

Regular Meeting Sept 21, 1983*City of Naples*City Council Chambers
735 Eighth Street South
Naples, Florida 33940

-SUBJECT-	Ord. No.	Res. No.	Page
<u>ANNOUNCEMENTS</u>			
-MAYOR BILLYCK - welcomed Councilman Richardson back after illness			1
-CITY MANAGER JONES - noted completion of a <u>draft contract</u> for golf course use of treated effluent			1
<u>APPROVAL OF MINUTES</u> - 09/01/83 - Special Meeting (Budget)			
09/06/83 - Workshop Meeting			1
09/07/83 - Regular Meeting			
<u>RESOLUTIONS</u>			
-Accept <u>easement</u> for water main ext. S.W. corner Airport Rd. & Golden Gate Parkway		83-4338	1
-Authorize City Manager to <u>transfer funds</u> from Contingency Fund		83-4343	1 & 3
-Approve issuance of Airport Authority Revenue <u>Refunding Bonds</u>		83-4344	4
-DENY Spec. Ex. 83-S11 - Sciarrino Family Trust - <u>gas pump request</u>		DENIED	4 & 5
-Approve Spec. Ex. 83-S12 - <u>Mobil Station</u> , N.W. corner U.S.41 & Central Avenue		83-4345	5
-Approve Preliminary Plat Plan 83-SD4 " <u>The Point</u> "		83-4347	6
-Approve Authorization to <u>borrow \$600,000</u> from Naples Federal Savings & Loan for <u>City Dock Reconstruction</u> project		83-4350	8
<u>PURCHASING</u>			
-Award bid - annual requirement Thermoplastic material		83-4339	2
-Award bid - Gasoline & Diesel fuel - City Dock		83-4340	2
-Award bid - Air conditioning & heating maintenance, annual		83-4341	2 & 3
-Approve City Manager's award of bid for landscaping recreation project		83-4342	3
-Award bid - Reconstruction of City Dock		83-4349	7 & 8
<u>ORDINANCES</u> - First Reading			
-DENY <u>Rezone Petition 83-R5</u> , Dr. Moses Howard, 621 & 651 4th Ave No	DENIED		5
-Approve amendment to previously approved Development Plan N.E. corner 5th Ave No & Goodlette Road - <u>Seaboard Uptown</u>	83-		6
-Approve amendment to Zoning Ordinance regarding <u>fence heights</u> to permit 6 foot fences	83-		7 & 9
<u>DISCUSSION</u>			
-Presentation of Progress Report on Trihalomethane Control Program by CH2M Hill			9

City Council Chambers
735 Eighth Street South
Naples, Florida 33940



Time 9:08 a.m.

Date September 21, 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
Kenneth A. Wood
Councilmen

Absent: Randolph I. Thornton
Councilman

Also present:
Franklin C. Jones, City Manager John R. McCord, City Engineer
David W. Rynder, City Attorney Randy Davis, Parks &
Stewart Unangst, Purchasing Agent Recreation Director
Roger Barry, Community Development Director William Savidge, Public Works
Director
Mark Wiltsie, Assistant to the City Manager Max Hasse, Assistant Parks
& Recreation Director
Steve Cramer, Chief Planner Ellen P. Marshall, Deputy
Bill Hanley, Finance Director Clerk

See Attachment #1 - Supplemental Attendance List

INVOCATION - Reverend Howard S. Hugus ITEM 1
Emmanuel Lutheran Church

ANNOUNCEMENTS ITEM 3

MAYOR BILLICK - noted the presence of Councilman ITEM 3-a
Richardson and his return to good health.

CITY MANAGER JONES - noted that a copy of the ITEM 3-b
draft of a contract for use of treated effluent
by local golf courses would be distributed to Council.

*** *** ***

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

Mayor Billick noted the Consent Agenda; whereupon Mr. Rothchild
asked that all purchasing items (#7-a, #7-b, #7-c, and #7-d) and
Item #5 be removed from the Consent Agenda for individual
consideration.

APPROVAL OF MINUTES - 09/01/83, Special Meeting ITEM 4
09/06/83, Workshop Meeting
09/07/83, Regular Meeting

---RESOLUTION 83-4338 ITEM 6

A RESOLUTION ACCEPTING A BILL OF SALE AND EASEMENT FROM LLOYD
G. HENDRY, HAROLD S. LYNTON AND JULIET C. SPROUL, AS TRUSTEES,
FOR A WATER MAIN EXTENSION TO SERVE A PROPOSED OFFICE COMPLEX
AT THE SOUTHWEST QUADRANT OF AIRPORT ROAD AND GOLDEN GATE PARKWAY;
AND PROVIDING AN EFFECTIVE DATE.

Title not read.

MOTION: To APPROVE the minutes and ADOPT the resolution as
presented in the Consent Agenda.

-----END 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					
Rothchild					
Schroeder			X		
Thornton					X
Wood			X		
Billick					
			C O N S E N S U S		

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
---RESOLUTION 83-					
ITEM 5					
<p>A RESOLUTION AUTHORIZING THE CITY MANAGER TO TRANSFER FUNDS FROM THE CONTINGENCY FUND TO COVER THE AMOUNTS BY WHICH VARIOUS DEPARTMENTS OF THE CITY ARE EXPECTED TO EXCEED THEIR 1982-83 BUDGETARY APPROPRIATIONS; AND PROVIDING AN EFFECTIVE DATE.</p>					
Title read by City Attorney Rynders.					
<p>In response to questions from Mr. Rothchild, City Manager Jones explained that the majority of the over-budget amounts in the cost-to-complete chart (Attachment #2) resulted from increases in salaries. He also noted that problems in converting to the new computer in the Finance Department had also resulted in a higher cost-to-complete than anticipated. He suggested that the Fire Department may have achieved other savings to offset the salary increases so the over-budget figure was lower than the Police Department's figure. Citizen J. Sandy Scatena asked for a breakdown in the figures for the City Attorney's account. Inasmuch as these figures had to be obtained from the City Manager's office, it was the consensus of Council to move on to the Purchasing Items.</p>					

<u>PURCHASING</u>					
<u>ITEM 7</u>					
---RESOLUTION 83-4339					
ITEM 7-a					
<p>A RESOLUTION AWARDED THE BID FOR THE CITY'S ANNUAL REQUIREMENTS FOR THERMOPLASTIC MATERIAL; AUTHORIZING THE CITY MANAGER TO ISSUE A PURCHASE ORDER THEREFOR; AND PROVIDING AN EFFECTIVE DATE.</p>					
Title read by City Attorney Rynders.					
<u>MOTION:</u> To <u>ADOPT</u> the resolution as presented.					

---RESOLUTION 83-4340					
ITEM 7-b					
<p>A RESOLUTION AWARDED THE BID FOR SUPPLYING GASOLINE AND DIESEL FUEL TO THE MUNICIPAL BOAT DOCK FOR A TWELVE (12) MONTH PERIOD FOR RESALE TO THE BOATING PUBLIC; AUTHORIZING THE CITY MANAGER TO ISSUE A PURCHASE ORDER THEREFOR; AND PROVIDING AN EFFECTIVE DATE.</p>					
Title read by City Attorney Rynders.					
<p>In response to a question by Mr. Rothchild, Purchasing Agent Unangst noted that this was an all-or-nothing bid and that deliveries of the two types of fuel could be made from a split truck, making the delivery costs lower than awarding the bid to two suppliers.</p>					
<u>MOTION:</u> To <u>ADOPT</u> the resolution as presented.					

