

**PELICAN BAY SERVICES DIVISION
Municipal Services Taxing and Benefit Unit**

NOTICE OF PUBLIC MEETING

WEDNESDAY, AUGUST 5, 2009

THE PELICAN BAY SERVICES DIVISION ADVISORY BOARD WILL MEET IN REGULAR SESSION, WEDNESDAY, AUGUST 5, 2009 AT 1:00 PM AT THE HAMMOCK OAK COMMUNITY CENTER, 8960 HAMMOCK OAK DRIVE, NAPLES.

AGENDA

The agenda includes, but is not limited:

1. Roll Call
2. Approval of July 13, 2009 Pelican Bay Services Division Advisory Board Meeting Minutes
3. **Administrator's Report**
 - a) Discussion of Strategic Planning Committee's Scope of Services Inter-local Agreement between Services Division and Foundation.
 - b) Discussion of Staff Annual Work Plan, Board Requests and Expectations
 - c) Discussion of Plans for Website
 - d) Discussion of Preference for Verbatim or Condensed Meeting Minutes
4. **Chairwoman's Report**
 - a) Commercial Interests Advisory Board Applicant. Review application and make recommendation.
 - b) Discussion of need to reestablish meetings of the Clam Bay Committee
 - c) Discussion of Web Services Invoice
5. **Capital Projects**
 - a) Discussion and Update of the North Tram Station #8 Pedestrian Walkway
6. **Community Issues**
 - a) Update on west side of berm mangrove die-off area, water management system and monitoring report
7. Committee Reports and/or Requests
8. **Old Business**
 - a) Discussion to video record Board meetings and negotiate with Foundation to televise on Channel 95
9. **New Business**
10. Audience Comments
11. Adjournment

SPEAKERS FROM THE AUDIENCE WILL BE LIMITED TO THREE MINUTES

ADDITIONALLY, THIS NOTICE ADVISES THAT, IF A PERSON DECIDES TO APPEAL ANY DECISION MADE BY THE PELICAN BAY SERVICES DIVISION BOARD, WITH RESPECT TO ANY MATTER CONSIDERED AT THIS MEETING, HE WILL NEED A RECORD OF THE PROCEEDINGS AND THAT FOR SUCH PURPOSE, HE MAY NEED TO ENSURE THAT A VERBATIM RECORD OF THE PROCEEDINGS IS MADE, WHICH RECORD INCLUDES THE TESTIMONY AND EVIDENCE UPON WHICH THE APPEAL IS TO BE BASED. ANY PERSON REQUIRING SPECIAL ACCOMMODATIONS AT THIS MEETING BECAUSE OF A DISABILITY OR PHYSICAL IMPAIRMENT SHOULD CONTACT THE PELICAN BAY SERVICES DIVISION OFFICE AT LEAST FIVE CALENDAR DAYS PRIOR TO THE MEETING AT (239) 597-1749.

**SUMMARY MINUTES OF THE MEETING OF THE
PELICAN BAY SERVICES DIVISION ADVISORY BOARD
AUGUST 5, 2009**

LET IT BE REMEMBERED that the **Pelican Bay Services Division Advisory Board**, in and for the County of Collier, having conducted business herein, met on **Wednesday, August 5, 2009 at 1:00 PM in Regular Session** at the Community Center at Pelican Bay, 8960 Hammock Oak Drive, Naples, with the following members present:

Pelican Bay Services Division Advisory Board Members Present

Mary Anne Womble, Chairwoman	Michael Levy
Tom Cravens	Gerald Moffatt
Keith Dallas	Geoffrey Gibson (excused absence)
Ted Gravenhorst	Theodore Raia (excused absence)
John Iaizzo	Hunter Hansen (absent)

Pelican Bay Services Division Staff Present:

Neil Dorrill, Administrator
Kyle Lukasz, Field Operations Manager
Mary McCaughtry, Recording Secretary
Lisa Resnick, Administrative Assistant

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ROLL CALL

Madam Chair Womble called the meeting to order at 1:05 PM. She asked Ms. McCaughtry to take Roll.

Ms. McCaughtry responded, "Madam Chair, let the record reflect that we do have three members absent,

Dr. Raia, Mr. Gibson, and Mr. Hansen, but we do have a quorum, so we are ready to go."

APPROVAL OF THE JULY 13, 2009 PELICAN BAY SERVICES DIVISION ADVISORY BOARD MEETING MINUTES

Chairwoman Womble moved on to the next item that was approval of the July 13, 2009 Pelican Bay Services Division Meeting Minutes.

Mr. Cravens made a motion to approve the July 13, 2009 Pelican Bay Services Division meeting minutes.

Mr. Levy seconded the motion.

Chairwoman Womble asked if there was any discussion and she had several changes.

Mr. Cravens said that it was a rarity if Mr. Levy had no corrections to the minutes.

Mr. Levy stated that they were summary minutes and not verbatim and for the most part satisfactory.

Chairwoman Womble confirmed that summary minutes were provided and moved along to reading her corrections. On page 8100, the same phrase twice, "\$111,000 less than it was when it left the Budget Committee" and one should be stricken.

Mr. Levy thanked Chairwoman Womble for this correction.

Chairwoman Womble continued to read her corrections. Page 8106, "Chairwoman Womble confirmed and explained that due to Mr. Dorrill just coming on board July 1 *and* her desire to get him acquainted with..." The *and* should be stricken to read, "Chairwoman Womble confirmed and explained that due to Mr. Dorrill just coming on board July 1 her desire to get him acquainted with..."

Chairwoman Womble continued with amending the minutes. Page 8107, there was a motion made by Mr. Moffatt and Mr. Cravens seconded. She said, however that the motion was unclear and needs clarification for the record.

Mr. Moffatt stated that the motion was Mr. Dorrill's recommendation that the Services Division enter into an inter-local agreement with the Foundation. Mr. Moffatt continued and said that after Mr. Dorrill's explanation of the process, Mr. Moffatt said, "I'll make that a motion."

Chairwoman Womble said that the motion and vote needed to be "highlighted" and "boxed in" at the end of the section. She stated, "A motion was made by Mr. Moffatt, seconded by Mr. Cravens and carried unanimously by the Board." The next correction on page 8108 should read, "Mr. Gibson complimented Mr. Dorrill... He also complimented Ms. Bellone and Mr. Lickhalter for the presentation by a wonderful architectural firm," and to strike "for hiring the firm," because the firm had not yet been hired.

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Mr. Cravens stated his concern about the motion to approve the inter-local agreement and stressed the need for a notation in the minutes, just like anywhere else in the minutes where Board action is taken.

Chairwoman Womble agreed and asked Ms. Resnick if she could go back to the records and get the verbatim discussion and motion.

Ms. Resnick confirmed.

Chairwoman Womble asked Mr. Cravens if he would like to follow up at the next meeting to the correction in the minutes of the motion as it was stated.

Mr. Cravens answered yes, but that it was his concern that the minutes may not reflect what actually transpired.

Chairwoman Womble asked Ms. Resnick to bring to the next meeting, the amended section of the minutes that clarifies the motion to approve an inter-local agreement between the Services Division and the Foundation, verbatim, as stated in the recording.

Ms. Resnick agreed to comply.

Chairwoman Womble asked if there was any further discussion.

Mr. Gravenhorst asked what would be reflected in the box that the Board passed and approved.

Chairwoman Womble said that the box would reflect what is stated as the actual motion.

Mr. Gravenhorst replied that Mr. Dorrill was to bring back an inter-local agreement for Board approval. The motion was for Mr. Dorrill to enter into discussions with Mr. Hoppensteadt regarding an inter-local agreement and bring it back to the Board for approval.

Chairwoman Womble agreed, but said that for the record, the motion needs to be stated correctly in the minutes.

Mr. Gravenhorst expressed his approval of that process.

Mr. Iaizzo pointed out that the agreement between the Foundation and Mr. Dorrill is based on the presentation of the "Scope of Services" that showed what was under the purview of the Foundation and what was under the purview of the Services Division.

Chairwoman Womble responded that was why she wanted to bring back to the next meeting the amended minutes, clarifying and highlighting the motion and Board action taken, so that the Board can read how it was actually stated and be more comfortable with the record.

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Mr. Iaizzo said that Mr. Dorrill is probably ready to give the Board that information.

Mr. Cravens asked if approval of the minutes be deferred until amended to show an actual reflection of what took place because it was going to be revisited at the next meeting

Chairwoman Womble answered one way could be to defer, but the Board could also approve the minutes as amended with the exception of that one section and bring that one section back to the next meeting for approval. She said that the decision was up to the Board.

Mr. Iaizzo said the latter was the way he understood the current discussion.

Mr. Cravens stated his concern of approving minutes that do not accurately reflect what took place and that as the minutes stand, they do not portray an accurate motion.

Mr. Levy asked if the minutes could be approved as amended.

Mr. Cravens said for clarification purposes that a motion should be made to amend the July 13 minutes to be reflected in the August 5 minutes, rather than just comment about them.

Chairwoman Womble agreed and did not want to approve this particular section without specificities.

Mr. Gravenhorst countered that if this information was in a box that there was a motion and the Board voted unanimously, then the minutes are accurate, but they are not presented accurately without the box.

Chairwoman Womble retorted that the minutes do not state what the motion is.

Mr. Cravens agreed and said, "The motion that Jerry made is not there."

Chairwoman Womble continued that it does not say who made the motion; just "he made the motion."

Mr. Gravenhorst said yes, that does need to be delineated, but it directly refers to what Mr. Dorrill elaborated.

Chairwoman Womble agreed and added that they are just looking for the actuality.

Mr. Gravenhorst said that if the sentence read that Mr. Moffatt made the motion, the rest of it is correct.

Mr. Levy pointed out that the paragraph preceding is really the motion and read, "Mr. Dorrill elaborated on his earlier recommended motion to instruct the Administrator to affirm the legal sufficiency of the desired approach and to bring a phased inter-local agreement back to this Board no later than the September meeting." Mr. Levy continued reading, "Mr. Moffatt made the motion." Mr. Levy stated, "That was the motion."

Mr. Moffatt responded, "Basically that is the motion."

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Chairwoman Womble stated, "Basically it is, but I think that we need to have it specified correctly and then we can go ahead and approve the minutes. It is a motion by the Board, so it is important that it be represented properly." Chairwoman Womble queried the Board as to whether they wanted to approve the minutes minus the "inter-local agreement section," or how does the Board want to handle.

Mr. Iaizzo, Chairwoman Womble, and Mr. Gravenhorst agreed that they wanted to move ahead and approve the minutes

Mr. Gravenhorst stated further that the minutes should be approved with an amendment, added to the August 5 minutes and if necessary, reapprove them next time.

