

City Council Chamber  
735 Eighth Street South  
Naples, Florida 34102

Moorings Bay Special Taxing District Advisory Committee  
April 20, 2004 - 9:03 a.m. Chairman Pennington called the  
meeting to order and presided.

ROLL CALL..... ITEM 1

Present:

Ron Pennington, Chairman  
Doug Finlay  
Dan Spina  
Michael Williams Absent:  
James Rozzi (excused)

Also Present:

David Lykins, Community Services Director  
Jon Staiger, Natural Resources Manager  
Elizabeth Rogers, Recording Specialist  
Marilyn Tempest  
Gerald Rosow

ANNO UN CEMENTS..... ITEM 2

Citing expedience and ,cost effectiveness, Chairman Pennington proposed that Natural Resources Manager Jon Staiger distribute agendas and minutes via electronic mail; the committee concurred. He further noted that Dr. Staiger had recorded the minutes for the previous meeting, and that they would be forthcoming.

Dr. Staiger reported that Marker 2 would be replaced and Marker 8 straightened. Member Williams also noted the disappearance of the marker at Gordon Pass; it was determined that replacement would be within the purview of the US Coast Guard.

Chairman Pennington said the chickee and cypress pilings at Moorings Beach Park had been broken in a recent storm although beach erosion had been minimal.

ITEMS TO BE ADDED..... ITEM 3

At the request of Chairman Pennington, Dr. Staiger said that he would request that Coastal Planning & Engineering (CP&E) be present at the May 18 meeting.

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..... ITEM 4

DISCUSSION OF DOCTORS PASS DREDGING PROJECT AND NEED FOR WORK  
OUTSIDE OF THE PASS AND ITS INNER APPROACHES

Dr. Staiger advised that while the Army Corps of Engineers (ACOE) permit had expired, the Department of Environmental Protection (DEP) permit is in force. The permits include Doctors Pass itself, the outer approach, which is the impoundment basin contained in the Inlet Management Plan, and the inner approaches from the north and south. Chairman Pennington recommended expanding the dredging permit southward through the Mooring Line Drive Bridge

and northward to the northernmost channel marker, as well as the shoal north of Marker 14. While explaining the DEP's concerns about the environmental value of dredging the flood shoal in Moorings Bay, Dr. Staiger said that if the committee nevertheless decides to proceed, biological surveys might again be required. In response to Chairman Pennington, Dr. Staiger also said that although Naples Dock and Marine Services had dredged the shoal in front of the Beacon House, the entire shoal was not removed so that further dredging was required.

Referring to the latest Doctors Pass Entrance Water Depth Survey (a copy of which is contained in the file for this meeting in the City Clerk's Office), Chairman Pennington noted the improvement of the shoal that encroaches to the east of Marker 1. Member Spina recommended expanding the area of the permit to include the Harbor Drive and Mooring Line bridges; Dr. Staiger and Chairman Pennington concurred. Dr. Staiger suggested requesting a ten-year permit.

In response to Chairman Pennington, Dr. Staiger agreed to research items that are reimbursable by the County due to imposed tourist tax limitations. Dr. Staiger however reported that funding would be available if the dredged sand were placed on the beach. Given that the sand from Doctors Pass dredging is part of the beach management plan, Dr. Staiger said that the Tourist Development Council (TDC) should provide funding. Chairman Pennington reminded the committee that the Moorings Bay Special Taxing District would underwrite the balance of funds not reimbursed through the Tourist Development Tax funds.

Dr. Staiger affirmed for Member Williams that the ACOE permit had expired and therefore could not be extended. In response to Member Williams, Dr. Staiger said that the CP&E quote was twice as much as that of Crawford Engineering Services. Dr. Staiger further noted he would request that CP&E be prepared to present timelines and other pertinent data at the May 18 meeting. In response to Chairman Pennington, he also confirmed that turtle nesting season would not affect Doctors Pass dredging.

Member Spina recommended that the Committee explore the impoundment basin, and in particular, the impact of storms on its depth. In response, Chairman Pennington stated the impoundment basin had been performing its design function in that it had been trapping and impounding the sand, and had extended the period between dredgings.

Dr. Staiger confirmed that the spoil from dredging north and south is displaced on the beach, and that the shoal is the floodtide delta. In response to Member Finlay, Chairman Pennington stated that the shoal was last dredged in 1990.

In response to Member Spina, Dr. Staiger stated the size of the spoil disposal site south of the jetty at Doctors Pass had been reduced due to hard bottom concerns. Rather than performing another survey, Chairman Pennington recommended utilizing the hard bottom survey results from the beach renourishment program.

