



City of Naples

City Council Chambers
735 Eighth Street South
Naples, Florida 33940

| -SUBJECT- | Ord. No. | Res. No. | Page |
|--|-------------|-------------|-------|
| <u>ANNOUNCEMENTS</u> | | | |
| -MAYOR BILLY - Commended the Police Department for the decrease in burglaries and break-ins | | | 1 |
| -CITY MANAGER JONES - 1982 Annual Report to be mailed soon | | | 1 |
| <u>APPROVAL OF MINUTES</u> - Regular Meeting 02/02/83 | | | 2 |
| <u>RESOLUTIONS</u> | | | |
| -Approve Spec. Ex. 83-S1 - 6' fence, Zada Lindsay | | 83-4220 | 1 |
| -Approve Agreement w/County re relocation of water & sewer lines 4-laning of Pine Ridge Road | | 83-4221 | 2 |
| -Approve easement to United Telephone - Fire Station #2 | | 83-4222 | 2 |
| -Approve Agreement w/County EMS for lease - Fire Station #1 | | 83-4224 | 2 |
| -Adopt format for minutes for all Boards & Committees | | 83-4226 | 5 |
| -Adopt procedure for agendas for all Boards & Committees | | 83-4227 | 5 |
| <u>PURCHASING</u> | | | |
| -Award bid - chain link fence, Fleischmann Park Babe Ruth field | | 83-4223 | 2 |
| -Award bid - annual requirements for street construction materials | | 83-4225 | 3 |
| <u>DISCUSSION</u> | | | |
| -Reconsideration of Variance Petition 82-V12 - Beardsley | | FAILED | 3 |
| -Reconsideration of Alley Vacation Pet. 82-A6. and Street Vacation Pet. 82-A7 - Trago, Inc. | | FAILED | 3 & 4 |
| -Presentation-1981-82 Audit - CONSENSUS TO APPROVE | | | 4 |
| -Report/Recommendations re Proposed Flood Elevations | | | 4 |
| -Need for Additional East/West artery out of City | | | 4 & 5 |
| -Seaplane and Ultralight Operations | | | 6 |

City Council Chambers
735 Eighth Street South
Naples, Florida 33940



Time 9:05 a.m.

Date February 16, 1983

Mayor Billick called the meeting to order and presided as Chairman

ROLL CALL: Present: Stanley R. Billick ITEM 2
Mayor
R. B. Anderson
Lyle S. Richardson
Harry Rothchild
Wade H. Schroeder
Randolph I. Thornton
Kenneth A. Wood
Councilmen

Also present:
Franklin C. Jones, City Manager
David W. Rynders, City Attorney
Mark Wiltsie, Assistant to the City Manager
Roger Barry, Community Development Director
Reid Silverboard, Chief Planner
John McCord, City Engineer
Ellen P. Marshall, Deputy Clerk
Stewart Unangst, Purchasing Agent
Frank W. Hanley, Finance Director
Randy Davis, Parks & Recreation Director
Toivo Tammerk, Airport Manager

See Attachment #1 - Supplemental Attendance List

INVOCATION: Reverend Richard Mapes, Naples United Church of Christ ITEM 1

ANNOUNCEMENTS: ITEM 3

Mayor Billick - stated that he had no announcements, but he noted that the Police Department should be commended for the decrease in break-ins and burglaries as noted in the Naples Daily News, February 15, 1983.

City Manager Jones - noted that the Annual Reports for 1982 were in the mail at this time and that an explanation of the increase in water rates would be printed on the up-coming water bills.

COMMUNITY DEVELOPMENT DEPARTMENT/NAPLES PLANNING ADVISORY BOARD ITEM 4

---RESOLUTION 83-4220 ITEM 4-a

A RESOLUTION GRANTING A SPECIAL EXCEPTION TO PERMIT A 6 FOOT HIGH WOOD FENCE TO BE RETAINED IN A REAR YARD SETBACK AREA AT 1024 28TH AVENUE NORTH; AND PROVIDING AN EFFECTIVE DATE.

Title read by City Attorney Rynders.

MOTION: To ADOPT the resolution as presented.

CONSENT AGENDA ITEMS 5 - 6 - 7 - 8 - 9-a and 9-b

MOTION: To ADOPT all items as presented.

Mr. Rothchild asked that Items 8 and 9-a be considered separately. It was the consensus of Council to do so.

| 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 | X | | X | | |
| Richardson | | | X | | |
| Rothchild | | X | X | | |
| Schroeder | | | X | | |
| Thornton | | | X | | |
| Wood | | | X | | |
| Billick (7-0) | | | X | | |
| Anderson | | | X | | N |
| Richardson | | | | | O |
| Rothchild | | | | | V |
| Schroeder | | | | | O |
| Thornton | X | | | | T |
| Wood | | | | | E |
| Billick | | | | | |
| NO VOTE | | | | | |

