past several months that has been the case. I am not concerned and my Board is not concerned.

Mr. Werner stated that the comment was made earlier that we cut their grass and we maintain their landscaping. We maintain "our" landscaping and cut "our" grass.

Mr. Carroll stated I am done redoing this. We have accomplished my mission. We have covered a job description for our Manager and have updated it and we are ready to go from there.

Mr. Vlasho stated that once the Mangrove maintenance is clarified, corrected or eliminated, whatever is going to happen, this is a piece for the Communique. It is a good explanation of where we stand.

MANGROVE MONITORING PLOTS

Dr. Varley stated that he needs some direction from the Committee. A couple of months ago I mentioned to you my feelings about where we were going with this mangrove die off problem. I mentioned that I had gotten in touch with a fellow by the name of Mr. Bob Riley who has a system for restoring mangroves. I mentioned that he had come out and looked at it and took two buckets of soil back with him. One bucket of soil was from an area where mangroves were growing and one where they were not. He has planted them with seed pods from our area out here in both of these samples and also with seedlings that have been grown from pods which originated on the East Coast of Florida. They have been planted for about thirty days and all of them are growing. He says he sees no difference between them and there was no setback. The seeds seemed to thrive in both of our soils. This certainly is not a prediction that nothing is wrong with the soil out there and that mangroves will live to be a hearty old age. They could certainly die after three months or a year or whatever. It does not appear at the moment that there is anything wrong with the soil out there. Of course that is an issue we have been debating for the last five years.

Dr. Varley continued that I was talking with Mr. Riley on the phone last evening and he is willing to take his method and plant some test plots out here. He is a lot more conservative than I would be and he is suggesting four plots with one hundred plants each in them and picking the areas where they might want to try this. He estimates that it will be about \$25.00 per plant to put them in, so we are talking about roughly one acre. There will be four quarter acre plots with one hundred plants in each and we could probably get that done for about \$10,000, plus his expenses. We are moving along in the year and I think if we are going to get something done, that we ought to be doing it. I would like to know how the group feels as to where we should go from here. Should I encourage this guy or should I not encourage him?

Mr. Harrell replied I think we need a thermometer. We don't have a thermometer we have aerials. That is not a lot of money and sounds great.

Mr. Werner stated that I agree that we have to do something and I am very much in favor of that. My problem is that we still don't have anybody managing or coordinating our efforts. We have Ms. Kathy Whorley from the Conservancy out here sampling a plot; Mr. Lukasz samples some and Mr. Lewis popping in to sample some. I still think we need somebody and maybe that should be part of your job description for somebody to coordinate all of this. I think we have to do that.

Dr. Varley asked if the direction is to go ahead and encourage this guy? I will get a proposal from him that would be presented. We have to figure out some way of reimbursing him. He is not in a full time mangrove environmental position. He is President of a small computer concern that develops web sites. He has done it so far entirely on his own. I am having a hard time even getting him reimbursed for his mileage. We will have to do something about

reimbursing him and getting it straightened out. I will get a proposal and will bring it back here if you wish.

Mr. Vlasho asked Mr. Ward if we really need a proposal? How do we authorize Dr. Varley, if we choose to, to spend up to \$10,000 plus expenses?

Mr. Lukasz replied that we would need three written proposals.

Mr. Vlasho asked for this project?

Mr. Ward replied right. We cannot under County Purchasing authorize a proposal for \$10,000 without other proposals.

Dr. Varley stated that is the end of it because I am not going to get another two people to bid this project.

Mr. Lukasz stated that \$7,500 is the point where you need written proposals.

Dr. Varley stated that I would ask him if he could do it for \$7,500.

Mr. Roellig stated that you still need a proposal.

Mr. Ward explained that above \$1,000 you are required three verbal quotes, over \$7,500 three written quotes and over \$25,000 it goes to a competitive bid situation.

Mr. Carroll asked if this could come under some kind of experimental project.

Mr. Roellig replied it is a procurement issue.

Mr. Ward stated that he would be glad to work with Dr. Varley to try to figure out a solution.

