

**PELICAN BAY SERVICES DIVISION BOARD REGULAR SESSION MINUTES  
MONDAY, JUNE 13, 2011**

**LET IT BE REMEMBERED** that the **Pelican Bay Services Division Board** met in **Regular Session** on **Monday, June 13, 2011** at **1:00 p.m.** at the Community Center at Pelican Bay, 8960 Hammock Oak Drive, Naples, Florida. The following members were present:

**Pelican Bay Services Division Board**

Keith J. Dallas, Chairman *re-elected 6/13/11*  
Tom Cravens, Vice Chairman *elected 6/13/11*  
John P. Chandler *absent*  
Johan Domenie *resigned 6/13/11*  
Geoffrey S. Gibson

John Iaizzo  
Michael Levy *absent*  
Dave Trecker  
Mary Anne Womble  
John Baron *absent*  
Hunter H. Hansen *absent*

**Pelican Bay Services Division Staff**

W. Neil Dorrill, Administrator  
Kyle Lukasz, Field Manager

Mary McCaughtry, Operations Analyst  
Lisa Resnick, Administrative Assistant

**Also Present**

Ronnie Bellone, Vice Chair, Pelican Bay Foundation Board of Directors  
Susan Boland, President, Pelican Bay Property Owners Association  
Daniel W. Brundage, P.E., President, Agnoli, Barber, & Brundage, Inc.  
Brendan Culligan, Stop for People Coalition  
Joe Doyle, Laurel Oaks at Pelican Bay Resident  
Ellin Goetz, Fellow American Society of Landscape Architects, Goetz+Stropes Landscape Architects, Inc.  
James Hoppensteadt, President, Pelican Bay Foundation  
Noreen Murray, Pelican Bay Foundation Board of Directors  
Susan O'Brien, Candidate, Pelican Bay Services Division Board  
Linda Roth, Pelican Bay Resident

**REVISED AGENDA**

The agenda includes, but is not limited:

1. Roll Call
2. Election of Chairman and Vice Chairman
3. Agenda Approval
4. Audience Participation
5. Approval of Meeting Minutes
  - a. May 4, 2011 Pelican Bay Services Division Board Regular Session
6. Administrator's Report
  - a. Presentation by Ellin Goetz of Schematic Roadway Intersection Plans
  - b. South Berm Permit Status
  - c. Crosswalks Bids Review and Discussion
    - i. Selection of Intersections for Construction in 2011
    - ii. Selection of Contractor
  - d. Pelican Bay Boulevard Resurfacing
    - i. Timing
    - ii. Funding
    - iii. Assessment Adjustment
    - iv. Bicycle Lane Survey
  - e. Pelican Bay Boulevard Pathway Widening
    - i. Review Proposal
    - ii. Discussion of Excluded Costs
  - f. Monthly Financial Report
  - g. Update on Health of Mangroves
  - h. Update on Removing Exotics from Clam Pass Park & Along Beach
7. Chairman's Report

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- a. Clam Bay Update
  - b. Review & Submittal Process for Future Pelican Bay Post Articles Discussion
  - c. Draft of Pelican Bay Post Article on PBSB FY 2012 Proposed Budget Discussion
  - d. Obtaining Public Input During Meetings
  - e. PBSB Committee Structure Discussion
  - f. Announcements
8. Community Issues
  9. Committee Reports
    - a. Strategic Planning Committee
  10. Old Business
  11. New Business
    - a. Possible Regular Meeting Schedule Adjustment Discussion (*J. Iaizzo*)
  12. Audience Comments
  13. Miscellaneous Correspondence
  14. Adjournment

### **ROLL CALL**

A quorum of six members present and Messrs. Chandler, Domenie, Levy, Baron, and Hansen were absent.

### **RESIGNATION**

Chairman Dallas announced that he received a letter of resignation from Mr. Domenie, effective today, June 13.

### **ELECTION OF CHAIRMAN AND VICE CHAIRMAN**

Mrs. Womble suggested the Board proceed with electing new officers, thereby amending the agenda.

Mrs. Womble nominated Chairman Dallas for Chairman and Dr. Trecker seconded the nomination. The Board voted unanimously to re-elect Chairman Dallas as Chairman for one year.

Mrs. Womble nominated Mr. Cravens for Vice Chairman and Chairman Dallas seconded the nomination. The Board voted unanimously to elect Mr. Cravens as Vice Chairman for one year.

