14 City	Counci	l Minut	es
Regular M	eeting_	Feb. 19,	1986
735 Ei	ghth St	l Chamb reet So orida 33	utl
-SUBJECT-	Ord. No.	Res. No.	Page
ANNOUNCEMENTS -MAYOR PUTZELL - None -CITY MANAGER JONES - noted the County's plans to do a comprehensive beach study			1 1
APPROVAL OF MINUTES - Regular Meeting, 02/05/86			1&3
PURCHASING         -REMOVE FROM AGENDA       - Authorization to waive bids - Sludge handling equipment         -Approve rejecting bids & readvertising - auxiliary power/water plant         -BID AWARD - carpeting Community Services facilities         -BID AWARD - Turf equipment - Community Services Department         -BID AWARD - Trash loader w/dump body - Community Services Department         -BID AWARD - East Golden Gate wellfield improvements	125-125	86- <u>4921</u> 86-4922 86-4923 86-4924 86-4924 86-4925	2&3 2&3 2&3 2&3 2&3 2&3 2&3
RESOLUTIONS -Approve election of Lyle Richardson - Vice Mayor -Approve Coastal Construction Setback Line Var CCL 86-2 - restore groin on north side of Gordon Pass - John Donahue -Approve Coastal Construction Setback Line Var CCL 86-1 - permit 80 cu yd fill seaward of line and 170 cu yd fill landward	- 	86–4920 86–4926 86–4927	1 3– 3&5
3100 Gordon Drive Approve Variance Pet 85-V20 - permit <u>15' high entry way</u> , 2200 Gordon Drive		86–4930 86–4931	6&7 7
<ul> <li>-Approve Variance Pet 86-V1 - permit <u>encroachment</u> into rear yard setback - 517 Regatta Road</li> <li>-DENY - Variance Pet 86-V4 - request to permit <u>4 stools</u> with no on-site parking - 1234 Eighth Street So, Mermaids at the Cove</li> <li>-Approve Spec Ex Pet 86-S2 - permit dancing &amp; staged entertainment</li> </ul>		86-4932	, 18 9
<ul> <li>Approve Spec EX Pet 80-32 - permit dancing a Staged entertainment</li> <li>Suite 401, Grand Central Station "Rosie's Inc.)</li> <li>Approve Spec Ex Pet 85-S13 - permit landscaping as <u>buffer</u> east side Goodlette Rd - 600' no of Fifth Av No (Nassau Pools)</li> <li>Approve ranking of firms - <u>River Park Open Air Shelter project</u></li> <li>Approve ranking firms - <u>Carver/River Park area improvement project</u></li> <li>Approve agreement w/Robert Forsythe - architectural services - <u>Public Safety Building expansion</u></li> <li>Approve appointment of Mrs. Anderson-McDonald to <u>General Pension Bd</u></li> <li>Approve appointment of Mr. Bledsoe to <u>SW Florida Reg Plng Council</u></li> <li>Approve appointment of Mrs. Graver to <u>Tourist Development Council</u></li> <li>Approve appointment of Ad Hoc Committee to study employment benefits</li> </ul>	<u>n</u>	86-4934 86-4935 86-4936 86-4937 86-4938 86-4939 86-4940 86-4941	12 12 16&17 17 17 17
-Approve appointment of Ad Hoc Committee to study employment benefits for elected officials ORDINANCES - First Reading	2	00-4941	
-CONTINUE TO MARCH 5- Request to amend the Comprehensive plan from "Low Density Residential" to "Limited Commercial" - SW cnr 10th St and 8th Av No		-	8&9
-CONTINUE TO MARCH 5 - Request to rezone above property from "R1-7.5"	' 86	-	8&9

CITY COUNCIL MINUTES Regular Meeting

City Council Chambers 735 Eighth Street South Naples, Florida 33940



Time\_ 9:02 a.m.

Date February 19, 1986

				Same of Sciences			vor	PE	
ROLL CALL:		n J. Putzell, J Mayor Anderson-McDona		COUNCIL	M O T I O	SECON	YE		AESEN
		iam E. Barnett	ald	MEMBERS	N	D	S		Т
	Will Alde John	iam F. Bledsoe on R. Crawford, T. Graver S. Richardson Councilmen	Jr.						
Also present: Franklin C. Jones David W. Rynders, Mark W. Wiltsie, City Manager Roger J. Barry, Co	City,Attorney Assistant community	Stewart K. Una Agent Ellen P. Weiga	angst, Purchasing and, Deputy Clerk						
Development Dir Gerald L. Gronvold Steven C. Brown, D Director	d, City Engineer	Norris C. Ijan James L. Chafe Utilities Di Paul C. Reble Police Chief	ee irector						
See Supplemental A	Attendance list -	Attachment #1							
INVOCATION: Past	or Howard S. Hugu nuel Lutheran Chu	IS	ITEM 1						
***	***		***						
ANNOUNCEMENTS			ITEM 3			1.			
Mayor Putzell - N	one		ITEM 3-a	and the second					
was going to con needs including study a method be on the order	beaches in the ( of funding these	sive study of b City. The Coun restorations, valorem tax si	ITEM 3-b each renourishment ty also intends to he said, which may milar to the water						
***	***	*	***						
VICE-MAYOR,	M ELECTING A MEMI PURSUANT TO SE ID PROVIDING AN EN	CTION 2.4 OF						And a state of the state of the state	
Title not read.				Anderson- McDonald			x		
Mr. Barnett nomi Mr. Crawford no nomination failed	minated Mr. Gra	ver; Mayor Pu	by Mr. Bledsoe. tzell ruled the	Barnett Bledsoe Crawford Graver	X	x	X X X X		
	the resolution a Richardson as Vie		ding the name of	Richardson Putzell (7-0)			XX		
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APPROVAL OF MINUTES - Regular Meeting, 02/05/86     ITEM 5       PURCHASINS     ITEM 6       Authorization to waive competitive bidding     ITEM 6-a       Sludge handling equipment for water     ITEM 6-a       Sludge handling equipment for water     ITEM 6-b       Authorization to waive competitive bidding     ITEM 6-b       Authorization Ref-4921     ITEM 6-b       A RESOLUTION R6-4921     ITEM 6-b       A RESOLUTION RALLARY OWER SUPPLY THE CITY'S     WATER TREATMENT PLANT; AUTHORIZING THE CITY MANAGER TO RESUPTIVE DATE.       Title not read.     ***     ***       ***     ***     ***       -RESOLUTION 86-4922     ITEM 6-c       A RESOLUTION AMARDING THE BID ON CARPETING AT THEME CITY MANAGER TO ISSUE A PORCHASE       ordper THEREFOR; AND PROVIDING AN EFFECTIVE DATE.       Title not read.     ***       ***     ***       A RESOLUTION MARDING THE BIDS FOR TURE FQUIPMENT; AUTHORIZING THE CITY MANAGER TO ISSUE PORCHASE       ORDER THEREFOR; AND PROVIDING AN EFFECTIVE DATE.       Title not read.       ***     ***       ***     ***       - RESOLUTION AMARDING THE BIDS FOR TURE FQUIPMENT; AUTHORIZING THE CITY MANAGER TO ISSUE PURCHASE       ORDERS THEREFOR; AND PROVIDING AN EFFECTIVE DATE.       Title not read.       ***     ***       ***     ***       - RESOLUTIO		COUNCIL MEMBERS		MOTION	SECOZD	YES	N		
PURCHASINE     JTEM 6       Authorization to vaive competitive bidding Sludge handling equipment for vater treatment plant. Requested by Utilities bepartment.     JTEM 6-a       ***     ***     ***       -     ***     ***       -     ***     ***       -     TEM 6-a       SUDJoint Rejecting ALL BIDS Received FOR FROVIDING AN AUXILIARY FORCE SUPPLY AT THE CITY'S MANAGER TO READVERTISE FOR BIDS ON SAID AUXILIARY FOWER SUPPLY; AND FROVIDING AN EFFECTIVE DATE.       Title not read.     ***     ***       ***     ***     ***       -     CESSLUTION 86-4922     ITEM 6-c       A RESOLUTION 86-4923     ITEM 6-c       A RESOLUTION 80-4923     ITEM 6-c       A RESOLUTION MARDING THE BID FOR CAPEFING AT AUTHORIZING THE CITY MANAGER TO ISSUE A PURCHASE AUTHORIZING THE CITY MANAGER TO ISSUE PURCHASE CRUERS THEREFOR; AND PROVIDING AN EFFECTIVE DATE.       Title not read.     ***     ***       ***     ***     ***       -     MESOLUTION MARDING THE BIDS FOR THE EQUIPMENT; AUTHORIZING THE CITY MANAGER TO ISSUE PURCHASE CRUERS THEREFOR; AND PROVIDING AN EFFECTIVE DATE.       Title not read.     ***     ***       ***     ***     ***       -     MESOLUTION MARDING THE BIDS FOR THE EQUIPMENT; AUTHORIZING THE CITY MANAGER TO ISSUE FURCHASE OF ONE (1) AUTHORIZING THE CITY MANAGER TO ISSUE FURCHASE OF ONE (1) CRESOLUTION AUTHORIZING THE CITY MANAGER TO ISSUE A PURCHASE CORDER THEREFOR; AND PROV			T	1		T	T	+	1
Authorization to vaive competitive bidding Sludge handling equipment for water treatment plant. Requested by Utilities Department. *** *** *** *** RESOLUTION 86-4921 ITEM 6-b A RESOLUTION REJECTING ALL BIDS RECEIVED FOR PROVIDING AN AUXILIARY FOWER SUPPLY AT THE CITY'S MANAGER TO READVENTISE FOR BIDS ON SAID AUXILIARY FOWER SUPPLY; AND PROVIDING AN EFFECTIVE DATE. Title not read. *** *** *** *** RESOLUTION 86-4921 ITEM 6-c A RESOLUTION AMARDING THE BID FOR CARPETING AT THREE CITY COMMUNITY SERVICES FACILITIES; AUTHORIZING THE CITY MANAGER TO ISSUE A PURCHASE ORUGER THEREFOR; AND PROVIDING AN EFFECTIVE DATE. Title not read. *** *** *** *** RESOLUTION AMARDING THE BID FOR CARPETING AT THREE CITY COMMUNITY SERVICES FACILITIES; AUTHORIZING THE CITY MANAGER TO ISSUE A PURCHASE ORUGER THEREFOR; AND PROVIDING AN EFFECTIVE DATE. Title not read. *** *** *** *** RESOLUTION MARDING THE BIDS FOR TURP EQUIPMENT; AUTHORIZING THE CITY MANAGER TO ISSUE FUNCTASE TITLE not read. *** *** *** *** *** RESOLUTION AMARDING THE BIDS FOR TURP EQUIPMENT; AUTHORIZING THE CITY MANAGER TO ISSUE FUNCTASE CRUESE THEREFOR; AND PROVIDING AN EFFECTIVE DATE. Title not read. *** *** *** *** *** RESOLUTION AUXIDUALITIES THE PURCHASE OF OKE (1) A RESOLUTION AUXIDARIZING THE FUNCHASE OF OKE (1) A RESOLUTION AUXIDARIZING THE CITY MANAGER TO ISSUE A PURCHASE ORDER THEREFOR; AND PROVIDING AN 2-1/2 TON CAR/CHASSIS; AUTHORIZING THE CITY MANAGER TO ISSUE A PURCHASE ORDER THEREFOR; AND PROVIDING AN 2-1/2 TON CAR/CHASSIS; AUTHORIZING THE CITY MANAGER TO ISSUE A PURCHASE ORDER THEREFOR; AND PROVIDING AN 2-1/2 TON CAR/CHASSIS; AUTHORIZING THE CITY MANAGER TO ISSUE A PURCHASE ORDER THEREFOR; AND PROVIDING AN 2-1/2 TON CAR/CHASSIS; AUTHORIZING THE CITY MANAGER TO ISSUE A PURCHASE ORDER THEREFOR; AND PROVIDING AN EFFECTIVE DATE. *** *** RESOLUTION AUTHORIZING THE CITY MANAGER TO ISSUE A PURCHASE ORDER THEREFOR FOR PURCHASE ORDER THE CITY MANAGER TO ISSUE A PURCHASE ORDER IN COMUNCTION WITH THE GOLDEN									
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ANOTIDING AN DEFECTION DATE.									
Title read by City Attorney Rynders.									
City Manager Jones explained the type of items normally placed on the Consent Agenda and noted that any item could be discussed separately. He also noted the request to have Item 6-a removed from the Agenda (Attachment #2). It was the consensus of									

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City Council Minutes Date February 19, 1986	COUNCIL MEMBERS	O T I O N	ECOND	YES	NO	BSENT
CONSENT AGENDA (Cont)	Anderson-	1	-	-	1	F
Council to remove Item 6-a from the Agenda. Citizen Harry Rothchild asked that Agenda Item 6-f be discussed and acted upon separately. Mayor Putzell confirmed with City Manager Jones that the request was in order.	McDonald Barnett Bledsoe Crawford Graver Richardson	x	x	X X X X X X X		
MOTION: To <u>APPROVE</u> the minutes and <u>ADOPT</u> the resolutions for Items 6-b, 6-c, 6-d and 6-e as presented.	Putzell (7-0)			х		
END CONSENT AGENDA						
RESOLUTION 86-4925 ITEM 6-f						
See Page 2					ŀ	
City Manager Jones reviewed the staff recommendation (Attachment #3). Citizen Harry Rothchild said he had no opinions on this item, but he wished it discussed separately because of the amount of money involved. Mr. Crawford noted that money had been budgeted to cover this expenditure.	Anderson- McDonald Barnett Bledsoe Crawford Graver Richardson	x	x	X X X X X X X		
MOTION: To ADOPT the resolution as presented.	Putzell	1^		x		
ADVERTISED PUBLIC HEARINGS	(7–0)					
A RESOLUTION GRANTING A VARIANCE FROM THE CITY'S MOST RESTRICTIVE COASTAL CONSTRUCTION SETBACK LINE TO. PLACE APPROXIMATELY 80 CUBIC YARDS OF FILL SEAWARD OF THE COASTAL CONSTRUCTION SETBACK LINE AND APPROXIMATELY 170 CUBIC YARDS OF FILL LANDWARD AT 3100 GORDON DRIVE; AND PROVIDING AN EFFECTIVE DATE.						
Title read by City Attorney Rynders.						
City Manager Jones reviewed the public hearing process with regard to requests for variances to the City's coastal construction setback line and noted that the primary consideration of the Council should be whether or not the proposed construction would adversely affect the existing beach system. He noted that the next step for the petitioner is to seek state approval. In response to Mr. Crawford's question about the legality of the projects requested, City Attorney Rynders noted that the Code of Ordinances provided for requests for variances and the standards on which the variance would be granted.				non de la companya de		
There being no representative of the petitioner present, Mayor Putzell suggested moving on to the next item and returning to Agenda Item 7 later. It was the consensus of Council to do so.						
*** ***						
<u>RESOLUTION 864926</u> ITEM 8						
and the second						
RESOLUTION GRANTING A VARIANCE FROM THE CITY'S MOST RESTRICTIVE COASTAL CONSTRUCTION SETBACK LINE TO AUTHORIZE RESTORATION OF EXISTING ROCK GROIN ON THE NORTH SIDE OF GORDON PASS, LOTS 1-5, THE POINT SUBDIVISION; AND PROVIDING AN EFFECTIVE DATE.						
Title read by City Attorney Rynders.						
Public Hearing: Opened - 9:20 a.m. Closed - 10:30 a.m.						
City Attorney Rynders noted a letter from Attorney Dudley Goodlette (Attachment #4) and City Manager Jones reviewed some						
of the history of this area. He noted that the 1980 Beach Study		1		1		1