Mr. Brown asked Mrs. Potter if the Mangrove Action Committee had any money?

Mrs. Potter replied that we do, but not that much.

Mr. Brown stated that a suggestion is that maybe the Mangrove Action Committee and people that live right there where they look at the dead mangroves would like to donate money to the Mangrove Action Committee. This money could then be used to hire this Mr. Riley that Dr. Varley spent a lot of time with and fund some test plots totally outside of the MSTBU. Just a thought that there might be private moneys to go in there and put some plugs in and see if it works, rather than get involved in a giant scale proposal.

Mr. Ward stated that to answer Dr. Varley's question directly, we could work with you and Mr. Riley and contact some other vendors to get some alternative quotes. That's all we really need to do and is not a big issue within the County system.

Mr. Vlasho stated this Committee is saying do it. Mr. Ward can figure out how to do it.

Mr. Vlasho stated that he has a letter from the President of the Mangrove Action Committee on where they stand. Let me call him. I thought they had enough money to fund this is what I had heard, but I have not been to one of your meetings. What a lot of money is to some people may only be a little to you and you are always conservative.

Mrs. Kay Potter replied that we would dearly love to cooperate and work with you. Mr. Keene Cornell is our President and he has just gone to Pennsylvania. Had we known we would need funds such as this...we have not been collecting membership dues from our membership for the past three years. We have been hoarding our treasury for whatever we might need, so we do have some funds, but we would deplete our treasury if we took on this project. I am not sure the County would allow us to go in and do plantings. As you know, the Conservancy has been doing some test plots. Also there have been test plots done in the past and there is a record, but unfortunately the Conservancy has not had good results.

Dr. Varley stated that the Conservancy is just looking at things nature has planted out there.

Ms. Whorley replied that is true.

Mr. Vlasho stated that I do not want to confuse what the Conservancy is doing with Dr. Varley's proposal.

Mrs. Potter stated that I know we could partially fund it. I don't know how much it could eventually be, but we would love to work with you.

Mr. Vlasho stated that Dr. Varley should work with Mr. Ward and get whatever needs to be done. This Committee is saying go ahead and do the project rather than wait on whom shot whom and get funds from somewhere else.

Mr. Werner replied we should go ahead and get a proposal.

Dr. Varley replied I would talk with him.

PELICAN BAY GOVERNANCE

Mr. Dorrill reported that as a result of an authorization to proceed from our client, The Pelican Bay Property Owner's Association, we have moved forward and made contact with the Young, van Assenderp, and Varnadoe firm in Tallahassee. We are working to prepare and submit back to the Property Owner's in approximately one month a proposed and revised ordinance that has four tenants to it. The first would be to create a seven member Board of Supervisors, five of whom would be elected with the other two being appointed and taking into account the desire to have representation from part of the commercial interest here. That newly and reconstituted elected Board would have the fairly broad powers and administrative authority and responsibility similar to those provided to general purpose governments in the State of Florida. The one exception to that being that the final budget authorization would rest with the Board of County Commissioners at a Public Hearing. As part of that the necessary option and authorization be given to that elected Board to compile and approve its' own administrative code or to adopt the existing administrative code and ordinances in County government involving those things that we mentioned such as purchasing, human resources or personnel, risk management, etc. The fourth tenant would be that the Clerk of the Circuit Court who also acts as Ex-Officio Clerk to the Board would continue to provide those services including audit, custodian and accountant of the various funds of the District going forward. I have provided to Mr. van Assenderp copies of your existing and amendments to your original Enabling Ordinance 90-111. I also provided him with a copy of the Ordinance that was created in 1993 which created the Independent Airport Authority and the various powers and responsibilities that they have. This is the closest model that we have in Southwest Florida to the kind of thing that we are trying to do here. I don't expect this to be a very complicated project and hopefully we will have back through the Property Owners' a proposed Ordinance for you to look at in approximately one month.

Mr. Vlasho asked if you are shooting for our July or August Meeting?

