



# City of Naples

City Council Chamber  
735 Eighth Street South  
Naples, Florida 34102

## Moorings Bay Citizens Advisory Committee Regular Meeting March 17, 2009 – 9:00 a.m.

Chairman Katz called the meeting to order and presided.

### ROLL CALL.....ITEM 1

**Present:**

Albert Katz, Chairman  
Michael Bozzo, Vice Chairman  
Merrill Kuller  
Harold Zink

**Also Present:**

Monique Krist, Natural Resources Coordinator  
Rachael McLean, Technical Writing Specialist  
Doug Finlay  
Other interested citizens and visitors.

### ANNOUNCEMENTS.....ITEM 2

None.

### ITEMS TO BE ADDED.....ITEM 3

Natural Resources Coordinator Monique Krist suggested that approval of the January 20 meeting minutes be added as Item 4A, noting that the Committee had deferred consideration at its February 20 meeting. The Committee concurred.

### FINANCIAL REPORT - FEBRUARY.....ITEM 4

***MOTION*** by Kuller to ***ACCEPT*** the February financial report; ***seconded*** by Zink and ***unanimously carried, all members present and voting (Bozzo-yes, Kuller-yes, Zink-yes, Katz-yes).***

Chairman Katz and Member Kuller pointed out that the taxing district fund balance is approaching \$1-million.

### APPROVAL OF MINUTES (ADDED ITEM).....ITEM 4A

***MOTION*** by Bozzo to ***APPROVE*** the January 20, 2009, meeting minutes as submitted; ***seconded*** by Kuller and ***unanimously carried, all members present and voting (Bozzo-yes, Kuller-yes, Zink-yes, Katz-yes).***

### MOORINGS BAY ACCESS CHANNEL SURVEY.....ITEM 5

Natural Resources Coordinator Monique Krist stated that Natural Resources Manager Michael Bauer had notified consulting firm Coastal Planning & Engineering (CP&E) that it had been selected to provide engineering services in conjunction with a survey of the Moorings Bay access channel. (It is noted for the record that a copy of this letter is contained in the file for this meeting in the City Clerk’s Office.) A response had however not yet been received from CP&E, she said, with regard to the costs of carrying out the scope of work.

Chairman Katz explained that City Council had approved CP&E’s selection as the top-ranked

firm following a selection committee’s review of submitted qualifications; therefore, the City may begin negotiating the cost of the project. He asked whether it is within the Committee’s purview to provide a recommendation to City Council with regard to cost, noting that the taxing district would be funding the project. Ms. Krist said she believed the City Manager would represent the City during negotiations, but City Council must approve the cost. She further indicated that she would obtain clarification on the Committee’s role and provide an update at the next meeting.

**DOCTORS PASS DREDGING UPDATE.....ITEM 6**

Natural Resources Coordinator Monique Krist stated that the maintenance dredging of Doctors Pass had commenced on March 12 and is proceeding around the clock, weather permitting; the work should be completed in approximately 13 days, she added. In the event of inclement weather, Ms. Krist said, the dredging equipment would be moved from the Gulf of Mexico to within Moorings Bay. She noted that the contractor had already halfway completed the exterior cut in the Gulf. In response to Chairman Katz, Ms. Krist confirmed that there had been no technical problems to date, but she had recently been informed that a few navigational markers located outside of Doctors Pass had been damaged and replaced with temporary buoys. Ms. Krist noted that new replacement markers would be installed when the work is completed.

In response to Member Zink, Chairman Katz said he believed dredging within Moorings Bay would include eastern and western channels lying between the shoreline and the shoal, citing dredge template drawing PV-2 (a copy of which is contained in the file for this meeting in the City Clerk’s Office). In further discussion, Ms. Krist said she was not aware of any complaints by nearby residents, but there had been inquiries with regard to the placement of sand at the beach at Lowdermilk Park.

