



City of Naples

City Council Chambers
735 Eighth Street South
Naples, Florida 33940

-SUBJECT-	Ord. No.	Res. No.	Page
<u>ANNOUNCEMENTS</u>			
-MAYOR BILLICK - stated that Fire Chief Ijams would serve as Sergeant-at-Arms but would not be called upon prior to a consensus of a majority of Council			1
- noted the presence of the sixth grade gifted class from Gulfview Middle School			1
- noted receipt of a Certificate of Conformance for financial reporting for third year			1
-CITY MANAGER JONES - noted that Room 112 would be for the use of the media			1
- suggested that Sergeant-at-Arms be called as needed rather than be present for entire meeting			1
<u>APPROVAL OF MINUTES</u> - 09/13/84, Special Meeting 09/19/84, Regular Meeting, as amended			2 & 3
<u>RESOLUTIONS</u>			
-Accept esmt for <u>beach walk</u> - Royal Palm Club		84-4553	2 & 3
-Reappt. members of <u>Contractors' Examining Board</u>		84-4560	3
-Reappt. William Blaikie to <u>Airport Authority</u>		84-4561	4
-Reappt. Lodge McKee to <u>Carver Finance, Inc.</u>		84-4562	4
-Auth. execution & delivery of <u>Amendatory Securities Purchase Agrmt.</u> w/Barnett Bank		84-4565	9
-Auth. <u>Interlocal agrmt.</u> - proceeds of 4¢ gas tax		84-4566	10
-Auth. agrmt. w/State Attorney's office, 84-85		84-4567	10
-Approve Consultant Selection Committee-expansion of <u>Public Safety Bldg.</u>		84-4568	10
-Approve renewal of <u>Blue Cross-Blue Shield</u> contract, 1 yr.		84-4569	11
-Award <u>water/sewer refunding bonds</u>		84-4570	9 & 11
<u>PURCHASING</u>			
-Award bid - One (1) truckster scooter		84-4554	2 & 3
-Award bid - Resurface two (2) tennis courts		84-4555	2 & 3
-Award bid - Street construction materials, 6 mos.		84-4556	2 & 3
-Award bid - One (1) hydraulic trash crane		84-4557	2 & 3
-Award bid - One (1) rearloading & one (1) front loading garbage truck		84-4558	3
-Award bid - Gas & Diesel fuel contract, 1 yr.		84-4559	3
<u>ORDINANCES - First Reading</u>			
-Approve amendment to <u>Comprehensive Plan</u> at Golden Gate Pkwy & U.S. 41 Blue Caribbean Golf Range	84-		4-5-6
-Approve <u>rezone</u> at Golden Gate Pkwy & U.S. 41 - Blue Caribbean Golf Range	84-		4-5-6
- <u>Second Reading</u>			
-Adopt <u>metered & permit parking</u> at Broad Av So parking lot	84-4563		7
-Adopt <u>refundng</u> of outstanding bonds & <u>issuing</u> bonds for expansion of <u>WWTP</u>	84-4564		8
<u>DISCUSSION</u>			
-Discussion with reference to possible ordinance amendment (Code Section 3-2) regulating hours of operation (<u>Cactus Flower</u>)			6 & 7

City Council Chambers
735 Eighth Street South
Naples, Florida 33940



Time 9:05 a.m.

Date October 3, 1984

Mayor Billick called the meeting to order and presided as Chairman.

ROLL CALL: Present: Stanley R. Billick Mayor ITEM 2

R. B. Anderson
William E. Barnett
William F. Bledsoe
Wade H. Schroeder
Kenneth A. Wood
Councilmen

Absent: Lyle S. Richardson
Councilman

Also present:

Franklin C. Jones, City Manager	Roger Barry, Community Development Director
David W. Rynders, City Attorney	John R. McCord, City Engineer
Paul Reble, Police Chief	Bill Hanley, Finance Director
Norris Ijams, Fire Chief	Tara Norman, Administrative Aide
Mark Wiltsie, Assistant to the City Manager	Steve Cramer, Chief Planner
Stewart Unangst, Purchasing Agent	Ellen Marshall Weigand, Deputy Clerk

See Attachment #1 - Supplemental Attendance list

INVOCATION: Reverend Eleanor McMullen East Naples United Methodist Church ITEM 1

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ANNOUNCEMENTS ITEM 3

---MAYOR BILLICK - stated that he had appointed ITEM 3-a Fire Chief Ijams as Sergeant-at-Arms for this meeting, but he would not call upon him without prior approval from the majority of Council.

- noted the presence of the sixth grade gifted class from Gulfview Middle School. He further noted that they would remain for a portion of the meeting and then meet with Chief Planner Cramer who would review the planning process for them.

- reported that the City had received a Certificate of Conformance from the Government Finance Officers' Association for the third consecutive year. He commended City Manager Jones, Finance Director Hanley and the staff.

---CITY MANAGER JONES - reviewed the information ITEM 3-b in his memo dated October 2, 1984 (Attachment #2) regarding a room in City Hall for the media to use. He added that the idea had been suggested by Joe Orr, a public information consultant who may be called upon for other suggestions.

- suggested that an individual be designated as a Sergeant-at-Arms to be called upon as necessary rather than being present for each meeting. After some discussion, it was the consensus of Council to do that for future meetings.

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COUNCIL MEMBERS	VOTE			A B S E N T
	M O T I O N	S E C O N D	Y E S	

COUNCIL MEMBERS

M O T I O N	S E C O N D	VOTE		A B S E N T
		Y E S	N O	

-----CONSENT AGENDA-----

APPROVAL OF MINUTES - Special Meeting, 09/13/84 ITEM 4
Regular Meeting, 09/19/84

*** *** ***

---RESOLUTION 84-4553 ITEM 5

A RESOLUTION ACCEPTING AN EASEMENT FOR A PUBLIC BEACH WALKWAY FROM ROYAL PALM CLUB OF NAPLES, INC.; AND PROVIDING AN EFFECTIVE DATE.

Title not read.

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PURCHASING ITEM 6

---RESOLUTION 84-4554 ITEM 6-a

A RESOLUTION AWARDDING THE BID FOR ONE (1) TRUCKSTER SCOOTER WITH DUMP BODY; AUTHORIZING THE CITY MANAGER TO ISSUE A PURCHASE ORDER THEREFOR; AND PROVIDING AN EFFECTIVE DATE.

Title not read.

*** *** ***

---RESOLUTION 84-4555 ITEM 6-b

A RESOLUTION AWARDDING THE BID FOR RESURFACING TWO (2) TENNIS COURTS AND FIVE (5) BASKETBALL COURTS; AUTHORIZING THE CITY MANAGER TO ISSUE A PURCHASE ORDER THEREFOR; AND PROVIDING AN EFFECTIVE DATE.

Title not read.

*** *** ***

---RESOLUTION 84-4556 ITEM 6-c

A RESOLUTION AWARDDING BIDS FOR THE CITY'S REQUIREMENTS FOR STREET CONSTRUCTION MATERIALS FOR THE NEXT SIX (6) MONTH PERIOD; AUTHORIZING THE CITY MANAGER TO ISSUE PURCHASE ORDERS THEREFOR; AND PROVIDING AN EFFECTIVE DATE.

Title not read.

*** *** ***

---RESOLUTION 84-4557 ITEM 6-d

A RESOLUTION AWARDDING THE BID FOR ONE (1) HYDRAULIC TRASH CRANE; AUTHORIZING THE CITY MANAGER TO ISSUE A PURCHASE ORDER THEREFOR; AND PROVIDING AN EFFECTIVE DATE.

Title not read.

*** *** ***

COUNCIL MEMBERS

M O T I O N	S E C O N D	Y E S	N O	VOTE		A B S E N T

CONSENT AGENDA (Cont)

PURCHASING (Cont)

ITEM 6 (Cont)

---RESOLUTION 84-4558

ITEM 6-e

A RESOLUTION AWARDBING BIDS FOR ONE (1) REAR-LOADING GARBAGE TRUCK AND ONE (1) FRONT-LOADING GARBAGE TRUCK; AUTHORIZING THE CITY MANAGER TO ISSUE A PURCHASE ORDER THEREFOR; AND PROVIDING AN EFFECTIVE DATE.