| 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 | |
| <u>CONSENT AGENDA (Cont.)</u> | | | | | |
| --- <u>APPROVAL OF MINUTES</u> - Regular Meeting of February 2, 1983 <u>ITEM 5</u> | | | | | |
| --- <u>RESOLUTION 83-4221</u> <u>ITEM 6</u> | | | | | |
| A RESOLUTION AUTHORIZING THE MAYOR AND CITY CLERK TO EXECUTE A JOINT PROJECT AGREEMENT BETWEEN THE CITY OF NAPLES AND THE COLLIER COUNTY DEPARTMENT OF TRANSPORTATION RELATING TO THE RELOCATION AND ADJUSTMENT OF WATER AND SEWER LINES IN CONJUNCTION WITH THE FOUR LANEING OF PINE RIDGE ROAD; AND PROVIDING AN EFFECTIVE DATE. | | | | | |
| --- <u>RESOLUTION 83-4222</u> <u>ITEM 7</u> | | | | | |
| A RESOLUTION AUTHORIZING THE MAYOR AND CITY CLERK TO EXECUTE AN EASEMENT TO THE UNITED TELEPHONE COMPANY FOR THE PURPOSE OF INSTALLING AND MAINTAINING TELEPHONE LINES ALONG THE NORTHERLY BOUNDARY OF FIRE STATION NO. 2 ON 26TH AVENUE NORTH; AND PROVIDING AN EFFECTIVE DATE. | | | | | |
| --- <u>RESOLUTION 83-4223</u> <u>ITEM 9-b</u> | | | | | |
| A RESOLUTION AWARDDING THE BIDS FOR INSTALLATION OF CHAIN LINK FENCING AT THE FLEISCHMANN PARK BABE RUTH LITTLE LEAGUE FIELD; AUTHORIZING THE CITY MANAGER TO ISSUE A PURCHASE ORDER THEREFOR; AND PROVIDING AN EFFECTIVE DATE. | | | | | |
| Titles not read. | | | | | |
| <u>MOTION:</u> To <u>ADOPT</u> the above as presented. | | | | | |
| Anderson | | X | X | | |
| Richardson | | | X | | |
| Rothchild | | | X | | |
| Schroeder | | | X | | |
| Thornton | X | | X | | |
| Wood | | | X | | |
| Billick | | | X | | |
| (7-0) | | | | | |
| - - - - - END CONSENT AGENDA - - - - - | | | | | |
| *** | | | | | |
| --- <u>RESOLUTION 83-4224</u> <u>ITEM 8</u> | | | | | |
| A RESOLUTION AUTHORIZING THE MAYOR AND CITY CLERK TO EXECUTE A LEASE AGREEMENT BETWEEN THE CITY OF NAPLES AND THE BOARD OF COUNTY COMMISSIONERS FOR UTILIZATION OF THE CITY OF NAPLES FIRE STATION #1 BY THE COLLIER COUNTY EMERGENCY MEDICAL SERVICES; AND PROVIDING AN EFFECTIVE DATE. | | | | | |
| Title read by City Attorney Rynders. | | | | | |
| Mr. Thornton noted his objections to having the lease retroactive. Mr. Rothchild agreed with him and noted his further objection to any charge at all between governmental agencies. City Manager Jones noted that it was mainly to cover the expenses for additional personnel in the facility and that it was common practice between the School Board and the County. | | | | | |
| Anderson | | X | X | | |
| Richardson | | | X | | |
| Rothchild | | | X | X | |
| Schroeder | | X | X | | |
| Thornton | | | X | X | |
| Wood | | | X | | |
| Billick | | | X | | |
| (5-2) | | | | | |
| *** | | | | | |

| 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 83-4225

ITEM 9-a

A RESOLUTION AWARDING THE BIDS FOR THE CITY'S ANNUAL REQUIREMENTS FOR STREET CONSTRUCTION MATERIALS; AUTHORIZING THE CITY MANAGER TO ISSUE A PURCHASE ORDER THEREFOR; AND PROVIDING AN EFFECTIVE DATE.

Title read by City Attorney Rynders.

Mr. Rothchild noted that City Manager Jones had recommended consideration of travel time charges in awarding bids for Items #1 and #7 to the second lowest bidder (as per City Manager's memo dated February 9, 1983 - Attachment #2). Mr. Rothchild concurred with the recommendation and stated his desire to see that principle applied to other bids to favor local bidders. City Manager Jones replied that in the case of warranty maintenance on vehicles, out-of-town bidders often agreed to reimburse the City for warranty maintenance done locally.

MOTION: To ADOPT the resolution as presented.

RECONSIDERATION OF VARIANCE PETITION 82-V12

ITEM 10

Brian Beardsley, petitioner, addressed Council in support of his petition. He read letters from businesses in the area supporting his position. Attorney William Donovan, representing Mr. Beardsley, noted the variance criteria and added that in his estimation his client had met the criteria. Mr. Schroeder did not agree. Charles Long, Neapolitan Enterprises, spoke in support of the petition, in addition to Mr. DeNunzio, representing an adjacent property owner, Mr. Zand. Dennis Lynch and Jim Weigle spoke in opposition to the request, noting the precedent it may set. City Attorney Rynders confirmed that an error of City staff in permitting the second floor as a commercial enterprise did not bind the City to continue that practice inasmuch as the area is zoned residential.

MOTION: To GRANT the petition.

REQUEST FOR RECONSIDERATION OF ALLEY VACATION

ITEM 11

PETITION 82-A6 AND STREET VACATION 82-A7 - Trago, Inc. (last considered 12/15/82)

Robert Mattson, petitioner, addressed Council in support of his petition.

MOTION: To refer the petition back to the Planning Advisory Board.

Roger Barry, Community Development Director, confirmed that because of the requirement to re-assemble staff reports and re-advertise, the petition could not be heard by the Planning Advisory Board until the April meeting. Mr. Mattson indicated his dissatisfaction with that date inasmuch as the anticipated purchaser had indicated an earlier closing date. He confirmed that while this was not a legal condition for

| | | | | |
|---------------|---|---|---|--|
| Anderson | X | | X | |
| Richardson | | | X | |
| Rothchild | | | X | |
| Schroeder | | X | X | |
| Thornton | | | X | |
| Wood | | | X | |
| Billick (7-0) | | | X | |

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

| | | | | |
|---------------|---|---|---|--|
| Anderson | | | X | |
| Richardson | | | X | |
| Rothchild | | X | X | |
| Schroeder | | | X | |
| Thornton | X | | X | |
| Wood | | | X | |
| Billick (7-0) | | | X | |

| | COUNCIL MEMBERS | M O T I O N | S E C O N D | Y E S | N O | VOTE | | A B S E N T |
|---|--|----------------------------|----------------------------|-------------|--------|------|--|----------------------------|
| | | | | | | | | |
| <u>REQUEST FOR RECONSIDERATION OF ALLEY VACATION ITEM 11 (Cont)</u> <u>PETITION 82-A6 AND STREET VACATION 82-A7 (Cont)</u> | Anderson Richardson Rothchild Schroeder Thornton Wood Billick (7-0) | | | | | | | |
| the sale of the property, it had been a verbal agreement. | | | | | | | | |
| <u>MOTION:</u> To <u>RESCIND</u> the action just taken | | | | | | | | |
| Tom Brown, attorney representing Naples Community Hospital, addressed Council in support of the stand the hospital has taken on the foreseeable use of the property. Allan McPeak, attorney for the petitioner, addressed Council to state that the new evidence, in his opinion, was the reversal of the hospital's position regarding future use of the property. | | | | | | | | |
| <u>MOTION:</u> To <u>RECONSIDER</u> the petitions. | | | | | | | | |
| *** | | | | | | | | |
| <u>PRESENTATION OF AUDIT AND FINANCIAL REPORTS</u> <u>ITEM 12</u> <u>FOR FISCAL YEAR 1981-82 BY ROGERS, WOOD, HILL,</u> <u>STARMAN & GUSTASON</u> | Anderson Richardson Rothchild Schroeder Thornton Wood Billick (1-6) FAILED | | | | | | | |
| Ron Wood, representing the audit firm, addressed Council. He stated that the City could be proud of receiving the Certificate of Conformance from the Municipal Finance Officers Association. He noted the management letter and the response from Finance Director Bill Hanley (Attachments #3 & #4). In response to a question from Mr. Schroeder regarding Mr. Wood's concurrence with adding an Internal Auditor to the City staff, Mr. Wood stated that he had not brought the matter up again because he understood that the position would be added. It was the consensus of Council to accept the audit as presented. | | | | | | | | |
| *** | | | | | | | | |
| <u>REPORT/RECOMMENDATIONS WITH REFERENCE TO</u> <u>ITEM 13</u> <u>PROPOSED FLOOD ELEVATIONS (FLOOD INSURANCE</u> <u>PROGRAM).</u> Pursuant to City Council workshop discussion of October 26, 1982. | | | | | | | | |
| City Manager Jones reviewed the information in his memo dated February 11, 1983 (Attachment #5). Jim Smith, representing the Naples Board of Realtors, urged that the City join with the County in any action the County took to appeal the proposed flood elevations. He noted that the County planned to engage Bob Godman to assist them in their appeal. Jim Weigle, Old Naples Association, also spoke in support of joining forces with the County on this matter. The City Manager added that the County had asked for someone to be appointed as a City representative to the County Flood Elevation Committee. | Anderson Richardson Rothchild Schroeder Thornton Wood Billick (7-0) | | | | | | | |
| <u>MOTION:</u> To <u>ACCEPT</u> the recommendations in memo from City Manager Jones dated February 11, 1983. | | | | | | | | |
| *** | | | | | | | | |
| <u>DISCUSSION OF THE NEED FOR AN ADDITIONAL</u> <u>ITEM 14</u> <u>EAST-WEST TRAFFIC ARTERY OUT OF THE CITY AS</u> <u>RECOMMENDED BY THE BARR, DUNLOP TRAFFIC STUDY.</u> Requested by Councilman Rothchild. | | | | | | | | |
| Mr. Rothchild stated that he brought the matter up because the Barr Dunlop report had placed a high priority on an east-west artery out of the City. <u>It was the consensus of Council that the Mayor write a letter to the Metropolitan Planning Organization asking that they make it a major point to consider some relief for the traffic in the City.</u> Mr. Anderson noted that at a meeting with the D.O.T. he attended, the D.O.T. declined to support a bridge but indicated possible | | | | | | | | |

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 | |

DISCUSSION OF THE NEED FOR AN ADDITIONAL EAST-WEST TRAFFIC ARTERY OUT OF THE CITY AS RECOMMENDED BY THE BARR, DUNLOP TRAFFIC STUDY (Cont) ITEM 14 (Cont)

support of a fly-over in the area of U.S. 41, Sandpiper and Davis Boulevard. Mr. Schroeder suggested sending copies of the Barr-Dunlop report to the M.P.O.