---RESOLUTION 83-4341					
ITEM 7-c					
<p>A RESOLUTION AWARDED THE BID FOR THE CITY'S ANNUAL REQUIREMENTS FOR AIR CONDITIONING/HEATING MAINTENANCE SERVICES; AUTHORIZING THE CITY MANAGER TO ISSUE A PURCHASE ORDER THEREFOR; AND PROVIDING AN EFFECTIVE DATE.</p>					
Title read by City Attorney Rynders.					

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

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

	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
<p>Mayor Billick noted that this meeting would be recessed for a Special Meeting at 11:30 a.m. which had been called to vote on the Second Reading of the ordinance adopting the final 1983-84 Budget. A second item is to consider a resolution affirming the suspension of a contractor's certificate of competency.</p> <p>***</p> <p><u>COMMUNITY DEVELOPMENT DEPARTMENT/NAPLES</u> <u>ITEM 9 (Cont)</u> <u>PLANNING ADVISORY BOARD (Cont)</u></p> <p><u>---ORDINANCE 83-</u> <u>ITEM 9-d</u></p> <p>AN ORDINANCE AMENDING A PREVIOUSLY APPROVED DEVELOPMENT PLAN FOR PROPERTY LOCATED AT THE NORTHWEST CORNER OF FIFTH AVENUE NORTH AND GOODLETTE ROAD, BEING LOT 1, SEABOARD UPTOWN SUBDIVISION; AND PROVIDING AN EFFECTIVE DATE. PURPOSE: TO INCREASE THE MAXIMUM HEIGHT FROM 30 FEET TO 36 FEET.</p> <p>Title read by City Attorney.</p> <p>Edward Kant, representing petitioner, distributed photos of an architect's rendering of the building in question, a copy of which is on file in the meeting packet in the City Clerk's office. Mr. Kant answered questions from Council to explain the request for the amendment to allow a building 36 feet in height. He noted that the earlier approval allowing the "O" office use which carried a 30-foot height limit, had been done prior to any specific architectural consideration. The architect had indicated that standard office building specifications were 12 feet floor-to-floor making 30 feet insufficient for three stories. Mr. Kant noted inconsistent height regulations in the various "O" Office zoning categories in the City's ordinance and Community Development Director Barry confirmed that the Planning Advisory Board intended to study this section during their annual review.</p> <p><u>MOTION:</u> To <u>APPROVE</u> the ordinance as presented on First Reading.</p> <p>***</p> <p><u>---RESOLUTION 83-4347</u> <u>ITEM 9-e</u></p> <p>A RESOLUTION APPROVING THE PRELIMINARY SUBDIVISION PLAT FOR A PROPOSED FIVE (5) LOT SUBDIVISION TO BE KNOWN AS "THE POINT", CONSISTING OF APPROXIMATELY 5.3 ACRES LOCATED AT THE SOUTHWESTERN-MOST TERMINUS OF GORDON DRIVE AT GORDON PASS, MORE PARTICULARLY DESCRIBED HEREIN, SUBJECT TO THE CONDITIONS ENUMERATED HEREIN; AND PROVIDING AN EFFECTIVE DATE.</p> <p>Title read by City Attorney Rynders. Public Hearing: Opened - 11:17 a.m. Closed - 11:33 a.m.</p> <p>Joseph Boggs of Bruce Green & Associates, representing the petitioner, addressed Council with objections to the access easement and the 24 foot access drive stipulations in the proposed resolution. Mr. Anderson pointed out that the access drive to his neighborhood was only 20 feet. In response to questions from Mr. Rothchild, City Engineer McCord expressed his department's desire to have the access easement for future repair of the rock jetty on the Gulf side of the properties. City Attorney Rynders noted that the City could acquire a temporary easement when it was deemed necessary.</p> <p><u>MOTION:</u> To <u>ADOPT</u> the resolution as amended to delete the requirements for a 24 foot access drive and for an access easement.</p> <p>***</p>	<p>Anderson Richardson Rothchild Schroeder Thornton Wood Billick (6-0)</p> <p>Anderson Richardson Rothchild Schroeder Thornton Wood Billick (6-0)</p>	<p>X</p> <p>X</p>	<p>X</p> <p>X</p>	<p>X</p> <p>X</p>	<p>X</p> <p>X</p>	<p>X</p> <p>X</p>

	COUNCIL MEMBERS	MOTION	S E C O N D	Y E S	N O	A B S E N T
<p>---RESOLUTION 83-4349 (Cont) ITEM 11 (Cont)</p> <p>Mr. Rothchild referred to conversations he had had with a representative of Naples Federal Savings & Loan and he indicated his understanding that the bank expected the loan payments would be made regardless of the income from user fees on the dock. Mayor Billick expressed his disapproval that Mr. Rothchild had contacted the bank representative. Attorney Tracy Boleski addressed Council representing the low bidder, South Shore Equipment Company, to determine why the low bid had not been selected. Bill Barton, project engineer, referred to his letter to City Manager Jones, dated September 16, 1983 (Attachment #7), which outlined the reasons. Ray Jones, citizen, spoke in favor of rebuilding the dock and keeping it open while the work was being done. Herb Anderson, president of the Naples Beautification Council, requested that some consideration be given to a large tree that was in the area close to the dock entrance. Robert Utter and Anita Utter, president of the Aqualane Shores Association, spoke in favor of the dock project and of allowing charter boats access during construction. Local marina owner Nick Turner asked for confirmation that businessmen's tax dollars would not be used to compete with them by the City's subsidizing the dock with tax money. He also said he felt that the cost of increasing parking in the dock area should be charged to the project. He noted his concern about possible infringement upon the riparian rights of adjacent property owners and suggested that the existing dock be repaired or that new slips be constructed at Naples Landing. J. Sandy Scatena, citizen, placed three newspaper articles in the record (Attachment #8). He also noted his concern that the financing was via bank loan rather than a bond issue. He suggested that the matter be put to a referendum. John Ellis, owner of the Pirate's Cove, asked if there would be access provided to his fuel pumps and bait sales during construction, to which Mr. Barton responded in the affirmative. Ron Wood, the City's external auditor, noted that City Manager Jones had asked him to prepare financial projections to determine the feasibility of financing the project for ten or twenty years (Attachment #9).</p> <p><u>MOTION:</u> To <u>ADOPT</u> the resolution as amended to include Schedule "B" and the \$15,000 to maintain accessibility to the slips during construction.</p> <p>*** *** ***</p>	<p>Anderson Richardson Rothchild Schroeder Thornton Wood Billick (5-1)</p>	<p>X</p>	<p>X</p>	<p>X X X X X</p>	<p>X</p>	<p>X</p>
<p>---RESOLUTION 83-4350 ITEM 12</p> <p>A RESOLUTION AUTHORIZING THE BORROWING OF \$600,000.00 FROM THE NAPLES FEDERAL SAVINGS & LOAN ASSOCIATION TO BE USED TO FINANCE THE MUNICIPAL DOCK RECONSTRUCTION PROJECT, TO BE SECURED BY REVENUES RECEIVED FROM THE OPERATION OF THE MUNICIPAL DOCK; AUTHORIZING EXECUTION OF A NOTE THEREFOR; AND PROVIDING AN EFFECTIVE DATE.</p> <p>Title read by City Attorney.</p> <p>Mr. Rothchild asked to see a copy of the loan documents to ascertain that no ad valorem taxes would be pledged to secure the loan. Mayor Billick stated that the Council could not pledge the credit of the City without a referendum. Mr. Rothchild said that he had not understood this and he felt that Naples Federal Savings & Loan did not understand it either.</p> <p><u>MOTION:</u> To <u>ADOPT</u> the resolution as presented.</p> <p>*** *** ***</p> <p>Mayor Billick asked for a consensus of Council to tell Mr. Rothchild to stay out of the City's relationships with banks. Mr. Anderson, Mr. Schroeder, Mr. Richardson and Mr. Wood concurred.</p> <p>*** *** ***</p>	<p>Anderson Richardson Rothchild Schroeder Thornton Wood Billick (5-1)</p>	<p>X</p>	<p>X</p>	<p>X X X X X</p>	<p>X</p>	<p>X</p>

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	

Gilbert Weil, citizen, addressed Council to present his view that Mr. Rothchild was harrassing City Manager Jones and City Attorney Rynders.

