

**MINUTES OF THE PELICAN BAY MSTBU MEETING OF DECEMBER 5, 2001
Naples, Florida**

LET IT BE KNOWN, that the Pelican Bay MSTBU Advisory Committee met in Regular Session on this date, **December 5, 2001 at 3:00 P.M.** at the Foundation Center, 8269 Hammock Oak Drive, Naples, Florida 34108 with the following members present:

Mr. Lou Vlasho	Mr. Glen Harrell (Absent)
Mr. Joseph Bawduniak	Mrs. Cornelia Kriegh
Mr. Thomas Brown (Absent)	Mr. David Roellig
Mr. James Burke	Mr. Christopher Sutphin
Mr. James Carroll	Mr. George Werner
Mr. John Domenie	

ALSO PRESENT: Approximately sixteen (16) Pelican Bay residents; Dr. James D. Carter, Ph.D. Chairman, Collier County Board of County Commissioners; Mr. James P. Ward, Department Director, Pelican Bay Services Division; Mr. Kyle Lukasz, Field Manager, Pelican Bay Services Division and Mrs. Barbara Smith, Recording Secretary.

AGENDA

1. Roll Call
2. Approval of the Minutes of the November 7, 2001 Regular Meeting
3. General Topics – Commissioner James D. Carter, Ph.D.
4. Sub-committee Reports
 - Organization Structure Review Sub-committee
 - PBSD Revised Ordinance Enactment
 - Clam Bay Sub-Committee
 - Clam Bay Second Annual Monitoring Report Recommendations
 - Clam Bay Annual Monitoring & Improvement Schedule
 - Cattail Removal
 - Clam Pass Dredging
5. Administrator's Report
 - Capital Projects
 - Pelican Bay Boulevard (South Entrance) to Gulf Park Drive Irrigation & Landscape Improvements
 - Community Issues
 - U.S. 41 Landscaping
 - Sidewalk Overlays and Repairs
 - North Pelican Bay Boulevard Traffic Signal
 - Sidewalk, Crosswalk Modifications
 - U.S. 41 Street Lighting (Gulf Park Drive to Seagate Drive)
 - Financial Statement Review
6. Committee Requests
7. Audience Participation
8. Adjourn

ROLL CALL

Mr. Vlasho called the meeting to order and asked that the record show Messrs. Thomas Brown and Glen Harrell with excused absences.

APPROVAL OF THE MINUTES OF THE NOVEMBER 7, 2001 REGULAR MEETING

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Mr. Bawduniak moved, seconded by Mr. Roellig and approved unanimously the Minutes of the November 7, 2001 Meeting

GENERAL TOPICS – COMMISSIONER JAMES D. CARTER, Ph.D.

Commissioner Carter explained that he just wanted to bring everybody up-to-date on a few items.

Commissioner Carter reported that U.S. 41 North, as far as the six-lane paving would be done by the end of this month. This Commissioner has been relentless on the Department of Transportation for the last six months. They kept promising me they would have it done by December 30th and based on everything that has been going on out there the last two weeks, I think they are going to get there. There will still be some improvements to be made along the sides and there may be a disruption here and there. Now we can say that this is probably the best Christmas present this community will get.

Commissioner Carter explained that with regard to the median beautification, you can see that they have been working along there. This morning they were doing some additional curbing and irrigation lines and I have been told that within sixty days that project will be complete. When you get into season this year it should look better in front of Pelican Bay, with the traffic moving better here and in the other communities north of here, up to Old U.S. 41. To me, it is good news that we are finally getting that into place.

Commissioner Carter stated that we are going to be holding a Land Development Code (LDC) Meeting next week and during the first week of January. We have gone to three cycles versus two to meet the growing demands and needs of this community. It is a very slow process to get change and effect. The biggest thing that affects the North District and may not pertain so much to Pelican Bay, but the Vanderbilt Beach area, is that effective January 1 they will be under a restudy. Translated, that means that nothing can be done in there until that study has been completed, in terms of transportation and how that community will look in the future, without any redevelopment activities. Keep in mind that you will see one project that is trying to wing its way

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through the system prior to January 1, which is the Vanderbilt Beach Inn, and there is a proposal to do a major change. Unless you want to go to Vegas and lay odds on that one, I would suggest you just sit back and watch. In opinion, this will not get approved and they will begin to operate under the new guidelines, but I am only one Board member and I don't know where the rest of the Board will be on that issue.

Commissioner Carter reported that the new library should be open in January and that is at Orange Tree Drive and Airport Road and it is beautiful. Also, I was able to save out of the cost cutting and slicing and dicing of our budget, the government center that will be adjacent to that to serve the North District. A new Commissioner tried to get after that and I explained to him the lease fees would pay for the cost of the financing and if he comes back and asks me again, I have \$600,000 down in the City that I would raise questions about intersection improvements and I think that objection would go away. We have saved that for the District. We did not encounter really severe cuts in the budget as it pertains to District 2. I think you will find most of the things are there and we will be able to go forward to meet these needs, as this is a fast growing section of Collier County.

Commissioner Carter continued that we have been redistricted. It did not affect Pelican Bay, but come January 1 the new District lines will be in place and District 2 will be more compact. You will find that the District runs from the water, east on Pine Ridge Road to Livingston Road, then north to Immokalee Road, right on Immokalee Road to the Interstate, then north on the Interstate to the Lee Collier Boundary and then west to the water. We lost some and we picked up some in the balancing of numbers within the County. Unless something happens within the next two weeks where the Department of Justice does not approve that, we are considering that it is finished and as far as County redistricting, we are in good shape. Statewide redistricting will be a major issue in front of this next legislative agenda. Watch it, watch it, and watch it. We are trying to keep the west part of the State together so that we do not get paired off and at least part of the County does not go off to the East Coast of Florida. There will be some severe negotiations that will go on in the legislature in this upcoming period. Rest assured that

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the legislative group that came here in September got a loud and very populous reaction from the community here saying, "Do not remove us from the West Coast of Florida in any way, shape or form". I think that message was well taken and Mr. Goodlette and our other Representatives, as well as Senator Saunders are working hard to keep that in place.

Commissioner Carter explained that the State Legislature has been in special session and you say how does that affect us? It affects you enormously. Thus far we have survived. Primarily they did not shift down about \$600,000 in Medicaid and Medicare costs that we would have to absorb in the County Budget. It didn't happen going back and looking at their last year's budget. When they go back in session in January, hold on because they will be after us again. As we go into the upcoming legislation I don't think we will find any other severe cuts. In fact, the Governor for the West Coast and Southwest section of Florida in the Emergency Funding did approve some road projects and that money will stay there. I am told also that a very large chunk of money that we desperately needed to complete Golden Gate Parkway and the I-75 Interchange survived all of the cuts in that program, going through an Advisory Committee who spent many hours in Tallahassee with Commissioners and Staff fighting to hold that and we were successful. We will get about \$8.6 million out of the \$9.9 million that we needed to complete that project. It appears that the Governor will not touch that fund, whereas for a while we were concerned that he wanted to take part of it for our effort on terrorism and protection for the State of Florida. We have put forth a whole program in the next legislature and keep your eyes on it. We have proposed four things regarding roads. One, that they would index the County's share of the gas tax. The State has done it since 1989. We have not had that opportunity, so what we are doing is paying for roads at 1989 dollars, while the State has had the privilege of indexing their side to adjust for inflation. Number two, there is a 7% administration fee charged by the Department of Revenue on all of the taxes and that has been part of an incentive fund that was returned to the Counties, depending upon the programs you had in place. It looks like that is going to go away and we have moved the entire 7% to come back to the County of origin. That means Collier County, which is a donor County, has a lot of funds going up there and we would

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get that total service fee back which we could use in our road projects. I do not know if it will go through this time, but we have also asked that the \$.01 in the Tourist Tax that has only been reserved for convention centers and for sports facilities broaden that application and allow it through home option to be at County level and put that in for roads. If we could ever get that through we could begin to take Tourist Tax money and apply it to our road building process. Watch those in the legislature and the efforts that have been made by us, meaning the Board of County Commissioners. I am head of that delegation and we now have a professional lobbyist working for us in Tallahassee, again through the efforts of saying we must fight on very corner to get to where we need to be. This gives you an idea of the progressive steps that the County is taking.

