

MINUTES OF THE REGULAR MEETING OF THE NAPLES CITY COUNCIL HELD IN THE COUNCIL CHAMBERS,  
NAPLES, FLORIDA, ON WEDNESDAY, DECEMBER 3, 1980, AT 9:05 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  
Edward C. Smith, Assistant to the City Manager  
Roger Barry, Community Development Director  
John McCord, City Engineer  
Nat Hooper, Senior Engineering Technician  
William Savidge, Public Works Director  
Mark Wiltsie, Purchasing Agent  
Randy Davis, Parks & Recreation Director

Reverend Howard Hugus  
Charles Andrews  
Carl Westman  
Lombard Squires  
Sam Bates  
Sam Aronoff  
Bruce Thalheimer  
Sandy Thalheimer  
Lee Katz  
Clayton Bigg  
J. Sandy Scatena  
Mr. & Mrs. J. Popovic  
Mr. & Mrs. John Smith  
Richard Hahn  
Elaine Finklestein  
William Shearston  
Bruce Shope  
Paul Schmitt  
Dennis Lynch  
Edwin Putzell  
Joseph Teeboom  
Ted Smallwood  
Lyle Richardson  
Ken Atkins

News Media: Ned Warner, TV-9  
Jim Lockhart, Naples Daily News  
Jerry Arnold, WRGI  
Brian Blanchard, Miami Herald  
Allen Bartlett, Fort Myers News Press  
Susan Gardner, TV-9  
Brad Rittner, WBBH-TV

Other interested citizens and visitors.

Mayor Anderson called the meeting to order at 9:05 a.m.; whereupon Reverend Howard Hugus of the Emmanuel Lutheran Church 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 November 19, 1980. It was Council's consensus to approve the minutes as presented. The Mayor then noted the minutes of the Special Meeting held on November 7, 1980 and it was the consensus of Council to approve these minutes as presented. Mayor Anderson then noted Mr. Rothchild's objection to the minutes as presented concerning Agenda Item 5 of the Regular Meeting of November 5, 1980. Mr. Rothchild responded that he had made his point in his memorandum of November 7, 1980 presented to all Council members. Mayor Anderson noted that the minutes of Agenda Item 5 of the November 5, 1980 meeting would stand approved as presented.

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

AGENDA ITEM 4-a. PUBLIC HEARING and Second Reading of Ordinance. Rezone Petition No. 80-R15  
 Petitioner: Port Royal Club. Location: 2900 Gordon Drive. An ordinance rezoning property located at 2900 Gordon Drive, Naples, being the Port Royal Club, more particularly described herein, from "R1-15" Residence District, to "PS" Public Service District; approving the development plan for the Port Royal Club, subject to certain conditions enumerated herein; and providing an effective date. Purpose: To rezone the hereinafter described property at the request of the property owner.

Mayor Anderson opened the Public Hearing at 9:09 a.m.; whereupon City Attorney Rynder 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 9:10 a.m.; whereupon Mr. Thornton moved adoption of Ordinance 3669 on Second Reading, seconded by Mr. Schroeder and carried on roll call vote, 7-0.

AGENDA ITEM 4-b. PUBLIC HEARING and Second Reading of Ordinance. Rezone Petition No. 80-R14  
 Petitioner: Douglas Bathey. Location: Entire Block 9, Tier 9, Plan of Naples and east/west alley in Block 9, Tier 9, Plan of Naples (bounded by Broad Avenue South, 8th Street South, 9th Street South, and 11th Avenue South). An ordinance rezoning property located at Broad Avenue South and 9th Street South, Naples, being Block 9, Tier 9, Plat Book 1, Page 8, Public Records of Collier County, Florida, from C2-A, Commercial Waterfront, to R3-12, Multi-family; and providing an effective date. Purpose: To rezone the above-described property at the request of the property owner. (See related agenda item number 4-c.)

Mayor Anderson opened the Public Hearing at 9:11 a.m.; whereupon City Attorney Rynders read the above captioned ordinance by title for consideration by Council on Second Reading. There being no one to speak for or against, the Mayor closed the Public Hearing at 9:12 a.m.; whereupon Mr. Thornton moved adoption of Ordinance 3670 on Second Reading, seconded by Mr. Schroeder and carried on roll call vote, 7-0.

