



City of Naples

City Council Minutes

Regular Meeting Dec. 15, 1982

City Council Chambers
735 Eighth Street South
Naples, Florida 33940

-SUBJECT-	Ord. No.	Res. No.	Page
APPROVAL OF MINUTES - Workshop Meeting - 11/30/82. Regular Meeting - 12/01/82			1
ANNOUNCEMENTS - MAYOR BILLICK None			
<u>RESOLUTIONS</u>			
-Authorize <u>Dredging</u> request DR 82-8- <u>Doctor's Pass, Save the Bays</u>		82-4169	1 & 2
-Approve Preliminary Subdivision Plat 82 SD-2 - <u>Verandahs-WITHDRAWN</u>		82-	3
-Approve Preliminary Subdivision Plat 82 SD-3 - <u>Retart Estates</u>		82-4170	3
-Approve <u>Alley Vacation</u> 82-A6 & <u>Street Vacation</u> 82-A7 - <u>Trago, Inc.</u> Good Times - 3rd Ave No - <u>DENIED</u>		82-	3 & 4
-Grant Spec. Ex. 82-S28 - 5' <u>fence</u> , Naples Sailing & Yacht Club		82-4171	4
-Reappoint members to <u>Contractors' Examining Board</u>		82-4173	6
-Approve extension agreement - <u>Geitz Pit</u> - 6 months to 06/30/83		82-4174	6
<u>SECOND READING OF ORDINANCES</u>			
-Rezoning Pet. 82-R5 - <u>VERANDAHS - FAILED</u>	82-		2
-Title Blight Remedy - <u>Limit Interval sales</u> to 12 shares	82-4172		4 & 5
<u>FIRST READING OF ORDINANCES</u>			
-Increase <u>Water</u> rates	82-		5
-Increase <u>Sewer</u> rates	82-		5
<u>DISCUSSION</u>			
-Request by Conservancy, Inc. - Funds to monitor <u>Naples Bay</u> - <u>APPROVED</u> \$11,940 for one year			6
-Removal of noxious plants & trees and additional lot clearing			7
<u>PURCHASING</u>			
-Award bid for 300 hp motor starter to Collier Electric		82-4175	7
-Award bid for pump discharge check valve		82-4176	7
-Award bid for 2 diesel driven well pumps		82-4177	8

COUNCIL MEMBERS	M O T I O N	S E C O N D	VOTE		A B S E N T
			Y E S	N O	
Anderson					
Richardson	X		X		
Rothchild			X		
Schroeder			X		
Thornton		X	X		
Wood			X		
Billick			X		
(7-0)					
Anderson					X
Richardson					X
Rothchild					X
Schroeder	X		X		X
Thornton				X	X
Wood				X	X
Billick				X	X
(0-7)					

---RESOLUTION 82-4169 (Cont) ITEM 5 (Cont)

connected with the dredging authorized by Resolution No. (so & so) of the City of Naples and agrees to maintain such insurance as will provide protection to the City in regard thereto". Mr. Anderson noted that City Attorney Rynders felt that this statement was in keeping with the third condition in the proposed resolution. Richard Hechler, citizen, noted that a fuel dock had been proposed for the area; and that if that became a fact, it was his opinion that the Corps of Engineers would not only dredge the waterway, but would maintain it. Mr. Schroeder noted his feeling that this would only happen if the bay were designated as a port of refuge, which he felt was unlikely. Mr. Hechler asked the magnitude of the proposed dredging to which David Tackney, project engineer, responded that it was less than the original project.

MOTION: To ADOPT the resolution as presented

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COMMUNITY DEVELOPMENT DEPARTMENT/NAPLES PLANNING ADVISORY BOARD ITEM 6

PUBLIC HEARING AND SECOND READING OF ORDINANCE ITEM 6-a(1)

---ORDINANCE 82-

AN ORDINANCE REZONING LOTS 1-24, BLOCK 6, TIER 2, PLAN OF NAPLES, BEING A VACANT BLOCK BOUNDED BY 13TH AVENUE SOUTH, 2ND STREET SOUTH, 14TH AVENUE SOUTH AND GULF SHORE BOULEVARD SOUTH, FROM "R1-10", RESIDENCE DISTRICT, TO "PD", PLANNED DEVELOPMENT DISTRICT; PROVIDING FOR THE CITY'S ZONING ATLAS TO BE AMENDED ACCORDINGLY; AND PROVIDING AN EFFECTIVE DATE.
PURPOSE: TO PERMIT A SINGLE-FAMILY PLANNED DEVELOPMENT ON SAID PROPERTY.

Title read by City Attorney Rynders.

Public Hearing: Opened - 9:30 a.m. Closed - 10:55 a.m.

Tom Peek, engineer for the project, reviewed the specifics of the development. Tom Morgan, citizen, cited an ordinance of the City of Naples, Appendix A - Zoning, 6-19, which prohibited architectural duplication on the same street. Oma Anderson, citizen, spoke in support of having that area developed. Adjacent property owner Sharon Fischer presented a petition containing 143 signatures in opposition to this particular development (a copy of which is on file in this meeting packet in the City Clerk's office). Citizen Terry Kehoe spoke against the project and read a letter from Ann Cook (Attachment #4). Citizens Jim Weigle, Ed McMahon, John Smith, Henry Watkins, Richard Hechler, Jim McGrath, Phil Morse and Arnold Lamm spoke in opposition to this project. George Turner, representing the Port Royal Property Owners' Association, noted their opposition to the project. Mr. Rothchild made reference to a letter circulated prior to the February election regarding the possibility of zoning changes (Attachment #5) and noted his desire to see no changes in this zoning situation.

MOTION: To ADOPT the ordinance as presented

It was the consensus of the Council that there were a great many people in the surrounding area that opposed this project and they also wished to comply with the ordinance regarding architectural duplication; therefore several councilmen reversed their earlier affirmative vote on First Reading.

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COUNCIL MEMBERS

M O T I O N	S E C O N D	Y E S	N O	A B S E N T	VOTE	

---RESOLUTION 82- (Cont) ITEM 6-c(Cont)

Title read by City Attorney Rynders.

Public Hearing: Opened - 12:13 p.m. Closed - 12:53 p.m.