Mr. Dorrill agreed and said, "That's typically what you would do. You would entertain the motion to approve as amended and if you would like for us to share with you electronically the final version of these minutes along with the other minor changes and if you feel that they still do not reflect what what said and from a formatting perspective, then you can further amend and clarify those minutes at your next meeting. I think that based on the consensus of the direction with respect to the inter-local agreement, we can reformat that and bold that area to reflect whatever paragraphs are above that will clarify it."

Chairwoman Womble agreed and stated that was more to the point and asked Ms. Resnick to forward just that section, the motion as it was stated and not to send the minutes in its entirety.

Mr. Moffatt had a correction. He said that the boxes at the bottom of pages 8108 and 8110 were not motions and therefore should not be "boxed." On 8112, it reads that Mr. Dallas "denied" the motion. It should read that he "disagreed."

There was no further discussion and a vote was taken on the motion as corrected and amended as stated.

Mr. Cravens made a motion to approve the July 13, 2009 Pelican Bay Services Division Advisory Board Summary Meeting Minutes. Mr. Levy seconded the motion with discussion. A vote was taken and the July 13, 2009 Pelican Bay Services Division Advisory Board Meeting Minutes were unanimously approved as corrected and amended.

ADMINISTRATOR'S REPORT

DISCUSSION OF STRATEGIC PLANNING COMMITTEE'S SCOPE OF SERVICES INTER-LOCAL AGREEMENT BETWEEN SERVICES DIVISION AND FOUNDATION

Mr. Dorrill started the Administrator's report with discussion of the inter-local agreement. He stated that the process had been started and was on track. He said that he had a series of communications with the Foundation's attorney, Mr. Bruce Anderson to identify points of the agreement that would meet Mr. Dorrill's test for

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declaring the Foundation a “sole-source provider of Master Planning to this community.” This will avoid having to otherwise go through a lengthy process to advertise and short list any land planning or landscape architectural surveying firms that would be working on those elements of this community that are specifically the Services Division's responsibility. From the presentation last month, while any and all of the community's comprehensive Master Planning is good, the Services Division's role and responsibility is fairly limited to those elements that are public and within the public right of ways, or easements in the County's favor. Specifically these areas are streetscape, landscape medians, entry landscape or hardscape features, street lighting, storm water management and the facilities associated with that. On a preliminary basis, Mr. Bruce Anderson, the Foundation's attorney who is developing the inter-local agreement, it does appear that the Services Division can meet all of the County's requirements and recognize the fact that the Foundation does have a special and complete interest in a comprehensive master plan. The Services Division's responsibility will be to review the final “Scope of Services” for Wilson Miller, those items that the Services Division will then pay for all included elements unless there is a specific finding of public benefit. A few examples of what would be under the purview of the Foundation are a common tennis complex, any and all community facilities like the Hammock Oak Center, food and beverage facilities on the beach end, and technology enhancements. Those are clearly going to be the responsibility of the Foundation, as well as consultants engaged to explore future enhancements of the Master Plan, or financing plans associated with those projects. The creation of an inter-local agreement is on track for the Services Division Board to review and then subject to the Board's approval at the September meeting, it would be presented to the County Commission.

Mr. Levy asked if the consultants were going to have to divide their costs.

Mr. Dorrill responded that if Wilson Miller wanted to be involved in other land planning, landscape architecture or surveying work, then the answer is “yes.” For this reason, the Services Division ultimately needs to establish not only a “Scope of Services” as an exhibit to an inter-local agreement, but also a fee schedule with projected fees for the “Scope of Services.” “For example, let's say that Wilson Miller, or some consultant are going to be retained to develop new landscape or pedestrian or boardwalk plans or landscape plans or other work that the Foundation may engage in. Those would need to be separately identified fees and responsibilities of the Foundation. We are only going to pay for planning, engineering, and surveying for those assets that belong to you.”

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Mr. Levy asked would we still have to do an inter-local agreement even if the Foundation were willing to pick up the tab for the entire study and if that was an option.

Mr. Dorrill responded that if the Foundation were willing to pay for the entire project that the property owners could have a reasonable argument as to whether the Foundation's money should be spent on assets that they do not own, but are owned by a not for profit or governmental agency. That approach would depend upon the Foundation's Articles of Incorporation and Charter. It is the same argument. This seems to be the easiest and most straightforward approach to our working cooperatively with the Foundation to push the entire Master Planning project forward.

Mr. Gravenhorst said, "So, let me see if I understand what you are saying. At that point, subject to our approval, the plan is split into two parts."

Mr. Dorrill answered, "Two parts at least as it pertains to the fees associated with and identified by the initial consultant; the Services Division may end up paying for 80-90% of the fees to Wilson Miller because 80-90% of those assets are related to roadway or landscape and assets that we are responsible for."

Mr. Gravenhorst said, "I understand that, but at that point, it is split into two parts and we are totally responsible for our part and the Foundation is totally responsible for their part."

Mr. Dorrill confirmed. He added, "The intent is that our contract will be with the Foundation, so a check will be cut for whatever deliverables, and work is done, we will be paying the Foundation and in turn, it will be their responsibility to pay Wilson Miller. In this instance, the Foundation is a sole source provider of landscape services to the District. The Services Division will be cutting checks to the Foundation and they in turn will pay Wilson Miller."

Mr. Gravenhorst said, "The checks that we cut to the Foundation to pay Wilson Miller will only be on items that we approved and authorized and allowed to go forward."

Mr. Dorrill responded that is why an inter-local agreement will include both as an exhibit, the "Scope of Services" and the associated fee schedules "so that you understand what you are paying for well in advance of actually seeing it."

Mr. Levy asked if Wilson Miller would receive payment by the hour for time and material.

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Mr. Dorrill responded that has yet to be determined and they would probably receive an estimate based on task. Engineers as a rule are driven by tasks and work product. There will some ranges and some “not to exceeds” within those allowable tasks.

Mr. Levy said, “Then the actual cost is going to be based on time records so to speak and we would get those for our portion of the work.”

Mr. Dorrill said yes, if the Board were interested that he believes that they would be entitled to that. Mr. Dorrill asked Mr. Hoppensteadt if he had anything to add.

Mr. Hoppensteadt said that he did not have anything to add because Mr. Dorrill explained it all very clearly. “At this point as you have indicated, we are looking to develop a ‘sole provider of services’ inter-local agreement. We have met with Wilson Miller and they contemplate this being a three-stage process. The first stage is exploration, community feedback, the second stage is schematic design, and third stage is design and development. We will get as Neil has indicated, a “Scope of Services” so that everyone understands specifically what is included in those three stages. We will get a breakdown of cost expectations. In response to Mr. Levy, Mr. Dorrill said that he anticipates the contract to be a hybrid broken down into stages. A fixed amount could probably be assigned to stage one because it is a defined body of work. Stage two, however, which is design and development will be much more of a moving target that may add the components of time and materials, as well as a "not to exceed." The "not to exceed" component is necessary because there may be something that at the front end, Wilson Miller considers, but as the process is worked through, it may ends up being part of the design.”

Mr. Cravens said that in earlier discussions we expressed a great deal of concern that before anything was done that we have extensive involvement and approval by the community for whatever final plans emerge. Mr. Cravens said that from what he understood, the architectural firm is going forward with the various stages, but questioned what will happen when Stage one plans are set.

Chairwoman Womble responded, “I can address that, Tom. The Strategic Plan, Strategic Planning Committee and the Landscape Subcommittee are all on the same page in that at each stage, we will present it to the community at large. Wilson Miller was chosen in one aspect because they had some very good suggestions on how to present this in different ways to the community, so that they would be a part of it and be very well aware of what was going on as they went about their business and came up with their ideas. The presentation would be to the Foundation and Services Division Boards of course but also to the entire community.”

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Mr. Dorrill said that he wanted to point out, only by way of example that “in a troubled economy, this Board will want to assure itself that there is a public sentiment for whatever tangible projects that are going to be and roll out the back of this thing that you are asked upon. Years ago when I was in the County, we developed in cooperation with the League of Women Voters and the Florida Institute of Government at Florida Gulf Coast University, public opinion polling instruments.” He suggested spending some money doing some sophisticated polling of public sentiment through totally objective third parties like the League of Women Voters or Florida Gulf Coast University, because workshops and meetings are not as effective. He added that eventually there would be a public outcry, so it may be beneficial to explore some ways to gauge public sentiment to ensure the community's support and financial commitment.

Mr. Iaizzo asked that before we get community feedback, at what point should the community be approached and if prices and estimates should first be obtained from Wilson Miller.

Mr. Dorrill responded that estimates should be obtained from Wilson Miller and another company called Neighborhood America. He said that Neighborhood America are experts in this. Wilson Miller has done enough statewide comprehensive planning for cities, counties, and developers that they can help identify specific tasks such as how they can get initial feedback from this Board, determine projects and timeframe; this will lead to effective opinion surveying and polling.

Mr. Iaizzo said that the Board's current responsibility based on the Strategic Plan is that has to be approved at some point by the Board, whether whether in full or partial.

Mr. Dorrill said that plan or “Scope of Services” exhibit would accompany the inter-local agreement that is developed between the Services Division and the Foundation.

Mr. Iaizzo asked when.

Mr. Dorrill said that if the law firm can produce it, then it would be at the September general meeting or no later than the October meeting.

Mr. Cravens said his concern was, “Once we enter into the inter-local agreement that they may find ourselves in the position where we are no longer able to control what transpires. The architectural firm goes back to the Foundation, the Strategic Planning Committee looks at this, and they are the ones who came up with the Scope of Services. Some of the members of this Board felt some of the items were inappropriate. We really did not have an opportunity in the early stages or in any stage to give meaningful input. He said that the Services Division was

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sort of invited to sit in on a late stage meeting, but that was the extent that this Board had in participating in this whole thing.”

Chairwoman Womble countered that Mr. Dallas and Mr. Moffatt attended many meetings and were offered a chance to discuss what they felt and the Committee did listen and took it back under advisement as to suggestions that they made, comments that they made.

Mr. Cravens said that these things should come before the Board.

Mr. Moffatt suggested that after the Board sees the inter-local agreement and agree upon the Scope of Services there that he expects that this Board would have the option at the end of each phase when we get a deliverable, to say yea or nay.

Chairwoman Womble said that was a given and understood.

Mr. Moffatt and Mr. Cravens both agreed that it should be in the agreement.

Mr. Moffatt added that it should be in the agreement, “If we opt out at the end of phase one then it is dead.”

Chairwoman Womble said that she believes that was going to be in the agreement.