AGENDA ITEM 4-c. PUBLIC HEARING and Naples Planning Advisory Board recommendation to approve: Alley Vacation Petition No. 80-A6. Petitioner: Douglas Bathey. Location: Twenty-foot wide east/west alley in Block 9, Tier 9, Plan of Naples. Request to vacate the entire 20 foot wide east/west alley in Block 9, Tier 9. (Continued from regular meeting of November 19, 1980.) (See related agenda item number 4-b above.)

Mayor Anderson reopened the continued Public Hearing at 9:13 a.m.; whereupon City Attorney Rynders read the below referenced resolution by title for consideration by Council.

A RESOLUTION VACATING AND ABANDONING A 20 FOOT ALLEYWAY IN BLOCK 9, TIER 9, PLAT BOOK 1, PAGE 8, PUBLIC RECORDS OF COLLIER COUNTY, FLORIDA, SUBJECT TO CERTAIN CONDITIONS ENUMERATED HEREIN; AND PROVIDING AN EFFECTIVE DATE.



The City Attorney reiterated for the record the approach used to negotiate a figure for compensation to the City for this vacation; i.e. using a fair market value which jibed with the property appraiser's evaluation, under the new 100% evaluation, of \$5.00 per square foot for 8,000 square feet which created an initial figure of \$40,000 to which a 50% adjustment factor, normal value of City's dedicated rights, was applied bringing the figure to \$20,000 to which in turn another 50% adjustment factor was applied because the City retained utility easements resulting in a final compensation figure of \$10,000. City Attorney Rynders noted that he was holding in escrow a check for that amount from the petitioner. There being no one to speak for or against, the Mayor closed the Public Hearing at 9:15 a.m.; whereupon Mr. Rothchild noted his objection to these negotiations without input from Council members. Mr. Thornton noted that Council was not in a position to sit down and negotiate these matters and that the City Attorney followed this process and brought the results to Council for their consideration. Mr. Holland asked into what fund the money acquired through these vacations was deposited to which the City Attorney replied that it was the General Fund which in turn was used to purchase various easements. After further discussion Mr. Twerdahl moved adoption of Resolution 3771, seconded by Mr. Thornton and carried on roll call vote, 7-0, with Mr. Rothchild repeating his exception as noted.

AGENDA ITEM 5. PUBLIC HEARING and second reading of ordinances,

AGENDA ITEM 5-a. An ordinance determining and fixing the 1980 tax levy and millage rate for the purpose of providing sufficient funds for the General Obligation Improvement Bond indebtedness. Purpose: To fix the 1980 tax levy.

Mayor Anderson opened the Public Hearing at 9:24 a.m.; whereupon City Attorney Rynders read the above titled ordinance by title for consideration by Council on Second Reading. There being no one to speak for or against, the Mayor closed the Public Hearing at 9:25 a.m.; whereupon Mr. Schroeder moved adoption of Ordinance 3672 on Second Reading, seconded by Mr. Twerdahl and carried on roll call vote, 7-0.

AGENDA ITEM 5-b. An ordinance adopting the final budget for the fiscal year 1980-81, and appropriating funds for operating expenses of the City of Naples for the general operation of the several governmental departments of the City, including its utilities, and for contributing to the sinking funds of the City to pay interest on and provide for the retirement of the outstanding bonds and other fixed obligations of the City, and the utility tax funds, for and during the fiscal year 1980-81; and providing an effective date. Purpose: To adopt the budget and appropriate funds for the fiscal year 1980-81.

Mayor Anderson opened the Public Hearing at 9:26 a.m.; whereupon City Attorney Rynders read the above captioned 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 9:27 a.m.; whereupon Mr. Thornton moved adoption of Ordinance 3673 on Second Reading, seconded by Mr. Schroeder and carried on roll call vote, 7-0 with Mr. Rothchild voicing his exception to the part of the budget under the Engineering Department, Streets and Drainage.

AGENDA ITEM 5-c. An ordinance relating to collective bargaining by public employees, amending Section 1A-167(a) and Section 1A-176(c) and (d), Article X, Chapter 1A of the Code of Ordinances of the City of Naples, specifying qualifications for commissioners serving on the City of Naples Public Employees Relations Commission; providing clarification of procedures for impasse resolution; and providing an effective date. Purpose: To amend the provisions of the City's Public Employees Relations Ordinance to conform to recent amendments to Chapter 447, Florida Statutes, pursuant to the order of the Florida Public Employees Relations Commission.