DISCUSSION OF SCOPE OF DEBRIS REMOVAL ACTIVITIES .....ITEM 5

Community Services Director David Lykins stated that two service workers had been assigned to remove the debris, which had been completed largely in mid-February, April, July, and November of 2003. He further noted that staff utilizes a Carolina skiff to remove as much debris as possible, with the priority being along the shoreline. He further reported that citizens had expressed concern that the City's scope of work had not been sufficiently broad. Director Lykins further explained that staff responds to individual calls to remove debris in easily accessible areas following storms, fish kills, algae or grass blooms, as well as fallen trees, palm fronds,

coconuts or other such materials. Due to liability concerns, he however recommended against cleaning private boat slips or beneath private docks, which could also damage the City's skiff. Director Lykins further cited limited staff availability and difficulty of access to private property, particularly along condominium shoreline areas, as additional concerns. In summary, he said that the schedule, priority locations, and identification of reoccurring areas of debris collection are currently under review and that he would welcome suggestions or recommendations.

Public Comment (9:49 a.m.) Gerald Rosow, representing Save the Bays, Inc., commended Mr. Lykins but reported that in northerly, easterly and southerly winds over 10 miles per hour debris collects against the walls and in the boat slips where it cannot be accessed with a large boat, such as a skiff. He further said he had observed the debris removal boats cleaning the channel, in Pass 12, Pass 14, and into the bay, whereas the debris had been deposited on the opposite side of the bay. Rather than varying the frequency of debris removal, Mr. Rosow recommended reviewing debris placement following a strong wind. Marilyn Tempest,

President of Save the Bays, Inc., distributed lists of questions pertaining to the dredging of Doctors Pass and trash removal in the bays (copies of which are contained in the file for this meeting in the City Clerk's Office). She then inquired as to whether a procedure exists for residents to report debris, which might be aired on Channel 12. In response to Ms. Tempest, Director Lykins stated the most effective means of reporting debris collection would be through calling the City Parkways Division; crews would respond by locating collection points and deploying the skiff. The crews are effective provided they understand the exact location of the debris, he added. Ms. Tempest noted that during the past weekend her boat had touched down three times, at the mouth, at Marker 7, and eastward across the inner mouth of the pass, and therefore recommended dredging in these locations. Chairman Pennington stated it would be addressed in the forthcoming formal survey, which Dr. Staiger confirmed would be within the purview of CP&E.

Member Spina recommended that boat owners and condominium managers be responsible for removing debris and placing it in a refuse container; Member Williams concurred. Member Spina also concurred with Ms. Tempest's suggestion to air the procedure on the City's TV channel. While noting that condominium managers currently remove debris at the street, Member Williams stated they should be responsible for debris removal at the rear of the property as well. Member Finlay explained that the bay would not be considered the property of a home or condominium owner, and expressed uncertainty as to whether the condominium managers would therefore agree to remove debris. Member Finlay also stated that debris collection could be accomplished through accessing the property, rather than by boat, and the most reasonable solution would be for condominium managers to request the City to remove the debris from the seawall.

Chairman Pennington recommended making an exception to the City's policy regarding debris removal from boat slips and dock areas when a fish kill occurs, as the dead fish would be considered a health hazard. He further suggested the City craft a policy and procedure, perhaps through the City Council, and distribute it to the property owners. Chairman Pennington further explained that condominium property extends to the seawall and that the piers beyond seawalls are privately owned; debris removal from the area beyond the seawall should therefore be the responsibility of the property owner.

Member Spina suggested production of a tutorial detailing various methods of debris removal, to be reviewed by all property owners within the Moorings Bay Special Taxing District.

Moorings Bay Special Taxing District Advisory Committee - April 20, 2004 - 9:03 a.m. Member Finlay inquired as to whether staff had been denied access to private property for the purpose of debris removal; Director Lykins stated he would research this issue.

Chairman Pennington stated that an agreement authorizing the City to access the seawall for the purpose of debris removal would be necessary due to the potential for liability. He further stated a majority of debris removal could be accomplished from the shore side. In response, Director Lykins said that staff could prepare a draft agreement for the next meeting, which he would discuss with the City Manager as well. Director Lykins also assured the committee that staff understands the importance of creating a program that addresses the maintenance of the preferred water quality in Moorings Bay. In response to Member Spina, Mr. Lykins affirmed that vessels with mounted skimmer nets exist; however, they accommodate clear, open channels, and shoreline areas rather than boat slips and docks. He further explained that debris removal from boat slips would be a labor-intensive, manual process.

Dr. Staiger said he thought the final policy would place responsibility on the condominium residents to coordinate with their management in regard to contacting the City with a debris removal schedule. Due to trespassing laws, he further stated that the City would require very clear permission to remove debris from the seawall area. Dr. Staiger further stated that Director Lykins would be required to present the proposed policy and procedure to Risk Management for review.

Prior to adjournment, Member Finlay noted that he had encountered the odor of sewage while recently kayaking near the Venetian Village pilings. While explaining that Venetian Village had exposed pipes underneath, Member Finlay said no leakage had been observed. Dr. Staiger recommended contacting the City if this type of incident occurs.

ADJOURN .....**ITEM 6**  
10:26 a.m.

Ron Pennington, Chairman

Jon C. Staiger, Ph.D.  
Natural Resources Manager

Minutes prepared by:

Elizabeth Rogers, Recording Specialist

Minutes Approved: