



City of Naples

City Council Minutes

Regular Meeting July 6, 1983

City Council Chambers
735 Eighth Street South
Naples, Florida 33940

-SUBJECT-	Ord. No.	Res. No.	Page
<u>ANNOUNCEMENTS</u>			
-MAYOR BILLY - noted that applications were still being received for the Airport Authority			1
-CITY MANAGER JONES - Described Employee Watch Program			1
<u>APPROVAL OF MINUTES</u> - Workshop Meeting, June 14, 1983 Regular Meeting, June 15, 1983			
<u>RESOLUTIONS</u>			
-Accept utility esmt., Yucca Circle, Coquina Sands		83-4292	1
-Accept bill of sale - water facilities, Bailey Lane		83-4293	1
-Approve Variance CCL 83-3, 695 Gulf Shore Blvd, Gordon Stock		83-4295	2
-Approve Dredging permit DR 83-1, 2000 Fifth St So, Knudson		83-4296	2 & 3
-Rescind Resolution 83-4286, The Pointe Subdivision		83-4298	4
-Appoint Rogers, Wood, et al - Audit		83-4299	4
-Authorize Camp, Dresser & McKee, Inc. to proceed w/design phase Wastewater Treatment Plant Expansion		83-4300	4 & 5
<u>PURCHASING</u>			
-Award bid - bulldozer rental		83-4294	2
<u>ORDINANCES - First Reading</u>			
-Approve adding probation to penalties for code violations	83-		3
- Second Reading			
-Adopt amendments to Appendix "A" - Zoning	83-4297		3

City Council Chambers
735 Eighth Street South
Naples, Florida 33940



Time 9:10 a.m.

Date July 6, 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 Roger Barry, Community Development Director
David W. Rynders, City Attorney Randy Davis, Parks & Recreation Director
Mark Wiltsie, Assistant to the City Manager John McCord, City Engineer
Stewart Unangst, Purchasing Agent William Savidge, Public Works Director
Steve Cramer, Chief Planner
Ellen P. Marshall, Deputy Clerk

See Attachment #1 - Supplemental Attendance list

INVOCATION - Father Thomas Goggin, St. Ann Catholic Church ITEM 1

ANNOUNCEMENTS ITEM 3

MAYOR BILLICK - noted that applications were still being accepted for the vacancy on the Airport Authority. ITEM 3-a

CITY MANAGER JONES - outlined the Employee Watch Program that had been instituted involving city employees who circulated throughout the City during their work schedules. He noted they would receive training in observation and small rewards would be given for any information they garnered that resulted in an arrest. ITEM 3-b

-----CONSENT AGENDA-----

Mr. Anderson moved adoption of the Consent Agenda, seconded by Mr. Schroeder; however, Mr. Rothchild asked that Agenda Item 7 be removed from the Consent Agenda inasmuch as it was a purchasing item.

APPROVAL OF MINUTES - 06/14/83 Workshop ITEM 4
06/15/83 Regular

---RESOLUTION 83-4292 ITEM 5

A RESOLUTION ACCEPTING A UTILITY EASEMENT FROM ANTONIO G. ZAMPOGNA ET UX FOR THE PURPOSE OF TRANSMITTING IRRIGATION WATER TO YUCCA CIRCLE IN COQUINA SANDS; AND PROVIDING AN EFFECTIVE DATE.

Title not read.

---RESOLUTION 83-4293 ITEM 6

A RESOLUTION ACCEPTING A BILL OF SALE FROM THE BOARD OF COUNTY COMMISSIONERS OF COLLIER COUNTY TO THE CITY OF NAPLES FOR WATER DISTRIBUTION FACILITIES LOCATED WITHIN THE RIGHT-OF-WAY OF BAILEY LANE; AND PROVIDING AN EFFECTIVE DATE.

Title not read.

MOTION: To APPROVE the minutes and to ADOPT the resolutions, all as presented.

