



City Council Chamber
735 Eighth Street South
Naples, Florida 34102

City Council Workshop Meeting – Monday, December 2, 2002 8:30 a.m.

Mayor MacKenzie called the meeting to order and presided.

ROLL CALLITEM 1

Present: Bonnie R. MacKenzie, Mayor
Gary Galleberg, Vice Mayor
Council Members
Joseph Herms
William MacIlvaine
Clark Russell
Penny Taylor

Absent: Tamela Wiseman

Also Present:

Kevin Rambosk, City Manager
Tara Norman, City Clerk
Karen Kateley, Administrative Specialist
Dan Mercer, Public Works Director
Robert Middleton, Utilities Director
Gina Devlin, Executive Assistant
Dr. Jon Staiger, Natural Resources Manager

Senator Burt Saunders
Charles Drake, Hartman & Associates
Gloria Kovacs
Leslie Marr

Media: Eric Staats, Naples Daily News

Other interested citizens and visitors.

SET AGENDA.....ITEM 2

City Manager Kevin Rambosk noted the addition to the agenda of a request by Leslie Marr on behalf of the Registry Resort (added as Item 7) and a report on ASR (aquifer storage and recovery) included in Item 4.

DISCUSSION WITH SENATOR BURT SAUNDERS.....ITEM 3

Senator Burt Saunders expressed appreciation for Mayor MacKenzie having presented the City's issues at the recent Collier County Legislative Delegation meeting and promised to keep the Council informed of pertinent legislation during the upcoming session. Mr. Saunders then commented on the following: 1) Anticipated State Budget Deficit Although some support exists for either raising taxes or expanding gambling to meet the \$1.5 to 3.6 billion shortfall, Senator Saunders said that additional revenue could more effectively be generated by growing the state economy, particularly through the introduction of higher paying technology jobs. He also reported that he is serving as chair of the Commerce and Economic Opportunities Committee. 2) Manatee Protection A further report will be provided on this issue which is scheduled to receive public input. Senator Saunders however predicted that it would have a major impact on the boating and marine construction/repair industries. 3) Fire Sprinkler Retrofit Senator Saunders reported that he had introduced a bill on this subject and

requested continuing input, noting that the efficacy of retrofit is questionable in buildings where other fire suppression systems are present. (At this point Mayor MacKenzie noted that the City's proposal to the Legislative Delegation regarding an alternative to the national flood insurance program had erroneously been credited her when in fact it had been the suggestion of Vice Mayor Galleberg.)

Council Member Russell urged expansion of grant programs like the one through which the Naples Preserve funding was awarded because they impose fewer restrictions on those recipients who engender significant local taxpayer support. Mr. Russell also urged that the State deal with jurisdictional conflicts on manatee protection and suggested rewarding those communities which have created and are enforcing manatee protection zones. Senator Saunders expressed the hope, however, that the aforementioned issue regarding marine construction and repair could be viewed as separate from the overall goal of manatee protection. Nevertheless, he concurred that grants are more often awarded to communities with local funding participation; however, he cited various avenues of State funding which had been opened to local governments while others had been simultaneously closed.

Council Member MacIlvaine observed that Florida is experiencing a deficit comparably lower than other states; however, he also urged that costs be reduced rather than taxes raised. Citing recent State constitutional amendments (classroom size limits and rapid transit system), Mr. MacIlvaine asked Senator Saunders whether such costly measures could be reversed by further amendments. Senator Saunders confirmed that while this is a possibility, there is also the possibility of their validation if such amendments were approved a second time. He said he anticipated that the State would inventory classroom capacity to determine the final fiscal impact of the amendment as well as pursue alternatives to construction of new facilities, such as utilizing non-classroom space already present in school buildings. Regarding cost cutting in the State budget, Mr. Saunders pointed out that Florida has the lowest ratio of state employees to population in the country, especially as it applies to the Department of Children and Families where pay scales are already low and caseloads excessive. He reiterated his position that economic development is the most appropriate way to address the deficit.

