

MINUTES OF THE REGULAR MEETING OF THE NAPLES CITY COUNCIL HELD IN THE COUNCIL CHAMBERS,
NAPLES, FLORIDA, ON WEDNESDAY, DECEMBER 2, 1981, AT 9:04 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:	Franklin C. Jones, City Manager	Mary Springrose
	David W. Rynders, City Attorney	Ed Sterling
	Roger Barry, Community Development	Bernard Turner
	Director	John Forsyth
	Reid Silverboard, Chief Planner	Walter Kirsch
	Mark Wiltsie, Assistant to the	J. Sandy Scatena
	City Manager	Sam Aronoff
	John McCord, City Engineer	Bruce Green
	Stewart Unangst, Purchasing Agent	Phillip Sowersby
	Norris Ijams, Fire Chief	Stan Billick
		James McGrath
		Pat Tracey
	Reverend Howard Hugus	Chuck Mohlkee
	Charles Andrews	Thomas Maloney
	Herb Smith	David Tackney
	William McGowan	Chuck Courtney
	William Shearston	William Higgs
	Mr. & Mrs. Craig Kiser	

News Media:	Ned Warner, TV-9	Dennis Oberstar, TV-9
	Lynn Levine, TV-9	Brian Blanchard, Miami Herald
	James Moses, Naples Daily News	Susan Ornstein, News Press
	Tish Gray, Naples Star	Scott Harrison, Naples Star
	Tom Lowe, WEVU-TV	

Other interested citizens and visitors

Mayor Anderson called the meeting to order at 9:04 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 copies of the Minutes of the Special Meeting held November 13, 1981 and the Regular Meeting held November 18, 1981. Mr. Schroeder moved approval of the minutes of both meetings as presented, seconded by Mr. Wood and carried by consensus of Council.

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

AGENDA ITEM 4-a. PUBLIC HEARING and second reading of ordinance. Rezone Petition No. 81-R9
 Petitioner: City of Naples Location: East side of Gulf Shore Boulevard North, north of
 Oleander Drive and south of Doctor's Pass. Request for a Change of Zone from "R3T-15",
 Multi-family Residential, to "R3-15", Multi-family Residential; in order to bring the
 zoning designation of the affected properties into compliance with recent Zoning Ordinance
 Amendment (Ordinance 3795), which redesignated the "R3T-15" zoning classification to
 "R3-15", and deleted the references to Transient Lodging uses and facilities.

An ordinance rezoning all those properties presently zoned "R3T-15", Multi-family
 Residential, lying east of Gulf Shore Boulevard North and west of Moorings Bay, north of
 Oleander Drive and south of Doctor's Pass to "R3-15", Multi-family Residential; and
 providing an effective date. Purpose: To bring said properties into compliance with
 a recent amendment to the City's Zoning Ordinance which re-designated the "R3T-15"
 Zoning Classification to "R3-15" and deleted transient lodging uses and facilities as
 special exception uses in said district.

Mayor Anderson opened the Public Hearing at 9:07 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
 9:08 a.m.; whereupon Mr. Schroeder moved adoption of Ordinance 3892 on Second Reading,
seconded by Mr. Wood and carried on roll call vote, 7-0; Mr. Holland, yes; Mr. Rothchild,
 yes; Mr. Schroeder, yes; Mr. Thornton, yes; Mr. Twerdahl, yes; Mr. Wood, yes; Mayor
 Anderson, yes.

AGENDA ITEM 4-b. PUBLIC HEARING and second reading of an Ordinance. Comprehensive Plan
Amendment No. 81-CP2 Petitioner: City of Naples Location: Southeast corner of Anchor
 Rode Drive and Binnacle Drive; Northeast corner of Anchor Rode Drive and Binnacle Drive;
 Southeast corner of Park Shore Drive and Belair Lane; and Northeast corner of Park Shore
 Drive and Belair Lane. An amendment to Section C16 of the Future Land Use Plan Element of
 the City of Naples' Comprehensive Plan, affecting certain properties located west of U.S.
 41, limiting future development to "General and/or Medical Office" uses under the "HC",
 Highway Commercial zoning designation of the properties.

An Ordinance amending the Future Land Use of the City's Comprehensive Plan to limit the
 development of certain properties located on the northeast and southeast corners of
 Anchor Rode Drive and Binnacle Drive and the northeast and southeast corners of Park
 Shore Drive and Belair Lane to General and/or Medical Office uses; and providing an
 effective date. Purpose: To limit the development of said properties to less intensive
 uses than those permitted under the "HC" Zoning Classification, thereby providing an
 appropriate buffer between the commercial uses on U.S. 41 and the residential area west
 of said properties.

Mayor Anderson opened the Public Hearing at 9:09 a.m.; whereupon City Attorney Rynders
 read the above captioned ordinance by title for consideration by Council on Second Reading.
 J. Sandy Scatena, resident of one of the areas involved, addressed Council and noted his
 appreciation of this ordinance creating a buffer zone; however, he requested that a limita-
 tion be put in the ordinance to prevent a five-story building which could be built under
 the present language of the ordinance. In response to a question from Mayor Anderson,
 Roger Barry, Community Development Director, confirmed that under the proposed ordinance
 a five-story building could be built, but he noted that a development plan would have to
 be approved by City staff and he felt the staff would not be favorably disposed to approve
 a five-story building. After much discussion and further requests from Mr. Scatena to
 put the limitation in the ordinance and there being no one else to speak for or against,
 the Mayor closed the Public Hearing at 9:27 a.m.; whereupon Mr. Schroeder moved to amend the

ordinance to limit buildings to three stories or 35 feet and not to be applicable to plans submitted before passage of this ordinance, seconded by Mr. Rothchild. Mr. Thornton moved to amend the motion to amend to return the matter to the Planning Advisory Board including the amendment regarding building height for further study and their recommendations. Mr. Thornton's motion died for lack of a second. Mr. Schroeder moved to adopt Ordinance 3893 as amended to limit buildings to three stories or 35 feet and not to be applicable to plans submitted before the passage of the ordinance on Second Reading, seconded by Mr. Rothchild and carried on roll call vote, 7-0; Mr. Holland, yes; Mr. Rothchild, yes; Mr. Schroeder, yes; Mr. Thornton, yes; Mr. Twerdahl, yes; Mr. Wood, yes; Mayor Anderson, yes.

AGENDA ITEM 4-c. PUBLIC HEARING and Naples Planning Advisory Board recommendation to deny: Alley Vacation Petition No. 81-A7 Petitioner: Phoenix Development Corporation Location: West side of 11th Street South, north of 8th Avenue South, south of vacated 7th Avenue South and east of 10th Street South. Request to vacate the easterly unimproved 98.33 feet of a 20 foot wide east/west alley in Block 13, Tier 11, Plan of Naples; in order to facilitate the construction of a two-building office facility. Continued from the November 18, 1981 Regular Council meeting.

Mayor Anderson opened the Public Hearing at 9:30 a.m.; whereupon City Attorney Rynders read the below referenced resolution by title for Council's consideration.

A RESOLUTION VACATING AND ABANDONING A PORTION OF A 20 FOOT WIDE EAST/WEST ALLEY IN BLOCK 13, TIER 11, PLAN OF NAPLES, LOCATED ON THE WEST SIDE OF 11TH STREET SOUTH, NORTH OF 8TH AVENUE SOUTH AND SOUTH OF VACATED 7TH AVENUE SOUTH, RESERVING THEREIN A 20 FOOT WIDE UTILITY EASEMENT; AND PROVIDING AN EFFECTIVE DATE.

Attorney John Forsyth, representing the owner, noted the presence of the owner, Walter Kirsch. Mr. Forsyth made a presentation in support of the petition and Mr. Kirsch also spoke concerning his request for the alley vacation. Mr. Forsyth stated that he and the petitioner had computed a value to be put on the portion of the alley they wished vacated by using \$8.00 per square foot for the 2000 square feet and reducing that by 50% because of the small area and again reducing it by 50% because of the easement to be retained and he noted that he had a check in the amount of \$4,000.00 for the City. Mr. Twerdahl noted his unwillingness to vacate City properties in general. Roger Barry, Community Development Director, answered questions about various aspects of this building plan. John McCord, City Engineer, repeated his objection to the vacation, noting that the alley to the west was improved and functional and he suggested that this portion of the alley should be designed and constructed to City standards as part of the building permit conditions. A lengthy discussion followed with Attorney Forsyth and Mr. Kirsch answering many questions about the need for the vacation to build identical buildings and the different type of building that would be built on the smaller lot if the vacation were not allowed. Mr. Rothchild noted the Engineering Department's recommendation for improving the alley rather than vacating it. Mr. Thornton also felt the Council should adhere to the recommendation not to vacate the alley. There being no one else to speak for or against, Mayor Anderson closed the Public Hearing at 10:12 a.m.; whereupon Mr. Twerdahl moved to accept the recommendation of the Planning Advisory Board to deny the petition, seconded by Mr. Wood. Mr. Holland made a statement noting his support of the petition in view of the esthetics of the proposed development and of the fact that the adjacent property owners had no objections and he further noted other alleys in the City that had portions vacated. Motion failed, 3-4; Mr. Holland, no; Mr. Rothchild, yes; Mr. Schroeder, no; Mr. Thornton, yes; Mr. Twerdahl, yes; Mr. Wood, no; Mayor Anderson, no. Mr. Holland moved to adopt Resolution 3894, and accept the \$4,000.00 tendered by the developer, seconded by Mr. Schroeder and carried on roll call vote, 5-2; Mr. Holland, yes; Mr. Rothchild, yes; Mr. Schroeder, yes; Mr. Thornton, no; Mr. Twerdahl, no; Mr. Wood, yes; Mayor Anderson, yes.

Let the record show that Mayor Anderson recessed the meeting at 10:25 a.m. and reconvened it at 10:46 a.m. with all members of Council present.

Mayor Anderson noted the receipt by all members of Council of a report entitled "FactsBook". In response to his inquiry about the origin of the report, Pat Tracey, President of the Chamber of Commerce, presented himself to Council and stated that the Chamber had gathered the information consisting of appropriate statistics on various matters of interest to the Greater Naples Area. He noted the presence of Chuck Mohlkee, who had been instrumental in tying the information together for the book. He also told Council that it would be up-dated, probably on an annual basis. He agreed with a suggestion by Mr. Schroeder to provide a copy of this book to Roland Eastwood of the Southwest Florida Regional Planning Council. Council members thanked Mr. Tracey and the Chamber for their efforts.

RETURN TO REGULAR AGENDA

AGENDA ITEM 5. Reading and consideration of biological report concerning proposed dredging activities, Lots 1-7, Beaumaris Subdivision. Continued from Regular Council Meeting of November 18, 1981.

Mayor Anderson called Council's attention to the below titled resolution which Acting City Manager Jones had read by title on September 16, 1981 at a Regular Meeting of the Naples City Council.

A RESOLUTION AUTHORIZING DREDGING ACTIVITIES ADJACENT TO AND WITHIN THE GORDON RIVER RELATING TO AN EXISTING SEAWALLED TURNING BASIN, WEST OF BOAT HAVEN MARINA, EAST OF RIVER POINT DRIVE, SUBJECT TO THE CONDITION SET FORTH HEREIN; AND PROVIDING AN EFFECTIVE DATE.

Let the record show that Resolution 3839 was adopted that date. Mr. Twerdahl suggested postponing discussion and/or action because of the absence of Dr. Bernie Yokel of the Collier County Conservancy who had voiced some objections to the proposed dredging. Mayor Anderson noted the presence of many of the principles and suggested hearing their presentations. Attorney Thomas Maloney, representing the petitioner, addressed Council in support of completing action on this matter at this meeting. David Tackney, project engineer, read the letter of transmittal from the Department of Environmental Regulations and the biological report into the record (Attachment #1) and spoke in support of the dredging. Chuck Courtney, Director of Applied Environmental Services, reported on the tests that were completed since the last meeting and noted his interpretation of the data indicated that the impact of dredging to five feet rather than to four feet was minuscule. He stated his opinion that he did not believe Dr. Yokel would find fault with the tests that were done, but that Dr. Yokel may have a different interpretation. Mr. Rothchild noted his feeling that Council should hear Dr. Yokel's response to the data presented by the petitioner and his team. Mr. Holland noted the many delays in completing action on this matter, initially brought about through a technicality when the reading of the biological report was omitted at the time of the original adoption of Resolution 3839. Mr. Holland moved re-adoption of Resolution 3839, seconded by Mr. Thornton.

In response to a question from Mayor Anderson, John McCord, City Engineer, repeated his opinion that the project would not have a significant biological impact on Naples Bay. Answering an inquiry from Mayor Anderson, William Higgs, developer, noted the financial impact of the delay inasmuch as the initial approval had been incorporated in Resolution 3839 passed by Council on September 16, 1981. Motion carried on roll call vote, 5-2; Mr. Holland, yes; Mr. Rothchild, no; Mr. Schroeder, yes; Mr. Thornton, yes; Mr. Twerdahl, no; Mr. Wood, yes; Mayor Anderson, yes.