Commissioner Carter continued that in terms of the County Budget, we removed \$16,000,000 from what I already considered a lean budget. That \$16,000,000 was broken out over a number of areas. We took that approach by saying that these items will be deferred. Out of the General Fund we took \$3,600,000. We took \$1,250,000 out of Capital Expenditures and we also deferred our hiring process by \$500,000. We will not fill a position for at least ninety days (90) from when it becomes vacant and we will look for every opportunity to combine jobs whenever it is appropriate. We did a thorough debt restructuring of short-term debt and the finance people will like this. We took the short term debt, probably as I speak, that is being placed depending on how the bond market is going and that will save us \$6,000,000 per year through that restructuring of debt. Collier County is AAA rated and we are in excellent financial condition. We have deferred professional development and business travel by \$117,000. We reserved the primary health care program, which was another \$700,000. A different program as an alternative has to be brought to the Board of County Commissioners by June 30, 2002 or otherwise that would stay in the General Fund. For all practical purposes that is set aside, unless they can find some grand process and vote to do something different. Tourism is down and that has affected our revenue streams from the Tourist Tax. We took the worst-case scenario coming out of October and went back and reduced every category within the categories we fund, based

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on that worst-case scenario. The good news out of all of that is that when we went through and looked at all of this, and we did this back in September at the final budget hearings, under Memorandum that I sent to staff and everyone else prior to September 11, that we really need to hunker down and all the excess revenues that we were anticipating would disappear because of the recession. Through those efforts we ended up being within one-half of one percent of the revised revenue stream predicted by the Department of Revenue of the State of Florida. On Gasoline Taxes we are 5.4% below what they we anticipated that we would receive.

Commissioner Carter stated that I am pleased to say that the Board of County Commissioners has really done due diligence in trying to deal with these budget concerns and matters and still deliver the services to Collier County. We still have not made the final decision on the five-year road improvement program that is under discussion now. There has been two sessions on that and it will come back for final decision in December. The Board of County Commissioners has met 58 times this year. If anybody wonders that we are not meeting enough, I don't think we have to apologize to anybody. We have sat in session many, many times to try to resolve these issues. With the road situation we have what is called an AUIR Program (Annual Update of Inventory Review) and that is for all your facilities. In one year you look good, but in five years it is a disaster. We are looking at what we are going to have to do to try to keep the five-year program in place and what things that we can remove from it or just provide the basics. Whereas you may not see the trees and you may not see the beautification, but we will put the infrastructure in there so that in the future if the communities want to do that, they will be able to do so. That is some of the considerations that are there. We have also talked about lengthening some of the turn lanes in areas, removing cuts in medians and reducing traffic signals by taking them out in certain locations, which will make a lot of people happy, but it does keep the level of service up on your roads. The more traffic lights you put in, the lower the level of service. These are some of the very hard decisions that the Board of County Commissioners currently have under discussion and what they are working with.

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Commissioner Carter stated this was an update to try to tell you where we are and where we are trying to go and to say that I believe the North District has held up well through this and that we will continue to try to do everything that we can to be fiscally responsible in this County, without mortgaging the future and making decisions today which really look good for three or four years and not put you up against a colossal train wreck four or five years out. We will see the sewer and water impact fees go up substantially on January 1 for all of the anticipated new construction that will be taking place on the existing plants. The North Plant expansion is operating and you are not going to have any more crises this year in the North District. In fact, through an inter-connect; we will be able to take excess from the South District while that plant is being expanded. When we get done with that plant, we come right back up North and expand again and then we have to look to other plants for the future to service what I am going to call your urban boundary or service area. That is based on the people who are already here and based on a 65% growth in ten years in Collier County, we cannot close our eyes to the fact that if you put up a concrete wall with an electric fence on top of it, they are still going to come over it and into the County. People are coming here and we are primed to anticipate that growth and plan for it so that we don't get into the jam that we have been into in the past. Those are some of the things that are coming. We are wrestling with affordable housing and other things. If you are not a big water user you are going to be all right, but fees will go up. You will have about ninety days (90) to get accustomed to the fact that will happen. If you use under 5,000 gallons per month you are pretty much home free. If you use 5,000-10,000 gallons you are not going to feel the pain much. If you go over 10,000 gallon per month, you are going to feel pain. This is a reverse schedule in an effort to conserve our water and resources and at the same time move forward with expanding plants and using wells and other ways to store water when we have so much of it. Mr. Mudd, who is now our Deputy Administrator, laid out a fifteen (15) year plan and did an excellent job. I think everything else is developing in Pelican Bay. As I understand it, you are moving forward and looking at all of the possibilities of what you are going to do with your MSTBU Ordinance. Again, I have said many times, when you have had your discussions, your

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community meetings and have a total plan of action for this community, I will take it back to the Board of County Commissioners. In the interim I have not been a part of any of the discussions, nor will I be, it is up to you to decide what you want to do, how you want to do it and when you bring it forward it will be my pleasure to do whatever your decisions are.

Mr. Werner stated that the landscaping on the U.S. 41 median is somewhat of a travesty as well as the speed with which they are doing it. It is extremely unsafe the way it is being done, particularly coming north where they have three lanes jammed into two lanes and you run through a barricade. When you come to Gulf Park Drive it is very dangerous to make a left turn onto Gulf Park Drive.

Commissioner Carter asked for suggestions to take back.

Mr. Werner replied, "Yes, get the people to get the curbs in". They have been working a month on curbs and they do about 100 feet a day and anybody with a curb machine can do it in a day and one-half. The barricades have to be removed, particularly during the rush hour because it is very unsafe.

Mr. Vlasho stated that those are good comments and I was going to mention the same thing. At 8:50 A.M. this morning there was nobody working. Coming back I counted and there were five people working on the entire stretch.

Mr. Werner stated that I know funds are tight, but the reason we got involved with landscaping the south end was that we were going to participate with the County in landscaping the north end. Don't forget about that.

Commissioner Carter replied, "I won't". I don't believe that has been jeopardized, but there is a lot of stuff coming up and the devil is in the details. They are talking about doing a countywide MSTU or regional MSTU's and I quickly added that you could talk about arterial MSTU's or collector MSTU's, but if you are talking about these being internal, forget it. Pelican Bay has their own MSTBU, which is a little different, but the fact is that several communities have MSTU's. We are not going to pay for everybody else. If they want to work out something in that area, fine, but at this point what I am really trying to preserve is to make sure we get that next

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section in. There were delays, which were out of our control, but I want the funds and to find a way to do it. There is also a movement by some other people that want to extend the landscaping further north than what we have it and I am encouraging them to do it. If they can form a MSTU past where we are, all the way to the County line, I would support that. It is something that everybody sees when they first drive into Collier County.

Mr. Carroll stated that the road program that I see in the County has a serious problem as far as the people are concerned. I recognize that U.S. 41 is State, but I travel Immokalee Road east of I-75 four to five days a week. The problem is the same, in that most of the time there is nobody working. I drive up and down that highway day after day and you are lucky if you see anybody working. We had the people doing U.S. 41 in here and had much discussion about the fact that a lot of the problems that caused the delay had to do with underground utilities and the designs were such that when they tried to put the pipes in where they were supposed to be they weren't there; a whole lot of excuses.

Commissioner Carter stated that they are also realities.

Mr. Carroll stated that we should be communicated with in some way about what is going on. On Immokalee Road, which is County, I drive in and out of Quail Creek Country Club and for the last eighteen months we saw ten (10) people working there. All of a sudden it is like on U.S. 41 north, probably through your efforts, there are people all over the place and that is very exciting.

Commissioner Carter replied, "You are right and there are probably people very mad in other parts of the State, because I know that those crews and equipment were pulled from other places". Some Commissioner somewhere is getting laced up and down about a road not getting done. All I know is we are getting ours done. The point is well taken and I will check with Mr. Feder. The difficulty we have encountered is the lack of contractors and I wish we could find more. There are essentially only two contractors in the State and they are the only ones willing to build the roads. They are short on equipment and are short-handed. These are not excuses, but

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what we have observed and the frustration that we are going through. Hopefully we can do something to expedite the speed in which some of those roads get completed.

Mr. Carroll stated that what I would like to be assured of is that the people in Transportation are looking at that very thing. For instance I would think that they would be looking every week at what the number of man-hours were on that particular project. I don't know whether they do that, but if I were running construction I would sure be doing that. If they do, maybe they could communicate with us in some way about what is going on.

Commissioner Carter replied, "I think your point of communications is well taken". When we sign the contract with a builder it is a fee, they have an incentive and there are penalties and what we are finding is that the incentives don't mean anything. We find that sometimes the penalties don't phase them too much because they have so much work that they figure if they get it done you ought to be happy. I will take this to Mr. Feder. Has Mr. Feder been in front of the MSTBU and had a chance to address you?

Mr. Ward replied, "no".

Commissioner Carter stated that he would make a note that at one of your meetings it would be a good idea to have Mr. Feder here where he can address these issues and help you with your questions. You have raised a lot of good questions and I know he is wrestling with the same issues. Right now he is a pretty tired guy, as we all are, in trying to figure out how we are going to salvage what we can as a result of our limited revenue stream. There is a light at the end of the tunnel in that there may be other ways of combining some streams to where we are not going to hurt ourselves as bad as originally anticipated.

Mr. Carroll stated that I have another question that has to do with the lights from Gulf Park Drive to Seagate Drive. Our Manager, Mr. Ward, informs us this might take us five years to get that on somebody's work list. We now have a gap of no lights from Gulf Park Drive to Seagate and then lights again in the City.

Commissioner Carter replied, "I have observed that also and did not know if that was a community desire because they did not want the lights". We have had some communities very

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upset because they are going to have lights and other communities who say they want lights. I want to make sure you want me to go off in that direction.

Mr. Carroll replied, "It is not a good situation right now".

Mr. Ward stated that we are in the process of submitting a request to the MPO.

Commissioner Carter explained that is where we have to start. You have to take it to MPO and see what we can do to go get into the work program. Will the State fund any of that?

Mr. Ward replied, "The State has indicated that they would fund it as part of the MPO process, but that it could take up to five years".

Mr. Charlie Popper – I am suggesting that you put lights on the barricades along U.S. 41 because as you drive along and at night you cannot see them. There are lights, which can be put on the barricades.

Mr. Dick Sumerby – I am fairly new here and I have watched the road building boggle as everyone else has and you just explained that you couldn't get anyone to do it differently. Do you have any idea how much more it costs to build roads like this? I don't, but I can't imagine that it doesn't cost more to bring a crew in one morning and they are not there the next, two the next and fifteen the next. The equipment sits there all the time and that is a capital cost. If you can't get anybody here, is there any way to go somewhere else and get somebody? Donald Trump would love to come down here and build roads for you and he will do it real good and I am just using that as a name I have heard.

Commissioner Carter stated that I had another gentleman come to me and he said he knew a contracting group in Iowa. I said just bring them to us or find out where they are. We have no problem going to those groups and asking will you come here, will you build it; here is what we have to do. If they say yes and they can bring crews in here, all well and good.

Mr. Sumerby asked what about contractor magazines?

Commissioner Carter replied, "The contractors run all of that stuff". Once we sign a contract we are out of the picture other than here is the road, and here are the dates and we want it done in this time period. There are incentives in there that if they did some of these other things

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they could build it faster and we would pay them more money. We are finding that in some cases it works, but in more cases now than not, it is not working.

Mr. Summersby asked if you are saying there is nothing we can do?

Commissioner Carter replied, "I am not saying there is nothing we can do; we are looking for some workable solutions to getting some other contractors that would come to this State and do it". Right now we have APAC and Better Roads to contract with and they are the only two in the State.

Mr. Jim Hoban – Is there any more information on the safety and noise abatement issue with regard to U.S. 41? We raised this before and it has been an ongoing issue so we would be very interested to hear an update on that.

Commissioner Carter replied, "I know we have met and talked about the striping and that will be done at the very end of the construction period and you want the bike lanes, but I don't think that is going to be part of the process".

Mr. John Iazzo – Pelican Bay Property Owners Association - This problem was brought up to us some time ago and we are of the understanding that the MSTBU is about to spend a chunk of money to re-landscape the berm. What is that going to entail in the way of dollars and has a botanist, or someone who can tell us the kind of shrubs we need in there for security, done a study? We need to put some heavy shrubs in there with thorns. We also need to go as high as we can with the kinds of trees that would give us noise attenuation. The other thing that I think we have overlooked is that there is pollution via carbon monoxide coming off of U.S. 41 and it is important that we protect the homes along U.S. 41. I want this to be brought up as a consideration by the MSTBU.

Commissioner Carter stated that you are in the right group to discuss that, but it is really an MSTBU issue.

Mr. Vlasho stated that we have had numerous discussions in front of this Committee about noise. It is my recollection that we ended up saying that there was not a real good solution to that problem. As far as the refurbishing of the berm, Mr. Ward can address that issue.

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Mr. Ward explained that we are in the process of doing landscaping improvements to the U.S. 41 berm itself. I have reported to this Committee before that the consultants that have advised us, not only on the landscape issues, but also on the noise issues, have indicated that there is no amount of landscaping that we can put in that is going to solve the noise problem, nor is it going to help it. It will be, what it will be, after the landscaping program is done. We can do whatever we need to do in terms of berm improvements in the way of trees and shrubs and we certainly don't mind working with the residents and showing them what that landscaping plan and palette is going to be, but at the end of the day it is not going to be a way to solve any noise issues. With regard to the security issue that the resident has raised, this Committee has indicated that to the extent that the residents want to construct a wall or something on the back side of that berm, PBSB would be glad to work with them to do all of that and certainly we have no problems in doing that. That is how we would help you with the security issue.

Mr. Vlasho asked the dollar figure on that project?

Mr. Ward replied, "It is approximately \$375,000 and includes the berm from where the commercial is to the south and to the north".

Mr. Vlasho stated that I am not going to get into a big discussion on that right now because these were questions for our Commissioner and I want to get back to our agenda. There is a time that we can talk about it at the end of the meeting. I have been sitting in on the meetings of the committee that is working on the median improvements from Vanderbilt Beach Road north and I don't know where it is going. They have held three meetings and I will keep you informed. I really wonder if Pelican Bay needs to be represented in those meetings, but at least for the time being I will sit in on them.

SUB-COMMITTEE REPORTS
CLAM BAY SUB-COMMITTEE
CLAM BAY SECOND ANNUAL MONITORING REPORT RECOMMENDATIONS

Mr. Roellig reported that on November 28, 2001 we held a Sub-committee meeting with all members present and approximately twenty (20) people in the audience. There was a presentation on the reports of the consultants. The first Report is the Biological Monitoring

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Report. I will not go into detail, but as you look at this Report you will see that there have been many analyses of what has been happening with the vegetation. To make a long story short, with the number of cuts that we have put in, it has significantly improved the drainage throughout the mangrove area. This was well demonstrated when Tropical Storm Gabriella came through. We had a high tide and for that type of storm there was a relatively high storm surge and the bottom line was that the mangrove area was flooded by seawater. You could see obvious evidence of water washing under the buildings and back into the berm. The good news was that this water drained very rapidly. If this had happened five or six years ago, water would have stayed in the north area for two to three weeks before it could drain. In this case it drained in twenty-four to thirty six hours. If you went out to the mangroves right after the storm you would see that the water was eighteen inches to two feet higher than normal. The pneumatophores of the black mangroves and the juvenile mangroves were underwater, but due to the relatively rapid drainage they were only submerged for a short period of time and appeared to have no significant damage.