Mr. Dorrill said it should and added that if the Board gets into this agreement and due to economic circumstances or becomes unhappy with the process in any way, then there should be the ability to terminate participation within 60 days notice, which is a standard County clause. He said that he did not think that would happen, but “If the deal blows up with us then we should have the appropriate termination provision. The Services Division will be obligated to pay Wilson Miller for whatever legitimate time and effort incurred up until the point of termination and then the project will just unwind.”

Mr. Dallas said that he did not view this as just four points along the way that input is a continual process. He added that he believed there would be a lot of back and forth. He said that he sees the Strategic Planning Committee being involved but also this Board will be involved at every step along the way. “When they are in Phase one, we want to see what they are suggesting and have some input before they come up with their recommendations at the end of phase one.”

Mr. Dorrill addressed Mr. Cravens' concerns. He gave an example of exploring expanded or new bicycle or pedestrian or jogging paths throughout the community. He would like to think that was part of the development of this. If this Board feels that because we do not own the expanded right of way, easements, or areas for new sidewalks in and around throughout the community and that’s not something we want to put on the Scope of

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Services, he would like to have a “lively and spirited debate at your next meeting or whenever this is proposed. If there are elements of the Master Plan that for whatever reason you don’t feel that we should spend money on from day 1, then he would rather have that discussion earlier, or sooner than later on.”

Mr. Cravens said that he was not clear on exactly what the Services Division is funding. He said that funding the architectural plan should be a joint venture between the Foundation and the Services Division and that the cost should be split based on property ownership, as well as typical maintenance. He said that he believes that the Foundation should pick up the part of the funding that is part of the Foundation’s property and the Services Division should pick up the costs for the areas that they typically maintain.

Mr. Dorrill said that is his intent. To further explain, he used an example that in his four weeks on the job, from his observations listening to the Board at these meetings and other individual meetings, that there seems to be a consensus amongst the Board that the landscape within the medians and streetscape while mature, is beginning to look tired and dated and that certain plant underscoring species have sort of served their useful likeness and as they are dying out there a big patches and there seems to be an overall consensus that streetscape and landscape issues are a very high priority. That would include medians and entry landscape features, so we would be responsible to pay and make the important decisions with respect to that. “For whatever reason, I’ve never been to the Commons and I hope to go someday, but if there are similar issues pertaining to landscaping or new design enhancements to the Commons or tennis complex there, we are not going to participate in those at all. If there is a Commons architectural or Commons landscape theme, individual decisions concerning landscape enhancements or renovations pertaining to the Commons or this facility, we are not going to participate.”

Mr. Cravens agreed. His only concern is that he believes there exists a potential problem in that there are certain elements of the community that are not really well-defined as to who actually should be responsible. For example, landscaping along 41, who owns this and who is responsible, as well as the area that is landscaped along the berm. Ownership is also not clearly defined. Currently the Services Division is responsible for maintaining landscaping on the berm. He questioned the validity and asked Mr. Hoppensteadt if maybe there are some areas that should be more clearly defined as to ownership before we go into this project.

Mr. Hoppensteadt said he discussed this with Mr. Dorrill. He said that there are many areas where the Services Division and Foundation have been structured in such a way as to provide the maximum economic benefit for the residents of Pelican Bay. He believes they are muddy because when Westinghouse started the community

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and established the Special District, the Pelican Bay Independent District (PBID) they ran it in conjunction with the Foundation. "At that point, Westinghouse was essentially running and controlling both. When the County took over PBID, it was not exactly a friendly takeover and so the community has never really sat down and said, 'Ok you do this and we'll do that.' Staff has always worked cooperatively and whoever had the resources to do the work has done it. The Foundation does not maintain landscaping equipment. Kyle obviously has a staff capable of doing it, so for big swaths of the property, the Services Division has maintained them even though they are Foundation property. The berm is even more complicated because the Foundation owns the land, the utility owns the structure on top of the land, and there is an easement for access on top of that, so it is probably the most convoluted of areas that we have in the community and speaks to your point to do this in cooperation with the Foundation. It speaks to Neil's desire that to be able to go forward to at least have a document that spells out this is what you have to do and this is what we are going to do. We probably have a little bit of an accordion knot going back and forth to try to figure out why and what we currently have but I do not think that will serve the best interests of the community. But certainly going forward, we can have inter-local agreements and delineation of who's going to do what is much more favorable."

Mr. Gravenhorst asked Mr. Dorrill if the inter-local agreement was only for check writing and billing purposes because as he understood it, the Services Division is making its own decisions for all of their items, but the Foundation is contracting all of the services and therefore the purpose of the inter-local agreement is to be able to pay for what "we have contracted for with on behalf of the Services Division through the Foundation."

Mr. Dorrill answered yes. "It is in essence a pass through relationship given the Foundation's unique position here and the fact that they want to do other Master Planning initiatives and they are just trying to bring it all into one house and to identify a way for us to participate and pay for and make final decisions pertaining to those assets that you are responsible for."

Mr. Dallas said that he saw another advantage because, "We do not have dueling consultants. It is one consulting firm and we're all hearing the same things and hopefully we will all come to common conclusions."

Mr. Gravenhorst wanted to be assured that we were not signing away any other things then the checks and responsibility of contracting for those particular items. All the rest of the decision-making process and the work on our projects are going to be done by us and nobody else.

Mr. Dorrill agreed.

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Chairwoman Womble urged Mr. Dorrill and Mr. Hoppensteadt to work quickly to bring back the inter-local agreement to the September meeting.

Mr. Dallas requested if the Board could see something beforehand because he believes it is going to take some 'chewing on' and "if we could see something ahead of time it would be very useful. Otherwise I think we won't know how to react to it."

Mr. Gravenhorst completely agreed with Mr. Dallas "For our sake and the community's sake because they will bring us some things where we have to end up being the naysayers. We want things that are meaningful and need to be done and we do not want to be the negative voice saying 'no, we're not going to do this, no we're not going to put in local public art.' We want to be able to approve most of what you bring to us. So bring us the stuff that needs to be done and lay off the 'I wish' items."

Mr. Iaizzo said that he believes what is coming forward by this Board is very reasonable and that the control will come from the community and not to worry about being the naysayer. He believes that if the Board let every item go through and get the feedback, there is the control factor because the Board will not be making the decision, the community will be making the decision and that is important to know.

Mr. Dallas said with sarcasm, "Ted, I know you're very high on public art. It is one of your high priorities. (Audience laughter) I think that if that is the case and you do not really like it, then I think that's the thing you need to bring that up at next meeting and bounce it off on the other people and should it be part of the "Scope of Services."

Mr. Levy asked if what Mr. Dallas meant was that the contract is not going to be let go until after the inter-local agreement is done and there will be another chance to look at it.

Mr. Hoppensteadt responded that the contract and the inter-local agreement would be moving parallel to one another. "You will see the inter-local agreement and the "Scope of Services" together. At this point, his only variation from Mr. Dorrill's understanding is that we are still working on whether or not these should be three separate and distinct documents or whether they should be attachments, but you will see all three."

Mr. Levy asked, "what about the timing of actually awarding the contract to Wilson Miller. When is the contract going to be let go to Wilson Miller?"

Mr. Hoppensteadt responded, "As Mr. Dorrill has indicated, we have to give both Boards comfort, the Foundation Board and the Services Division Board that comfort, so that you know exactly what you are getting into,

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what the costs are, and how the plan is going to move forward. We have talked with Wilson Miller about the issue of public art. By counting that in, all it is saying is that in the community, if you wanted to put in public art, where would you put it. Again, this is a plan. It does not say that you are going to move ahead and put in statues. What it says is that if you do it, this is where they would go, so that you have a plan of consistency that whenever you want to do something you know what the approved materials are; you know what the approved specs are. It is not unlike having recipe cards in food and beverage.”

Mr. Levy said thank you and just wanted to be assured that the Services Division Board was going to have a chance to see it before it is signed.

Mr. Hoppensteadt said that the Foundation would not execute an agreement with Wilson Miller until both Boards are comfortable.

Mr. Gravenhorst said to Mr. Iaizzo, “You insinuated and stated eloquently that we are going to act on what the people want to do. At what point from our approval to their contract do we find out or do we find out before our approval. Are we going to have a community-wide poll and take a vote on this or how do we intend to find out.”

Mr. Iaizzo responded that needs to be discussed and he was happy to discuss it now.

Mr. Gravenhorst said that he asked because as he understood it that an inter-local agreement would be presented to the Board at the next meeting.

Mr. Levy said that he would think that it would come after the study is done, all the recommendations have been made, and there are price tags to go along with it.

Chairwoman Womble said, “I think that your suggestions are being well-noted by Mr. Dorrill and Mr. Hoppensteadt and I think that they will incorporate as much as they can into this inter-local agreement. I think that we need to wait until we hear back and then maybe we can offer some more suggestions, but until then we are really just ‘flying blind’ so let us find out what they have to offer us. We cannot accept a yes or no vote from both Boards or one or the other. They have to be both Boards because we are both putting our money toward this particular plan, so I do not think that we have to worry about that. But I am interested in hearing what you all can come up with so that we can go forward, possibly offer suggestions or get a real good idea as to how we’re going to handle it.”

Mr. Iaizzo responded that the issue is not that it is two Boards, but that what is important is the survey and how it will be implemented. “A no act response from an unit owner, how do you treat that. Does it fall into the

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basket as a no or does it fall into the basket as a yes. How you decide that is going to be very critical. Do we need a two-thirds vote or do we need 50%.”

Mr. Cravens said that what the Board needs to do is wait until there is a final product to give to them.

Mr. Iaizzo said that “We’re just talking ahead as to how this will unfold.”

Mr. Dallas said, “We can’t ask them what kind of grass they want. This is going to get down to some real detail, so I think that you have to have some idea of where we are going. Probably after phase one, you will have some idea of what you are thinking of and you bounce that off the public to get their reaction. At each phase you keep them up to date so that we are not surprising anyone. I think that a lot of this will not be nearly as controversial as a lot of us had thought. I think they are just nuts and bolts.”

Mr. Cravens said that he did not think there needed to be any Board action on this.

Chairwoman Womble agreed and confirmed that there is no Board action to take except to wish them well and hope that they can come up with something that we can see maybe before the next meeting, which is the first Wednesday in September. “If we can have something to read before that point so that we are up to speed with your ideas before we walk in here.”

Mr. Iaizzo asked if at the next meeting the Board would be deciding on those eleven items.

Chairwoman Womble said no. “What the Board will be looking at is what inter-local agreement that we can possibly live with between the Foundation and the Services Division as in terms of check writing, how to go about following the legalities, technicalities, and complexities working the County with the Foundation and that there were quite a few as well as quite a task.”

Mr. Dallas said that the inter-local agreement also will include the “Scope of Services.”

Chairwoman Womble confirmed.