Title not read.

---RESOLUTION 84-4559

ITEM 6-f

A RESOLUTION AWARDBING THE BID FOR THE CITY'S ANNUAL REQUIREMENTS FOR GASOLINE AND DIESEL FUELS; AUTHORIZING THE CITY MANAGER TO ISSUE A PURCHASE ORDER THEREFOR; AND PROVIDING AN EFFECTIVE DATE.

Title not read.

Citizen Harry Rothchild addressed Council with regard to the Sergeant-at-Arms and indicated his opinion that it had not been discussed properly under "Correspondence & Communications" at the meeting of September 19. He further repeated his objections to the number of purchasing items contained in the Consent Agenda. Mayor Billick noted that all Council members received all the backup material for the purchasing items and had sufficient time to question the City Manager and/or the Purchasing Agent about them prior to voting on them at the meeting.

Mr. Anderson asked that the minutes of the September 19 meeting reflect the concurrence of Council with his suggestion to install signs on Fifth Avenue Parkway to limit parking to two hours after the parking meters were removed. City Manager Jones stated he had met with representatives of the Coast Guard Auxiliary and they were satisfied with the proposed parking plan at Board Avenue South.

Mr. Anderson questioned Agenda Item 6-f regarding the vendor's intention to honor the bid if a lesser quantity of gasoline and diesel fuel were purchased. City Manager Jones suggested that Council approve the bid ward as presented and if there were any changes, he would bring it back to Council.

MOTION: To APPROVE the minutes of September 13 as presented and September 19 as amended and to ADOPT the resolutions as presented.

Anderson						
Barnett				X		
Bledsoe	X			X		
Richardson						X
Schroeder				X		
Wood				X		
Billick				X		
(6-0)						

-----END CONSENT AGENDA-----

APPOINTMENTS AND/OR REAPPOINTMENTS

ITEM 7

---RESOLUTION 84-4560

ITEM 7-a

A RESOLUTION REAPPOINTING MEMBERS TO THE CONTRACTORS' EXAMINING BOARD; AND PROVIDING AN EFFECTIVE DATE.

Title read by City Attorney Rynders.

Mayor Billick and members of the Council commended the work of the members of the Contractors' Examining Board.

MOTION: To ADOPT the resolution as presented.

Anderson	X			X		
Barnett				X		
Bledsoe				X		
Richardson						X
Schroeder			X	X		
Wood			X	X		
Billick			X	X		
(6-0)						

COUNCIL
MEMBERS

M O T I O N	S E C O N D	VOTE		A B S E N T
		Y E S	N O	

COMMUNITY DEVELOPMENT DEPARTMENT/NAPLES ITEM 8 a & b. (Cont)
PLANNING ADVISORY BOARD (Cont)

Citizen Harry Rothchild stated his feelings that there still was not enough information provided by the developer and that the matter should have been returned to the Planning Advisory Board. He also asked to hear the reasons for the PAB's recommendation to deny the comprehensive plan change and the rezoning. Attorney Robert "Robin" Doyle, representing the petitioner, addressed Council at length in support of the petitions. He noted the only change had been to put the construction of the hotel, The Village Inn, into the second phase of the development. Don Flock, architect for the project, reviewed the layout of the proposed development. He noted that the plan included maintenance of the proposed cultural center. Myra Daniels, president of the Naples-Marco Philharmonic, spoke in support of the project and stated that they had a contract with the developer to purchase the land on which the cultural center would be built. She noted that there was no other auditorium in the area that had the proper acoustics for their needs. Gregg Zenner, president of the Lely Cultural Center group, concurred with the desirability of this location. He further noted that the center his group had been pursuing would be included in a total package with Edison Community College, a plan which he said he felt was in the distant future. Mr. Doyle again emphasized the 60-day contract with the Naples Marco Philharmonic to convey the land to them which he said he believed was a guarantee that the cultural center would be built. He noted that many local lenders were interested but were reluctant to sign letters of intent before there was any change in zoning. After Mr. Doyle again noted that the property was going to be sold to the Naples Marcho Philharmonic, City Attorney Rynders pointed out that this did not bind anyone to build a cultural center and that the City had no way of requiring one to be built. He stated that any owner could obtain approval of any structure that complied with the Planned Development in a Highway Commercial area, once the land use and zoning changes had been made. Mr. Anderson noted his feeling that there should be more commitment prior to rezoning such as letters of intent from financiers and anchor stores. Paul Jacobson, developer, addressed Council and stated that he had been advised not to negotiate with anchor stores ahead of time, because they may become too dictatorial. Mr. Doyle stated that they could not irrevocably guarantee Council regarding the development, but he felt they had offered reasonable certainties.

*** *** ***
BREAK: Recessed - 11:05 a.m. Reconvened - 11:17 a.m.
The same Councilmen were present.

*** *** ***
Mr. Schroeder suggested that the land for the cultural center be deeded to the City of Naples and the City would, in turn, lease it to the Philharmonic Society for 99-years at \$1/year. Mr. Doyle responded that he could not comment on that suggestion today. Allen Rosenberg, member of the Naples Music Club and Southwest Florida Symphony, pointed out that a free-standing structure in an area with minimal parking would probably run in the red. He encouraged incorporating a proposed cultural center with other facilities such as the hotel and other stores included in this project. State Representative Mary Ellen Hawkins, member of the board of directors and executive committee of the Naples Marco Philharmonic spoke in support of a cultural center in this location. She further stated her opinion that the City would be better off with the rezoning in any case rather than with the strip zoning that presently existed. She asked that Council approve these petitions on First Reading to enable the groups supporting the cultural center to obtain more commitments. Citizen Charles Andrews expressed his agreement with the PAB's position and recommended denial of the petitions. Susan Edwards, Collier County Arts Council, indicated her group's support for the cultural center. Citizen Harry Rothchild noted that the financing was not assured and recalled other planned developments that were not completed as presented. He also questioned the impact that the increased traffic may have on the area. William Warren Roberts, president of the Naples Community Concert Association, spoke in support of the proposed cultural

COUNCIL MEMBERS

M O T I O N	S E C O N D	VOTE		A B S E N T
		Y E S	N O	

COMMUNITY DEVELOPMENT DEPARTMENT/NAPLES ITEM 8a & b (Cont)
PLANNING ADVISORY BOARD (Cont)

center, stating that the available auditoriums in the area lacked the proper acoustics. Mr. Doyle noted that a traffic study had been included in the material sent to the Councilmen. He commented on the number of people in favor of the cultural arts center, the site and the total concept. He asked for approval on First Reading so that the arts groups could continue their fund raising efforts. Dennis Lynch, speaking as a citizen, reiterated the PAB's request for more commitments regarding financing and anchor stores. Citizen Harry Rothchild questioned a petition for rezone from someone who didn't own the property and asked if the petition could be granted on a contingency basis. Mayor Billick stated his feeling that many of the questions raised by the PAB have not been faced. He said he would be inclined to vote yes on the First Reading; but he would vote no on the Second Reading if these questions were not answered. Mr. Anderson suggested that the Second Reading could be continued if the questions were not answered. Mr. Schroeder stated he would like to see how the project would be financed. He continued that he would like to be guaranteed that a cultural center would be built. In response to question from Mr. Anderson about the date certain for a Second Reading, City Attorney Rynders explained that the date certain set by the Council would have to give the property owner 30-days notice.

AGENDA ITEM 8-a

MOTION: To APPROVE the ordinance as presented on First Reading.

