

MINUTES OF THE REGULAR MEETING OF THE NAPLES CITY COUNCIL HELD IN THE PARKS & RECREATION BUILDING, NAPLES, FLORIDA, ON WEDNESDAY, NOVEMBER 15, 1978 AT 9:10 A.M.

Present: R. B. Anderson,
Mayor

C. C. Holland (arrived 9:17 a.m.)
James F. McGrath
Wade H. Schroeder
Randolph I. Thornton
Edward A. Twerdahl
Kenneth A. Wood
Councilmen

Also Present: George M. Patterson, City Manager
David W. Rynder, City Attorney
Roger Barry, Planning Director
Anders Sandquist, Building & Zoning Official
Bradley Estes, Assistant to the City Manager
William Savidge, Public Works Director
Randy Davis, Director of Parks & Recreation
Norris Ijams, Fire Chief
Garry Lester, Traffic Engineer

Reverend Donald Zeigler
Harold Yegge
Charles Andrews
Sam Aronoff
Don Gropp
William Gracely
L. S. Denning
Robert Carsello
Ben Anderson
Robert Russell
William Shearston
John Pistor
Arndt Mueller
Ted Smallwood
David Markey
Harry Rothchild
John Hobart
James Foley
Jack Miller

News Media: Mark Johnson, WBBH-TV
Tom Lowe, WBBH-TV
John Robinson, TV-9
Ray McNally, TV-9
Jerry Pugh, TV-9
Allen Bartlett, Fort Myers News Press
Kent Weissinger, WRGI
Frank Rinella, Naples Daily News
Bella English, Miami Herald
Jay Ray, Edison Community College
Lloyd Dove, WINK-TV

Other interested citizens and visitors.

AGENDA ITEM 5-c. An ordinance amending the Code of Ordinances of the City of Naples, Florida, by adding a new Section 24A-2 thereto, prohibiting the planting of certain undesirable trees and shrubs and regulating the planting of certain trees which may cause damage to building foundations, streets, sidewalks or public utilities; providing for the enforcement thereof; and providing an effective date. Purpose: To prohibit the planting of certain undesirable trees. Pursuant to City Council discussion at conference of October 17, 1978.

City Attorney Rynders read the above referenced ordinance by title for Council's consideration on First Reading. Mr. Holland moved approval of this ordinance on First Reading, seconded by Mr. Schroeder. Discussion followed questioning the inclusion of some of the trees mentioned. Mr. Tom Williams and Mr. William Gracely addressed Council in opposition to the inclusion of most of the plantings cited in the proposed ordinance. Motion failed on roll call vote, 0-7.

AGENDA ITEM 5-d. An ordinance amending Subsection (j) of Section 8-35, entitled "Definitions", of the Code of Ordinances of the City of Naples, Florida, by amending the definition of the term "Specialty Contractors"; further amending the Code of Ordinances by adding a new Section 8-45.2 thereto, providing for the nullification of any Certificate of Competency issued by the City pursuant to Section 8-45.1 in the event the Certificate of Competency issued by the County is revoked; and providing an effective date. Purpose: To make the City's definition of "Specialty Contractor" conform to the County's definition thereof for the purposes of reciprocity in the issuance of contractors' Certificates of Competency and to provide for nullification of such certificates of competency if the same are revoked by the County. Requested by Contractor's Examining Board.

City Attorney Rynders read the above captioned ordinance by title for Council's consideration on First Reading. He noted that it would be necessary to add a new Section 3. which would repeal Section 8-40 of the Code of Ordinances, City of Naples. City Manager Patterson noted that Mr. Anders Sandquist, Building & Zoning Official, and Mr. Robert Carsello, Chairman of the Contractors' Examining Board, had met with their counterparts in the County to work on this matter and that this was agreeable to both sides. Mr. Carsello verified this. Mr. Holland did not agree that this solution would meet the original intent of the competency cards. Mr. Schroeder moved approval of this ordinance on First Reading, seconded by Mr. Twerdahl and carried on roll call vote, 6-1, with Mr. Holland voting no.

AGENDA ITEM 5-e. An ordinance amending the Code of Ordinances of the City of Naples, Florida, by adding a new Section 7-27.1 thereto, prohibiting the parking, mooring, tying up or beaching of any commercial watercraft in any residential district within the City of Naples, defining the term "Commercial Watercraft"; and providing an effective date. Purpose: To prohibit the parking of commercial watercraft in residential districts. Requested by City Manager.

