

MINUTES OF THE REGULAR MEETING OF THE NAPLES CITY COUNCIL HELD IN THE COUNCIL CHAMBERS,  
NAPLES, FLORIDA, ON WEDNESDAY, FEBRUARY 20, 1980, AT 9:03 A.M.

Present: ; R. B. Anderson  
Mayor

C. C. Holland  
Harry Rothchild  
Wade H. Schroeder  
Randolph I. Thornton  
Edward A. Twerdahl  
Kenneth A. Wood  
Councilmen

Also Present: George M. Patterson, City Manager  
David W. Rynders, City Attorney  
Roger Barry, Community Development Director  
Edward C. Smith, Assistant to the City Manager  
John McCord, City Engineer  
Brad Estes, Personnel Supervisor  
Franklin Jones, Finance Director  
Mark Wiltsie, Purchasing Supervisor  
Reid Silverboard, Chief Planner  
Barbara Harris, Legal Aide  
Barry Wershaw, Planner I

Reverend Harold Brown  
Clarence Pettit  
Cass Hough  
Mr. & Mrs. Willets  
Charles J. Smith  
Ron Woods  
Clayton Bigg  
Harold Yegge  
Lodge McKee  
Sam Aronoff  
Charles Andrews  
Stephen LeJeune  
Pete Marr  
Roger Plock  
Bill Root  
Reverend Hugus  
Ben Anderson  
Mr. & Mrs. John DeBaun  
Glendon Robb  
Carlo Paterno  
Joseph Kingsley  
William Vines  
Harvey Rosh  
William Porter  
Robert Hall  
Robert Russell  
Stanley Hole  
Sergio G.-Montes  
Egon Hill  
William Barton  
Robert Moss  
Gilbert Weil

Frank Lualdi  
 George Cody  
 Donald Boyes  
 George Hermanson  
 Frank Kerrigan  
 Frederick Warren

News Media: Dave Henry, Miami Herald  
 Ed Warner, TV-9  
 Paul Stanford, TV-9  
 Gary Baranik, Naples Daily News  
 Jerry Arnold, WRGI  
 Bob Barber, WEVU

Other interested citizens and visitors.

Mayor Anderson called the meeting to order at 9:03 a.m.; whereupon Reverend Harold Brown delivered the Invocation, followed by the Pledge of Allegiance to the Flag.

AGENDA ITEM 3. APPROVAL OF MINUTES

Mayor Anderson called Council's attention to the minutes of the Regular Meeting held on February 6, 1980; whereupon Mr. Thornton moved approval of the minutes as presented, seconded by Mr. Wood and carried by consensus.

AGENDA ITEM 4. Community Development Department/Naples Planning Advisory Board:

AGENDA ITEM 4-a. PUBLIC HEARING and recommendation of Naples Planning Advisory Board to deny Non-conformity Petition No. 80-N1 - a request to expand a non-conforming structure to permit construction of a classroom at the U. S. Coast Guard Auxiliary facility at 1099 Ninth Street South. Requested by Naples Flotilla #93, Inc. (U. S. Coast Guard Auxiliary).

Mayor Anderson opened the Public Hearing at 9:06 a.m. Cass Hough, Glendon Robb, Joseph Kingsley, Carlo Paterno, Frank Lualdi, Robert Hall and Harvey Rosh spoke in support of the petition. William Porter, Sr. spoke in opposition to it. Clayton Bigg, Chairman of the Planning Advisory Board, spoke in defense of the Board's recommendation inasmuch as it was according to the letter of the law. There being no one else to speak for or against, the Mayor closed the Public Hearing at 9:41 a.m. Mr. Thornton moved to reverse the recommendation of the Planning Advisory Board and to approve the petition as submitted, seconded by Mr. Twerdahl and carried on roll call vote, 7-0.

\*\*\*

\*\*\*

\*\*\*

Mayor Anderson noted the presence of representatives of several local banks and the Naples Civic Association who had requested that Agenda Item 7-a be deferred until the next meeting. It was the consensus of Council to take action on Agenda Item 7-a at this time.

AGENDA ITEM 7-a. An ordinance relating to and regulating the use of privately-owned burglar alarm systems; providing procedures for deactivating alarm systems; defining terms used herein; providing for the filing of reports requiring corrective action; prescribing fees for responses to false alarms; prohibiting the use of telephone alarm devices connected to the Naples Police Department without consent thereof; providing a lien for unpaid fees; and providing an effective date. Purpose: To reduce the incidents of false alarms. (Continued from regular meeting December 19, 1979.)

Mr. Schroeder moved that this Agenda Item 7-a be continued until the meeting of March 5, 1980, seconded by Mr. Twerdahl and carried on roll call vote, 7-0.

RETURN TO REGULAR AGENDA

AGENDA ITEM 4-b. Recommendation of Naples Planning Advisory Board to approve Rezone Petition No. 80-R1 - Change of Zone from "R3T-12", Multi-family Residential (transient lodging permitted), to "R3-12", Multi-family Residential (no transient lodging permitted), encompassing Lots 13-20, Unit 1, Oyster Bay; Lots 13-21, Unit 2, Oyster Bay; Lots 13-21, Unit 5, Oyster Bay. Requested by City of Naples.

SEE BELOW - AGENDA ITEM 4-e.

AGENDA ITEM 4-c. Recommendation of Naples Planning Advisory Board to approve Rezone Petition No. 80-R2 - Change of Zone from "R3T-12", Multi-family Residential (transient lodging permitted), to "R3-12", Multi-family Residential (no transient lodging permitted), encompassing Lots 1-18, Golden Shores (north side of Curlew Avenue). Requested by City of Naples.

SEE BELOW - AGENDA ITEM 4-e.

AGENDA ITEM 4-d. Recommendation of Naples Planning Advisory Board to approve Rezone Petition No. 80-R3 - Change of Zone from "C2-A", Waterfront Commercial, to "R3-12", Multi-family Residential, encompassing Lots 103-105, Golden Shores. Requested by City of Naples.

SEE BELOW - AGENDA ITEM 4-e.

AGENDA ITEM 4-e. Recommendation of Naples Planning Advisory Board to approve Rezone Petition No. 80-R4 - Change of Zone from "C2-A", Waterfront Commercial, to "PS", Public Service, for an existing public recreational use area known as Naples Landing, encompassing portions of Block 10, Tier 10; Block 9, Tier 10; plus submerged land lying between said Blocks and the bulkhead line along the western shore of the Bay of Naples. Requested by City of Naples.

Mayor Anderson opened the Public Hearing at 9:50 a.m. Inasmuch as Roger Barry, Community Development Director, explained that Agenda Items 4-b, 4-c, 4-d and 4-e were of a similar nature, it was the consensus of Council to act on them all at one time. There being no one to speak for or against, the Mayor closed the Public Hearing at 9:51 a.m. Mr. Twerdahl moved to accept the recommendation of the Planning Advisory Board, seconded by Mr. Schroeder. Mayor Anderson re-opened the Public Hearing for comments on any or all of the items at 9:53 a.m. City Attorney Rynders explained the procedure to be followed in this particular instance. There being no one to speak for or against, the Mayor close this portion of the Public Hearing at 9:54 a.m. Mr. Twerdahl restated his motion to have all four items referred to the City Clerk to advertise the Public Hearing for the April 2, 1980 Agenda and to notify all property owners by mail, seconded by Mr. Schroeder and carried on roll call vote, 7-0.

AGENDA ITEM 4-f. Recommendation of Naples Planning Advisory Board to sustain Administrative Decision No. 80-AD-2 relating to the number of permitted dwelling units in Apartment #13, Clam Court Marina. Requested by Mr. Pat Papineau.

Mayor Anderson noted that he had been requested to have this item continued; whereupon Mr. Twerdahl moved to continue this item to the next regular meeting, seconded by Mr. Holland and carried on roll call vote, 7-0.

AGENDA ITEM 5. PUBLIC HEARING to consider City of Naples Coastal Construction Setback Line Variance; south 25 feet of Lot 1, North 185 feet of Lot 2, both in Block S, Moorings Unit 8 (vacant lot to south of 3399 Gulfshore Blvd. North) Hole, Montes & Assoc., Engineer; Dennis Lynch, Trustee.

Mayor Anderson opened the Public Hearing at 9:56 a.m. William Vines, representing the petitioner, addressed Council in support of this petition. He noted the presence of Stanley Hole, project engineer, and Mr. Grant, project attorney for the Brighton House group. He noted significant engineering changes since the initial petition and the fact that the state staff had reviewed the present request and approved it. He also noted that all information required by the city ordinance had been supplied. Stanley Hole presented a composite of the state coastal aerials for Council's consideration. He further noted that the proposed addition of a rip-rap reinforced seawall would fill in the existing gap. There being no one else to speak for or against, the Mayor closed the Public Hearing at 10:17 a.m. Mr. Twerdahl moved to adopt Resolution 3456, seconded by Mr. Rothchild. City Attorney Rynders read the below titled resolution by title for Council's consideration.