Anderson		X		
Barnett		X		
Bledsoe	X	X		
Richardson				X
Schroeder		X		
Wood		X		
Billick	X	X		
(6-0)				

City Attorney Rynders again explained that Council had to set a date for the Public Hearing on the Comprehensive Plan ordinance 30 days in advance. Mayor Billick declined to set a date at this meeting; to which City Attorney Rynders responded that the earliest date that could be set after this meeting would be the 21st of November.

AGENDA ITEM 8-b

MOTION: To APPROVE the ordinance as presented on First Reading.

Anderson		X		
Barnett		X		
Bledsoe	X	X		
Richardson		X		X
Schroeder	X	X		
Wood		X		
Billick		X		
(6-0)				

-----END PLANNING ADVISORY BOARD-----

Mayor Billick noted that there were a number of people present to speak to Agenda Item 11. It was the consensus of Council to take up Item 11.

DISCUSSION WITH REFERENCE TO POSSIBLE ORDINANCE ITEM 11
AMENDMENT (CODE SECTION 3-2) REGULATING HOURS OF
OPERATION OF RESTAURANTS. Requested by Henry P. Johnson, attorney for the Delmar Club of Naples, Inc.

Attorney Henry Johnson, addressed Council and explained that he would like the Council to direct City Attorney Rynders to draft an amendment to the City Code of Ordinances regarding the hours of operation of restaurants in the "C-1" zone. It was his client's wish that the amendment prohibit the sale of alcoholic beverages from 11:00 p.m. until 7:00 a.m. each day of the week. It was his contention that this would not affect any of the other restaurants in the "C-1" zone except the Cactus Flower.

COUNCIL MEMBERS

M O T I O N	S E C O N D	Y E S	N O	A B S E N T

DISCUSSION WITH REFERENCE TO POSSIBLE ORDINANCE ITEM 11 (Cont)
AMENDMENT (CODE SECTION 3-2) REGULATING HOURS OF
OPERATION OF RESTAURANTS. (Cont)

He was of the opinion that Truffles and Chef's Garden, also located in a "C-1" zone, closed before 11:00 p.m. He further stated that his clients at the Delmar Club were consistently awakened at night between 11:00 p.m. and 3:00 a.m. by patrons from the Cactus Flower in the parking lot. Citizens Arnold Lamm and Garland Harris spoke in support of an ordinance that could remedy the situation adjacent to the Delmar Club. Bierre Brown, representing Truffles and Chef's Garden, addressed Council and noted that they did not close at 11:00 p.m. and they would be adversely affected by an ordinance prohibiting the sale of alcoholic beverages after that time in the "C-1" zone. City Attorney Rynders noted that to rezone, Council would have to have substantial reasons regarding the land use. He noted a suggestion to create an ordinance that would prohibit the "Happy Hour" at the Cactus Flower from 11:00 p.m. to 1:00 p.m. and explained that in Florida municipalities could only regulate the hours of operation. He suggested that he be directed to write to the Attorney General for an opinion regarding a prohibition of the late time "Happy Hour". In response to a question from Mr. Anderson about the nearness of the Cactus Flower to residential buildings, the City Attorney noted that enforcement would come under the noise ordinance and would require the use of expensive noise sensitivity devices. He further stated that the enforcement would be directed at the patrons in the parking lot and would be difficult. Mr. Bledsoe suggested that the ordinance prohibit the sale of alcoholic beverages in the "C-1" zone and other restaurants could request an exception. Mr. Schroeder stated his opinion that would be excessively expensive for the other restaurants. Mr. Johnson suggested that the proximity of the residential buildings may be enough of a distinguishing factor regarding land use to enable the Council to rezone just Gulf Shore Square, in which the Cactus Flower was located, for the 11:00 p.m. closing time. Mayor Billick, with the consensus of Council, directed City Attorney Rynders to work with Mr. Johnson on a proposed solution to the problem.

*** *** ***
 BREAK: Recessed - 12:50 p.m. Reconvened - 2:26 p.m.
 Same Councilmen present.
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RETURN TO REGULAR AGENDA

-----ADVERTISED PUBLIC HEARINGS-----

SECOND READING OF ORDINANCES ITEM 9

---ORDINANCE 84-4563 ITEM 9-a

AN ORDINANCE RELATING TO THE CITY PARKING LOT AT THE SOUTHEAST CORNER OF BROAD AVENUE SOUTH, BETWEEN EIGHTH STREET SOUTH AND NINTH STREET SOUTH; AMENDING THE CODE OF ORDINANCES OF THE CITY OF NAPLES BY ADDING A NEW PARAGRAPH (2) TO SUBSECTION (c) OF SECTION 23-14 AND BY ADDING A NEW SUBSECTION (d) TO SECTION 23-15; AND PROVIDING AN EFFECTIVE DATE.
 PURPOSE: TO PROVIDE FOR THE PLACEMENT OF PARKING METERS IN SAID PARKING LOT AND TO ESTABLISH METER RATES AND HOURS OF OPERATION THEREFOR.

Title read by City Attorney Rynders.

Public Hearing: Opened - 2:27 p.m. Closed - 2:28 p.m.
 No one present to speak for or against.

City Manager Jones repeated his statement that he had met with representatives from the Coast Guard Auxiliary and they had no problem with the proposed plans for metered and permit parking in that area.

MOTION: To ADOPT the ordinance as presented on Second reading.

Anderson	X	X		
Barnett		X		
Bledsoe		X		
Richardson				X
Schroeder		X		
Wood		X		
Billick		X		
(6-0)				

COUNCIL MEMBERS	M O T I O N	S E C O N D	Y E S	N O	A B S E N T
<p><u>ADVERTISED PUBLIC HEARINGS (CONT)</u></p>					
<p><u>SECOND READING OF ORDINANCE (Cont)</u></p>					
<p><u>ITEM 9 (Cont)</u></p>					
<p><u>---ORDINANCE 84-4564</u></p>					
<p><u>ITEM 9-b</u></p>					
<p>AN ORDINANCE OF THE CITY OF NAPLES, FLORIDA, AMENDING ORDINANCE NO. 84-4448 OF THE CITY HERETOFORE ENACTED ON MARCH 21, 1984, ENTITLED "AN ORDINANCE OF THE CITY OF NAPLES, FLORIDA, AUTHORIZING THE REFUNDING OF THE PRESENTLY OUTSTANDING WATER AND SEWER REVENUE BONDS, SERIES 1977, OF THE CITY; AUTHORIZING THE CONSTRUCTION AND ACQUISITION OF ADDITIONS, EXTENSIONS AND IMPROVEMENTS TO THE WATER AND SEWER SYSTEM OF THE CITY; PROVIDING FOR THE ISSUANCE OF NOT EXCEEDING \$20,000,000 WATER AND SEWER REVENUE REFUNDING BONDS, SERIES 1984-A, TO BE APPLIED FOR THE REFUNDING AND OF NOT EXCEEDING \$15,000,000 WATER AND SEWER REVENUE BONDS, SERIES 1984-B, TO BE APPLIED TO FINANCE THE COST OF THE PROJECT; PROVIDING FOR THE PAYMENT OF SAID BONDS; MAKING CERTAIN COVENANTS AND AGREEMENTS IN CONNECTION THEREWITH, AND PROVIDING AN EFFECTIVE DATE." IN CERTAIN RESPECTS AND PROVIDING AN EFFECTIVE DATE. PURPOSE: TO CONFORM ORDINANCE TO THE RECOMMENDATIONS OF THE UNDERWRITER.</p> <p>Title read by City Attorney Rynders.</p> <p>Public Hearing: Opened - 2:30 p.m. Closed - 2:40 p.m.</p> <p>City Attorney Rynders noted his memo dated September 26, 1984 (Attachment #3) which contained two more revisions to the above ordinance. Citizen Harry Rothchild questioned the amount of bonds that were to be sold. City Manager Jones explained that there will be two issues authorized; one to refund outstanding bonds and the other for the construction of the wastewater treatment plant. Jack McWilliams, bond counsel, recommended that this ordinance be adopted.</p>					
<p><u>MOTION:</u> To <u>ADOPT</u> the ordinance as amended on Second Reading.</p>					
<p>-----END ADVERTISED PUBLIC HEARINGS-----</p>					
<p>Anderson Barnett Bledsoe Richardson Schroeder Wood Billick (6-0)</p>					
			X		
			X		
			X		
			X		X
	X		X		
		X	X		
			X		