AGENDA ITEM 6. PUBLIC HEARING and second reading of ordinance.

An ordinance amending Section 25-3.1 of the Code of Ordinances of the City of Naples, relating to taxicab rates; and providing an effective date. Purpose: To provide for an increase in the Schedule of Rates for taxicabs operating in the City of Naples.

Mayor Anderson opened the Public Hearing at 11:48 a.m.; whereupon City Attorney Rynders read the above captioned ordinance by title for consideration by Council on Second Reading and noted the word "maximum" had been inserted in the appropriate places as amended at First Reading. There being no one to speak for or against, the Mayor closed the Public Hearing at 11:50 a.m.; whereupon Mr. Holland moved to adopt Ordinance 3895 on Second Reading, seconded by Mr. Wood. Mr. Rothchild questioned the possibility of regulating the appearance of the drivers and the cabs to which City Attorney Rynders suggested that could be discussed at some other time. Motion carried on roll call vote, 7-0; Mr. Holland, yes; Mr. Rothchild, yes; Mr. Schroeder, yes; Mr. Thornton, yes; Mr. Twerdahl, yes; Mr. Wood, yes; Mayor Anderson, yes.

AGENDA ITEM 7. Authorization for Mayor and City Clerk to execute an agreement with the State Attorney's Office relating to the services of a City/County Prosecutor. Requested by City Attorney.

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 COLLIER COUNTY, THE CITY OF NAPLES AND JOSEPH P. D'ALLESANDRO, STATE ATTORNEY, RELATING TO A CITY/COUNTY PROSECUTOR; AND PROVIDING AN EFFECTIVE DATE.

Mr. Wood moved adoption of Resolution 3896, seconded by Mr. Schroeder. In response to questions by Mr. Holland and Mr. Rothchild about the effectiveness of this, Roger Barry, Community Development Director, the City Attorney and Mr. Schroeder noted the benefit of having this facility to follow up on the prosecution of zoning and fire inspection violations. Motion carried on roll call vote, 7-0; Mr. Holland, yes; Mr. Rothchild, yes; Mr. Schroeder, yes; Mr. Thornton, yes; Mr. Twerdahl, yes; Mr. Wood, yes; Mayor Anderson, yes.

AGENDA ITEM 8. Appointment of member to fill vacancy on the Firemen's Pension Trust Fund. Requested by Fire Chief.

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

A RESOLUTION APPOINTING AN EMPLOYEE OF THE FIRE DEPARTMENT TO SERVE ON THE BOARD OF TRUSTEES OF THE CITY OF NAPLES FIREMEN'S RETIREMENT TRUST FUND; AND PROVIDING AN EFFECTIVE DATE.

Mr. Wood moved adoption of Resolution 3897, seconded by Mr. Schroeder and carried on roll call vote, 7-0; Mr. Holland, yes; Mr. Rothchild, yes; Mr. Schroeder, yes; Mr. Thornton, yes; Mr. Twerdahl, yes; Mr. Wood, yes; Mayor Anderson, yes.

AGENDA ITEM 9. Discussion/action regarding establishment of a Metropolitan Planning Organization. Requested by Mayor.

Mayor Anderson reviewed the background of this matter and noted the County's continued proposal of a 3-2 membership with the County having 3 members. He stated that in discussing this with the Governor's office, a suggestion had been made to have a 3-3 membership with a 7th member to be selected in some way and he noted that he felt that this could be a basis for negotiation. He further noted his belief that Council was set against the 3-2 membership recommended by the County Commission even though the had repeated its stance yesterday in favor of it. Mayor Anderson noted there were alternatives; one being 2-2 and a fifth to be alternated each year or one to be a County Commissioner from the City District. Mayor Anderson suggested that he discuss the matter with the County Commission Chairman, Russ Wimer, and the City and County Attorneys and Managers and asked for a consensus of Council to proceed along those lines, to which the Council agreed. Craig Kiser, citizen, suggested an alternative of using, for the fifth member, someone who is not an elected official as is allowed in the law; i.e. a person appointed to a statutorily created body. He also noted that the Governor may accept a person on the MPO as a co-equal with the two participating governments such as someone from a statutorily created Transportation Authority that is not under the jurisdiction of either government. He also suggested that if it were a 3-2 split in favor of the County, it might be acceptable to the City if the County agreed to appoint the third member from the C.A.P.C. rather than a County Commissioner. Mayor Anderson noted that he would begin the discussions as quickly as he could.