In response to a question from Mr. Thornton, City Attorney Rynders noted that the petitioner had been informed of the method used to arrive at compensation, should this petition be successful. Attorney Allan McPeak, representing the petitioner, addressed Council and reviewed the petition. He noted his reasons for asking that there be no compensation, but noted that his client would negotiate if Council did not waive the compensation. Richard Grant, attorney, noted that the owner of the adjacent gas station property would in all likelihood request that his half of the alley also be vacated. Thomas Brown, representing Naples Community Hospital noted that the hospital had purchased the Thunderbird Motel property directly to the north of the petitioner's property and that they planned to have a parking lot there. He further noted an objection to the vacation because there would be a foreseeable use of Third Avenue North. Mr. McPeak noted that this was his first knowledge of this. Mr. Anderson noted that he felt there could be no vacation if there were a foreseeable use. Mr. Schroeder and Mr. Rothchild suggested that the matter be postponed to a date certain to allow further discussion between Mr. McPeak and the attorneys for the Hospital.

Anderson	X	X		
Richardson		X		
Rothchild			X	
Schroeder	X		X	
Thornton			X	
Wood			X	
Billick (5-2)			X	

MOTION: To DENY the recommendation of the Planning Advisory Board for approval of the petition.

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BREAK FOR LUNCH: Recessed - 12:53 p.m. Reconvened - 2:04 p.m. All Councilmen present

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---RESOLUTION 82-4171 ITEM 6-d

A RESOLUTION GRANTING A SPECIAL EXCEPTION TO ERECT A FIVE (5') FOOT HIGH CHAIN LINK FENCE IN PORTIONS OF A REQUIRED FRONT YARD AREA LOCATED AT 896 RIVER POINT DRIVE (NAPLES SAILING AND YACHT CLUB), SUBJECT TO THE CONDITION SET FORTH HEREIN; AND PROVIDING AN EFFECTIVE DATE.

Title read by City Attorney Rynders.

Bill Schlee, representing the Naples Sailing and Yacht Club, addressed Council in support of the petition. Mr. Wood, a member of the Club, filed a Conflict of Interest form(Attachment#6).

Anderson	X	X		
Richardson		X		
Rothchild		X		
Schroeder			X	
Thornton	X		X	
Wood			X	
Billick (6-1)			X	

MOTION: To ADOPT the resolution as presented

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PUBLIC HEARING AND SECOND READING OF AN ORDINANCE ITEM 7

---ORDINANCE 82-4172

AN ORDINANCE TO PREVENT TITLE BLIGHT AND TO PROMOTE THE HEALTHFUL DEVELOPMENT AND REDEVELOPMENT OF THE CITY OF NAPLES BY REGULATING THE NUMBER OF PROPERTY INTERESTS WHICH MAY BE CREATED IN ANY RESIDENTIAL OR TRANSIENT LODGING UNIT; SETTING FORTH LEGISLATIVE FACTUAL DETERMINATIONS AND FINDINGS RELATIVE TO MULTIPLE OWNERSHIP AND USE OF RESIDENTIAL AND TRANSIENT LODGING UNITS; PROVIDING DEFINITIONS; PROVIDING FOR ADMINISTRATION AND ENFORCEMENT; AND PROVIDING AN EFFECTIVE DATE.

PURPOSE: TO PREVENT TITLE BLIGHT AND TO PROMOTE THE HEALTHFUL DEVELOPMENT AND REDEVELOPMENT OF THE CITY OF NAPLES.

COUNCIL MEMBERS	M O T I O N	S E C O N D	VOTE		A B S E N T
			Y E S	N O	
<p>---RESOLUTION 82-4173 ITEM 9</p> <p>A RESOLUTION REAPPOINTING MEMBERS TO THE CONTRACTORS' EXAMINING BOARD; AND PROVIDING AN EFFECTIVE DATE.</p> <p>Title read by Mayor Billick.</p> <p>Mayor Billick read the names of the proposed appointees.</p> <p><u>MOTION:</u> To <u>ADOPT</u> the resolution as presented, reappointing the same members now serving.</p> <p>*** *** ***</p>					
Anderson				X	
Richardson				X	
Rothchild				X	
Schroeder				X	
Thornton	X			X	
Wood		X		X	
Billick (7-0)				X	
<p>REQUEST TO RECONSIDER VARIANCE PETITION ITEM 10</p> <p>No. 82-V12 - Petitioner: Brian Beardsley</p> <p>It was the consensus of Council to postpone this consideration to January 5, 1983.</p> <p>*** *** ***</p>					
<p>REQUEST BY THE CONSERVANCY, INC. FOR FINANCIAL ITEM 11</p> <p>PARTICIPATION IN REVISED ENVIRONMENTAL MONITORING PROGRAM IN NAPLES BAY. Deferred from Regular Meeting of December 1, 1982.</p> <p>Bernie Yokel, representing the Conservancy, Inc., spoke in support of the City's participation in this program. Mr. Wood made a statement indicating his feeling that the State should put more pressure on the County to do more towards a sewer system in the area in question. He stated he was not in favor of continued monitoring without more action to prevent the pollution. Richard Hechler, citizen, addressed Council along the same lines. Dan Spina, speaking as a citizen, spoke in support of the request.</p> <p><u>MOTION:</u> To participate in the program in the amount of \$11,940 for the period of one year.</p> <p>*** *** ***</p>					
Anderson				X	
Richardson	X			X	
Rothchild				X	
Schroeder				X	
Thornton		X		X	
Wood				X	X
Billick (6-1)				X	
<p>---RESOLUTION 82-4174 ITEM 12</p> <p>A RESOLUTION AUTHORIZING THE MAYOR AND CITY CLERK TO EXECUTE AN AGREEMENT PROVIDING FOR A SIX-MONTH EXTENSION OF THE PERMIT AGREEMENT, DATED JUNE 5, 1974, WITH THE TRUSTEES OF THE EDITH COLLIER SPROUL TRUST, RELATING TO THE USE OF THE GEITZ PIT AS A RAW WATER SUPPLY; AND PROVIDING AN EFFECTIVE DATE.</p> <p>Title read by City Manager Jones.</p> <p>In response to a comment from Mr. Anderson about purchasing this property, City Manager Jones explained the economic problems involved with a purchase of it.</p> <p><u>MOTION:</u> To <u>ADOPT</u> the resolution as presented.</p> <p>*** *** ***</p>					
Anderson				X	
Richardson		X		X	
Rothchild				X	
Schroeder				X	
Thornton	X			X	
Wood				X	
Billick (7-0)				X	

CITY OF NAPLES, FLORIDA

City Council Minutes

Date December 15, 1982

Inasmuch as there people waiting to speak on Agenda Item 14, it was the consensus of Council to move that item up on the Agenda to this time.