---RESOLUTION 83-4226 ITEM 15-a

A RESOLUTION ADOPTING A FORMAT FOR PREPARATION OF MINUTES BY ALL CITY ADVISORY BOARDS AND COMMITTEES; AND PROVIDING AN EFFECTIVE DATE.

Title read by City Manager Jones.

---RESOLUTION 83-4227 ITEM 15-b

A RESOLUTION ADOPTING A PROCEDURE FOR PREPARATION OF MEETING AGENDAS OF ALL CITY ADVISORY BOARDS AND COMMITTEES; AND PROVIDING AN EFFECTIVE DATE.

Title read by City Attorney Rynders.

City Manager Jones noted that the proposed format for minutes had been approved by all committees.

*** **

Mr. Schroeder and Mr. Wood - left Council Chambers - 11:55 a.m.

*** **

MOTION: To ADOPT Resolution 83-4226 as presented.

| | | | | |
|------------|---|---|--|---|
| Anderson | X | X | | |
| Richardson | | X | | |
| Rothchild | | X | | |
| Schroeder | | | | X |
| Thornton | | X | | |
| Wood | X | | | X |
| Billick | | X | | |

*** **

Mr. Wood returned to Council Chambers - 11:57 a.m.

*** **

Glen Mackay, Chairman of the Parks & Recreation Advisory Board, noted his objections to a published agenda. Mr. Anderson responded that the Board could discuss most anything under items such as "Correspondence" but would have to place an item on an advertised agenda before action was taken because this would put the public on notice that the Board anticipated such action.

MOTION: To ADOPT Resolution 83-4227 as presented.

| | | | | |
|------------|---|---|---|---|
| Anderson | X | X | | |
| Richardson | | X | X | |
| Rothchild | | | | X |
| Schroeder | | | | |
| Thornton | | X | | |
| Wood | | X | | |
| Billick | | X | | |

*** **

(5-1)

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 | |

DISCUSSION OF SEAPLANE AND ULTRALIGHT OPERATIONS ITEM 16
IN THE CITY. Pursuant to City Council action at
 Workshop Meeting of November 30, 1982

City Manager Jones reviewed the material in him memorandum
 of February 11, 1983 (Attachment #6). Toivo Tammerk,
 Airport Manager, addressed Council on concurrence with
 the City Manager's recommendations. John DeBaun, a citizen
 who wishes to land a seaplane on Naples Bay, spoke in support
 of the safety of that operation. Charles Rhoades and Bill
 Fries, members of Pilots' Association, spoke in support of
 designating a place for the landing of seaplanes.

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

| | | | | |
|---|---|---|--|---|
| X | | X | | |
| | | X | | |
| | X | X | | |
| | | | | X |
| | | X | | |
| | | X | | |
| | | X | | |

MOTION: To ACCEPT the recommendations of the City
 Manager in his memorandum of February 11, 1983.

*** *** ***

CORRESPONDENCE AND COMMUNICATIONS

City Manager Jones announced that Naples was under a tornado
 watch until 7:00 p.m.

ADJOURN: 12:27 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 on 03-02-83

Supplemental Attendance List - Regular Meeting February 16, 1983

Reverend Richard Mapes
 Charles Andrews
 Sam Aronoff
 Fred Lindsay
 Lofton Phillips
 Jay Munnikheysen
 William Fries
 Judy Daffron
 Jim Weigle

Dennis Lynch
 Lloyd Sarty
 Robert Russell
 Dr. Floyd Peterson
 Allen McPeak
 Charles Long
 Arndt Mueller
 William Donovan
 Charles Rhoades

Jim Smith
 Robert Mattson
 Robert Tiffany
 Tom Brown
 Brian Beardsley
 John DeBaun
 Ron Wood
 Jack Miller

News Media:

Scott Cameron, TV-9
 Lynn Levine, TV-9
 Jerry Pugh, TV-9
 Gary Arnold, WEVU-TV 26

Denes Husty, News Press
 James Moses, Naples Daily
 News

Tish Gray, Naples Star
 Ben Garrett, WINK-TV
 Jeff Leen, Miami Herald

Other interested citizens and visitors.



City of Naples

--- MEMO ---

TO: HONORABLE MAYOR AND MEMBERS OF CITY COUNCIL
 FROM: FRANKLIN C. JONES, CITY MANAGER
 SUBJECT: STREET CONSTRUCTION MATERIAL-ANNUAL CONTRACT (BID NO. 83-03)
 DATE: FEBRUARY 9, 1983

BACKGROUND

Bids were received and opened on February 7, 1983 for the City's annual requirements for street construction material. These items are purchased on an as-need basis by the Streets and Drainage Division of the Engineering Department and are used in Capital Improvement Projects.