#### CITI OF WATELD, FLORIDA

City Council Minutes

Date February 19, 1986

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### ADVERTISED PUBLIC HEARINGS (Cont)

### --RESOLUTION 86-4926 (Cont)

ITEM 8 (Cont)

authorized by the City recommended that this groin be extended and doubled in length. He also noted that the City had applied for state funding for this project, but it had never reached priority. The current owner of the property decided to request permission for a maintenance project to restore the existing groin, he said, but adjacent property owners were concerned about the effect on their property. He said the City staff felt it was a more significant project than simple maintenance and recommended City approval of the coastal construction variance and further review by state agencies. He pointed out that the staff recommended that a condition of approval be that the engineer provide the City with details of how the three northern groins would be removed to assure that there would be no adverse impact on the ground elevations, beach and vegetation line; the petitioner indicated that the long groin only would be restored, leaving the others intact. The City Manager then noted a letter from the Conservancy, Inc. (Attachment #5) and stated his opinion that all the questions posed therein had been addressed with the exception of postponing the public hearing to the next meeting. He suggested that Council hear representatives of the petitioner and the adjacent property owner and then decide what type of action to take.

Attorney George Varnadoe, representing the petitioner, addressed Council in support of limiting restoration to the existing groin to protect his client's property which was severely eroding. He displayed pictures to illustrate his claim and said he felt this project could rightfully be authorized as maintenance such as referred to in Section 7.43 of the Code of Ordinances. He then noted a 1972 Corps of Engineers study that recommended the extension of the groin in question, similar to the recommendation in the 1980 City study by Suboceanic Consultants. He also mentioned the City Beach Management Study in 1983 which recommended a terminal groin.

Engineer David Tackney, who participated in both the 1980 and the 1983 studies, reviewed the history of Gordon Pass. He noted a timber bulkhead constructed on the north side of Keewaydin Island to stop erosion from that area. He further highlighted other factors that had widened the Pass and the fact that the subject property had lost about 75 feet of beach between 1960 and 1980 and this loss has continued. He stated his opinion that the continued erosion was due to the deterioration of the existing groins, especially the southernmost groin which is the subject and gave the opinion that removal of the other three groins would not affect the situation materially.

Attorney Dudley Goodlette, representing Key Island, Inc., the property owners immediately east of The Point Subdivision, asked Engineer Kris Dane to address the technical information. Mr. Dane reported that the four groins on the north side of the Pass were built sometime between 1956 and 1968 with the subject groin being built sometime around 1961, after Hurricane Donna, because the Pass had shoaled in very badly. He said the Pass had been dredged approximately at ten year intervals and that most of the erosion that Mr. Tackney referred to occurred after 1962. He noted the amount of money that Key Island, Inc. had spent on the jetty on the south side of the inlet, which is the north shore of Keewaydin Island. He also pointed out that the inlet was no longer a natural inlet because of loss of the by-passing sand bar which was breached during the dredging to deepen the inlet. It was his opinion that the Gaynor property was fairly stable, but extending the groin in question would trap sand on the north side of the inlet which would cause erosion of his client's beach. Mr. Dane suggested that a comprehensive management plan be formulated to take into consideration the

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	COUNCIL	T I O	C O N	Y E	N	S E N
ADVERTISED PUBLIC HEARINGS (Cont)	MEMBERS	N	D	S	0	T
<u>RESOLUTION 86-4926</u>	· .					
navigational interests of the community, the interests of all the affected property owners, and the enlightened management of the sand resource to optimize the benefits in terms of the recreational value, the environmental habitat and the storm protection benefits derived from placing sand on a beach. He further suggested the financing for mainenance of the Pass.						
Mr. Barnett confirmed with Mr. Tackney that it was his opinion that if petitioner Donahue's groin were repaired, it would prevent sand from reaching the Gaynor property. Attorney Varnadoe agreed that it was now an artifical inlet; however, he pointed out the efforts on the south side of the channel which had made to prevent erosion and said he felt his client should be allowed to restore the groin to protect his land on the north side of the channel.						
Mr. Tackney again spoke in support of extending the existing groin 200 ft. to its original configuration. He stated his opinion that it would not affect the Gaynor's property. Attorney Goodlette restated the position of his client which was not to object to the reconstruction of the groin, but that this action was not enough to solve the entire problem. It was his impression, he said, that the Corps of Engineers had been studying the entire inlet.						
Local engineer John McCord addressed Council and outlined his observation of Gordon Pass while serving as City Engineer. He stated his belief that the project to extend the northern jetty had been funded by the Department of Natural Resources grant received by the City three years ago and suggested that Council avail themselves of the 1980 beach study, deferring action on this request today. He suggested that the Corps of Engineers be involved in a review inasmuch as it is a federal waterway. He said he felt that Council did not have all the facts at this time, especially specific design plans for the project. Mr. Varnadoe responded, however, that the staff had copies of plans.	Anderson-					na na mangana ang kanang ka
In response to a question from Mr. Graver, City Manager Jones stated that this restoration would not require expenditure of funds by the City; but that if the grant for the extension of the groin were received, it would represent an expenditure by both the City and the State.	McDonald Barnett Bledsoe Crawford Graver Richardson	x	x	X X X X X X	x	
Miles Scofield, local marine contractor, stated that he agreed with rebuilding all the groins in this area, the three little ones and the larger one. He expressed the opinion that Mr. Donahue needed at least this one groin restored to save his property and also agreed with Mr. McCord that the Council should know the length, the width and the depth of the proposed restoration. Mr. Richardson said that a complete study of the Pass should be done and funding should be made available for maintenance.	Putzell (6-1)			Χ.		
MOTION: To ADOPT the resolution as presented.						
*** *** ***	Anderson- McDonald			х	1	
RETURN TO AGENDA ITEM 7	Barnett Bledsoe	x		X X		
RESOLUTION 86-4927 ITEM 7	Crawford Graver		x	X X		
See page 3	Richardson Putzell			X X		
Public Hearing: Opened - 10:34 a.m. Closed - 10:35 a.m.	(7–0)					
Engineor James Hirst presented himself to Council to answer any questions.						
MOTION: To ADOPT the resolution as presented.						

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City Council Minut	es Date	February 19, 1986	COUNCIL MEMBERS	O T I O N	ECOND	YES	N II O I
ADVERTISED PUBLIC HEARINGS	(Cont)						
SECOND READING OF ORDINANCE	s	ITEM 9					
ORDINANCE 86-4928	Plan to commut	ITEM 9-a					
AN ORDINANCE AMEND ORDINANCES OF THE MISDEMEANOR LAWS OF PROVIDING AN EFFECTIV PURPOSE: TO READOPT THE STATE OF FLORIDA.	CITY OF NAPLES R THE STATE OF FL E DATE. CURRENT MISDEMEAN	ELATING TO ORIDA; AND					
Title read by City Attorney	Rynders.		Anderson- McDonald			x	.
Public Hearing: Opened - 1 No one pre	0:36 a.m. Closed sent to speak for a		Barnett Bledsoe Crawford		x	X X X	
City Attorney Rynders revi January 9, 1986 (Attachment		nager's memo dated	Graver Richardson	x		X X	
MOTION: To ADOPT the ordin	ance as presented o	on Second Reading.	Putzell (7-0)			x	
***	***	***	the second				
ORDINANCE 86-4929		ITEM 9-b	the states and				
ENVIRONMENT. Title read by City Attorney Public Hearing: Opened - 1	THAT ALL NEW CONSTI STING STRUCTURES E A MANNER SO AS T PROPERTY AND TH Rynders.	RUCTION AND BE DESIGNED O MINIMIZE E NATURAL - 10:40 a.m.	Anderson- McDonald Barnett	x		xx	
Community Development Dir memoranda dated January 23 a and #8).	ector reviewed th	ne information in	Bledsoe Crawford Graver Richardson Putzell		x	X X X X X X	
MOTION: To ADOPT the ordina	ance as presented o	on Second Reading.	(7–0)		100		
END ADVERT.	ISED PUBLIC HEARING		a na hana an Ser tu pa				
COMMUNITY DEVELOPMENT DEPAR PLANNING ADVISORY BOARD	IMENT/NAPLES	ITEM 10				••	
RESOLUTION 86-4930		ITEM 10-a					
A RESOLUTION GRANTING OF APPENDIX "A" - ZON: OF THE CITY OF NAPLES HIGH ENTRY STRUCTURE A TO THE CONDITION SET AN EFFECTIVE DATE.	ING OF THE CODE OF IN ORDER TO PERMIT AT 2200 GORDON DRIV	ORDINANCES T A 15 FOOT /E, SUBJECT		100			
Title read by City Attorney	Rynders.		<u> </u>				
Community Development Direct that the method of petitic then reviewed the material (Attachment #9) noting tha but the Planning Adviso consideration the siz deliberations. Architect W Joanne Smallwood spoke in a the size of the lot and that	ning is set forth in the memo dated t the staff had r ory Board (PAB) se of the filliam Tracy and support of the pet	a in the Code. He February 10, 1986 recommended denial, had taken into lot in their landscape engineer ition, also noting					
	-6-						