Mayor MacKenzie complained about unnecessary signage which had been installed by the Florida Department of Transportation (FDOT) and thus an unnecessary expense. Senator Saunders said he would request that FDOT contact the City to achieve better coordination in this regard.

Vice Mayor Galleberg asked Senator Saunders for his support in forming a coalition of coastal areas which oppose recent FEMA (Federal Emergency Management Agency) revisions. Issues include not only additional cost to property owners but, in Naples, aesthetic concerns due to significant variations in the elevation of structures. Senator Saunders asked for additional information on the City's proposal to establish a State flood insurance program, but predicted that financial considerations of this approach would be significant. Nevertheless, he characterized it as a means of expressing the City's frustration with FEMA and cited FEMA's use of the local premiums as a funding source for payments elsewhere in the country. Mr. Galleberg also noted various delays which have occurred in resurfacing U.S. 41. Mayor MacKenzie pointed out that the MPO (Metropolitan Planning Organization) had learned that due to yet unfounded drainage improvements, U.S. 41 resurfacing had now been deferred to fiscal year 2004 with some of the work being slated to occur during the winter tourist season. Senator Saunders said he would look into this matter as well. Mr. Galleberg further sought support for the proposal to designate the current U.S. 41 for business travel and rerouting other U.S. 41 traffic outside the center of the community.

Council Member Herms stressed the importance of the FEMA issue, particularly for the City of Naples, which has experienced negativity and resistance from FEMA to what he described as realistic elevations for coastal areas. However, rather than opting out of the federal flood insurance program, Mr. Herms predicted greater success would accrue from State assistance in preventing construction of stilt homes which are not compatible with neighborhoods. He also confirmed that the City and County had not prevailed with FEMA despite supporting data generated by the consultants for the local jurisdictions. Vice Mayor Galleberg said that while negotiations with regional FEMA representatives had been promising, there had been no flexibility on the national level, prompting the need for State assistance.

Council Member Herms then pointed out that economic development depends on the availability of an adequate road network. However, because MPO traffic projections are overly conservative, he said, the area roadway network would be in gridlock within ten years, regardless of improvements. Senator Saunders indicated that while in recent years Southwest Florida had been the beneficiary of funding, the focus would now most likely be on the East Coast. He said that the local Legislative Delegation would however continue to strive to achieve the maximum funding assistance for this area. Council Member Herms then criticized Collier County's future road network planning, citing as an example the lack of a computer model to forecast future congestion on Golden Gate Parkway.

In addition, Mr. Herms cited concerns for the safety of the aquifer system posed by ASR (aquifer storage and recovery) technology which had been designed, he said, to provide low-cost irrigation for golf courses in Collier County as well as to be used in the Everglades restoration program. He characterized ASR as untried, unresearched and dangerous to water quality, plant life and the environment. Mr. Herms also asserted that there is the danger that ASR wells would crack confining layers between the various aquifers and result in an underground deposit of toxic, carcinogenic substances. Senator Saunders said he had been surprised to learn that no significant study had even been made to learn the environmental impacts of potable water use or quantifying future water resources. However, water management districts are conducting individual analyses, he said, and announced that he would propose legislation to create an on-going study commission to evaluate these issues on a State-wide basis and determine long-term policies. Council Member Herms took issue with ASR diagrams provided by Collier County which, he said, show level confining layers when in fact there is significant underground variation resulting in injected water conforming to the slope of the land.

Council Member Taylor sought further information on Senator Saunders' economic development proposals. He indicated that he had scheduled a meeting with a wide variety of economic interests that week to collect ideas which he could later report; in addition, he noted economic initiatives to also be put forth in the Legislature by the Governor and Enterprise Florida. However, he urged Council Members to provide their input on how the State's business climate could be improved and confirmed that the eventual opening of Cuba was expected to impact State tourism.

