

MINUTES OF THE SPECIAL MEETING OF THE NAPLES CITY COUNCIL HELD IN THE COUNCIL CHAMBERS,
NAPLES, FLORIDA, ON WEDNESDAY, AUGUST 13, 1980, AT 9:35 A.M.

Present: R. B. Anderson
Mayor

C. C. Holland (arrived 9:39 a.m.)
Harry Rothchild
Wade H. Schroeder
Kenneth A. Wood
Councilmen

Absent: Randolph I. Thornton
Edward A. Twerdahl
Councilmen

Also present: George M. Patterson, City Manager
David W. Rynders, City Attorney
Roger Barry, Community Development Director
Franklin Jones, Finance Director
John McCord, City Engineer
Edward C. Smith, Assistant to the City Manager

Reverend Richard Rohrer
Robert Wallis
Duane Julian
Marvin Vollmer
Warren Nelson
Dale Chlumsky
Robert Russell

News Media: Frank Rinella, Fort Myers News Press
James Moses, Naples Daily News
Bart Gellman, Miami Herald
Paul Stanford, TV-9
Ed Warner, TV-9

Other interested citizens and visitors.

Mayor Anderson called the meeting to order at 9:35 a.m.

AGENDA ITEM 1. Settlement of Double Taxation issue with Collier County.

City Attorney Rynders reviewed the meetings held by the County Staff and the County Board of Commissioners regarding this issue. He referred to sheets he had handed out to Council members (Attachments #1 and #2) and noted that the over-all amount of money involved in the double taxation issue as estimated by the City was close to what the County estimated. He recommended that the Council approve the proposed settlement on the basis of the two MSTU's proposed by the County and authorize him to sign a stipulation with the County for the dismissal of the City's law suit with prejudice on that basis. In answer to Mr. Rothchild's questions, the City Attorney noted that this settlement would involve the settlement of the suit filed by Mr. Gilbert Weil, to which Mr. Weil has agreed; and that the settlement was not retroactive, because Florida courts have stated that under the principle of sovereign immunity, double taxation can not be retroactive. After further discussion, during which it was noted that settlement will now carry over from

year to year. Mayor Anderson also stated that the City staff will monitor the County's budget to see that this settlement is carried out. Mr. Schroeder moved that the City Attorney be authorized to sign a stipulation to settle this matter on the basis proposed, seconded by Mr. Rothchild and carried on a roll call vote, 5-0.

There being no further business to come before this Special Meeting of the Naples City Council, Mayor Anderson adjourned the meeting at 9:52 a.m.

R. B. Anderson

R. B. Anderson, Mayor

Janet Cason

Janet Cason
City Clerk

Ellen P. Marshall

Ellen P. Marshall
Deputy Clerk

These minutes of the Naples City Council were approved on 08-20-80

COUNTY'S PROPOSAL FOR DOUBLE TAXATION SETTLEMENT

Urban Service MSTU	\$1,548,827
Road & Bridge MSTU	<u>1,932,203</u>
	\$3,481,030
Plus 5% Reserve	<u>183,212</u>
Total Funds to be Raised in Unincorporated Area	\$3,664,242
Millage in MSTU's	2.529 mills
Reduction of County-wide Millage	1.701 mills
Net Increase for Property in MSTU	.825 mills

EXHIBIT IV

Comparison of Summaries of Services Benefitting
Unincorporated Areas Only
and FSA-Recommended Funding Levels in an MSTD
Based on Proposed FY 1980-1981 Budget Requests

	SKA (FY 1979-80)	FSA-Recom. (FY 1980-81)
Community Development	\$ 111,961	\$ 116,568
Planning	121,856	158,240
Building Inspection	448,221	450,008
Zoning	184,371	192,483
Airports	41,000	63,713
Division of Forestry	23,425	23,425
SUBTOTAL	<u>\$ 930,834</u>	<u>\$1,004,437</u>
Sheriff	\$1,858,810	\$1,322,205
Engineering	229,903	183,141
Transportation (Rd. & Br.)	2,754,840	2,429,305*
Parks	404,835	256,670
SUBTOTAL	<u>\$5,248,388</u>	<u>\$4,191,321</u>
Aquatic Plant Control	\$ 227,387	-0-
Public Works	37,544	-0-
Administration & Overhead	122,691	-0-
SUBTOTAL	<u>\$ 386,622</u>	<u>-0-</u>
TOTAL	<u>\$6,566,844</u>	<u>\$5,195,758*</u>

*FSA Proposes:

Road & Bridge MSTD--	\$2,429,305	
Urban Services MSTD--	\$2,766,453	
Plus	500,000	Reserve for Capital Imprv. Proj.(1)
Plus	260,000	Contingency & Salary Increases(2)
	<u>\$3,526,453</u>	

SKA=Southern-Kelton & Associates, City of Naples Consultants
FSA=Frank Spence & Associates, Collier County Consultants

FSAs recommendation reflects those services and costs that would be funded out of an MSTD, using the proposed 1980-1981 budget requests. They would become effective October 1, 1980.

- (1) See Recommendation No. 12 for explanation.
(2) See Recommendation No. 13 for explanation.