City Council Minutes       Date	COUNCIL MEMBERS Anderson- McDonald Barnett Bledsoe Crawford Graver Richardson Putzell (5-2)	M O T I O N X	E C O N	E	NOXXX	
PLANNING ADVISORY BOARD       (Cont)        RESOLUTION 86-4930 (Cont)       ITEM 10-a (Cont)         Hesign. In response to a question from Mrs. Anderson-McDonald, is. Smallwood noted that there was emergency vehicles access. Michael DeGroote, representing the petitioner, spoke in favor of their request. Ed McMahon, representing the Old Naples sociation, explained the Association's position in monitoring these petitions where a precedent might be set. He noted that the Association had no objection to this particular petition because of the size of the lot; however, he said he felt that the criteria for hardship had not been met. There should be some consistency in the decisions made by both the PAB and the bouncil, he continued, and that all options of the petitioners be examined before recommending approval a variance. Otto buale, member of the PAB, stated his agreement with Mr. IcMahon's statements, adding that some relief was granted when the City's ordinances were too restrictive. Mr. Richarddon their opinion that there was no hardship in this case, and there as in fact room for alternative placement of the pate. Councilman Bledsoe and Mayor Putzell expressed their teeling that the ordinance was too restrictive considering the size of the property involved.         MCTION: TO ADOPT the resolution as presented.         txt       ***         A RESOLUTION 86-4931       ITEM 10-b         A RESOLUTION 86-4931       ITEM 10-b         A RESOLUTION 67 APPENDIX "A" - ZONING OF THE CODE OF ORDINANCES OF THE CITY OF NAPLES IN ORDER TO PERMIT CONSTRUCTION OF AN ATTACHED GARAGE LOCATED AT 517 REGATTA ROAD; AND PROVIDING AN EFFECTIVE DATE.	Anderson- McDonald Barnett Bledsoe Crawford Graver Richardson Putzell	ION	O N D	ESXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXX	0	E
PLANNING ADVISORY BOARD       (Cont)        RESOLUTION 86-4930 (Cont)       ITEM 10-a (Cont)         Hesign. In response to a question from Mrs. Anderson-McDonald, is. Smallwood noted that there was emergency vehicles access. Michael DeGroote, representing the petitioner, spoke in favor of their request. Ed McMahon, representing the Old Naples sociation, explained the Association's position in monitoring these petitions where a precedent might be set. He noted that the Association had no objection to this particular petition because of the size of the lot; however, he said he felt that the criteria for hardship had not been met. There should be some consistency in the decisions made by both the PAB and the bouncil, he continued, and that all options of the petitioners be examined before recommending approval a variance. Otto buale, member of the PAB, stated his agreement with Mr. IcMahon's statements, adding that some relief was granted when the City's ordinances were too restrictive. Mr. Richarddon their opinion that there was no hardship in this case, and there as in fact room for alternative placement of the pate. Councilman Bledsoe and Mayor Putzell expressed their teeling that the ordinance was too restrictive considering the size of the property involved.         MCTION: TO ADOPT the resolution as presented.         txt       ***         A RESOLUTION 86-4931       ITEM 10-b         A RESOLUTION 86-4931       ITEM 10-b         A RESOLUTION 67 APPENDIX "A" - ZONING OF THE CODE OF ORDINANCES OF THE CITY OF NAPLES IN ORDER TO PERMIT CONSTRUCTION OF AN ATTACHED GARAGE LOCATED AT 517 REGATTA ROAD; AND PROVIDING AN EFFECTIVE DATE.	Anderson- McDonald Barnett Bledsoe Crawford Graver Richardson Putzell	ON	N D	ESXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXX	0	N
LANNING ADVISORY BOARD       (Cont)        RESOLUTION 86-4930 (Cont)       ITEM 10-a (Cont)         design. In response to a question from Mrs. Anderson-McDonald, is. Smallwood noted that there was emergency vehicles access. Michael DeGroote, representing the petitioner, spoke in avor of their request. Ed McMahon, representing the Old Naples sociation, explained the Association's position in monitoring these petitions where a precedent might be set. He noted that the Association had no objection to this particular petition excause of the size of the lot; however, he said he felt that the criteria for hardship had not been met. There should be toome consistency in the decisions made by both the PAB and the bouncil, he continued, and that all options of the petitioners be examined before recommending approval a variance. Otto uale, member of the PAB, stated his agreement with Mr. IcMahon's statements, adding that some relief was granted when the City's ordinances were too restrictive. Mr. Richardson usked that Mr. McMahon submit the suggestions of the Old Naples ussociation in writing. Messrs. Graver and Crawford stated their opinion that there was no hardship in this case, and there tas in fact room for alternative placement of the tate. Councilman Bledsoe and Mayor Putzell expressed their eeling that the ordinance was too restrictive considering the tize of the property involved.         WDION: TO ADOPT the resolution as presented.         txt       ***         A RESOLUTION 86-4931       ITEM 10-b         A RESOLUTION 86-4931       ITEM 10-b         A RESOLUTION 86-4931       ITEM 10-b         A RESOLUTION 67 APPENDIX "A" - ZONING OF THE CODE OF ORDINANCES OF THE CITY OF NAPLES IN ORDER TO PERMIT CONSTRUCTION OF AN ATTAC	Anderson- McDonald Barnett Bledsoe Crawford Graver Richardson Putzell			xxxxxx	X	
PLANNING ADVISORY BOARD       (Cont)        RESOLUTION 86-4930 (Cont)       ITEM 10-a (Cont)         Hesign. In response to a question from Mrs. Anderson-McDonald, is. Smallwood noted that there was emergency vehicles access. Michael DeGroote, representing the petitioner, spoke in favor of their request. Ed McMahon, representing the Old Naples sociation, explained the Association's position in monitoring these petitions where a precedent might be set. He noted that the Association had no objection to this particular petition because of the size of the lot; however, he said he felt that the criteria for hardship had not been met. There should be some consistency in the decisions made by both the PAB and the bouncil, he continued, and that all options of the petitioners be examined before recommending approval a variance. Otto puale, member of the PAB, stated his agreement with Mr. IcMahon's statements, adding that some relief was granted when the City's ordinances were too restrictive. Mr. Richardson taked that Mr. McMahon submit the suggestions of the Old Naples ussociation in writing. Messrs. Graver and Crawford stated their opinion that there was no hardship in this case, and there take. Councilman Bledsoe and Mayor Putzell expressed their teeling that the ordinance was too restrictive considering the size of the property involved.         MUTION: TO ADOPT the resolution as presented.         txt       ***         A RESOLUTION 86-4931       ITEM 10-b         A RESOLUTION GRANTING A VARIANCE FROM SECTION 5.3F(3) OF APPENDIX "A" - ZONING OF THE CODE OF O	McDonald Barnett Bledsoe Crawford Graver Richardson Putzell	X	x	x x x		
(Cont) Hesign. In response to a question from Mrs. Anderson-McDonald, Is. Smallwood noted that there was emergency vehicles access. Michael DeGroote, representing the petitioner, spoke in avor of their request. Ed McMahon, representing the Old Naples issociation, explained the Association's position in monitoring these petitions where a precedent might be set. He noted that the Association had no objection to this particular petition because of the size of the lot; however, he said he felt that the criteria for hardship had not been met. There should be some consistency in the decisions made by both the PAB and the bouncil, he continued, and that all options of the petitioners be examined before recommending approval a variance. Otto upuale, member of the PAB, stated his agreement with Mr. toMahon's statements, adding that some relief was granted when the City's ordinances were too restrictive. Mr. Richardson usked that Mr. McMahon submit the suggestions of the Old Naples issociation in writing. Messrs. Graver and Crawford stated their opinion that there was no hardship in this case, and there as in fact room for alternative placement of the tize of the property involved. MOTION: To ADOPT the resolution as presented. *** *** <u>RESOLUTION 86-4931</u> ITEM 10-b A RESOLUTION 86A4931 ITEM 10-b A RESOLUTION 86A4931 X** A RESOLUTION 86A4931 A SCITION 5.3F(3) OF APPENDIX "A" - ZONING OF THE CODE OF ORDINANCES OF THE CITY OF NAPLES IN ORDER TO PERMIT CONSTRUCTION OF AN ATTACHED GARAGE LOCATED AT 517 REGATTA ROAD; AND PROVIDING AN EFFECTIVE DATE.	McDonald Barnett Bledsoe Crawford Graver Richardson Putzell	x	x	x x x		
As. Smallwood noted that there was emergency vehicles access. Michael DeGroote, representing the petitioner, spoke in favor of their request. Ed McMahon, representing the Old Naples baseciation, explained the Association's position in monitoring these petitions where a precedent might be set. He noted that the Association had no objection to this particular petition because of the size of the lot; however, he said he felt that the Association had no objections made by both the PAB and the council, he continued, and that all options of the petitioners be examined before recommending approval a variance. Otto Duale, member of the PAB, stated his agreement with Mr. IdMahon's statements, adding that some relief was granted when the City's ordinances were too restrictive. Mr. Richardson based that Mr. McMahon submit the suggestions of the Old Naples association in writing. Messrs. Graver and Crawford stated their opinion that there was no hardship in this case, and there was in fact room for alternative placement of the pate. Councilman Bledsoe and Mayor Putzell expressed their teeling that the ordinance was too restrictive considering the size of the property involved. MOTION: To ADOPT the resolution as presented. *** *** *** <u>RESOLUTION 86-4931</u> ITEM 10-b A RESOLUTION GRANTING A VARIANCE FROM SECTION 5.3F(3) OF APPENDIX "A" - ZONING OF THE CODE OF ORDINANCES OF THE CITY OF NAPLES IN ORDER TO PERMIT CONSTRUCTION OF AN ATTACHED GARAGE LOCATED AT 517 REGATTA ROAD; AND PROVIDING AN EFFECTIVE DATE.	McDonald Barnett Bledsoe Crawford Graver Richardson Putzell	x	x	x x x		
<u>RESOLUTION 86-4931</u> A RESOLUTION GRANTING A VARIANCE FROM SECTION 5.3F(3) OF APPENDIX "A" - ZONING OF THE CODE OF ORDINANCES OF THE CITY OF NAPLES IN ORDER TO PERMIT CONSTRUCTION OF AN ATTACHED GARAGE LOCATED AT 517 REGATTA ROAD; AND PROVIDING AN EFFECTIVE DATE.				X		
A RESOLUTION GRANTING A VARIANCE FROM SECTION 5.3F(3) OF APPENDIX "A" - ZONING OF THE CODE OF ORDINANCES OF THE CITY OF NAPLES IN ORDER TO PERMIT CONSTRUCTION OF AN ATTACHED GARAGE LOCATED AT 517 REGATTA ROAD; AND PROVIDING AN EFFECTIVE DATE.						
5.3F(3) OF APPENDIX "A" - ZONING OF THE CODE OF ORDINANCES OF THE CITY OF NAPLES IN ORDER TO PERMIT CONSTRUCTION OF AN ATTACHED GARAGE LOCATED AT 517 REGATTA ROAD; AND PROVIDING AN EFFECTIVE DATE.						
title read by City Attorney Runders.						
The read of ord meterick where .						
Community Development Director Barry reviewed the information in the memo dated February 10, 1986 (Attachment #10). Petitioner Richard Pierce addressed Council in support of his request and noted that the house had been built in the wrong place by a prior owner. Mr. Graver stated that he had viewed the property and did not feel there was another way to add this garage. Planning Advisory Board (PAB) member Bruce Kixmiller told Council that he believed the ordinance was too restrictive in this instance. Citizen Jim McGrath spoke in support of the petition and said he preferred that the PAB met in conjunction with the Council as in the past. PAB member Lodge McKee explained his negative vote on this matter being because he pelieved there should be a compelling reason to vote contrary to the established criteria. Another PAB member, Otto Quale, stated that he believed Mr. Pierce had another alternative to puilding the garage without the variance. Mr. McGrath then council, Council members would have heard the discussions culminating in the statements just made by the three PAB members.	Anderson- McDonald					
OTION: To ADOPT the resolution as presented.	Barnett Bledsoe	X		X	x	
** *** *** *	Crawford Graver Richardson Putzell (5-2)		x	x x x	x	
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City Council Minutes Date February 19, 1986	COUNCIL MEMBERS	M O T I O N	ECON	Y E S	NO	B S E N T
COMMUNITY DEVELOPMENT DEPARTMENT/NAPLES       ITEM 10         PLANNING ADVISORY BOARD       (Cont)         City Manager Jones noted that the petitioner from Agenda Item       10-d had a conflict of schedule and asked to be moved up to this						
<pre>time period. The petitioner for Agenda Item 10-c noted that he had waited all morning and would like to be heard now. Mayor Putzell ruled that the Agenda would be heard in the proper order. ***</pre>	Anderson- McDonald Barnett Bledsoe Crawford Graver Richardson Putzell (6-1)	x	X	X X X X X X X X X X X X X X X X X X X	x	
AN ORDINANCE REZONING THE FOLLOWING DESCRIBED PROPERTY FROM "R1-7.5" LOW DENSITY RESIDENTIAL TO "C-2" GENERAL COMMERCIAL; DIRECTING THAT THE ZONING ATLAS BE REVISED TO REFLECT SAID REZONING. PURPOSE: TO REZONE SAID PROPERTY AT THE REQUEST OF THE OWNER TO REMODEL AND EXPAND AN EXISTING STRUCTURE FOR USE AS OFFICES OF A SMALL GRAPHICS AND INTERIOR DESIGN FIRM.	9 (2010) (2010) (2010) (2010) (2010) (2010) (2010) (2010) (2010) (2010) (2010) (2010) (2010) (2010) (2010) (2010) (2010) (2010) (2010)					
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City Council Minutes Date February 19, 1986	COUNCIL MEMBERS	M O T I O N	S E C O N D	Y E S	N	A B S E N T	
CO COMMUNITY DEVELOPMENT DEPARTMENT/NAPLES PLANNING ADVISORY BOARD (Cont)							
ORDINANCE 86- (Cont) ITEM 10-d-1 ORDINANCE 86- (Cont) ITEM 10-d-2 (Cont)							
City Attorney Rynders stated that he would read only the title of the ordinance amending the Comprehensive Plan because it must be approved before the zoning amendment. City Manager Jones noted that this petitioner had been unable to remain at the meeting and had requested that the matter be heard on March 5. He added, however, that there were people present to speak to this item and suggested that Council hear Community Development Director Barry's review and the people present and then continue the matter. Mayor Putzell agreed. Mr. Barry reviewed the information in the memo dated February 10, 1986 and noted that the Planning Advisory Board agreed with the staff's recommendation to retain this residential area as is. Citizens Albert Bayer, Kurt Neubeck and Phil De Pasquale, who reside in the area, spoke against detracting from the residential character of the area. They noted that there was an on-going effort to upgrade the residences in this neighborhood. It was the consensus of Council to continue this matter to the March 5 <u>meeting</u> .							
*** ***							
RESOLUTION 86-4932 ITEM 10-e							
A RESOLUTION GRANTING A SPECIAL EXCEPTION TO PERMIT DANCING AND STAGED ENTERTAINMENT IN SUITE 401 IN THE GRAND CENTRAL STATION SHOPPING CENTER, 310 GOODLETTE ROAD SOUTH, FOR A PERIOD OF SIX (6) MONTHS; AND PROVIDING AN EFFECTIVE DATE. Title read by City Attorney Rynders. Community Development Director Barry explained the difference							
between special exceptions and variances, noting that special exceptions provided the City with greater control and the opportunity to set conditions for certain projects. In ordinances in other municipalities, he said, special exceptions were referred to as "conditional uses". Mr. Barry then reviewed the information in the memo dated February 10, 1986 (Attachment #12). Attorney Brenda Coker Wilson addressed Council in support of the request and noted that adjacent retail stores would be closed when this facility was open which would lessen the impact on parking. She noted that there would be special insulation for sound and arrangements had been made for security. Petitioners Thomas DiBacco and Rosalie Roselli also presented themselves to answer Council's questions as well as Jim Lytle, Grand Central Station, to answer questions about the lease. Kim Styles, Radio Station G-93, spoke in support of the project. Mr. Bledsoe suggested an amendment to the resolution to grant this special exception to this petitioner only; Mr. Barnett accepted the suggestion and Mr. Richardson agreed.							
MOTION: To ADOPT the resolution as amended to grant the special exception to the petitioner only.	Anderson- McDonald Barnett Bledsoe Crawford	x		X X X X X			
	Graver Richardson Putzell (7-0)		х	X X X			
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	City	Council	Minutes	Date	February 19,	1986	COUNCIL MEMBERS	M O T I O N	ECON	1	NO	H
		DEVELOPMEN ADVISORY BO	T DEPARTMENT/ ARD	NAPLES	ITEM 1 (Cont)							T
<u>R</u>	RESOLUI	TION 86-493	3		ITEM 1	0- <u>f</u>						
	PERM SIDE SIDE FEET PREV	IT LANDSCA OF NASSA OF GOODL NORTH OF	GRANTING A APING AS A E U POOLS, INC ETTE-FRANK RO 5TH AVENUE UIRED MASONRY	BUFFER ALONG C. LOCATED C OAD, APPROXI NORTH, RATHE	THE CANAL ON THE EAST IMATELY 600 ER THAN THE							
Titl	le read	by City A	ttorney Rynde	rs.			Anderson- McDonald			x		
the Advi	memo isory	dated Febr Board memb	t Director Ba ruary 10, 19 Der Otto Qua m McGrath agr	86 (Attachme le spoke i	ent #13). P	lanning	Barnett Bledsoe Crawford Graver Richardson	x	x	XXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXX		
MOTI	ION: T	o ADOPT the	e resolution	as presented	l <b>.</b>		Putzell (7-0)			X		
***			***		***							
0	ORDINAN	ICE 86-			ITEM 1	0g						
••	REVI EFFE PURP OF DEPA BASK	OVEMENT; D SED TO REFI CTIVE DATE OSE: TO H THE CITY RTMENT TO ETBALL/RECI	DIRECTING THA	T THE ZONIN ONING; AND P PROPERTY AT ' S COMMUNITY FRUCTION OF WHICH IS PR	ROVIDING AN THE REQUEST X SERVICES A COVERED							
Title	le read	by City A	ttorney Rynde	rs.			19. A 180 Y					
the acted ordi Hollo itse Anth faci	memo d Specia ed upon inance ley ans elf and nony s ility coundin	ated Februa al Exception at the ne now under swered othe d Parks & tated that if it w gs. He no	at Director E ary 10, 1986 n, Variance a ext meeting a consideration r questions Recreation t the neight was construc- ted that tho e as pleased of	(Attachment and Easement fter the Sec . Community from Council Advisory Be borhood wou ted to be se who were	#14) and note petitions we cond Reading y Services D l about the p oard member ld apprecia e compatible not interes	ed that ould be of the irector project Willie te the e with	Anderson- McDonald Barnett Bledsoe Crawford Graver	x	x	X X X X X X X X		
MOTI	ION: T	O APPROVE	the ordinance	as presente	d on First R	eading.	Richardson Putzell			X X		
***			***		***		(7–0)					
ANNU	JAL COM	PREHENSIVE	PLAN REVIEW		ITEM 1	<u>0-h</u>	Succession of					
the is sugge meet: there sugge Grave Atto Boca	memo d gested ing. ce were gested ver agn orney a a Raton	ated Februa that this Citizen Jo many refer meetings i reed and n and City Ma n. Mr. Ba	t Director B ary 11, 1986 matter be dia hn McCord no cences to com n various nei oted that May unager to che rry commented dealt mainly o	(Attachment scussed in c bted that d troversial z ighborhoods yor Putzell ck on zoning d that the	#15). Mr. Co depth at a we uring the co oning decision to gain input had asked the g in Palm Be issues refer	rawford orkshop ampaign ons and t. Mr. ne City ach and cred to						