*** **

Mr. Rothchild left the Council Chambers - 2:10 p.m.

*** **

RETURN TO REGULAR AGENDA

---ORDINANCE 83- (Cont) ITEM 9-f (Cont)

Mr. Anderson moved to approve the ordinance as presented on First Reading, seconded by Mr. Wood. Mr. Schroeder moved to amend the motion to make the maximum fence height six six inches, but the motion died for lack of a second. Ed McMahon, representing the Old Naples Association, asked that the six foot height be limited to side yards and back yards. Mr. Anderson confirmed that this was in this proposed ordinance.

Anderson	X	X		
Richardson		X		
Rothchild				X
Schroeder		X		
Thornton				X
Wood	X	X		
Billick		X		
(5-0)				

MOTION: To APPROVE the ordinance as presented on First Reading.

*** **

PROGRESS REPORT BY CH2M HILL, CONSULTING ENGINEERS, REGARDING TRIHALOMETHANE CONTROL IN NAPLES WATER SYSTEM. ITEM 10

Roger Haines, CH2M Hill, reviewed the information in the Progress Report which had been circulated to Council members (Attachment #10). It was the consensus of Council that the program be carried out as outlined.

*** **

ADJOURN: 2:40 p.m.

Janet Cason *Stanley R. Billick*
Janet Cason, City Clerk; Stanley R. Billick, Mayor

Janet Cason
City Clerk

Ellen P. Marshall
Ellen P. Marshall
Deputy Clerk

These minutes of the Naples City Council approved 10-05-83

Supplemental Attendance List - Regular Meeting, September 21, 1983

Reverend Howard Hugus
 Nick Turner
 Edward Kant
 Arnold Lee Glass
 Jackson Boughner
 Dr. & Mrs. Howard
 Edward Hannam
 Walter Olson
 Robert Tiffany
 William Bledsoe
 Mrs. Lyle Richardson
 Charles Andrews
 Tom Slyvester
 Ed McMahan
 Ron Wood
 Peter Zandt
 Leo J. Salvatori
 Lloyd Sarty
 Henry Kaufman

Sam Aronoff
 Willie Anthony
 Gilbert Weil
 Mr. & Mrs. Richard Grant
 Kris Dane
 Harold Minier
 John DeBaun
 Mary Brandt
 Herb Anderson
 David Pierson
 Mrs. Stanley Billick
 Philip Morse
 Jim Weigel
 Glenn Mackay
 Mr. & Mrs. Ziegler
 Roger Haines
 Jim Brett
 Joseph Boggs
 Johan Zepcevski

Tyler Janney
 Robert Russell
 William Barton
 Dr. Johnson
 Dan Spina
 Mr. & Mrs. Robert Utter
 J. Sandy Scatena
 Alex Martens
 John Higgins
 Malcolm Holdridge
 John Ellis
 Ray Jones
 Tracy Boleski
 Ray Graeber
 Allen Walburn
 Philip Francoeur
 Mrs. A. C. Minella
 Louis Doria
 Frank Garcia

News Media:

Jim Forner, TV-9
 Dave Bristow, TV-9
 Randy Sell, TV-9
 Ben Garret, TV-20 WBBH
 Cynthia Glicker, TV-20 WBBH

Jean Franczyk, Miami Herald
 Matt Spina, Naples Daily News
 Denes Husty, News Press
 Gary Arnold, TV-26 WEVU

Other interested citizens and visitors.



City of Naples

--- MEMO ---

TO: HONORABLE MAYOR AND MEMBERS OF THE CITY COUNCIL
FROM: FRANKLIN C. JONES, CITY MANAGER
SUBJECT: CONTINGENCY TRANSFER
DATE: September 6, 1983

BACKGROUND:

Based on the reviews by the Finance Department and the respective City departments of their year end cost estimate, various departments are expected to exceed their year end budgets. The major portion of the over-runs are due to salary increases granted to our employees. With the benefit of this information, I am requesting a transfer of \$203,694.00 from the Contingency Fund to cover these costs.

ANALYSIS:

The analysis is presented and attached. It reflects the costs estimates to the end of the fiscal year for all General Fund departments.

CONCLUSIONS:

The purpose of the Contingency Fund is to provide for these costs. Now that we are able to identify the amount of salary increases, etc., I am requesting to transfer \$203,694.00 to the departments shown.

Respectfully submitted,

Franklin C. Jones
Franklin C. Jones
City Manager

Prepared by:

Frank W. Hanley
Frank W. Hanley
Finance Director

FCJ/FWH/c

Attachment - 1

COST TO COMPLETE

SUMMARY

FY 1982-83

<u>DEPARTMENT</u>	<u>BUDGETED</u>	<u>COST TO COMPLETE</u>	<u>OVER BUDGET</u>	<u>UNDER BUDGET</u>
Mayor & City Council	90,356	94,894	4,538	
City Attorney	130,115	140,079	9,964	
City Clerk	73,268	78,670	5,402	
City Manager	157,044	133,255		23,789
Community Development	283,991	285,744	1,753	
Engineering	588,490	572,037		16,453
Finance	353,105	389,809	36,704	
Fire	795,920	800,135	4,215	
Parking Authority	27,442	28,091	649	
Parks & Recreation	1,074,944	1,069,446		5,498
Personnel	91,097	87,325		3,772
Police	1,857,564	1,959,383	101,819	
Public Works "	1,793,822	1,823,393	29,571	
Non-Departmental	111,234	120,313	9,079	
Debt Service	117,735	117,735		
Contingency	310,000	-0-		310,000
	7,856,127	7,700,309	203,694	359,512



City of Naples

--- MEMO ---

TO: HONORABLE MAYOR AND MEMBERS OF CITY COUNCIL
 FROM: CITY MANAGER FRANKLIN C. JONES
 SUBJECT: RECREATIONAL AREA IMPROVEMENTS PROJECT
 DATE: SEPTEMBER 14, 1983

BACKGROUND

On July 20, 1983, City Council passed a resolution authorizing the execution of a contract for funding from the State Department of Community Affairs, through the Small Business Administration Parks and Recreation Area Development Program of the Federal Jobs Bill. The \$7,927.00 allocated to the City will be used for the three projects referred to in this resolution.

ANALYSIS

It was not until August 24, 1983, that the Department of Community Affairs confirmed approval to begin expending the grant monies. With only five weeks remaining until the October 1, 1983, deadline to expend all of the grant monies, I approved the waiving of our formal bidding procedure and had our Purchasing Division secure informal proposals on the projects. On September 6, 1983, the proposals were opened. After reviewing the proposals with Stewart Unangst and Terry Fedelem, we awarded the bid and issued a purchase order to Palms Nursery and Landscaping, Inc., in the total amount of \$7,584.62. This action was taken on September 7, 1983, and Palms Nursery assured us they could complete the projects by September 29, 1983.