ANALYSIS

Bid invitations were forwarded to eighteen (18) prospective bidders with proposals being received by five (5) companies. After reviewing these proposals with John McCord, City Engineer, we are recommending that this bid be awarded as follows:

| <u>ITEM NO.</u> | <u>DESCRIPTION</u> | <u>RECOMMENDED FIRM</u> | <u>BID PRICE</u> | <u>PREVIOUS PRICE</u> | <u>% INCREASE</u> |
|-----------------|--------------------------------------|-------------------------------------|------------------|-----------------------------|-------------------|
| 1. | Limerock, loaded on City trucks | Highway Pavers, Inc. Naples, FL. | 4.40/cu.yd. | 4.40/cu.yd. | N/C |
| 2. | Limerock, delivered | Highway Pavers, Inc. Naples, FL. | 6.00/cu.yd. | 6.10/cu.yd. | (1.6) |
| 3. | Aggregate #15 stone | Macasphalt, Inc. Estero, FL. | 8.25/ton | 8.35/ton | (1.2) |
| 4. | Aggregate Screening stone | Macasphalt, Inc. Estero, FL. | 7.15/ton | 7.55/ton | (5.3) |
| 5. | Aggregate 3/4" stone | Macasphalt, Inc. Estero, FL. | 8.25/ton | 8.35/ton | (1.2) |
| 6. | Asphalt, hot, in-place 0-150 tons | Macasphalt, Inc. Estero, FL. | 35.50/ton* | 36.58/ton** 35.70/ton*** | N/A |
| | Asphalt, hot, in-place 151 tons & up | Macasphalt, Inc. Estero, FL. | 30.46/ton* | 32.28/ton** 31.40/ton*** | ** N/A |

* Bid price is firm for six (6) months.
 ** Previous bid price effective 2/15/82. Contract price allowed for escalation/deescalation based upon Florida D.O.T. asphalt price index.
 *** Contract price effective 1/28/83.

Honorable Mayor and Members of City Council
 Page 2
 February 9, 1983

| | | | | | |
|-----|---|--|--|-----------|-----|
| 7. | Asphalt, hot, loaded on City trucks | Brisson Enterprises, Inc. Naples, FL. | 31.50/ton | 29.50/ton | 6.8 |
| 8A. | SS-1 Liquid Asphalt, picked up | Highway Pavers, Inc. Naples, FL. | .98/gal. | 1.00/gal. | (2) |
| 8. | SS-1 Liquid Asphalt, delivered & applied | Highway Pavers, Inc. Naples, FL. | 1.60/gal. (30-150 gal) 1.20/gal. (151 gal & up) | N/A | N/A |
| 9. | RC-70 Liquid Asphalt, delivered & applied | Highway Pavers, Inc. Naples, FL. | 2.00/gal. (30-150 gal) 1.60/gal. (151 gal & up) | N/A | N/A |
| 10. | Lean Mix Cover Material, delivered & applied | Highway Pavers, Inc. Naples, FL. | 30.50/ton | 22.50/ton | 26 |

Items 8 thru 10 were awarded to one vendor on an "all or nothing" basis.

We have recommended that Item #1 (Limerock, loaded on City trucks) be awarded to the second low bidder, Highway Pavers, Inc., Naples, Florida. We feel that their price is more favorable when travel time is taken into consideration (Harmon Bros. in Ochopee vs. Highway Pavers on Davis Blvd.)

We have also recommended that Item #7 (Asphalt, loaded on City trucks) be awarded to the second low bidder, Brisson Enterprises, Inc., Naples, FL. We feel that their price is more favorable when travel time is taken into consideration (Macasphalt in Golden Gate Estates (40 miles round trip) vs. Brisson Enterprises on Airport Road) as well as the frequency of these purchases.

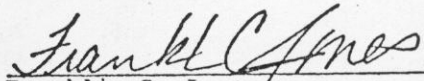
RECOMMENDATION

Based on the above information, I am respectfully requesting authorization to issue purchase orders to the vendors recommended above to provide the City's street construction materials for the next twelve months.


Estimated annual expenditures for these items will be \$189,000.00

Attached is a bid tabulation sheet for your review.


Respectfully submitted,


 Franklin C. Jones,
 City Manager

Prepared by:


 Stewart K. Unangst, Purchasing Agent

Concurrence


 Frank W. Hanley, Finance Director

SKU/kw
 Attachment

REFERENCE TO BID TABULATION
STREET CONSTRUCTION MATERIAL
BID NO. 83-03

- ITEM #1: Limerock base, loaded on City Trucks
- ITEM #2: Limerock base, delivered to location designated by City
- ITEM #3: Aggregate #15 modified
- ITEM #4: Aggregate screenings
- ITEM #5: Aggregate 3/4" rock
- ITEM #6: Asphaltic concrete hot spread in place and rolled on base prepared by others within the City of Naples
- ITEM #7: Asphaltic concrete hot loaded on City's trucks at supplier plant
- ITEM #8A: SS-1 liquid asphalt loaded in City tank at Vendor's yard.
- ITEM #8: SS-1 liquid asphalt delivered in distributor's truck and applied on base at job site.
- ITEM #9: RC-70 liquid asphalt heated and delivered in distributor's truck and applied on base at job site.
- ITEM #10: Lean mix cover material for prime coat delivered in distributor's truck and applied on base at job site.