City Council I	Minutes Date	erebruary 19, 1986_	COUNCIL MEMBERS	O T I O N	E C O N D	Y E S	NO	
zoning ordinance in established goals a discussing at a work zoning ordinance a projected. Mayor Put Harry Rothchild said including a reference future hotels. It w matter at this time. END C RESOLUTION 86-4934 A RESOLUTION 86-4934 A RESOLUTION RA OF PREFERENCE ENGINEERING SER OF THE RIVER	RD PLAN REVIEW (Cont) dressed during the u April. The Compreh nd objectives, he shop the Plan in gene s the way to ach tzell also suggested d he interpreted a to the desirable num as the consensus of COMMUNITY DEVELOPMENT/	ITEM 11 FIRMS IN ORDER NAL DESIGN AND E CONSTRUCTION AIR SHELTER;						
firms as noted by the response to a quest explained that there statutes and that the incorporated those in noted that the proce Negotiations Act, Se suggested that Bruce because he derived of Workshop meeting. * M Workshop presentation technical presentation their rankings. He said the presentations from al on their rankings consultations with the both this project an Services Director of development stage was taken back to the H meeting at the River consultant selection firms. Mrs. Anderson been confusing. In that the City Attorne McCord contended than full background of the engineers had always in the past. City Ma Mr. McCord that firm to Council. Citizen verify that the stat interested firms an presentations to Coun back to meeting in co	that the resolution the committee, seconder tion by Mr. Graver, were procedures outly the City had adopted a local procedure. edure was in the Co c. 287.055 Florida S a Green & Associates more from Mr. Green's r. Crawford stated us were not intended ons made to the co hat the committee had 1 the firms; and, the s. Mayor Putzell he N.A.A.C.P. and Car and the one in Agend Holley indicated the s reached, preliminate Park Center. He rev committee had follow n-McDonald agreed the response to citizen of t the present Council e firms involved and made a second present anager Jones said he s did not always make Harry Rothchild sug- ut criteria had been and that they then modil. He also suggen njunction with the Pl	be adopted ranking the ed by Mr. Bledsoe. In , City Manager Jones lined within the state d a resolution which City Attorney Rynders onsultants' Competitve Statutes. Mr. Barnett be ranked number one s presentation at the his opinion that the to be the same as the mmittee who made the d heard the technical refore, he was relying suggested periodic over Finance, Inc., on a Item 12. Community hat when the design ary sketches could be Advisory Board for a iewed the criteria the lowed in ranking the hat the procedure had John McCord's request, or ranking firms. Mr. 1 had not received the further contended that ntation before Council could substantiate for a second presentation gested that the staff n complied with by the make their single ested that Council go anning Advisory Board.	*AMENDED - 03/19/86: Mr. Bledsoe stated that he made the remarks attributed to Mr. Crawford. Anderson- McDonald Barnett Bledsoe Crawford Graver		х			
***	***	***	Richardson Putzell (7-0)	Х		X X		
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City Council Minutes

### Date February 19, 1986

Anderson-

Barnett

Bledsoe

Crawford Graver

Richardson

Putzell

(7-0)

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### -RESOLUTION 86-4935

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### ITEM 12

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A RESOLUTION RANKING THE TOP FOUR FIRMS IN ORDER OF PREFERENCE TO PROVIDE PROFESSIONAL ENGINEERING SERVICES RELATING TO THE CARVER/RIVER PARK AREA IMPROVEMENT PROJECT; DIRECTING THE CITY MANAGER TO NEGOTIATE A FEE WITH THE TOP RANKED FIRM; AND PROVIDING AN EFFECTIVE DATE.

### Title read by City Attorney Rynders.

Community Development Director Barry reviewed the project. Mr. Graver asked if City employees would be qualified to do this work and City Manager Jones explained that the City employees were qualified. He added, however, that the City staff had a very heavy schedule already; therefore, the decision was made to contract the work out to get it done expediently. Mr. Graver commented on the cost comparisons of the alternatives.

MOTION: To ADOPT the resolution as presented, ranking the firms as recommended. \*\*\*

### ---RESOLUTION 86-4936 ITEM 13

A RESOLUTION AUTHORIZING THE CITY MANAGER TO EXECUTE A CONTRACT FOR PROFESSIONAL DESIGN ENGINEERING SERVICES IN CONJUNCTION WITH THE EXPANSION OF THE PUBLIC SAFETY BUILDING; PROVIDING AN EFFECRTIVE DATE.

Title read by City Attorney Rynders.

City Manager Jones reviewed the history of the existing building and pointed out that it had been designed on short notice to be included as an addendum to a grant used for City Hall. The department had since expanded making the existing building was inadequate to carry on the business of the police department, he added. Mr. Jones then reviewed the material in his memo dated February 13, 1986 (Attachment #16). Mr. Graver said he felt that the projected cost per square foot seemed a little high. The City Manager pointed out, however, that the estimates included some modifications to the existing building and that some design was needed to obtain a closer estimate. The architect's contract is in phases and the cost could be monitored, he added. In response to Mr. Graver's question concerning the proposed size of the expansion, Mayor Putzell the present facilities were totally said that inadequate. Citizen Jim McGrath said he felt the uniformed police officers should be out on the street and not have large facilities, but Mayor Putzell responded that the need is for space for other law enforcement activities such as finger printing and other crime detection procedures. Mr. Crawford agreed. Citizen John McCord said the estimated cost was much too high and that there should be citizen's committee to study it prior to letting a contract. City Manager Jones clarified that the estimated fees were not based on a percentage of the proposed project and that an attachment to his memo (Attachment #16) outlined the anticipated hourly charges to accomplish this contract. Citizen Harry Rothchild also suggested using the voluntary expertise of some citizens. Mayor Putzell stated that in his opinion this decision was the responsibility of the staff.

MOTION: To ADOPT the resolution as presented.

Anderson-Х McDonald Barnett Bledsoe Crawford Graver Richardson Х Putzell (7-0)

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***         ***         ***           RREAK: Recessed - 1:31 p.m. Reconvened - 2:04 p.m.           Mayor Putzell noted that the same members of Council vere present.           ***         ***           Mayor Putzell directed that Agenda Item 15 be taken up at this time. He asked that speakers state their name, address and position and asked that they not repeat what had already been said. He noted the decision by Council at the previous day's workshop to limit speakers to seven minutes with a one-minute warning at the end of six minutes. He stated his own opinion that it was unfortunate that this Council, a majority of which were newcomers to governmental processes, had to address this problem when the former Council had had two meetings to reconsider the matter if they had chosen to do so.           DISCUSSICM/ACTION REGARDING COUNCIL'S         ITEM 15           APPEOVAL AT THE NOVEMBER 20, 1986, RESULAR         MEETING OF THE PROJECE TO BE LOCATED           VERSAILLES HOTEL ROUBER TO BE LOCATED         ITI 1345-1355 EAST TMAINT TRAIL.           PURSAILLES HOTEL ROUBER TO BE LOCATED         ITIEM 15           MEETING OF THE PROJECE TO BE LOCATED         ITIEM 15           Project, made a presention. He noted the principals of the project, made a presentation. He noted the principals of the project mark, adoutinat Meast.           Attorney George Vega, representing the principals of the reproject mere, Accounting Meast.         Note the state of the properse.           Attorney Coorge Vega, the principals of the project and exception in November 1985.         Architect Rokert Forsythe and his a	ncil Minutes Date February 19, 1986	COUNCIL MEMBERS	M O T I O N	SECOND	Y E S	NO	ABSENT	27
<ul> <li>present.</li> <li>***</li> <li>****</li></ul>	*** *** d - 1:31 p.m. Reconvened - 2:04 p.m.							
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APPROVAL AT THE NOVEMBER 20, 1986, REGULAR MEETING OF THE PROPOSED RESIDENCE VERSAILLES HOTEL PROJECT TO BE LOCATED AT 1345-1355 EAST TAMIAMI TRAIL. Pursuant to Council action at the regular meeting of Pebruary 5, 1986. City Attorney Rynders noted that there was no resolution for this item. Attorney George Vega, representing the principals of the project, made a presentation. He noted the presence of Attorney Lary Martin, Traffic Engineer John W. Barr, Acoustical Engineer Robert Tanner, Accountants Messrs. Soldavini and Gualario and developers Christian LaFaille and Monique MacGlothlin. He stated that expenditures which had been made by the petitioners in reliance upon Council's action approving the Special Exception in November 1985. Architect Robert Forsythe and his assistant, David Humphrey, reviewed the site plan. He explained that his client had purchased the gas station west of the property. He further noted that ingress and egress to the site would be only from the curb cut opposite the existing River Point Drive which eventually would have traffic control signal to be paid for by adjacent property owners. He pointed out that the seating in the existing Caddy Shack restaurant and the restaurant in the existing Versailles totaled approximately 520; whereas, the restaurant in the proposed hotel would seat 265. There would be 138 hotel rooms, he said, but added that he did not feel the hotel guests would be in conflict with morning rush hour traffic. David Humphrey reviewed a sketch showing the proposed building in relation to the airport authority guideliness regarding building height. He noted that the building was approximately 2800 feet from the end of the runway. He noted that the guideline for construction, with an anticipated 300 feet extension of the runway, would have permitted the building to be 57.5 feet high and this building will be only 53.0 feet above the ground. The highest a plane would come in, by following the visual altitude slope indicator lights, wou	I that speakers state their name, address and sked that they not repeat what had already been the decision by Council at the previous day's nit speakers to seven minutes with a one-minute end of six minutes. He stated his own opinion fortunate that this Council, a majority of which to governmental processes, had to address this the former Council had had two meetings to							
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# City Council Minutes

Date February 19, 1986

ITEM 15

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COUNCIL MEMBERS

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DISCUSSION/ACTION REGARDING COUNCIL'S APPROVAL AT THE NOVEMBER 20, 1986, REGULAR MEETING OF THE PROPOSED RESIDENCE VERSAILLES HOTEL PROJECT TO BE LOCATED AT 1345-1355 EAST TAMIAMI TRAIL. Pursuant to Council action at the regular meeting of February 5, 1986. (Cont)

Acoustical engineer Robert Tanner stated that he was part of the design team and had been hired to make sure the hotel quests were not annoyed by the noise from planes (Attachment #18). Mr. Graver stated his concern that if the guests were bothered by the noise and did not come back, Naples would have another empty hotel. Attorney Vega distributed a listing of the funds already expended by the developers (Attachment #19). He stated his belief that the objections he had heard had been answered; such as: it was not within the Council's purview to decide if there were enough hotels in Naples already; that there was a traffic problem, but they might even be helping relieve it; and that the airport safety problem was properly addressed by the Federal Aviation Authority (FAA), not the Council. Mr. Graver suggested that Mr. Vega should have advised his client to temper their expenditure of money after the matter became an election issue, but Mr. Vega replied that in his estimation the City was a corporate entity and his client had that entity's approval. He further noted that from a business standpoint it was prudent to move forward. He further noted that if his client had an office building with a fast-food restaurant in it, he would not have needed to have Council's approval.

City Attorney Rynders explained that with various permitted uses, there would be no need for Council approval; however, for a special exception for a hotel, Council could consider traffic and safety when considering the petition. He noted a ruling that had made disputed ordinance decisions that became election issues red flags to developers had been overturned. He said that governing bodies had been equitably estopped from rescinding the approval of such decisions.

Mayor Putzell asked Mr. Vega what expenses had been incurred since the meeting on February 5 when Council voted to reconsider this matter; Mr. Vega answered none had been incurred. Mrs. MacGlothlin stated that their group had studied this project at length before proceeding. Citizen John McCord mentioned conditions attached to this project during staff review when he was City Engineer. The Police Department had requested a traffic impact analysis, he said, and he did not feel the client's traffic engineer's report was objective. He suggested that the results of the election were a mandate for Council to rescind this approval. Citizen Harry Rothchild stated his belief that there were discrepancies between the traffic study done by Barr & Dunlop for the City in 1980 and statements made by Mr. Barr for this client. He said he felt Council should reverse its approval because there were too many hotels in Naples and this location was, in his opinion, so unsafe.