A RESOLUTION GRANTING A VARIANCE FROM THE MOST RESTRICTIVE COASTAL CONSTRUCTION SETBACK LINE ESTABLISHED BY SECTION 7-41 OF THE CODE OF ORDINANCES OF THE CITY OF NAPLES, AND INDICATING THE CITY'S CONCURRENCE FOR A VARIANCE FROM THE STATE COASTAL CONTROL LINE TO PERMIT CONSTRUCTION OF A CONDOMINIUM RESIDENCE AND THE INSTALLATION OF A RIP-RAP REINFORCED SEAWALL ON THE SOUTH 25 FEET OF LOT 1 AND THE NORTH 185 FEET OF LOT 2, BLOCK S, MOORINGS UNIT #8; AND PROVIDING AN EFFECTIVE DATE.

City Attorney Rynders noted that the motion should be "to re-consider and adopt". Mr. Twerdahl restated his motion to re-consider this petition and adopt Resolution 3456, again seconded by Mr. Rothchild and carried on roll call vote, 7-0.

AGENDA ITEM 6. PUBLIC HEARING to consider Variance Request from City's most restrictive setback line and local concurrence for a variance from the State coastal control line to construct a vertical concrete seawall and rip rap toe protection, located 200 feet south of 20th Avenue South and west of Gordon Drive. Agent, Bill Barton, P.E.; Owner: Palmer Broadcasting Company

Mayor Anderson opened the Public Hearing at 10:21 a.m. Bill Barton, agent for the applicant of this project, addressed Council in support of this request. He noted the presence of Bob Moss and Frank Kerrigan, representing the owners. Mr. Barton noted the existence of seawalls north and south of this property and the benefit of the proposed rip-rap reinforced seawall that would fill the gap. Mr. Thornton noted that there was no mention in the resolution regarding replacing any disturbed vegetation. Mr. Barton agreed with members of Council that this should be done. There being no one else to speak for or against, the Mayor closed the Public Hearing at 10:30 a.m. City Attorney Rynders read the below captioned resolution by title for consideration by Council, adding "on the condition that any disturbed vegetation be replaced" at the bottom of the first section.

A RESOLUTION GRANTING A VARIANCE FROM THE MOST RESTRICTIVE COASTAL CONSTRUCTION SETBACK LINE ESTABLISHED BY SECTION 7-41 OF THE CODE OF ORDINANCES OF THE CITY OF NAPLES, AND INDICATING THE CITY'S CONCURRENCE FOR A VARIANCE FROM THE STATE COASTAL CONTROL LINE TO PERMIT CONSTRUCTION OF A VERTICAL CONCRETE SEAWALL AND RIP-RAP SLOPE PROTECTION ON THE SOUTH 150.3 FEET OF BLOCK 7, METTOGROVE SUB-DIVISION; AND PROVIDING AN EFFECTIVE DATE.

Mr. Holland moved to adopt Resolution 3457 as amended, seconded by Mr. Rothchild and carried on roll call vote, 7-0.

\*\*\*  
 Let the record show that Mayor Anderson recessed the meeting at 10:35 a.m. and reconvened it at 10:50 a.m. with all members of Council present.  
 \*\*\*

\*\*\*  
 -4-  
 \*\*\*

Mayor Anderson noted that City Attorney Rynders had prepared a resolution in accordance with the action taken by Council on Agenda Item 4-a. City Attorney Rynders read the below referenced resolution by title for Council's consideration.

A RESOLUTION AUTHORIZING EXPANSION OF A NONCONFORMITY TO PERMIT THE U.S. COAST GUARD AUXILIARY TO CONSTRUCT A CLASSROOM ADDITION TO AN EXISTING STRUCTURE LOCATED AT 1099 NINTH STREET SOUTH, MORE PARTICULARLY DESCRIBED AS THE SOUTHWEST CORNER OF BLOCK 8, TIER 9; AND PROVIDING AN EFFECTIVE DATE.

Mr. Twerdahl moved to adopt Resolution 3458, seconded by Mr. Schroeder and carried on roll call vote, 7-0.

RETURN TO REGULAR AGENDA

AGENDA ITEM 7. PUBLIC HEARING. Second reading of ordinances.

AGENDA ITEM 7-b. An ordinance amending Section 23-12.2 and Section 23-16 (b) of the Code of Ordinances of the City of Naples, relating to penalties for parking violations; and providing an effective date. Purpose: To provide penalties for violation of Article III and Article IV of Chapter 23, including therein a penalty for failure to appear at a court hearing for a parking violation when the same is requested in lieu of paying a fine.