City Attorney Rynders read the above referenced ordinance by title for Council's consideration on First Reading. Mr. Rynders noted that this ordinance included chartering private boats for fishing parties, but not simply renting private boats. Mr. Thornton moved approval of this ordinance on First Reading, seconded by Mr. Schroeder and carried on roll call vote, 4-3, with Mr. Holland, Mr. McGrath and Mr. Wood voting no.

AGENDA ITEM 6. A resolution authorizing the City Attorney's office to prepare for and commence such legal proceedings as are necessary for the adjudication of the dual taxation issue between the City of Naples and Collier County; and further directing the City's staff to continue discussions with the County in an effort to resolve this problem; and providing an effective date. Pursuant to County Commission response of October 31, 1978, to City Resolution No. 3050 - Double Taxation.

City Attorney Rynders read the above titled resolution in its entirety for consideration by Council. Mr. Twerdahl moved adoption of Resolution 3128, seconded by Mr. Thornton and carried on roll call vote 6-1, with Mr. Holland voting no.

Let the record show that Mayor Anderson called a recess at 10:25 a.m. and reconvened Council at 10:45 a.m. with the same members present.

Mayor Anderson noted the presence of Mr. John Pistor, Chairman of the County Board of Commissioners, and suggested that Agenda Item 11 be moved up. Mr. Wood moved to take up Agenda Item 11 at this time, seconded by Mr. Schroeder and carried on voice vote, 7-0.

AGENDA ITEM 11. A resolution authorizing the Mayor and City Clerk to execute a corrective deed conveying Bayview Park to Collier County, subject to certain conditions enumerated therein, a copy of which is attached hereto and incorporated herein; and providing an effective date. Requested by Collier County.

City Attorney Rynders read the above titled resolution in its entirety for consideration by Council. Randy Davis, Director of Parks & Recreation, verified that the other City parks were operated on a "dawn to dusk" basis; however, he noted that occasional, judicious use of the boat ramp only could be condoned. Mr. John Pistor, Chairman of the Collier County Board of Commissioners, addressed Council in support of this resolution. Mr. Thornton moved adoption of Resolution 3129, seconded by Mr. McGrath and carried on roll call vote, 7-0.

AGENDA ITEM 7. A resolution authorizing the U.S. Army Corps of Engineers to act as agent for the City of Naples in obtaining state water quality certification and state permits from the Department of Environmental Regulation and the Department of Natural Resources for maintenance dredging work; and providing an effective date. Requested by Public Works Director.

City Attorney Rynders read the above titled resolution by title for Council's consideration. Mr. William Savidge spoke in support of this resolution as a simplification of procedures to be used if and when the City sponsored a project requiring this type of permit. Mr. Ted Smallwood, Consulting Engineer, corroborated his statements. Mr. Twerdahl moved adoption of Resolution 3130, seconded by Mr. Schroeder and carried on roll call vote, 5-2 with Mr. McGrath and Mr. Thornton voting no.

AGENDA ITEM 8. Authorization to purchase site for #2 Repump Station. Requested by City Manager.

City Manager Patterson pointed out that the acquisition of this property at this time would be wise because the repump station would have to be in this general area. He also noted that the lower cost of putting in connecting lines now would justify the expenditure for the property. Mr. William Savidge, Director of Public Works, confirmed this; whereupon City Attorney Rynders read the below titled resolution by title for consideration by Council.

A RESOLUTION AUTHORIZING THE PURCHASE OF LOTS 19, 10, AND 21, BLOCK 81, UNIT 3, CITY OF GOLDEN GATE, FOR THE SUM OF \$23,000.00 TO BE USED AS THE SITE FOR RAW WATER REPUMPING STATION #2; AND PROVIDING AN EFFECTIVE DATE.

Mr. Wood moved adoption of Resolution 3131, seconded by Mr. Schroeder and carried on roll call vote, 7-0.

City Manager Patterson noted that the material in Agenda Item 10 should have followed Agenda Item 8. Mr. McGrath moved that Council take up Agenda Item 10 at this time, seconded by Mr. Schroeder and carried on voice vote, 7-0.

AGENDA ITEM 10. Progress report on raw water transmission main. Presented by CH2M & Hill, consulting engineers.

