



City Council Chamber  
735 Eighth Street South  
Naples, Florida 34102

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**City Council Workshop Meeting – September 18, 2000 – 8:30 a.m.**

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Mayor MacKenzie called the meeting to order and presided.

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**ROLL CALL .....ITEM 1**

**Present:** Bonnie R. MacKenzie, Mayor  
Joseph Herms, Vice Mayor  
Council Members:  
Gary Galleberg (Arrived 8:42 a.m.)  
Fred Tarrant  
Penny Taylor  
Tamela Wiseman (Arrived 8:34 a.m.)

**Absent:** William MacIlvaine

**Also Present:**

Kevin Rambosk, City Manager  
William Harrison, Asst. City Manager  
Virginia Neet, Deputy City Clerk  
Robert Middleton, Utilities Director  
George Archibald, Traffic Engineer  
Jessica Rosenberg, Recording Specialist  
Kelly Espinoza, Admin. Specialist  
Arlene Guckenberger  
Aleida Socarras  
Don Mestas  
Larry Ray  
James Dean  
Steven Jarvoe  
Gary Martin  
Everett Thayer  
Leonard Soliday

Joseph Renner  
Eric West  
Ronald Pennington  
Sheila Dugan  
Craig Davis  
Gail Keratin  
Clark Russell  
Other interested citizens and visitors

**Media:**

Marci Elliott, Naples Daily News

**ITEMS TO BE ADDED .....ITEM 2**

None. (Mayor MacKenzie noted that Council Member MacIlvaine is absent due to his being out of the country.)

**BRIEFING BY CITY MANAGER .....ITEM 3**

City Manager Kevin Rambosk noted minor flooding, fallen tree limbs, and slow drainage at Fifth Avenue and Tenth Street due to the recent storm. The Pier was, however, undamaged from removal of the barge which drifted into it, and the reconstruction is on schedule (to be completed by late November.) / Staff to review cost estimates from Wilson Miller on Calusa Bay well relocation; determine viability, and present at 9/20/00 Regular Meeting. / The Solid Waste Building is approximately 70% complete and the Development Services Building is on schedule (to be completed by November); both projects are proceeding satisfactorily under Owens Ames Kimball and are under budget. / Independent environmentalist to assist in the Hamilton Harbor litigation to be added to 9/20/00 Regular Meeting agenda.

**.....ITEM 5  
DISCUSSION OF NATURAL GAS FRANCHISE (ASSISTANT CITY MANAGER) (8:45**

a.m.) Assistant City Manager William Harrison stated that Tampa Electric Company (TECO) People's Gas has offered to bring a natural gas pipeline into the community under a franchise agreement, and would first make a presentation to Council prior to drafting any agreements. President of the Economic Development Council of Collier County Susan Paragus stated that this arrangement could prove to be both economically and environmentally feasible, and then introduced presenters Don Mestas, Aleida Socarras, Joseph Renner, Steven Jarboe, and Gary Martin.

TECO People's Gas Consultant Don Mestas stated that his company had prepared what he termed a fair and balanced franchise agreement which would benefit both entities, and would foster a responsible business relationship with the City's residential and business communities. He then explained that subsequent to discussions with various City staff, he had submitted a draft franchise proposal to former City Attorney Kenneth Cuyler for review and consideration; several weeks later Mr. Cuyler submitted comments and suggestions. In May an amended version was submitted to City Attorney Beverly Grady; however, in July Mrs. Grady had informed him to direct further inquiries to the City Manager's Office.

Mr. Mestas clarified that he is seeking a non-exclusive natural gas franchise agreement which would allow People's Gas to utilize public rights-of-way for the construction and operation of its system, and offered a 6% annual franchise fee. He added that People's Gas would operate under specific terms and conditions of the agreement, and in compliance to all applicable local, state, and federal regulations. An initial term of 30 years is requested, and People's Gas would obtain all necessary permits and provide plans, maps, and other pertinent records to the City, Mr. Mestas said. He also affirmed that People's Gas would minimize construction and maintenance obstructions, restore any damaged property, provide insurance, and file an emergency response plan, noting that personnel would be available around the clock. He requested Council review and public notice for adoption at its earliest convenience.

In response to Council, Mr. Mestas affirmed that People's Gas already provides propane gas service to the City, and that natural gas is clean, efficient, and competitively priced. Revenues for the City were predicted at \$89,000 for the first 1-2 years. Vice Mayor Herms however noted that this matter has already cost the City significant legal fees. City Manager Kevin Rambosk confirmed that although staff often submits items for the City Attorney's review, increasingly

complex questions on this matter arose; therefore, he made the decision to defer continued review until such time as People's Gas could make a presentation to Council.