-----END OF CONSENT AGENDA-----

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		
Rothchild					
Schroeder				X	
Thornton					
Wood					
Billick					

	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>PURCHASING</u>					
<u>ITEM 7</u>					
--- <u>RESOLUTION 83-4294</u>					
<p>A RESOLUTION AWARDDING THE BID FOR THE RENTAL OF A BULLDOZER WITH OPERATOR TO BE USED BY THE PUBLIC WORKS DEPARTMENT ON AN AS-NEEDED BASIS DURING THE NEXT TWELVE (12) MONTHS; AUTHORIZING THE CITY MANAGER TO ISSUE A PURCHASE ORDER THEREFOR; AND PROVIDING AN EFFECTIVE DATE.</p> <p>Title read by City Attorney Rynders.</p> <p>City Manager Jones explained that the lowest bidder did not meet specifications and that he was recommending the award of the bid to the low bidder who had met the specifications.</p> <p><u>MOTION:</u> To <u>ADOPT</u> the resolution as presented.</p>					
	Anderson	X		X	
	Richardson			X	
	Rothchild		X	X	
	Schroeder			X	
	Thornton			X	
	Wood			X	
	Billick			X	
	(7-0)				
----- <u>ADVERTISED PUBLIC HEARINGS</u> -----					
--- <u>RESOLUTION 83-4295</u>					
<u>ITEM 8</u>					
<p>A RESOLUTION GRANTING A VARIANCE FROM THE MOST RESTRICTIVE COASTAL CONSTRUCTION SETBACK LINE ESTABLISHED BY SECTION 7-41 OF THE CODE OF ORDINANCES OF THE CITY OF NAPLES, TO ALLOW CONSTRUCTION OF AN ADDITION TO A SINGLE-FAMILY RESIDENCE AT 695 GULF SHORE BOULEVARD, SUBJECT TO THE CONDITION SET FORTH HEREIN; AND PROVIDING AN EFFECTIVE DATE.</p> <p>Title read by City Attorney Rynders.</p> <p>Public Hearing: Opened - 9:19 a.m. Closed - 9:45 a.m.</p> <p>Mark Lamoureux, representing the petitioner Gordon Stock, questioned Council regarding the stipulation that a rock revetment be constructed along the existing timber bulkhead inasmuch as the proposed construction was 47.2' from the bulkhead. Mayor Billick stated his opinion that this condition shouldn't be tied to this small project. Mr. Thornton, Mr. Schroeder and Mr. Wood noted that this requirement was in compliance with the engineering report received by the City from David Tackney and that it had been the policy of the City to require the addition of the rip rap whenever any permits were given for coastal projects since the receipt of the report approximately two years ago. Mr. Rothchild and Mr. Anderson noted that there were differing opinions as to the effectiveness of the rip rap and that a committee had been appointed to review the matter. City Engineer McCord stated that the policy of requiring the construction of the rip rap whenever any coastal construction was permitted may have been a good method to reach a point of eventually getting all seawalls protected in this manner.</p> <p><u>MOTION:</u> To <u>ADOPT</u> the resolution deleting the requirement for the rock revetment construction.</p>					
	Anderson	X		X	
	Richardson			X	
	Rothchild		X	X	
	Schroeder				X
	Thornton				X
	Wood				X
	Billick			X	
	(4-3)				

--- <u>RESOLUTION 83-4296</u>					
<u>ITEM 9</u>					
<p>A RESOLUTION AUTHORIZING FILL ACTIVITIES AT AN EXISTING BOAT SLIP ADJACENT TO A MANMADE CANAL LEADING FROM NAPLES BAY TO AQUA COVE, IN CONJUNCTION WITH THE REPLACEMENT OF BULKHEAD WALLS ADJACENT THERETO, THE SAME BEING LOCATED AT 2000 FIFTH STREET SOUTH; AND PROVIDING AN EFFECTIVE DATE.</p> <p>Title read by City Attorney Rynders.</p>					

---RESOLUTION 83-4296 (Cont) ITEM 9 (Cont)

Public Hearing: Opened - 9:46 a.m. Closed - 9:48 a.m.

George Hermanson, representing the petitioner, presented himself to answer questions from Council, and in response to Mr. Rothchild, explained that the reasons for this petition and an earlier petition were because of different phases of construction for this project.

MOTION: To ADOPT the resolution as presented.