Mr. Dorrill stated that I am shooting to present it to the Property Owners who I am sure will share it with you. I am not sure what the sequence of your normal meeting is.

Mr. Vlasho replied we meet the first Wednesday of each month.

Mr. Carroll asked how Mr. Dorrill arrives at a membership of seven?

Mr. Dorrill replied as a result of a discussion we had and a subsequent meeting that I had with Mr. O'Connor on behalf of his Board where they picked the number. I do not particularly care. It can be debated and revised at the presentation or Public Hearing.

Mr. Vlasho stated that it could be debated here once we see it.

Mr. Dorrill replied that is correct, for the time being it is just a number. The point being was to leave representation available for at-large appointments as opposed to elected supervisors.

Mr. Werner stated that at the last meeting there was some concern that by going this route there would be an inordinate increase in the cost of services provided by the County. Is there any reason to believe that at all?

Mr. Dorrill replied no. I think I answered no to that question at the last meeting and there are no contemplated increases for those indirect allocated expenses that you currently provide to the County.

Mr. Werner asked if the costs we pay to the County falls under Indirect Cost Reimbursements or Other Contractual Services?

Mr. Ward replied Indirect Cost Reimbursements.

Mr. Werner stated that to let everyone know right now, we are paying approximately \$124,000 budgeted for that for next year.

Mr. Ward replied correct.

Dr. Varley stated that is more like \$170,000 all together if you look at all the different funds that it has been apportioned to.

Mr. Ward replied \$123,700.

Mr. Ray O'Connor, President of the Pelican Bay Property Owner's Association and resident of Oakmont. As an addendum to what Mr. Dorrill said, just to answer the question of seven or nine members. We want to leave that open with the reason being we wanted to be able to have the representation on the Board of the commercial interests that Mr. Harrell was concerned about. That number is flexible and as Mr. Dorrill said, it is something that was put in there and can be amended after discussion by my Board. It will then be brought to your Committee and we will certainly have your input, which I had always expected. In light of the fact that we are not going to have any hard and fast legal document to present to you for a month and you are about to discuss extending the Manager's Contract, I might suggest to you that if this is adopted by us and you and the residents, the position of Manager may be more than what Mr. Ward does right now. There may be more duties and a larger undertaking. There will be contracts, a work force that he would be responsible for in a different manner because now they would become our employees rather than County employees, although they would share the County benefit program. What I am saying is that perhaps if you would wait and see how this is going to proceed before you proceed with this contract, at that time Mr. Ward may want to look over what the new duties are going to be. He might have to come back with a different monetary proposal. I am just suggesting that as a matter of thought. You might lock yourself into a contract and if this goes by and a Board of Supervisors comes in they are going to expect a different set of negotiations with the person who is going to be the eventual Administrator or Manager, whatever you might want to call him. I just bring that to your attention and hope that you will consider that before you go into your deliberations.

CONSIDERATION OF CONTRACT MANAGER SERVICES WITH THE FIRM OF SEVERN TRENT ENVIRONMENTAL SERVICES, INC. FOR FISCAL YEAR 2001

Mr. Ward explained that this is the extension of my contract for Fiscal Year 2001. The contract is essentially the same as what you have seen in the past. The Exhibit "A" will be changed to reflect the discussion that you had earlier.

Mr. Ward continued that to address Mr. O'Connor's question directly, I think you have a relatively short termination provision in this contract if you desire to exercise it at any time. That is probably the best way in which to address the issue in the event you wish to go forward with an Independent District at some point in the future. I have appreciated working for this community for the many years now and would certainly like to continue for another year.

Mr. Harrell made the motion to renew the contract for Fiscal Year 2001.

Mr. Werner stated that with all due respect for the motion, I am not going to support it. For the last four or five years I felt we needed more full time management. Mr. Ward can give us one day a week. He has fifteen or so other Districts that he works with, he attends about sixty of these meetings a month. I don't see where we can get the time from Mr. Ward that I think we need and what the new job description will require. Another reason and I have

been very remiss in the seven years I have been on this Committee, is we have never asked anyone else for a proposal. We have never put it out for bid. I don't know how we get around that, but we have never done it, so we don't really now if we are getting a value. The contract equates to about \$240,000 a year on a full time basis if we are paying \$48,000 for one day a week. I don't know if we are getting true value.