AGENDA ITEM 10. Action on retroactive salary adjustment for City Manager. Requested by Councilman Schroeder.

Mayor Anderson noted Mr. Schroeder's suggestion regarding this matter. After noting a provision for extra pay for increased duties, Mr. Schroeder moved that Franklin Jones be paid his new salary on a retroactive basis back to the date he was first appointed to take over the extra duties as Acting City Manager, August 16, 1981, seconded by Mr. Wood. Mr. Rothchild read a statement opposing the retroactive pay, noting that there was no extra pay for the Acting City Manager prior to the appointment of George Patterson. Mr. Holland noted that the Acting City Manager had been making a salary comparable to the City Manager at the time the Acting City Manager took on the extra duties. Motion carried on roll call vote, 6-1; Mr. Holland, yes; Mr. Rothchild, no; Mr. Schroeder, yes; Mr. Thornton, yes; Mr. Twerdahl, yes; Mr. Wood, yes; Mayor Anderson, yes.

AGENDA ITEM 11. Purchasing:

AGENDA ITEM 11-a. Bid rejection and authorization to rebid - painting of 5 million gallon reservoir - Public Works Department.

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

A RESOLUTION REJECTING ALL BIDS RECEIVED FOR PAINTING THE 5 MILLION GALLON RESERVOIR LOCATED IN NORTH NAPLES; AUTHORIZING THE CITY MANAGER TO READVERTISE FOR BIDS THEREON; AND PROVIDING AN EFFECTIVE DATE.

Mr. Holland made a lengthy statement opposing the resolution and in support of awarding the bid to the only bidder who had met the specifications. Mr. Holland then moved to award the bid to South Florida Painting. Mayor Anderson noted his feeling that because only one bidder had met specifications, there was not enough competition. City Manager Jones noted his memorandum dated November 23, 1981 (Attachment #2) as following the usual City procedure. After further discussion, Mr. Wood seconded Mr. Holland's motion. After much more discussion, motion failed, 3-4; Mr. Holland, yes; Mr. Rothchild, yes;

Mr. Schroeder, no; Mr. Thornton, no; Mr. Twerdahl, no; Mr. Wood, yes; Mayor Anderson, no. Mr. Holland then moved that the reservoir not be painted. Motion died for lack of a second. Mr. Schroeder moved to adopt Resolution 3898, seconded by Mr. Twerdahl and carried on roll call vote, 4-3; Mr. Holland, no; Mr. Rothchild, no; Mr. Schroeder, yes; Mr. Thornton, yes; Mr. Twerdahl, yes; Mr. Wood, no; Mayor Anderson, yes. City Attorney Rynders noted that the reservoir was part of the City's assets in the Water Department and that it had to be maintained of the City could be construed to be in violation of their bond issue. In responseto a suggestion from Mr. Schroeder, City Manager Jones noted that he would reconfirm the necessity to re-paint the reservoir.

AGENDA ITEM 11-b. Bid Award - Janitorial Service - City Hall

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

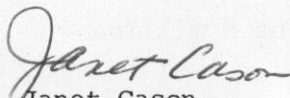
A RESOLUTION AWARDING THE BID FOR JANITORIAL SERVICES AT CITY HALL;
AUTHORIZING THE CITY MANAGER TO ISSUE A PURCHASE ORDER THEREFOR;
AND PROVIDING AN EFFECTIVE DATE.

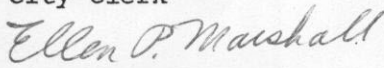
Mr. Thornton moved adoption of Resolution 3899, seconded by Mr. Twerdahl and carried on roll call vote, 6-1; Mr. Holland, no; Mr. Rothchild, yes; Mr. Schroeder, yes; Mr. Thornton, yes; Mr. Twerdahl, yes; Mr. Wood, yes; Mayor Anderson, yes. Mr. Holland noted his negative vote was not to the resolution but an expression of his dissatisfaction regarding the action taken on the previous Agenda Item 11-a.

Mr. Thornton asked Mayor Anderson if he had approached the County Commission regard: the rights-of-way in the Pelican Bay area, to which the Mayor noted he had sent a long letter to them. (Attachment #3)

There being no further business to come before this Regular Meeting of the Naples City Council, Mayor Anderson adjourned the meeting at 12:56 p.m.