Mr. Ted Smallwood, Consulting Engineer, noted the presence of David Markey, Project Manager, who would make the progress report to Council. Mr. Markey reviewed his written project report dated November 14, 1978 (Attachment #1). He then showed Council slides showing some of the procedures being used in laying the pipeline. Mr. Markey stated that he would be able to bring Council up-to-date on the progress in obtaining the necessary easements in one section of this pipeline at the meeting scheduled for December 6th.

AGENDA ITEM 9. A resolution authorizing the Mayor and City Clerk to execute an agreement providing for reciprocal emergency fire protection and medical aid between the City of Naples and other fire departments and/or districts in Collier County, a copy of which agreement is attached hereto and incorporated herein; and providing an effective date. Requested by Fire Chief.

City Attorney Rynders read the above referenced resolution by title for Council consideration. City Manager Patterson noted that this was a formal acknowledgement of the practices under which these fire departments and/or districts have been operating. Mr. Thornton moved adoption of Resolution 3132, seconded by Mr. Twerdahl and carried on roll call vote, 7-0.

AGENDA ITEM 12. Consideration of proposal by M & D Enterprises to create a public parking field in front of the Merrill, Lynch Building, 790 Broad Avenue, South. Requested by D.J. Lynch, Powell & Yanson, Inc.

City Manager Patterson noted that this was the same piece of property discussed at the last Council meeting wherein M & D Enterprises had offered to maintain this right-of-way if the City would landscape it. He noted a letter from Powell & Yanson dated November 6, 1978 (Attachment #2). Mr. John Hobart addressed Council supporting this request. Mayor Anderson noted Council's policy with regard to dealing with something of value. After further discussion, Mr. Twerdahl moved that this Item be referred to the Planning Advisory Board for their recommendation, seconded by Mr. Schroeder and carried on roll call vote, 7-0.

AGENDA ITEM 13. Recommendation by Parks & Recreation Advisory Board with reference to proposed youth center. Requested by City Manager.

City Manager Patterson noted the presence of Jim Foley, Chairman of the Parks & Recreation Advisory Board. Mr. Foley addressed Council and made reference to his letter of November 2nd addressed to City Manager Patterson (Attachment #3). Discuss among Council members indicated a question regarding the primary function of the building and how to achieve the best over-all use of such a facility. Mayor Anderson suggested that Mr. Patterson clarify the basic requirement for an additional facility and what type of facility would best suit the requirement.

AGENDA ITEM 14. A resolution requesting the Florida Legislature to amend the City of Naples Airport Authority Act, being Chapter 69-1326, Laws of Florida, as set forth in the proposed act attached hereto and incorporated herein; and providing an effective date. Pursuant to City Council discussion at conference following Regular Meeting of October 18, 1978.

City Attorney Rynders read the above titled resolution in its entirety for Council's consideration. Mr. Rynders responded in the affirmative to Mayor Anderson's inquiry about whether this had been worked out with the Airport Authority's legal counsel. Mr. Jack Miller, Chairman of the Airport Authority, stated that this met the satisfaction of the Authority. Mr. McGrath moved to adopt Resolution 3133, seconded by Mr. Schroeder and carried on roll call vote, 7-0.

AGENDA ITEM 15. A resolution authorizing the Mayor and City Clerk to execute a traffic signal agreement between the City of Naples and the State of Florida Department of Transportation, relating to the design, installation, operation and maintenance of traffic signals on U.S. 41; and providing an effective date. Requested by City Engineer.

City Attorney Rynders read the above referenced resolution by title for Council's consideration; whereupon Mr. Twerdahl moved adoption of Resolution 3134, seconded by Mr. Schroeder and carried on roll call vote, 7-0.

AGENDA ITEM 16. Purchasing: Consideration of contract for sidewalk repair and replacement at various locations throughout the City.

City Manager Patterson noted that there were no bids received and requested that this item be removed from the Agenda. Mr. Wood moved that this Item be removed from the Agenda, seconded by Mr. Thornton and carried on roll call vote, 7-0.

City Manager Patterson noted that he had received oral confirmation that he would receive a letter from the Federal Revenue Sharing Agency that they agreed to extend the City's date of response to December 14.

In response to Mr. Twerdahl's inquiry, City Manager Patterson outlined the duties and responsibilities of a "para-policeman" and the benefits of hiring this type of personnel for certain positions.