Mayor Anderson opened the Public Hearing at 9:28 a.m.; whereupon City Attorney Rynders read the above referenced ordinance by title for Council's consideration on Second Reading. The City Attorney noted that this ordinance had been reviewed by State PERC offices that this ordinance did conform to and was satisfactory with their requirements. There being no one to speak for or against, the Mayor closed the Public Hearing at 9:29 a.m.; whereupon Mr. Thornton moved for adoption of Ordinance 3674 on second reading, seconded by Mr. Schroeder and carried on roll call vote, 7-0.

AGENDA ITEM 5-d. An ordinance amending Section 11-3.1(c) of the Code of Ordinances of the City of Naples, Florida, as amended, by repealing paragraph (5) therefrom and substituting a new paragraph (5) therefor, and by adding a new paragraph (7) thereto; finding that prior sewer system development charges have been levied in a just and equitable manner and those paying such charges were not charged in excess of their prorata share of reasonably anticipated costs of extensions to the sewer system and have been charged to the extent new use required new facilities; requiring that all past and future money collected as sewer system development charges be deposited in a sewer capital reserve fund and used solely for capital improvements for master pumping stations, master force mains, treatment and effluent disposal facilities, and constructing new additions to the City's sewer collection system; prohibiting any use of the sewer system development charges for improving, updating, or bringing the present system into compliance with any change in law brought about by reason of action of any governmental authority; providing for all previously collected system development charges to be administered pursuant to Section 11-3.1(c) (5), as amended; and providing an effective date. Purpose: To clarify the manner in which the City's system development charge is imposed for obtaining funds for necessary capital improvements to the sewer system and to make certain findings with regard to system development charges previously assessed and collected.

Mayor Anderson opened the Public Hearing at 9:30 a.m.; whereupon City Attorney Rynders read the abovetitled ordinance by title for consideration by Council on Second Reading. In answer to questions from Council members, the City Attorney further explained the purpose for this ordinance. There being no one to speak for or against, the Mayor closed the Public Hearing at 9:34 a.m.; whereupon Mr. Thornton moved adoption of Ordinance 3675 on Second Reading, seconded by Mr. Twerdahl and carried on roll call vote, 7-0.

AGENDA ITEM 5-e. An ordinance amending Section 26.17.1 of the Code of Ordinances of the City of Naples, Florida, as amended, by repealing paragraph (f) therefrom and substituting a new paragraph (f) therefor, and by adding a new paragraph (i) thereto; finding that prior water system development charges have been levied in a just and equitable manner and those paying such charges were not charged in excess of their prorata share of reasonably anticipated costs of extensions to the water system and were only charged to the extent new use required new facilities; requiring that all past and future monies collected as water system development charges be deposited in a water capital reserve fund and be used solely for capital improvements for raw water supply facilities, transmission mains, ground storage facilities, new pumping facilities, new treatment facilities and constructing new additions to the City's water distribution system required to provide service to new connections to the water system by new users; prohibiting any use of water system development charges for improving, updating or bringing the present system into compliance with any change in laws brought about by reason of action of any governmental authority; providing for all previously collected system development charges to be administered pursuant to Section 26-17.1(f), as amended; and providing an effective date. Purpose: To clarify the manner in which the City's system development charge is imposed for obtaining funds for necessary capital improvements to the water system and to make certain findings with regard to system development charges previously assessed and collected.

Mayor Anderson opened the Public Hearing at 9:35 a.m.; whereupon City Attorney Rynders read the above captioned ordinance by title for Council's consideration on Second Reading and he again explained the need for this clarifying language. There being no one to speak for or against, the Mayor closed the Public Hearing at 9:38 a.m.; whereupon Mr. Twerdahl moved adoption of Ordinance 3676 on Second Reading, seconded by Mr. Thornton and carried on roll call vote, 7-0.

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Let the record show that Mayor Anderson recessed the meeting at 9:39 a.m. and reconvened it at 10:02 a.m. with the same members of Council present.

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Mayor Anderson noted that some of the expected principals who were interested Agenda Item 5-f were not as yet present and it was the consensus of Council to take up Agenda Item 5-g at this time.

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AGENDA ITEM 5-g. An ordinance relating to fees for recreational activities; amending Section 16-29 of the Code of Ordinances of the City of Naples to provide a schedule of fees to be charged for use of the Fleischmann Park Community Center; and providing an effective date. Purpose: To establish a schedule of fees for the use of the newly constructed Community Center at Fleischmann Park.

Mayor Anderson opened the Public Hearing at 10:05 a.m.; whereupon City Attorney Rynders read the above referenced ordinance by title for consideration by Council on Second Reading. The Mayor made reference to a memorandum from the City Manager dated November 26, 1980 (Attachment #1). Elaine Finklestein spoke as Chairman of the Parks & Recreation Advisory Board and explained their reaction to the suggested fees. She then spoke as a citizen and spoke against the fees. Mr. Holland and Mr. Rothchild also voiced their objections to any fees. John Anson Smith, citizen, spoke against fees for the children. There being no one else to speak for or against, the Mayor closed the Public Hearing at 10:30 a.m. After further discussion, Mr. Holland moved to defer any action on this matter until the first meeting in April, seconded by Mr. Rothchild and carried on roll call vote, 7-0.

RETURN TO AGENDA ITEM 5-f.

AGENDA ITEM 5-f. An ordinance relating to public auctions within the City of Naples; repealing Chapter 5 of the Code of Ordinances of the City of Naples in its entirety and substituting a new Chapter 5 therefor; providing regulations governing the conduct of public auctions; amending Section 12-47 of the Code of Ordinances to provide a revised schedule of occupational license fees for auction sales; and providing an effective date. Purpose: To provide regulations and fees for auctions conducted in the City of Naples, providing a distinction between auctions conducted at locations which are permanently and exclusively used for the auction sale business and occasional auctions held at non-permanently established locations.

Mayor Anderson opened the Public Hearing at 10:37 a.m.; whereupon City Attorney Rynders read the above titled ordinance by title for Council's consideration on Second Reading. Bruce Shope, local jeweler, stated his desire to open a fine arts auction gallery but added that he felt it would not be viable with the time limitation and 30-day refund provision in the proposed ordinance. He requested that auctions be allowed in the evenings until midnight and that refunds be within at least 7 days, if not 3. He also spoke against the \$3,000 license fee. Mr. Rothchild spoke at length refuting Mr. Shope's reasons for his requested changes. Joseph Teeboom, Paul Schmitt and J. Sandy Scatena, Fifth Avenue merchants, spoke against any changes in the proposed ordinance. There being no one else to speak for or against, the Mayor closed the Public Hearing at 11:26 a.m. Mr. Schroeder moved to amend the proposed ordinance by making the time prohibition between 12:01 a.m. and 7:00 p.m. and to change the refund period from 30 days to 7 days, seconded by Mr. Thornton and motion failed on roll call vote, 2-5 with Messrs. Holland, Rothchild, Thornton, Twerdahl and Wood voting no. Mayor Anderson explained his "yes" vote by stating that he considered the ordinance as proposed was unduly restrictive and almost in restraint of trade. Mr. Thornton then moved to amend the ordinance by changing the refund period from 30 days to 7 days, seconded by Mr. Holland. After further discussion, Mr. Holland called the question, seconded by Mr. Twerdahl and carried on roll call vote, 6-1 with Mr. Rothchild voting no. Mr. Thornton's motion carried on roll call vote, 5-2 with Mr. Rothchild and Mr. Wood voting no. Mr. Schroeder then moved to adopt Ordinance 3677 as amended on Second Reading, seconded by Mr. Holland and carried on roll call vote, 6-1, with Mr. Rothchild voting no.

AGENDA ITEM 6. Appointment of member to Naples Planning Advisory Board. (Pursuant to December 2, 1980 Council Conference Item Number 1.)

Mayor Anderson called Council's attention to the matter at hand and noted that each Councilman would be asked to state his preference for the appointment based on the interview held at the Workshop Meeting. Mr. Holland, Mr. Thornton, Mr. Wood and Mr. Rothchild noted their preference for Dennis Lynch. Mayor Anderson, Mr. Twerdahl and Mr. Schroeder noted their desire to appoint Hubert Howard. Mr. Holland moved to appoint Dennis Lynch and have his name inserted in Resolution 3678, seconded by Mr. Rothchild. City Attorney Rynders read the below captioned resolution by title for Council's consideration.