Mr. Roellig continued that the basic idea is that for the first time it shows that areas that had been stressed and in bad shape are recovering and we do have some recovery areas of about five acres. We have more channels, which will be dug to improve the drainage and may have a significant impact. Looking through this area we see that there is a lot more vegetation now than there was in prior years. The other report we should mention is the Bathymetric Monitoring Report, which is done as part of the permit and also for the status of our channels for, scheduled dredging. Back in December when we performed the survey it indicated that area was starting to close in somewhat and we had funds set aside for a program, we went out for bids and then we had Tropical Storm Gabriella come through. It turned out that Gabriella caused a lot of shoreline damage in many areas, but was beneficial as far as the pass was concerned. So much water came in the pass and it flushed out so quickly that it scoured out the entrance to the pass and we ended up with the situation that the entrance cross-section volume was back to where it was when it was dredged three years ago. Since we had the bids in hand, the County, which has suffered quite a bit of damage in the Clam Pass Park area, has requested that we go ahead with

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the dredging although it is mainly to provide beach quality sand for the park area. It will also be a benefit to us for the fact that it will increase the area called the tidal prism, but basically it is a reservoir affect, that when the tide comes in more water can come into the Clam Pass area.

Mr. Roellig continued that the other Report is a Water Quality Report. The bottom line is that the water quality parameters appear to be quite good and we have had some positive trends. One of the topics I will discuss a little later is that we have looked at the water quality in the vicinity of the Sea Gate flap gates for the first time. Based on the data obtained and analyzed it appears that the water quality is pretty much the same on both sides of the flap gates.

Mr. Roellig stated that you will notice in the Clam Bay Monitoring Report that there are recommendations that were adopted by the Sub-committee and we hope to have an adoption by the entire Committee. I will go through and discuss them briefly. The first recommendation is to prepare an overall map of the mangrove area showing the existing channels and dates of construction, so that we have an idea where the channels are located. We will in all probability dig some additional new channels, but mainly we are going into a maintenance phase so a work plan will be developed to maintain these channels to make sure they stay open. From my personal experience from looking at these channels, in some cases the flow has been sufficient to keep it open and maybe making it a little larger.

Mr. Roellig continued that the second recommendation is to clean up the flushing channels. These will be marked with a GPS location and indicated on a map.

Mr. Roellig stated that a similar item to #2 is #3 which is the clearing of fallen trees within the main waterways of the Clam Bay system to make sure that we do not impede the tidal flow both in and out.

Mr. Roellig stated that Item #4 is underway now. The dredging contract has been awarded and the contractor appears to be on site to start this dredging this month.

Mr. Roellig continued that Item #5 is looking at the water management system and we have discussed this before. We are looking at diverting some of the flow from the north to get the

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freshwater out of the Clam Bay system a little quicker. This is still under study so we will be looking at options as we go along.

Mr. Roellig stated that Item #6 is the starter islands and grass plots and indications are that coming through the summer wet season has been quite encouraging and we have not had a die off. Several years ago we had some growth and then we had a very wet season which ponded water in the die off area and most of that growth died. We have made it through the rainy season with the new growth and it seems to be quite healthy. We are hoping to get a year or two growing season to be a little more confident of our progress in re-vegetating this area.

Mr. Roellig continued that Item #7 is the exotic and nuisance vegetation. As you know we have removed the cattails and there has been some maintenance on that. We have also dug a number of flushing channels so that saltwater will get into these areas to ensure that the cattails do not reclaim them. It takes a relatively small amount of saltwater to kill off cattails, so with the flushing channels we are anticipating the brackish water coming in that area to keep the area free of cattails. You may not necessarily appreciate the aesthetics at the moment, but you do have to admit there is a lot more wildlife in the area. We will also be looking to treat some Brazilian Pepper in the mangrove area.

Mr. Roellig explained that Item #8 is a problem and kind of a disappointment in the sense that we have spent approximately \$100,000 to renovate the culverts through Seagate and install flap gates on them. The idea was that water would flow in from Venetian Bay and flow out of Clam Pass. The flap gates, with all of the dredging even though the analysis thought it would be quite beneficial, it appears the tidal head on either side is pretty much the same now. Before we did our dredging the water came in from Venetian Bay, but did not come in from the Clam Bay side as much, so there was quite a head difference. We are going to look at removing the flap gates and doing a hydrographic analysis to determine whether or not that removal will benefit the area. I do not want to say that the water is stagnant, but we are not getting the water flow that we had hoped for and that may be having some adverse affects on the sea grass in the area.

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Mr. Roellig stated that the final item is the dune restoration. As I indicated, there was a lot of overflow from the Gulf of Mexico into the dune area with Tropical Storm Gabriella. This concerns me considerably from a couple of standpoints. It was obvious from Tropical Storm Gabriella that when you have an overflow into the mangrove area, the backflow out is very rapid. We want to make sure that we don't end up with another pass into our mangrove area. We are proposing to get a proposal from Turrell & Associates and Humiston and Moore to look at dune restoration. When I say dune restoration, basically what I envision is putting more sand along certain areas. We may not be putting more sand in the so-called wet area. I think everyone recognizes that when you put in a dune that is sort of a sacrificial area that with high tides and the storm effects associated with high tides, some of that sand will be brought back on the beach and some will probably go off shore. We will be looking at bringing in sand to build up the dune somewhat and this will give us a bank account of sand in case we ever do have a severe storm that causes rapid erosion. It is possible that it will be easier to get a permit to do this type of work, but that is a proposal we will be getting from Turrell & Associates.

Mr. Roellig continued that the bottom line is that we need to make continued efforts in the mangrove area to prevent backsliding. Hopefully we have pretty much stabilized the area. There has been some rejuvenation. If we can get through another year without a die off, I think we will be on our way to semi-recovery. A year from now we should have a pretty good answer of whether we will be moving from a situation of fighting a slowly losing battle to possibly a turn around area.

Mr. Bawduniak asked if the flagging and posts are needed to mark monitoring plots, and how precise do you have to have them located? The GPS is only going to give you a $\pm 50'$ and is that good enough unless you have differential and I don't think differential is in this area?

Mr. Lukasz replied, "A differential would be set up".

Mr. Bawduniak stated that you would then be down to 3'-15'. There is also a precautionary note that there is no available selective program in place at the time you are doing it. That can happen without real notice and can put you into a 300' error. The other thing is that

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in Item #7 with the cattail removal efforts, we put \$107,000 in removal and \$65,000 is programmed for plantings. I guess this is the first time I have heard the term "continued maintenance". Are we counting on the saltwater coming in there or are we going to be facing regular money at regular periods in those areas, which were covered with cattails?

Mr. Ward replied, "You will not see continued maintenance in your budget". We will just do it as part of our normal chemical program. We do have to watch it for any re-growth of cattails, but I really do hope with the additional tidal cuts and with that area drying out, that the maintenance of the cattails will be virtually nil at that point.

Mr. Bawduniak stated that under the Sea Grass Section of the Biological Monitoring Report there was a comment that the efficiency of the culverts should be re-examined, and does that tie in with the sea gate flap gates immediate removal? I don't understand what it means to monitor the efficiency or check the efficiency. Does that mean take them out and see what happens?