CONCLUSION

I respectfully request that City Council approve and ratify the waiving of the competitive bidding provisions and the bid award to Palms Nursery and Landscaping, Inc.

Respectfully submitted,

Franklin C. Jones
 Franklin C. Jones
 City Manager

attachments

Prepared by:

Mark W. Wiltsie
 Mark W. Wiltsie
 Assistant to the City Manager



City of Naples
AIRPORT AUTHORITY

100 AVIATION DRIVE SOUTH • NAPLES, FLORIDA 33942

September 16, 1983

Mr. Franklin C. Jones, City Manager
City of Naples
735 Eighth Street, South
Naples, Florida 33940

Re: Request for Public Hearing to Approve
Refunding of Airport Revenue Bonds

Dear Frank:

A year and a half ago, the Airport Authority sold a \$1.5-million revenue bond issue to fund, among other improvements, construction of a new passenger terminal. Given lower interest rates, the Authority is in a position now to reduce its debt by refunding that issue.

According to recent tax legislation (TEFRA), interest paid on the new issue will not be tax exempt unless, after public hearing, the bond issue is approved by an elected public body having some form of jurisdiction over the area in which the financed facilities are located; hence, the Authority's request.

The Authority may have to float a larger amount than originally borrowed to maximize its savings through refunding. As you know, this is the result of prevailing lower reinvestment yields and arbitrage considerations. Furthermore, the Authority may wish to take down an additional \$300,000 for new hangar construction. Incidentally, should this added increment raise the total borrowing level to the \$2.5-million threshold, the Authority is still able to service the resultant debt at coverage greater than two-to-one.

Although I will be out of town Wednesday, Authority Chairman Tiffany and representatives of Hough & Company will be present at the meeting to provide specific information should it be necessary.

Sincerely,

A large, stylized handwritten signature in black ink, appearing to read "Toivo Tammerk".

Toivo Tammerk
Executive Director

TT/tan

#9-c 9/28

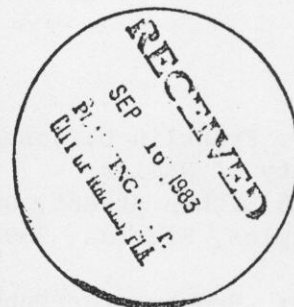
MOSES W. HOWARD, M.D., F.A.C.S., P.A.

DIPLOMATE AMERICAN BOARD OF UROLOGY

SUITE 301, FAIRWAY BUILDING
1000 TAMiami TRAIL
NAPLES, FLORIDA 33940
TELEPHONE: 262-1916

PRACTICE LIMITED TO UROLOGY

September 16, 1983



City Planning Department
City Hall
735 8th St. S.
Naples, FL 33940

Attention: Mr. Cramer or Mr. Berry,

Dear Sir:

My lawyer will be out of town at the time of the council meeting scheduled for the 21st.

I would like to have consideration of my petition postponed for about one month.

Sincerely,

Moses W. Howard, M.D.

MWH/cg

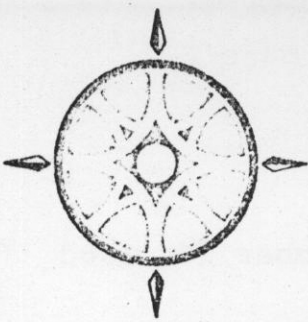
PETITION TO DENY THE REZONING OF LOTS 3 AND 4 OF BLOCK 5 OF

RIDGE LAKES SUBDIVISION

The undersigned residents object to the rezoning of this residential property to medical since it does not conform to the parameters of the comprehensive plan. If we set a precedent to allow a variance in this case, why not others? It's a case of having a plan, or no plan, resulting in complete erosion of the system and contrary to the original concept.

The placing of a medical building at this location and the traffic it would create would undermine the residential quality of the surrounding homes and would depreciate their value.

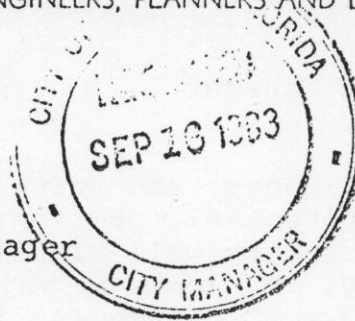
NAME	ADDRESS
Mr & Mrs. M. V. Halenidge	510 - 4 th Ave North
Mr & Mrs James P. Alicato	440 Palm Circle (E)
Mr & Mrs Philip J. Sommer	295 6 th ST No
Mr & Mrs Charles Bartotto	595 - 4 th Ave No
Mr & Mrs R. R. Stouder	601 - 4 th AV - No.
Mr & Mrs Ed. Williams	479 Palm Circle E
Mr & Mrs Barry S. Wauff	411 " "
Mrs Louis G. Bacher	410 Palm Circle W.
Mr & Mrs W. C. Lufkin	656 - 5 th Ave No
Joseph J. Jones Sr.	688 - 5 th AV. NO
James C. G. G. G.	680 5 th Av No.
B. Maynard	580 4 th av No
Harold Minier	540 4 th av North
Virginia Minier	540 4 th Ave N.
John E. Caldwell -	605 5 th Ave No.
Tom Sealwell	621 5 th Ave No
Laura Crider	420 Palm Cir. E
Eddie Bule	401 4 th AVENUE N.
John A. Mackey	398 4 th Ave N.
Isabel Stron	338 4 th Ave N.
Margaret C. Cole	339 4 th AVE N.
Richard E. Coe	229 4 th av N.
Robert Stender	444 - 4 AVE N
Marion J. Minier	490 - 4 th Ave N.
Mr & Mrs Thomas Jones	614 5 th Ave No.
Louis J. Baria	120 6 th St. North



WILSON, MILLER, BARTON, SOLL & PEEK, INC.
 PROFESSIONAL ENGINEERS, PLANNERS AND LAND SURVEYORS

September 16, 1983

Frank Jones, City Manager
 City of Naples
 735 8th Street, South
 Naples, Florida 33940



SUBJECT: Municipal Docks Reconstruction Project,
 Bid No. 83-27, Evaluation of Bids

Dear Mr. Jones:

We have examined the bids for the subject project, taken on September 8, 1983. The low bidder for both Bid Schedule "A" and "B" is South Shore Equipment Corporation of Avon, Ohio. That Company's bid is also low on both schedules if deletion of the dredging is elected as has been recommended by DER. We have previously expressed to you our strong recommendation against incremental construction to allow public use during reconstruction, as now priced in Schedule "B". A copy of the Bid Tabulation is enclosed for your reference.

It is noted that the low bid contains several irregularities that we have pointed out to appropriate staff personnel. The bid bond has typing and insertion errors, a signature has not been witnessed, and the bond lacks a Florida registered agent's signature. We understand that South Shore Equipment is in the process of correcting this condition.

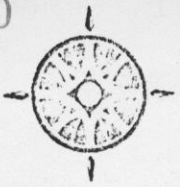
We are also concerned that the bid does not identify proposed sub-contractors or major material and equipment sources, nor does it furnish evidence of the Company having completed similar projects. Likewise it does not identify references as the bid form directed. We have received correspondence from this bidder directly, and via the City just this week which the bidder has furnished after the opening, in an attempt to remedy the omission.