**STORM DRAIN MEDALLION UPDATE.....ITEM 7**

Natural Resources Coordinator Monique Krist stated that City Council had requested additional language on the stormwater drain markers to indicate possible fines and/or penalties. Natural Resources Manager Michael Bauer, in consultation with the City Attorney, she said, determined that the phrase “Criminal Penalties for Dumping” would be appropriate. Utilizing an electronic presentation (a printed copy of which is contained in the file for this meeting in the City Clerk’s Office), Ms. Krist explained that the marker design (Attachment 1) had been revised and converted to a rectangular shape to reflect the additional language. She also provided several cost estimates based on marker size and shape (Attachment 2). Vice Chairman Bozzo questioned the reason that the Spanish language text is smaller than the English. Ms. Krist said that she could request a sample of a custom circular marker for the Committee to consider, but noted that standard size designs are no longer feasible due to the additional language regarding penalties. Chairman Katz pointed out that the Committee had originally considered a four inch diameter circular design. In response to Member Kuller, she explained that it may be difficult to apply markers regardless of size to certain stormwater drains, particularly those positioned in grass swales, but advised that a larger marker would better accommodate the amount of text required in a legible font size. Member Zink questioned whether the City logo or another feature should be included on the marker to identify the penalizing entity.

Vice Chairman Bozzo suggested that Ms. Krist request five-inch and six-inch circular designs from the manufacturer for the Committee to consider. Ms. Krist agreed, clarifying that 1,000 markers should be sufficient for the Moorings Bay drainage system. She also noted that Assistant City Manager Roger Reinke had indicated that staff would email the selected design to City Council for review.

Chairman Katz pointed out that City Council may wish to implement and fund a citywide program for stormwater drain markers, which would include the Moorings Bay taxing district area. Citing current economic challenges, he however questioned whether the City would be

able to fund the program, questioning whether the Committee wished to proceed on its own. Vice Chairman Bozzo said he believed the Committee should move forward, noting that the cost for the Moorings Bay system is reasonable, particularly given the potential benefit to the community, and that establishing a citywide program would take time.

In response to Member Zink, Ms. Krist indicated that volunteer groups, such as the Boy Scouts, may be interested in assisting with installation of the markers. She also noted that GPS (Global Positioning System) coordinates had been obtained for approximately one-third of the stormwater drains in the Moorings Bay area, but that it would be necessary to illustrate their locations on a map. Member Kuller stressed that volunteers would require supervision and training; Ms. Krist agreed.

Chairman Katz suggested that Ms. Krist email the Committee the design samples (five-inch circle, six-inch circle, and rectangle) for Member comments, cautioning that individual Members should only provide input to staff, and not each other. Ms. Krist confirmed that she had included only those stormwater drains located in the public rights-of-way. Chairman Katz however suggested that the taxing district purchase additional markers for drains located on private property, and that property owner associations within the Moorings Bay drainage system be invited to participate in the program at no cost to them.

Vice Chairman Bozzo proffered a motion to purchase 1,000 stormwater drain markers in the 5-inch circle, 6-inch circle, or 3 ¾ by 8 inches rectangle designs, as selected by Ms. Krist based on input from individual Members; however further discussion ensued, after which, the motion failed for lack of a second. Members Zink and Kuller expressed concern than a particular design had not yet been selected and that it was not yet clear whether the City wished to implement a citywide program. Chairman Katz pointed out that it may be necessary to obtain approval from City Council to expend taxing district funds for this purpose. Ms. Krist agreed to contact the City Manager in that regard, but confirmed that City Council would also receive the design samples via email for review.

Following the above discussion, the Committee agreed to defer action on this item to the next meeting. Chairman Katz suggested that Ms. Krist provide the City Manager with a cost estimate for implementing a citywide program.