Bid No. 83-03

Date: 1-13-83

City of Naples, Florida

STREET CONSTRUCTION MATERIAL

| BIDDER | Item #1 | Item #2 | Item #3 | Item #4 | Item #5 | Item #6 25-150 Tons | Item #6 151 Tons & Up | Item #6 Award Figure |
|-------------------------------------|-------------|-------------|----------|----------|----------|------------------------|-----------------------------|-------------------------|
| Macaspalt, Inc. Estero, FL. | --- | --- | 8.25/Ton | 7.15/Ton | 8.25/Ton | 35.50/Ton | 30.46/Ton | \$98,940.00 |
| Delivery Time | | | 1 day | 1 day | 1 day | 3 days | 3 days | |
| Highway Pavers, Inc. Naples, FL. | 4.40/Cu.Yd. | 6.00/Cu.Yd. | --- | --- | --- | 39.10/Ton | 32.90/Ton | 108,000.00 |
| Delivery Time | 10 days | 10 days | | | | 7 days | 7 days | |
| Hamon Bros. Rock Ochopee, FL. | 4.00/Cu.Yd. | 6.75/Cu.Yd. | --- | --- | --- | --- | --- | --- |
| Delivery Time | 2 days | 2 days | | | | | | |
| Brisson Enterprises Naples, FL. | --- | 7.75/Cu.Yd. | 9.76/Ton | 8.50/Ton | 9.93/Ton | 42.30/Ton | 38.60/Ton | 121,350.00 |
| Delivery Time | | 4 days | 4 days | 4 days | 4 days | 7 days | 7 days | |
| Couch Const. Co. Dothan, Alabama | --- | --- | --- | --- | --- | --- | 53.48/Ton | --- |
| Delivery Time | | | | | | | 14 days | |
| Delivery Time | | | | | | | | |
| Delivery Time | | | | | | | | |
| Delivery Time | | | | | | | | |

STREET CONSTRUCTION MATERIAL

| BIDDER | Item #7 | Item #8A | Item #8.1 30-150 Gal. | Item #8.2 151 Gal. & Up | Item #9.1 30-150 Gal. | Item #9.2 151 Gal. & Up | Item #10 | AWARD FIGURE (Total of 8.1 8.2, 9.1, 10.1) | Terms of Discount |
|-------------------------------------|-----------|----------|--------------------------|----------------------------|--------------------------|----------------------------|-----------|--|----------------------|
| Macaspalt, Inc. Estero, FL. | 21.50/Ton | --- | 2.065/Gal. | 1.30/Gal. | 2.56/Gal. | 1.75/Gal. | 33.70/Ton | 18,252.50 | Net |
| Delivery Time | | | | | 2 days | 2 days | 2 days | | |
| Highway Pavers, Inc. Naples, FL. | 31.90/Ton | .98/Gal. | 1.60/Gal. | 1.20/Gal. | 2.00/Gal. | 1.60/Gal. | 30.50/Ton | 15,700.00 | Net |
| Delivery Time | | | | | 7 days | 7 days | 7 days | | |
| Hamon Bros. Rock Ochopee, FL. | --- | --- | --- | --- | --- | --- | --- | --- | |
| Delivery Time | | | | | | | | | |
| Brisson Enterprises Naples, FL. | 31.50/Ton | --- | --- | --- | --- | --- | --- | --- | 2 1/10 days |
| Delivery Time | | | | | | | | | |
| Couch Const. Co. Dothan, Alabama | --- | --- | --- | --- | --- | --- | --- | --- | Net |
| Delivery Time | | | | | | | | | |
| Delivery Time | | | | | | | | | |
| Delivery Time | | | | | | | | | |

ROGERS, WOOD, HILL, STARMAN & GUSTASON

PROFESSIONAL ASSOCIATION

CERTIFIED PUBLIC ACCOUNTANTS

WALTER R. ROGERS, C.P.A.
RONALD A. WOOD, C.P.A.
JOHN R. HILL, C.P.A.
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December 15, 1982

Honorable Mayor and
Members of the City Council
City of Naples
Naples, Florida 33940

We have examined the financial statements of the City of Naples for the year ended September 30, 1982, and have issued our report thereon dated December 15, 1982. As a part of our examination, we made a study and evaluation of the City's system of internal accounting control to the extent we considered necessary to evaluate the system as required by generally accepted auditing standards. Under these standards, the purpose of such evaluation is to establish a basis for reliance on the system of internal accounting control in determining the nature, timing and extent of other auditing procedures that are necessary for expressing an opinion on the financial statements and to assist the auditor in planning and performing his examination of the financial statements.

The objective of internal accounting control is to provide reasonable but not absolute, assurance as to the safeguarding of assets against loss from unauthorized use or disposition, and the reliability of financial records for preparing financial statements and maintaining accountability for assets. The concept of reasonable assurance recognizes that the cost of a system of internal accounting control should not exceed the benefits derived and also recognizes that the evaluation of these factors necessarily requires estimates and judgments by management.