Aleida Socarras, TECO People's Gas Regional Sales Manager, explained that People's Gas is Florida's largest natural gas provider, and that it is poised to begin a long-term and valuable relationship with the City. Mrs. Socarras added that many homes already have gas tanks, so natural gas service would afford additional convenience. Business communities, she explained, tend to favor natural gas in order to reduce operating costs or because it may be a requirement in their processes; People's Gas would attempt to capture area restaurants, hotels, hospitals, and dry cleaners. She further stated that People's Gas is currently working with residential developers, and would determine the feasibility, based upon the total costs, of implementing natural gas in existing residential communities.

Council Member Tarrant referred to a recent instance wherein a serious accident had occurred due to a natural gas line rupture; he therefore questioned the safety of this service. He also noted the potential hazard relative to the number of abandoned underground gas tanks in the City. Council Member Taylor requested cost comparisons with other energy sources. Mrs. Socarras explained that rates are regulated and are based on volume, with residential customers paying a little more than commercial customers. In comparison to electricity and propane, she added, natural gas continues to be the least costly; she further offered to supply additional information on prices. Mrs. Socarras also confirmed that a neighborhood may not receive an assessment, depending upon the number of its interested residents. Vice Mayor Herms requested clarification on gas main routes; however, Mrs. Socarras said another presenter would discuss this.

Naples Community Hospital (NCH) facilities and construction representative Larry Ray predicted that using natural gas instead of diesel fuel to fire the boilers at the hospital would save \$85,000 per year. Referring to the map depicting the projected expansion (a copy of which is contained in the file for this meeting in the City Clerk's Office), People's Gas South Region General Manager Steven Jarboe stated that gas mains currently traverse US 41 south to Pine Ridge Road. He however explained that People's Gas does not have a franchise with Collier or any other county and said that design, other utilities, and customer requests would determine actual route extension. Mr. Jarboe then predicted starting the project in early January with initial construction to be completed by July. In response to Council, Mr. Jarboe explained that he generally installs the gas pipes in the right-of-way and uses directional boring which allows installation of many feet of pipe underground without disturbing the surface. Mayor MacKenzie noted that U.S. 41 would be repaved in 2002, and therefore questioned whether the State and People's Gas could coordinate their efforts. Mr. Jarboe explained that he is amenable to working with the state, but that construction should be finished before the anticipated road work.

Mr. Mestas noted that although many residents would always use electricity, there are some communities near the expansion areas that would clearly benefit from use of natural gas. Mr. Mestas further explained that only those who could foresee a substantial savings would convert, and said that he had spoken to many potential customers who had expressed interest. Vice Mayor Herms however voiced concern that there may be only a minor savings over propane, but that approving a franchise would significantly disrupt City streets. He suggested that the staff contact Ft. Myers businesses to ascertain whether there was a genuine advantage. Council Member Galleberg agreed; however, he stated that the market would determine ultimate success.

Director of Safety Gary Martin stated that City staff as part of their training had attended one of the many classes he had conducted. He then displayed a steel eight-inch gas line and a plastic distribution line. (Photos of these items are contained in the file for this meeting in the City Clerk's Office). He then explained that prior to installing gas mains, other utilities in the area are located through a subcontractor. Distribution lines are placed 36 inches underground in the rights-of-way, and the smaller diameter service lines at least 18 inches underground; the actual transmission lines are deeper, he added. Mr. Martin then explained that natural gas, unlike propane, is lighter than air so that any leaks dissipate quickly. If a leak occurs the gas company could shut off the line and make repairs. In response to Council Member Galleberg, Mr. Martin affirmed there are state and federal agencies monitoring industry safety and pricing rates, and that People's Gas has a good safety record.

Mayor MacKenzie questioned whether People's Gas would be subject to a utility tax. Mr. Harrison stated that staff is currently studying this issue, but reminded Council that this would simply be an offsetting of one energy source for another, not a new revenue source. Mr. Harrison also affirmed that the City itself could become a customer, although staff had not as yet performed any financial analyses.

People's Gas Senior Accounts Manager Joseph Renner noted that a Longboat Key expected customer base was 75-100 people; however, almost 1200 customers were secured over time. He then reiterated a prior presenter's pledge to conduct a responsible and meaningful relationship with the City, and said he anticipated serving the first customer by early fall of next year. Mr. Renner also affirmed that the company does pay a utility tax in many municipalities. He further stated that although People's Gas is interested in securing as many customers as possible, the company has no plans to extend its lines to Marco Island. City Manager Rambosk stated that there are many issues that the Utilities Department has yet to address with the company, prior to considering any agreements.