COUNCIL MEMBERS

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AUTHORIZATION TO TAKE ACTION ON WATER & SEWER REFUNDING BONDS:

ITEM 10

---RESOLUTION 84-4570

ITEM 10-a

A RESOLUTION AWARDDING \$ WATER AND SEWER REVENUE REFUNDING BONDS, SERIES 1984-A, OF THE CITY OF NAPLES, FLORIDA; AUTHORIZING THE EXECUTION AND DELIVERY OF A BOND PURCHASE AGREEMENT FOR THE SALE OF SUCH BONDS TO THE PURCHASERS THEREOF PURSUANT TO THE TERMS AND CONDITIONS STATED THEREIN; FIXING THE DATE, MATURITIES, MANDATORY AMORTIZATION INSTALLMENTS, INTEREST RATES AND REDEMPTION PROVISIONS WITH RESEPECT TO SUCH BONDS; RATIFYING THE USE OF THE PRELIMINARY OFFICIAL STATEMENT AND AUTHORIZING USE OF THE OFFICIAL STATEMENT FOR THE BONDS; DESIGNATING THE PAYING AGENT, BOND REGISTRAR AND ESCROW HOLDER; AUTHORIZING THE EXECUTION AND DELIVERY OF AN ESCROW DEPOSIT AGREEMENT; AUTHORIZING THE APPROPRIATE OFFICIALS OF THE CITY TO TAKE ALL ACTION NECESSARY IN CONNECTION WITH THE EXECUTION AND DELIVERY OF THE BONDS; AUTHORIZING BOND COUNSEL TO SUBSCRIBE FOR CERTAIN UNITED STATES GOVERNMENT OBLIGATIONS; CANCELLING THE AUTHORIZATION OF THE UNISSUED AUTHORIZED BONDS; AND PROVIDING AN EFFECTIVE DATE.

Title read by City Attorney Rynders.

Stanley Ross, Dean Witter Reynolds, explained the mechanics of what they were doing to achieve the best sale of the bonds with savings on the interest. He noted that this would enable the City to use impact fees to reduce the debt service. City Attorney Rynders stated that there were still blanks in the resolution and the underwriters and the bond advisers were still working on these figures. It was the consensus of Council to suspend discussion of this until the figures were determined.

---RESOLUTION 84-4565

ITEM 10-b

A RESOLUTION AUTHORIZING THE EXECUTION AND DELIVERY OF AN AMENDATORY SECURITIES PURCHASE AGREEMENT BETWEEN THE CITY OF NAPLES, FLORIDA, AND BARNETT BANK OF NAPLES IN CONNECTION WITH THE ISSUANCE AND SALE OF THE CITY'S WATER AND SEWER REVENUE REFUNDING BONDS, SERIES 1984-A, AND PROVIDING AN EFFECTIVE DATE.

Title read by City Attorney Rynders.

Jack McWilliams, bond counsel, reviewed the information in his letter dated September 26, 1984 (Attachment #4).

MOTION: To ADOPT the resolution as presented.

Anderson
Barnett
Bledsoe
Richardson
Schroeder
Wood
Billick
(6-0)

X

X
X
X
X
X
X

X

COUNCIL
MEMBERS

M O T I O N	S E C T I O N	VOTE		A B S E N T
		Y E S	N O	

---RESOLUTION 84-4566

ITEM 12

A RESOLUTION AUTHORIZING THE MAYOR AND CITY CLERK TO EXECUTE AN INTERLOCAL AGREEMENT BETWEEN COLLIER COUNTY, THE CITY OF NAPLES AND THE CITY OF EVERGLADES RELATING TO THE DISTRIBUTION OF PROCEEDS FROM THE LOCAL OPTION GAS TAX; AND PROVIDING AN EFFECTIVE DATE.

Title read by City Attorney Rynders.

In response to a question from Mayor Billick, City Manager Jones noted that the City would receive approximately \$400,000 from the agreement regarding the 4¢ gas tax.

MOTION: To ADOPT the resolution as presented.

---RESOLUTION 84-4567

ITEM 13

A RESOLUTION AUTHORIZING THE MAYOR AND CITY CLERK TO EXECUTE AN AGREEMENT BETWEEN COLLIER COUNTY, THE CITY OF NAPLES AND THE STATE ATTORNEY RELATING TO THE PROSECUTION OF CITY AND COUNTY ORDINANCE VIOLATIONS; AND PROVIDING AN EFFECTIVE DATE.

Title read by City Attorney Rynders.

J. Sandy Scatena, citizen, made a statement (Attachment #5) and submitted several exhibits for the record (Attachment #6) in opposition to the ever-increasing costs for this service and it was his opinion that it was not properly reflected in the City budget. Citizen Harry Rothchild stated his opinion that the State Attorney was obligated to prosecute the City's cases. City Attorney Rynders responded that the State Attorney was only obligated to perform the services for which his office was funded and that he could maintain that funds were not available for the City's caseload. In response to a question from Mr. Rothchild about the lack of response to some questions from citizens, Mayor Billick stated his belief that most of the questions asked were answered in public statements made by himself or the City staff.

MOTION: To ADOPT the resolution as presented.

---RESOLUTION 84-4568

ITEM 14

A RESOLUTION APPOINTING A CONSULTANT SELECTION COMMITTEE FOR THE PURPOSES HEREINAFTER SET FORTH RELATIVE TO SECURING PROFESSIONAL SERVICES FOR THE PUBLIC SAFETY BUILDING EXPANSION PROJECT; AND PROVIDING AN EFFECTIVE DATE.

Title read by City Attorney Rynders.

MOTION: To ADOPT the resolution as presented.

Anderson		X	X	
Barnett			X	
Bledsoe			X	
Richardson				X
Schroeder	X		X	
Wood			X	
Billick			X	
(6-0)				
Anderson			X	
Barnett			X	
Bledsoe		X	X	
Richardson				X
Schroeder	X		X	
Wood			X	
Billick			X	
(6-0)				
Anderson	X		X	
Barnett		X	X	
Bledsoe			X	
Richardson				X
Schroeder			X	
Wood			X	
Billick			X	
(6-0)				

COUNCIL MEMBERS

M O T I O N	S E C O N D	Y E S	N O	A B S E N T

---RESOLUTION 84-4569

ITEM 15

A RESOLUTION APPROVING THE RENEWAL OF THE CONTRACT WITH BLUE CROSS - BLUE SHIELD FOR GROUP HEALTH INSURANCE COVERAGE FOR CITY EMPLOYEES FOR AN ADDITIONAL ONE-YEAR PERIOD; AND PROVIDING AN EFFECTIVE DATE.

Title read by City Attorney Rynders.

City Manager Jones distributed information on this matter to the Council (Attachment #7). He reviewed the material in his memo. He discussed the alternatives reviewed by the City and observed that these alternatives had not provided an appreciable benefit to the City or the employees. He did state that there would be an education program conducted to reduce employees use of the plan which may limit any further increases.

Anderson				X
Barnett		X		X
Bledsoe				X
Richardson				X
Schroeder	X		X	
Wood			X	
Billick (6-0)			X	

MOTION: To ADOPT the resolution as presented.

Mayor Billick observed that the figures for Agenda Item 10-a were not yet available and he recessed the meeting.

BREAK: Recessed - 3:29 p.m. Reconvened - 3:50 p.m.

RETURN TO AGENDA ITEM 10-a

---RESOLUTION 84-4570 (Cont)

City Attorney Rynders read the figures that would be inserted in the body of this resolution; i.e. the aggregate principal amount on page 1; the interest rate; the amortization fund, years and amounts; the redemption period dates and prices; and years and amounts for mandatory redemption.