A RESOLUTION APPOINTING A MEMBER TO THE PLANNING ADVISORY BOARD TO FILL THE UNEXPIRED TERM OF HAROLD F. YEGGE; AND PROVIDING AN EFFECTIVE DATE.

Motion carried on roll call vote, 4-3, with Councilmen Schroeder and Twerdahl and Mayor Anderson voting no.

AGENDA ITEM 7. Action/response to Department of Environmental Regulation on City's temporary wastewater treatment plant operating permit. Requested by Consulting Engineer.

City Attorney Rynders reviewed the steps leading up to the receipt of the letters from the Department of Environmental Regulation dated November 20, 1980 (Attachment #2) and Ted Smallwood dated November 26, 1980 (Attachment #3). Mr. Smallwood addressed Council and reviewed the information in the letters. Mr. Holland felt that these requirements should be funded from capital on hand, rather than adding the cost to the users' fees; but the City Attorney, City Manager and Mr. Smallwood explained that most of the added expense fell in the category of operating costs and legally had to be charged to users. Mr. Thornton moved to direct the City Attorney to consummate a negotiated settlement with the DER along the lines of the proposal outlined by their District Officer, seconded by Mr. Twerdahl and carried on roll call vote, 5-2 with Mr. Holland and Mr. Rothchild voting

AGENDA ITEM 8. Approval for quarterly request for payment from Florida Department of Natural Resources - Beach Management Study. Requested by Finance Director.

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

A RESOLUTION REQUESTING REIMBURSEMENT OF EXPENDITURES INCURRED BY THE CITY RELATING TO THE CITY'S BEACH MANAGEMENT STUDY FOR THE QUARTER ENDED SEPTEMBER 30, 1980, PURSUANT TO THE AGREEMENT BETWEEN THE STATE OF FLORIDA DEPARTMENT OF NATURAL RESOURCES AND THE CITY OF NAPLES; AND PROVIDING AN EFFECTIVE DATE.

Mr. Schroeder moved adoption of Resolution 3679, seconded by Mr. Wood and carried on roll call vote, 6-1 with Mr. Thornton voting no.

AGENDA ITEM 9-a. Acceptance of right-of-way easement for construction of Golden Gate Parkway Extension. Requested by Engineering Department.

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

A RESOLUTION ACCEPTING AN EASEMENT FOR ROAD RIGHT-OF-WAY PURPOSES FROM NAPLES SHOPPING, LTD., AND PROVIDING AN EFFECTIVE DATE.

Mr. Thornton moved adoption of Resolution 3680, seconded by Mr. Twerdahl and carried on roll call vote, 7-0.



AGENDA ITEM 9-b. Authorization to execute quit claim deed to Collier County for construction of Golden Gate Parkway Extension. Requested by Engineering Department

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

A RESOLUTION AUTHORIZING THE MAYOR AND CITY CLERK TO EXECUTE A QUIT-CLAIM DEED TO COLLIER COUNTY FOR PROPERTY TO BE USED FOR CONSTRUCTION OF THE GOLDEN GATE PARKWAY EXTENSION; AND PROVIDING AN EFFECTIVE DATE.

Mr. Schroeder moved adoption of Resolution 3681, seconded by Mr. Twerdahl and carried on roll call vote, 7-0.

AGENDA ITEM 10. Acceptance of water mains - Bear's Paw subdivision. Requested by Engineering Department.

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

A RESOLUTION ACCEPTING A BILL OF SALE FROM SHELTER CORPORATION OF CANADA LIMITED FOR WATER LINES AND APPURTENANCES INSTALLED AT THE BEAR'S PAW CONDOMINIUM PROJECT; AND PROVIDING AN EFFECTIVE DATE.

Mr. Holland moved adoption of Resolution 3682, seconded by Mr. Thornton and carried on roll call vote, 7-0.

AGENDA ITEM 11. Purchasing:

AGENDA ITEM 11-a. Bid award - signal display material - Engineering/Traffic

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

A RESOLUTION AWARDED BIDS FOR SIGNAL DISPLAY MATERIAL; AUTHORIZING THE CITY MANAGER TO ISSUE PURCHASE ORDERS THEREFOR; AND PROVIDING AN EFFECTIVE DATE.