Airport Executive Director Jerry Sealy noted both his and the Airport Authority's correspondence stressing disapproval of this project. He said it was a safety hazard in spite of the fact that it fell within the FAA's approval guidelines. He noted the presence of Fred Kear, Piedmont Airlines Engineer; Terry Morgan, Chief pilot for Piedment; and Michael McCarty, Airport Transportation Association. Mr. Kear expressed his objection to the project on the basis of safety, noise and obstruction. Mr. Morgan stated his belief that the project was a degradation in the margin of safety and Mr. McCarty noted that the FAA regulations being used for approval of this project had been designed from an air traffic controller's point of view and not with respect to the approach and takeoff of aircraft. In response to questions from Council, Mr. Kear concurred with

City Council Minutes Date February 19, 1986	COUNCIL MEMBERS	M O T I O N	SECOND	Y E S	NO	A B S E N T	29
DISCUSSION/ACTION REGARDING COUNCIL'S ITEM 15 APPROVAL AT THE NOVEMBER 20, 1986, REGULAR (Cont) MEETING OF THE PROPOSED RESIDENCE VERSAILLES HOTEL PROJECT TO BE LOCATED AT 1345-1355 EAST TAMIAMI TRAIL. Pursuant to Council action at the regular meeting of February 5, 1986. (Cont)							
Mr. McCarty and noted that an extension of the runway could make the hotel become an obstacle to take off. City Attorney Rynders explained that the City's ordinance set building heights in this area, and to deny the petition because of height would be saying that the City's ordinance was invalid. He, however, suggested addressing what heights would be appropriate in that area. In response to a question from Mr. Crawford, the City Attorney explained that approval of the hotel was a legislative act and the Council would be immune from liability for legislative acts should there be an accident with an aircraft and the hotel. Local pilots Stuart Schram, George Henderson, Charles Rhoades, and Sam Boggess spoke against the project because of the height of the proposed building. Local pilot Art Karnis stated his belief that the building did not present the safety hazard that had been depicted by previous speakers. Ed McMahon, representing the Old Naples Association, addressed Council and noted that they had opposed both the River Point Hotel and this one and proposed that the zoning be amended in this type of area. He suggested denying both hotels, but also stated that reversing this approval might lead to a court case that would be difficult to win and could make it more difficult to rezone the area in the C2-A zone to reduce the acceptable building height.							
Mr. Graver noted his assumption that this item would be denied based on the Planning Advisory Board's recommendation of denial along with the Airport Authority's similar recommendation. He added that this was one of his reasons for running for Council. Citizen Hugh Parsons asked what exceptions there were when the restaurant was approved; City Attorney Rynders replied that it was a permitted use. John Agnelli, representing the Power Corporation (Beau Mer), stated his support for the project because he said he felt it would hasten the installation of the traffic control signal that his company had agreed to help fund some time ago. Citizen J. Sandy Scatena noted his opposition to the project from the beginning in conjunction with the recommendations for denial from the PAB and the Airport Authority. Citizens Gilbert Blanquart, Maxwell Teague and Seymour Pollack also spoke in opposition to the project. Mr. Blanquart stated his belief that the former Council did not obtain enough objective information prior to making the earlier decision and suggested amending the zoning in the areas not built up at this time. Mr. Teague noted his surprise at what he termed Council's recent leanings toward developers rather than enforcing the existing zoning ordinance. Lodge McKee, member of the PAB who voted against both this hotel and the River Point Hotel across the street, noted the criteria the PAB uses when considering a special exception such as the one under discussion. He said that a five story hotel directly in the runway of the Naples Airport was bad planning and agreed that the C2-A zoning may need amendment with regard to the height of buildings. He also pointed out that the offsite parking that was permitted by special exception was in his estimation not workable. Robert Nadeau acknowledged the problems of safety and traffic, but noted that it was not fair to change the rules in the middle of the game.							
Mayor Putzell stated he would entertain a motion to table this item until the second meeting in March. Mr. Crawford asked for some method to constrain the petitioner from expending more funds, but Mr. Vega indicated that his clients had to proceed with the business at hand. City Attorney Rynders noted that he did not believe that the petitioner could incur new expenditures in reliance on Council's action in light of this discussion, but							
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City Council Minutes Date February 19, 1986	COUNCIL MEMBERS	O T I O N	ECOND	Y E S	NO	BSENT
DISCUSSION/ACTION REGARDING COUNCIL'S ITEM 15 APPROVAL AT THE NOVEMBER 20, 1986, REGULAR (Cont) HEETING OF THE PROPOSED RESIDENCE FERSAILLES HOTEL PROJECT TO BE LOCATED AT 1345-1355 EAST TAMIAMI TRAIL. Pursuant to Council action at the regular meeting of February 5, 1986. (Cont)						
that there may be continuing expenses from previous obligations. Mr. Bledsoe moved to endorse the Council approval of the November 20th action. The motion died for lack of a second. Mr. Barnett moved to rescind the former Council approval, seconded by Mr. Crawford.						
Citizen John Greco asked the City Attorney to comment on the City's chances in court. Mayor Putzell again suggested a delay in action; however, Mr. Barnett asked to hear the City Attorney's answer to the question. City Attorney Rynders indicated that in his mind the decision was going to be chiefly one involving the legal principal of equitable estoppel; i.e., did these people make a substantial change in their position, incur obligations in good faith reliance on the previous zoning approval. He also stated that a lot would depend on the evidence produced in court as to at what point those obligations were incurred, because any obligations incurred prior to the zoning approval were not in reliance on it. He further stated that in similar cases, courts have found that sums of money less than what was discussed today enough to create estoppel. In response to a question from Mr. Barnett about the safety factor, the City Attorney suggested that the court may say the remedy for the City would be to amend their zoning ordinance. Mr. Rynders concurred with Mr. Bledsoe's observation that a court could find that with another use, a larger building could have been built without a special exception.						
Mr. Vega noted the City of Naples vs. Robert R. Crans which involved plans for a similar building in the same glide path and the court ruled in Mr. Crans' favor, but the zoning ordinance was not subsequently amended.						
Mayor Putzell again suggested further study before making a decision. <u>Mr. Barnett withdrew his motion</u> . Mr. Vega suggested that the Airport Authority and the various pilots who objected were thinking more of expanding the airport than the safety of this building. Airport Authority member Bob Tiffany answered questions about the existing runway and stated that it was 5000 feet long and could be extended 300 feet to the south and 500 feet to the northwest, if necessary. <u>Mr. Richardson moved to delay a decision until the March 5 meeting, seconded by Mrs. Anderson-McDonald</u> . Mr. Richardson noted that he asked for a traffic count in the Gordon River Bridge area in January this pear and, compared to the traffic count in 1979, it was his contention that the traffic had not increased. In response to a suggestion from Mrs. Anderson-McDonald, City Attorney Rynders said that no permits would be issued until the matter was resolved.	Anderson- McDonald Barnett Bledsoe Crawford Graver Richardson Putzell (7-0)	x	x	x x x x x x x x x x x x x x x x x x x		
MOTION: To DELAY action until the March 5 meeting.						
*** *** *** RETURN TO REGULAR AGENDA	Sectore					
BOARD/COMMITTEE APPOINTMENTS ITEM 14	South and the					
RESOLUTION 86-4937 ITEM 14-a	M. A. San M.					
A RESOLUTION APPOINTING A MEMBER OF THE CITY COUNCIL TO THE BOARD OF TRUSTEES OF THE CITY OF NAPLES RETIREMENT SYSTEM; AND PROVIDING AN EFFECTIVE DATE.						
tle read by City Attorney Rynders.	a second second					
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EDARD/CONVETTEE APPOINTMENTS (Cont.)       ITEM 14 (Cont.)       Anderson- Mebonald	City Council Minutes Date February 19, 19	B6 COUNCIL MEMBERS	M O T I O N	SECOND	Y E S	A B S E N N O T
(Cont)       Anderson-McConald McConald Barnett       X         City Manager Jones reviewed the memo dated Pebruary 13, 1986 Mayor Putzell.       Samett       X         Mayor Putzell.       DADGY the resolution adding the name of Mrs. Maderson-McConald.       Naderson-McConald       X         ***       ***       ***       ***       ***        RESOLUTION 86-4938       ITEM 14-b A RESOLUTION APOINTING ONE MEMBER TO SERVE ON THE Barnett       Anderson-McConald SciTMeSF FLORIDA RESIGNAL PLANNING CONCIL; AND PROVIDING AN REFECTIVE DATE.       Anderson-McConald Crawford       X         Title not read.       ***       ***       ***       ***        RESOLUTION APOINTING TWO MEMBERS OF THE CITY COUNCIL TO THE MARCESU BARDIZED AREA; AND PROVIDING AN EFFECTIVE DATE.       Anderson-McConald Barnett       X         Title not read.       ***       ***       ***       ***        RESOLUTION APOINTING TWO MEMBERS OF THE CITY COUNCIL TO THE MARCESU BARDIZED AREA; AND PROVIDING AN EFFECTIVE DATE.       Anderson-McConald Barnett       X         Itle not read.       Citizen John McCord expressed his feeling that Mr. Richardson Ind been on the Metropolitan Planning Organization (MPO) for Citizen John McCord expressed and Crawford.       Anderson-McConald Barnett       X         MTICN: TO ADDFT the resolution as presented adding the name of Mesore. Richardson and Crawford.       X       X         X**       ***       <						
City Manager Jones reviewed the memo dated February 13, 1966 Barrett Mayor Putzell. X X X X X X X X X X X X X X X X X X		) Anderson-			x	
MOTION: TO ADOPT the resolution adding the name of Mrs. Anderson-McDonald.       X       X         ****       ***       ***	(Attachment #20) which listed several appointments recomme	3, 1986 Barnett ended by Bledsoe Crawford		x	X X X	
***     ***     ***     ***      RESOLUTION 86-4938     ITEN 14-b     Anderson-McDonald     X     X       SOUTHENG AN EFFECTIVE DATE.     Title not read.     X     X     X       Title not read.     ***     ***     ***     X     X      RESOLUTION 86-4939     ITEN 14-c     Anderson-McDonald     X     X       A RESOLUTION 86-4939     ITEN 14-c     Anderson-McDonald     X     X      RESOLUTION 86-4939     ITEN 14-c     Anderson-McDonald     X     X       A RESOLUTION 86-4939     ITEN 14-c     Anderson-McDonald     X     X       A RESOLUTION 86-4939     ITEN 14-c     Anderson-McDonald     X     X       Title not read.     Anderson-McDonald     X     X     X       Citizen John McCord expressed his feeling that Mr. Richardson had been on the Metropolitment should be made.     Barnett     Barnett       MOTION: To ADOPT the resolution as presented adding the names of McBonald of Messca. Richardson and Crawford.     X     X       MCTION: To ADOPT the resolution as presented adding the name of Mr. Graver     Anderson-McDonald NCF X     X       Title not read.     X     X     X     X       MCTION: To ADOPT the resolution as presented adding the name of Mr. Graver     X     X     X       Title not read. <td></td> <td>of Mrs. Richardson Putzell</td> <td>x</td> <td></td> <td>X</td> <td></td>		of Mrs. Richardson Putzell	x		X	
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City Council Min	nutes Date <u>F</u>	ebruary 19, 1986	COUNCIL MEMBERS	M O T I O N	SECOND	YES	A B S E N N T
BOARD/COMMITTEE APPOINT	IMENTS (Cont)	ITEM 14 (Cont)	and the second				
RESOLUTION 86-4941	(Cont)	ITEM 14-e (Cont)	<u>(191-0)</u> 201				
reviewed the material 6, 1986 (Attachment # issues raised during increases and their Retirement program. increases and for the list of members di Council. Mayor Putzel members would be invite Harry Rothchild also recommended committee government and suggest Gilbert Blanquart. May not to consider actual these changes were made	21). He stated his op the campaign were the participation in the He suggested a reference pension and pointed out d not include any l responded that all ed to contribute to the voiced his opinion members were not ted adding the name of yor Putzell stated that salary matters, but the	pinion that the only the Council's salary the City's General erendum for salary at that the proposed past members of the former Council committee. Citizen that most of the familiar with City of former Councilman t this committee was e technique by which	odesting with the	x	x	X X X X X X X X X X X X X X X X X X X	
MOTION: To ADOPT the re by Mayor Putzel	1. sector in the sector	8 909 pupt and 1990 1	en - dar 19982.				
***	***	***					
CORRESPONDENCE & COMMUN	IICATIONS		2000-24 M				
Mr. Richardson asked Workshop next Wednesd Workshop on Wednesday,	ay morning. Mayor Put	tzell confirmed the					
***	***	***					
Mr. Graver suggested Council salaries to increase. It was th committee's study and r	the level they were a consensus of Cour	e before the last					
***	***	***					
ADJOURN: 5:32 p.m. Hand Casan Janet Casan City Clerk Ellen P. Weigand Deputy Clerk	Edwin J. Putz	ukel					
These minutes of the Na	ples City Council appro	oved March 19, 198	6				
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	-18-						

Supplemental attendance list - Regular Meeting, February 19, 1986

Pastor Howard Hugus Charles Andrews George Varnadoe Stanley Hole Jack Love Glenn Mackay Chris Donahue David Tackney Dr. Sitrolla Dr. Handley Stuart Schram Charles Rhoades Richard Sykes John Nagel Robert Galloway Bill Hill Tish Gray Reverend Walter Lauster Mrs. Putzell Robert Russell Jim McGrath Herb Anderson William Tracy George Henderson Sam Boggess

Lodge McKee Jack Amaral John Cipolla Robert Forsythe Otto Quale Ed McMahon John McCord Harry Rothchild J. Sandy Scatena Miles Scofield Joanne Smallwood John Agnelli Michael De Groote Dick Pierce Albert Bayer Kurt Neubeck Phil Pasquale Mrs. Graver Gilbert Blanguart Gilbert Weil Jerry Sealy John Soldavini Hubert Howard John Greco Maxwell Teague

Art Karnis David Humphrey Robert Tiffany Floyd Peterson George Wilson Kris Dane James Hirst Bruce Kixmiller Willie Anthony Dick Martohue Brenda Coker Wilson Thomas DiBacco Rosalie Roselli Jim Lytle Kim Styles George Vega John W. Barr Robert Tanner Monique McGhlothin Christian LaFaille Fred Kear Terry L. Morgan Michael McCarty Seymour Pollack Robert Nadeau

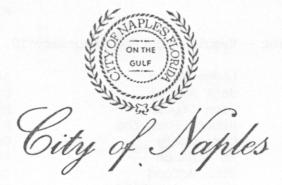
### News Media

Bob Del Buono, TV-9 Hillary Hutchison, TV-9 Jerry Pugh, TV-9 Bev Cameron, WINK TV-11 Maggie Miniarich, Naples Star Lori Rozsa, Miami Herald Don Goodwin, Naples Star Chuck Curry, Naples Daily News Gary Arnold, WEVU TV-26 Curt Johnson, WEVU TV-26 Bob Goldberger, WBBH TV-20

Other interested citizens and visitors.

AGENDA ITEM #6-A

2-19-86



--- MEMO ----

TO: HONORABLE MAYOR AND MEMBERS OF CITY COUNCIL

FROM: CITY MANAGER FRANKLIN C. JONES

SUBJECT: SLUDGE HANDLING FACILITIES - WATER TREATMENT PLANT

DATE: FEBRUARY 14, 1986

Because we are awaiting additional information to complete our recommendation on this item, we are asking that the Council remove it from the agenda at this time.

Respectfully submitted,

Franklin C. Jones City Manager

FCJ/tan



AGENDA ITEM #6-F 2-19-86

ON TH GUL

TO: HONORABLE MAYOR AND MEMBERS OF CITY COUNCIL

FROM: CITY MANAGER FRANKLIN C. JONES

SUBJECT: BID AWARD/EAST GOLDEN GATE WELLFIELD EXPANSION PROJECT

DATE: FEBRUARY 13, 1986

BACKGROUND: The 1984/85 Water System Capital Improvement Program included a project to expand our existing wellfield in the East Golden Gate Estates Area. Our existing installed capacity in this wellfield is approximately 18.0 million gallons per day (MGD). This expansion project will provide an additional 3.0 MGD bringing the total wellfield to a 21.0 MGD capacity. Average and peak daily demands are currently <u>17.5</u> and <u>18.8</u>, respectively. As well, daily withdrawals are approximately <u>67%</u> from the East Golden Gate wellfield and 33% from the Coastal Ridge Aquifer.