DISCUSSION WITH REFERENCE TO REMOVAL OF NOXIOUS PLANTS & ADDITIONAL LOT CLEARING WORK ON VACANT LOTS THROUGHOUT THE CITY. ITEM 14
Deferred from City Council Conference of November 16, 1982.

George Turner, citizen, addressed Council in support of this item, noting that he was representing several interests in the City. He read a letter from the Presidents' Council of Property Owners' Associations dated October 20, 1982 (Attachment #8). Mr. Schroeder noted that this was basically covered in the Code of Ordinances, Section 10-2, which City Manager Jones read. Mr. Richardson asked if Council could, by consensus, direct City Manager Jones that they would like something done about this and have him come back with some suggestions about steps that staff could take along these lines. Wayne Smith, owner of Pro Turf & Grounds Management Affiliated that now does lot mowing for the City, handed out a letter corroborating the statement of problems created by overgrown lots (Attachment #9). He further stated that his company could work with the City on the problems. Mr. Rothchild suggested that he meet with the City Manager and the City Attorney. Ed McMahon, representing the Old Naples Association, spoke in support of this concept. Richard Hechler, citizen, also spoke in support. It was the consensus of Council that the City Manager review the scope of the request and determine if the existing City and County ordinances would be sufficient or if any changes would be necessary.

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Mr. Rothchild left the Council Chambers - 4:49 p.m.

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PURCHASING ITEM 13

---RESOLUTION 82-4175 ITEM 13-a

A RESOLUTION REJECTING ALL BIDS RECEIVED FOR A 300 H.P. MOTOR STARTER, AUTHORIZING THE CITY MANAGER TO READVERTISE FOR BIDS ON SAID EQUIPMENT; AND PROVIDING AN EFFECTIVE DATE.

Title read by City Manager Jones.

Bob Utter, president of Collier Electric, addressed Council in support of awarding the bid to his company on the basis that the bid invitations were in error by omitting the requirement for a bid bond. He further stated that the bid amounts were now a matter of public record.

MOTION: To AWARD the bid to Collier Electric.

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---RESOLUTION 82-4176 ITEM 13-b

A RESOLUTION AWARDED THE BID FOR ONE (1) PUMP DISCHARGE CHECK VALVE; AUTHORIZING THE CITY MANAGER TO ISSUE A PURCHASE ORDER THEREFOR; AND PROVIDING AN EFFECTIVE DATE.

Title read by City Manager Jones.

MOTION: To ADOPT the resolution as presented.

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COUNCIL MEMBERS	M O T I O N	S E C O N D	VOTE		A B S E N T
			Y E S	N O	

Anderson					
Holland			X		
Rothchild			X		X
Schroeder	X		X		
Thornton		X	X		
Wood			X		
Billick (6-0)			X		
Anderson	X		X		
Richardson			X		
Rothchild			X		X
Schroeder			X		
Thornton			X		
Wood		X	X		
Billick (6-0)			X		

COUNCIL MEMBERS	M O T I O N	S E C O N D	VOTE		A B S E N T
			Y E S	N O	

---RESOLUTION 82-4177

ITEM 13-c

A RESOLUTION AWARDING THE BID FOR TWO (2) DIESEL-DRIVEN WELL PUMPS; AUTHORIZING THE CITY MANAGER TO ISSUE A PURCHASE ORDER THEREFOR; AND PROVIDING AN EFFECTIVE DATE.

Title read by City Manager Jones.

MOTION: To ADOPT the resolution as presented.

ADJOURN: 5:03 p.m.

Janet Cason
Janet Cason
City Clerk

Stanley R. Billick
Stanley R. Billick, Mayor

Ellen P. Marshall
Ellen P. Marshall
Deputy Clerk

These minutes of the Naples City Council approved 01-05-83

Anderson
Richardson
Rothchild
Schroeder
Thornton
Wood
Billick
(6-0)

X

X

X

X

X

X

X

X

X

Supplemental Attendance list - Regular Meeting 12/15/82

Pastor Howard Hugus	Harry C. Anderson	Dennis Lynch
Terry Kehoe	Mr. & Mrs. Fischer	Andrea Tober
Jim Weigle	John Smith	David Pierson
Oma Anderson	Ed McMahon	Lodge McKee
Olga Materne	Tom Peek	Dudley Goodlette
Mr. & Mrs. Walter Lux	Mr. & Mrs. Arnold Lamm	George Turner
Sam Aronoff	James Dennis Murphy	Walter Olson
William Schlee	William Vines	Ed Chlumsky
Mr. & Mrs. Charles Posch	Mr. & Mrs. Robert Utter	Bernie Yokel
Mr. & Mrs. Kenneth Long	Hubert Howard	Edwin Putzell
Harry Boyce	Edward Hannam	Allan McPeake
Dick Tucker	Richard Hechler	Thomas Brown
Mr. & Mrs. Edwin Thompson	Bill Johnson	Richard Grant
Phil Morse	David Tackney	Susan Connelly
Al Ziegler	Jacqueline Muensch	Fred Bosselman
Mr. & Mrs. Cliff Davis	Tom Morgan	Wayne Smith
Dan Spina	Jim McGrath	Henry Watkins, Jr.
	Mr. Chirgwin	

News Media:

Scott Stewart, TV-9	Jeff Leen, Miami Herald
Lynn Levine, TV-9	Denes Husty, Naples Star
Ned Warner, TV-9	James Moses, Naples Daily News
Ben Garrett, TV-20	Jerry Pugh, TV-9
Gary Arnold, TV-20	

PRESENTATION BY SAVE THE BAYS ASSOCIATION, INC. TO HONORABLE MAYOR
AND MEMBERS OF CITY COUNCIL.....DECEMBER 15, 1982

PETITIONER: SAVE THE BAYS ASSOCIATION, INC
E. Daniel Spina, President
2800 Gulf Shore Blvd.N
Naples, FL 33940