Mr. Iaizzo said that it is all a technicality and not a Board decision to determine who pays what.

Chairwoman Womble responded, “We have to determine what those particular complexities and technicalities are.”

Mr. Iaizzo said, “It’s a technicality. Black is black and white is white. It’s got to be clear.”

Mr. Moffatt said, “There are two things that you just said that triggered a thought. It is not a “Scope of Services” that we can live with. It’s a “Scope of Services” and an inter-local agreement that we want.”

Chairwoman Womble responded that was correct, however this is an eleven member Board and some might be excited about everything. Out of eleven people, some may just be trying to compromise and be pleasant about the whole thing because it is okay, “just not exactly where they wanted the ark.”

Mr. Moffatt said, “Well, I am a big supporter of the ark.” (Laughter) “The second comment that you made was that the next Board meeting is the first Wednesday of September. I would like to bring to everyone’s attention that is before Labor Day and some of us think that Summer does not end until after Labor Day. I for one know that I will be away still celebrating summer. I am just wondering if maybe we should consider moving that meeting to the second Wednesday in September to get it after Labor Day. Just a thought.”

Chairwoman Womble said, “let’s finish this first and then we’ll come back to that.”

DISCUSSION OF STAFF ANNUAL WORK PLAN, BOARD REQUESTS AND EXPECTATIONS

Mr. Dorrill said his second item today was to “begin to unveil the way that I think and I will receive your direction and how that will then manifest itself in things that I perceive to be priorities to you. I have included what was in place well in advance before my arrival, which is a schedule of levels of service. I do not really want to focus too much on that because from what I understand it may be somewhat dated, but as the overall levels of service for this community did result in the annual operational work plan by month. I did want the Board to get a sense of what it is that your employees are involved with on a weekly basis because it all is subject to a schedule and the schedule and when that rubber meets the road as Kyle meets with his foreman or supervisors on the landscape side. By way of example is we are getting into August and September and just about all they can do is keep the grass cut. To be honest with you, you can almost look at it and watch it grow this time of year. There are other times of the year where they have less frequently scheduled maintenance activities. I thought that this would be a meaningful presentation to the Board to let you know what specific landscape or maintenance tasks they are involved with throughout the 52 weeks of the year. I believe that Ms. Resnick passed out a very simple first blush at what will be those key Board designated projects and passed. Just by way of example, we had a discussion at your last meeting that in a very short period of restriping three pedestrian crosswalks in this community. My way of thinking and then holding staff accountable is to keep a record of that, a record that this Board voted or directed staff to follow up on something. It will then end up on this schedule that will stay with us throughout the course of the year because it does two things. First it will report to you when a project has been completed. All that I have done for a living is report to Boards. Boards are very easily frustrated when they think that they have asked us to do something, only to

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ask us four months later and for us to have some blank look on our face. If I perceive direction from this Board to fix or take care of something, it is going to end up on here and it will tell you between myself and Mary or Lisa, and most importantly Kyle, whom we feel is the designated party. If there is an expected completion date, then we will list that otherwise we will tell you the date that it has been completed from our perspective. Only as it relates to these crosswalks, I believe that we have verified that the restriping will take place under a 2009 annual contract before the end of this fiscal year, which ends on September 30, and the material used will be the enhanced molten glass thermoplastic that we have discussed and Kyle has confirmed. So that's why it is on the list and when it's complete there will be a completion date. It will begin to make a little sense out of what we do on the staff side and I am happy to answer any questions."

Chairwoman Womble thanked Mr. Dorrill.

DISCUSSION AND RECOMMENDATION OF PLANS FOR A WEBSITE

Mr. Dorrill continued to the third item of the day, which revealed the first of a series of proposals to develop a new and substantially revised website. The current purchasing department policy is to obtain three proposals from three separate companies because it looks as though a contract will \$3,000 in design and related fees. Two more proposals are forthcoming and that this is another project in progress. When staff has obtained all proposals they will make a recommendation to the Board, preferably with the lowest cost vendor.

Mr. Levy stated that he went on the website recently and it appears to be quite updated. He said that he could find the minutes for the last meeting and there was nothing that he needed to look for that he could not find. He asked if it was an option to continue with the current website.

Mr. Dorrill said there are actually two options. One is the existing website. "Since the specifics involving that will appear under the Chairwoman's report agenda item for today and includes a final invoice from your prior administrator that I am not supporting and I would like to have a discussion on that. Otherwise, from my understanding, the site that is there is a site that you own. The current domain name was very carefully acquired by your former manager. He owns the rights believe it or not, he thinks to the domain name pelicanbayservices.com. I do not share that belief. He paid to register that domain name and it is my understanding that the annual renewal of that domain name will occur next month. How we go about re-registering the website domain may incur a little bit of cost."

Mr. Levy said it is either one or the other; we either stay with the current website or develop a new one.

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Mr. Dorrill said, "Yes and having said that we also have a page on the County's website. Mr. Dorrill asked staff if minutes, adopted budgets or financial statements available through the County Manager's website for which we have been given a page."

Ms. Resnick asked Mr. Levy which site he was referring to where he found the approved minutes from meetings.

Mr. Levy said that he started on the Pelican Bay Services Division website and was probably redirected by a link over to the Collier County website where he was able to find the current and approved minutes from meetings.

Mr. Dorrill answered that was correct and pointed out that all of the work was done by current administrative staff and not by the former manager and was why there were some issues as to whether the invoice received for web services was valid for a final payment to turn over the site.

Mr. Levy asked if a discussion was going to be had to go ahead with a new website.

Mr. Dorrill responded that he was proceeding upon his perceived prior Board direction to either updating and improving the existing website and if that is not what the Board wanted, to let him know.

Mr. Levy asked when the pelicanbayservices.com website was last updated.

Chairwoman Womble stepped in, said that works together with what she wants to discuss under the Chairwoman's report, and asked Ms. Resnick to share with the Board what she has been doing with the website and her concerns.

Ms. Resnick said that first, as an interim solution to keep the lines of communication open; she contacted the County and requested a webpage for the Pelican Bay Services Division. This allowed her to post current information such as meeting notices, agendas, meeting backup material, minutes, and budgets. That page is completely informational and the design cannot be changed. She showed the sample menu that she designed on the PowerPoint screen and explained that it was a basic menu with a list of headings and that the picture can be modified. She said that her goal was to develop an organized, easy to maneuver, nice looking and up-to-date website.

Chairwoman Womble asked if Ms. Resnick felt comfortable developing a website. Regarding cost she said confirmed with Ms. Resnick that the job would be part of her job responsibilities and current salary.

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Ms. Resnick affirmed that yes, she felt comfortable taking on the job and that it would become one of her job responsibilities and save money. She said that she discussed cost with Mr. Cravens and after purchasing some initial software, domain name, and hosting service, the cost would be approximately \$400 - \$500 per year.

Chairwoman Womble said that she was looking at a proposal that would cost somewhere between \$6,000 - \$7,000 per year.

Mr. Dorrill said that this is a decent idea, but that he believes it would be better having a professional company hosting the website to maintain the server and other nuts and bolts.

Mr. Levy asked how much that cost monthly.

Mr. Dorrill said approximately \$50-\$100 monthly depending mostly upon the storage requirements.

Mr. Cravens thought that it would cost much less.

Mr. Dorrill answered that from what he understood, the pelicanbayservices.com website has an archive of information going back to inception of the Independent District. Mr. Dorrill said that paying monthly storage for that is not sensible because that information can be made available from other sources such as the Clerk of Courts or on a disc.

Mr. Cravens said that the files do not really take up that much space in terms of hosting and that video files and multimedia used a lot of space. Maintaining the history documents on the website can be done with literally no expense. A video, such as "Jewel of Pelican Bay" posted is what would take up quite a bit of space. Regarding domain names, he said that pelicanbayservicesdivision.com could be purchased for \$6.95.

Chairwoman Womble said that for \$6.95 the Board should go for it and asked the Board for comments.

Mr. Moffatt said that he did not know there were two sources for information. He said that he has always gone through the pelicanbayservices.com website.

Mr. Levy said that he visited the pelicanbayservices.com website and was re-directed to the Collier County site where he believes that everything is current.

Mr. Cravens said that the Board members information was on the pelicanbayservices.com website as well as movies. Mary also recently corrected the Board members' term expiration dates that were incorrectly listed on the pelicanbayservices.com website.

Mr. Dorrill said that he did not think any Board direction was need and this information was meant to provide an update. He further stated that he did not feel it was necessary to pay the \$4,200 bill from Mr. Petty for certain requests and domain related services.

CHAIRWOMAN’S REPORT

DISCUSSION OF DISTRICT OFFICES WEB SERVICES INVOICE

Chairwoman Womble referred to the District Offices website invoice. She said that she has been assured that if “we don’t use their website as we discussed then we don’t have to pay the \$4,200 invoice. We have alternative solutions and one is what Ms. Resnick has shown us, another is different companies willing to develop a website with us.” She then asked the Board’s direction as to whether to pay the District Offices invoice and continue using that website, or let it go and develop a new website.

Mr. Cravens made a motion to discontinue using our former administrator’s District Offices pelicanbayservices.com website and ask staff to develop a new website.

Mr. Gravenhorst seconded.

Mr. Levy asked if the invoice reflected work that had been performed.

Mr. Dorrill responded no, the invoice was for work that was contemplated and staff feels that it is unnecessary.

Mr. Levy repeated the question for confirmation.

Chairwoman Womble confirmed and said that if they were wrong that she was certain that District Offices make contact and bill for appropriate charges.

Mr. Levy asked if the current website would end immediately.

Mr. Dorrill said yes, but that it would not take much time to get a new one up and running.

The Board voted on the motion and it was unanimously approved.

Mr. Cravens made a motion to discontinue using former Administrator’s District Offices pelicanbayservices.com website, deny payment of District Office’s website services \$4,200 invoice, and tasked staff to develop a new website. Mr. Gravenhorst seconded the motion. The Board approved unanimously with a vote of 7 - 0.

DISCUSSION OF PREFERENCE FOR VERBATIM OR CONDENSED MEETING MINUTES

Mr. Dorrill said that he wanted to commend the staff for revising the format of the minutes. “They are about 40% less than they would be if they were verbatim minutes, so we cut down on maybe 1,000 pages of pager

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based on all of the copies normally made. I think it memorializes the actions and attendants of your last meeting and we can make some improvements as we go along, but it is certainly going to cost less as opposed to trying to create a verbatim transcript. In that rare instance where it is important to go back and compare a verbatim segment of a specific Board discussion or actionable item we obviously have the ability to do that.”

Chairwoman Womble said that example would be discussed at the next meeting with the motion prepared and presented.