Anderson				X
Barnett			X	X
Bledsoe	X		X	
Richardson				X
Schroeder			X	
Wood			X	
Billick (6-0)			X	

MOTION: To ADOPT the resolution as presented.

ADJOURN: 3:56 p.m.

Janet Cason
Janet Cason
City Clerk

Stanley R. Billick
Stanley R. Billick, Mayor

Ellen Marshall Weigand
Ellen Marshall Weigand
Deputy Clerk

These minutes of the Naples City Council approved 10/17/84

Supplemental Attendance list - Regular Meeting, October 3, 1984

Reverend Eleanor McMullen	Harry Rothchild	Richard Montalbano
Charles Andrews	Tish Gray	William Warren Roberts
Donald E. Flock	William Blaikie	Susan Edwards
Paul Jacobson	Dennis Lynch	Garland Harris
Larry Hamachek	Arnold Lamm	Henry P. Johnson
Raymond Wolf	Bob Russell	Robert Hines
Allen Rosenberg	Herbert Lund	Jack Miller
Joseph Burke	Myra Daniels	Eugene Zytikus
Mary Ellen Hawkins	Jim McGrath	Mrs. Joseph Kovacic
David Gregory	Ron Wood	Franklin Robert
Don Pickworth	J. Sandy Scatena	James Rawlings
Robert E. "Robin" Doyle, Jr.	Arch Roberts	Anthony Pashak
Bob Tiffany	Stanley Ross	Ted Waller
Bob Galloway	Jack McWilliams	G. Robert Newman
Gregg Zenner	Bierne Brown	

News Media

Dorothy Yacobocci, TV-9	Caroline Bischoff, Naples Star
Jerry Pugh, TV-9	Tom Morgan, Naples Sun
Carl Loveday, TV-9	Todd Holzman, Naples Daily News
Brian Grinonneau, WNOG	John Lundsford, Naples Daily News

Other interested citizens and visitors



City of Naples

MEMO

TO: REPORTERS AND CITY EDITORS
FROM: CITY MANAGER FRANKLIN C. JONES
SUBJECT: CITY HALL MEDIA CENTER
DATE: OCTOBER 2, 1984

Because we are very much interested in assisting you in providing the public with accurate and timely information about the City of Naples, we have set aside an area in Room 112, City Hall, for your use. This room has been stocked with various pieces of reference material such as the annual budget, capital improvement program, Code of Ordinances and City Charter. Also available at this location will be the City Council meeting packets and news releases. We have also provided a telephone for your convenience.

Due to the number of media representatives we anticipate to be using these facilities, we ask that none of the items, with the exception of news releases, be removed. Copies of any materials will continue to be made for you by the City Clerk's office at the normal 15-cent-per-page rate.

If you have any questions, or if you have any suggestions about how we can make these facilities more useful to you, please contact Tara Norman in my office at 262-4366.

Franklin C. Jones

FCJ/tan

xc: Department Heads
Mayor and Council

*City of Naples*

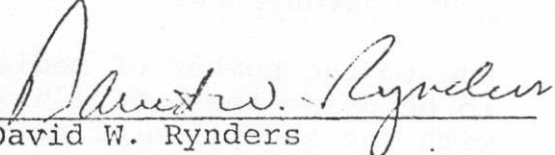
MEMO

September 26, 1984

TO: Hon. Mayor and Members of Council
FROM: David W. Rynders, City Attorney
RE: Water and Sewer Refunding Revenue
Bonds, Series 1984-A

Attached is the Bond Ordinance as it was approved at first reading. Also enclosed are two pages which reflect proposed amendments to the ordinance. These changes are in the definition of the term "Authorized Investments" and in the provisions for the funding of the reserve account upon the issuance of additional parity obligations.

We recommend adoption of the ordinance as amended.



David W. Rynders
City Attorney

DWR:bh

Enc.

D. "Amortization Installment" with respect to any Current Interest Paying Term Bonds of a series, shall mean an amount so designated which is established for the Current Interest Paying Term Bonds of such series, provided that (i) each such installment shall be deemed to be due on such interest or principal maturity date of each applicable year as is fixed by subsequent resolution of the Issuer, and (ii) the aggregate of such installments for such series shall equal the aggregate principal amount of Current Interest Paying Term Bonds of such series authenticated and delivered on original issuance; and with respect to any Term Bonds of a series issued as Capital Appreciation Bonds, shall mean the Compounded Amounts so designated by subsequent resolution of the Issuer, provided that each such installment shall be deemed due on such date of each applicable year as is fixed by subsequent resolution of the Issuer.

E. "Authorized Investments" shall mean any of the following if and to the extent the same are at the time legal for investment of municipal funds; (a) direct obligations of or obligations guaranteed by the United States; (b) bonds, debentures or notes issued by any of the following federal agencies: Bank for Cooperatives, Federal Intermediate Credit Banks, Federal Home Loan Bank System, Federal Farm Credit Bank, Export-Import Bank of Washington, or Federal Land Banks; (c) public housing bonds, temporary notes, or preliminary loan notes fully secured by contracts with the United States; (d) certificates of deposit or other interest bearing obligations of any bank, savings and loan association or trust company authorized to engage in the banking business in the State of Florida either fully insured by the Federal Deposit Insurance Corporation or the Federal Savings and Loan Insurance Corporation or fully collateralized by obligations described in (a) or (b) above having a fair market value (determined at least quarterly) equal to the principal amount of such certificates of deposit or other interest bearing

76

obligations; (e) repurchase agreements with any bank authorized to engage in the banking business in the State of Florida or primary reporting government dealers, in each case having a capital and surplus or net capital of not less than \$100,000,000 and having senior debt obligations rated at least A by Standard and Poor's Corporation secured by collateral of the type and amount described in (d) above; or (f) any other obligations in which surplus municipal funds may be invested under the laws of Florida, including, without limitation, the Local Government Surplus Funds Trust Fund created and established under Chapter 218, Part IV, Florida Statutes (1983).

F. "Bonds" shall mean the Water and Sewer Revenue Refunding Bonds, Series 1984-A, and the Water and Sewer Revenue Bonds, Series 1984-B, herein authorized to be issued together with any Additional Parity Obligations hereafter issued under the terms, conditions and limitations contained herein.

G. "Bond Registrar" shall mean the officer of the Issuer or such bank or trust company, located within or without the State of Florida, who shall maintain the registration books of the Issuer and who shall be responsible for the transfer and exchange of the Bonds and who also may be the paying agent for the Bonds and interest thereon.

H. "Capital Appreciation Bonds" shall mean the Bonds of a series, the interest on which (1) shall be compounded periodically; (2) shall be payable at maturity or upon earlier redemption of the principal amount thereof; and (3) shall be determined by reference to the Compounded Amounts.

I. "Compounded Amounts" with respect to any Capital Appreciation Bonds of a series, shall mean the amounts so designated in a subsequent resolution of the Issuer, representing principal and interest accrued on such Capital Appreciation Bonds.

J. "Consulting Engineers" shall mean such qualified and recognized independent consulting engineer, having favorable re-

Freeman, Richardson, Watson & Kelly, P. A.

JUDSON FREEMAN
 RAY W. RICHARDSON, JR.
 JOHN F. KELLY
 A. GRAHAM ALLEN
 JOHN L. McWILLIAMS, III
 JUDSON FREEMAN, JR.
 ROBERT O. FREEMAN
 WILLIAM D. BRINTON
 PETER L. DAME
 RICHARD G. KISS
 SIDNEY S. SIMMONS, II

1200 BARNETT BANK BUILDING
 JACKSONVILLE, FLORIDA 32202
 (904) 353-1264

GILES J. PATTERSON
 (885-1963)
 FRANK L. WATSON
 OF COUNSEL
 TELECOPIER NO:
 (904) 356-2986

September 26, 1984

VIA FEDERAL EXPRESS

David W. Rynders, Esq.
 735 Eighth Street, South
 Naples, Florida 33940

Re: City of Naples, Florida, Water and Sewer
 Revenue Refunding, Series 1984-A

Dear Dave:

In connection with the issuance of the above-captioned bonds, I am pleased to enclose herewith for your review a proposed resolution of the City Council authorizing the execution and delivery of the Amendatory Securities Purchase Agreement.