1. THANKYOU for the opportunity to tell you about our Association, the problem we are working on, and our request for the DREDGING PERMIT.
2. THE SAVE THE BAYS ASSOCIATION has a working committee of 26 dedicated residents. No one receives any salary. Anyone who contributes to the work of the Association is automatically a member. At this time we have 756 such contributors.
3. ATTACHED is a listing of our Working Committee, Board, and Officers. Included are their addresses, phone numbers, and relationship to our work.
4. LAST APRIL 21 THE NAPLES CITY COUNCIL APPROVED UNANIMOUSLY OUR REQUEST THAT THE CITY ACCEPT DONATIONS TO OUR CAMPAIGN FOR FUNDS AND ACT AS ADMINISTRATOR OF THE FUND. WE WERE AND ARE GRATEFUL TO THE CITY COUNCIL FOR THAT PRIVILEGE. AS A MATTER OF INTEREST....as of November 24, the City received \$51,501.62 directly from local residents. The City also disbursed \$7,492.76 for expenditures authorized, such as engineering. Also the City credited our account for \$437.25 for interest on these funds.
5. I WOULD LIKE TO LIST SOME OF THE ACCOMPLISHMENT OF SAVE THE BAYS ASSOCIATION SINCE WE ORGANIZED IN MARCH, 1982. WE ARE VERY PROUD OF THIS WORK AND THE COMMITTEEMEN WHO WERE INVOLVED. WE HAVE:
 - * INCORPORATED as a non-profit corporation.
 - * SECURED THE APPROVAL OF OUR CITY COUNCIL AND ITS cooperation in the handling of funds.
 - * MAINTAINED CONTACT with the Collier County Environmentalist and the Collier County Conservancy for advice and cooperation.
 - * FINALIZED WITH OUR CONSULTING ENGINEER, MR. DAVID TACKNEY, THE PHASE I PLAN for dredging Doctors Pass and we approved engineering plans and drawings.
 - * SUBMITTED APPLICATIONS to the U.S. Army Corps of Engineers, Florida Departments of Environmental Regulation, Natural Resources, Bureau of Beaches and Shores, and the City of Naples and Collier County for approvals to dredge per our plans. We are encouraged by the results thus far. We would hope to receive approvals by January 1983.
 - * SECURED IRS APPROVAL AS A NON-PROFIT ASSOCIATION so that all donations are tax deductible. We also secured the non-profit bulk mailing privilege from the Postal Service.
 - * AND FINALLY...WE CONDUCTED A FUNDING CAMPAIGN for volunteer donations which has received response from 756 residents, totaling more than \$60,000 in cash and pledges. Over 6,000 letters were printed and mailed.

Spina presentation continued:

- 6. OUR OBJECTIVE is to have clean, vibrant, free flowing waters in the Bay Area fed by Doctors Pass and Clam Pass; to monitor the presence of pollution; to determine its source and eliminate it. This will also ensure that this area of Naples remains clean, attractive and a beautiful place in which to live.
- 7. THIS PHASE I PLAN IS TO RESTORE what was originally there. We are NOT creating anything new. It is maintenance dredging.
- 8. ALL RESIDENTS OF THIS BAY AREA WILL BENEFIT DIRECTLY FROM THIS PROJECT BY OBTAINING:
 - * THE REOPENING OF DOCTORS PASS BY DREDGING TO A MEAN LOW TIDAL DEPTH OF 5 FEET IN THE PASS AND 9 FEET IN THE GULF.
 - * THE REACTIVATION OF CRITICAL FLUSHING ACTION NECESSARY IN DOCTORS PASS TO KEEP THE BAYS CLEAN AND VIBRANT.
 - * THE RESTORATION OF BEACHES ADJACENT TO DOCTORS PASS WITH CLEAN SAND PROVIDED BY THE DREDGING PROCESS.
 - * THE PREVENTION OF CONTINUED STAGNATION OF OUR BAYS.
- 9. IT IS INTERESTING to note that the dredging is to remove PEAKS of sand which have caused dangerous navigation into our bays. Three areas are to be de-peaked in the Pass itself. The fourth area is the most dangerous.....in the Gulf. This is the largest amount of de-peaking. There are two sites for placement of the sand. One will renourish the beaches south of the Pass. The second is in deep water.
- 10. OUR ENGINEER, MR. TACKNEY, WILL BE HAPPY TO DEVELOP THESE DETAILS FOR YOU FURTHER.
- 11. OUR WORKING COMMITTEE INCLUDES ENGINEERS, ATTORNEYS, BUSINESS MEN, BACTERIOLOGIST, CHEMIST, ENVIRONMENTALIST, ETC. We are doing and have done everything possible in order to ensure a quality, efficient and correct project. We do not hesitate to check every corner. For example, we took soundings to be sure we would not encounter rock. We coordinate with the U.S. COAST GUARD to be sure we will have navigational aids approved by them. We are obtaining various forms of insurance for our board and officers. Also we have worked closely with Indies West Association which is located where the sand will be placed.
- 12. WITH REGARD TO THE THREE RECOMMENDATIONS LISTED BY CITY MANAGER JONES WE WOULD LIKE TO ADDRESS THEM INDIVIDUALLY.
 - *TURBIDITY SCREENS ARE TO BE EMPLOYED: WE CONCUR
 - *CERTIFICATION AT CONCLUSION TO BE PROVIDED: WE CONCUR
 - *PRIOR TO BEGINNING DREDGING..PROVIDE THE CITY WITH "HOLD HARMELSS" AGREEMENT:

Spina presentation continued:

We are not able to concur without reservation at this time. The Save The Bays Association does not wish to cause damage nor have anyone so charge itself or the City of Naples.

Consequently, in order to protect the City we must identify and secure an insurance policy. This type of policy is unusual and will be pursued with vigor, and prior to dredging.

There is no question that the specifications for the construction will include a requirement for certificate of insurance as attached sample which will hold harmless The City of Naples, Save The Bays Association and Indies West Association for damages caused by the construction firm. Also a policy covering the engineering will be required for identical coverage.

It is our view and wish that the City of Naples will accept these policy declarations which "hold harmless"...jointly.....the City of Naples, The Save The Bays Association, Inc. and Indies West Association.

THIS SOLUTION IS LONGER LASTING THAN THE EXISTENCE OF SAVE THE BAYS ASSOCIATION AND OFFERS LONG LASTING PROTECTION TO THE CITY.

13. IN SUMMARY, we thank the Mayor and the City Council for their assistance and encouragement in bringing this project to the status of nearing the completion of the permit application process. WE HAVE COME A LONG WAY....and WE SEEK YOUR CONTINUED UNDERSTANDING AND COOPERATION.