### **AGENDA APPROVAL**

Chairman Dallas amended the agenda, moving item 7e Clam Bay Update to first under Chairman's Report.

***Vice Chairman Cravens made a motion to approve the agenda as amended and the Board voted unanimously in favor, passing the motion.***

### **AUDIENCE PARTICIPATION**

Mr. Joe Doyle, Laurel Oaks at Pelican Bay resident stated that street lighting funds should not be collected in advance from current homeowners to save for future street lighting projects and suggested using "debt instruments" such as loans or bonds and assess residents at the time the work is to be done. Funds to resurface Pelican Bay Boulevard should come from County gas taxes collected. The proposal to loan the County funds for this project is "double taxation" and a legal opinion should be obtained from the Clerk before proceeding. A bike path survey is unnecessary because the community voted against installing bike paths four years ago. According to the Pelican Bay Property Owners Association recent survey regarding Community Improvement Plan (CIP) Phase I crosswalk projects, residents are opposed to this expense. "This Board needs to exercise better fiscal responsibility."

Mr. Brendan Culligan, Stop for People Coalition urged the Board not to eliminate the "Stop for People" signs in the middle of the roadway at the North Tram station when approving bids for crosswalks.

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### **APPROVAL OF MAY 4, 2011 REGULAR SESSION MINUTES**

Mrs. Womble amended page 8456 striking “re” from “petition”. Vice Chairman Cravens amended Mrs. Cravens’ title from “Vice President, Mangrove Action Group” to “Dorchester Resident”. Chairman Dallas amended page 8474 to reflect Mr. Chandler’s June 9 comments regarding resurfacing meeting, striking, “...and was not in the County’s five-year repaving plan.” to read, “Pelican Bay Boulevard is rated 61%. Mr. Casalanguida stated that the County did not presently have a five-year plan but that their staff would develop one by June 1 and provide it to the Services Division. Commissioner Hiller previously suggested that the Services Division draft an agreement to loan the County \$1.2 million with a repayment schedule to repave Pelican Bay Boulevard earlier.”

*Vice Chairman Cravens made a motion, seconded by Mrs. Womble to approve the May 4, 2011 Pelican Bay Services Division Board Regular Session meeting minutes as amended. The Board voted unanimously in favor, passing the motion.*

### **ADMINISTRATOR’S REPORT**

#### **ELLIN GOETZ PRESENTATION OF SCHEMATIC ROADWAY INTERSECTION PLANS**

Ms. Ellin Goetz presented schematic roadway intersection plans along Pelican Bay Boulevard at three major intersections (Ridgewood Drive, Oakmont Parkway, and Gulf Park Drive) and two secondary intersections (Myra Janco Daniels Boulevard and Tierra Mar) that incorporate elements for pedestrian safety, driver visibility, color, and landscaping best management practices, including irrigation. She provided a list and photographs of recommended plant material for the medians.

Mr. Dorrill said the quality of fill in the medians could affect whether plants will grow.

Mr. Lukasz responded that in general, the fill is very sandy with little debris, and there may be lime rock at some of the tips of medians that could be replaced with soil.

Mr. Dorrill said the next step is to get Board input for conceptual plans then have Ms. Goetz prepare plans with specifications. The crosswalks projects require landscaping of the medians and bull noses, so it would be ideal to have the conceptual plans with specifications approved by the end of summer, so the project can be complete by the end of December.

Chairman Dallas asked the Board whether the Landscape Committee should meet to decide upon a recommendation to the Board.

Vice Chairman Cravens agreed that the Landscape Committee should review the plans and bring their recommendations to the full Board.

Mr. Dorrill said the Landscape Committee should meet and decide on what to recommend to the full Board before the end of the summer. In the meantime, staff would get detailed construction plans and cost estimates including the quantity and cost of recommended plants, so staff could purchase the plants in early fall. Recently released countywide assessed property values show that Pelican Bay leads Southwest Florida by devaluing less than 1%. Countywide values decreased 5.7% and City of Naples decreased 1.7%.