You will recall that early in the refunding program we realized that it was necessary to amend the Securities Purchase Agreement between the City and Barnett Bank of Naples to provide for a change in the purchase dates of the United States Treasury Bonds required to be purchased pursuant to the terms and conditions of said Securities Purchase Agreement. Both the Bank and the Bank's counsel, David Hull, of Mahoney, Hadlow & Adams, Jacksonville, Florida, have signed off on the Agreement.

This proposed resolution and Amendatory Securities Purchase Agreement have not been circulated to the working group because they are only incidentally related to the issuance of the Series 1984-A Bonds. I anticipate using the resolution and Amendatory Securities Purchase Agreement in the transcript for such Bonds, however.

David W. Rynders, Esq.
September 26, 1984
Page Two

Please let me know if you have any comments regarding the proposed resolution. I have enclosed sufficient copies of the resolution and Agreement for your use in adopting same on October 3, 1984. My thought would be to adopt the resolution along with the amendatory ordinance and the final award resolution.

With best regards, I am

Sincerely,

Jack
John L. McWilliams, III

JLMcW, III/cnc

Enclosures

Good Morning, Mr. Mayor and Councilmen:

My name is J. Sandy Scatena and I reside at 2990 Binnacle Drive in Naples. As a year-round resident and established member of the Business Community, I am here this morning at this Council Meeting to discuss Agenda Item No. 13.

I have appeared before the City Council numerous times to ask you not to authorize this "Agreement with the State Attorney with Reference to Prosecution of violations of City Ordinances." As a concerned citizen, I feel strongly that you should not approve this agreement which was requested by our City Attorney, Mr. Rynders.

At this time, Mr. Mayor, I wish to place into the Record of this meeting the following Exhibits Marked No. 1 through No. 6 which will substantiate the statements that I am making.

The first Agreement for these services began in January 1978. (Exhibit No. 1.) The cost for these services for each of the next three years for the City of Naples was less than \$4,890.00. Since that time, the cost for these services has steadily increased:

- ① From Oct. 1, 1981 to Sept. 30, 1982 the cost was \$5,405.90
- ② From Oct. 1, 1982 to Sept. 30, 1983 the cost was \$10,846.66
- ③ From Oct. 1, 1983 to Sept. 30, 1984 the cost was \$13,208.76.

Today you are being asked by our City Attorney to authorize this Agreement for these same services at an estimated cost to the City of Naples of \$17,921.00 for the period of Oct. 1, 1984

to Sept. 30, 1985. This Amount represents 50% of this Agreement which is estimated to total \$35,842.00. The other \$17,920.00 will be paid by the Collier County Taxpayers for the Services of an Asst. State Attorney and legal Secretary for this same fiscal year. (Exhibit NO. 3) No longer is this a small amount of money that the Taxpayers of the City of Naples are asked to pay - particularly when the State Attorney is required under State law to prosecute any and all violations of City Ordinances in County Court.

In a letter to Mr. Burt L. Saunders, Collier County Attorney, dated Sept. 13, 1983 - Mr. Joseph P. D'Alessandro, State Attorney for the 20th Judicial Circuit of Florida (Exhibit NO. 2) - Mr. D'Alessandro admitted that it was his responsibility to prosecute these violations but states that he does not have sufficient funds to provide an Asst. State Attorney and a legal Secretary required to perform these necessary functions. If the State Attorney for the 20th Judicial Circuit of Florida does not have sufficient funds to properly perform the functions of his office - is it proper to burden the Taxpayers of the City of Naples to make up a part of the State Attorney's deficit? I feel this is unjust and that this pending Agreement is too high a burden to place on the Taxpayers in the City of Naples.

Since we Taxpayers pay taxes to the State of Florida - the State Attorney should make up his deficit by taxes from all Floridians - not just from the Naples Taxpayer!

Since you, Mr. Mayor and Councilmen, have the responsibility of seeing that our Tax Dollars are properly spent - I strongly urge you not to approve this Agreement for all the reasons that I have stated - And that this Agreement is not necessary as the State Attorney is obligated under Florida law to prosecute all City Ordinance Violations in our County Court.

II. Agreements

Information concerning the past 7 (Contracts) between City of Naples, Collier County and the State Attorney's Office.

1st (Contract) - Jan. 1978 to July 1st 1978 -
Agreement 50% Paid by City of Naples
 50% Paid by Collier County

2nd (Contract) July 1, 1979 to July 1, 1980
Agreement 25% Paid by City of Naples
 75% Paid by Collier County

3rd (Contract) - Oct. 1, 1980 to Sept. 30, 1981 Total Cost to City of Naples
Agreement 25% Paid by City of Naples \$4,889,63 for 3rd Contract
 75% Paid by Collier County

4th (Contract) - Oct. 1, 1981 to Sept. 30, 1982 Total Cost to City of
Agreement 30% Paid by City of Naples \$5,405,90 Naples for 4th Contract
 70% Paid by Collier County

5th (Contract) - Oct. 1, 1982 to Sept. 30, 1983 Total Cost to City of
Agreement 40% Paid by City of Naples \$10,846.66 Naples for 5th Contract
 60% Paid by Collier County

6th (Contract) - Oct. 1, 1983 to Sept. 30, 1984 Total Cost to City of
Agreement 50% Paid by the City of Naples \$13,308.96 Naples for 6th Contract
 50% Paid by Collier County

7th (Contract) - Oct. 1, 1984 to Sept. 30, 1985 Total Estimated
Agreement 50% Paid by the City of Naples Cost to City of
 50% Paid by Collier County \$17,921.00 Naples for 7th Contract



Board of County Commissioners
COLLIER COUNTY GOVERNMENT COMPLEX

September 6, 1984

Mr. J. Sandy Scatena
2990 Binnacle Drive
Naples, Florida 33940

Dear Mr. Scatena:

As per your request, I am providing the following information regarding the State Attorney contract.

1. Since January 3, 1984 through June 30, 1984, we have billed, and the City has paid \$8,602.16 as per the agreement between the City of Naples, Collier County and State Attorney, dated January 3, 1984.
2. We expect to bill the City \$4,606.60 for the period July 1, 1984 through September 30, 1984.

Very truly yours,

WILLIAM J. REAGAN, CLERK

Joseph F. Warren
Joseph F. Warren, Director
Finance Division

JFW/ggs

$$\begin{array}{r} \% 8,602.16 \\ \underline{4,606.60} \\ \% 13,208.76 - \end{array}$$

Total Cost to City of Naples from Oct. 1, 1983
to Sept. 30, 1984.