The expansion of the East Golden Gate wellfield is part of our continuing effort to reduce winter-month withdrawals from the Coastal Ridge Aquifer. This effort has and continues to be a cooperation between the City and the South Florida Water Management District.

<u>ANALYSIS</u>: On January 30, 1986, bids were received and opened on the installation of pumps, motors and piping system for three (3) recently drilled wells. Bid proposals were reviewed by CH2M Hill, our engineers on this project, Jim Chaffee, Utilities Director, and Stew Unangst, Purchasing Agent, for compliance with plans, specifications, and general conditions. Based on this review, our recommendation for award is as follows:

Contractor:	Stevens & Layton, Inc Alva, Florida						
Total Bid Amount:	\$467,954						
Completion Time:	150 calendar days						

Mayor and City Council February 13, 1986 Page 2

The above contractor submitted the lowest bid on this project and took no exceptions to our plans or specifications. As well, a bona fide bid bond was provided with their proposal. Stevens and Layton, Inc. has performed numerous underground type projects for the City in the past and we are most pleased with their performance and quality of work.

<u>RECOMMENDATION</u>: I respectfully request authorization to issue a purchase order to Stevens & Layton, Inc. in the total amount of \$467,954 for the completion of this project. Sufficient monies are budgeted in the Water System Capital Improvement Program for this award.

Respectfully submitted,

Franklin C. Jone's City Manager

Prepared by:

Mark W. Wiltsie

Assistant City Manager

Concurrence:

Towner h. Chaffer

James L. Chaffee Utilities Director

1 16/11

CITY MANAGER CITY UF NAPLES, FLA

ATTACHMENT #4

JOE 8. COX J. DUDLEY GOODLETTE KENNETH D. KRIER LAWRENCE A. FARESE

G. CARSON MCEACHERN GEORGE A. WILSON STEVEN P. KUSHNER CHARLES M. KELLY, JR. STEPHEN M. KLIMACEK CUMMINGS & LOCKWOOD ATTORNEYS AT LAW 3001 TAMIAMI TRAIL, NORTH NAPLES, FLORIDA 33940 (813) 262-8311 TELECOPIER (813) 263-0703

February 18, 1986

TEN STAMFORD FORUM STAMFORD, CT 06904

- TWO GREENWICH PLAZA GREENWICH, CT 06830

855 MAIN STREET BRIDGEPORT, CT 06601

> 30 MAIN STREET DANBURY, CT 06810

250 ROYAL PALM WAY PALM BEACH, FLORIDA 33480

> CITYPLACE HARTFORD, CT 06103

Mr. Frank Jones, City Manager 752 Eighth Street South Naples, Florida 33940

> RE: Donahue Petition for Variance from Coastal Construction Set Back

Dear Mr. Jones:

This letter is to advise you that our firm represents Key Island, Inc., a Florida Corporation, the owner of property adjacent to and immediately east of the property that is the subject of the above captioned petition.

The purpose of this letter is to request that our client be permitted an opportunity to present remarks concerning the Petitioner's request for a set back from the coastal construction set back line at the public hearing to be held on Wednesday, February 19, 1986. We would like to have an opportunity to present our opinions as to the history, physical processes, and probable impact of the proposed project and to assist in educating the Council as to the larger picture, which is the entire Gordon Pass Inlet System. In that regard, we would request to be heard immediately following the Petitioner.

The thrust of our proposed presentation will be neither in support of or objection to the Petitioner's request. Rather, our remarks will be intended to describe how the Inlet functions, when, why, and by whom various structures were built, and who maintains them, etc. In conjunction therewith, we will be prepared to present a summary and recommendations for action that we would propose be taken by the Council.

I trust that should you have questions or comments regarding these matters you will not hesitate to contact me.

Respectfully,

J. Dudley Goodlette/ya J. Dudley Goodlette

. Dudley Goodlette (Dictated but not reviewed)

JDG:sja

CC:

-23-

: Key Island, Inc. Todd Turrell, Coastal Engineering Consultants, Inc.

ATTACHMENT #5 - page 1

# The Conservancy

Offices and Nature Center • 1450 Merrihue Drive • Naples, Florida 33942 • 813-262-0304 (located off Goodlette Road at 14th Avenue North)

February 18, 1986

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

> Re: Donahue Coastal Construction Control Line Variance Request File CCL 86-2

Dear Frank:

Following a preliminary review of the backup materials for the subject variance request received in our office yesterday, Conservancy staff has raised several questions regarding this project:

- What effect will the reconstruction of the north Gordon Pass jetty have on the beach sand balance and stability of adjacent shorelines?
- 2) To what extent will the removal of the three rock groins alter the beach face? Will the removal of these groins result in a short term increase in beach recession in the immediate area?
- 3) Has the staff of the State Division of Beaches and Shores reviewed this proposal? What are their professional comments and recommendations?
- 4) Does the upland property owner have a right to alter areas of the groins existing below the mean high water line or is this under the legal responsibility of the City?
- 5) How does this project integrate with the long term beach restoration and management goals for the City as recommended by the Naples Beach Construction Study Committee?

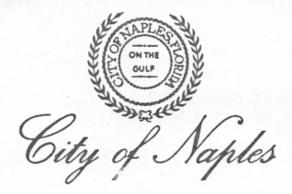
Mr. Frank Jones
Re: Donahue Coastal Construction
 Control Line Variance Request
 File CCL 86-2

This proposed project does not represent a typical CCL variance request affecting only one upland property owner. The project has potential widespread implications with respect to shoreline stability, pass dynamics, and beach restoration activities. Although the Naples Beach Study included restoration of the north Gordon Pass jetty as one of its many recommendations, careful thought should be given to these and other aspects of the project prior to City Council approval.

I, therefore, respectfully request that action on this request be deferred until the next Council meeting to allow for a more thorough review. In the meantime, I will be glad to assist you with obtaining some of these answers and to provide your staff with The Conservancy's professional assessment of the project.

Thank you for this consideration. Sincerely, foivo Tammerk President

TT:jh



AGENDA ITEM #11 1/15/86

--- MEMO ----

TO: HONORABLE MAYOR AND MEMBERS OF CITY COUNCIL

FROM: CITY MANAGER FRANKLIN C. JONES

SUBJECT: ADOPTION OF STATE MISDEMEANOR LAWS

DATE: JANUARY 9, 1986

BACKGROUND: In order for the City to incorporate the current misdemeanor laws of the State of Florida into our code of ordinances, it is necessary for the City Council to adopt an ordinance. Such an ordinance has routinely been adopted each year to allow enforcement of new misdemeanor laws as part of our code. It also allows us to receive fines levied by the courts for offenses. If such cases are prosecuted under state law only, the City might not receive the fines.

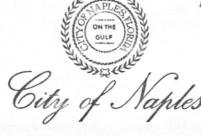
RECOMMENDATION: I recommend that the Council enact this ordinance which would bring us into a current position with the State misdemeanor laws.

Respectfully submitted,

Franklin C. Jones City Manager

FCJ/tan

ATTACHMENT #7 - page 1 AGENDA ITEM #9 2/5/86



MEMO

The State Legislature recently passed the "Coastal Zone Protection Act of 1985." This act requires the City of Naples to establish a "coastal building zone" within which increased minimum standards for construction will apply. This zone is generally that portion of the city from the Gulf of Mexico to a point 1500 feet east of the State Coastal Construction Control Line.

The State Department of Community Affairs has prepared the attached "Model Coastal Construction Code" for our adoption. This code meets the requirements of the new law. We have proposed certain minor modifications to the model code so that it is applicable to Naples. We must be in compliance with the new law by March 1, 1986.

The intent of the law is to require that all new construction and modifications to existing structures be designed and built in such a manner so as to "minimize damage to life, property and the natural environment."

The major differences between our present code provisions and the proposed coastal code are as follows:

 An architect or professional engineer, registered in the State of Florida, will have to certify that design plans and specifications for all buildings to be built in the coastal building zone are in compliance with the requirements of the coastal code.

We presently require that plans and specifications for residential buildings with three or more units, and for all commercial buildings, be prepared by an architect or engineer.

 All major structures in the coastal zone will have to be designed to withstand 140 mph wind speeds.

We presently require such structures to withstand 120 mph wind speeds.

TO: Mayor and City Council FROM: Franklin C. Jones, City Manager SUBJ: State Coastal Construction Code

> 3. There are a variety of construction standards that must be met but most of these are already required by the Federal Emergency Management Administration (FEMA) through our participation in the Federal Flood Insurance Program.

We have also attached copies of correspondence from the State Department of Community Affairs dated January 12, 1986 and November 12, 1985, as additional information.

Because of the limited time we have to adopt this code and the limited discretion we have in the matter, we have not distributed the Code for general comment nor will we schedule a discussion of the proposed code with the Board of Appeals. We have sent each board member and the Collier County Contractors Association a packet of information and have invited their comments. The city's Board of Appeals handles appeals relative to our building-related codes, so we typically invite their comments on proposed building codes.

### Staff Recommendation:

We recommend adoption of the attached "Coastal Construction Code" as a part of Chapter 8 of the Municipal Code at first reading of an ordinance at the City Council meeting on February 5, 1986 and final adoption and second reading of the ordinance at the Council meeting on February 19, 1986.

Respectfully submitted,

ATTACHMENT #7 - page 2

1/23/86

Franklin C. Jones City Manager

Prepared by: Manual Angle Roger J. Barry Community Development Director

/d



ATTACHMENT #8 AGENDA ITEM #9-B 2-19-86

---- MEMO ----

TO: Honorable Mayor and Members of the City Council FROM: Franklin C. Jones, City Manager SUBJECT: Coastal Building Zone Ordinance DATE: February 13, 1986 Background:

We sent the attached January 23, 1986 staff memo, with attachments and a recommendation to adopt the attached ordinance at first reading, to the City Council for the meeting of February 5, 1986. The Council adopted the proposed ordinance as recommended.

The attached memo is self-explanatory, but it is worth repeating that we are required to be in compliance with the new law by March 1, 1986.

### Additional Information:

We received a suggestion from Potter Smith, an architect and member of the city's Board of Appeals, that we not only require certification of plans and specifications (see item 1 in attached memo), but that we also require that an architect or engineer certify that the subject building is built according to the approved plans.

We agree with this suggestion. Our inspections are not frequent enough, nor do we have sufficient staff to provide more frequent inspections, to insure that structures are actually built in accordance with the new requirements.

We attended a recent State Department of Community Affairs (DCA) workshop session on this matter. As a result of this session, we recommend:

- Adding the underlined phrase under subsection (e) on page 3 of the attached ordinance,
- Deleting the last four lines of section 4.11 on page 4, which are "crossed through" in the attached,
- Deleting the reference to the South Florida Building Code on page 8, which is not applicable in the City of Naples.

### Staff Recommendation:

Barry

Community Development Director

Roget

We recommend adoption of the attached ordinance, with the above noted changes.

Respectfully submitted,

Gues ankl

Franklin C. Jones City Manager

City of Naples

AGENDA ITEM #10-A 2-19-86

ATTACHMENT #9

МЕМ

TO: Honorable Mayor and Members of the City Council

FROM: Franklin C. Jones, City Manager

SUBJECT: Variance Petition 85-V20 - Request to approve a 15-foot high entry structure at 2200 Gordon Drive.

> Petitioner: 641876 Ontario, Ltd./William Tracy, Agent (Formerly MGD Holdings, Inc.)

DATE: February 10, 1986 Background:

Structures, including fences and walls, are limited to three (3) feet in height in front yard setback areas in residential zone districts. The subject property is zoned "R1-E" and has a required front yard setback of 50 feet on Gordon Drive.

The petitioner wishes to construct a 15 foot high entry structure in the front yard setback area, per the attached plans. A variance petition must be approved to permit the proposed structure.

The petitioner deleted the two wall panels which were a part of the original request.

# PAB Recommendation:

The PAB held a public hearing on this matter at its January 9, 1986 meeting, which was continued and concluded at the February 6, 1986 meeting.

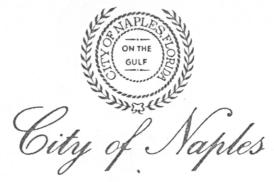
The PAB cited the relatively large size of the subject property; the fact that the proposed structure would not be out of scale with the property nor out of character with the area; and the wall and entry gates recently approved for the Palmer property at 20th Avenue South and Gordon Drive, in recommending approval of this request, subject to the provision of an alternate means of egress/ingress acceptable to the Fire Department.

Roger J. Barry Community Development Director -30-

Respectfully, submitted, Franklin C. Jones

City Manager





AGENDA ITEM #10-B 2-19-86

---- MEMO ----

TO: Honorable Mayor and Members of the City Council

FROM: Franklin C. Jones, City Manager

SUBJECT: Variance Petition 86-V1 - A request to add an attached garage with less than the required setback, at 517 Regatta Road.

Petitioner: Richard C. Pierce

DATE: February 10, 1986

Background:

The subject property is located in the "R1-10" zone district, which requires a rear yard setback of 25 feet. The petitioner wishes to add a two-car garage that would have only a 19.1 foot rear yard setback, and then convert the existing garage into a utility room.

PAB Recommendation:

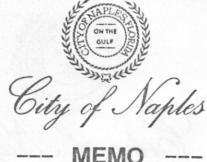
The PAB held a public hearing on this petition at its meeting on February 6, 1986. The board concluded that the request did not meet the criteria for a variance and cited the fact that a habitable structure was involved and not an entry structure, swimming pool, or similar type structure. Therefore, the PAB recommended denial of the petition.

Respectfully submitted,

Tranklin C. Jones City Manager

Roger J. Barry Community Development Director

AGENDA ITEM #10-C 2-19-86



TO: Honorable Mayor and Members of the City Council

FROM: Franklin C. Jones, City Manager

SUBJECT: Variance Petition 86-V4 - To allow four stools for sit-down eating at a business that has no off-street parking; 1234 8th Street South.

Petitioner: Richard Martohue/Mermaids at the Cove

DATE: February 10, 1986

Background:

There are a number of older buildings in the Cove area that do not have the on-site parking presently required by the zoning ordinance. Uses that occupy these buildings may continue in business, or be replaced by other businesses that require no more parking, for an indefinite period of time.

The subject use is a retail use and "take-out" food only is permitted to be served. Such uses are now required to provide one on-site parking space for each 300 square feet of floor area. A restaurant use, which includes the use of the proposed stools, requires one parking space for each 100 square feet of floor area. The petitioner is unable to provide any on-site parking.

The City Council granted Variance 85-V16 for a similar use at 784 12th Avenue South on December 18, 1986, for a six month period of time, or until June 18, 1986.