*It was the consensus of Council to direct staff to ascertain the costs and disruption of implementation, obtain reference information from business and residential property owners, and direct the City Attorney to review the franchise agreement.*

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**Recess 10:40 a.m. to 10:55 a.m. It is noted for the record that the same Council Members were present when the meeting reconvened.**

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.....**ITEM 6**  
**BRIEF PRESENTATION OF THE AIRPORT AUTHORITY BUDGET (10:55 a.m.)**

Naples Airport Authority (NAA) Chairman Ron Pennington introduced NAA representatives Eric West, Sheila Dugan, Craig Davis, and Gail Keratin and noted that Commissioner Len Thornton and Executive Director Ted Soliday were meeting with Federal Aviation Administration (FAA) officials in Washington to resolve concerns regarding the proposed Stage 2 jet ban. He then stated that by mutual agreement the NAA meets quarterly with City Council to provide a status update and the annual budget. Mr. Pennington added that the NAA had previously submitted a draft of the proposed fiscal year 2001 budget to Council, and would now present an overview and respond to any questions.

In response to prior Council questions on the acceptance of the relocated North Road, Mr. Pennington explained that it was necessary to move the public roadway outside the runway safety area, and that the NAA would now relinquish the new roadway to the jurisdictions responsible for public roadways, namely the City and County. The question had arisen whether this transfer would be via deed or easement; either would be acceptable although an easement

would be simpler, Mr. Pennington said. A deed must be approved by the FAA and the Florida Department of Transportation (FDOT). Mr. Pennington also stated that construction should soon begin on the Gordon River Greenway project, and then briefly detailed its intended routing. Mr. Pennington added that Council had also discussed a sidewalk easement in Avion Park. Although the NAA was unlikely to object, the current condition of North Road may make building a sidewalk difficult and expensive, and many Avion Park residents are opposed. He then addressed a Council question relative to the separation between the terminal entrance and Airport Pulling Road and explained that the NAA would build approximately 600 feet of bikeway/pathway in this area. Mayor MacKenzie suggested that the NAA present to Council an overview of the Gordon River Greenway Project at a future workshop as well as contacting appropriate Collier County staff relative to connecting with a proposed County bikeway/pathway.

Sheila Dugan, Director of Administration, Finance, and Human Resources, cited accomplishments over the past fiscal year including the removal of 65 acres of exotics and the relocation of North Road. She then detailed the fiscal year 2001 capital projects which include the completion of the Airport Pulling Road project which encompasses stormwater, safety, and landscaping improvements. (Copies of this material are contained in the file for this meeting in the City Clerk's Office.) Ms. Dugan concluded that of the \$10.7 million planned in capital improvements, \$4.8 million in assistance is anticipated from the FAA and FDOT. She also briefly discussed the operating budget, noting that the \$400,000 projected increase in revenues would result from rental of new T-hangars, increases in accordance with current lease agreements, and a slight increase in airline fees. She further stated that operating expenses have been maintained below budget for the last six years, and that the operating revenues continue to exceed budget. Ms. Dugan affirmed that the NAA currently has no debt, but does anticipate short-term financing for a proposed rental car wash and fueling facility. She then stated that the NAA also has \$3 million in an investment account at the State Board of Administration which it would apply to projects.

Council Member Wiseman questioned whether the NAA considered charging for airport parking. Mr. Pennington stated that he believed free parking is a significant community benefit, and that he would oppose any charge. Council Member Tarrant questioned the increase in flight activity over the past year. Mr. Pennington stated that it had actually declined 5% in the last 11 months. NAA Vice Chairman Eric West stated that the NAA cannot offer an explanation for this decline, noting that there are probably many factors involved. Mr. Pennington confirmed that many training flights had relocated to Immokalee and Marco Island air fields. He further stated that the City's only contribution would be \$50,000 for the tree-planting along Airport Pulling Road. Council Member Tarrant stated that although the NAA has significantly improved the airport, the airport should pay a modest impact fee to the City.

**Public Input:** (11:33 a.m.) **Everett Thayer, 1690 Avion Place**, President of Avion Park Homeowners Association, stated that because the proposed turn lane from Airport-Pulling Road to North Road had not yet been installed, and trees not as yet removed, this made the roadway dangerous. Mayor MacKenzie stated that the grant funds are in place, and that the turn lane, sidewalk, and landscaping are still to be done. Mr. Thayer added that at the end of Runway 5 is an area where birds feed which he said may cause an airplane crash; Mayor MacKenzie stated that staff would investigate this.