Miss Taylor then initiated a discussion of the proposed overpass at Golden Gate Parkway and Airport Road and urged that it be deferred until the effects of such other improvements as the extension of Livingston Road are known. In further discussion it was suggested that the County Transportation Department attempt to have restrictions released on this grant funding so that alternative road improvements could be pursued. Miss Taylor also suggested that Mr. Saunders confer with County Commissioner Fred Coyle on this subject. Council Member Herms then added his concern that the lack of capacity at the Golden Gate Parkway/Goodlette-Frank Road intersection would result in a traffic build-up atop the proposed overpass at Airport Road.

Mayor MacKenzie asked that Senator Saunders assist in achieving some flexibility in recent FDOT restrictions on the landscaping which the City proposes to install on U.S. 41. These restrictions, she said, were reportedly imposed to address instances elsewhere in the state where motorists have collided with trees.

City Manager Rambosk indicated that he would contact Senator Saunders to coordinate the requests cited above.

REQUEST BY REGISTRY RESORTITEM 7

Lesley Marr, National Accounts Manager, asked that Council consider signing various photographs of the Registry Resort which would be provided to potential convention customers for whom the facility is competing nationally for summer bookings. Such signatures would, Ms. Marr proposed, convey a welcome to convention attendees. Various Council Members cited concerns that such a promotion should then be made available to all such facilities in Naples, noting that the Registry Hotel is actually not within the city limits. It was therefore the consensus of Council not to participate in this program; however, it was suggested that such a promotional package might be pursued through the Collier County Tourist Development Council (TDC).

Recess: 9:29 to 9:41 a.m. It is noted for the record that Vice Mayor Member Galleberg returned to the meeting at 9:43 a.m. immediately following City Manager Rambosk's preliminary comments.

**.....ITEM 4
PRESENTATION BY HARTMAN & ASSOCIATES RELATING TO RESULTS OF
AQUIFER PERFORMANCE TESTING ON THE GOLDEN GATE WELLFIELD AND ASR
(AQUIFER STORAGE AND RECOVERY) REPORT.**

City Manager Kevin Rambosk explained that because of complaints regarding water levels in the area of the City's East Golden Gate Wellfield, an aquifer performance test (APT) was conducted and a technical report provided. He cited the summary pages which appear as Attachment 1. (The complete report as well as slides used in the presentation that follows are contained in the file for this meeting in the City Clerk's Office.) Mr. Rambosk also pointed out that the report would be presented to the Collier County Commission the following day.

Charles Drake of Hartman & Associates noted that the study had been undertaken both to address complaints from the area surrounding the wellfield and to fulfill a request from South Florida Water Management District (SFWMD) for more specific data from the East Golden Gate Wellfield in conjunction with the permitting process. He said that the study had, however, documented that the City's wells present no adverse impacts on the surrounding environment. Mr. Drake also noted that a Big Cypress Basin grant had enabled the City to install monitoring wells to provide real time data on water levels. He then reviewed data collection methods and time frames, and then displayed slides which dealt with Florida's water resources (Attachment 2). In response to Mayor MacKenzie, Mr. Drake clarified that while the complaining Golden Gate neighbor had been approximately one mile from the closest well, the influence area of the well is approximately 500 feet; he also pointed out that the Faka Union Canal has a much greater influence on ground water levels than the City's wells.

Mr. Drake then addressed the geology of the area which he said had generally inconsistent confining layers, although at the City's wellfield the various aquifers are not appreciably connected. In response to Council Member Herms Mr. Drake indicated that pumping at the well site may cause between 6 and 9 inches variation in the water table but no variation at a 500 foot distance. At the property of the complainant, approximately 1.2 inches differential was noticed during pumping from the City well although this could have been due to a variety of other factors such as significant

agricultural demand. Mr. Drake then reiterated that the impact upon the water table and wetlands from the City's East Golden Gate wellfield is very small portion of the total impact. He also noted that the SFWMD maximum acceptable drawdown in a surrounding wetland is up to one foot while at the well site as much as 1.5 to 2 feet is acceptable. He also clarified for Council Member Taylor that the wetland applicable to the City's wellfield is not pristine and had been suffered various impacts for approximately 30 years, particularly the canal which had been dug to drain land for development. Mr. Drake then reviewed his summary of aquifer protection testing (Attachment 3) and asserted that drainage canals are both significantly impacted during drought and themselves represent a significant impact on surrounding water levels.

Public Works Director Dan Mercer then stressed that, contrary to news reports, the City's prior assumptions had been confirmed in that its wellfield makes little or no impact on surrounding water tables, particularly in a canal where water level changes are observable.

Council Member MacIlvaine questioned whether salt water intrusion would be a factor at the East Golden Gate Wellfield, but Mr. Drake indicated that this would not occur at a wellfield at such a significant distance from the Gulf of Mexico. However, this is not the case with the City's wells in the Coastal Ridge Aquifer which are used only intermittently, he said. Mr. MacIlvaine also raised the issue of whether agricultural uses represent a higher demand for water than populated areas. Mr. Drake responded by noting that the rate of recharge for row crops is not as high as public usage.

Mayor MacKenzie asked whether Mr. Drake believed that SFWMD would relax restrictions on the depth of private wells in light of the fact that some wells in the surrounding Golden Gate area had gone dry. Mr. Drake said that this had already been done in Hillsboro County as the result of the 2000 drought and should be considered elsewhere

Citing a graphic provided during the presentation (Attachment 5), Council Member Herms pointed out multiple confining layers beginning north of the Hendry County line. Mr. Drake indicated that the source of this diagram had been SFWMD representation of data from existing wells and is consistent with Hartman & Associates findings; he said that the City's wells are in approximately the location marked "Alligator Alley." If the area where Collier County is anticipating installing an ASR test well has a confining layer similar to the diagram, Mr. Herms pointed out, then water pumped underground could travel the approximately ten miles to the County's own water reverse-osmosis supply wells in the Hawthorn Aquifer.

Discussion of ASR wells

City Manager Rambosk then introduced the Hartman & Associates report on the proposed Collier County ASR test well. As agreed in the City's settlement with the County, notification had been provided by the County staff. (A copy of the Hartman presentation is contained in the file for this meeting in the City Clerk's Office.) However, several questions had arisen which Mr. Rambosk said he wished to pose both to Collier County and to the Florida Department of Environmental Protection (DEP) during the public input process relative to the ASR test well. Charles Drake of Hartman & Associates pointed out that when water is pumped into the test well the migration of the water (referred to as a "bubble") must have been predetermined. DEP requires this injected water to remain in the aquifer of destination which as determined by testing, Mr. Drake said; also to be determined is the efficiency of water recovery from the well. (Normally a loss of 40% is anticipated, but if the injected water mixes with lower quality water it becomes unusable.) Nevertheless, recovered water must be re-disinfected before it is used for irrigation or sent to the reverse-osmosis plant. Mr. Drake reported that Collier County had indicated the location of a suitable storage zone which might store

1 million gallons per day for 100 days which would then be withdrawn at the same rate; proposed storage depth is between 770 and 840 feet underground. Nevertheless, he said, he had found that the quality of discharge from the Collier County reclaimed water facility does not currently meet the DEP standard for injection into an underground source of drinking water, and also based on the County's calculations, the injected water was expected to move beyond the zone of discharge allowed by DEP.

Mayor MacKenzie asked whether Florida would require more frequent testing than the two year intervals in federal standards due to the possible presence of such potentially fatal organisms as *Cryptosporidium*. Mr. Drake indicated that testing for such organisms as *Cryptosporidium* and *Girardia* should be conducted daily on reclaimed water both when injected and when withdrawn since, unlike potable water sources, reclaimed water quality can change daily.

In response to Council Member Taylor, Mr. Drake confirmed that an ASR well could be utilized immediately if reclaimed water were injected 1,000 to 2,000 feet into an aquifer not used for potable water so that drinking water standards need not be met. However, recovering potable water injected underground may not result in a satisfactory efficiency because of mixing with water from aquifers not suitable for this purpose. Miss Taylor then asked Mr. Drake to review procedures for sealing an ASR boring to protect the aquifers through which it would pass. Mr. Drake explained that cement is pumped under pressure at five inches around the well casing so that any cracks or fissures in the immediate vicinity of the boring are sealed. In addition, it must be ascertained that the confining layer is consistent over a large area.