*** *** ***

---ORDINANCE 83-4297 - SECOND READING ITEM 10

AN ORDINANCE RELATING TO ZONING, AMENDING SECTION 5.9, "HC" HIGHWAY COMMERCIAL DISTRICT, SECTION 5.12, "C2" GENERAL COMMERCIAL DISTRICT, SECTION 5.14, "C3" HEAVY BUSINESS DISTRICT, SECTION 5.15, "C4" AIRPORT COMMERCIAL DISTRICT, SECTION 5.17, "M" MEDICAL DISTRICT, SECTION 5.20, "PS" PUBLIC SERVICE DISTRICT, SECTION 6, "SUPPLEMENTARY DISTRICT REGULATIONS, AND SECTION 14, "DEFINITIONS", OF APPENDIX - "A" - ZONING OF THE CODE OF ORDINANCES OF THE CITY OF NAPLES; AND PROVIDING AN EFFECTIVE DATE. PURPOSE: TO PERMIT PARKING GARAGES BY SPECIAL EXCEPTION ONLY IN "HC" HIGHWAY COMMERCIAL DISTRICT, "C2" GENERAL COMMERCIAL DISTRICT, "C3" HEAVY BUSINESS DISTRICT AND "M" MEDICAL DISTRICT; TO PERMIT CERTAIN NON-AVIATION RELATED COMMERCIAL AND SPECIAL EXCEPTION USES IN THE "C4" AIRPORT COMMERCIAL DISTRICT; TO CLARIFY CERTAIN PROVISIONS OF SECTION 5.20, "PS" PUBLIC SERVICE DISTRICT; TO PERMIT TRUCK, AUTO AND EQUIPMENT STORAGE AT GASOLINE SERVICE STATIONS BY SPECIAL EXCEPTION; TO AMEND CERTAIN OFF-STREET PARKING AND LOADING REQUIREMENTS; TO DELETE THE PROVISION FOR PARKING AUTHORITY IN-LIEU PAYMENTS; TO PERMIT "CANOPY" SIGNS IN SHOPPING CENTERS; TO AMEND THE DEFINITION OF "YARDS" TO PROVIDE FOR THE DETERMINATION OF YARD LOCATIONS ON DOUBLE FRONTAGE LOTS FOR PURPOSES OF FENCE CONSTRUCTION.

Title read by City Attorney Rynders.

Public Hearing: Opened - 9:50 a.m. Closed - 9:58 a.m.
No one present to speak for or against

Community Development Director Barry answered questions from Council about the reduction of parking for a furniture or carpet store and explained that if the building were later converted to offices, only the portion of the building that corresponded to the available parking could be utilized.

MOTION: To ADOPT the ordinance as presented on Second Reading.

-----END ADVERTISED PUBLIC HEARINGS-----

FIRST READING OF AN ORDINANCE

---ORDINANCE 83- ITEM 11

AN ORDINANCE RELATING TO PENALTIES FOR VIOLATION OF CITY ORDINANCES; AMENDING SECTION 1-8 OF THE CODE OF ORDINANCES; PROVIDING A SEVERABILITY CLAUSE; AND PROVIDING AN EFFECTIVE DATE. PURPOSE: TO AUTHORIZE THE COURT, IN ITS DISCRETION, TO PLACE A PERSON ON PROBATION FOR VIOLATION OF CITY ORDINANCES OR MISDEMEANOR LAWS OF THE STATE OF FLORIDA ADOPTED BY THE CITY.

Title read by City Attorney Rynders.

City Attorney Rynders explained that this had been suggested by the State Attorney's office and he had taken the language from the state statutes.

MOTION: To APPROVE the ordinance on First Reading

*** *** ***

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

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

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

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	

---RESOLUTION 83-4298

ITEM 12

A RESOLUTION RESCINDING RESOLUTION NO. 83-4286 WHICH APPROVED THE RECORD PLAT FOR THE POINT SUBDIVISION LOCATED SOUTHEAST OF THE SOUTH END OF GORDON DRIVE; AND PROVIDING AN EFFECTIVE DATE.

Title read by City Attorney Rynders.

City Attorney Rynders noted that he had been informed that some damage to City property adjacent to this property had occurred during clearing and suggested that the resolution be amended to include reimbursement to the City for this damage.

MOTION: To ADOPT the resolution as amended to include reimbursement for damage to City property.

---RESOLUTION 83-4299

ITEM 13

A RESOLUTION RETAINING AN ACCOUNTING FIRM TO PERFORM THE CITY AUDIT FOR THE FISCAL YEAR 1982-83; AND PROVIDING AN EFFECTIVE DATE.

Title read by City Attorney Rynders.

City Manager Jones reviewed the information in his memo of July 1, 1983 (Attachment #2). Mr. Rothchild noted that a selection committee had reviewed competitive bids from several firms last year. City Manager Jones and City Attorney Rynders explained that although Council had elected to go through that process last year, it was not required.

MOTION: To ADOPT the resolution as presented.

BREAK: Recessed - 10:30 a.m. Reconvened - 10:42 a.m.
All Councilmen present

---RESOLUTION 83-4300

ITEM 14

A RESOLUTION AUTHORIZING CAMP DRESSER & MCKEE, INC., TO PROCEED WITH CERTAIN ACTIVITIES ENUMERATED HEREIN IN CONJUNCTION WITH EXPANSION OF THE CITY OF NAPLES WASTEWATER TREATMENT PLANT AND PROVISION OF A METHOD FOR EFFLUENT DISPOSAL.

Title read by City Manager Jones.

Mr. Anderson suggested that the following sentence be included in Section 1-a): "These improvements would modify the plant to provide an ultimate capacity of 8.5-million gallons a day and also provide those interim improvements which would bring the interim facilities to a capacity of 6.5-million gallons a day." Mr. Schroeder asked that Section 1-b) read: "Pursuit of commitments from golf courses in the City's service area for the effluent reuse system so that a decision by Council can be made whether or not such a reuse system is feasible." City Manager Jones noted that this resolution is in correlation with the existing contract with Camp, Dresser & McKee, Inc. (CDM). In response to a question from Mr. Rothchild, the City Manager clarified the other consultants referred to in Section 1-c) as the bond advisors, the auditors, and the rate consultants along with the city staff and the engineering consultants.

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

X	X		
	X		
	X		
X	X		
	X		
	X		
	X		

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

	X		
X	X		
		X	
		X	
X		X	
		X	

COUNCIL MEMBERS

VOTE

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

---RESOLUTION 83-4300 (Cont)

ITEM 14 (Cont)

Mr. Richardson then asked about advanced water treatment (AWT) and continued discharge into Naples Bay; Chuck Bolton (CDM) expressed his concern that the Department of Environmental Regulation (DER) may not approve any discharge, even AWT. Mr. Anderson noted that this resolution only dealt with the design phase of the expanded wastewater treatment plant and a decision on the effluent disposal method was not necessary until October. Mr. Rothchild read a statement into the record (Attachment #3) concerning pollution in Naples Bay, other than that from the City of Naples. Mr. Schroeder suggested that contracts with the golf courses for reuse of treated effluent be negotiated for 20 years rather than five and Mr. Bolton confirmed that the term would be part of the negotiations. Dr. Charles Stokes, speaking as a citizen, stated that he was pleased to hear the foregoing discussion and hoped more data would be collected before making decisions about the disposal method. Ed McMahon, another citizen, noted a letter from the Waterway Council to the DER dated January 11, 1983, and their reply, dated January 21, 1983 (Attachments #4 and #5), referring to other sources of pollution in Naples Bay. Mr. Rothchild noted that there was going to be some state funding available and Mr. Bolton stated that CDM would meet with DER about this on July 20. Mr. Bolton also noted that being under the consent order deadline might be beneficial to the City's position on the grant priority list. Mr. William Mudge, president of the Wilderness Country Club, stated that while the golf clubs wanted to cooperate in the reuse of the effluent, they had concerns about holding it in ponds or lakes. He said direct piping of the effluent would be more satisfactory.

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

				X
				X
				X
			X	X
X		X		X
				X
				X

MOTION: To ADOPT the resolution as amended.

ADJOURN: 11:39 a.m.

Janet Cason

Stanley R. Billick
Stanley R. Billick, Mayor

Janet Cason
City Clerk

Ellen P. Marshall

Ellen P. Marshall
Deputy Clerk

These minutes of the Naples City Council approved on 07-20-83

180

Supplemental Attendance List - Regular Meeting, July 6, 1983

Father Thomas Goggin
 Charles Andrews
 Sam Aronoff
 Tish Gray
 Lloyd Sarty
 Charles Long
 Dennis Lynch
 Mark Lamoureux
 Robert Lieberenz
 Dr. Charles Stokes

Mr. & Mrs. Gordon Stock
 Donald Engold
 John Smith
 Robert McGarvey
 William Mudge
 Lofton Phillips
 Herb Anderson
 Ed Kant
 Mary Springrose

Toivo Tammerk
 Ed McMahon
 Robert Russell
 Gilbert Weil
 Robert Tiffany
 Willie Anthony
 Stan Chryzanowski
 Chuck Bolton
 Robert Ortiz
 Jim McGrath

News Media:

Laurie Fugitt, TV-9
 Jim Bryan, WNOG

Denes Husty, News Press
 Susan Gardner, TV-9

Matt Spina, Naples Daily News
 Randy Sell, TV-9



City of Naples

--- MEMO ---

TO: HONORABLE MAYOR AND MEMBERS OF CITY COUNCIL

FROM: CITY MANAGER FRANKLIN C. JONES

SUBJECT: APPOINTMENT OF AUDITOR - FISCAL YEAR
ENDING SEPTEMBER 30, 1983

DATE: JULY 1, 1983

BACKGROUND: Section 15.10 of the City Charter requires that 60 days prior to the end of the fiscal year the City Council designate certified public accountants to make an independent audit of the City's financial transactions for the year and submit a report to the Council and the City Manager. The Council would satisfy this requirement by appointing an auditor during the month of July.

ANALYSIS: The current auditors, Rogers, Wood, Hill, Starman & Gustason, have submitted a proposal for completing the audit for the year ended September 30, 1983. Their proposal is attached for your review. We found the work by this firm to be very acceptable. Examples of their accomplishments in the past several years have been their assistance to the City in implementing the comprehensive financial reporting format that we now use, and their assistance to the City in receiving certification of conformance in financial reporting from the Municipal Finance Officers Association. They have also been available for consultation throughout the year to me and my staff on accounting related matters.

The firm has proposed a fee of \$19,400 which is an increase of \$900 over last year's fee.

In addition to their past performance, there is one other major reason for retaining the firm of auditors for the 1982-83 audit. During 1984 the City will be in the process of issuing a very large water and sewer utility bond issue; one of the major factors in the process of validating and selling that issue will be the City's ability to present financial information that conforms to the generally accepted standards in a timely manner. This firm has demonstrated their ability to assist the City in meeting those requirements.

CONCLUSIONS & RECOMMENDATIONS: I recommend that the City Council adopt a resolution that would appoint Rogers, Wood, Hill, Starman & Gustason as the auditors for the 1982-83 fiscal year.

Respectfully submitted,

Franklin C. Jones
City Manager

FCJ/tan

July 6, 1983

We have been told that Naples Bay is polluted far beyond the acceptable standards established by the Department of Environmental Regulation (D.E.R.). We have also been told that if the City of Naples accomplished a zero discharge of effluent into the bay it would still be polluted beyond an acceptable level.

John H. Stevens, Director, Environmental Health Section of the Florida Department of Health and Regulatory Services and Dr. William W. Cox, Director, Collier Health Department have said in a recent letter:

"We strongly believe that the elimination of the wastewater effluent from the Gordon River will make a major contribution to the clean-up of Naples Bay. We recognize that other pollutants such as septic tanks, package treatment plants, and storm water run-off also contribute to the pollution of Naples Bay."

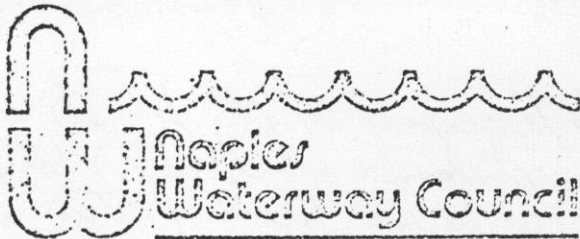
The septic tanks and package treatment plants which contribute to the pollution of Naples Bay are located in the unincorporated areas of Collier County north and east of the City of Naples. Package treatment plants are still being installed in Collier County and approximately 2225 septic tanks have been authorized in Collier County in the last 2 1/2 years and more are permitted every day.