WE REQUEST YOUR APPROVAL OF OUR PETITION FOR THE DREDGING PERMIT.

ATTACHED, ALSO, ARE SOME PRESS CLIPPINGS WHICH DEMONSTRATE THE PUBLIC SUPPORT AND ATTENTION GIVEN THIS PROJECT.

ALSO I AM PLEASED TO SHOW YOU, NOW, A LISTING OF ALL THE RESIDENTS WHO HAVE CONTRIBUTED TO THIS PROJECT IN ORDER TO HELP US RESTORE WHAT WAS.

Certificate of Insurance

0001

NAME AND ADDRESS OF AGENCY

XYZ Insurance Agency
200 Main Street
Anytown, USA

COMPANIES AFFORDING COVERAGES SAMPLE

COMPANY LETTER **A** DEF Insurance Company

COMPANY LETTER **B** GHL Insurance Company

COMPANY LETTER **C**

COMPANY LETTER **D**

COMPANY LETTER **E**

NAME AND ADDRESS OF INSURED

ABC Construction
1234 Gulf Street
Anytown, USA

This is to certify that policies of insurance listed below have been issued to the insured named above and are in force at this time. Notwithstanding any requirement, term or condition of any contract or other document with respect to which this certificate may be issued or may pertain, the insurance afforded by the policies described herein is subject to all the terms, exclusions and conditions of such policies.

COMPANY LETTER	TYPE OF INSURANCE	POLICY NUMBER	POLICY EXPIRATION DATE	Limits of Liability in Thousands (000)		
					EACH OCCURRENCE	AGGREGATE
A	GENERAL LIABILITY <input checked="" type="checkbox"/> COMPREHENSIVE FORM <input checked="" type="checkbox"/> PREMISES - OPERATIONS <input type="checkbox"/> EXPLOSION AND COLLAPSE HAZARD <input type="checkbox"/> UNDERGROUND HAZARD <input checked="" type="checkbox"/> PRODUCTS/COMPLETED OPERATIONS HAZARD <input checked="" type="checkbox"/> CONTRACTUAL INSURANCE <input checked="" type="checkbox"/> BROAD FORM PROPERTY DAMAGE <input checked="" type="checkbox"/> INDEPENDENT CONTRACTOR <input type="checkbox"/> PERSONAL INJURY	1098765	1/1/82-83	BODILY INJURY	\$	\$
				PROPERTY DAMAGE	\$	\$
				BODILY INJURY AND PROPERTY DAMAGE COMBINED	\$ 500,000	\$ 500,000
				PERSONAL INJURY		\$
A	AUTOMOBILE LIABILITY <input checked="" type="checkbox"/> COMPREHENSIVE FORM <input checked="" type="checkbox"/> OWNED <input checked="" type="checkbox"/> HIRED <input checked="" type="checkbox"/> NON-OWNED	1096847	1/1/82-83	BODILY INJURY (EACH PERSON)	\$	
				BODILY INJURY (EACH ACCIDENT)	\$	
				PROPERTY DAMAGE	\$	
				BODILY INJURY AND PROPERTY DAMAGE COMBINED	\$	
B	EXCESS LIABILITY <input checked="" type="checkbox"/> UMBRELLA FORM <input type="checkbox"/> OTHER THAN UMBRELLA FORM	1379645	1/1/82-83	BODILY INJURY AND PROPERTY DAMAGE COMBINED	\$ 1,000,000	\$ 1,000
A	WORKERS' COMPENSATION and EMPLOYERS' LIABILITY OTHER	1234567	1/1/82-83	STATUTORY		
					\$ 100,000	

DESCRIPTION OF OPERATIONS LOCATIONS, ETC.

Additional Insured Endorsement adding Save the Bays Association, Inc. as an additional insured; also adding the City of Naples and the Indies West Association. And the three to be held harmless from all claims.

Cancellation: Should any of the above described policies be cancelled before the expiration date thereof, the issuing company will endeavor to mail _____ days written notice to the below named certificate holder, but failure to mail such notice shall impose no obligation or liability of any kind upon the company.

NAME AND ADDRESS OF CERTIFICATE HOLDER

Save the Bays Association, Inc.
3200 Gulfshore Boulevard
Naples, Florida 33940

DATE ISSUED 12/8/82

AUTHORIZED REPRESENTATIVE



City of Naples

MEMO

TO: HONORABLE MAYOR AND MEMBERS OF CITY COUNCIL

FROM: CITY MANAGER FRANKLIN C. JONES

SUBJECT: PERMIT REQUEST - DREDGING ACTIVITIES, DOCTORS PASS
OUR FILE DR 82-8

PETITIONER: SAVE THE BAYS ASSOC. INC.
c/o E. DANIEL SPINA

AGENT: DAVID TACKNEY, P.E.

LOCATION: DOCTORS PASS

DATE: NOVEMBER 30, 1982

BACKGROUND: Under Chapter 7-31 of the Code, City Council approval must be granted for dredge and fill activities. In conjunction with our review a public hearing must be held and certain property owners notified. Also, review and input has been requested from the Waterways Council and Dr. Yokel of the Conservancy as well as our Community Development Director, Roger Barry.

ANALYSIS: The petitioner is requesting approval to dredge approximately 10,000 cubic yards of sand materials from within and contiguous to Doctors Pass. As presented in the attachments four defined areas are to be dredged in order to promote safe navigational access. In particular Cut 1 is to be dredged to an elevation of minus 10 feet while Cuts 2, 3, and 4 are to be dredged to elevation minus 6 feet.

As indicated by the attached, the Waterways Council endorses the project and Dr. Yokel "has no problem with the project as proposed".

RECOMMENDATION: This project has demonstrated itself to be a popular one as indicated by the financial support given the petitioner. It is our recommendation that approval be granted to the project conditioned on the following:

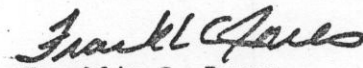
1. Turbidity screens are to be employed during dredging in at least Cut Areas 3 and 4 to minimize silt transport into the Bay on rising tides.
2. Certification at the project conclusion by a registered professional engineer is to be provided stating that the project has been accomplished in strict conformance with the sketches as presented for this approval request.
3. Prior to beginning dredging operations the City will be presented with a "hold harmless" agreement relating to any/all private property damages which may be attributed to the accomplishment of the project.