R. B. Anderson, Mayor


Janet Cason
City Clerk


Ellen P. Marshall
Deputy Clerk

These minutes of the Naples City Council were approved on 12-16-81

A) Applicant proposes to dredge a total of 5,400 cubic yards of material from submersed bottoms in the Gordon River and within a contiguous boat basin. The dredging in the river is to establish an access channel at -5' MLW over 23,050 feet of river bottom and to provide boat access near a seawall to -3' MLW over 5,000 feet of river bottom. No dredging will be done within 5' of the seawall fronting on the Gordon River. The remaining dredging would take place in an existing boat basin to bring it to -5' MLW over 54,200 feet of submersed bottom. Applicant also proposes to construct a 4' vertical concrete return wall at one end of an existing seawall angled to a proposed 18' continuation of the wall (2' landward of the existing bulkhead). Turbidity screens would be used and dredging would be done by dragline with an upland disposal site. All but 6 mangrove trees would be preserved, and those would be replaced with 12 mangrove trees 2' high or more, waterward of the new seawall. All other mangrove would be pruned to not less than 7 feet or not more than 75% of canopy removed. The purpose of this project is to provide deep water access to an existing boat basin at provide mooring for additional boats along an existing seawall.

B) General biophysical features of the area include the Gordon River (Class III waters) and Naples Bay (Class II waters). The Gordon River is the dominant supplier of freshwater to the Naples Bay system. This system has been adversely affected by dredge and fill activities, the construction of vertical seawalls and the diversion of untreated stormwater into the river. Little of the natural wetland landscape of Naples Bay remains and pollutants from development upstream on the Gordon River and beyond continue to worsen the bay's water quality and biological integrity. Despite this, some marine organisms, especially juveniles and estuarine species, continue to survive at the confluence of the bay and river, especially during times of low river flows. Efforts are underway to head off the complete destruction of Naples Bay as a viable aquatic system. Development in this area consists mainly of commercial marinas near the highway and residential lots and canals further south.

C) Specific site features include, from north to south: an existing vertical concrete seawall for 200', fronted by a shallow intertidal zone dominated by oyster colonies over a fine sand/silt bottom and vegetated by algal colonies. Next, an existing 200' x 300' boat basin projects to the west. Here the bottom is a soft dark silt with encrusting assemblages along the seawall and on scattered rocks in the basin. Another riverfront section of seawall 113' long borders the south side of the basin and ends at a 180' section of nonbulkheaded mangrove fringe with a rock/shell substrate over fine sand. This mangrove fringe consists mainly of red mangroves (*Rhizophora mangle*), white mangroves (*Laguncularia racemosa*), black mangroves (*Avicennia germinans*), and sea purslane (*Sesuvium portulacastrum*). Behind the mangrove fringe (about 6 feet landward of the seawall line) the bank exhibits a sharp drop-off of about 2' at the base of exotic vegetation (mainly Australian pines). South of the mangrove fringe a concrete seawall once again is in existence. Observation and dip net sampling along the existing seawall sections revealed oyster colonies (cut to approximately 6' waterward of wall), encrusting assemblages, stone crabs (*Menippe mercenaria*), prawns (*Palaeomonetes sp.*), juvenile croakers (*Micropogonias undulatus*) and xanthid crabs inhabiting the site.

D) The proposed project should have no significant impact on State waters as long as turbidity is controlled during construction.



DEPARTMENT OF ENVIRONMENTAL REGULATION SOUTH FLORIDA BRANCH OFFICE

RECEIVED

JUL 17 1981

Power Corporation
c/o Suboceanic Consultants, Inc.
P.O. Box 7008
Naples, Florida 33941

Collier County, File No. 11-38804-5E,
Maintenance Dredging, Rip-Rap Revetment

Gentlemen:

As we advised you on January 22, 1981, your application is incomplete without local approval, pursuant to Section 253.124, Florida Statutes, for filling waterward of the existing mean/ordinary high water line.

Please submit the enclosed copy of our biological comments together with your permit application to the Board of County Commissioners/City Council or their authorized permitting authority. Section 253.124, Florida Statutes, states that the county commission/city council "...shall have in hand the (biological) report and findings thereof." It further states, "The report shall be read into the record and duly considered at the same meeting at which the board of county commissioners or other authorized body takes final action on the application for permit."