.....**ITEM 7**  
**CONSIDER CHANGING THE POLICY FOR PLACING ITEMS ON THE CONSENT AGENDA – NOT TO EXCEED A BUDGET VALUE OF \$5,000 - \$10,000 (COUNCIL MEMBER TARRANT)** (11:42 a.m.) Council Member Tarrant recommended a policy similar to

Collier County, wherein only those items involving less than \$5,000 are placed on the consent agenda. Council Member Galleberg requested that staff however present an overview of staff's allowable expenditure limits. City Manager Kevin Rambosk stated that for professional contracts staff cannot exceed a \$5,000 limit, and for operational purchases staff cannot exceed \$10,600 (to be amended to \$11,000). He added that Council had previously determined that items over \$100,000 must be placed on the regular agenda. Mayor MacKenzie noted that even routine items exceed the current standards and therefore do not appear on the consent agenda. Council Member Tarrant offered a consent agenda item limit of \$15,000. Vice Mayor Herms suggested \$25,000. Council Member Tarrant stated that taking additional time on various items would be productive; however, Council Member Wiseman stated that Council meetings are already long, and that increasing the number of regular agenda items would necessitate additional staff time. She added that she believed the City Manager and Mayor should continue to make decisions relative to the consent agenda. Council Member Taylor concurred, noting that Council should however review the consent agenda. Mayor MacKenzie suggested keeping routine items such as supplies and normal operating expenditures on the consent agenda. Council Member Tarrant however recommended retaining current policy for the present, and said he would bring forward other suggestions at a later time.

***No action taken. Staff to investigate special versus routine purchases.***

**Council briefly discussed conducting the scheduled Community Redevelopment Agency meeting; however it was the consensus of Council to continue it to September 20<sup>th</sup>.**

.....ITEM 8  
**GENERAL DISCUSSION REGARDING CITY SIDEWALKS (CONTINUED FROM 9/6/00)** (11:55 a.m.) Traffic Engineer George Archibald stated that the City has been receiving an increasing number of requests for sidewalks. In response, staff had begun to research relative policies. One such program, termed as safety and circulation, would entail the installation of sidewalks in those roadways heavily used by pedestrians and bicyclists, such as in the vicinity of Neapolitan Way and Crayton Road. Another identified program, which he referred to as missing links, would entail the installation of sidewalks in those areas where only a partial sidewalk exists, such as in the Fifth Avenue South and Third Street shopping areas. Mr. Archibald noted that although some residents would most likely approve, others may have never had a sidewalk along their property frontage and therefore object. The third program entails simply improving enforcement of current codes. He explained that the City should ensure that either a five or eight-foot sidewalk which not only covers frontage, but also connects to adjacent sidewalks or the street itself be required upon redevelopment. Mr. Archibald added that staff has already developed a list of identified needs, and has held public meetings to garner citizen input. He therefore asked Council to authorize staff to proceed with preliminary designs, and contact those private property owners to be impacted.

Mayor MacKenzie voiced approval for proceeding with the intended programs, noting that many residents had expressed to her a desire for more sidewalks. Council Members Galleberg, Taylor, and Wiseman agreed. Vice Mayor Herms however stated that although he favored the program, he could not support authorizing staff to proceed without first identifying a funding source. Mr. Archibald stated that he would research this, adding that state funding is also available. Mr. Herms also noted the importance of structuring the designs to retain as many trees as possible. Council Member Tarrant also voiced approval, and suggested considering this as a long range program.

***Staff to proceed with preliminary design proposals, identify funding source options, and contact the private property owners impacted.***

.....ITEM 4  
**REVIEW OF ITEMS ON THE 9/20/00 REGULAR MEETING AGENDA (12:13 p.m.)** Item 5-b (1) (Waterfront Café Third Annual Halloween Party) – City Manager Rambosk to determine whether hours are the same as previous years. Item 5-b (3) (Royal Brass Orchestra Concert Series at the Cambier Park Bandshell) – City Manager Rambosk affirmed bandshell deck would be complete. Item 7 (Amend Code to create a temporary unrestricted charter boat designation) – Mayor MacKenzie questioned five-year effective date. Item 8 (Approve live entertainment and residential impact statement at Johnny T's All-American Café) – Council Member Galleberg questioned number of entertainers. Item 10 (Two-year agreement for disaster recovery and debris clean-up) – Mayor MacKenzie requested contract amendment specifying responsibility. Item 12 (Interlocal agreement to assist in the Collier County Artificial Reef Program) – Staff to provide map. Item 14 (Accept North Road improvements and confirm City's responsibility for maintenance of the north-south segment) – To be continued. Item 15 (Discussion regarding Planned Development document) – Staff may request withdrawal. Added Item 16 (Authorization to retain an independent environmentalist to review Hamilton Harbor petition). Added Item 17 (Update on Calusa Bay well relocation efforts).  
**CORRESPONDENCE & COMMUNICATIONS (12:20 p.m.)**.....  
Council Member Taylor noted meeting rebroadcast video and sound system difficulties; City Manager Kevin Rambosk said that he would investigate.  
**OPEN PUBLIC INPUT (12:21 p.m.)**.....  
None.  
**ADJOURN (12:21 p.m.)**.....

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Bonnie R. MacKenzie, Mayor

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Tara A. Norman, City Clerk

Prepared by:

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Jessica R. Rosenberg, Recording Specialist

Minutes Approved: 10/18/00