Honorable Mayor and Members of City Council
November 30, 1982
Page Two

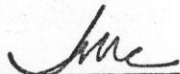
In conclusion based on the above suggested conditions we recommend City Council permit the project by finding:

- a) That the project as proposed will not violate any statute, zoning law, ordinance or other restrictions which may be applicable thereto;
- b) That no harmful obstruction to or harmful alteration of the natural flow of the navigable water within such area will arise from the proposed construction.
- c) That no significant biological or ecological adverse impact will result therefrom;
- d) That no harmful or increased erosion, shoaling or channels or stagnant areas of water will be created thereby;
- e) And that no material injury or monetary damage to adjoining land will accrue therefrom.

Respectfully submitted,

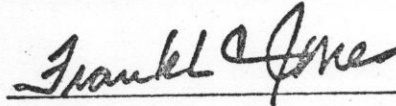

Franklin C. Jones
City Manager

Prepared by:



John R. McCord, P.E., City Engineer
Engineering Memo #82-106

Authorization for City Clerk to
advertise for Public Hearing and
to notify adjoining property owners.



JRM:sdm
Attachments
xc: Petitioner
Agent
Bernie Yokel
Waterways Council

Old Naples is a treasure, not ^{fully} appreciated by people who live elsewhere.

Simple lowkey living, not flashy, not stylish.

Every house has easy access to the beach.

We can walk down ~~street~~ the middle of our street at 8 PM and never have to move ^{aside} ~~over~~.

At the height of the season we can go to the store ^{on back roads} on our bicycle at any time of day.

If we wanted to live more stylishly we would move to Port Royal, or one of the hideous big condos north.

We want Old Naples to be appreciated for the treasure

it is, and we expect you as our elected protectors to hold the line by not changing our zoning. We welcome the developers of One Veranda, or any other first class group who will honor and abide by the existing zoning, which is our only protection. We ~~are~~ have to stand against change with all our strength. If you members of the Council open the door to change this time you will be putting an end to Old

Naples, which is one of the last urban treasures in Florida. If it does not appear so to you, come and see us sometime.

Anne Cook

Dec 13 '82

6a

Dear Friend:

You are no doubt aware that a city election is coming up February 2nd. There is no doubt also that a number of special interest groups are attempting to take over the City Council.

You may have noticed the Chamber of Commerce PAC did not endorse Hamp Schroeder. The Naples Board of Realtors also is opposing Hamp's reelection. Funds from the Realtors Board from Tallahassee have been contributed to Hamp's opponents.

We know he has done a lot to maintain low density and zoning regulations for Naples. He will introduce a proposed plan at this weeks council meeting to require that it take 5 of 7 votes of the council to change zoning instead of 4 of 7.

Why would out of city groups contribute money and not expect something in return? Also, we know some candidates are simply front men for some powerful Real Estate and Development interests who, if given a chance, would change the zoning of Old Naples and the beaches and build high rise condos on the beaches.

If you want to know who some of them are, simply look at the contributors to Kiser, Morgan and Billick. In our opinion, these candidates can make up a majority along with Rothschild and Holland if they are elected. Remember, it only takes 4 of 7!

We are asking you who are not only friends of Hamp but also want to keep Naples well managed, to contribute what you can to help. Vote and get all your friends to vote on Feb. 2nd!

An envelope is enclosed for your convenience and all contributions must be received before January 29. Make check payable to Schroeder Campaign Fund.

Thanks Sincerely,

Bill Bretz
Bill Bretz

Carl Brinkman
Carl Brinkman

Lloyd N. Sarty
Lloyd N. Sarty

John R. Hertz
John R. Hertz

Cal T. Hoskinson
Cal T. Hoskinson

Friends of Hamp Schroeder

200 FORM 4 MEMORANDUM OF VOTING CONFLICT

LAST NAME -- FIRST NAME -- MIDDLE NAME WOOD Kenneth A.		AGENCY is unit of:	DATE ON WHICH VOTE OCCURRED 12/15/82
MAILING ADDRESS 1942 Kingfish Rd		<input type="checkbox"/> STATE	NAME OF PERSON RECORDING MINUTES Ellen P. Marshall
CITY Naples	ZIP 33942	<input type="checkbox"/> COUNTY	TITLE OF PERSON RECORDING MINUTES Deputy City Clerk
NAME OF AGENCY City of Naples		<input checked="" type="checkbox"/> MUNICIPALITY	SPECIFY
		<input type="checkbox"/> OTHER	

MEMORANDUM OF CONFLICT OF INTEREST IN A VOTING SITUATION [Required by Florida Statutes §112.3143 (1979)]

If you have voted in your official capacity upon any measure in which you had a personal, private, or professional interest which inures to your special private gain or the special private gain of any principal by whom you are retained, please disclose the nature of your interest below.

1. Description of the matter upon which you voted in your official capacity:

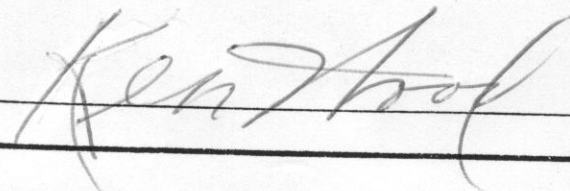
Special Exception Petition No. 82-S28 - Petitioner: Naples Sailing & Yacht Club - Request to permit construction of a 5 foot high chain link fence in portions of a required front yard setback area where fences are normally limited to 3 feet in height.

2. Description of the personal, private, or professional interest you have in the above matter which inures to your special private gain or the special private gain of any principal by whom you are retained:

Private membership club

3. Person or principal to whom the special gain described above will inure:

a. Yourself b. Principal by whom you are retained: _____
(NAME)

SIGNATURE 	DATE ON WHICH FORM 4 WAS FILED WITH THE PERSON RESPONSIBLE FOR RECORDING MINUTES OF THE MEETING AT WHICH THE VOTE OCCURRED: 12/15/82
---	---

FILING INSTRUCTIONS

This memorandum must be filed within fifteen (15) days following the meeting during which the voting conflict occurred with the person responsible for recording the minutes of the meeting, who shall incorporate the memorandum in the meeting minutes. This form need not be filed merely to indicate the absence of a voting conflict. Florida law permits but does not require you to abstain from voting when a conflict of interest arises; if you vote, however, the conflict must be disclosed pursuant to the requirements described above.