84-1984-85 BUDGET GUMMARY

Exhibit A.2

ORGANIZATION: State Attorney
 (Section or Subsection)
 Reporting Dept.: State Attorney
 Reporting Div.: Courts & Related Agencies

ACCOUNT NO: 111 - 210 - 30 (1)
 Fund/Agency/Org

APPROPRIATIONS	1983-84 ORIGINAL BUDGET	1984-85 REQUEST	INCREASE/ (DECREASE) AMOUNT	%
I. Personal Services	\$ 34,540	\$ 35,841	\$ 1,301	3.7
II. Operating Expenses	-	-	-	
III. Capital Outlay	-	-	-	
IV. Debt Service	-	-	-	
IV. Grants & Aid	-	-	-	
Totals - Board Operating	34,540	35,841	1,301	
V. Trans.- Elected Officials				
Totals - County Operating	34,540	35,841	1,301	
VI. Interfund Transfers - Out	-	-	-	
VII. Reserves	-	-	-	
TOTAL APPROPRIATIONS	\$ 34,540	\$ 35,841	\$ 1,301	3.7

ESTIMATED REVENUES & BALANCES FORWARD				
X. XXX - Operating Revenues	\$ 13,816	\$ 17,921	\$ 4,105	2.9
XI. Trans.- Elected Officials				
XII. Interfund Transfers - In				
XIII. Debt Proceeds				
XIV. Carry Forward				
TOTAL EST. REV. & BAL. FWD.	\$ 13,816	\$ 17,921	\$ 4,105	2.9

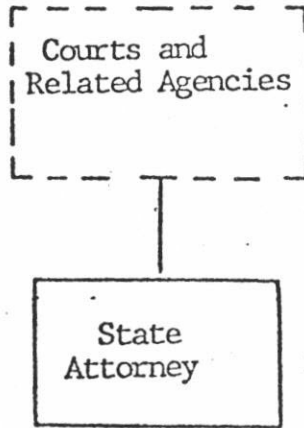
Requested by: Wilbur C. Miller, Executive Department Dir. 1/1
 Approved by: Director (see page) Div. Administr. 1/1
 Approved by: [Signature] Agency Manager 1/1
 Reviewed by: [Signature] Fiscal Officer 6/17/11

ORGANIZATION CHART

State Attorney

(ORGANIZATION TITLE)

(2)



Figures at left indicate current full-time equivalent positions.

Figures at right indicate proposed full-time equivalent positions.

PERSONAL SERVICES

ORGANIZATION: State Attorney
(Section or Subsection)

ACCOUNT NO: 111 - 210 - 3010
Fund/Agency/Org.

Object Code No. 1000-2999	Object Code Title	1983-84 ORIG. BUDGET	1984-85 Request
*Explanation			

1110 Salaries - Elected Officials \$ - \$ -

* From Schedule 1-A

✓ 1210 Regular Salaries 25,631 26,913 ✓

* From Schedule 1-A

1310 Other Salaries & Wages - -

* From Schedule 1-A

1410 Overtime - -

*

✓ 1910 Reserve for Salary Adjustments 1,646 1,346

* Regular Salaries, \$26,913 x 5%

✓ 2110 Social Security Matching 1,795 1,993

(\$28,259 x .0705)

* Non-exempt Compensation X .0705

✓ 2210 Retirement Contributions 2,803 2,761

(\$28,259 x .1093)

* Non-exempt Compensation X .1093

✓ 2310 Health Insurance 2,600 2,580

Individual Premium \$840 X No. of Employees (1)

* Dependent Premium, \$1,740 X No. of Employees (1)

✓ 2320 (New Act.) Life Insurance - 168

* Regular Salaries in Thousands X \$6 (28 x \$6)

✓ 2410 Workers' Compensation 65 80

* From Schedule 1-A

Total Previous Year \$ 34,540
-26-

TOTAL REQUESTED (TO SUMMARY)

\$ 35,341

DETAIL OF SALARIES

ORGANIZATION: State Attorney ACCOUNT NO: 111 -210 -3010
 (Section or Subsection) Fund/Agency/Org.

POS. NO.	POSITION TITLE	CURRENT SALARY	WORKERS' COMPENSATION CODE RATE	AMOUNT
-------------	----------------	-------------------	------------------------------------	--------

REGULAR SALARIES

	State's Attorney	\$ 17,325	8810 .0029\$	51
	Secretary (\$10,653 x 72/80 Hours)	9,588	8810 .0029	29
	from next page			
	TOTALS (TO SCHEDULE I)	OBJ 1210 \$26,913	OBJ 2410 \$	80

OTHER SALARIES & WAGES

		\$		
	from next page			
	TOTAL (TO SCHEDULE I)	OBJ 1310 \$		

OPERATING REVENUES

ORGANIZATION: State Attc ey
(Section or Subsection)

ACCOUNT NO: 111 - 210 - 3010
Fund/Agency/Org

<u>REVENUE SOURCE NO.</u> (1000-7999)	<u>REVENUE SOURCE TITLE</u>	<u>1983-84</u> <u>ESTIMATE</u>	<u>1984-85</u> <u>ESTIMATE</u>
<u>*EXPLANATION</u>			
<u>4161</u>	<u>Reimbursement from City of Naples</u> ✓	<u>\$ 13,816</u>	<u>\$ 17,921</u>
<u>* 50% of expense, \$35,841, was provided in contract dated 1/3/84 to expire 9/30/84, until otherwise advised.</u>			
<u>*</u>			
<u>*</u>			
<u>*</u>			
<u>*</u>			
<u>*</u>			
<u>*</u>			
	<u>from next page</u>		

TOTAL OPERATING REVENUES	\$ 13,816	\$ 17,921
LESS 5%	()	()
95% - OPERATING REVENUES (TO SUMMARY)	<u>\$ 13,816</u>	<u>\$ 17,921</u>



William J. Reagan
Clerk

County of Collier
CLERK OF THE CIRCUIT COURT

COLLIER COUNTY COURTHOUSE
NAPLES, FLORIDA 33962-4979

17,755 8
CIRCUIT COURT
COUNTY COURT
COUNTY RECORDER
CLERK BOARD OF
COUNTY COMMISSIONERS

111-210-3010 (6)

May 8, 1984

Mr. Wilbur C. Miller
State Attorney's Office
P.O. Drawer 399
Ft. Myers, Florida 33901

Dear Mr. Miller:

Enclosed is a budget request for that portion of the State Attorney's operation related to the enforcement of local ordinances as provided by Section 27.34, Florida Statutes. The revenue estimate is based on the County's contract with the City of Naples dated January 3, 1984, related to State Attorney services which the City receives.

Please amend this request as appropriate, sign or have signed, and return. If you have any questions or difficulties please contact either myself or Bob Best, Budget Analyst.

Thank you.

Very truly yours,

James C. Giles, C.P.A.
Fiscal Officer

JCG/pmg

Enclosure

cc: Burt L. Saunders, County Attorney

90

REPRESENTING:

CHARLOTTE
COLLIER
GLADES
HENDRY
LEE

RECEIVED
84 JUN 21 09:38
CLERK
FL.
J.C.



OFFICE OF THE STATE ATTORNEY

Twentieth Judicial Circuit of Florida

PLEASE REPLY TO: P.O. DRAWER 3

FT. MYERS, FL. 33902

Telephone 813-335-2700

111-210-3070 C7

Joseph P. D'Alessandro
State Attorney

June 20, 1984

James C. Giles, C.P.A.
Fiscal Officer
Collier County Courthouse
Naples, Florida 33962-4979

Special Attention: Bob Best

Re: Budget Request 1984-1985

Dear Bob

Pursuant to our conversation of Tuesday, June 12, 1984, the following is submitted.

It is requested at this time that monies be appropriated to afford a salary range for the Assistant State Attorney of Sixteen Thousand (\$16,000.00) minimum and Eighteen Thousand Five Hundred (\$18,500.00) annually as a maximum with all other matching funds.

Also the Legal Secretary a minimum of Eight Thousand (\$8,000.00) and Ten Thousand (\$10,000.00) as a maximum along with matching funds.

Assistant State Attorney- Present Salary	\$17,325.00
Legal Secretary-Present	9,588.00

\$26,913.00 ✓

There are some personnel changes being contemplated. However, these changes are not figured to have any effect on the appropriations as figured in your attachments.

111 - 210 - 3010

(8)
91
(

June 20, 1984
James C. Giles, CPA
Spec. Attn: Bob Best
Page Two

Bob, hopefully this will assist you and Jim.

Should you have any questions, please do not hesitate to call me.