Failure to identify sub-contractors and suppliers with the bid enables an apparent low bidder to shop the various trade contractors and vendors with the leverage of his position. Improved prices to the prospective prime are not reflected

R. W. MILLER, P.E. • W. L. BARTON, P.E. • C. H. SOLL, P.L.S. • T. R. PEEK, P.E., P.L.S.
 W. M. CHRISTIANSEN, JR., P.L.S. • C. H. SCHNEIDER, P.E.

1383 AIRPORT ROAD, NORTH • NAPLES, FLORIDA 33942 • TELEPHONE: 775-1124

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WILSON, MILLER, BARTON, SOLL & PEEK, INC.

Frank Jones, City Manager

-2-

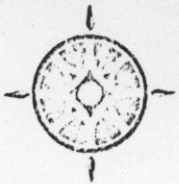
September 16, 1983

in his bid to the Owner, and serve merely to improve the low bidder's profit potential. For this reason, failure to name subs and suppliers very well might be considered more than a minor informality. We have no objection to any of the subs he has proposed to use, however, in that we have knowledge of their reputations.

We do not see on the list of "Job Experience" any undertakings which are at all similar to the subject project. There are none which evidence the ability to successfully construct timber pile supported dockage with electric power, lighting, water, sewer or fuel systems, nor is there any mention of marina-related work. Nevertheless, calls were placed to nine of the references given, and we were successful in speaking with only five individuals with some knowledge of any of Mr. Johnson's several companies. Four of the responses related to satisfactory completion of water related projects in the \$50,000 range in the early to mid 1970's. The last reported satisfactory continuing performance of a current supply contract for the periodic furnishing of truck load lots of stone boulders for rip-rap bank protection for the Corps of Engineers.

Lastly, we have been supplied with financial statements, evidently prepared "in-house" and attested to by Mr. Alan N. Johnson, President of South Shore Equipment Corp. and a second corporate entity known as Inter-Continental Marine, Inc. In light of the fact that Inter-Continental Marine, Inc. has no apparent connection with the subject bid, we have addressed our attention solely to the financial statement provided for South Shore. The results of our review are quite simply stated by pointing out that the corporation's current liabilities exceed its total assets. This condition clearly indicates that without an infusion of significant capital, the corporation does not possess the financial ability to provide the operating capital necessary to commence a \$600,000 plus construction contract.

Based on the data provided to this office and the additional information we have been able to gather, we find no reasonable basis for reaching the conclusion that South Shore Equipment Corp. has the requisite construction experience, qualifications, or financial stability to complete the subject project in substantial conformance with the approved plans, specifications, contract documents, and within the



WILSON, MILLER, BARTON, SOLL & PEEK, INC.

Frank Jones, City Manager

-3-

September 16, 1983

the time allotted. On the contrary, project owners can generally expect increased costs in project management, engineering services during construction, and inspection services when utilizing an inexperienced under-financed contractor, with, of course, the worst scenerio being failure of the contractor and the myriad of problems; claims and costs attendant thereto.

We recognize the substantial monetary (\$63,460) difference between South Shore and the second low bidder, Zep Construction Company; however, we believe that it is our responsibility to formulate a recommendation on our assessment of the contractor's ability to perform. Based on the above, and our professional knowledge of Zep Construction Company as a well qualified, well experienced, financially stable contractor, we would recommend that the project contract in the amount of \$699,000.00 (Bid Schedule "A", Items 1 thru 14) be awarded to Zep Construction Company, Inc. and that South Shore's bid be considered non-responsive.

Very truly yours,

WILSON, MILLER, BARTON, SOLL & PEEK, INC.

W. L. Barton

WLB:ms

City Manager Urging Dock Contract Award

By MATTHEW SPINA
Staff Writer

Zep Construction Inc. of Fort Myers should be awarded a \$639,000 contract to build a new Naples dock, while the lowest bid from an Ohio construction firm should be scrapped, City Manager Frank Jones says in a memo to City Council.

Jones and a representative of the engineering firm overseeing the project said there are several problems with documents supplied by South Shore Equipment Corp. of Avon, Ohio, which quoted the lowest comparable price of \$635,540.

THE BID bond has typographical and insertion errors, a signature has not been addressed and the bond lacks the signature of an agent registered in Florida, according to a letter from William L. Barton, a partner in Wilson, Miller, Barton, Soil and Peck, the city's engineering consultant.

ants on the project. The bid also does not identify proposed sub-contractors or major material and equipment suppliers, nor does the company furnish evidence of having completed similar projects, he said.

South Shore also did not identify references, as the bid form requested. And, the company appears to have more liabilities than it does assets, he said. Since the bids were opened Sept. 8, South Shore has sent information to the city in an attempt to remedy the situation.

BUT STILL, there is "no reasonable basis" on which to conclude that South Shore Equipment could adequately complete the project within the allotted time and price, he said.

Barton questioned whether the company has the financial ability to commence a \$600,000-plus construction contract," he said. Despite the difference in cost — some \$63,460 — the city should accept the bid from Zep Construction, said Barton, whose firm estimated a \$697,600 cost of construction.

Reached at his Ohio office this morning, South Shore president Alan Johnson admitted the company had not listed its sub-contractors and suppliers, but said the requirement was unfair. He said the company has since sent a list of sub-contractors.

He refused to comment in detail about the items cited in Barton's letter, but Johnson said the matter would be referred to the company's attorney in Florida.

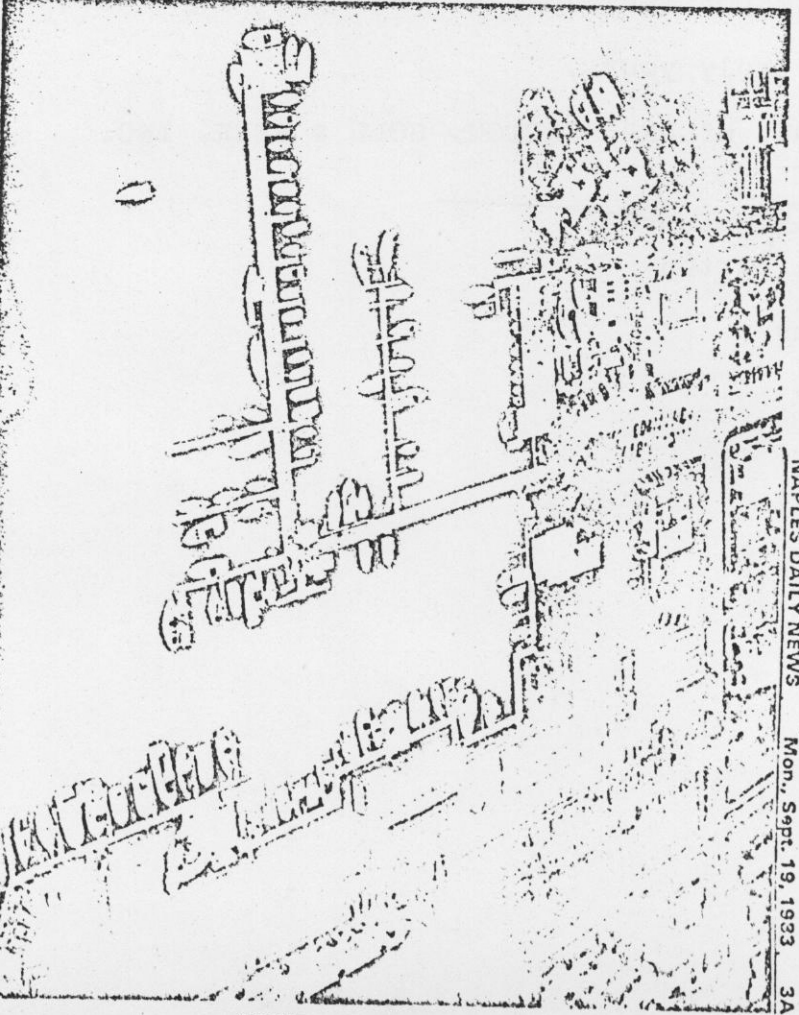
include two sets of bids: one was to be computed on the cost of construction if the dock were closed, and one was to be computed as if some of the dock were to remain open for public use.