NOTICE: UNDER PROVISIONS OF FLORIDA STATUTES §112.317 (1979), A FAILURE TO MAKE ANY REQUIRED DISCLOSURE CONSTITUTES GROUNDS FOR AND MAY BE PUNISHED BY ONE OR MORE OF THE FOLLOWING: IMPEACHMENT, REMOVAL OR SUSPENSION FROM OFFICE OR EMPLOYMENT, DEMOTION, REDUCTION IN SALARY, REPRIMAND, OR A CIVIL PENALTY NOT TO EXCEED \$5,000.



City of Naples

--- MEMO ---

TO: Honorable Mayor and Members of City Council
 FROM: City Manager, Franklin Jones
 SUBJECT: Water and Sewer Rates
 DATE: December 6, 1982

Background: The City hired the consulting firm of Coopers and Lybrand to review our water and sewer rates and to develop a method that would permit us to update our rates annually based on certain cost factors that equitably recover all expenses.

Analysis: The firm has completed its task and has trained City personnel in developing the rates by identifying the main elements in providing water and sewer service to our customers. We have just completed the final task of assigning equivalent units to our commercial sewer customers and are prepared to recommend the new rates.

For additional clarification, I am presenting some typical water and sewer rate comparisons and enclosing an addendum that presents the numbers used to arrive at the new rates.

Customer Type	Meter Size	Consumption	Old Water	New Water	%	Old Sewer	New Sewer	%
Residential	5/8"	18,000 gal	\$ 16.14	\$ 13.83	-15	\$ 12.50	\$ 15.45	+24
Residential	1 1/2"	92,000 gal	64.24	69.69	+ 9	12.50	15.45	+24
Residential	5/8"	12,000 gal	12.24	9.93	-19	12.50	11.94	- 5
32 Unit Motel	1 1/2"	698,000 gal	458.14	482.36	+ 5	349.85	469.60	+34
40 Unit Apt	3"	742,000 gal	\$611.90	\$623.16	+ 2	\$450.40	\$586.80	+30

Conclusions and Recommendations: I am recommending that we change the water rates ordinance section 26-8 of the code page 206 to read as follows:

Replace current (a) with: The rate structure for water bills is comprised of three distinct elements. Those elements and their definitions are:

Billing Costs: This cost is related to the number of customers in the system and is designed to recover the expenses of meter readings, billings, postage, etc.

Capacity Costs: This is the cost of having the system in place and prepared to serve the customer. This charge recovers all those capital expenses that are not recovered from separate charges and the debt service to pay the bond issues

Commodity Costs: This is the cost of providing the water such as chemicals, electricity, labor etc. This cost is variable and depends on consumption. The rates charged by the city for water furnished to customers inside the city and outside the city limits shall be as follows:

<u>Meter Size</u>	<u>Billing Cost</u>	<u>Capacity Cost</u>	<u>Commodity Cost - 65¢ per thousand Gallons over minimum of</u>
5/8" & 3/4"	\$1.71	\$ 3.67	5,000 gallons
1" & 1 1/4"	1.71	14.68	10,000 gallons
1 1/2"	1.71	36.70	15,000 gallons
2"	1.71	91.75	20,000 gallons
3"	1.71	165.15	40,000 gallons
4"	1.71	330.30	60,000 gallons
6"	\$1.71	\$623.90	120,000 gallons

The charges presented here are on a bi-monthly basis.

I am also recommending we change the sewer rates ordinance section 11-3.3 page 82.4 of the code to read as follows:

Replace current (b) with: The rate structure for sewer bills is comprised of three distinct elements. Those elements and their definitions are:

Billing Costs: This cost is related to the number of customers in the system and is designed to recover the expenses of meter readings, billings, postage, etc.

Capacity Costs: This is the cost of having the system in place and prepared to serve the customer. This charge recovers all those capital expenses that are not recovered from separate charges, and the debt service to pay the bond issues.

Commodity Costs: This is the cost of providing the collection and treatment of sewage such as chemicals, electricity, labor etc. This cost is variable and depends on consumption.

The charges presented here are on a bi-monthly basis.

Rates charged by the city for sewer services furnished to customers inside the city and outside city limits shall be as follows:

Billing Costs will be 80¢ for all customers.

Capacity Costs will be \$4.12 per ERU, equivalent residential unit. All non-residential customers will be charged a whole number multiple of an ERU that has been determined by taking the average monthly consumption and dividing by 8,000 gallons.

Commodity Costs: This is a variable cost depending on consumption. Each ERU will have a cap of 18,000 gallons. There will be a charge of 78¢ per 1,000 gallons based on 75% of consumption.

Respectfully submitted,

Franklin C. Jones

Franklin C. Jones
City Manager

Prepared by:

Frank W. Hanley, Finance Director

-3-

Fiscal year 1982-83 Water Service Calculations

Total Water Budget		\$5,910,160
Add Debt Service Coverage 25% of \$1,392,766		<u>348,192</u>
	Total Revenue Requirements	<u>\$6,258,352</u>

Revenue Offsets:

Systems Development	\$775,000
County Revenues	850,000
Interest Revenues	758,000
Tapping Charges	95,000
Connection Fees	40,000
Depreciation	<u>642,205</u>

- 3,160,205

Recoverable From Utility Bills

\$3,098,147

Billing Costs

Capacity Costs

Commodity Costs

Meter Readers	\$65,004
Data Processing	18,316
Customer Service	42,664
	<u>\$125,984</u>

\$3,185,340

Debt Service	\$1,392,766
Debt Service Coverage	348,192
CIP	1,200,570
Capital Outlay	5,500
Systems Development	(775,000)
County Revenue	(355,800)
Interest	(758,000)
Tapping Fees	(95,000)
Connection Fees	(40,000)
Depreciation	

\$923,228

(642,205)
\$2,048,935

$\frac{\$125,984}{12,303} = \$10.24 \div 6 = \$1.71$ (=billing cost)
(# customers)

$\frac{\$2,048,935}{3,150,000} = 65\%$
(# gallons produced above minimum)

$\frac{\$923,228}{42,000} = \$21.98 \div 6 = \$3.67$

(# equivalent 5/8" meters)

5/8 & 3/4	= \$ 3.67
1 & 1/4	= 14.68
1 1/2	= 36.70
2	= 91.75
3	= 165.15
4	= 330.30
6	= \$623.90