Council Member Herms noted that chlorine or similar chemical treatments do not eliminate the above referenced organisms after they evolve into spores, and because the County would inject reclaimed water into the same layer where some of its potable water originates, these spores could be reintroduced into drinking water. Mr. Herms said that this had intensified his fears of County permitting and testing procedures and asked Mr. Drake to provide Council with additional information on the extent of the County's ASR zone of discharge in which water quality standards must be met. Mr. Drake also observed that the flow was expected to exceed this zone by as much as 1,000 feet. On the other hand, he said, surface water may contain more dangerous elements than reclaimed water because of pesticides and runoff from farming, although DEP has yet to authorize testing, Mr. Drake said.

Vice Mayor Galleberg took issue with various comments, questions and responses made during this discussion, saying that it could unnecessarily alarm the public that an ASR system could result in potable water for County use when, in fact, no final results have been achieved. He said that there are means of correctly applying ASR technology. Mr. Drake concurred and also noted that reclaimed water must meet potable water standards prior to injection and would be recovered for the irrigation system, not the potable water system. For the benefit of the public, Mr. Galleberg urged clarity, especially in the testimony of experts, on the possibilities and dangers of this type of system. Council Member MacIlvaine also distinguished utilization of reclaimed irrigation water from an occurrence in the Milwaukee drinking water system where illness and death had resulted from *Cryptosporidium* contamination. This, he said, had been due to the inability of the filtration system to remove organisms drawn from contaminated Lake Michigan water. However, Mr. MacIlvaine stressed that regardless of the level of pollution present in water, all water can be made usable with sufficient purification. He then received confirmation from Mr. Drake that the potable water supplied in Naples far exceeds Florida drinking water standards. Also in response to Council Member MacIlvaine, Mr. Drake explained that while City of Naples tap water is also bottled, the

additional treatment for bottling largely involves removal of color. Council Member Russell said that properly implemented ASR technology conserves water resources which, he said, is the primary issue; other issues go to safety and the ability to recover injected water in a cost-effective manner, he added. He then urged that the City communicate its concerns to the County based on the preceding Hartman & Associates presentation. Therefore, following a recommendation by City Manager Rambosk, the following action was taken:

MOTION by Galleberg to AUTHORIZE staff to convey to Collier County in written form the questions outlined above and also to reiterate these and other pertinent questions during the open (ASR permitting) comment period in approximately 60-90 days; seconded by MacIlvaine and carried 6-0 (Herms-yes, Galleberg-yes, MacIlvaine-yes, Russell-yes, Taylor-yes, Wiseman-absent, MacKenzie-yes).

Prior to the vote on the above motion, Council Member Herms observed that the primary concern is the potential contamination of the water supply which would be alleviated by pumping underground fresh water purified from the Golden Gate Canal, although the unknown underground destination could contaminate either the City's or County's fresh water supplies.

BRIEFING BY CITY MANAGER.....ITEM 5

City Manager Kevin Rambosk announced the following: 1) From a public safety standpoint, the only traffic accident over the holiday weekend was a critical injury to a cyclist. 2) A joint meeting between the City Council and Collier County Commission is tentatively scheduled on January 7 at the Collier County Government Center from 9:00 a.m. to noon; while various Council Members made suggestions of topics, it was determined that the agenda would be restricted to FEMA (Federal Emergency Management Agency) issues, the proposed flyover at Airport Road and Golden Gate Parkway, and beach issues. Other matters would be scheduled for subsequent sessions, possibly on a regular basis. 3) A customer service survey had been provided by FDOT (Florida Department of Transportation) to which Council Members were providing their input. 4) South Florida Water Management District (SFWMD) had scheduled meetings on amendments to current water restrictions; Mr. Rambosk recommended that when these regulations are finalized, the City Code would be amended accordingly. 5) A report had been requested and provided to the Windstar development for use in consideration of annexation. 6) In conjunction with the Presidents Council, regular tours would be scheduled in various neighborhoods with citizens and staff representatives to identify desired improvements for budgeting purposes. Reports of these tours will be compiled. 7) On December 16 an opening ceremony will be held at the Hedges Visitor Center in Naples Preserve at 8:30 a.m. and at noon the same day an opening ceremony will be scheduled at the River Park Recreation Center.