Mayor Anderson opened the Public Hearing at 10:52 a.m.; whereupon City Attorney Rynders read the above titled ordinance by title for Council's consideration on Second Reading. There being no one to speak for or against, the Mayor closed the Public Hearing at 10:53 a.m. Mr. Thornton moved adoption of Ordinance 3459 on Second Reading, seconded by Mr. Holland and carried on roll call vote, 7-0.

AGENDA ITEM 7-c. An ordinance amending section 23-8 of the Code of Ordinance of the City of Naples, relating to the unlawful parking of a vehicle upon a roadway; and providing an effective date. Purpose: To prohibit the parking of a vehicle upon any State, Federal or local public right-of-way in the City of Naples.

Mayor Anderson opened the Public Hearing at 10:55 a.m.; whereupon City Attorney Rynders read the above captioned ordinance by title for Council's consideration on Second Reading. Council members discussed the various designations for certain streets and rights-of-way. There being no one to speak for or against, the Mayor closed the Public Hearing at 11:00 a.m. Mr. Holland moved adoption of Ordinance 3460 on Second Reading, seconded by Mr. Wood and carried on roll call vote, 7-0.

AGENDA ITEM 8. A resolution adopting the City of Naples Compensation and Benefits Plan for non-bargaining unit employees; and providing an effective date. Requested by City Manager

City Attorney Rynders read the above captioned resolution by title for Council's consideration. City Manager Patterson noted the plan by Cody & Associates that is attached to and a part of the resolution. George Cody of Cody & Associates reviewed the procedures employed in the study used to establish this plan. Mr. Wood moved to adopt Resolution 3461, seconded by Mr. Rothchild and carried on roll call vote, 7-0.

AGENDA ITEM 9. First reading of ordinances.

AGENDA ITEM 9-a. An ordinance amending Section 1A-149(a) of the Code of Ordinances of the City of Naples, Florida, relating to the duties of the Board of Appeals; and providing an effective date. Purpose: To provide for appeals to the Board of Appeals from decisions of the Building and Zoning Administrator relating to the standard plumbing code, the standard mechanical code and the national electrical code, in addition to the standard building code, the City of Naples Housing Code and the City's Flood Elevation criteria as presently provided in Section 1A-149(a). Requested by Community Development Director

City Attorney Rynders read the above captioned ordinance by title for Council's consideration on First Reading. Roger Barry, Community Development Director, noted that this had been reviewed by the Board of Appeals and the Contractors' Examining Board. Mr. Thornton moved approval of this ordinance on First Reading, seconded by Mr. Twerdahl and carried on roll call vote, 7-0.

AGENDA ITEM 9-b. An ordinance amending Chapter 8 of the Code of Ordinances of the City of Naples, relating to the building code, electrical code, plumbing code, housing code and mechanical code; and providing and effective date. Purpose: To adopt the 1979 editions of the standard building code, plumbing code and mechanical code and to amend and clarify certain provisions contained in Chapter 8. Requested by Community Development Director.

City Attorney Rynders read the above referenced ordinance by title for consideration by Council on First Reading. Mr. Thornton moved approval of this ordinance on First Reading, seconded by Mr. Wood and carried on roll call vote, 7-0.

AGENDA ITEM 9-c. An ordinance rezoning Lots 13 through 20, Unit 1, Oyster Bay; Lots 13 through 21, Unit 2, Oyster Bay; Lots 27 through 44, Unit 3, Oyster Bay; and Lots 13 through 21, Unit 5, Oyster Bay from "R3T-12", Multi-family residential (transient lodging permitted), to "R3-12", Multi-family residential (no transient lodging permitted); directing that the Zoning Atlas be revised to reflect said rezoning; and providing an effective date. Purpose: To rezone said property in conformance with the City's Comprehensive Plan. (Pursuant to Agenda Item 4-b.)

City Attorney Rynders read the above titled ordinance by title for Council's consideration on First Reading; whereupon Mr. Thornton moved approval of this ordinance on First Reading, seconded by Mr. Wood and carried on roll call vote, 7-0.

AGENDA ITEM 9-d. An ordinance rezoning Lots 1 through 18, Golden Shores, from "R3T-12", Multi-family residential (transient lodging permitted), to "R3-12", Multi-family, residential (no transient lodging permitted); directing that the Zoning Atlas be revised to reflect said rezoning and providing an effective date. Purpose: To rezone said property in conformance with the City's Comprehensive Plan. (Pursuant to Agenda Item 4-c.)