There are inherent limitations that should be recognized in considering the potential effectiveness of any system of internal accounting control. In the performance of most control procedures, errors can result from misunderstanding of instructions, mistakes of judgment, carelessness, or other personal factors. Control procedures whose effectiveness depends upon segregation of duties can be circumvented by collusion. Similarly, control procedures can be circumvented intentionally by management either with respect to the execution and recording of transactions or with respect to the estimates and judgments required in the preparation of financial statements. Further, projection of any evaluation of internal accounting control to future periods is subject to the risk that the procedures may become inadequate because

Honorable Mayor and
Members of the City Council
December 15, 1982
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of changes in conditions and that the degree of compliance with the procedures may deteriorate.

Our examination of the financial statements made in accordance with generally accepted auditing standards, including the study and evaluation of the City's system of internal accounting control for the year ended September 30, 1982, that was made for the purposes set forth in the first paragraph of this report, would not necessarily disclose all weaknesses in the system because it was based on selective tests of accounting records and related data. However, such study and evaluation disclosed the following conditions that we believe to be weaknesses:

(1) Numerous accounts in the water, sewer and garbage receivable detail contained old, disputed or uncollectible billings. We recommend that the conclusions of the Finance Director regarding the increase in meter deposits cited in his August 25, 1982, memo to the City Manager be adopted. In addition, on at least a quarterly basis, the customer service department should review all delinquent accounts and follow up on these accounts. On at least a yearly basis, the customer service department should prepare a listing of all uncollectible accounts or balances and submit it to the Finance Director for his approval to write off.

(2) Petty cash slips were not prenumbered, signed or approved. Such slips were not contained in any envelope, thereby causing a possible problem of lost documentation. A standard petty cash form showing date, amount received, purpose and recipient should be used for all withdrawals of petty cash. These forms should be placed in an envelope to avoid any loss of documentation. The recap of the petty cash reimbursement should be shown on the envelope.

(3) Several checks were charged to the wrong account because the account numbers were inverted. Various journal vouchers were found that were debited rather than credited to the accounts and vice-versa. The detail transaction journal should be scanned periodically for unusual items and any corrections should be made.

(4) Certain expenditures which were clearly fixed assets or capital outlays were charged to the supplies account or the repairs and maintenance account. All vouchers should be carefully examined to determine that the expenditure is being charged to the correct account.

(5) The majority of the lot mowing receivables at September 30, 1981, were not collected by the City in 1982 because the 1982 billings did not include the unpaid balances of 1981. All unpaid balance of active receivables should be pursued by the customer service department on at least a quarterly basis. In addition, all current billing should include a figure for past due amounts.

The foregoing conditions were considered in determining the nature, timing and extent of audit tests to be applied in our examination of the financial statements and this report of such conditions does not modify our report dated December 15, 1982, on such financial statement.

The suggestions and recommendations in this report represent further refinements in the accounting system and will enhance the control of the City's resources. We would like to express our thanks to all City employees for their cooperation and assistance during our examination.

Respectfully submitted,

Rogers, Wood, Hill, Starman & Gustason
Rogers, Wood, Hill, Starman & Gustason, P.A.

RWHSg:pl



City of Naples

--- MEMO ---

TO: Frank Jones, City Manager
FROM: Bill Hanley, Finance Director *BH*
SUBJECT: Auditors Management Letter
DATE: February 10, 1983

Following is a list of my responses including corrective action taken to the auditors management letter.

(1) We will conduct an annual review of all uncollectable accounts and submit this list to the City Manager for his review and approval for write off. For the year just ended we have identified approximately \$70,000 to be written off. This is the first time we have done this since 1978. The majority of these write offs were attributable to customers leaving the area without paying their bill. We have complied the section 26-10 of the code for these bad debts. We will address changing the meter deposits once we have time to review the new billing rates.

(2) I have distributed a memo to all departments regarding updates in our existing petty cash procedures. We will require all petty cash disbursements to be authorized within the department with a departmental purchase order. The purchase order will be prenumbered, dated, and approved. When it becomes necessary to replenish the fund, all supporting receipts and purchase orders shall be submitted to the Finance Department in an envelope attached to the departmental DPR.

(3) & (4) The transaction journal is scanned very closely each month by the departments themselves as well as the Finance Department. Any errors found are promptly corrected with a journal voucher. Once our new financial software package has been fully implemented, these kinds of errors will virtually be eliminated. The new system will prevent charges to the wrong account number once the purchase order has been numbered correctly. Currently since all our vendor checks are manually prepared, errors in typing can occur in transferring the purchase order account number onto the voucher.

(5) All outstanding lot mowing receivables have been reviewed and liens have been filed on those lots where necessary. The lot mowing billing process is being restructured and computerized and future bills will include any arrears.