Mr. Cravens said that looking at the summary minutes he believes that there was more to this than what is shown here and that he wants to get to the flavor of the discussion. “Is there a source that I can get this information. The reason I ask is because if I am not present at a meeting and I see the summary minutes, I am really not getting the discussion that transpired or the feel for what was brought up and what was discussed, or if I am reading the summary minutes and believe that it does not sound right to me, then is there a mechanism to get the full picture so to speak.”

Mr. Dorrill said that it is his understanding that these proceedings are recorded and digitized and available so from the comfort of home if one cannot sleep at night and listen to the entire meeting.

Mr. Cravens said that it is not available now.

Mr. Dorrill said that the recordings can be made available.

Mr. Cravens asked if what if there was a question about the authority of the minutes would the digitized recording take priority over the summary because he believes that summary minutes can be manipulated. Mr. Cravens made clear that he wasn't inferring or accusing Ms. Resnick of doing any such action, but he said that he has seen situations where summary minutes have been used to convey that certain things happened that did not happen at meetings and he is trying to prevent such a case from occurring. He said that he was concerned if such a case where summary minutes did convey manipulation of the facts and those summary minutes were approved.

Chairwoman Womble responded that if Mr. Cravens felt that something was not quite right that Mr. Cravens could check it and bring it before the Board and amend the minutes at that point if a consensus reach that the summary was incorrect.

Mr. Cravens said that as Mr. Dorrill pointed out, he could listen to the audio recording. Mr. Cravens used an example to explain. He stated that he was a former lecturer and his students would ask him if he minded if they

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could record his lectures. He said it was no problem but “if you try to find information on a 50 minute audio program, it is very difficult, cumbersome and laborious process.”

Chairwoman Womble asked Ms. Resnick if there was a hard copy of the minutes that she worked from or did she just listen and type.

Ms. Resnick responded that she listened to the tape to create the hard copy.

Mr. Dorrill said that he has worked in public administration at the local level for 40 years and “can probably cite two instances of concern that required us to go back and re-listen to the tape, and produce a verbatim transcript and said that under his administration he can assure the Board that there will be no effort to manipulate or frame minutes for some desired outcome other than what was clearly stated.”

Mr. Cravens stressed that he was not implying that there would be any such manipulation.

Mr. Dorrill said that to alleviate any concerns if there are any questions as to what exactly was actually said, we can find it on the digital audio recording and provide verbatim minutes.

Mr. Gravenhorst questioned if the digital audio recording takes precedence over the summary minutes.

Mr. Dorrill answered that from his perspective the digital audio recording would take precedence. He explained that at the County Commission meetings an agenda index "recap" sheet that only showed the motions, votes, and outcomes. Actual minutes are placed on the agenda under “Miscellaneous Correspondence” and always approved without discussion.

Chairwoman Womble addressed Mr. Cravens to say that Ms. Resnick can probably find the information being sought very easily after listening to the recordings and writing the summary minutes.

Ms. Resnick confirmed.

Chairwoman Womble added especially if it is a recent meeting.

Mr. Dorrill said that staff would continue to produce summary minutes and if three months down the road and the Board is not satisfied then the Board can address a policy decision.

Chairwoman Womble asked Mr. Cravens for his approval.

Mr. Cravens confirmed his understanding regarding summary minutes and that staff would continue to produce summary minutes on an interim basis.

Chairwoman Womble said that summary minutes were provided only once and that the Board should give it another try.

Mr. Dorrill said that concluded his report.

Mr. Moffatt asked if any Board action or motion was needed in regards to the meeting minutes format.

Chairwoman Womble said no. She said that the summary minutes were very satisfactory for the first time out and it is a new timesaving venture. She said to Mr. Cravens and the Board that if they find something that they are uncomfortable with to bring it to the attention of the Board.

Mr. Cravens asked Mr. Hoppensteadt whether the Foundation did summary or verbatim minutes.

Mr. Hoppensteadt answered that the Foundation does summary minutes.

Mr. Cravens acknowledged.

No further discussion.

CHAIRWOMAN'S REPORT

REVIEW APPLICATION AND MAKE RECOMMENDATION TO APPROVE COMMERCIAL INTERESTS ADVISORY BOARD APPLICANT

Chairwoman Womble introduced the next item, which was to review and make a recommendation to appoint Ms. Jill Kobe to the Pelican Bay Services Division Advisory Board as a Commercial Interests member. Since receiving the application, Ms. Kobe has registered to vote in Collier County, a requirement to be appointed to an advisory board. Chairwoman Womble added that Ms. Kobe is General Manager of the Waterside Shops and interested in becoming a member of the Board as a Commercial Interests member. Chairwoman Womble stated that she had not yet met Ms. Kobe and asked the audience if she was present. Ms. Kobe was not present. Chairwoman Womble asked the Board members if anyone had met Ms. Kobe.

Mr. Cravens responded that he had not met Ms. Kobe but had first noticed on the application that she was not a registered to vote in Collier County, one of the requirements to be appointed to an advisory board, but she has since become a registered voter, so that is of no concern. Mr. Cravens had concerns because as he understood from the application, Ms. Kobe has been a resident of Collier County for a very short period of one or two months. He asked if this was correct.

Mr. Hoppensteadt confirmed that Ms. Kobe had very recently relocated to the area.

He added that she has "virtually no background of what's going on in the community." He added, "she appears to have been active in the community from past experience but for a person who has only been here for a month or two, to come on to the Board seems to me a little bit questionable."

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Chairwoman Womble told the Board that they have 41 days to make a decision and asked Ms. McCaughtry for clarification.

Ms. McCaughtry explained that Ms. Kobe applied as a commercial interests member as General Manager of the Waterside Shops and that if this Board approves the appointment that Ms. McCaughtry would forward that information to the Commissioners who would at their next meeting in September, make the decision to appoint Ms. Kobe. If appointed, the BCC would officially notify Ms. Kobe.

Mr. Gravenhorst stated, "If Ms. Kobe is not approved then they will have to find someone else and she is a good applicant. It could take a long time to find someone else."

Chairwoman Womble said that from what she understands, Ms. Kobe meets with people from other businesses in Waterside shops and that those people could direct her with their concerns which are probably mainly safety, security, lighting, and street areas.

Mr. Gravenhorst stated that he agreed and if there were not any other negative aspects that they they should trust the Forbes company for putting her in charge of such an establishment as Waterside Shops and made a motion to approve Ms. Kobe's Commercial Interests appointment to the Services Division's Advisory Board.

Mr. Cravens seconded.

There was no further discussion and the Board voted 7-0 in favor of the motion.

Mr. Gravenhorst made a motion to recommend to the Board of County Commissioners that Ms. Jill Kobe be appointed to the Pelican Bay Services Division Advisory Board as a Commercial Interests member. Mr. Cravens seconded the motion. The Board voted on the motion and approved unanimously 7-0.

DISCUSSION OF NEED TO REESTABLISH MEETINGS OF THE CLAM BAY COMMITTEE

Chairwoman Womble introduced the next agenda item, which was a discussion of the need to reestablish meetings of the Clam Bay Committee. She said that this was discussed at the July 13 meeting and the Board decided they needed time to think about it. She then requested a discussion and asked if anyone had any suggestions or comments.

Mr. Cravens referred to Dr. Ted Raia's email regarding this issue. He said that from his understanding of Dr. Raia's correspondence, because the Foundation now has the powers within the quit claim deed to make meaningful decisions regarding what actions are taken regarding Clam Bay that it might be better for the Services Division as a whole to have a representative on some type of a Foundation committee dealing with Clam Bay. He

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asked Mr. Hoppensteadt if he had seen Dr. Raia's letter and for Mr. Hoppensteadt's perspective regarding Dr. Raia's correspondence.

Mr. Hoppensteadt acknowledged he had read the correspondence.

Mr. Cravens added that the Foundation currently has a committee dealing with issues surrounding Clam Bay and Cora Obley. a member of that committee is here today, Mr. Cravens said that he believed, "Dr. Raia is suggesting that a Services Division Board member be appointed to the Foundation's committee, but that's the Foundation's business, not ours."

Chairwoman Womble stepped in and suggested that it would be more wise politically as an advisory board to the Collier County Board of County Commissioners for one of us to sit in on the meetings as a liaison then come back with a report to the Board rather than become an actual member of the committee.

Mr. Cravens said that he sensed that Dr. Raia wants to be appointed to this committee as a functional member and as a liaison to the Services Division.

Chairwoman Womble agreed, but said rather than turn it in to a political situation, she suggested that a liaison from the Services Division simply sit in on those meetings and come back and bring information from the meeting back to the Board.

Mr. Cravens asked Mr. Hoppensteadt to affirm how authoritative the Foundation's Clam Bay committee was to make a decision to appoint someone to their committee.

Mr. Hoppensteadt responded, "The Foundation retains approval rights, but the property is owned by the County and work within that estuary is currently being initiated by the County. The question really is whether the Services Division's Board believes that there is a need or desire to duplicate or conflict with the County and the Clam Bay Advisory Committee. His hesitation is that the Foundation's role is not one of maintenance or initiating activities in Clam Bay; this has typically been the role of the Clam Bay Subcommittee. Directing Kyle and Tim is not the role of the Foundation or the role that the Foundation would really assume. Chairwoman Womble is correct that it is a political issue really for this Board to decide if in the face of the County's establishment of the Clam Bay Advisory Committee if a second advisory board to the County is something that you should ask Mr. Dorrill for some direction. You are really asking whether you want additional maintenance which I think is in the ordinance component of this committee, so with that I will end my comments."

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Mr. Cravens made the comment that he did not believe that the County's existing Clam Bay Committee nor the Foundation are either addressing mangroves. "I believe that in our discussion at the last meeting, and I believe it was Chairwoman Womble who suggested that we change the name of the Clam Bay Subcommittee to the Mangrove Committee. Someone made the comment. But there really isn't anyone looking after the mangroves and mangrove initiatives really need to be addressed. The County is more concerned about the Bay and navigation and I think that the Foundation is also concerned about that but there are issues related to the Mangroves."

Chairwoman Womble said that she had to "take exception to that. Mr. Hall and Mr. Lukasz have looked at questions from different people in the community; we have gone up on top of the Grovesnor and looked down on things and wherever it was possible to see what needed to be seen. Mr. Hall is constantly monitoring and Mr. Lukasz takes water samples once a month. We are checking on mangroves and the cuts are still good along the trams and back end of Bay Colony and I have looked at them myself many times over the last year. And I am not sure why you say that no one is paying attention to the mangroves."

Mr. Cravens responded that there is no one responsible on this Board addressing mangrove issues

Mr. Dallas said that this Board is responsible as a whole

Mr. Iaizzo expressed the same.