#### **SOUTH BERM PERMIT STATUS**

Mr. Dorrill reported that staff placed a budget amendment for Board of County Commissioners’ approval at their June 14 meeting that allocates \$118,000 from Clam Bay Fund reserves to Clam Bay Fund Ecosystem Enhancements to fund the restoration of the South berm project. He and Mr. Tim Durham, Chief Environmentalist,

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Wilson Miller discussed permit requirements with the Army Corps of Engineers (USACE) and Florida Department of Environmental Protection (FDEP). USACE staff preference is that the Services Division obtains short-form Nationwide Permit 3" (NWP 3) for the berm and swale maintenance work. This is a project already authorized by the Board, but the permitting process would delay the project by 45-60 days. Staff will confirm USACE staff opinion requiring permit with a higher authority from the agency.

### **CROSSWALKS BIDS REVIEW AND DISCUSSION**

#### **SELECTION OF INTERSECTIONS FOR CONSTRUCTION IN 2011**

The Board discussed Chairman Dallas' three options of crosswalks for construction in 2011.

Ms. Ronnie Bellone suggested the Board consider the intersection of Hammock Oak Parkway and Vanderbilt Beach Drive for safety of pedestrians and bicyclists.

*Vice Chairman Cravens made a motion, seconded by Mr. Gibson to select three intersections for construction of crosswalks in 2011 at Pelican Bay Boulevard and Ridgewood Drive; Pelican Bay Boulevard and Oakmont Parkway; and Pelican Bay Boulevard and Gulf Park Drive. The Board voted 4-2 in favor, passing the motion. Mr. Iaizzo and Dr. Trecker opposed.*

#### **SELECTION OF CONTRACTOR**

Mr. Dorrill reported that the Services Division received three bids to perform the crosswalk work and Bateman Contracting was the most responsive. Should the Board decide to recommend this firm to the Board of County Commissioners, the award of contract should be subject to meeting insurance requirements and verifying references.

Mr. Brundage said his firm has not worked with Bateman Contracting directly, but according to his sources, Lee County has used their services and not had problems.

*Vice Chairman Cravens made a motion, seconded by Mrs. Womble to recommend to the Board of County Commissioners that the award of bid for crosswalks projects go to Bateman Construction, subject to verification of references and insurance requirements compliance to include workers compensation and associated liability insurance. The Board voted unanimously in favor, passing the motion.*

### **PELICAN BAY BOULEVARD RESURFACING**

#### **TIMING**

Mr. Dorrill reported that based on the County's analysis of pavement conditions, Pelican Bay Boulevard is eligible for resurfacing in Fiscal Year 2015. The Road Maintenance department's annual budget is only \$2.5 million, so it is possible that even when the road becomes eligible for resurfacing, the County will not have the funds for the project.

#### **FUNDING**

Mr. Dorrill and Mr. Chandler recently discussed with Commissioner Hiller and Mr. Casalanguida, Deputy Administrator, Growth Management Division, the possibility of the Services Division loaning the County funds to do this project earlier, via an interfund transfer that the County would pay back with interest at the time the road is forecasted for resurfacing in FY 2015. Commissioner Hiller appears to be interested in introducing this idea to the County Commission to find out if they are willing to consider it as a policy because this is a novel approach. Regarding Mr. Doyle's comments that this is "double taxation", Mr. Dorrill said it is not. They are considering an interfund term loan that the County would repay to the Services Division with a reasonable rate of return.

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Dr. Trecker said in his opinion, based on continued devaluation and declining fiscal situation, the County would not accept this proposal.

Chairman Dallas said it is still a subject worth discussing. He pointed out that the County is also responsible for maintaining the pathways, and are not, so at some point the Services Division will have to decide whether to take that responsibility, too.

Mr. Dorrill said five years ago, Pelican Bay Boulevard was eligible for resurfacing and rather than milling and resurfacing the traditional way, the County used slurry overtop of the existing road. He acknowledged Mr. Gibson's concerns regarding the poor appearance and cosmetic issues brought about by this "microsurfacing experiment" and said this is Mr. Chandler's biggest contention. He added that the County however, believes that despite its appearance, the microsurfacing did provide structural improvements.

*Vice Chairman Cravens made a motion, second by Mr. Gibson to explore with the Board of County Commissioners the possibility of the Services Division loaning the County funds to mill and resurface Pelican Bay Boulevard earlier than forecasted via interfund transfer that the County would repay with interest at the time the road is currently forecasted for resurfacing. The Board voted unanimously in favor, passing the motion.*

**BICYCLE LANE SURVEY**

Chairman Dallas said that when the road is milled and resurfaced, they would need to decide whether to install bicycle lanes, and suggested the Services Division perform a statistically valid scientific community survey.