Mr. Roellig replied, "That is about the bottom line". There will be some effort to see exactly what the changes are without the flap gates. These gates are of a design that they are easy to remove. They are basically a piece of rubber over a concrete pipe secured by a band and lifting hook. I question whether or not we have the best design of flap gate on there and we will be looking at that also. If it looks like we need a different design we will see where we go. I think the basic problem is that we, and the Seagate people, felt that the water coming from Venetian Bay would continue on into Clam Bay and then continue out the pass. Basically, it is just kind of going back and forth and not providing the benefit that we had anticipated.

Mr. Sutphin asked if there was anywhere else in the country where a similar mangrove restoration effort is going on or are we plowing new ground?

Mr. Roellig replied, "I am not aware of any".

Mr. Sutphin stated that the reason I am asking is there any evidence that we are not throwing good money after bad?

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Mr. Roellig stated that I think the area is turning around and we have seen other areas where mangroves have died off. I think in this case if we can get another year or two of growth in the north end that will be a positive turn around.

Mr. Sutphin asked the price tag for another year of experimentation?

Mr. Ward replied, "I believe we are spending \$175,000 for maintenance, which is funded through the County's General Ad valorem Taxes".

Mr. Sutphin stated that regardless of where the dollars are coming from, but just how much is going to be spent?

Mr. Ward replied, "Approximately \$175,000".

Mr. Roellig stated that the problem is with an area as big as 500 acres; most of the time people would not invest the money to try to rejuvenate them because they are off in a wilderness area. Here is something that a lot of people see and we are trying to get it back to a green and healthy environment. We are still working to make sure it comes back as mangroves, but I suppose in another few years if we were unsuccessful we would have to look at other types of vegetation.

Mr. Ward explained that cost figure does not include the dredging of Clam Pass every three years. The dredging might raise the average to about \$250,000 per year with the dredging being done every three years.

Mr. Sutphin stated that I see Clam Pass as a separate issue. The question is, why mangroves as opposed to something that is green and does not cost as much?

Mr. Roellig stated that the way it is now, from time to time you get saltwater intrusion and if you go into areas where the vegetation is exposed to saltwater you restrict the number of plants that will do well in that area. There are not a lot of plants that do well in a saltwater environment.

Mr. Werner stated that while Commissioner Carter is still here, the purpose of Item #9, dune restoration, would be to protect a county-owned Natural Resource Protection Area. We will definitely be looking for some financial assistance from other parties.

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Commissioner Carter replied, "I know the County, in terms of FEMA Funds, has assessed all of this as related to Tropical Storm Gabriella, but where all of that is at this point, I do not know".

Mr. Werner stated that one of your staff people was at our last meeting and we made him aware of that too.

Mr. Vlasho stated that I am assuming that since the flap gates are relatively easy to take off that there is a minimal amount of cost associated with their removal and if they are easy to take off they are easy to put back on. In number #9, the way the advanced material reads, we are going to do that and now it reads as if you will be receiving a proposal and I assume that means you would be analyzing the costs, etc. is that right?

Mr. Roellig replied, "Correct". I assume we would be getting a proposal on what they are planning to do as far as dune restoration.

Mr. Ward replied, "Yes, after the holidays".

Mr. Vlasho stated that tied to that also could be your reports and I do not know if your Sub-committee is playing any roll in monitoring the budgets and costs for doing all of this work or is that falling to staff?

Mr. Ward replied, "At the moment that is falling to staff".

Mr. Vlasho stated that it might be a good idea for the Sub-committee to at least be aware of those budgets and costs so that someone besides Mr. Ward will be looking at those costs and that Mr. Turrell is aware that it is being monitored.

Mr. Roellig moved, seconded by Mr. Domenie and approved unanimously that the Committee adopt the recommendations as presented in the Clam Bay Monitoring Report.

Mr. Ward thanked Mr. Turrell, his staff; Humiston & Moore and Mr. Lewis for all of the great work they did for us this year. The reports are great, we are moving forward and I greatly appreciate the efforts they have put in for us.

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Mr. Roellig asked if a motion was needed to pass these reports on the permitting agencies?

Mr. Ward replied, "No that is a requirement of your permits".

ORGANIZATION STRUCTURE REVIEW SUB-COMMITTEE
PBSD REVISED ORDINANCE ENACTMENT

Mr. Carroll explained that there was a Sub-committee meeting held on November 29 with three members present. There were only four or five people in the audience. We reviewed the timeline that I brought to this Committee's attention at the last meeting and incorporated it into our thinking about what would be done if the new Ordinance is looked on with favor by the people of Pelican Bay. I need to comment on the fact that if we don't go ahead with the new Ordinance and in effect remain the way we are, we have this problem of four of us having our terms expiring on the 29th of January. We have been receiving letters from Ms. Filson regarding appointments and she in effect indicates we are eligible for reappointment. The question of whether we should fill this out on the basis of running again for another four year term or whether the Commissioners would like to appoint the four of us to continue until the ordinance issue is resolved is a question hanging out there that perhaps you could counsel us on how to proceed?

Mr. Vlasho stated that this Committee at its' last meeting voted unanimously that the terms of the four retiring Committee members be extended until the Ordinance is resolved. I believe Mr. Ward submitted that to the County.

Commissioner Carter replied, "I am not sure we received that yet, but it will show on the Executive Summary to the Board of County Commissioners what vacancies there are and that four people wish to continue their terms". I will move that be accepted, we will get a second and you will still be here, unless somebody has an objection to that.

Mr. Vlasho stated that what Mr. Carroll is suggesting is that we requested that until the Ordinance issue is resolved. If the new Ordinance goes in that will come into play. If there were no new Ordinance, then they would have to appoint new members.

Commissioner Carter stated that all we want to do is have the continuance on the MSTBU as in your direction to me and I will move that motion in front of the Board of County

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Commissioners and I am sure we will get a second. Usually in those cases it has been my experience if there is no objection, the four will continue in those positions.

Mr. Vlasho asked Mr. Ward to get whatever was required to the Board of County Commissioners.

Mr. Carroll stated that the Sub-committee addressed the question of communicating this whole subject to the people in Pelican Bay and we have scheduled three meetings in January. The meetings are scheduled for Monday, January 7, 3:00 P.M., Monday, January 14, 7:00 P.M. and Wednesday, January 23 at 1:00 P.M. These dates were worked out between the availability of this room and Mr. Brock's availability. Mr. Brock agreed to attend all three of these meetings, which our Sub-committee felt was very desirable. He was going to initiate this straw vote that he told us all along that he was going to conduct. He was actually going to do that later this month, but agreed with me that it would be much better if he waited until after the three meetings. The current plan is to issue the straw vote to the Pelican Bay people after the three meetings are completed. He is anxious to do this during peak season and I think this fits his schedule. Questions were raised about who would pay for the straw vote and Mr. Brock indicated his office was going to pay for the process. There would be only two questions on the ballot. One question is, are you in favor or the proposed Ordinance and the other is, are you not in favor of the proposed Ordinance?

Mr. Carroll continued that another item that was decided was to ask Mr. Bawduniak to prepare a comparison of the existing Ordinance and the proposed Ordinance on the key issues that are different so that the people could look at it and see what it is about. I think everyone is aware that there is not much difference at all between the new and old Ordinance. The main substantive item is the election process, but really it is a selection process whereby the property owners in Pelican Bay would select the people that they would like to see the County Commissioners appoint. There have been questions raised about how much an election would cost every year and Mr. Ward has made a very detailed estimate of this and come up with \$15,000. If we go ahead with this new Ordinance we are committing ourselves to spending

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\$15,000. The County has indicated that they will pay for the first election, but we are all convinced that will soon go away and we will end up paying for it.