City of Naples

--- MEMO ---

TO: HONORABLE MAYOR AND MEMBERS OF CITY COUNCIL
FROM: CITY MANAGER FRANKLIN C. JONES
SUBJECT: NEW FLOOD ELEVATIONS
DATE: FEBRUARY 11, 1983

BACKGROUND

We have reviewed the proposed new flood elevations issued by the Federal Emergency Management Agency (F.E.M.A.) and the impact these new elevations would have on the federal flood insurance program for existing and future buildings within the City. We have also researched the procedure established for filing appeals to these proposed new flood elevations and the current status of the County's action concerning the flood elevations in the unincorporated area.

ANALYSIS

Attached is a report from Community Development Director Roger Barry concerning the flood insurance program and construction costs; a letter from F.E.M.A. explaining the appeal procedures and a copy of an executive summary to the County Commission concerning their most recent action in their appeal is also attached.

The two main issues that concern us are the impact the new elevations may have on flood insurance rates and the impact on the cost of new construction. As Roger reported from his studies, the program is designed so that there would be no significant impact upon flood insurance rates for existing buildings constructed prior to October, 1981. There is a potential for significant impact only on structures built in the Velocity Zone ("V" Zone) after October, 1981, that were constructed below the new flood elevations. A search of our records indicates that only one new structure has been built in the "V" Zone since October, 1981, and it was built at an elevation which actually exceeds the proposed flood elevations.

We conclude, therefore, that adoption of the revised maps indicating higher required elevations due to a wave analysis factor would have little if any insurance cost related impact on structures built within the City. Also, we have concluded that the cost of new construction in the City would not increase significantly because the proposed increases in elevation are generally only one or two feet.

Mayor and Council
February 11, 1983
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While this review indicates that there is no substantial benefit from appealing to F.E.M.A. to have the proposed flood elevations reduced, the research conducted under the County's appeal program and the data from F.E.M.A. which established the new elevations are not yet available and it is therefore difficult to predict what conclusions may be drawn about the scientific basis of the proposed elevations. In this circumstance, the City Attorney recommends that a formal notice of appeal be lodged with F.E.M.A. so as to preserve the City's future right to present the data that the County collects in the event that this data warrants revision of the new flood elevations. F.E.M.A. indicates that their administrative appeal process permits the future submission of such data; and, if warranted, F.E.M.A. will revise their Rate Map accordingly after the effective date.

The County has decided to file an appeal with F.E.M.A. and the County Commission has engaged the services of an engineer to prepare the technical data. We have learned that they intend to fund the expenses for this appeal from County-wide revenues and by this means the City automatically participates in the funding. Since we would be able to use any data developed during their research, we feel that this funding method would be appropriate.

At their meeting of February 15, the County Commission is scheduled to take action to request the City Council to submit a name to the County for appointment to the Flood Elevation Committee. Since we should have some interest in the progress of the County's appeal, we should welcome the opportunity to have representation on that committee.

RECOMMENDATIONS

We would recommend that the City Council take the following action:

1. Direct the City Attorney to file a formal notice of appeal with F.E.M.A.
2. Direct the Mayor to write to the County Commission indicating that the City Council endorses their appeal and the funding program that would use County-wide revenues in paying expenses of the appeal; and
3. If requested by the County Commission, appoint a representative to the County Flood Elevation Committee.

Because there is a limited number of flood elevation maps available for your review, I will have three copies in my office for Council members to borrow overnight. I will keep a fourth copy in my office for inspection here.

Respectfully submitted,


Franklin C. Jones
City Manager

FCJ/jm



City of Naples

MEMO

TO: HONORABLE MAYOR AND MEMBERS OF CITY COUNCIL
 FROM: CITY MANAGER FRANKLIN C. JONES
 SUBJECT: OPERATION OF SEAPLANES AND ULTRALIGHT AIRCRAFT
 DATE: FEBRUARY 11, 1983

BACKGROUND: We have now received some information from Toivo Tammerk, Executive Director of the Airport Authority, concerning the FAA review of seaplane operations on Naples Bay and a survey of seaplane operations throughout the state.

ANALYSIS: Although the FAA review indicates that under controlled conditions the operation of seaplanes on the Bay would not present any problems for traffic patterns at the airport, and the survey of seaplane operations in other areas of the state indicates little formal control, we feel that there are some significant aspects of the situation in the City of Naples which warrant the City Council's pursuing some control of seaplane operations.

Naples Bay is a much smaller body of water than any of the areas contained in Toivo's survey. The Bay is also used for recreational purposes for thousands of boaters and is surrounded by densely populated residential areas. This would mean that the operation and the noise would have effects on these populated areas. The FAA report also mentions that the individual who is currently conducting seaplane operations on the Bay has had a violation filed for operation of an aircraft in a careless and reckless way. We have also recently had an incident within the City where an ultralight aircraft crashed into the garage of a home. All of these factors could affect the Council's decision to pursue further regulation of seaplane and ultralight aircraft operations within the City.

RECOMMENDATIONS: We are asking that the Council discuss this item at the February 16, meeting and if you wish to pursue these regulations, we could draft ordinances that would accomplish either one or both of the following:

1. Prohibit landing and taking off anywhere in the City of Naples except at the Naples Airport; and
2. Prohibit landing and taking off from any body of water within the City of Naples.

Respectfully submitted,

Franklin C. Jones
 Franklin C. Jones
 City Manager

FCJ/tan