The City Council also requested the staff and the PAB to consider amending the zoning ordinance to permit these types of uses with less parking than is required for a restaurant. A review of the Zoning Ordinance with the PAB is scheduled for April 1986.

### PAB Recommendation:

The PAB held a public hearing on this petition at its meeting on February 6, 1986. The board felt that this request should be treated the same way as the above referenced petition 85-V16, and, therefore, recommended approval until June 18, 1986.

Respectfully submitted, Houkel Chues

Franklin C. Jones City Manager

Prepared by: Roger J. Barry Community Development Director



AGENDA ITEM #10-E 2-19-86

TO: Honorable Mayor and Members of the City Council

FROM: Franklin C. Jones, City Manager

SUBJECT: Special Exception Petition 86-S2 for "Rosie's Inc." at Grand Central Station

DATE: February 10, 1986

# Background:

The petitioner is requesting approval of this petition to permit dancing and staged entertainment in Suite 401 (next to Curtis Mathes) in the Grand Central Station shopping center. All uses of this type require special exception petition approval.

## PAB Recommendation:

The PAB held a public hearing on this petition at its meeting on February 6, 1986. The board concluded that the request met the criteria for a special exception and recommended approval for a six month period of time.

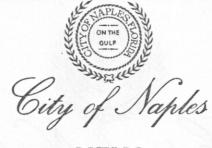
A time limitation of this type is typical for uses of this nature. The petition will be reconsidered at the end of the time period to review and correct any problems that may be identified.

Prepared by: Roger J. Barry Community Development Director

Respectfully sobmitted, Vones

Pranklin C. Vo: City Manager

AGENDA ITEM #10-F 2-19-86



--- MEMO ----

то:	Honorable Mayor and Members of the City Council
FROM:	Franklin C. Jones, City Manager
SUBJECT:	Special Exception Petition 85-S13 for Nassau Pools, Inc.
DATE:	February 10, 1986
Background	

The City Council approved the subject use as a special exception on June 19, 1985, subject to a number of specific conditions.

One of these conditions required the petitioner to install a six (6) foot high concrete block wall across the rear of the property to act as a buffer between this commercial use and the residential uses to the east.

The subject property is zoned "C2" - which permits uses which are primarily retail in nature. The subject use is primarily a service business, although there will be some retail sales activity. The zoning ordinance provides that a use such as this may be approved through the special exception petition process.

The specific issue now being considered is whether or not to permit the petitioner to retain certain Australian pine trees on the rear of the property and add a hedge and irrigation system in lieu of the previously-required masonry wall.

### PAB Recommendation:

The PAB held a public hearing on this petition at its meeting on February 6, 1986 and recommended approval of the retention of the existing Australian pine trees along the east property and the installation of a hedge and irrigation system in lieu of the previously-required masonry wall.

Respectfully submitted,

Frank Mares

Franklin C. Jones City Manager

Prepared by: Roger J. Barry Community Development Director

AGENDA ITEM #10-G 2-19-86

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MEMC

TO:

Honorable Mayor and Members of the City Council

FROM:

Franklin C. Jones, City Manager

SUBJECT: Rezone Petition 86-RL, Special Exception Petition 86-SL, Variance Petition 86-V2, and Easement Vacation Petition 86-EV1, relative to a proposed basketball/ recreation court area in the Carver/Riverpark Apartment area.

Petitioner: City of Naples/Community Services Dept.

DATE: February 10, 1986

\_ \_ \_ \_ \_ \_ Background:

The city proposes to construct a covered basketball/recreation court area between the existing basketball court and the tot lot on the west of 11th Street North, north of 3rd Avenue North.

Schools, churches, parks and similar uses were once permitted in residential zone districts, but several years ago `a separate "PS" Public Service district was established for these uses to provide more protection for the residential zone districts. This change made virtually all of these uses nonconforming in that they were all located in residential zone districts where they are now no longer permitted.

The city has been gradually changing the zone district designation for each of these uses when such a use is proposed to be expanded.

Any development in a "PS" zone district requires the review and approval of a special exception petition. This requirement provides the city with an opportunity to review and condition a specific development plan.

This brief background explains the need for the subject rezone and special exception petitions.

The variance is needed because the property is just wide enough to accommodate the proposed structure. Except for the enclosed rest room/storage area, the proposed "pavilion" will be open on all sides, and landscaping will be provided on the street side of the structure and along the west boundary adjacent to the Carver residential area.

The existing 20 foot wide drainange easement that is proposed to be vacated is not being used and will not be needed in the future.

### PAB Recommendation:

The PAB held a public hearing on these petitions at its meeting on February 6, 1986, and concluded that the criteria for approving such petitions had been met and recommended approval.

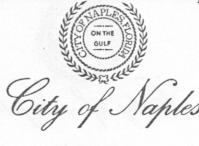
Prepared by: Roger J. Barry any. Community Development Director

Respectfully submitted, Franklin C. Jones

City Manager

ATTACHMENT .#15

AGENDA ITEM #10-H 2-19-86



---- MEMO ----

10:	Honorable Mayor and Members of the City Council
FROM:	Franklin C. Jones, City Manager
SUBJECT:	Annual Review of Comprehensive Plan
DATE:	February 11, 1986
Background	<u>a</u> :

The city adopted its first Comprehensive Plan under the provisions of the 1975 Comprehensive Planning Act, in June 1979. The 1979 Plan was reviewed annually and various relatively minor amendments were adopted from time to time until 1984.

The plan was then updated and completely rewritten during 1984 and a revised plan was adopted on February 6, 1985. The revised plan also provides for an annual review.

The State Legislature substantially amended the 1975 Act during the 1985 legislative session. The amended act is now entitled "The 1985 Local Government Comprehensive Planning and Land Development Regulation Act."

A brief outline of the revisions and the impact they have on the city is contained in the attached information which we recently sent to the PAB. The bottom line is that the city will have to prepare and adopt a revised plan that meets the requirements of the legislation and submit it to the state for their review and approval sometime during 1988.

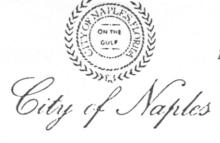
#### PAB Recommendation:

The PAB discussed this matter at its meeting on February 6, 1986 and concluded that, since the plan was completely revised in 1984 and just adopted on February 6, 1985, and since the city will have to revise the plan again to meet the new state criteria, that no action be taken at this time.

Barry Roder Community Development Director

Respectfully submitted, obnes

City Manager



AGENDA ITEM #13 2-19-86 ATTACHMENT #16 - page 1

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--- MEMO ----

TO: HONORABLE MAYOR AND MEMBERS OF CITY COUNCIL

FROM: CITY MANAGER FRANKLIN C. JONES

SUBJECT: ARCHITECTURAL SERVICES FOR PUBLIC SAFETY BUILDING EXPANSION PROJECT

DATE: FEBRUARY 13, 1986

BACKGROUND: On December 5, 1984, City Council adopted Resolution No. 84-4616 which ranked, in order of preference, the most qualified firms to provide professional services for the expansion of the Public Safety Building. In addition, the resolution directed the City Manager to negotiate a fee with the top-ranked firm and return the results to City Council for final approval.

<u>ANALYSIS</u>: During the past several weeks, we have prepared the architect's scope of work for this project and successfully negotiated a not-to-exceed fee for professional services. With the top-ranked firm of Forsythe Humphrey & Associates, A.I.A. Architects.

The attached scope of work document outlines the general requirements of the building expansion and creates a basis to begin the preliminary design phase. In addition, it identifies requirements of both the City and architect in all phases of the project.

The proposal submitted by this firm represents a not-to-exceed amount of \$37,811.15 for all architectural and subcontract engineering services. Of the \$37,811.15, 8.8% (or \$3,346.90) is identified as the fixed fee. The balance (\$34,464.25) represents the total cost portion of the fee. As the estimated construction costs at this point in time are between \$750,000 to \$850,000 the percentage of professional services fee to construction costs is 4.7%. In today's marketplace these percentages are extremely reasonable.

<u>RECOMMENDATION</u>: Based on the above, I respectfully request authorization to execute a contract with Forsythe Humphrey & Associates, A.I.A. Architects, for a not-to-exceed amount of \$37,811.15 to cover the professional design engineering services for this project. Attached for your review is an outline which provides general information on the existing facility and the expansion project.

Respectfully submitted,

Franklin C. Jones

City Manager

Prepared by:

Mark W. Wiltsie Assistant City Manager

## PUBLIC SAFETY BUILDING

# EXISTING FACILITY:

52

Initial construction completion date - August 1978 Construction cost - \$454,673 ... Square footage of building - 8,300 square feet Square footage of site - 113,100 square feet Total number of Police Department employees in 1978 - 74

## PROPOSED EXPANSION:

Additional building square footage - 7,000-9,000 square feet Estimated construction costs - \$750,000 to \$850,000 Completion time - Spring 1987 Total number of Police Department employees at present - 87

RESOLUTION NO. 84-4616

AGENDA ITEM 12/5/84

ATTACHMENT #16 - page 3 A RESOLUTION RANKING THE TOP THREE FIRMS IN ORDER OF PREFERENCE TO PROVIDE PROFESSIONAL DESIGN ENGINEERING SERVICES RELATING TO THE PUBLIC SAFETY BUILDING EXPANSION; DIRECTING THE CITY MANAGER TO NEGOTIATE A FEE WITH THE TOP RANKED FIRM; AND PROVIDING AN EFFECTIVE DATE.

WHEREAS, the Consultant Selection Committee has reviewed proposals and has interviewed various engineering firms relating to the provision of design engineering services for the Public Safety Building expansion; and

WHEREAS, the Consultant Selection Committee has recommended that the City Council interview the following firms in order of preference as being the most qualified to provide said services:

- Robert E. Forsythe AIA Architects
   Brownell/Connell .
- 3. Reynolds, Smith & Hills; and

WHEREAS, following an interview with each of the above mentioned firms, the City Council has ranked the firms in the order of preference as hereinafter provided;

NOW, THEREFORE, BE IT RESOLVED BY THE COUNCIL OF THE CITY OF NAPLES, FLORIDA:

SECTION 1. That the following firms are hereby ranked in order of preference as being the most qualified to provide professional design engineering services relating to the Public Safety Building expansion:

1) Robert E. Forsythe AIA Architects

2) Brownell/Connell Associates

3) Reynolds, Smith & Hills

SECTION 2. The City Manager is hereby directed to negotiate a fee with the top ranked firm and bring the results of said negotiations to the City Council with his recommendation.

SECTION 3. This resolution shall take effect immediately upon adoption.

PASSED IN OPEN AND REGULAR SESSION OF THE CITY COUNCIL OF THE CITY OF NAPLES, FLORIDA, THIS 544 DAY OF DECEMBER, 1984.

David W. Rynders.

Mayor

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ATTEST:

Janet Cason City Clerk

net Can

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### REQUIREMENTS FOR

## ARCHITECTURAL SERVICES

## FOR THE EXPANSION OF THE PUBLIC SAFETY BUILDING

### 1. SCOPE

- 1.1 Design of a 7,000 to 9,000 square foot expansion of the Public Safety Building. Expansion to accommodate the following functions:
  - A. Expanded patrol operations, supervision, and administrative space. In general;
    - 1. Additional storage area
    - 2. Expanded locker room
    - 3. Interview rooms
    - 4. Physical fitness room
  - B. Expanded criminal investigation division. In general;
    - 1. Interview rooms
    - 2. Administrative offices
    - 3. Expanded darkroom and lab
  - C. Administrative/Services. In general;
    - 1. Public restrooms
    - 2. Public meeting room
    - 3. Expanded evidence, property, and storage space
    - 4. Centralized computer room
    - 5. Garage for vehicle/evidence processing
    - 6. Additional parking for public
    - 7. Expanded administrative office area
- 1.2 The architect must be able to provide cost data on their proposed plans so that the City can use it for decision making purposes.
- 1.3 The design should allow for some growth of the Public Safety Building.
- 2. DETAILED SPECIFICATION FOR ARCHITECTURAL SERVICES
  - 2.1 The architectural/engineering services will be done in phases.
  - 2.2 Preliminary draft and final submittal dates for each phase should be specified.

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## 3. PHASE I - EVALUATION OF EXISTING FACILITIES

- 3.1 Architect must briefly evaluate our existing facilities to familiarize themselves with the inner workings of departments and divisions affected.
- 3.2 Submit in writing results of said evaluation.
- 3.3 Said evaluation must include the architect's opinion of existing facilities, including deficiencies.

## 4. PHASE II - PRELIMINARY DESIGN PHASE

- 4.1 The architect will consult with the City to determine the City's program requirements for the project and confirm in writing such requirements to the City.
- 4.2 The architect shall analyze all of the City's existing related technical information on the site and previous planning in relation to the project. Data will be available upon request.
- 4.3 Based on the mutually agreed program, the architect shall prepare preliminary design drawings and two (2) alternatives.
- 4.4 Act as the City's representative in obtaining special permits and data required.
- 4.5 Prepare a preliminary cost estimate based on the established project scope for preliminary and each alternative.
- 4.6 Furnish five (5) copies of the preliminary design documents and alternatives to the City and any additional copies required to approving agencies.
- 4.7 Upon written authorized approval by the City Manager or his designee of the preliminary design, the architect will proceed with the final design phase.

## 5. PHASE III - FINAL DESIGN PHASE

- 5.1 On the basis of the approved preliminary design documents prepared for approval by the City and incorporation in the contract documents, detailed drawings and specifications setting forth in detail the requirements for the construction of the entire project will include:
  - 5.1.1 Meet with the City periodically during the process of this design phase to review the work to insure it meets with the City's approval.

-3-

ATTACHMENT #16 - page 6

- 5.1.2 Secure the required approvals of governmental authorities having jurisdiction over design criteria applicable to the project. The application fees shall be paid by the City.
- 5.1.3 Prepare the necessary bidding information, the bidding forms, the conditions of the contract and the form of agreement between the City and contractor.
- 5.1.4 Furnish five (5) copies of the final drawings and specifications to the City and any additional copies required by approving agencies.
- 5.2 Upon the City's approval of the final construction documents and the latest construction cost estimates, architect will proceed with the bidding and contracting phase.

## 6. PHASE IV - BIDDING AND CONTRACTING PHASE

- 6.1 Prepare the advertisements for bids and bid documents. The cost of publication of the advertisement and bid documents shall be paid by the City.
- 6.2 Assist the City in obtaining and evaluating bids of proposals and preparing construction documents.
- 6.3 Consult with and advise the City as to the acceptability of subcontractors and other persons and organizations proposed by the prime construction contractor(s) for the portions of the work as to which such acceptability is required by the specifications.
- 6.4 Provide the necessary documents to prospective bidders; not to exceed the actual cost of reproduction.