Mr. Carroll stated that Mr. Bawduniak is working on this comparison and Mr. Brock has suggested that we try to minimize the number of items on the list so that there is no feeling that we are making major changes, when we really aren't. Mr. Bawduniak can take that into account as he prepares his comparison. The question came up of whether the Sub-committee or Committee should be advocating this Ordinance versus presenting it to the people as a factual summary. Several people objected to the fact that we were taking a neutral position on this and not taking a stronger position. We had a little trouble with that. People said you know a lot more about this and we are interested in your opinion and do you think we ought to do this or not? I was able to discuss this with Mr. Brock and he had a rather clear reaction to it. He said you saw what happened with the one-half cent sales tax when the Commissioners sponsored it and that somehow created a negative reaction. I believe I am interpreting his counsel that this Committee should be very careful about getting out and advocating this as the right thing to do, even if we think it is. He did say that certainly as an individual you could say it is a great idea, but as a Sub-committee or Committee he was raising that question. I had a little trouble in the end of not coming to some kind of conclusion whereby we recommend to the County Commissioners whether we think it is the right idea or not. I do want to ask your thoughts on this.

Mr. Carroll asked how do we notify the Committee of these meetings? I am planning on having a Sub-committee meeting to discuss this in more detail within the next week or two. We will consider such things as the Pelican Bay Post and there is a TV Channel 96 in Pelican Bay. We have a website but cannot post anything to it at the moment. We can use Mr. Brock's website and possibly we can use the Foundation's website. We can discuss it at the President's Council. Another question is do we want to go to the Naples Daily News and put an article in the paper? These are kinds of things we do not need to work out at this meeting today because our Sub-committee will be addressing this within the next week in detail.

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Mr. Bawduniak stated that the conclusions would be a one-page summary of the existing Ordinance and the new Ordinance. The rationale for showing the existing Ordinance is how can you tell what you are changing if you don't have a reference point? Secondly, there will be additional information for those who want to go into it in further depth as to why some of these things are happening. Lastly, we have had a recommendation at least twice by one of our regular attendees about what does it mean to me with the pros and cons and that will be covered on another page. When this is done it is going to be reviewed carefully for accuracy and then it will seek radial distribution for our Sub-committee so all of our other members will have a run at it. It will come together at one of our Sub-committee meetings to say here is what we collectively think about it. The product then refined will come to the MSTBU and we are looking at a limited time and not weeks.

Mr. Werner stated that I do not want to give advice, but the comparison is going to be the real crux of the matter. I would encourage you to avoid what has happened in the past and perhaps seek input from the Concerned Citizens and the Pelican Bay Property Owners to see if they have any legitimate differences.

Mr. Bawduniak replied, "This is more of a scribe and judgment function". I am just taking what exists in our original Ordinance and the new Ordinance and saying here is what we have extracted. I have used my own judgment and that is the reason for going to radial distribution to have the other three members say that I missed something or I did not put something in and to streamline it. It is a presentation of fact.

Mr. Werner stated that you and I consider the proposed Ordinance a presentation of fact, yet we look at them completely differently. We both looked at the same facts differently.

Mr. Carroll stated that both of the groups mentioned have indicated support for the new Ordinance.

Mr. Domenie asked if any thought has been given to future candidates? Are they going to be subject to the Florida Financial Reporting Requirements?

Mr. Ward replied, "No".

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Mr. Domenie stated that both the Foundation and the Pelican Bay Property Owners have a website and the full Ordinance could be posted on those sites, as well as Mr. Bawduniak's commentary. If both organizations did that you could get further distribution.

Mr. Carroll asked if Mr. Domenie felt he has gotten answers to most of the questions that he had posed in his Memorandum?

Mr. Domenie stated that I am concerned whether this Committee is going to be asked to approve the wording of this new Ordinance. We have not done that as far as I know, yet we are setting meetings for January 7th and I don't think there is a final Ordinance that everybody has agreed on. The Sub-committee is going to meet and you are going to recommend it to us. When is our meeting in January?

Mr. Ward replied, "January 2nd".

Mr. Domenie stated that we then have from January 2nd to January 7th in case there are any differences, to present this to the people or am I missing something?

Mr. Carroll replied, "We aren't really asking for the MSTBU to approve that before the meeting".

Mr. Domenie replied, "I don't mean approve, but certainly a final version of it should be circulated to us shouldn't it"?

Mr. Carroll replied, "Yes, although there have been no changes to it in the last month, it has not changed very much at all".

Mr. Domenie stated that I don't like the words "very much". Has it changed or not?

Mr. Carroll stated that we had made comments the first month, which Mr. Brock had changed on his website. The last revision is October 18 and I don't think there have been any changes to it since then. We as a Sub-committee are not really dealing with the Ordinance at all. We are going ahead with the presentation of how we bring it to the people and how we compare the old with the new.

Mr. Domenie asked if Mr. Brock would provide whatever copies are necessary so that we distribute them at these meetings? Is that the idea?

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Mr. Carroll replied, "Yes, I think that is a good point about the copies and we'll let him buy those for us".

Mr. Vlasho stated that we have two things that you are looking for. First of all, you are asking if the game plan is okay?

Mr. Roellig stated that I don't have a problem with the game plan. It is my understanding that part of the rationale for these meetings is to get input from the community, so we are not going to say this is it and explain it to them. We will not have a final until after the meetings are concluded.

Mr. Carroll stated that we would hold three meetings. We picked one in the evening and two during the day.

Mr. Vlasho stated that the second thing we have to deal with is that eventually this is going to come to a point where this Committee cannot be neutral with the County Commissioners. We could with Mr. Brock taking it to them, but I guess that would bother me a little. At some point we will have to say yes or no and that will be this Advisory Committee's recommendation to the Board of County Commissioners.

Mr. Roellig stated that the appropriate time would be after the straw vote when we see how the vote comes out. If it is 50/50 or 90/10 it is pretty easy.

Mr. Sutphin stated that what Mr. Roellig says is a fact of reality. The last Ordinance proposed a pretty significant change in governance. This Ordinance does not change what this Committee does or how it does it, it only changes the input given to the County Commissioners who would then appoint us. In terms of its' impact on this Committee, it is minimal.

Mr. Vlasho stated that the truth is of the three recommendations, two of them we could do with or without an Ordinance change.

Mr. Sutphin stated that it is almost an individual view if that selection process adds value or not.

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Mr. Werner asked what is going to be the position of the Sub-committee or this Committee when this is being presented on these three dates to the public? Are we going to be neutral or advocating it?

Mr. Carroll replied, "We are not going to be advocating it".

Mr. Charlie Dugan – The Pointe at Pelican Bay – I have been to every one of these meetings and I was at the last Sub-committee meeting of Mr. Carroll's and this issue of endorsement by the MSTBU came up. There was some feeling by the members that they should stay neutral. There was some discussion by Mr. Burke and myself that it shouldn't be neutral. You gentlemen have put hours and hours of work into this and I think that is greatly appreciated. Mr. O'Connor and the Pelican Bay Property Owners have endorsed the Ordinance. I said at the last meeting that the Concerned Citizens would be endorsing it and that will be in the next publication of the Post. I am a great disciple of Mr. Brock's, but I don't agree on his advice. I don't see how it fits in for the County to be telling this group what it should be doing. It certainly is not comparable to the sales tax matter. He has been here on at least two occasions and said that he had tons of letters, E-mails, phone calls and forum meetings. He has a pretty good feeling of what the people in Pelican Bay wanted and he has put that in writing on several occasions. I believe this Committee is an arm of government. The purpose of this Committee is to serve Pelican Bay, it is that simple. I think you need to stand up and be counted. On numerous occasions I have had people from this Committee come to me and ask if we will support this, it is a great thing. I have gotten the feeling, and this is just my own opinion, that the majority of you are for this. Why won't you stand up and be counted. It has the appearance of passing the buck. I know people are skeptical because of what happened on the repealed Ordinance and I can't blame anybody. I have had several of your Committee members tell me that they never saw the whole Ordinance, it was never explained to them correctly, etc. Be that as it may, that is done. Let's get some spine and stand up. People are going to walk in this meeting and ask what you think. For a governance body this is not the way to handle this, it is passing the buck. The groups that were in complete opposition have said that they are going to

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endorse this, now let's get together and do it together instead of going off with this neutral attitude and ducking the issue. You don't need that and neither does Pelican Bay. I wish that you would really consider endorsement. I thought from the Sub-committee that Mr. Carroll and others had come along with this, I was surprised to hear what he said, I would have to go back and look at the Minutes. You don't have to come out with big letters endorsing this, but be willing to tell people that you do as a group.