**FOUR-WAY STOP AT RIDGEWOOD DRIVE AND PELICAN BAY BOULEVARD**

Mr. Dorrill asked the Board to clarify with a motion, second and vote the Board's direction regarding the results of the warrants analysis of the intersection of Ridgewood Drive and Pelican Bay Boulevard.

*Vice Chairman Cravens made a motion, second by Mr. Gibson that staff discuss with the County's Transportation Right of Way Permitting department moving forward with a four-way stop at the intersection of Ridgewood Drive and Pelican Bay Boulevard, despite failing to meet the warrants analysis criteria. The Board voted unanimously in favor, passing the motion.*

**PELICAN BAY BOULEVARD PATHWAY WIDENING**

Mr. Dorrill reported that preliminary surveying has been done under an existing purchase order for civil engineering work by Agnoli, Barber, and Brundage for Community Improvement Plan (CIP) Phase I pathway widening along the west side of Pelican Bay Boulevard. He added that Mr. Chandler has suggested the surveying include a preliminary analysis of the number of trees affected and potentially removed, and for utility conflicts. Mr. Dorrill will provide the surveying report when complete.

**MONTHLY FINANCIAL REPORT**

Mr. Dorrill presented the preliminary and unaudited May financial report.

*Dr. Trecker made a motion, second by Mr. Iazzo to accept the monthly financial report into the record. The Board voted unanimously in favor, passing the motion.*

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**UPDATE ON HEALTH OF THE MANGROVES**

Mr. Dorrill reported that the health of the white mangroves continue to be monitored on a monthly basis from the rooftop of several high rises with photography. Mr. Hall is pursuing DNA analysis of the boring beetles to determine the species by the Institute of Food and Agricultural Sciences (IFAS) University of Florida (UFL) Extension.

**UPDATE ON REMOVING EXOTICS FROM CLAM PASS PARK AND ALONG BEACH**

Mr. Dorrill reported that the County's Coastal Zone Management department has not heard whether they will receive a grant award to remove exotics from Clam Pass Park and along the beach. The State's fiscal year begins July 1, so staff will soon know whether the County receives the grant. Removing exotics from Clam Pass Park and along the beach could become the Services Division's responsibility if the County does not receive the grant. In that case, staff would obtain cost estimates for exotic removal along Clam Pass Park and the beach for the Board to review.

Vice Chairman Cravens reported there are significant numbers of Brazilian Peppers along the Clam Pass Park boardwalk and scores of Australian Pines along the beach.

Mr. Dorrill plans to meet Vice Chairman Cravens and Mr. Lukasz on site next week to address.

**CHAIRMAN'S REPORT**

**BOARD VACANCY AND RECOMMENDATION FOR APPOINTMENT**

*Vice Chairman Cravens made a motion, second by Dr. Trecker to make a recommendation to the Board of County Commissioners to appoint Susan O'Brien to the Pelican Bay Services Division Board to fill the vacancy created by John Domenie's resignation. The Board voted unanimously in favor, passing the motion.*

**CLAM BAY UPDATE**

Chairman Dallas reported that Mr. McAlpin plans to recommend to the Board of County Commissioners on June 15, the Coastal Advisory Committee's Clam Bay markers "Option 1" to develop an agreement between the four key stakeholders that outlines responsibilities for installation, maintenance, changes and dispute resolution.

Ms. Linda Roth said the language regarding installation and permitting responsibility needs clarification.

Ms. Noreen Murray encouraged Pelican Bay residents to attend the Commission meeting to support canoe trail markers.

Mr. James Hoppensteadt said the Foundation responded to the letter that Seagate's attorneys sent to the Florida Department of Environmental Protection and Florida Attorney General that refutes Seagate's claims.

**REVIEW AND SUBMITTAL PROCESS FOR FUTURE PELICAN BAY POST ARTICLES**

Chairman Dallas recommended a review and submittal process for Pelican Bay Post articles to ensure a reasonable amount of review, accuracy, consistency with other documents, and reflects the general views of the Board and Ms. Resnick was assigned to review, edit, obtain feedback, and submit final product to the Post. The Board agreed that the procedure was reasonable.

Ms. Ronnie Bellone observed that from the time between submittal to publication, the Services Division's news could be two months old.