You will need to obtain a copy of the minutes of the meeting or an appropriate indication of the local approval. This letter, resolution or copy of the minutes should be sent to this office. Your application will remain incomplete without valid local approval. If you have any questions concerning this procedure, please contact us.

Sincerely,

Teryl A. Kranzer,
Environmental Specialist
Richard W. Cantrell for T.A.K.

TAK/wb
Enclosure



City of Naples

--- MEMO ---

TO: HONORABLE MAYOR AND MEMBERS OF CITY COUNCIL.
FROM: FRANKLIN C. JONES, CITY MANAGER
SUBJECT: PAINTING OF THE 5 MILLION GALLON RESERVOIR, BID #81-61
DATE: NOVEMBER 23, 1981

On November 17, 1981, bids were received and opened for the pressure washing and painting of the five million gallon reservoir located in North Naples.

Bid invitations were forwarded to eighteen (18) vendors with two (2) responses being received. However, the apparent low bidder, Buscemi's Painting, failed to submit a 5% bid bond as required. In addition, their bid was not submitted on the required City bid proposal form.

In view of the fact that only one (1) valid bid was submitted, we recommend its rejection and that this project be re-bid with the anticipation that more competition will be received.

We are attaching a bid tabulation for your review.

Respectfully submitted,

Franklin C. Jones
Franklin C. Jones,
City Manager

Attachment

PREPARED BY: Stewart K. Unnigast CITY OF NAPLES BID NO. 81- OPENING DATE
BID TABULATION

PAINTING OF THE 5 MILLION GALLON RESERVOIR

BIDDER	Total Bid	Less Disc.	NET BID	Terms/Chgs.	Completion Time
Buscemi's Painting * 241 9th St., S. Naples, Fla. 33940	\$15,435.00	---	N/A	N/A	N/A
South Florida Painting Company, Inc. 3973 Arnold Ave. Naples, Fla. 33942	\$29,888.00	\$1,494.00	\$28,394.00	5%/70 Days	30 Days

* Bid Bond not submitted with proposal.

Hon. C. R. Wimer
November 23, 1981
Page two

rapid rate, the difficulties of access and egress are further aggravated. In the event of an emergency, of course, we would have a very undesirable, if not nearly catastrophic, situation for those who live south of Seagate on Gulf Shore Boulevard.

I understand that there are difficulties, legal and otherwise, in relation to a connection between Gulf Shore Boulevard North, and Seagate Drive, but you can depend upon the City to support you in your endeavors.

I would very much appreciate your views and possible action on your part concerning what I believe are mutual problems. We will provide any other information or assistance as you wish.

Best personal regards.

Sincerely,

R. B. Anderson
Mayor

Enclosures



City of Naples

735 EIGHTH STREET, SOUTH, NAPLES, FLORIDA 33940

November 23, 1981

OFFICE OF THE MAYOR

Hon. C. R. Wimer, Chairman
Board of Commissioners
Collier County Courthouse Complex
East Tamiami Trail
Naples, Florida 33942

SUBJECT: Barr, Dunlop & Associates Traffic Study
Gulf Shore Boulevard North/Seagate Drive

Dear Russ:

I have enclosed a copy of a resolution just passed by City Council concerning a recommendation that the County undertake additional study of the connection of Gulf Shore Boulevard North, to Seagate Drive and also adopting as policy the recommendations of the Barr, Dunlop & Associates study regarding the traffic impact of the connection of Pelican Bay to Seagate Drive. The complete study and addendum are enclosed for your information together with the recommendations of our staff Traffic Coordinating Committee on these subjects.

Barr, Dunlop & Associates specifically recommend that the City request the County not to exercise its option to require the Pelican Bay developers to construct a connection to Seagate at Crayton Road and to postpone any four-laneing of Seagate until traffic reaches the capacity of a two-lane street. Our consultant also recommended that, should the above connection be required, the County be asked to provide intersection design to preclude the movement of traffic between Pelican Bay and Crayton. Without this type of intersection modification, Barr, Dunlop & Associates has recommended that the City revert to its option of converting northern Crayton Road to one-way with right turns only onto Seagate.

I believe the situation concerning the connection of Gulf Shore Boulevard and Seagate Drive, warrants some study on your part as to what can or should be done. As matters now stand, no access to the area below Seagate exists except by way of the Harbour Drive Bridge. Since construction is continuing at a