Mr. Thornton moved adoption of Resolution 3683, seconded by Mr. Twerdahl and carried on roll call vote, 7-0.

AGENDA ITEM 11-b. Annual bid - meter boxes - Public Works Department

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

A RESOLUTION AWARDED BIDS FOR THE CITY'S ANNUAL REQUIREMENTS OF WATER METER BOXES; AUTHORIZING THE CITY MANAGER TO ISSUE PURCHASE ORDERS THEREFOR; AND PROVIDING AN EFFECTIVE DATE.

Mr. Twerdahl moved adoption of Resolution 3684, seconded by Mr. Schroeder and carried on roll call vote, 7-0.

AGENDA ITEM 11-c. Contract renewal - janitorial services.

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

A RESOLUTION AUTHORIZING THE MAYOR AND CITY CLERK TO EXECUTE A CONTRACT BETWEEN THE CITY OF NAPLES AND CLEAN SWEEP, PERTAINING TO JANITORIAL SERVICES; AND PROVIDING AN EFFECTIVE DATE.

Mr. Thornton moved adoption of Resolution 3685, seconded by Mr. Twerdahl and carried on roll call vote, 7-0.







# City of Naples

735 EIGHTH STREET, SOUTH - STATE OF FLORIDA 33940

OFFICE OF THE CITY MANAGER

## M E M O

TO: HONORABLE MAYOR AND MEMBERS OF CITY COUNCIL

FROM: GEORGE M. PATTERSON, CITY MANAGER

SUBJECT: RECREATION FEES

DATE: NOVEMBER 26, 1980

In line with the suggestion made by Councilman Wood and the recommendation of the Parks and Recreation Board pertaining to "family membership", I would suggest the following for Council consideration:

1. In order to avoid a potential problem for families with many children, I would suggest our fee be kept at \$5.00 per person up to a maximum of \$10.00 per family. It would mean that no family with more than two children would pay in excess of \$10.00 per year.
2. I would also recommend we start the membership fees effective January 2, 1981.

Respectfully submitted,

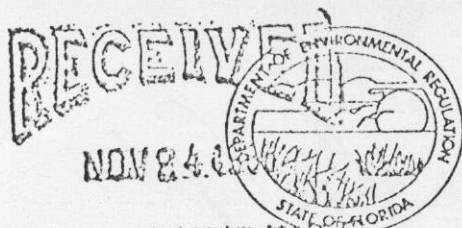
*George M. Patterson*  
 George M. Patterson  
 City Manager

GMP:nm

DEPARTMENT OF ENVIRONMENTAL REGULATION

SOUTH FLORIDA  
DISTRICT

2269 BAY STREET  
FORT MYERS, FLORIDA 33901



BOB GRAHAM  
GOVERNOR

JACOB D. V.  
SECRETARY

PHILIP R. EDWARDS  
DISTRICT MANAGER

0111 1111 1111

November 20, 1980

Mr. Ted R. Smallwood, P.E.  
1063 Fifth Avenue, North  
P. O. Box 3317  
Naples, Florida 33939

RE: City of Naples S.T.P.

Dear Mr. Smallwood:

This will confirm the results of our meeting of November 13th regarding the City of Naples sewage treatment facility.

As expressed in that meeting, our specific concerns were as follows:

- 1) The City needs to provide additional treatment which will reduce total phosphorous loadings to advanced waste treatment levels of 1 mg/l.
- 2) The holding pond should be cleaned out to improve treatment efficiency and reduce the potential for coliform regeneration.
- 3) Effluent disposal alternatives should be specifically assessed and realistically available in the event that deep well injection is not viable.
- 4) That the aforementioned concerns be agreed upon and so stipulated in a consent agreement between this agency and the City.

Your major concern was that we lend assistance in pursuing the deep well testing program through the EPA construction grants process. It was explained that the Coastal Collier 201 Plan (of which the City's service area is a part) has not been certified by the State to EPA for approval due to problems with various projects within that Plan. Therefore, it was felt that some procedure to extricate the City's project would be necessitated before additional grant monies for the test well program could be released.