Chairman Dallas acknowledged that Mr. Domenie's article submitted to the Post was withdrawn because by the time of publication, the content was outdated.

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**DRAFT OF PELICAN BAY POST ARTICLE ON PBSD FY 2012 PROPOSED BUDGET**

Chairman Dallas said Ms. Resnick would incorporate comments received into the draft "PBSD FY 2012 Proposed Budget" Pelican Bay Post article, then reviewed and submitted to the Pelican Bay Post.

**OBTAINING PUBLIC INPUT DURING MEETINGS**

The Board discussed the current policy to obtain public input during meetings and agreed it was too liberal, and contributes to holding less productive meetings and deferring some items to subsequent meetings. The Board agreed to implement the policy suggested by Mr. Chandler that would (1) discontinue soliciting public comments at the beginning of the meeting; (2) solicit public comments prior to each agenda item discussion; (3) limit comments to one per person per item; (4) and limit comments to 3 minutes per person. Following public comments on an item, (5) the Board would proceed to discuss and take appropriate action without interruption; and (6) at the end of the meeting, solicit public comments on non-agenda items. The public was encouraged to email comments to the Board between the time that the agenda is post and the meeting commences.

**PBSD COMMITTEE STRUCTURE**

The Board discussed its committees and productivity. There was agreement that the Budget committee is efficient as is. Regarding whether to reconstitute the Clam Bay committee, Chairman Dallas asked the Board to provide input to Ms. Resnick for discussion at the next meeting. Dr. Trecker was appointed to the Landscape committee joining Vice Chairman Cravens (Chairman of the Landscape committee) and Mr. Gibson.

**ANNOUNCEMENTS**

Chairman Dallas announced that the Board of County Commissioners would discuss the Vanderbilt Beach restrooms configuration on June 14 at 2 p.m. and the Clam Bay markers on June 15 at 9 a.m. The Coastal Advisory Committee does not meet in July. The Pelican Bay Foundation meets June 24 at 8:30 a.m. The Strategic Planning Committee meets June 16 at 9 a.m.

**JULY 6 BOARD MEETING CANCELLED**

*Vice Chairman Cravens made a motion, second by Mr. Iaizzo to cancel the July 6 meeting with the option to reconsider. The Board voted unanimously in favor, passing the motion.*

**COMMUNITY ISSUES**

None

**STRATEGIC PLANNING COMMITTEE REPORT**

Mrs. Womble reported that the Strategic Planning Committee (SPC) has met several times since the last Services Division Board meeting. Ms. Bellone was elected Committee Chairwoman and the committee has three new members: Frank Butler, Charles Bodo, and Paul Lorenzo replacing Jerry Moffatt and Noreen Murray who were both elected to the Foundation Board. Currently the SPC is discussing whether to eliminate the crosswalk at Pelican Bay Boulevard and Crayton Road and reestablish at Pelican Bay Boulevard and Glenview; and making a recommendation to the Foundation Board to approve crosswalk projects on Pelican Bay Boulevard at Ridgewood, Myra Janco Daniels, Gulf Park, North Pointe, Hammock Oak, and Oakmont. Other projects under discussion are reconfiguration of the Commons, Community Center expansion, restrooms and lighting considerations at the North Tram station, and U.S. 41 berm.

**OLD BUSINESS**

None

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**NEW BUSINESS**

**POSSIBLE MEETING SCHEDULE ADJUSTMENT**

Mr. Iaizzo suggested Board meetings be regularly scheduled on the second Wednesday of the month instead of the first Wednesday, but there was no interest.

**SUNSHINE LAW AND ONE-WAY COMMUNICATIONS**

Dr. Trecker asked for guidance regarding the Sunshine Law and one-way communications.

Mr. Dorrill responded that one-way communications are acceptable as long as they do not give an indication of how one would vote.

Mr. Hoppensteadt added that Board members should send one-way communications to Ms. Resnick for distribution.

Mr. Dorrill will seek to establish County e-mail accounts for all Board members' correspondence and the County's records retention policy.

**ADJOURN**

*Vice Chairman Cravens made a motion to adjourn and the Board voted unanimously in favor, passing the motion.*

The meeting adjourned at 3:25 p.m.

  
Keith J. Dallas, Chairman

Minutes by Lisa Resnick \6/30/2011 1:53:22 PM