The numbers identified in Jones memo and in Barton's letter cited "bid schedule A," which is the estimate of construction costs while the dock is closed for five months.

Jones also recommends that the city borrow \$600,000 from Naples Federal Savings and Loan to pay for most of the project. Through user fees, the loan would be repaid over 20 years at 10.3 percent annual interest.

He proposes a \$92 monthly charge for 30-foot boats and \$122 a month for 40-foot boats. In addition, there would be a \$138 monthly charge for 45-footers, and 55-footers would cost \$198 to moor for a month.

IN A RELATED matter, Jones memo indicated that the dock might be closed to all public use while work is under way on the new 76-slip facility. Bidders were asked to



CURRENT NAPLES CITY DOCK IN NAPLES BAY AT CRAYTON COVE
...official suggests accepting bid from Fort Myers company.

NAPLES DAILY NEWS
Mon., Sept. 19, 1993
3A

EXHIBIT No. 3

Most City Dock Bids Exceed Estimated Cost

NAPLES DAILY NEWS

Fri., Sept. 9, 1923 3A



Photo by Matthew Spina
NAPLES PURCHASING DIRECTOR STEWART UNANGST
...opens dock bids while aide Kathy Wiltsie records them.

By MATTHEW SPINA
Staff Writer

Of the eight bids opened in City Hall on Thursday, only one offered a price less than the initial \$654,000 estimated cost of a new Naples dock.

South Shore Equipment Corp. of Avon, Ohio said it could complete the job for \$642,040, which was about \$72,000 less than the \$714,000 offer by Zepp Construction of Fort Myers, the second-lowest bidder.

John Burgstiner Equipment Co. of Sarasota quoted the highest price: \$964,000.

THE BIDS were opened in Council Chambers by Purchasing Director Stewart Unangst, who read off four types of prices included in each bid.

One price was for the cost of completing the project if the present dock were closed to public use during the 120- to 150-day construction period.

A second offer was for the cost of construction if the dock remains open for use while work is under way. In most cases, these prices were \$5,000 to \$20,000 higher.

There was one bid by Kelly Brothers of Fort Myers, in which prices did not vary from the \$788,400 offered.

Called for in the project is the removal of the old dock, dredging of the area and construction of a new 76-slip facility. Since the original design, plans have been added to dredge a second area of 1,000 cubic yards of sand.

BUT THIS dredging has not yet been approved by Florida's Department of Environmental Regulation, said Heyward Boyce, of Wilson, Miller, Barton, Soil and Peck, the city's engineering consultants on the project.

Bidders were asked to include what they would deduct from the construction price if the second dredging area was excluded. These deductions ranged from South Shore's \$6,300 to more than \$15,000 by the John Birg-stiner Co.

"I was delighted by the number of bids and by the grouping," Boyce said later. "There was one very high, one low, and six others closely grouped."

In a bid prepared about a week ago, the engineering firm estimated a \$709,100 cost of construction on a vacated dock.

THERE HAVE been some changes in the original scope of the dock that led to estimates of \$650,000, Boyce said. He noted the extra dredging and moorings for charter boats. He also said the estimate for construction projects has become less competitive as the economy swings upward.

South Shore Equipment concentrates on marine work and dredging, a spokesman in Avon, Ohio said a short while after bids were opened. The mother of Alan Johnson, the company's owner and president, lives in Naples.

However, there were some criticisms raised about the company's bid. For one, it did not list the subcontractors it plans to use on the job, observers said.

But the company does not plan to use subcontractors, Unangst said. There may still be problems though, since the company reportedly did not include references.

Bids are to be presented to the City Council Sept. 21. Councilmen are expected to authorize that a contract be awarded to one of the bidders.

Exhibit No. 2

City Shoulders Whole Cost of New Dock

MATTHEW SPINA
Staff Writer

City Manager Frank Jones, Assistance Program was \$110,000 spread evenly over the next two years. "I am disappointed," said Mayor Stan Billich, who had lobbied for funds before commissioners. "But we're going to have to move ahead and not cry over spilled milk."

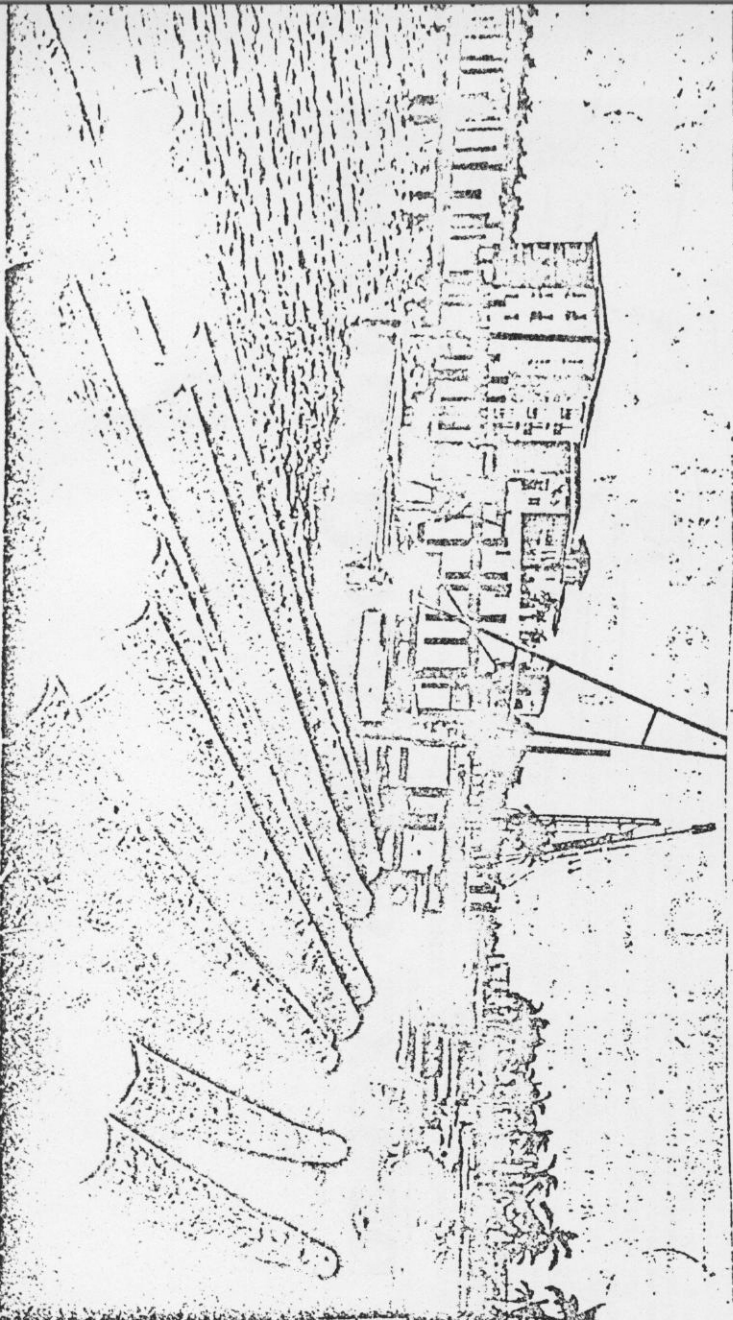
Most likely, he said, Naples will have to find all funds for the new 76-slip dock at Crazyon Cove, estimated to cost \$654,700.