It has been estimated that Naples' contribution to the pollution of the bay is approximately 26% while 74% of the pollution comes from other sources. It should be apparent to any thinking person that it would be the height of foolishness for the City Council to embark on a 24 million dollar project which will saddle the taxpayers with a 60 to 100 million dollar bond debt, but will not eliminate or materially reduce the pollution of Naples Bay.

The time has come for some serious negotiations with the D.E.R. and in that connection I note that Chairman Roland Anderson has recently advocated an advanced treatment program which may form the basis for a compromise with the D.E.R. Mr. Anderson is in my opinion, more than adequately qualified to represent the Council in any discussions with the D.E.R. His Consent Order signed on behalf of the City can be set aside if the negotiations are successful.

We owe it to all the taxpayers of the city to make every effort to reach a satisfactory compromise which will greatly reduce the onerous tax burden we are now facing. Politics and particularly the coming city elections should have no place in the consideration and resolution of this most serious problem.

Harry Rothchild
City Councilman



SERVING COLLIER COUNTY

852 First Avenue South, Naples, Florida 33940 • (813) 262-2424

January 11, 1983

Mr. Phil Edwards, Director
 Florida Dept. of Environmental Regulation
 Division of Permitting
 2369 Bay Street
 Fort Myers, Florida 33901

Dear Mr. Edwards:

The Naples Waterways Council was created several years ago by the concerned property owners associations and other groups listed on our letterhead, to protect the environment of waterways in the Naples area in an effort to preserve the health and welfare of all who use the waters, including all aquatic life.

The Waterways Council has and will continue to support DER's action in requiring the City of Naples to enlarge and improve its sewage disposal plant, which has been and is one of the major contributors to the pollution of the Bay. We commend the City of Naples for the action it is now taking, but we urge you to persevere in your efforts to require an early completion of an effective sewage treatment plant.

The Collier County Commission has, in the past, allocated funds to monitor the condition of the Naples Bay and the City of Naples has now agreed to continue, at least for the coming year, to monitor the condition of the Bay. Prior tests have shown that the Naples sewage plant is not the only polluter of the Bay. Rock Creek, within the confines of Collier County, is in an area bound on the south by Davis Boulevard, on the east by Airport Road and on the North by the Naples Airport. Only the Day's Inn Motel is serviced by the City of Naples sewage system. All other business and residences rely on septic tanks. The water table in above-described area is only a few feet below the surface. During the rainy season and at high tides, many of the septic tanks in this area fail and their effluent rises to the earth's surface polluting the area and endangering the health of its residents. At least one restaurant in the area was required to temporarily close due to septic tank failure.

Halderman Creek is another great polluter of the lower bay. It serves an area of numerous apartment buildings, several trailer courts and marinas. Appropriate corrective action in that area is also imperative.

AQUALANE SHORES ASSOCIATION • AUDUBON SOCIETY • COQUINA SANDS ASSOCIATION
 MOORINGS PROPERTY OWNERS ASSOCIATION • NAPLES CIVIC ASSOCIATION • PARK SHORE ASSOCIATION
 PORT ROYAL ASSOCIATION • ROYAL HARBOR ASSOCIATION

Mr. Phil Edwards, Director
Florida Dept. of Environmental Regulation

-2-

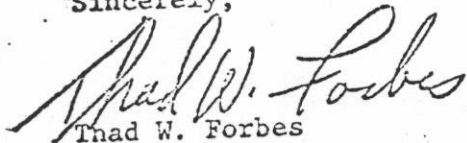
January 11, 1983

Many residents and businesses in both areas described would welcome a sewage system which the County has failed to provide.

The levels of pollution have frequently been in excess of standards which have been established by the State of Florida in the area of coliform and fecal coliform bacterial counts. In addition, in many areas of the Bay, the presence of bacteria which are pathogenic for men have been repeatedly demonstrated. The Collier County Health Department has posted signs in several areas of the Bay warning of potential health risks. See attachment.

We urge DER to exert its influence and authority to require Collier County to take early action to eliminate the pollution of the Rock Creek and Halderman Creek areas and, in turn, the Naples Bay by whatever means appropriate.