In response to Mr. Twerdahl's inquiry about the anti-recessionary funds, City Manager Patterson replied that these funds had been anticipated and the loss would affect some budgeted items.

R. B. Anderson

R. B. Anderson, Mayor

Janet Davis Cason

Janet Davis Cason
City Clerk

Ellen P. Marshall

Ellen P. Marshall
Deputy City Clerk

These minutes of the Naples City Council were approved on 12-6-78.

14 November 1978

NA30510.72

City Council
CITY OF NAPLES
735 Eighth Street South
Naples, Florida 33940
Attention: Mr. George Patterson
City Manager

SUBJECT: Progress Report, East Golden Gate
Raw Water Transmission Main

Gentlemen:

We present herein a brief report on the construction progress to date on the 36-inch raw water transmission main and the pumping equipment serving the East Golden Gate Well Field.

On June 15, 1978 a notice to proceed was issued to the Boyce Company of St. Petersburg, Florida for the installation of the 36-inch pipeline connecting the new well field to the City's existing raw water system. The original contract included approximately 106,000 feet (20 miles) of 36-inch pipe and 8 aerial (bridged) canal crossings at a total cost of \$5,969,824.90. The City later found that adjusting their contract with Boyce to extend the raw water main to the water plant and to include the 24-inch well field header in his contract was in the City's best interest. Therefore, these items were included in the contract as Change Orders No. 1 and No. 2 respectively. This increased the total project amount to \$6,917,137.85, with the total footage of pipe to be installed raised to 122,171 feet (23 miles).

Although the contractor was authorized to proceed on June 23, 1978, significant progress was not made until the end of July due to materials deliveries. The completion date for the project is March 1, 1979. Thus, the entire 23 miles is to be completed in just 7 months. The attached tables indicate, then, the progress made over approximately 3/7 of the working time allowable.

City of Naples
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NA30510.72

According to the tables, the average laying rate for two crews combined is 760 feet. This, as well as the related percentages, was based on the date of notice-to-proceed and not the actual start of construction. But figuring the projected time of completion on this basis points to mid-February. In point of fact, very good progress is being seen and the contractor intends on moving in a third crew to install the 24-inch header line as soon as they receive the materials. Barring unforeseen difficulties, all the pipe should be in the ground by mid-January. This would leave a month and a half for flushing and testing the line and repair of any failures.

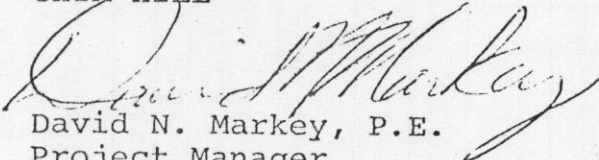
Efforts continue on the coordination of this project with the design and construction of I-75. The design conflicts seem to have been resolved, and unless the DOT changes their design once again, the routing of the pipeline should now be resolved. There have been difficulties in obtaining the necessary easements, and a report from your staff involved with that aspect should be forthcoming. That section of pipe will probably be the last to be installed.

We have attached a map of the pipe route which indicates the portions of the line where pipe has been installed. The canal crossings are about 30 percent complete. Restoration of right-of-ways is only 10 percent complete. Actual payable items completed as of November one represented 49 percent of the total contract including change orders.

We will continue to keep you informed on the progress of this very important project.

Very truly yours,

CH2M HILL


David N. Markey, P.E.
Project Manager

xc: Mr. Ted Smallwood, Regional Manager
Mr. Jim Abbott, Coordinator of CH2M HILL
Construction Management Services

Attachments

1s

East Golden Gate Raw Water Transmission Main

Contract Status Through October, 1978

1. Percent complete based on dollar value of work accomplished and time of contract

Description	Contract Amount	Value Work Accomplished	% Complete Work Accomplished		% Complete Contract Time
			Value	%	
Orig. Contract	\$5,969,824.90	\$3,165,000.00	53		53
Change Order #1	275,432.95	198,000.00	72		53
Change Order #2	671,880.00	0.00	0		53
Adjusted Contr.	6,917,137.85	3,363,000.00	49		53

2. Per month value of work accomplished

Description	July		August		September		October	
	Value	%	Value	%	Value	%	Value	%
Orig. Contract	163,000	2.7	667,000	11.1	1,433,000	24.0	902,000	15
Change Order #1	0	0	0	0	0	0	198,000	72
Change Order #2	0	0	0	0	0	0	0	0
Adjusted Contr.	163,000	2.3	667,000	9.6	1,433,000	20.7	1,100,000	16