City Attorney Rynders read the above captioned ordinance by title for Council's consideration on First Reading; whereupon Mr. Thornton moved approval of this ordinance on First Reading, seconded by Mr. Wood and carried on roll call vote, 7-0

AGENDA ITEM 9-e. An ordinance rezoning Lots 103 through 105, Golden Shores, from "C2-A", Waterfront Commercial, to "R3-12", Multi-family residential; directing that the Zoning Atlas be revised to reflect said rezoning; and providing an effective date. Purpose: To rezone said property in conformance with the City's Comprehensive Plan. (Pursuant to Agenda Item 4-d.)

City Attorney Rynders read the above referenced ordinance by title for consideration by Council on First Reading; whereupon Mr. Wood moved approval of this ordinance on First Reading, seconded by Mr. Thornton and carried on roll call vote, 7-0.

AGENDA ITEM 9-f. An ordinance rezoning the south one-half of Block 10, Tier 10, plus submerged land abutting thereto and extending to boat channel; and all of Block 9, Tier 10, and fractional and south one-half of vacated Eleventh Avenue South, from "C2-A", Waterfront Commercial, to "PS", Public Service; directing that the Zoning Atlas be revised to reflect said zoning; and providing an effective date. Purpose: To rezone said property in conformance with the City's Comprehensive Plan to provide a public recreational use area (Naples Landing). (Pursuant to Agenda Item 4-e.)

City Attorney Rynders read the above titled ordinance by title for consideration by Council on First Reading; whereupon Mr. Wood moved approval of this ordinance on First Reading, seconded by Mr. Twerdahl and carried on roll call vote, 7-0.

AGENDA ITEM 9-g. An ordinance prohibiting the discharge of firearms in the City of Naples; prohibiting the killing or injuring of any bird in the City; declaring the City of Naples to be a Bird Sanctuary; and providing an effective date. Purpose: To declare the City of Naples a Bird Sanctuary and to prohibit the killing and injuring of birds in the City. Requested by City Attorney.

City Attorney Rynders read the above captioned ordinance by title for consideration by Council on First Reading. He noted the distribution of a revised draft of this ordinance. Mr. Thornton moved approval of the revised ordinance on First Reading, seconded by Mr. Wood and carried on roll call vote, 7-0.

AGENDA ITEM 10. A resolution of the City Council electing a member of City Council Vice-Mayor, pursuant to Section 2.4 of the Charter; and providing an effective date.

Council considered the below titled resolution.

A RESOLUTION ELECTING A MEMBER OF THE CITY COUNCIL VICE-MAYOR, PURSUANT TO SECTION 2.4 OF THE CHARTER OF THE CITY OF NAPLES; AND PROVIDING AN EFFECTIVE DATE.

Mr. Twerdahl nominated Mr. Thornton, seconded by Mr. Schroeder. Mr. Rothchild nominated Mr. Holland, seconded by Mr. Wood. Mr. Holland withdrew in support of Council unity. Mr. Wood nominated himself, but there was no second to the nomination. Mayor Anderson closed the nominations. Mr. Schroeder moved that the clerk be instructed to cast one unanimous ballot for Mr. Thornton, seconded by Mr. Twerdahl and carried on roll call vote, 7-0.

\*\*\*

\*\*\*

\*\*\*

Let the record show that Mr. Wood left the Council table at 11:55 a.m.

\*\*\*

\*\*\*

\*\*\*

AGENDA ITEM 11. Consideration of annual audit for the City of Naples for the fiscal year beginning October 1, 1978, through September 30, 1979, presented by Rogers, Silva, Moon & Company, C.P.A. at regular meeting of February 6, 1980.

Mayor Anderson noted that Council had received a presentation on the audit at the last meeting. Mr. Schroeder moved to accept the audit as presented, seconded by Mr. Twerdahl and carried on roll call vote, 6-0 with Mr. Wood being absent from the table.

\*\*\*

\*\*\*

\*\*\*

Let the record show that Mr. Wood returned to the Council table at 12:00 noon.

\*\*\*

\*\*\*

\*\*\*

AGENDA ITEM 12. Request for modification of assessment for Lot 4, less East 415 feet, replat of Sunset Beach under the Port Royal Sewer District Number 9 assessment. Requested by Finance Director.

City Attorney Rynders read the below captioned resolution by title for consideration by Council.