Mr. Sutphin stated that there is a difference between being a believer and a preacher.

Mr. Dugan replied, "I agree you don't have to come out with a poster and place it in the newspaper, but I do think somebody ought to speak up and say we worked on this hard and we believe in it". This is not the process that took place with the repealed Ordinance. I don't know how you can get it out in front of any more people than you have so far.

Mr. Vlasho thanked Mr. Dugan for his comments and stated that we will take it under consideration.

Mr. Carroll stated that at some point this Committee is going to have to take a position. For these meetings we are trying to get the public input. We are not trying to go in and say listen to us we have the answers for you. I think you are worrying about something that in the final analysis is not going to be a problem.

Mr. Dugan asked if you were planning on doing that after the meetings?

Mr. Carroll replied, "yes".

Mr. Dugan stated that of course it is going to be a problem then. Why don't you do it at these meetings?

Mr. Werner stated that I think it was you who said we should be representing the wishes of the people of Pelican Bay and what better time would you have of knowing those wishes than after the straw vote? A majority of us thought we were representing the wishes of the people of Pelican Bay when we voted for the first Ordinance. We thought the people who were interested were well informed and knew what was going on.

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Mr. Vlasho stated that the last time I felt comfortable that we had done all of that, then all of a sudden it wasn't done. I don't think we are shirking our responsibility; we are just waiting until it is done. This is Mr. Brock's project and if we hadn't appointed Mr. Carroll's Sub-committee, Mr. Brock would be marching along and at some point he would go to the County Commissioners and they would turn to us and say what do you think? That is my feeling.

Mr. Burke asked if one of the citizens at the meeting says the Committee has spent many hours working this, why did you do that? What would we explain our role to be?

Mr. Vlasho replied, "My view would be that we would not be presenting these meetings if we didn't have a good feel about the thing". Otherwise we would say to Mr. Brock, go have your own meetings.

Mr. Burke stated that would be our position that we feel good about it, but we want to hear more.

Mr. Sutphin stated that in the Sub-committee we discussed having one of those three meetings on a weekend. Was there a schedule problem or did Mr. Brock not desire to do that?

Mr. Carroll replied, "I did not like the idea".

Mr. Vlasho stated that the game plan appears to be okay and except for the weekend idea nothing further to consider.

Mr. Carroll stated that we need another Sub-committee meeting pretty quickly. In order to get the publication in the early January Issue of the Pelican Post, we have to get information to them the week of January 17th. There is a time lag that I fight every month with the Post because I am trying to get them to wait until after this meeting before I write my comments. By the end of that week we have to get something in the Post.

Mr. Don Spanier – Oakmont resident – I am the recently appointed Chair of the Pelican Bay Property Owners Community Affairs Committee. They have the function of disseminating information on critical issues of interest in the community and in helping the community to understand the reasons for supporting or not supporting an issue. I am listening to what has been said here I think there are two general conclusions that I have reached. One is that I think

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all of us in the room have all reached the conclusion that in essence there is nothing of significance in this proposed Ordinance that differentiates it from the Ordinance that has been in effect. As a procedural matter of providing recommended appointees to the County Commissions to the mechanism of a straw vote, but on all issues that any reasonably informed and engaged stakeholder should be concerned with and affects the way in which governance is carried out in the community and the relationship between the Committee and it's Manager. Nothing has been changed, yet you have set in motion a process that would seem to have the inevitable effect of going to the community. God forbid that somebody stands up at one of these three meetings and says what's the purpose of changing the Ordinance all together? What were you trying to do? That question cannot be answered because in the end we come to a meaningless procedural change in the wording of this particular Ordinance. The only real purpose that I can see in having this series of meetings, whether conducted under the auspices of this Committee or the Community Affairs Committee, is to produce input from the community, not the answer of whether you want it or you don't want it. I would suggest that you are embarking on an end game here that really can blow up in your face. I have not yet conferred with the Board of my organization, but I will this week about the format and subject matter of our meeting on January 9th. It will certainly address this matter and I think there is a need for some very close coordination so that we can better understand what it is you are trying to do. Do you want input or would input be a disaster? Perhaps this timeline doesn't blend itself to the resolution of the issue that you have been trying to resolve for the last year.

Mr. Roellig stated that I am a little concerned about the attitude that we have a pretty good idea of what we want to do, etc. My view, and I do not think anybody can seriously question this, is that I don't think more than 1% of the people in Pelican Bay are tuned into this yet. If we have these meetings and nobody comes, the answer will be pretty obvious that the people are not interested. I don't have a problem with having the meetings I think it is time to find out what the community wants to do, if anything.

ADMINISTRATOR'S REPORT
CAPITAL PROJECTS

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CLAM BAY ANNUAL MONITORING AND IMPROVEMENT SCHEDULE

Mr. Ward reported that we have now finished everything that was in this year's program, so that will be updated for your next agenda.

PELICAN BAY BOULEVARD (SOUTH ENTRANCE) TO GULF PARK DRIVE IRRIGATION & LANDSCAPE IMPROVEMENTS

Mr. Ward explained that Phase I is now complete. Phase II will start in April of next year after Easter. That program has gone well and we have had a lot of really good comments about that program. I think it came out really well.

COMMUNITY ISSUES
U.S. 41 LANDSCAPING

Mr. Ward explained that Commissioner Carter updated you on the U.S. 41 landscaping issue and I will not go over it again.

SIDEWALK OVERLAYS AND REPAIRS

Mr. Ward stated that the Transportation Department is working with us on that issue. If we can get them to move forward with Phase II, which they are, I will probably be back to you next month. They are doing the work and we are doing the bio-barrier installation and there is significant cost to doing that installation. It will be another month or so before we have a handle on those exact dollars, if they are going to proceed forward with the Phase II work.

Mr. Carroll stated that it appears your efforts have turned that around and I am pleased with that. Six months ago I was concerned about their whole schedule. Now it seems to be in high gear.

Mr. Ward replied, "I cannot take complete credit for it, it took a little arm-twisting, but it worked".

NORTH PELICAN BAY BOULEVARD TRAFFIC SIGNAL

Mr. Ward reported that a request has been submitted to the Transportation Department to move the control panel approximately 20 feet north. They are considering doing that and it is about a \$2,100 cost. I will keep you advised as to the status of that relocation. I feel very confident that they will be in a position to execute a Change Order to do that work.

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Mr. Werner stated that they have started to install the mast arms.

Mr. Ward replied, "I am aware of that and please watch out because they are massive and it will not be pretty".

SIDEWALK, CROSSWALK MODIFICATIONS

Mr. Ward stated that the Transportation Department with all of the gas tax issues got hung up on that issue. They have not pushed and I am not pushing.

U.S. 41 STREELIGHTING

Mr. Ward explained that we are working on an MPO Application request with the County to go through that process. Everybody needs to understand that the MPO process is very, very long. You will have the ability to see that come to fruition over the next few years.

Mr. Carroll asked what MPO means?

Mr. Ward replied, "Metropolitan Planning Organization". It is a creation of State government that counties use in order to fund capital road facility projects.

Mr. Vlasho asked about the flagpole project and your contract.