Fiscal year 1982-83 Sewer Service Calculation
 Total Sewer Budget
 Add Debt Service Coverage

\$2,257,166
58,955
 \$2,316,121

Revenue Offsets
 Interest Revenue
 Depreciation
 Recoverable From Utility Bills

(168,000)
 (245,605)
\$1,902,516

	<u>Billing Costs</u>	<u>Capacity Costs</u>	<u>Commodity Costs</u>
Data Processing	\$16,573		
Customer Service	17,204		
	<u>\$33,777</u>		\$1,640,420
Debt Service		\$235,819	
Debt Service Coverage		58,955	
CIP		340,500	
Capital Outlay		6,650	
Interest		(168,000)	
Depreciation		<u>\$473,924</u>	(245,605)
			<u>\$1,394,815</u>

$\frac{\$33,777}{(\# \text{ sewer connections}) 7,010} = \$4.82 \div 6 = 80\text{¢} (= \text{billing cost})$

$\frac{\$473,924}{(\# \text{ equivalent residential units}) 19,200} = \$24.69 \div 6 = \$4.12$

$\frac{\$1,394,815}{(\text{Billable Gallons}) 1,800,000} = 78\text{¢}$

NAPLES CIVIC



ASSOCIATION

852 1st AVENUE, SOUTH

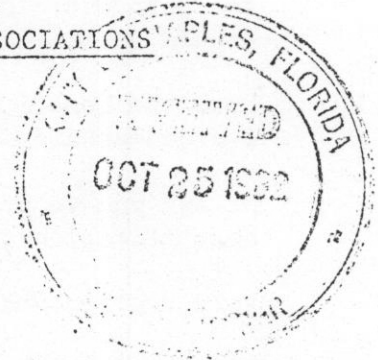
NAPLES, FLORIDA 33940

PH. (813) 262-2424

SERVING THE GREATER NAPLES AREA

PRESIDENTS COUNCIL OF PROPERTY OWNERS ASSOCIATIONS NAPLES, FLORIDA

October 20, 1982



The Honorable Stanley Billick
Mayor of the City of Naples
735 Eighth Street S.
Naples, Florida 33940

Re: Vacant lots maintenance

Dear Mr. Mayor:

One of the very major blots on the face of our city remains the general ill-kept condition of its vacant lots.

We, the property owners, represented by the following associations:

- | | |
|--------------------|-----------------|
| 1) Aqualane Shores | 5) Park Shore |
| 2) Olde Naples | 6) Port Royal |
| 3) Coquina Sands | 7) Royal Harbor |
| 4) The Moorings | 8) Crayton Road |

and the Naples Beautification Council, through the Naples Civic Association, urgently request the City Council to approve the following action plan.

First, institute a general ongoing policy that all city property should be well maintained, and City Ordinances strictly enforced year 'round--not just for the tourist season. To do otherwise invites the breakdown in quality of the lawn services operators and the neglect by some seasonal and non-resident property owners.

Second, we endorse the extension of the present city maintenance plan for the care of vacant lots--both land and waterfront--beyond the mowing schedule of vacant lots now in place. There is a great need for the removal of underbrush, noxious weeds and plants that have been permitted to grow unchecked. Mowers cannot handle these. Each year the undergrowth become larger and more objectionable. They are eyesores; they destroy pleasant views from improved property; and they are a menace to public health by furnishing a haven for rats, poisonous snakes and other objectionable wildlife.

As a result of a pictorial survey made by the Port Royal Association of its area and submitted to the City Manager and appropriate department heads, a plan for correction has been developed and scheduled for submission to Council on November 2, 1982.

The Honorable Stanley Billick
October 20, 1982
Page 2

The program involves engagement by the city of private contractors to clean up the lots and waterfronts, as well as edging at the street fronts to improve drainage and appearance. The costs of this ongoing program should be billed to the property owners of lots on an actual cost basis.

Both the benefits and equity of this program are evident. The necessary ordinances are in place.

We ask you to proceed promptly in this action plan for the good and the beautification of Naples.

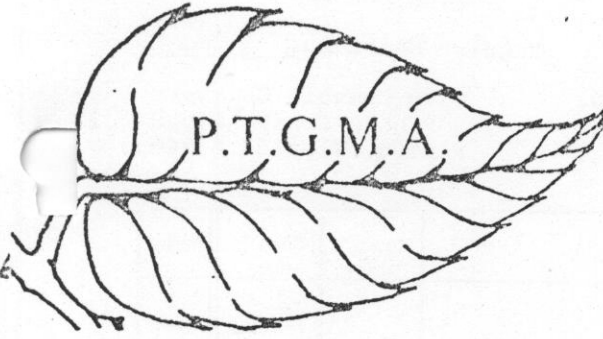
Very truly yours,

PRESIDENTS' COUNCIL OF PROPERTY OWNERS ASSOCIATIONS

By: 
George L. Turner

GLT:ec

Copy to Mr. Frank Jones, City Manager ✓
Naples Beautification Council
City Councilmen



P.T.G.M.A.

PRO TURF & GROUNDS MANAGEMENT AFFILIATED

A Better Lawn Service
A Better Pool Service

A Better Landscape Service
A Better Sprinkler Service

3906 Mercantile Ave., Naples, Fl. 33942 (813) 775-2328

December 15, 1982

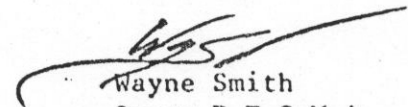
MEMO: NAPLES CITY COUNCIL
COMMENTS ON NOXIOUS GROWTH

P.T.G.M.A. presently does and has mowed the vacant lots for the past 4 years and are familiar with the problems caused by uncontrolled growth.

- (A) Over growth present a hazard to mowing operators and equipment.
- (B) Snakes and undesirable varmits are harboured by this type of growth. To include undesirable transient persons.
- (C) Construction debri & dumping provides a foothold for all manner of weeds and prohibits mowing the same.
- (D) The lots that are not cleared and are the biggest offenders, are not maintained. While on the other hand those lots already-improved, at the owners expense, continue to incur the cost of the regular mowing.

Being directly involved with Landscaping I do not suggest total stripping of the lots which are unsightly or present a hazard; but rather the removal of the growth and debri necessary to facilitate the safe maintenance of all lots, and therefore enhancing the total beauty of this city which we appreciate.

Thank You



Wayne Smith
Owner P.T.G.M.A.

WSD/dg