A RESOLUTION MODIFYING THE SEWER ASSESSMENT ON LOT 4, LESS EAST 415 FEET, REPLAT OF SUNSET BEACH; AND PROVIDING AN EFFECTIVE DATE.

Franklin Jones, Finance Director, answered Mr. Schroeder's question about the difference eventually being cleared through the sewer fund to satisfy the existing bonds. Mr. Holland moved adoption of Resolution 3463, seconded by Mr. Schroeder and carried on roll call vote, 7-0.

AGENDA ITEM 12. Request for modification of assessment for Lot 4, less East 415 feet, replat of Sunset Beach under the Port Royal Sewer District Number 9 assessment. Requested by Finance Director.

City Attorney Rynders read the below captioned resolution by title for consideration by Council.

A RESOLUTION MODIFYING THE SEWER ASSESSMENT ON LOT 4, LESS EAST 415 FEET, REPLAT OF SUNSET BEACH; AND PROVIDING AN EFFECTIVE DATE.

Franklin Jones, Finance Director, answered Mr. Schroeder's question about the difference eventually be cleared through the sewer fund to satisfy the existing bonds. Mr. Holland moved adoption of Resolution 3463, seconded by Mr. Schroeder and carried on roll call vote, 7-0.

AGENDA ITEM 13. Approval of banking agreement with First National Bank to provide lock box service for water, sewer and garbage payments. Requested by Finance Director

City Attorney Rynders read the below referenced resolution by title for Council's consideration.

A RESOLUTION AUTHORIZING THE MAYOR AND CITY CLERK TO EXECUTE AN AGREEMENT BETWEEN THE CITY OF NAPLES AND THE FIRST NATIONAL BANK AND TRUST COMPANY OF NAPLES RELATIVE TO CERTAIN "LOCK-BOX" SERVICES TO BE PROVIDED BY SAID BANK TO THE CITY; AND PROVIDING AN EFFECTIVE DATE.

Franklin Jones, Finance Director, answered Council's question on how this service will work and savings involved as per his memo to City Manager Patterson dated February 14, 1980 (Attachment #1). Mr. Thornton moved adoption of Resolution 3464, seconded by Mr. Twerdahl and carried on roll call vote.

AGENDA ITEM 14. A resolution designating Vedada Way and Miramar Way (off Gulfshore Blvd. North) as City parks. Requested by City Manager.

City Attorney Rynders read the above titled resolution by title for consideration by Council. Mr. Holland stated his objections to using this method to control the problems in this area. It was his opinion that the matter could be better handled by adding more police to the force. He did not want parking prohibited after sundown. City Attorney Rynders offered his interpretation of the City ordinances to not prohibit parking after sundown unless so specified. Frederick Warren spoke in support of the resolution. Mr. Thornton moved adoption of Resolution 3465, seconded by Mr. Schroeder and carried on roll call vote, 5-2 with Mr. Holland and Mr. Wood voting no.

AGENDA ITEM 15. A resolution appointing two members of the City of Naples Parking Authority. Requested by Mayor Anderson,

City Attorney Rynders read the above captioned resolution by title for Council's consideration. Mayor Anderson noted that there were only two applicants for the two openings and he suggested appointing those two. Mr. Thornton moved to appoint Allison Haidle to fulfill the unexpired term of Ralph Carter and Donald Miller be appointed to the four year term, seconded by Mr. Schroeder and carried on roll call vote, 7-0.

\*\*\*  
 Let the record show that Mr. Holland left the Council table at 12:30 p.m.  
 \*\*\*



AGENDA ITEM 16. A resolution authorizing an inter-local agreement between the City of Naples and Southwest Florida Regional Planning Council for the purpose of participating in a combined entitlement jurisdiction within the State Planning District VI to develop and implement a criminal justice program under the Justice System Improvement Act of 1979; and providing an effective date. Requested by Assistant to the City Manager.

City Attorney Rynders read the above referenced resolution by title for Council's consideration. Assistant to the City Manager Ed Smith explained the reasons behind this proposed agreement as per his memo to City Manger Patterson dated February 12, 1980 (Attachment #2). Mr. Thornton moved to adopt Resolution 3467, seconded by Mr. Wood and carried on roll call vote, 6-0 with Mr. Holland being absent from the Council table.

\*\*\*  
 \*\*\* Let the record show that Mr. Holland returned to the Council table at 12:40 p.m.  
 \*\*\*

AGENDA ITEM 17. A resolution authorizing execution of a change order relative to the contract with Gulfside Building Corporation for renovations to the old police administrative offices; and providing an effective date. Requested by City Engineer.