3. Average construction per day for two crews

Description	July		August		September		October		Total
	Tot. ft Installed	Avg/day	Tot. ft Installed	Avg/day	Tot. ft Installed	Avg/day	Tot. ft Installed	Avg/day	
Orig. Contract	3682	185	13044	593	31060	1242	17014	773	64800
Change Order #1	0	0	0	0	0	0	1415	175	1415
Change Order #2	0	0	0	0	0	0	0	0	0
Adjusted Contr.	3682	185	13044	593	31060	1242	18492	840	66215

4. Total footage of pipe to install
 Total footage installed
 Total remaining to install
 Percent complete (based on footage)
 Project completion (55,965 / 760 L.F./day)

= 122,171 L.F.
 = 66,215 L.F.
 = 55,965 L.F.
 = 74 days = 54 %
 = mid February, 1979

PROJECT FACT SHEET

for

CITY OF NAPLES' EAST GOLDEN GATE

RAW WATER TRANSMISSION MAIN

(Project No. NA30510.7)

Purpose: Conveyance of water from the City's new well field to the existing water treatment plant

Method: Pressure flow utilizing the pressure from the well pumps alone initially with booster pumping stations for future

Location of Main: Along Goodlette Road, Goodlette Road Extension, Golden Gate Parkway, 39th Street S.W., White Blvd., Weber Blvd., Golden Gate Blvd. to 1 mile east of Everglades Blvd.

Length: 23 Miles

Size: 36" diameter

Type of Pipe: Prestress concrete cylinder pipe

Normal Working Pressure: 80 psi

Surge Allowance: 210 psi

Capacity of Main: 21,000 gallons per min. (30 million gallons per day)

Initial Flow: 7,000 gallons per min.

Velocity of the Water:

 Initial: 2.2 feet per second

 Ultimate: 6.6 feet per second

City of Naples
East Golden Gate
Raw Water Transmission Main
Page 2

Total Volume of
Water in Main: 6.4 Million Gallons

Time for Water
to Travel from
Wells to Plant: 16 hours

Installation: Buried, 3 feet cover total depth of
trench - 6.5 feet, 8 aerial canal
crossings on pilings

Total Cost
(with Change
Order): \$6,917,137.85

Source of
Funding: Locally financed through a bond issue
backed by system revenues