Mr. Vlasho stated that Mr. Werner used the words "how we are getting around that". Is that an issue or not?

Mr. Carnell stated that County policy with regard to Annual Contracts for Service, which this would fall under, is that stated policy is that most of those contracts as a rule of thumb have options to review them for second and third years. Typically the rule of thumb is that we will have competition every three years on an Annual Service Agreement. To answer your question; the way that is not always followed is that sometimes the staff asks the Board of County Commissioners in effect to redo the contract beyond the three-year period. The Board, which sets the rule of the three-year standard, can also waive the rule of the three-year standard and that has been requested of the Board for several previous years. I have not personally been involved in the discussion about the merits of that and it has not been brought to my attention in terms of something that either the Advisory Committee or the Senior County staff wishes to address. Frankly at this point I have not looked at the issue in depth, but I certainly would be willing to do that and give you a response in terms of what I think the appropriate course of action ought to be from a staff perspective.

Mr. Roellig stated that he has worked with Mr. Ward for more than two years now and I think he has done an outstanding job. I get a lot of compliments on work that Pelican Bay Services does. I have never had a complaint given to me personally and I certainly don't have any problem with a man that can get his job done one day a week. Why would you want to hire somebody to sit in the office for five days if you have somebody that can do it in one? I think he does a good job and we get a bargain for the money.

Mr. Harrell stated that I expected that comment to come from Mr. Werner. We certainly have divided this Committee in doing this conversation before. I know for me it has stopped relationships that I thought I had, by choosing sides and I don't want to see this Committee do that again. I thought this Committee had clearly put faith in Mr. Ward and this is not outside where this Committee was going in spite of the fact that it may have other members of it either in a minority or not enough to control the majority who felt differently. I think we are going in the direction I thought this Committee as a whole always wanted to go in.

Mr. Carroll stated that he just wondered that if what we just heard from our County Purchasing Director isn't a factor here. If we are supposed to go out for bids every three years and get alternative proposals, I guess the only way to get around that is for the Commissioners and Purchasing to waive that. Is that right?

Mr. Carnell replied that the Board of County Commissioners in Public Session is asked to redo the contract beyond the three years.

Mr. Carroll asked if that is good procedure or isn't it? I am a little hung up on that point.

Mr. Carnell replied that as a rule the stated policy is that we want to have competition every three years or one year with three renewals. There are exceptions and circumstances where maybe it is warranted to continue the relationship for more than three years. In terms of my staff we try to focus on these types of issues as we try to look at the whole picture and see what all of the issues are. There may be some mitigating factors as to why in a given situation you want to continue the relationship longer than three years. What I am saying is what I think you are picking up on is that the general rule of thumb is that we are a public agency, we want to be competitive and open. We do want to as a rule of thumb open our business up in each different area periodically.

Mr. Brown stated that there is value in continuity. There is value in open bids and open contracts and comparisons. I would like to see rather than just a comment on whether we are getting good leadership or getting our money's worth, what specifically has not been accomplished and what should have been accomplished instead. It is very easy to either criticize or praise somebody, but to put down in writing this is exactly what we are getting and exactly what we should be getting and is there a difference.

Mr. Werner stated that we spent nearly one whole meeting on this in January. I am glad Mr. Harrell was not surprised because I have been saying this about the last four or five years. Half of the time I have made the motion to renew the contract with the statement that I still think we need a full time manager. I was going to make that motion because there is a sixty-day cancellation clause in there. This is not a new position for me and I hope it

doesn't harm our relationship.

Mr. Harrell stated that we spend almost as much on mulch. With the leadership it provides it just amazes me that we sit back and wonder about it. With all due respect to the Homeowners, people who do not even elect their own Board it is amazing to me that we are going in this direction.

Mr. O'Connor stated that he begs to differ with you. We elect our Board every year.