Sincerely,


Thad W. Forbes
Chairman

TWF:ec

Attachment

Copy to: Collier County Board of Commissioners
Mayor of the City of Naples
City Councilmen of Naples
Naples City Manager
Collier County Manager

Attachment to Waterways Council letter to Florida Department of Environmental Regulation

Regular monthly sampling as part of a scientifically designed water monitoring program have indicated over the years frequent, sometimes gross contamination with total coliform and fecal coliform bacteria. These data show that the highest incidence of coliform violation may be found in Naples Bay and Gordon River north of the City Dock facility and in Rock Creek and Haldeman Creek in approximately that order. During one annual cycle, for which the data is summarized (Feb. 1981 - Jan. 1982) of 120 coliform samples (60 total coliform + 60 fecal coliform) taken from 5 Bay and River stations north of the City Dock, 60 samples (50%) exceeded State standards. In Rock Creek during the same interval 20 out of 72 samples from 3 stations (28%) exceeded State standards, and in Haldeman Creek 11 out of 88 samples from 4 stations (12.5%) represented violations. In recognition of the potential threat to public health most of the areas noted above have been posted by the Collier County Health Department with notices to avoid water contact activities.

In addition to coliform tests, samples of Bay water are also being tested for certain pathogenic bacteria. The testing scan at present includes Vibrio cholerae, vibrio parahaemolyticus, Salmonella and Pseudomonas aeruginosa. Potential human pathogens (Salmonella and V. cholerae (non 01)) were qualitatively isolated from a high percentage of the 12 sampling stations in Naples Bay and associated waterways. For the Bay as a whole, Salmonella was found in 32 out of 115 samples (28%) with highest occurrences in Rock Creek (70%) followed by Haldeman Creek and the Gordon River near the Naples sewage treatment plant with 50% each. Sampling for V. cholerae produced 35 positive results out of 115 samples (30%). Frequencies of occurrence were highest in the upper Gordon River (60%), near the Naples sewage treatment plant (40%) and at mid-bay near Royal Harbor (50%).

STATE OF FLORIDA
DEPARTMENT OF ENVIRONMENTAL REGULATION

SOUTH FLORIDA
DISTRICT

2269 BAY STREET
FORT MYERS, FLORIDA 33901



BOB GRAHAM
GOVERNOR

VICTORIA J. TSCHINKEL
SECRETARY

PHILIP R. EDWARDS
DISTRICT MANAGER

January 21, 1983

Mr. Thad Forbes, Chairman
Naples Waterway Council
852 First Avenue, South
Naples, Florida 33940

Dear Mr. Forbes:

Mr. Edwards has asked me to respond to your letter of January 11, 1983 concerning the pollution problems in Halderman Creek, Rock Creek, the Gordon River and Naples Bay. We, too, share your concern for the pollution that has been shown to be present in all these areas.

As you know, the City of Naples has taken steps to relieve the situation and it is expected that by 1986 all discharge to the river from this plant will be eliminated. Stormwater runoff will still be a factor in water degradation, but this responsibility is now managed by the South Florida Water Management District.

A new sewage treatment plant will be taking the flow from the Rock Creek Trailer Park that will eliminate a possible source of leaching into the creek. The extensive use of septic tanks in this area and the Halderman Creek area is a possible source of contamination and this should be addressed by the local health department.

There are two trailer parks adjacent to Haldrman Creek that have a potential of leaching to the creek. We are keeping a close check on both of them to determine if this is happening. To the best of our knowledge no leachate is entering the creek from these sources. Again, the other major sources in this area would likely be from septic tanks and stormwater runoff. It had been anticipated that the East Naples Sewer District would relieve the situation but it now appears that this is a long way off.

We have cooperated and encouraged both the City and County to upgrade and expand their sewer capabilities and continue to do so. With the reductions in Federal grant monies available, the burden of expansion will primarily be with the people of Collier County. The Department is very

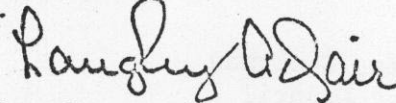
Continued...

Mr. Thad Forbes
Page Two
January 21, 1983

limited in their ability to force a municipality to create new systems, especially when state or federal aid is not available.

Be assured we will continue in our efforts to assist the City and County in any way possible to solve their mutual problems.

Sincerely,



Langley Adair
Enforcement Officer

LA/mm

cc: Collier County Manager
Naples City Manager