Owner: City of Naples, R. B. Anderson, Mayor

Project Engineers: CH2M HILL, Naples, Florida

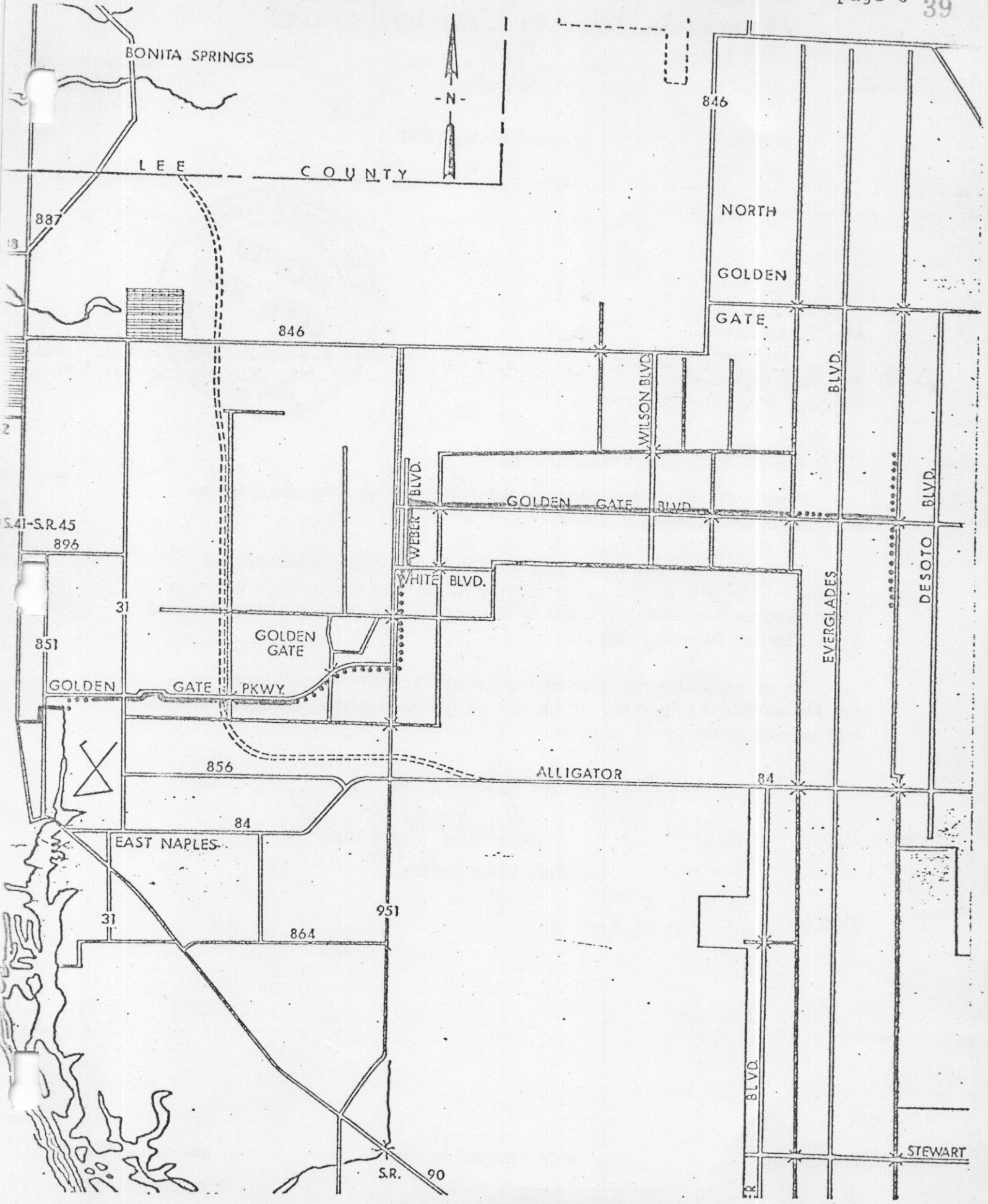
Project Administrator: Ted Smallwood

Project Manager: David Markey

Contractor: The Boyce Company, St. Petersburg, Florida

Superintendent: Jack Jolley

Project Manager: Keith Rowland



11/15/78

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ATTACHMENT #2

Powell & Yanson Incorporated

R E A L T O R S

HUMBERT B. POWELL, JR.
EDWARD M. ANDERSON

OSCAR F. YANSON
LAWRENCE J. DONOVAN

November 6, 1978



Mr. Brad Estes
City of Naples
735 8th. Street, South
Naples, Florida 33940

Dear Mr. Estes:

This will serve to acknowledge and thank you for your letter of November 2, 1978.

This will serve to advise you that M & D Enterprises would like to pursue the matter of creating, at its own expense, a parking field open to the public in front of the Merrill, Lynch Building located at 790 Broad Avenue, South.

It is my understanding that we might be able to be placed on the November 15 agenda. If we can be on the agenda, John Hobart, my architect will be available.

Sincerely yours,

Dennis J. Lynch

DJL/pr

Handwritten note: n/p in L.P.A.B.

ATTACHMENT #3



City of Naples

735 EIGHTH STREET, SOUTH - STATE OF FLORIDA 33940

PARKS AND RECREATION DEPARTMENT

November 2, 1978



Mr. George M. Patterson
City Manager
City of Naples
735 8th Street South
Naples, Florida 33940

Dear Mr. Patterson:

At our recent Parks and Recreation Board meeting the Board came up with the following recommendation pertaining to the youth center:

MOVED, that the Board recommend to the City Council the selection of an architect and/or design and build contractors specializing in this area to provide plans for the amount of money that has been allocated for a multi-purpose (basically activity) building at Fleischmann Park, primarily for the use of youth. Design to conform with existing park facilities as well as survey submitted by the youth of our community.

I would like to add that this recommendation received unanimous approval with Samuel Aronoff, Betty Van Arsdale, Alfred Walden, James Foley, and Jerry Pugh being present. Mr. Mark Magnan was absent and did not vote.

We would like for this recommendation to be put on an up-coming Council agenda for their approval so that we may move forward on this much needed project.

Respectfully,

James Foley

James Foley, Chairman
Parks & Recreation Advisory Board