Mr. Harrell asked if your Board is elected?

Mr. O'Connor replied yes, at an Annual Meeting.

Mr. Roellig stated that Mr. O'Connor had said that this could be a time of transition as far as what is going to happen with this proposal from the attorney. I think it would be far wiser to continue with Mr. Ward at this stage and see where we go with that. I don't share the optimism that this will be approved by this Committee and sent before the County Commission in the next couple of months. I would be very surprised that we get a draft that we do not have a lot of comments on.

Mr. Vlasho asked the timing on the contract?

Mr. Ward replied it expires on September 30, 2000.

Mr. Vlasho asked the reason that it is on the Agenda now?

Mr. Ward replied I expected this debate and also the Commission is on hiatus this month. In order for me to actually operate, I have to get it on Agenda when they first get back, which at this point is going to be sometime in August.

Mr. Vlasho stated that I am concerned about your sentiments and I guess I am trying to buy time. If we have a vote it may send the wrong message. I personally have a concern since I am involved in that project and am optimistic and supportive that it will move forward and could change the dynamics. I sort of view Mr. Ward's contract as part of the budget approval process and I don't know why it can't flow right through the budget and be a part of that. I guess I am using these things to keep the Committee from getting divided again. We did debate it and came out 6/6 last time and I don't know whether we are going to have another 4/4 vote here or what.

Mr. Harrell stated it is on the floor.

Mr. Vlasho stated I know it is on the floor.

Mr. Brown asked to call for the vote.

Mr. Werner asked if the contract is submitted to the County Commission separate from the budget, but the cost is included in the budget?

Mr. Ward replied in the affirmative.

Mr. Harrell moved, seconded by Mr. Roellig and approved on a motion of 5/3 to approve the renewal of the Manager's Contract with Severn Trent Environmental Services, Inc. for Fiscal Year 2001. Those casting nay votes were Messrs. Varley, Vlasho and Werner.

Mr. Vlasho explained that he has to qualify his "no" vote. It is not a vote against Mr. Ward; it is a vote of no in doing it right now.

FINANCIAL STATEMENT REVIEW

Mr. Ward explained that in terms of your General Funds I essentially indicated to you during the budget process that I do expect our funds to be in a positive position at the end of this Fiscal Year, which is on September 30,

2000. Th April 30, 2000 for all of your General Funds Income Statement indicates that I think we are on track in aggregate in order to address the issue that I had raised with you in respect to being in a positive position in all of your funds. Some of the negative variances that you see in the General Fund on a line for line basis will go away by the end of the Fiscal Year. They are primarily timing issues as it relates to the operations of the Division itself and when we specifically encumber funds. Your Capital Project Funds are in a similar position. The Irrigation, Landscaping, etc. fund is the most capital intensive going into 2001. I anticipate we will be right on track with our fund balance for this year and that will give us the necessary monies to fund that rather heavy Capital Program in 2001 for those services.

Mr. Ward continued that if you want to look at a balance sheet in simple terms on these statements at the end of every month, the bottom of this statement, the Fund Balance and its' allocation really is the cash position of this Division each and every month for you. This gives you a quick analysis of what your balance sheet is since we don't really have liabilities in this District; it is your balance sheet. Your Clam Bay budget, etc. are right on track with what I had proposed to you in your budgets. I don't see any significant variances or shifts in this budget that would cause any concern at this point in time or through the balance of this Fiscal Year.

Mr. Vlasho stated you are right, we did a better job than we thought we did. It is all on there. Now all we have to do is get the budget in a similar form.

Mr. Ward replied that should be easy.

AUDIENCE PARTICIPATION

US 41 NOISE ABATEMENT

Mr. Skaggs, Oakmont resident. I did not come to you with the idea of talking about the noise on US 41. However I thank you for your interest in the project and I realize from some of the questions that the Committee has asked that there are questions on noise abatement. I would like to recommend again that you invite Mr. Sahara of Concrete Impressions to come down. He is very willing to answer all of the questions you may have on walls, noise, what type they are, etc. That is his job. Although he is in the business, he does not expect to get any business from it. He would be most willing to answer any of your questions.