**PUBLIC COMMENTS.....ITEM 8**

(9:35 a.m.) **Doug Finlay, 3430 Gulf Shore Boulevard**, stated that he had provided Natural Resources Manager Michael Bauer with his comments regarding the proposed revisions to pier regulations. He described the concept of the perimeter access channel as potentially archaic, questioning whether the level of service (LOS) of minus 5 feet mean low water (MLW / *lowest water level averaged over many tidal cycles*) should apply to the entire Moorings Bay system, rather than a 20-foot channel. Mr. Finlay pointed out that property owners and residents in the area simply cut across the Bay and do not typically access Doctors Pass and the Gulf of Mexico via the perimeter channel. He further noted that, as a member of the Collier County Coastal Advisory Committee, he wished to provide the follow updates:

- Rehabilitation of the north jetty at Doctors Pass had been delayed because the Collier County Tourist Development Council (TDC) does not have sufficient funding available for the project which has a lower priority ranking, noting that it would likely proceed next year in conjunction with a similar County project at Marco Island;
- Collier County is conducting subcommittee meetings with regard to water quality in the Clam Bay system and he had observed many participants, primarily from Pelican Bay, assert that pollution in Moorings Bay is affecting Clam Bay, despite

reports by the Save the Bays organization that the water in Moorings Bay is in good condition; and

- Federal Emergency Management Agency (FEMA) would provide \$7- to \$10-million in funding for the renourishment of various area beaches following Tropical Storm Fay in 2008 and that the next scheduled beach renourishment may be accelerated in order to proceed simultaneously.

Mr. Finlay urged the Committee to remain in contact with Gary McAlpin, Collier County Coastal Zone Management Director, to ensure that the TDC does not further delay work on the north jetty. With regard to assertions of poor water quality, he suggested that the Committee invite Kathy Worley of the Conservancy of Southwest Florida to a future meeting to review the historical water quality data for Moorings Bay.

In response to Member Kuller, Natural Resources Coordinator Monique Krist stated that the City’s water quality testing program in Moorings Bay had been in effect for six months, but that a report would not be prepared until additional data had been gathered. Chairman Katz pointed out that the Save the Bays organization had funded water quality testing for ten years in Moorings Bay through the Conservancy of Southwest Florida, noting that Ms. Worley had been involved in that effort. The Save the Bays historical data is available, he said, although it is not as comprehensive in terms of testing parameters. In further discussion, Mr. Finlay clarified that the County’s extensive study of Clam Bay, performed by Dr. Dave Tomasko, is underway.

**MEMBER COMMENTS.....ITEM 9**

In response to Member Zink, Natural Resources Coordinator Monique Krist confirmed that Natural Resources Manager Michael Bauer is involved with various Collier County committees that are examining water quality issues in Clam Bay.

Chairman Katz stated that there is a vacant seat on the Committee and encouraged interested residents to contact the City Clerk’s Office for an application, noting that there are some eligibility requirements, but it is not necessary to be a year-round resident. He also announced that volunteers willing to donate the use of a boat for a few hours are needed to assist with the collection of samples in conjunction with the City’s water quality testing program in Moorings Bay. It is preferred that the boats be at least 20 to 22 feet, he added, due to the amount of equipment that staff brings on board.

**NEXT MEETING – APRIL 21, 2009.....ITEM 10**

Chairman Katz announced that the Committee’s next meeting is scheduled for April 21, 2009.

**ADJOURN.....ITEM 11**

9:56 a.m.

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Albert Katz, Chairman

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Michael Bauer, Ph.D.  
Natural Resources Manager

Minutes prepared by:

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Rachael McLean, Technical Writing Specialist

Minutes Approved: April 21, 2009

*Attachment 1  
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**NO DUMPING**  
**NO ARROJE DESECHOS AQUI**

**CRIMINAL  
PENALTIES  
FOR DUMPING**




**SANCIONES  
CRIMINALES  
POR VIOLACIONES**

**NO CONTAMINE EL AGUA**

**DRAINS TO WATERWAYS**

Duracast Custom Blue and Green das Markers  
Cost Estimate



\$2,200	\$3,960	\$4.95 ea (approx. 15/tube)
\$2,700	\$4,780	\$4.95 ea (approx. 15/tube)
\$3,600	\$6,400	\$4.95 ea (approx. 15/tube)
\$4,100	\$7,600	\$4.95 ea (approx. 15/tube)