MANAGER'S CONTRACT

Mr. Ward explained that I did speak to Purchasing about an extension to the Contract. They are evaluating the County Ordinance to find out whether or not that is possible. I suggested to the County that on behalf of the Advisory Committee I would prepare an Executive Summary that indicates that you as a body would like to extend that contract without going through the competitive bidding process and put it in front of the Commission. The County can indicate whether they agree or disagree with that and let the Commission decide it. I think that is what we will do.

FLAGPOLE

Mr. Werner reported that Mr. Lukasz, Mr. Ward and I met and talked about the flagpole. What we have decided to do is to install two flagpoles, both on the north side of the Pelican Bay Boulevard entrances. Mr. Lukasz has the locations marked with yellow flags. We felt 25' in height would be about the right size.

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Mr. Ward replied we were given authorization by this Committee to do the work; we are just working on getting it installed at this point.

Mr. Werner stated that if we find a third pole is desirable at Gulf Park Drive we could do that later.

Mr. Domenie asked if they would be lighted?

Mr. Werner replied, "Yes, they will be lighted".

Mr. Roellig stated that I am surprised about the 25' pole. We were looking at a 35' pole for our condominium and we have approval from the Foundation for a 35' pole. Is there a reason you were looking at 25'?

Mr. Werner stated that is what was suggested. There was a concern that if we went higher it would have to be a bigger pole.

Mr. Ward replied, "The bigger the poles, the more unproportional they get in relation to those entranceways". We felt the 25' pole would be a little more proportional to what they look like out there. It is going to be a big pole at 25' and the bigger they get, they overwhelm entrances.

Mr. Domenie asked how tall are the streetlight poles?

Mr. Ward replied, "The median poles are 30' tall".

Mr. Domenie replied, "I mean the traffic signal poles"?

Mr. Ward replied, "I am not certain". I don't think you want them to be higher than those signals.

Mr. Werner stated that I don't think the mast arms are going to be higher than the flagpoles.

Mr. Ward replied, "If I can remember intersection heights, they are probably 30', but I am not positive".

BIRD SANCTUARY

Mr. Vlasho explained that Mrs. Greta Laughlin had called me about a bird sanctuary for the area where the cattails have been removed.

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Mr. Ward stated Mr. Lukasz has spoken with her about that issue. What she wanted to do is place some signs out there with respect to what the birds are. My initial reaction is that is a construction area at the moment and I really don't want to harm any of the permitting that we have going on, but we will work with her and come up with a solution that works at the end of the day. I am hesitant to put signs out on the berm at this time, but I will see where we need to go and work within the constraints of our existing permits. If it is a bird sanctuary I did not have a real problem with it, but I think what she is looking for is more of some signage as to what kinds of birds are in that area. That is a good idea; I just want to make sure that we don't do anything that would hurt our permitting activities.

Mr. Vlasho stated that you might consider that the signs be put at the tram stations or at the entrances to the boardwalk.

Mr. Werner replied, "That would be a Foundation issue".

AUDIENCE PARTICIPTION
U.S. 41 BERM

Mr. Spanier stated that it was alluded to somewhat earlier that with regards to the U.S. 41 berm, barrier that there is \$375,000 in the budget to work on that barrier berm. That is a subject of real concern and there are a lot of people coming from different directions on the aesthetics of it, the impact on noise and the possible impact on preventing the entrance of unauthorized individuals into the community. It is a significant capital project and I would like to have the opportunity at our January 9th meeting of the Community Affairs Committee to have available whatever graphics you have that indicate what the berm beautification planning project is, so that we can alert people to what is going to be one of the most visible changes in the aesthetics of the community in a long time and illicit some input as to what the thoughts are on what that plan should be. Is there a set of graphics or material other than budgetary support material that depicts this project in a way that it can be discussed? If so, can it be made available by the early part of January for a meeting that we will, at the expense of the Property Owners Association, publicize to get significant attendance? Is there such a body of material or could there be?

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Mr. Ward replied, "We do have a section detail, which shows by section the detail of what the palette of landscape materials will be". It will take someone to explain that to you because you are not going to be able to look at it and understand where it is, which we would be glad to provide to you.

Mr. Spanier asked if it could be a constructive process and I am not trying to derail this thing, but rather anticipate questions?

Mr. Ward replied, "I do not have a problem with that, but I will tell you that it is under construction now, so it is not subject to a lot of debate at this point in time".

Mr. Spanier stated that is already a big problem.

Mr. Vlasho stated that is not a big problem. We are willing to work with the Property Owners and I am a big supporter of the Property Owners. We have been discussing this project in these meetings for two years plus. It is in process and it is going on. A significant amount of work has gone on with the removal of exotics and I don't know the feeling of the rest of the Committee, but to send someone into a meeting to explain something that has already been approved and is in process, just rings wrong with me.

Mr. Ward replied, "I don't have a problem explaining what the program is and go through that". Somebody asked me that earlier today and the really easy answer is to go to Bentwood Drive and look at the backside of the U.S. 41 berm and that is what the front side is going to look like in one year, after it grows in. A number of years ago we were asked to fix that area, which we did and that has been done for about five years now. That is the best way to tell a resident of how to get a visual of what the berm is going to look like without us having to show you pictures.

Mr. Spanier stated that I can inform myself what that looks like, but I think you are engaging questions right now that have a bearing on very live issues of security, entrance to the property, noise abatement, as well as aesthetics. It may have been well discussed for several years, but at least among the actively engaged people on the different aspects of the problem there were nothing but questions as to what is going to be done there.

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Mr. Ward stated that we need clear lines of demarcation here on what is going on. If the Property Owners Association is going to in some way, shape or form sponsor a forum for that area to deal with security and think that the money that we have budgeted will be able to deal with that issue or that you are going to be able to use some of those funds for security issues along the U.S. 41 berm, this Committee has opined previously that we are not going to be in a position to do that. We are not going to allocate those funds for that. If the issue is that somebody just wants to look at the plans for the U.S. 41 berm and those improvements, I don't have a problem showing anyone that, ever. It is not a debate about the security on U.S. 41. It is a limited focus, a limited discussion, a limited debate to just what that landscaping palette looks like on the front side of the U.S. 41 berm and that is what the money was budgeted for, not for noise and not for security.

Mr. Spanier stated that nevertheless, whatever you do there is going to have an impact either positive, negative or neutral on considerations of noise and entering the property and I am not suggesting money be reallocated.

Mr. Ward replied, "I am glad to hear that because I have heard to the contrary".

Mr. Spanier stated I think I have stated very clearly that there are many perspectives that are engaged at this point. All I am trying to focus on what is the plan.

Mr. Vlasho stated that this Committee was encouraged that the Property Owners got involved and if they come with a plan on noise and on security and we can help with that we would be willing to discuss it, but all of the other discussions ended up blind alleys as I recall. We are not discouraging you from working on that; we are just stating our view.

Mr. Spanier replied. "Let's use this forum to get whatever material you have on your landscaping project before the group and have it discussed".

Mr. Roellig stated that \$400,000 for miles of landscaping is going to give you a minimal project. For security or any kind of sound abatement you are talking millions. It is an entirely different situation.

Mr. Jim Hoban – On the plantings, I assume the vegetation has already been picked?

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Mr. Ward replied, "Yes it has". I don't remember the specific palette but there is utilization of a lot of the trees that are out there. On the backside there is Cedar.

Mr. Hoban asked if there are going to be trees and shrubs?

Mr. Lukasz stated that it is going to be terraced.

Mr. Ward stated that if you do as I suggested and go to the Bentwood berm you will get a really good feel for what that will be. It is the very same palette and you will get a good feel for what it will look like in a few years.

ADJOURN

There being no further business the meeting adjourned at 5:30 P.M.

Mr. Lou Vlasho, Chairman