Chairwoman Womble asked Mr. Cravens what more did he want us to do?

Mr. Cravens said that the Clam Bay Committee that we had, since it is no longer overseeing those areas that the County's new Clam Bay Committee nor the Foundation Committee that maybe the name of the committee should be changed to Mangrove Committee and charged with the function of looking at the health of the mangroves.

Chairwoman Womble responded that Mr. Hall monitors the mangroves and reports back information. Mr. Lukasz provides information. "As Mr. Dorrill gets more up to speed then he will be providing us with information. What we did with the Clam Bay Subcommittee was simply realize that we were doing the same thing twice over and that would be what we are doing again if we had a Mangrove Committee. I would not get rid of the Clam Bay Committee because I think it is important to hang on to that because we may need that in the future. If you want to create another committee to report information about the mangroves to the Clam Bay Committee who would report back to this Board, but I am not going to sunset the Clam Bay Committee. As far as the mangroves are concerned I feel very comfortable and I thought that everyone was with the way that Mr. Hall and Mr. Lukasz have been

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monitoring the mangroves and I do know that they respond quickly to any citizen's concerns. If there is a need for a committee then I would like to be made aware."

Mr. Cravens said that the only reason he wanted to create a separate Mangrove committee was because he thought the Clam Bay Committee was going to be sun set, so there is not a need for a Mangrove committee.

Chairwoman Womble said that it is the Chairwoman's prerogative to decide whether to have a committee and that she would like to keep the Clam Bay Committee and asked the Board if they agreed or not.

Mr. Moffatt, Mr. Iaizzo, and Mr. Gravenhorst asked who was on the Clam Bay Committee.

Mr. Cravens responded that the last meeting that the Clam Bay Committee had was when John Domenie was Chair. It has not met since then.

Chairwoman Womble disagreed and said that she chaired the last meeting and that she was on the Clam Bay Committee but it was hard to say whom else because there has been so many changes on the Board.

Mr. Levy said that Dr. Raia was also on the Clam Bay Committee.

Chairwoman Womble said that Mr. Cravens was also put on the Clam Bay Committee when he was appointed to the Board.

Mr. Gravenhorst said, "Mr. Cravens had a point to a point, it sounds like the managerial oversight is being, even though you are doing it, it is an ad hoc position so to speak, without any formal meetings or oversight, or reports."

Chairwoman Womble said that reports are being made every month when Mr. Hall and Mr. Lukasz inform the Board at these meetings and suggested he read the minutes.

Mr. Gravenhorst said that he understood that but that she was the only one who met with Mr. Hall and Mr. Lukasz.

Chairwoman Womble asked Mr. Lukasz and Mr. Hall if anyone else from the Board had asked questions and Mr. Lukasz replied that he had met with Mr. Cravens a couple of times.

Mr. Gravenhorst said that his only concern was that there might be a need for something a little more formal in regards to the Clam Bay Committee.

Mr. Cravens said if the Clam Bay Committee will stay a standing committee he would like a meeting schedule.

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Chairwoman Womble informed Mr. Cravens that the Board decided the Committee was not going to meet. Mr. Cravens said that it does not make sense to have a committee that does not meet.

Chairwoman Womble responded that the committee is being held "in the bay" for now. The Board decided not to meet because everything that was discussed at the subcommittee meetings were also being discussed at the regular Board meetings. She pointed out that Mr. Gravenhorst was quite vocal about the duplicity and that it would be a waste of time.

Mr. Iaizzo said that it appears that the Board needs to wait for Mr. Hall to inform them of a problem before any action is taken.

Chairwoman Womble agreed and said that as far as mangroves are concerned, "Mrs. Marcia Cravens President of the Mangrove Action Group and some of us are involved in that including myself. People in the audience are also involved. Based on the historical references, the Board felt that it was not necessary to have another committee meeting. Virtually every member of this Board is on another committee and they were feeling like it was a too much considering the regular Board meetings and other committee meetings."

Mr. Cravens requested a list of all committees and members of those committees because the information was not posted on the website. He said that he knew who was on the ad hoc Safety Committee because he was on it with Chairwoman Womble and Mr. Gravenhorst.

Chairwoman Womble asked what he meant by ad hoc.

Mr. Cravens said that an ad hoc committee was one that dealt with a specific issue and once dealt with then they would cease to meet and he thought that they had done their job and it was sunset. He asked if it was actually an ad hoc committee.

Chairwoman Womble responded that it should be something continual because there are always safety issues to be brought forward and investigated.

Mr. Cravens responded to Chairwoman Womble that he was "confused because you said earlier you were the one who appointed and created committees and now you are saying it is what the Board wanted."

Chairwoman Womble responded that she listens and makes informed decisions based on discussions with the Board.

Mr. Cravens said okay and asked again for a list of committees and members.

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Chairwoman Womble directed staff to provide the Board with a list of committees and members especially going into a new fiscal year the Board may want to make some changes and also may come up with issues that need to be addressed with one of the standing committees or there may be a need to create a new committee.

Mr. Iaizzo said that Mr. Hall could simply give a monthly update report to the Board at the meetings he attends.

Chairwoman Womble asked if there was any further discussion or comments.

Mr. Dorrill said he had one question. He said that he had a meeting last week with the County Manager and Deputy County Manager regarding search for money but he posed a question to them about the new Clam Bay Advisory Board. After talking to the County Manager it is his impression that they would consider that advisory Board's enabling legislation to include areas pertaining to conservation and mangroves in addition to addition to open or navigable waters and if that is not the Board's impression then he would like to know what it is.

Several Board members, Mr. Iaizzo, Mr. Levy, Mr. Craven, and Mr. Moffatt concluded that particular Clam Bay Committee is scheduled to sunset in December 2009.

Mr. Moffatt asked Mr. Dorrill what was Tim Hall's role going forward now regarding Clam Bay because his contract and purchase order supporting payment expires at the end of the fiscal year, Sept. 30, 2009 and wanted to know if they would have to enter into a new agreement.

Mr. Dorrill said yes for two reasons. He said that he met with Mr. Hall and the principal of the firm at Turrell, Hall, & Associates. "We have two activities that warrant continual "consultant of record" services. One is the annual compliance with maintenance channels or ditches that require ongoing maintenance and issues that may arise pertaining to the spoils. If we need to continue to deal with the environmental agencies in terms of maintaining the channel system created for restoration purposes. In addition, the second item is water quality sampling projects occurring now, and staff is drawing water samples in accordance with the County's testing lab protocol. If we would want a peer review or analysis periodically from our current consultants, then Mr. Dorrill recommended that if an annual contract with them is about to expire, that it should be renewed."

Mr. Cravens made a motion to direct Mr. Dorrill to renew the contract with the "consultant of record," Turrell Hall & Associates for one year to provide annual compliance maintenance and water quality sampling peer reviews and analysis periodically.

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Mr. Iaizzo seconded the motion.

Chairwoman Womble asked Mr. Hall if he was interested.

Mr. Hall said yes.

Chairwoman Womble asked if there was any further discussion.

Mr. Moffatt added that the motion should include that there is money available in next year's budget to provide for such a contract. He said that he did not recall how much money it was.

Mr. Levy said it was the same percentage as last year.

Mr. Moffatt said that if the contract was renewed and Mr. Hall and Mr. Lukasz continued their monitoring, then the two could report to the Board at every meeting if there is something to report and that would cover the mangroves. He did not think that the Clam Bay Committee could do very much with the mangroves without funding.

Chairwoman Womble said that we do have the funds.

Mr. Levy said the County gave us the Fund 111 money, so they know we are doing it.

Chairwoman Womble said that Mr. Mudd and Mr. Halas gave us the go-ahead with the mangroves months ago, so that what we are doing, keeping it going.

Chairwoman Womble asked those in favor of asking Turrell Hall and Associates to continue with scientific monitoring of the mangroves and asked Mr. Hall if there was anything else to include.

Mr. Dorrill said that there was a public education permit requirement that is still open and coming to a close and he is looking into making some final payments public education efforts, so there may be an Other General Consultant area that does include both environmental consulting and public education

Mr. Hall said that in the past there were line items for monitoring activities and then another side fund for other things that may arise that you needed our help. He asked Mr. Dorrill if it was a purchasing requirement to go out to a public bid to renew the contract.

Mr. Dorrill said that the process would comply with the purchasing policy.

Mr. Cravens asked Mr. Hall if he remembered the "Jewel of Pelican Bay" video and said that there is another video in process.

Mr. Dorrill said that he was attempting to conclude that project.

Mr. Cravens requested that Mr. Dorrill bring the product to the Board for review

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Chairwoman Womble said that item would be on the next agenda.

Mr. Hall said that the video was approximately 30-45+ minutes.

Mr. Dorrill said that the intent was to have a highly visual and accurate representation of what you have been involved in and also played on the the Foundation's community access channel and the County's government access channel for maximum exposure.

Mr. Moffatt suggested the Board receive the video in advance of the meeting to not waste 45 minutes at the meeting.

Mr. Iaizzo said that he was concerned about the mangroves. He asked Mr. Hall if he had the tools to provide early warning or a head's up a problem needs addressing. Mr. Iaizzo expressed that if Mr. Hall did not have the tools, to let the Board know what he needed and the Board would provide.

Mr. Hall answered, "In terms of tools it's all based on visual monitoring of the mangroves in the field and taking aerial photographs of Clam Bay several times of the year. Officially there is a large-200 scale aerial shot in color and infrared that helps identify areas of stress, but it is really a matter of spending time in the system so that you know when it does not look right or the same as it did before and that something is happening, that is the early warning. The we try to figure out why it is happening. The last instance of mangrove die-off was a residual from the hurricane of several years ago because there is new growth coming out of the basin and some of the areas were reopened by flushing areas that were closed off from an accumulation of sand from hurricane Charlie. We are monitoring it. The process though is based on visual monitoring. We see something personally or receive a call from someone that something does not look right and then we investigate it, figure out if it's different or not and if so what is causing it."

Mr. Cravens asked Mr. Hall if Ms. Cathy Worley of the Conservancy was still studying the mangroves.

Mr. Hall did not believe she received funding to continue.

Mr. Cravens said that the Foundation gave her funding to study the mangroves in Pelican Bay but the funds were exhausted and suggested that Ms. Worley be contacted to make a presentation of her findings.

Mr. Iaizzo said it should be Mr. Hall's decision if she will be an asset. He also asked Mr. Hall if he was working for Gary McAlpin.

Mr. Hall said that Mr. McAlpin asked his firm to provide a cost to perform sediment sampling in Outer Clam Bay for a study that PBS&J is doing but did not know if the work is going to be done or not.

There was no further discussion and a vote was taken on the motion to renew Mr. Hall's contract and the Board approved unanimously.