SLIP FEES will have to fill the void in outside funds, but Jones said the city could borrow money over longer terms in order to keep monthly rates down. Officials had expected to fund the lion's share of the project with income from general revenue bonds.

After the city's application for FRDAP funds was denied June 21, an official with the state Department of Natural Resources said Naples could reapply for funds in August or apply for money under the Land and Water Conservation Program.

Further applications for funds are possible, but not probable, Jones indicated. "We'll be looking at the potential for other funding sources," he said, "but we want to get construction order and that may preclude other grants."

He said boat tax funds are probably dried up for this year and next.



Staff photo by Eric Strachan

Dock Space Added on Venetian Bay

Good piling rests on a seawall at Venetian Bay as construction proceeds down on new boat docks for the Park Shore area. The Ottisdale Co. is building the boat slips and will rent them to private citizens. Gulf Piling and Marine Co. is the contractor. Construction began two months ago and is expected to end in three weeks. There will be 32 boat slips.

Naples, Marco, Everglades, Immokalee, Golden Gate,

NAPLES, FLA., THURSDAY AFTERNOON, JULY 14, 1983

Exhibit No. 1

ROGERS, WOOD, HILL, STARMAN & GUSTASON

PROFESSIONAL ASSOCIATION
CERTIFIED PUBLIC ACCOUNTANTSWALTER R. ROGERS, C.P.A.
RONALD A. WOOD, C.P.A.
JOHN R. HILL, C.P.A.
SHELDON W. STARMAN, C.P.A.
RONALD W. GUSTASON, C.P.A.OFFICES:
NAPLES 262-1040
MARCO ISLAND 394-7502
FT. MYERS 482-4800

September 8, 1983

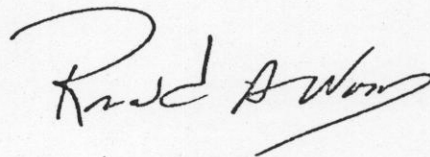
Mr. Franklin C. Jones, City Manager
City of Naples
Naples, Florida

Dear Frank:

At your request and with the information provided by the Finance Department, we have assembled a ten and twenty year projection of dock revenues and dock service.

Using the proposed dockage rental schedule of \$100,152 and a constant loss for operations of approximately \$11,668 per annum, it appears to be that the twenty year payout at 10.9% is the only feasible way to proceed without substantially increasing user fees over the currently projected fee schedule.

The accompanying schedules are for the purpose of compiling debt service information and consequently were not audited by us and accordingly, we do not express an opinion on them.



City DockOPERATING REVENUE AND EXPENDITURE SUMMARY

Personnel	\$ 30,499
Operation/Maintenance	<u>161,169</u>
	191,668
Revenue (other than Rental)	<u>180,000</u>
	<u>\$ 11,668</u>

DOCK RENTAL FEE SCHEDULE

<u># Slips</u>	<u>Accommodations</u>	<u>Base Rate Plus Additional Charge</u>	<u>Cost Per Month</u>	<u>Revenues</u>
51	30 feet	\$92	\$ 92	\$ 56,304
6	40 feet	\$92 + \$ 30	122	8,784
14	45 feet	\$92 + \$ 46	138	23,184
<u>5</u>	55 feet	\$92 + \$106	198	<u>11,880</u>
76				<u>\$100,152</u>

(Rate = \$92 + \$3 per foot for every foot over 30 feet)

CITY OF NAPLES
 Projection of City Dock Rentals, Expenses
 And Debt Service (10 Years at 9.9%)

	Year										
	1	2	3	4	5	6	7	8	9	10	11
Estimated Dock Rental	\$ 40,788	(1) \$100,152	\$100,152	\$100,152	\$100,152	\$100,152	\$100,152	\$100,152	\$100,152	\$100,152	\$100,152
Estimated Debt Service - 120 Months at 9.9%	29,700	(2) 94,750	94,750	94,750	94,750	94,750	94,750	94,750	94,750	94,750	94,750
Excess of Dock Rental Over Debt Service	11,088	5,402	5,402	5,402	5,402	5,402	5,402	5,402	5,402	5,402	5,402
Estimated Other Revenue	180,000	180,000	180,000	180,000	180,000	180,000	180,000	180,000	180,000	180,000	180,000
Estimated Other Expenses	191,668	191,668	191,668	191,668	191,668	191,668	191,668	191,668	191,668	191,668	191,668
Expenses Over Revenues	(11,668)	(11,668)	(11,668)	(11,668)	(11,668)	(11,668)	(11,668)	(11,668)	(11,668)	(11,668)	(11,668)
Net (Deficit) Revenue Over Expenses	\$(580)	\$(6,266)	\$(6,266)	\$(6,266)	\$(6,266)	\$(6,266)	\$(6,266)	\$(6,266)	\$(6,266)	\$(6,266)	\$(6,266)
(1) 1/2 Year at \$ 31,500	\$ 15,750										
1/4 Year at 100,152	25,038										
	<u>\$ 40,788</u>										
(2) Construction Interest \$600,000 at 9.9% drawn @ \$50,000 per month	<u>\$ 29,700</u>										

CITY OF MAPLES
 Projection of City Dock Rentals, Expenses
 And Debt Service (20 Years at 10.9%)

	Year										
	1	2	3	4	5	6	7	8	9	10	11
Estimated Dock Rental	\$ 40,788 (1)	\$100,152	\$100,152	\$100,152	\$100,152	\$100,152	\$100,152	\$100,152	\$100,152	\$100,152	\$100,152
Estimated Debt Service - 20 years at 10.9%	32,700 (2)	73,828	73,828	73,828	73,828	73,828	73,828	73,828	73,828	73,828	73,828
Excess of Dock Rental Over Debt Service	8,088	26,324	26,324	26,324	26,324	26,324	26,324	26,324	26,324	26,324	26,324
Estimated Other Revenue	180,000	180,000	180,000	180,000	180,000	180,000	180,000	180,000	180,000	180,000	180,000
Estimated Other Expenses	191,668	191,668	191,668	191,668	191,668	191,668	191,668	191,668	191,668	191,668	191,668
Expenses Over Revenues	(11,668)	(11,668)	(11,668)	(11,668)	(11,668)	(11,668)	(11,668)	(11,668)	(11,668)	(11,668)	(11,668)
Net (Deficit) Revenue Over Expenses	\$ (3,580)	\$ 14,656	\$ 14,656	\$ 14,656	\$ 14,656	\$ 14,656	\$ 14,656	\$ 14,656	\$ 14,656	\$ 14,656	\$ 14,656
Estimated Dock Rental	12	13	14	15	16	17	18	19	20	21	
Estimated Debt Service - 20 years at 10.9%	\$100,152	\$100,152	\$100,152	\$100,152	\$100,152	\$100,152	\$100,152	\$100,152	\$100,152	\$100,152	
Excess of Dock Rental Over Debt Service	73,828	73,828	73,828	73,828	73,828	73,828	73,828	73,828	73,828	73,828	
Estimated Other Revenue	26,324	26,324	26,324	26,324	26,324	26,324	26,324	26,324	26,324	26,324	
Estimated Other Expenses	180,000	180,000	180,000	180,000	180,000	180,000	180,000	180,000	180,000	180,000	
Expenses Over Revenues	191,668	191,668	191,668	191,668	191,668	191,668	191,668	191,668	191,668	191,668	
Net (Deficit) Revenue Over Expenses	(11,668)	(11,668)	(11,668)	(11,668)	(11,668)	(11,668)	(11,668)	(11,668)	(11,668)	(11,668)	
	\$ 14,656	\$ 14,656	\$ 14,656	\$ 14,656	\$ 14,656	\$ 14,656	\$ 14,656	\$ 14,656	\$ 14,656	\$ 14,656	
(1) 1/2 Year at \$31,500	\$ 15,750										
1/4 Year at 100,152	25,038										
	\$ 40,788										
(2) Construction Interest at 10.9% on \$600,000 drawn at \$50,000 per month	\$ 32,700										

PROGRESS REPORT TO THE CITY COUNCIL

TRICHALOMETHANE (THM) CONTROL PROGRAM FOR NAPLES WATER SYSTEM

CH2M HILL
September 1983

WHAT ARE TRIHALOMETHANES?