PUBLIC COMMENT.....

Gloria Koracs announced that Mayor MacKenzie would be inducted into the Naples Main Street Fifth Avenue Hall of Fame and invited each Council Member to attend the ceremony that evening as well as the tree lighting ceremony later in the week.

REVIEW OF ITEMS ON THE 12/4/02 REGULAR MEETING AGENDA.....ITEM 6

City Manager Rambosk announced that the Council would be asked to add an item to the December 4 agenda relative to a special event to be hosted by the Royal Harbor Homeowners Association; that Item 14 (street vacation) be continued to January 8, 2003; and that Item 20 (Carver Finance) be continued to December 18, 2002. Item 13 (Charter Club) would be withdrawn. Mayor MacKenzie noted distribution of minutes as well as additional information on Item 22 (conservation land acquisition) and that Hamilton Harbor petition information had been provided in the City Council office. Council then made the following requests: Item 6 (Naples Sailing and Yacht Club) Council Member Herms asked whether interested Royal Harbor residents had been notified. Item 9 (Hamilton Harbor interlocal agreement) Council Member Taylor asked whether the recently submitted plans had been provided to Citizens to Preserve Naples Bay and The Conservancy. (It was

however the consensus that information be furnished via the normal public records request process.) Item 11-c (water plant gear box) Council Member Galleberg requested further information on purchase versus repair. Item 11-d (Mooring Line Drive median) Vice Mayor Galleberg and Council Member Taylor requested further justification of increased charges. Item 11-g (Park Shore/Crayton intersection) Mayor MacKenzie requested further information on the status of intersection lighting improvements. Item 11-f (Drainage Basin V) Mayor MacKenzie asked for information on scheduling other areas such as the Moorings and Coquina Sands. Item 12 (Boat House Restaurant) Council Member Taylor asked the staff to address a means of preventing overnight dockage. Item 18 (Community Services Advisory Board) Council Member Russell requested further information on the CSAB's workload. Item 22 (conservation land acquisition) Mr. Russell requested information on the parcel adjacent to The Conservancy.

CORRESPONDENCE and COMMUNICATIONS.....

Council Member Taylor questioned the advisability of including survey questions on the City's website, expressing concern that inaccurate results could be used for political purposes. She also established that posting of the questions had not been done at Council's direction. City Manager Rambosk said that the value of the responses is doubtful because of there being no way of ascertaining whether the respondent is a City resident, although software can differentiate multiple responses from the same computer. Vice Mayor Galleberg cautioned that the questions be innocuous and that responses not be used in policy making. Council Member Russell said that the process could however provide an avenue of communication. Mr. Rambosk said he would provide an update on website responses; however, the staff would in the future be requesting Council to approve a formal survey regarding City services. Miss Taylor also requested additional information on the City's vehicle towing policy; Council Member MacIlvaine also asked that this issue be revisited. Mr. Rambosk said he would first provide written information so that the Council could choose to schedule a discussion. Later in the discussion Council Member Herms indicated his support for a formal survey of residents but said he doubted the efficacy of questions answered on the website. Vice Mayor Galleberg reiterated a prior request to contact the Florida League of Cities for assistance in forming a coalition in opposition to the proposed FEMA flood elevation requirements; City Manager Rambosk said he was unsure whether staff had yet received a response from Florida League but that contacts with Collier County on the subject were continuing. Mr. Galleberg however recommended that contacts with Florida League be either through the City Manager or Mayor rather than staff members.

ADJOURN
11:39 a.m.

Bonnie R. MacKenzie, Mayor

Minutes prepared by:

Tara A. Norman, City Clerk

Minutes approved: 12/18/02