## 7. PHASE V - CONSTRUCTION PHASE

- 7.1 As the City's representative, make necessary visits to the site to determine progress of the work and determine if the project is preceding in accordance with the contract documents. The architect will keep the City informed in writing of the progress of the work weekly and disapprove or reject work if it fails to conform to the contract documents.
- 7.2 The architect's services during this phase of work include on-site observation.
- 7.3 The architect will review and approve shop drawings, samples, and other submissions of the contractor for conformance with the design concept of the project and for compliance with the information given in the drawings and specifications.

ATTACHMENT #16 - page 7

- 7.4 Issue the City's instructions to the contractor and prepare routine change orders as required, with all change orders being first approved by the City's project manager.
- 7.5 Act as interpreter of the terms and conditions of the contract documents.
- 7.6 Based on on-site observations, the architect, in conjunction with the City's project manager, will review the contractor's application for payment and partial lien releases, determine the amount owing to the contractor and approve, in writing, payments to the contractor in such amounts.
- 7.7 Conduct an inspection to determine if the project is substantially complete and a final inspection with the City to determine if the project has been completed in accordance with the contract documents. If each contractor has fulfilled all of his obligations thereunder, the architect will approve, in writing, final payment to each contractor.
- 7.8 The architect's supervision responsibilities prior to the beginning of the retainer period shall terminate upon approval of the final payment. The engineer's or architect's responsibilities for the retainer period shall be to conduct an inspection at the end of the retainer period to assure the City that all work under guarantee is in proper working order.

## 8. FEES

- 8.1 For basic services, as outlined above, compensation may be either on a total cost plus fixed fee basis or on a lump sum basis with the fee distributed by phase of service.
- 8.2 Billing and payment of fees for services will be monthly as the work progresses.
- 8.3 It is the responsibility of the City to provide the architect with the following information prior to the beginning of engineering or architectural services.
  - 8.3.1 Information regarding requirements for the project.
  - 8.3.2 City's design objectives.
  - 8.3.3 City's constraints and criteria.
  - 8.3.4 Space requirement and relationship.

8.3.5 Special equipment and systems. ATTACHMENT #16 - page 8

8.3.6 Site requirements.

# 9. GENERAL

58

- 9.1 If, during any phase of the architectural services the project is terminated, the architect shall be reimbursed his cost to date for the cost incurred up to the time of the project termination.
- 9.2 All change orders shall be processed by the architect as a part of his service. Fees for change orders initiated by the City that significantly change the scope of work of the architect will be negotiated with the City.
- 9.3 No deductions are to be made from the architect's compensation on account of penalty, liquidated damages, or other amounts withheld from payment to contractors.
- 9.4 The architect shall be entitled to additional compensation for extended services made necessary by:
  - 9.4.1 Significant changes in the general scope or design of the project after City approval.
  - 9.4.2 Work damaged by fire or other cause during project construction requiring additional engineering or architectural services.

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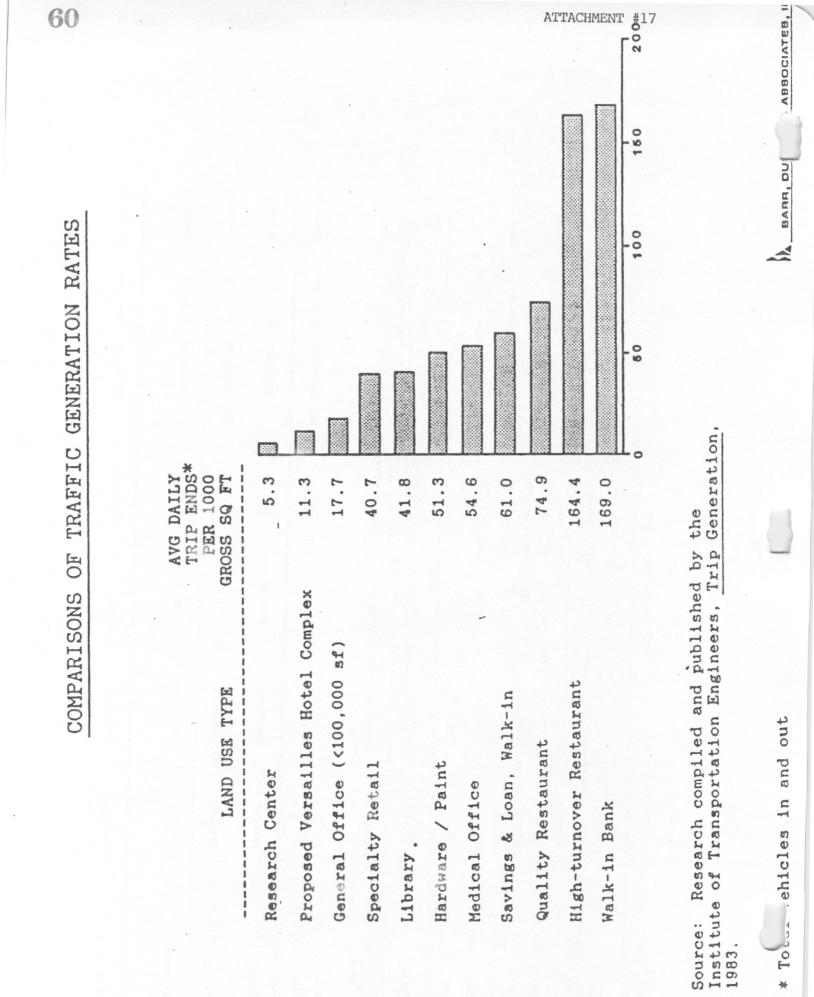
ATTACHMENT #16 - page 9

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Total Budget

59



-46-

Robert H. Tanner M.Sc., FASA, FIEEE, FEIC, FIEE, P.E.

ARCHITECTURAL ACOUSTICS NOISE CONTROL Telecopier (Xerox Model 455) POST OFFICE BOX 533 NAPLES, FLORIDA 33939 - 0533 (813) 261-5840

Bachelor's and Master's degrees from the Imperial College of Science and Technology, University of London. Thesis Subject: "The Acoustical Design of a Festival Theater". In practice since 1955 as a Consultant in Acoustics and Noise Control, he has been fully and solely responsible for the acoustical design of well over 500 buildings. Among the most notable projects he has worked on are:

Saudi Arabia Air Force Academy, with three mosques, theater, lecture rooms, jet and rocket engine test cells, supersonic wind tunnels, etc.

Omni-International, Atlanta, GA	Stratford Festival Theater, Ontario
Plaza Venetia, Miami, FL	Canada's Capital Congress Center, Ottawa, Ont.
Atlanta University Library, GA	Dinner Key Exhibition Hall, Miami FL
James Center, Richmond, VA	Canadian Chancery, Washington, D.C.
Mayfair III, Coconut Grove	Islamic University, Madinah, Saudi Arabia
Winnipeg Convention Center, Man	North Dade County Court House, FL
Manitoba Theater Center, Man.	Pan-American Games Pool, Winnipeg, Man.

Engineering Building and Gymnasium for Florida Atlantic University. Anechoic Chambers for Florida Atlantic University and Bell-Northern Research, Ottawa. Radio and TV Studios for Florida State University, Tallahassee, Clark College, Atlanta, and others. Over 150 Movie Theaters, including four located 18" above the Toronto Subway. Many churches and synagogues of all denominations. Many University and School Buildings, including auditoriums, libraries, theaters, chapels, lecture rooms, classrooms, band rooms, choral rooms, and practice rooms. Life Care Services Complexes and Hospitals. Sound Measurements and Surveys.

He has also dealt with many problems of noise control and sound isolation, such as in projected and existing condominiums, hotels, apartments, offices, and factories, as well as the layout of developments close to highways, railroads and airports.

In 1972, he was elected President of the Institute of Electrical and Electronics Engineers (the largest organization of its kind in the world), the only non-U.S. citizen to have held this office. He has written numerous technical papers and articles, mostly on acoustical and communications subjects, and holds several patents.

He is a Registered Professional Engineer in the State of Florida and the Province of Ontario; Chartered Electrical Engineer in Great Britain; Fellow of the Acoustical Society of America, the Institute of Electrical and Electronics Engineers, the Institution of Electrical Engineers (U.K.), and the Engineering Institute of Canada. He is also a Director of the National Council of Acoustical Consultants, and a member of the Institute of Noise Control Engineers. He has permission from the U.S. Department of Labor to be self-employed, a distinction rarely given in this field.

# CLIENTS INCLUDE:

GOVERNMENTS of The Bahamas, Canada, and Saudi Arabia

### ALABAMA

62

Chambless Killingsworth, Montgomery Holmes and Holmes, Mobile Knodel and Thomas, Mobile

## FLORIDA

Anstis and Ornstein, West Palm Beach The Architectural Group, Tampa Arquitectonica, Miami Briel Rhame Poynter Houser, Melbourne Burt Hill Kosar Rittlemann, Fort Myers Comprehensive Architects, Sarasota Fasnacht and Schultz, Dunedin Figbar Associates, Orlando Robert Forsythe, Naples Frizzell Architects, Fort Myers Gee and Jensen, West Palm Beach Bruce Gora, Fort Myers Holliday and Associates, Sarasota Hopson and Cleland, Leesburg Hunton Shivers Brady, Orlando

### GEORGIA

Allied Architects, Atlanta Gilpin Associates, Savannah

### IOWA

Engelbrecht and Griffin, Des Moines

### NEBRASKA

Roger L. Schutte, Omaha

### NORTH CAROLINA

Abee and Abee, Hickory Ballard McKim and Sawyer, Wilmington Boone-Hunton, Asheville

#### SOUTH CAROLINA

Liollio and Associates, Charleston Riddle and Wilkes, Myrtle Beach

### CANADA

Bell Canada, Toronto Bemi/Pye and Richards, Ottawa Duffus Romans Single Kundzins, Halifax Erickson Associates, Toronto Mathers and Haldenby, Toronto Pearson Humphries Jones, Montgomery Pearson Tittle Narrows, Montgomery The Ritchie Organization, Birmingham

Nick Paul Jones, Clermont Walter Keller, Naples Miller and Meier, Fort Lauderdale Pierce Dorsey Rohrdanz, Winter Park Prindle and Associates, Clearwater Richard C. Reilly, Fort Lauderdale Robbins and Associates, Tampa Schmitt Design Associates, Fort Myers Schwab and Twitty, Palm Beach Smith Architectural Group, Lakeland Smith Korach Hayet Haynie, Miami J. Douglas Snead, Jacksonville Southern Bell, Miami Straughn Furr Associates, Lakeland Treister and Cantillo, Miami

Thompson, Ventulett & Stainback, Atlanta Toombs Amisano and Wells, Atlanta

### KENTUCKY

Godsey and Associates, Louisville

### TENNESSEE

The Franklin Group, Chattanooga

Dellinger and Lee, Charlotte Haywood Newkirk, Wilmington Odell Associates, Charlotte

Thomas and Denzinger, Beaufort

No. 10 Architectural Group, Winnipeg Parkin Partnership, Toronto Smith Carter Partners, Winnipeg Mandel Sprachman, Toronto Shakespearean Festival, Stratford

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ATTACHMENT #20 - page 1 ON THE AGENDA ITEMS #14-A - #14-D MEMO

2-19-86

HONORABLE MAYOR AND MEMBERS OF CITY COUNCIL TO:

CITY MANAGER FRANKLIN C. JONES FROM:

BOARD AND COMMITTEE APPOINTMENTS SUBJECT:

DATE: FEBRUARY 13, 1986

BACKGROUND: Members of the City Council serve as the City's representatives on various boards and committees both inside and outside city government. New appointments or reappointments are now necessary because some terms will be expiring or because former members of Council served in those capacities.

We have placed on the agenda for the February 19 meeting a series of appointments involving City Council members which include the following positions:

Board of Directors of the City of Naples General Retirement System - One Council Member

Southwest Florida Regional Planning Council - One Council Member

Collier County Metropolitan Planning Organization -Two Council Members

Collier County Tourist Development Council - One Council Member

I have discussed these positions with Mayor Putzell and he has recommended to me that the Council make the following appointments:

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Mayor and City Council February 13, 1986 Page 2

> General Retirement System - Councilman Anderson-McDonald

Southwest Florida Regional Planning Council -Councilman Bledsoe

Metropolitan Planning Organization - Councilmen Richardson and Crawford

Tourist Development Council - Councilman Graver

CONCLUSIONS & RECOMMENDATIONS: Following Council consideration of the above appointments, the attached resolutions should be acted upon.

Respectfully submitted,

Franklin C. Jones <sup>6</sup> City Manager

FCJ/tan

ATTACHMENT #21 - page-1

AGENDA ITEM #14-E 2-19-86.

MENA

HONORABLE MAYOR AND MEMBERS OF CITY COUNCIL TO:

FROM: CITY MANAGER FRANKLIN C. JONES

SUBJECT: MAYOR'S AD HOC COMMITTEE -EMPLOYMENT BENEFITS FOR ELECTED OFFICIALS

FEBRUARY 6, 1986 DATE:

BACKGROUND: During the recent election campaign the issue was raised regarding salary and other employment benefits provided City elected officials. After discussing with Mayor Putzell the various aspects involved, we recommend that a Mayor's ad hoc committee be established to study and make prompt recommendations to City Council on future practices regarding these benefits.

The committee's work would involve study and recommendations on the following items:

- Future methods for dealing with salary, pension a) benefits and any other compensation matters for City elected officials; and
- A proposed ordinance to implement any such b) recommendations.

In order to accomplish these goals, we feel that the committee would first review the past and current practices of the City from records on hand as well as study the practices of other similar cities. An excellent source for this type of information, for example, is our Florida League of Cities. The committee would, of course, have City staff at its disposal.

We anticipate that the committee would accomplish its work through a series of three or four meetings that would take place during March and April and that some final recommendations would be presented to the Council in May.

Mayor and City Council February 13, 1986 Page 2

Mayor Putzell has contacted the following individuals and has received their commitment to serve on the ad hoc committee:

Joe B. Cox, Chairman Attorney

Willie S. Anthony Electrical Contractor

Edward H. Beekman President, Moorings Property Owners Assoc.

David S. Bennett President, Park Shore Assoc.

Richard J. Cavallero Physician

John R. Deupree, Jr. Certified Public Accountant

Kathleen Passidomo Attorney

Jay V. Strong Ex-chairman and Chief Executive Officer Wyatt & Company

Lloyd zumFeld President, Hendry Electric

<u>RECOMMENDATION</u>: In order to establish this committee, we suggest the the Council adopt the attached resolution.

Respectfully submitted,

Franklin C. Jones City Manager

FCJ/tan enc.