Mr. Ted R. Smallwood, P.E.  
Page Two  
November 20, 1980

Subsequently, we have contacted our Tallahassee staff concerning their suggestions for approval of the City's amendment. We agree that the amendment should be considered as a grant increase to the original Step I and so forwarded to EPA with our approval. However, our technical staff in the central office have raised some technical questions which require clarification. In that regard, it is suggested you contact Ms. Cathie Cash at (904)488-2582 for additional information. Ms. Cash is familiar with the project and, in a recent conversation, anticipated holding a meeting in early December to address the aforementioned questions.

We would like to take this opportunity to express our appreciation to you and the City of Naples for the cooperation exhibited. We are confident that such efforts will result in a mutually acceptable resolution of this matter.

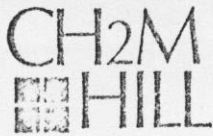
Sincerely,



Philip R. Edwards  
District Manager

PRE/RDB/lp

cc: Honorable R. B. Anderson  
Mr. George Patterson  
Mr. Ray Allen, Esq.  
Mr. David W. Rynders, Esq.  
Ms. Cathie Cash

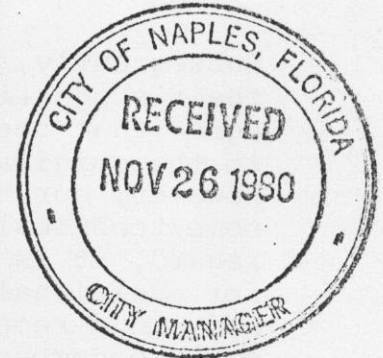


engineers  
planners  
economists  
scientists

ATTACHMENT #3 - page 1

26 November 1980

NA30500.10  
NA30502.90



Mr. George Patterson  
City Manager  
City of Naples  
735 8th St. So.  
Naples, FL 33940

RE: Wastewater Treatment Plant - Temporary Operating Permit

Dear Mr. Patterson:

At your direction, I met with Mr. Phil Edwards, of DER, and members of his staff on 13 November 1980. This meeting was to discuss the technical aspects of the proposed consent order for the continued operation of the plant.

I am forwarding attached a letter dated 20 November 1980, from Mr. Edwards, stating the Department's position relative to the three basic technical requirements to be included in the proposed consent order.

The Department's requirements for a one mg/l phosphorous level in the treatment plant effluent is achievable through chemical treatment. The chemical treatment required would be to feed ferrous sulfate to the wastewater stream to precipitate phosphorous as ferrous phosphate. To reduce the level to the one mg/l could add approximately \$275,000 a year to the present plant operating cost. This is based upon an assumed 15 mg/l phosphorous level in the plant influent and upon the current cost of \$0.25 per gallon of liquid ferrous sulfate. This cost compares to an estimated \$60,000 per year to maintain the phosphates in the effluent at its current level.

In addition to the chemical cost, this process will add slightly to the sludge volume and increase plant supervision requirements, therefore, increasing the plant operating costs an additional \$25-30,000.



Mr. George Patterson  
NA30500.10  
NA30502.90  
26 November 1980  
Page 2

The requirement for cleaning and reshaping the holding pond will reduce the potential for coliform regeneration and provide for more efficient chlorination of the effluent. The estimated initial cost for this improvement would be \$35-40,000, with an annual maintenance cost of \$10-15,000.

The financial requirements for an alternative effluent disposal method can not be assessed at this time. However, from discussions with the DER and EPA 201 Facilities Planning staff, a detailed assessment for alternative disposal methods will be required as part of the conditions for funding of the expansion of the treatment plant.

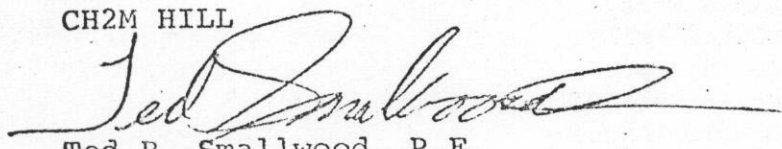
These matters should be discussed with the Council for direction in preparation of the consent order.

I will be available for discussion of this matter at the Council meeting to be held on 3 December 1980.

If I may provide additional information, please let me know.

Yours very truly,

CH2M HILL



Ted R. Smallwood, P.E.

slt

attachment