Trihalomethanes (THM's) are a group of halogen-substituted single carbon compounds. Trichloromethane (chloroform) is one example. They are formed by the reaction of chlorine in water with certain naturally-occurring organic compounds, under certain conditions.

WHY IS NAPLES REQUIRED TO IMPLEMENT A THM CONTROL PROGRAM?

Free chlorine has been used to disinfect drinking waters for many, many years. Thus, it is certain that trichloromethanes have been present in drinking water supplies for a long time. Until the Mid-1970's, THM's in drinking water had usually escaped detection because the analytical techniques used to measure the organic content of water did not detect them. Once discovered, extensive research was begun to determine if their presence in drinking water was a health hazard for consumers. Although the evidence is inconclusive, research to date suggests that THM's should be suspected of being a human carcinogen. Because of these suspected health effects, the U.S. Environmental Protection Agency (EPA) promulgated the Trihalomethane Regulation in November 1979. This regulation specifies a Maximum Contaminant Level (MCL) of 100 parts per billion total trihalomethanes. It also contains requirements for compliance schedules, monitoring, and reporting.

Investigation over the past few years has shown that THM levels in the Naples water system consistently exceed the MCL specified in the THM regulation. A series of samples tested in early 1983 showed THM concentrations of 200-300 parts per billion (ppb). Thus, to provide for compliance with EPA requirements, the Naples City Council (in November 1982) authorized CH2M HILL to assist the City in developing and implementing a THM control program.

HOW IS NAPLES GOING TO CONTROL THM'S IN ITS WATER SYSTEM?

Three strategies are available for controlling THM's:

NAC2/026

1) Remove the naturally-occurring organic substances (called "precursors") that combine with chlorine to produce THM's, 2) Remove THM's after they are formed, and 3) Use disinfectants other than chlorine. Naples has selected the third strategy. More specifically, this will involve switching from disinfection with free chlorine to disinfection with "chloramine". To accomplish this, ammonia will be added to the water during the treatment process. Although chlorine will still be added, the ammonia will combine with the chlorine to form chloramine. Unlike free chlorine, chloramines do not produce THM's at significant concentrations when used as a disinfectant.

This selection is based on our recent studies and previous work with the Naples water system. It is also based on CH2M HILL's experience with several similar water systems in Florida. Chloramine disinfection for THM control has been successfully implemented in Tampa, Fort Pierce, Englewood, and Port Charlotte, to name a few. When compared to the alternatives, this technique is a simple, inexpensive, and effective way to reduce THM levels below the MCL.

WHAT IS THE STATUS OF NAPLES' THM CONTROL PROGRAM?

Since authorization by the City Council, CH2M HILL has assisted the Public Works Department in accomplishing the following work:

- o The Naples water system has been studied and analyzed and a THM control strategy has been devised.
- o A distribution system monitoring program has been set up and the required base line data has been collected and forwarded to the Florida Department of Environmental Regulation (FDER).
- o Subsequent to consultation and coordination with FDER, the City has applied for and been granted a permit to make the necessary treatment modifications.
- o The necessary facilities (to provide for ammonia feed at the treatment plant) have been designed and constructed.

WHAT IS PLANNED FOR IMPLEMENTATION OF THE THM CONTROL PROGRAM?

Current plans call for implementation of the program (switching to chloramine disinfection) in the first half of November. For six months, the system will be operated on an "interim" basis. During this period, the City will conduct intensive

NAC2/026

monitoring and checking of the system as it adjusts to the new disinfectant. In addition, FDER will review this data as it is collected. At the end of six months, the effectiveness of the program will be assessed and a report will be prepared and submitted to FDER for approval. Assuming the results are favorable, and after any necessary adjustments are made, the City will phase into routine operation and monitoring of the new system.

WHAT IMPACTS WILL THIS CHANGE HAVE ON THE PUBLIC?

On the positive side, implementation of this program will put the City in compliance with EPA regulations, greatly reduce the level of THM's (a suspected carcinogen) in the Naples water system, provide longer-lasting protection against water-borne disease organisms, and reduce any customer complaints associated with the strong taste and odor of chlorine.

Potential adverse impacts relate to owners of tropical fish and operators of medical dialysis and other chlorine-sensitive processes. Problems arise because test procedures used to detect and measure chlorine may not indicate the presence of chloramine. For example, the technique of "aging" water to dissipate chlorine before use in aquariums is not advisable, because chloramines are more persistent than chlorine. Although the measures necessary to avoid these problems are fairly simple, it is important to inform the affected customers.

WHAT IS PLANNED FOR INFORMING THE PUBLIC OF THIS CHANGE?

A four-pronged plan has been formulated for informing the public of this change in the Naples water system: 1) Public briefings given to the City Council and County Commission (as requested), 2) Direct mailing of notices to all City water customers, 3) Direct consultation and letter notice to operators of medical dialysis facilities, and 4) News media coverage consisting of published public notices and news releases. A general plan for these activities is given below:

<u>Activity</u>	<u>Approximate Timing</u>
Public briefings of City Council and County Commission (County as/if requested).	6 weeks and 1 week before startup.
Direct mailing to all Naples water customers.	4-6 weeks before startup.

NAC2/026

<u>Activity</u>	<u>Approximate Timing</u>
Consultation/letter notice to operators of medical dialysis facilities.	6 weeks and 1 week before startup.
Public notice (newspaper).	4 weeks and 1 week before startup.
News media coverage.	Coverage at Council briefings (6 weeks and 1 week before startup); News release 1-2 days before startup.

SUMMARY

This concludes our review and progress report regarding the background, nature, status, and plans for implementation of a THM control program for the Naples water system. We invite the Council's review, comments, and questions. As part of our effort to keep all concerned parties fully informed, we look forward to briefing the Council again just prior to implementation (startup) of the program. To summarize this report:

- o The City is required by EPA regulations to reduce the THM levels in its water system.
- o The City has chosen to accomplish this reduction by using chloramine (in lieu of chlorine) for disinfection.
- o Current plans call for implementation (switchover to chloramine) in early November.
- o Implementation of this program will provide significant benefits to Naples water users.
- o A plan has been formulated to fully inform all water customers of this upcoming change in disinfectants, particularly owners of tropical fish and operators of medical dialysis and other chlorine-sensitive processes.
- o The new system will be operated on an interim basis for 6 months. FDER and the City will closely monitor the system. A report will be prepared for FDER review and final approval.

NAÇ2/026