Mr. Cravens made a motion to direct Mr. Dorrill to renew Turrell Hall & Associates' contract as "consultant of record" for one year for services to 1) monitor Clam Bay mangroves; 2) ongoing maintenance of the channel system and ditches for restoration purposes in compliance with environmental agencies requirements and subsequent issues that may arise pertaining to the spoil; and 3) periodic water quality reports or peer review analysis. Mr. Iaizzo seconded the motion. A vote was taken on the motion and the Board unanimously approved.

Mr. Cravens had a question but Chairwoman Womble requested that he hold off until next meeting or email the office and let them know there is a concern.

CAPITAL PROJECTS

DISCUSSION AND UPDATE OF THE NORTH TRAM STATION #8 PEDESTRIAN WALKWAY

Mr. Lukasz said that the cost estimate for the signalization of the crosswalk by the North Tram Station originally came in at \$29,000, but it will be \$33,000 for the installation of the signals. The only difference from the Myra Janco Daniels Boulevard crosswalk is that there will be two signal lights from each direction because it is a four-lane highway.

Mr. Moffatt asked if the cost was \$29,000 + \$33,000 or \$62,000.

Mr. Lukasz responded no and that the total cost is \$33,000.

Mr. Iaizzo asked how much time it was going to take until completion.

Mr. Levy said that the Board has not yet approved the project.

Mr. Lukasz stated that the Board requested an estimate for the project at the last meeting.

Mr. Cravens confirmed that Mr. Lukasz was bringing back the estimate the Board requested at the last meeting. Mr. Cravens then asked how much the permit would cost.

Mr. Lukasz responded that the \$33,000 estimate included the cost of the permit.

Mr. Cravens addressed Mr. Moffatt and said, "Jerry, you made a motion at the last meeting to approve that and I think what would happen is we held it up until Kyle could come back and report to us. "

Mr. Moffatt responded, "if you are suggesting that I make that motion again to approve, then I will make a motion to approve the crosswalk at Station #8. And I think that you seconded it Tom."

Mr. Cravens responded, "if you are making a suggestion that I second it, I second it."

Mr. Levy asked if it was open for discussion.

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Mr. Cravens said, "Certainly."

Mr. Levy said, "We are about to hire a consultant that is going to be doing a lot of work, major stuff. It includes safety, it includes common traffic, and we have now way of knowing what is going to come out of that study and I believe that it would be a mistake to preempt that study and make a substantial expenditure of community money on something that may or may not be a recommended item. My opinion of the existing crosswalk is that it is very visible and there are many signs identifying it as a crosswalk to approaching traffic. The crosswalk is scheduled for restriping with thermoplastic material that will help illuminate it especially at night. At this time I do not believe that we should do that and wait for the results of the study and spending \$33,000 of community money now would be poor judgment on our part. Expenditures now will only lead to bigger assessments later when it comes time to implement the Strategic Plan which is going to cost plenty of money."

Mr. Dallas agreed with Mr. Levy and added that he believes that the Board is trying to find the most expensive solution to the problem that we can and that we should slow down and try the striping, see how it works. "We sort of started out with the Rolls Royce..." and "I would rather start out with the Chevy."

Chairwoman Womble said that there was there was the added impetus of the parking lot not being completed and at this time it would be deleterious to the budget and Board to do something that would be this costly when there are changes coming. "We do have a consultant that is on the way who may recommend something comparable that is not as costly."

Mr. Iaizzo said, "We have the Strategic Planning on our plate too."

Chairwoman Womble agreed.

Mr. Dallas and Mr. Levy said that moving the entrance driveway will help.

Chairwoman Womble asked Mr. Lukasz if that was an area that could be striped.

Mr. Lukasz responded yes.

Mr. Moffatt said, "Given the enlightenment from my compatriot here on the Budget Committee, I withdraw my motion."

Chairwoman Womble said that signalization of the crosswalk at the North Tram Station #8 would be tabled in case it ever needed to be brought forward again if there was a reason to.

STREET LIGHTING POLE RELOCATION UPDATE

Mr. Lukasz said that work began on the relocation of the streetlights at four intersections this week and should be completed before the end of the week. The thermoplastic striping and divided median sign was installed on Gulf Park Drive.

Chairwoman Womble said that the divided median was much more visible now. She asked Mr. Lukasz if he recalled the letter from Mr. Ritger from the Sanctuary regarding the overgrowth at the intersection of Oakmont Parkway and Pine Creek Lane. If a driver was entering Oakmont from Pine Creek to head west, the overgrowth on the northern section of the Oakmont median was blocking the view of the intersection, so you couldn't see any vehicles traveling south on Oakmont.

Mr. Lukasz said that the overgrowth had been removed from those areas.

Chairwoman Womble said that she knew and said that she drove it and came out of some of those side streets and that it was much better and thanked Mr. Lukasz for taking care of it.

Mr. Moffatt asked Mr. Lukasz if the Services Division maintained the portion of Oakmont between Pelican Bay Boulevard and the Shopping Center because the center divider is overgrown and visibility is almost zero and that cars cannot be seen coming out.

Mr. Lukasz responded that area is one the Services Division maintains and that he would take care of it.

COMMUNITY ISSUES

UPDATE ON THE WEST SIDE OF THE BERM MANGROVE DIE-OFF AREA, WATER MANAGEMENT SYSTEM AND MONITORING REPORT

Chairwoman Womble hand the floor over to Mr. Tim Hall to provide an update on the mangrove die-off area, water management system and monitoring report.

Mr. Hall said that the die-off was due to there was growth in the swale on the west side of the berm and most of the growth was mangroves. The Services Division is authorized and required to maintain that swale, so that water will continue to flow through the swale. Because most of that growth was mangroves they were afraid that there would be a lot of community questions about that, so before they started the work, he and Mr. Lukasz wanted to coordinate the work with the Florida Department of Environmental Protection (FDEP) and South Florida Water Management District (SFWMD.) Mr. Hall said that he met with Mr. Cravens to answer some questions that Mr. Cravens had. Mr. Hall and Mr. Lukasz met with SFWMD and SFWMD approved the proposed work that was going to be done. The FDEP knew that the SFWMD was overseeing that project but requested that they be notified when

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the work was going to begin, so that they could forward any calls to SFWMD. The letter in the meeting packet from Mr. Hall to FDEP was notification to FDEP that the mangrove removal and trimming associated with maintenance of the storm water management swale was commencing. The project started last week (week ending 7/31/09,) but is still in progress and is expected to be ongoing for some time.

Chairwoman Womble said that the feedback that she has received is very positive and that the people in the community are thrilled and thanked Mr. Hall.

COMMITTEE REPORTS

BUDGET COMMITTEE

Mr. Moffatt stated that there are no updates from the Budget Committee since the last meeting. He added that it was his goal to have fewer Budget Committee meetings early on during the upcoming fiscal year when there is not much to talk about and spend the time on meetings when there are actual numbers to review and discuss.

Mr. Levy said that from what he understood Mr. Dorrill is working on a financial statement that we could have on a monthly basis.

Mr. Dorrill responded that they were somewhat constrained by the County's software and reporting format, but that he did convey to the County that the report was not adequate for the Board's needs for a consolidated balance sheet and also a statement of revenue and expenses, and profit and loss because this is of special importance. That is the type of information that he would like to provide to the Board on a regular basis.

Mr. Iaizzo said, "can we do that in black and white?"

Mr. Dorrill responded, "and no red flags."

(laughter)

Mr. Moffatt added, "summary information, but meaningful."

Mr. Dorrill affirmed, "yes."

SAFETY COMMITTEE

Chairwoman Womble asked if there was anything to report by the Safety Committee.

Mr. Gravenhorst said that there was nothing further to report from what Mr. Lukasz had reported earlier in the meeting regarding street lamps being relocated. He stated that it is the Committee's responsibility to this Board to identify safety items, report those to this Board, and act in accordance in a given length of time. He said that they have identified safety issues that have been and will continue to be safety issues whether they are pedestrian

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crosswalks or other safety issues and failure to act within a reasonable time, i.e., waiting for the Strategic Planning Committee or the get the list of recommendations from the landscape architect could be cause for a fatal accident. He added that he was not trying to scare anyone, but he believed that the Board has to act within a reasonable period of time from when the safety item was identified and two years would be too long to wait.

Mr. Levy asked what the basis was or criteria used to identify a safety issue and if there were incident reports or other criteria to obtain this information.

Mr. Gravenhorst responded that he was “stating the obvious which is that the Committee identified an area of safety concern” and described the crosswalk at Tram Station #8 and that the Committee and Board is “on public record of identifying it as a safety issue.”

Mr. Levy asked Mr. Gravenhorst if there were any documented incidents because he was not aware of any.

Mr. Gravenhorst said that he had witnessed many close calls at that location.

Mr. Cravens responded to Mr. Levy that at the last meeting, Mr. Gibson personally attested to serious problems at that crosswalk/intersection.

Chairwoman Womble added that Mr. Gibson also accepted the fact that installing the thermoplastic striping would help. She said that she believes the Board is addressing this concern and responding appropriately and responsibly. She added that there are other factors regarding the response and solution that the Board should be aware of including careful budgeting and precedence. She said that they need to see where the entrance to the parking lot at Tram Station #8 goes before striping and changing things.

Mr. Cravens, Mr. Gravenhorst, and Mr. Moffatt said that the driveway is there already there.

Mr. Gravenhorst added that the Foundation and the Facility Committee took action on the parking lot because of safety reasons and that discussion predated the Safety Committee’s discussion of the crosswalk. He said that according to the Facility Committee’s meeting minutes, one of the items bundled into those minutes that identified the Tram Station #8 parking lot, ingress and egress into the lot, and he mentioned the crosswalk there. He recognized that the Services Division Board is addressing these issues now but “fast forward to a year from now, if we had not taken any action, then we are not doing our job.”

Mr. Dallas said that he did agree with Mr. Gravenhorst, but that the Services Division cannot address the safety issues by employing the most costly solution and that it would be wise to start out at with a less costly solution and if that does not work, to go to the next alternative solution.

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Chairwoman Womble acknowledged that there is a lot of concern about safety and the Strategic Planning Committee is addressing those issues first; safety is a major priority.

Mr. Gravenhorst said that community planners identified safety issues two years ago and from what he understood, the Board was going to wait to address those issues until another survey is completed.

Chairwoman Womble said that the Board is not waiting and using the thermoplastic striping to resolve the safety issue at the Tram Station #8 crosswalk.

Mr. Gravenhorst agreed that they were resolving the problem with restriping but that the Board did not approve the project that was originally proposed, i.e., the \$33,000 project to install signals at the crosswalk.