Mr. Skaggs stated that at 10:00 PM the other night I heard explosions along the highway. I went up on the hill and the bulldozers were taking up the big concrete blocks along the edge and when they explode they are pretty loud. I just wanted to let you know they are working at 10:00 PM.

Mr. Vlasho asked Mr. Ward of he had talked to this gentleman?

Mr. Ward replied in the affirmative.

SECURITY

Mr. Skaggs stated that at your last meeting you were concerned about the Sheriff and their response time. I had some experience but I did not think it was worthwhile, but since then I have had other experiences. My experience is that it took over 15 minutes for a response and the policeman came up on a bicycle. The second experience is my neighbor across the street when she arrived home and she doesn't live there permanently. When she came in she heard a noise. At 3:00 AM she called 911, an operator said to please stay on the line and after five minutes she said the officer has not come. The reply was that he has to come from Pine Ridge and someplace. It took over fifteen minutes for the response at 3:00 AM. Yesterday I was talking to the man that looks at houses that are closed for the summer and he said he saw an automobile in one of his customer's driveways. He called the police and after one half hour there was no response and so he called back and told them not to bother any longer.

Mr. Brown asked if Mr. Skaggs would be kind enough to have those people call Pelican Bay Services and give the specific date of the incident so that we can have it in writing?

Mr. Skaggs replied that he would.

Mr. Vlasho stated that we really need to get to the bottom of what the Sheriff does. Time it so that he does not have

to come for the entire meeting.

WATER RESTRICTIONS

Mr. Robert Michaelson – Oakmont resident. Is the watering of Pelican Bay subject to the watering restrictions that are in effect now?

Mr. Ward replied yes.

Mr. Michaelson stated that I see Pelican Bay watering during the day time and people ask why should we follow the rules we must not be subject to them since Pelican Bay is watering the berms.

Mr. Michaelson continued that he called the South Florida Water Management District and they said Pelican Bay was subject to the rules.

Mr. Ward explained that we all need to understand something. We are under restrictions, but we maintain 3,000,000 square feet of irrigatable area in this community. If we water within the constraints of the restrictions, there will be no pressure for the residential community to water and even if we do you will have significant what I call hot spots, which are brown areas in the lawns. I guess in my simple mind I have chosen to ask my staff to water outside of the restrictions. If we get a ticket or fine for that so be it. At the end of the day the intent is to ensure that we don't spend a lot of money replacing sod in Pelican Bay because of these ridiculous water restrictions. You can't water this community within the constraints of those watering restrictions. We cannot literally water this community and have the rest of the community water at the same time we do and not have significant problems. The biggest user, which happens to be Pelican Bay Services, tends to do that. When you call the Southwest Florida Water Management District and they come give us a ticket, you pay for that because it is your money paying for those tickets that we may or may not get. At the end of the day we have to in some way, shape or form ensure that we maintain the integrity of this landscape. Yes, periodically we may water outside of the restrictions, but it is intended to preserve the landscape system itself.

Mr. Roellig stated that he thought the non-potable water was not included in that?

Mr. Ward replied the rules were changed a couple of years ago that unless you apply for a variance they would not exempt you and the County will not apply for a variance. The primary reason is that we use potable water as a supplement. It is not 100% reuse water.

Mr. Vlasho stated that is an interesting situation. Here we have some rules and we don't follow them.

Mr. Roellig stated that he thinks the common consent is that the rules are ridiculous and it is absurd to say the water table drops in one month.

Mr. Michaelson stated that when I called Southwest Florida Water Management and told her I lived in Pelican Bay she indicated they have had a lot of phone calls from Pelican Bay residents. I asked why we were subject to the rules since we use reuse water. Her reply was that you use water from other sources.

Mr. Vlasho stated that where I live we have odd and even numbers.

Mr. Harrell stated that at Waterside Shops we water one half the property each day.

ADJOURN

There being no further business, the meeting adjourned at 6:15 PM.

Mr. Lou Vlasho, Chairman

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