City Attorney Rynders read the above referenced resolution by title for Council's consideration. Mayor Anderson ascertained from John McCord, City Engineer, that this closed out this contract. Mr. Thornton moved adoption of Resolution 3468, seconded by Mr. Twerdahl and carried on roll call vote, 7-0.

AGENDA ITEM 18-a. A resolution accepting ranking of consultants to perform City-wide Drainage Study. Requested by City Engineer for Consultant Selection Committee.

City Attorney Rynders read the below captioned resolution by title for consideration by Council.

A RESOLUTION CERTIFYING THE FIRMS HEREINAFTER NAMED AS BEING QUALIFIED PURSUANT TO LAW AND THE REGULATIONS OF THE CITY OF NAPLES TO CONDUCT A CITYWIDE DRAINAGE STUDY; SELECTING THE FIRMS DEEMED THE MOST QUALIFIED TO PERFORM SAID STUDY IN ORDER OF PREFERENCE; AND PROVIDING AN EFFECTIVE DATE.

Mr. Schroeder moved to adopt Resolution 3469, seconded by Mr. Thornton and carried on roll call vote, 7-0.

AGENDA ITEM 18-b. Negotiations and award of contract for professional services with reference to City-wide Drainage Study. Requested by City Engineer for Consultant Selection Committee.

City Attorney Rynders read the below titled resolution by title for Council's consideration.

A RESOLUTION AUTHORIZING THE MAYOR AND CITY CLERK TO EXECUTE AN AGREEMENT WITH CH2M HILL SOUTHEAST, INC., RELATIVE TO A CITYWIDE DRAINAGE STUDY; AND PROVIDING AN EFFECTIVE DATE.

John McCord, City Engineer, noted the presence of George Hermanson, project engineer for CH<sub>2</sub>M Hill, Council members discussed with Mr. Hermanson awarding this contract on a not-to-exceed figure of \$30,000. Mr. Wood moved adoption of Resolution 3470, seconded by Mr. Twerdahl and carried on roll call vote, 7-0.

AGENDA ITEM 19. Award bid and authorize execution of contract for construction of Fleischmann Park Community Center. Pursuant to Council discussion at February 19th workshop.

City Attorney Rynders read the below captioned resolution by title for consideration by Council and added the suggested insertions of Venetian Bay Constructors in the amount of \$370,882.00 to include alternates 2, 4, 5, 6 & 8 and adding a new section providing for transfer of \$98,882.00 from the Capital Improvement Fund.

A RESOLUTION AWARDED BID FOR CONSTRUCTION OF THE FLEISCHMANN PARK COMMUNITY CENTER; AUTHORIZING THE MAYOR AND CITY CLERK TO EXECUTE A CONTRACT THEREFOR; AND PROVIDING AN EFFECTIVE DATE.

Mr. Twerdahl moved to adopt Resolution 3471 as amended, seconded by Mr. Wood and carried on roll call vote, 7-0.

AGENDA ITEM 20. Request by John DeBaun to speak on topic of "Law and Order".

Mr. John DeBaun addressed Council concerning a civil problem he was having. It was the consensus of Council that he should consult a private attorney.

AGENDA ITEM 21. Purchasing

AGENDA ITEM 21-a. Bid award - water main installation, Avion Park Assessment District.

City Attorney Rynders read the below referenced resolution by title for Council's consideration.

A RESOLUTION AWARDED BID FOR CONSTRUCTION OF THE AVION PARK WATER MAIN EXTENSION; AUTHORIZING THE MAYOR AND CITY CLERK TO EXECUTE A CONTRACT THEREFOR; AND PROVIDING AN EFFECTIVE DATE.

Mr. Thornton moved adoption of Resolution 3472, seconded by Mr. Twerdahl and carried on roll call vote, 7-0.

AGENDA ITEM 21-b. Bid award - beach access ramp for handicapped at Fourth Avenue South.

City Attorney Rynders read the below captioned resolution by title for consideration by Council.

A RESOLUTION AWARDED BID FOR CONSTRUCTION OF A BEACH ACCESS HANDICAPPED RAMP AT 4th AVENUE SOUTH BEACHHEAD; AUTHORIZING THE MAYOR AND CITY CLERK TO EXECUTE A CONTRACT THEREFOR; AND PROVIDING AN EFFECTIVE DATE.

Mr. Twerdahl moved adoption of Resolution 3473, seconded by Mr. Rothchild and carried on roll call vote, 7-0.

AGENDA ITEM 21-c. Bid award - pull-behind sweeper, Parks and Recreation Department.

City Attorney Rynders read the below titled resolution by title for consideration by Council.

A RESOLUTION AWARDDING BID FOR A PULL-BEHIND SWEEPER TO BE USED BY THE PARKS AND RECREATION DEPARTMENT; AUTHORIZING THE CITY MANAGER TO ISSUE A PURCHASE ORDER THEREFOR; AND PROVIDING AN EFFECTIVE DATE.

Mr. Holland moved adoption of Resolution 3474, seconded by Mr. Twerdahl and carried on roll call vote, 7-0.

\*\*\* Mayor Anderson called Council's attention to the scheduled dedication of City Hall to be held on Monday, February 25, 1980 at 12 noon in the front of the building. \*\*\*

There being no further business to come before this Regular Meeting of the Naples City Council, Mayor Anderson adjourned the meeting at 1:08 p.m.

R. B. Anderson  
R. B. Anderson, Mayor

Janet Cason  
Janet Cason  
City Clerk

Ellen P. Marshall  
Ellen P. Marshall  
Deputy Clerk

These minutes of the Naples City Council were approved on 03-05-80



# City of Naples

735 EIGHTH STREET, SOUTH · NAPLES, FLORIDA 33940

DEPARTMENT OF FINANCE

TO: GEORGE M. PATTERSON, CITY MANAGER  
FROM: FRANKLIN C. JONES, FINANCE DIRECTOR  
SUBJECT: BANKING SERVICE - LOCK BOX  
DATE: FEBRUARY 14, 1980

We have now completed our test of the Lock Box service with the First National Bank and we are completely satisfied with the service. At the time we selected First National Bank we solicited proposals from the other banks and found that First National required the lowest compensating balance. They have requested a minimum balance of \$56,000 be set on the account. Since the money is now credited one day earlier under the Lock Box system and an average daily mail collection is \$29,000 the cost to the City is the interest lost on \$27,000 or about \$3,200 per year. The cost is offset by salary savings. Since implementing the system we have been operating the Customer Service Division with one less Customer Service Representative. The position is vacant due to one employee being on a leave of absence. We should be able to eliminate the position by attrition if the employee on leave does not return or by not filling any vacancy in other Customer Service positions. The salary saving, including fringe benefit costs, would be \$10,145. The net savings would be \$6,945 per year.

I have attached a copy of an agreement with the bank. I recommend that we ask the Council to approve a resolution authorizing you to sign the agreement. If you have any questions concerning this, please contact me.

*Franklin C. Jones*

Franklin C. Jones, Finance Director

FCJ/bren

Attachments



# City of Naples

735 EIGHTH STREET, SOUTH - NAPLES, FLORIDA 33940

OFFICE OF THE CITY MANAGER

## M E M O

TO: George M. Patterson, City Manager

FROM: Edward C. Smith, Ass't. to the City Manager

SUBJECT: "Criminal Justice Entitlement vs. Non-Entitlement Funding"

DATE: February 12, 1980

Recommendation: Enact the proposed model resolution regarding LEAA/Criminal Justice Entitlement Funds.

Details: The choices available, at this time, to the City of Naples are either (1) to continue to participate in an area-wide criminal justice regional planning unit (currently six counties) and compete with the other jurisdictions in the area for the \$231,000 annual approximate sum (given current allocations) available to this six county area. There would be a realignment of funding authority in that the reorganized R.P.U.'s (Regional Planning Unit) supervisory council would be autonomous from the Southwest Florida Regional Planning Council rather than advisory as is the case now and would have final funding authority rather than make recommendations to the State Bureau of Criminal Justice Planning where final authority currently rests, or (2) to select "Non-Entitlement" status and opt out of the regional planning apparatus in favor of being able to apply directly to the State for funding from the uncommitted LEAA funds available to the State and not assigned to "Entitlement" R.P.U.'s. This sum, state-wide, is currently \$2,560,000 but will change as "Entitlement" districts change and funding allocations change. Each non-entitlement community will have to do its own paper-work incidental to data preparation and grant submission.

Collier County has already acted to participate as an "Entitlement" jurisdiction.

George M. Patterson  
February 12, 1980  
Page 2

The weight of argument in terms of (1) participation in regional criminal justice planning which has some rewards of its own, (2) the certainty versus uncertainty of funding levels, and (3) the respective administrative burdens - rests strongly in favor of opting for "Entitlement".



---

Edward C. Smith  
Assistant to the City Manager

ECS:nm