Chairwoman Womble said, "yes, at this point." She encouraged the Board members to express their views on this matter.

Mr. Cravens said that where lights were installed at Myra Janco Daniels Boulevard crosswalk there is one-fifth of the pedestrian traffic. The place to address pedestrian safety is the crosswalk at Tram Station #8. He said that he believes that crosswalk had the signals installed was in response to community pressure of residents that live nearby.

Chairwoman Womble said that she has observed the pedestrian intersection at Myra Janco Daniels Boulevard at different times of the day and it depends upon events happening at St. Williams, i.e., Saturday evening Mass, and the use of that parking lot to go to the Philharmonic. She said that she has received a lot of positive feedback from the community expressing that they were less afraid to walk across the highway and are very appreciative for that project.

Mr. Gravenhorst said that Chairwoman Womble just stated his case and the reason to do the same type of project at the crosswalk at Tram Station #8.

Chairwoman Womble responded that the Services Division has budgetary restrictions and are trying to do something "and not get ahead of ourselves."

OLD BUSINESS

DISCUSSION OF VIDEO RECORDING SERVICES DIVISION BOARD MEETINGS TO TELEVISION FOUNDATION ACCESS CHANNEL 95

Mr. Cravens said that he was the one to bring up the subject of video recording the Board meetings and televise them on the Foundation's access channel 95. He said that he had discussed this with Mr. Hoppensteadt who

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gave his approval to televise the meetings on the Foundation's access channel 95, similar to the way Foundation Board meetings are shown.

Mr. Iaizzo asked Mr. Cravens if there was a cost involved.

Mr. Cravens responded that the cost involved would be for purchasing equipment: a video recorder, tripod and tapes for it and estimated the total cost would be \$400.

Mr. Iaizzo asked who was going to do the job and how much that would cost.

Mr. Cravens responded that Ms. Resnick had experience in filming and indicated interest. Mr. Cravens also has made videos and referred to recording the Men's Coffee using the mini DV format. In addition, that Blue Sky gave their stamp of approval to use the mini DV format and Blue Sky has used his recordings. This would be an in house operation. The only other consideration was to place a microphone for optimal audio. He said that the reason he made the suggestion was to give the Board positive exposure to the community.

Mr. Iaizzo said that was a tough call and questioned if there was an audience.

Several Board members made light of the thought of broadcasting in the middle of the night and that there probably would not be much interest.

Mr. Levy said that he would never watch the meetings.

There seemed to be a general consensus by the Board of lighthearted amusement and non-interest.

Chairwoman Womble asked for suggestions from staff.

Staff had no suggestions.

Mr. Cravens made a motion to video record the Board meetings and broadcast on the Foundation's access channel 95.

There was no second to the motion.

Chairwoman Womble said the item would be tabled to readdress later, possibly when season gets underway.

NEW BUSINESS

There was no new business, but Mr. Moffatt requested from the Chairwoman if the next Board meeting can be rescheduled for September 9, 2009 from September 2, 2009.

Chairwoman Womble stated that September 9 was the day before the Commissioner's Budget Hearing and the Services Division budget goes before the Commissioners.

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Mr. Gravenhorst made a motion to move the next meeting from September 2 to September 9.

Mr. Moffatt seconded the motion.

Chairwoman Womble asked for discussion and stated that she was unable to attend the September 9, 2009 meeting for a prior scheduled vacation.

Mr. Moffatt asked if the meeting had to be on a Wednesday.

Mr. Dorrill said that he was unavailable on the third Wednesday of each month.

Chairwoman Womble took a poll of who would not be able to attend the September 2 meeting.

Mr. Moffatt was the lone member present unavailable on 9/2/09.

Chairwoman Womble asked if Mr. Moffatt would be available by teleconference.

Mr. Moffatt responded maybe.

Mr. Cravens said that an effort should be made for Board members unable to be present to participate by teleconference. From what he understood after speaking with Mr. Dorrill, that as long as a physical quorum was present that those who call in by phone can vote and participate in the meeting.

There was some back and forth between Board members as to whether the teleconference member's vote "counts" based on the County Attorney Heidi Ashton-Cicko that the member participating via teleconference that their vote does not count.

Mr. Cravens asked Mr. Dorrill for clarification.

Mr. Dorrill responded that from his understanding that there is an Attorney General's opinion regarding participation and voting by telephone and that a physical quorum be present and that telephone participants can vote.

Mr. Levy said that the reason their vote does not count is because there is no way to identify positively that the person on the phone is really the Board member.

Chairwoman Womble said that according to Ms. Ashton-Cicko they can vote but the vote does not count. She said that she was aware that the Commissioners had voting members via telephone at their last meeting and that those Commissioner's votes did count, but is not sure how that worked.

Mr. Dorrill said that staff would look into the Attorney General's opinion and provide that information to the Board.

Due to the Chair being unable to attend a rescheduled Board meeting on 9/9/09, Mr. Gravenhorst withdrew his motion.

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Chairwoman Womble suggested that if he is available that Mr. Moffatt participate by teleconference, but that he was also entitled to a vacation.

AUDIENCE COMMENTS

Mrs. Marcia Cravens said that she was concerned with the inter-local agreement terminology. She said that an inter-local agreement is a service agreement that has a certain connotation in Florida Statute and does not believe it to be a proper term for an agreement between the Services Division and the Foundation. "It is meant to be an agreement," she said, "for instance I believe there is an existing inter-local agreement already between the Pelican Bay Services Division and the Commissioners and that is the 2006-05 Ordinance and the two letters of Understanding Memorandum that are companion documents; they constitute an inter-local service agreement."

Chairwoman Womble agreed that was one type of inter-local service agreement.

Mrs. Cravens continued that inter-local agreements are between local governments and MSTU's (Municipal Services Taxing Unit,) MSBU's (Municipal Services Benefit Unit,) special districts, and the like. She requested that the Board and Mr. Dorrill to consider not titling the agreement as an inter-local agreement.

Mrs. Cravens second concern was regarding summary minutes. She said that summary minutes are "completely useless" and gave examples of other advisory committees, i.e., the Coastal Advisory Committee and Clam Bay Advisory Committee. She said, "you cannot determine who said what, they are very deficient in what was actually said, and they are no good for any kind of a legal argument or if in fact you need to bring something back for reconsideration, you have to have verbatim minutes and if you do not have verbatim minutes available, then you will have to pay to have them made. I am very familiar with the various kinds of minutes and I would strongly urge this Board to do so. Also, you may not be aware that your 2006-05 Ordinance indicates that you are required to keep detailed records of your actions on this Board. I do not believe a summary situation does that."

Chairwoman Womble responded that she believes a digital record is.

Mrs. Cravens responded, "there are no digital records on Collier County's site. I deal with the Communications department all the time and I deal with the BMR (Board Minutes and Records) frequently. Either you have an audio cassette of the minutes or you have a video record of the minutes, or you have a written document. Those are what are available."

Chairwoman Womble stated that the Services Division does have a digital record of the minutes.

Mrs. Cravens said, "that is not a digital" record, referring to the summary minutes.

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Chairwoman Womble followed, also referring to the summary minutes document that although the summary minutes were not digital “we do have the minutes right here.”

Mrs. Cravens responded, “you cannot use those when you are discussing something in an official capacity. You have to have verbatim minutes to bring something back for reconsideration or to debate something.”

Mrs. Cravens had another concern regarding the Budget and asked if there had been any changes to the budget since the May 8, 2009 budget document provided to the public.

Mr. Levy said that there were revisions distributed at the May meeting.

Mr. Moffatt said that the budget was approved on June 11 at this Board’s meeting and there were changes included in that meeting from the County that were approved.

Chairwoman Womble asked Mrs. Cravens what was the date of the document she had with her.

Mrs. Cravens responded May 8, 2009.

Chairwoman Womble said that there were changes between May 8 and the one approved on June 11.

Mr. Iaizzo asked Mrs. Cravens if she wanted to know exactly how monies were spent.

Mrs. Cravens said that she was concerned about the Clam Bay budget.

Mr. Iaizzo said that if she wanted to know exactly how monies were spent she would have to get that information from the Clerk’s Finance department.

Mrs. Cravens said that the budget goes before the Commissioners in September and it is supposed to include an opportunity for residents and members of the MSTBU to comment, but how can she comment if she does not have the information. She specifically said that she wanted to know not only how monies were spent from Fiscal Year 2009 but also how the money is detailed to be spent in Fiscal Year 2010 because the document that she has is showing \$158,000 in Tourist Development Council (TDC) funds and she questioned the TDC funds because she said that those funds are normally only provided to the Services Division when dredging has occurred. She further explained that it is only when dredging has occurred producing beach quality sand that is put on the beaches. She said that the last time the Services Division received TDC funds the amount was \$11,000 to reimburse for dredging and sand placement. She stated, “So, I want to know what this \$158,000 is.”

Mr. Levy said that it was Fund 111 money.

Mrs. Cravens said that she disagreed. She said that she was looking at “Clam Bay Restoration Program and it says from TDC, \$158,200.”

Mr. Moffatt assured that the final approved proposed budget does not include anything from the TDC and that replacement pages were distributed at that meeting and that staff could provide to her.

Mrs. Cravens conveyed that she wanted the correct budget information, the official document.

Mr. Moffatt said that it is the May budget brought to the Services Division Board for approval and the subsequent changes ordered by the County.

Mrs. Cravens asked, "Could we make sure that information is going to be included in the budget that goes before the Commissioners because John Petty did not always do what he was supposed to do."

Mr. Levy said the Commissioners do not receive that budget book, they receive something else.

Mrs. Cravens said that what they receive is supposed to reflect what the Board approved and asked if it was detailed with Fund numbers.

Mr. Iaizzo stated that she had every right to have that information and to request from the Clerk's Finance.

Mrs. Cravens stated that she wanted the proposed Fiscal Year 2010 budget before the Commissioners Budget Hearing, before the time to comment, and before the Budget is approved.

Mr. Levy said that she should go to the Services Division office to get the up-to-date budget document.

Chairwoman Womble stated that Mrs. Cravens speaking time was up and asked for a motion to adjourn.

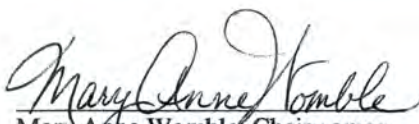
ADJOURNMENT

Mr. Moffatt made a motion to adjourn.

Mr. Iaizzo seconded the motion.

The Board voted unanimously to adjourn the meeting at 3:42 p.m.

Mr. Moffatt made a motion to adjourn. Mr. Iaizzo seconded the motion. The Board voted unanimously to adjourn the meeting at 3:42 p.m.


Mary Anne Womble, Chairwoman