Sincerely,

Bill ✓

Wilbur C. Miller
Executive Director

WCM/lmf

92 REPRESENTING:

CHARLOTTE
COLLIER
GLADES
HENDRY
LEE



EXHIBIT, LOCAL
OFFICE OF THE STATE ATTORNEY

Twentieth Judicial Circuit of Florida
PLEASE REPLY TO: P.O. DRAWER 399
FT. MYERS, FL 33902
Telephone 813-334-8225

September 13, 1983

Joseph P. D'Alessandro ✓

State Attorney

Mr. Burt L. Saunders,
County Attorney
Collier County Courthouse
Building F
Naples, Florida 33942

Re: Agreement between Collier County, City of Naples
and State Attorney for Code Enforcement

Dear Mr. Saunders:

This is regarding your letter of August 17, 1983 concerning the above referenced agreement. I understand that you and my assistant, Deputy State Attorney Donald E. Pellecchia, have conversed on this matter, however, if you are still desirous of arranging a meeting to discuss the agreement, please contact me.

As I am sure you are aware, the code enforcement program has been in effect by virtue of annual contracts between the County, City, and this office for five years. This prosecution program has been patently successful. The benefits of the program to the citizens of Collier County and the residents of the City of Naples were detailed "on the record" extensively last year at both Commission and Council meetings. Therefore, I will not outline again the obvious benefits to the public of continuing the program. Suffice it to say that without such a program, ordinance violations and other related matters could not receive the priority attention they do without the funding called for under the agreement for a prosecutor and a secretary. This office would not be able to successfully absorb the workload generated in this area were the program not continued. The loss of the program would be to the detriment of the public.

As you will recall, last year's negotiations regarding the agreement were extensive. I appeared before both the County Commission and the City Council regarding this matter. In addition, Mr. Pellecchia, Assistant State Attorneys Brock, Castro and Dearborn devoted considerable time away from their primary duties to provide data and attend meetings regarding the negotiations of the contract. It is hoped that this will not be necessary this year.

COUNTY ATTORNEY

SEP 16 1983

The agreement in its present form is acceptable to this office, although paragraph five may be amended to reflect a more equitable share of payment between the City and County--more reflective of the workload devoted to each.

The program should be less expensive this year, in that the salary level of the Assistant State Attorney currently handling the caseload is \$16,500, down from the \$18,000 level Mr. Castro was being paid toward the end of his service in that capacity.

Your letter reflected that 27.3% of the prosecutor's time under the program is devoted to the performance of other duties, and calls for a division of costs between the three parties to the agreement.

It should be noted that ordinance matters in both the city and the county take precedence over any other matters. The other work performed by the prosecutor is secondary. As I pointed out to the City Council last year, 'I will not permit an attorney on my staff to sit idly by awaiting matters to be presented to him.

In addition, the resources of my office have always stood behind the code enforcement prosecutor. Many hours of supervisors' and attorneys' time have been spent training, guiding and assisting the attorney responsible for code enforcement. Likewise, investigative time is frequently used to the benefit of the program without any demand for recompensation by this office.

For these reasons, no financial assistance can be rendered by this office to the program (Note - also no funding has been provided for such work from the State Legislature in any event). Therefore, if the program is to continue, and the public adequately insured that ordinances adopted will be rigorously enforced, the decision will have to be made between the County and City regarding funding, and the continuation of the program.

I feel I would be remiss in my responsibilities if I did not point out that the percentage of time devoted to county matters has decreased over the last several months. This is inconsistent in my experience in prosecution with the growth of the county. It is suggested that this matter be looked into, as it appears that the governmental agencies within the county responsible for reporting and enforcing ordinance violations are presenting fewer cases to this office for prosecution. Obviously, as the county percentage of workload increases upon this office, the percentage of time devoted by the prosecutor to other matters will correspondingly decrease.

Should you have any questions, please do not hesitate to call me.

Very truly yours,

Joseph P. D'Alessandro

Joseph P. D'Alessandro
State Attorney

JPD/dts

cc: David W. Rynders, City Attorney
Jerry Brock, Assistant State Attorney



Board of County Commissioners

OFFICE OF THE COUNTY ATTORNEY
COLLIER COUNTY, FLORIDA

September 19, 1984

COLLIER COUNTY COURTHOUSE
BUILDING "F"

NAPLES, FLORIDA 33962-4976
813-774-8400

BURT L. SAUNDERS
COUNTY ATTORNEY

KENNETH B. CUYLER
ASSISTANT COUNTY ATTORNEY

R. BRUCE ANDERSON
ASSISTANT COUNTY ATTORNEY

Mr. Sandy Scatena
2990 Binnacle Drive
Naples, FL 33940

Dear Sandy:

Pursuant to your request, please find attached a copy of the agreement for prosecution services with the State Attorney. This is scheduled for hearing on October 2, 1984 before the Board of County Commissioners of Collier County.

Very truly yours,

Burt L. Saunders
BURT L. SAUNDERS
Collier County Attorney

BLS/d/D
Attachment.

AGREEMENTSTATE ATTORNEY PROSECUTION SERVICES FOR
COLLIER COUNTY AND CITY OF NAPLES

THIS AGREEMENT, made and entered into this 1st day of October, 1984, by and between COLLIER COUNTY, hereinafter called "County"; the CITY OF NAPLES, FLORIDA, hereinafter called "City" and the STATE ATTORNEY OF THE TWENTIETH JUDICIAL CIRCUIT, JOSEPH P. D'ALESSANDRO, hereinafter called the "State Attorney", contemplates that the City and County are desirous of contracting with the State Attorney for the prosecution of violations of county and municipal ordinances pursuant to the appropriate provisions of Florida Statute 27.34(1) wherein said statute states in part here material "...However, any county or municipality may contract with the State Attorney....for the prosecution of violations of county or municipal ordinances."

NOW, THEREFORE, WITNESSETH: that for and in consideration of the covenants hereinafter provided, the parties agree as follows:

1. The State Attorney agrees to train and supervise an employee approved by the State Attorney and hired by the County to function as an Assistant State Attorney for the purpose of prosecuting violations of County and Municipal Ordinances and laws relating to Collier County and the City of Naples.

- a) Said employee shall be supervised by the State Attorney subject to the Rules and Regulations of Collier County Employees.
- b) Said employee shall be paid through the County payroll system. The State Attorney or his designee shall prepare and attest to all appropriate payroll time sheets.
- c) The salary range for the County hired Assistant State Attorney shall be \$16,000 annually as a minimum and \$18,500 annually as a maximum. The County shall situate the position in its pay plan in order to accomplish this salary range.

2. The State Attorney agrees to provide all necessary office facilities required by said Assistant State Attorney.

3. The State Attorney agrees to appoint and designate said County employee as an Assistant State Attorney, with full authority provided by Florida Statutes for such position.

4. The State Attorney agrees to supervise an employee approved by the State Attorney and hired by the County to function as a Legal Secretary for said Assistant State Attorney.

- a) Said secretary shall be supervised by the State Attorney subject to the Rules and Regulations of Collier County Employees.
- b) Said secretary shall be paid through the County payroll system. The State Attorney or his designee shall prepare and attest to all appropriate payroll time sheets.
- c) The salary range for the County hired Legal Secretary shall be \$8,000 annually as a minimum and \$10,000 annually as a maximum. The County shall situate the position in its pay plan in order to accomplish this salary range.

5. The City and County agree to share, as hereinafter set forth, the cost of the salary and other benefits provided to the Assistant State Attorney and Legal Secretary. Such benefits shall include those work-related benefits normally provided to Collier County employees, including, but not limited to, retirement benefits, health/life insurance, paid annual leave, paid holidays and paid sick leave. The County shall be responsible for payment of 50% of the total cost of salary and benefits and the City shall be responsible for payment of 50% of the total cost of salary and benefits of both the Assistant State Attorney and Legal Secretary. Whereas the County shall initially pay the entire cost of salary and benefits to the Assistant State Attorney and Legal Secretary, the City shall reimburse the County upon notification that the City's 50% share is due and payable.

6. The State Attorney shall provide to the City and the County, on a monthly basis, a recapitulation of the work activities of the Assistant State Attorney for the County, the City, and the State Attorney. This recapitulation shall specify all work activities of the Assistant State Attorney and shall be categorized by type of case and disposition, indicating also the total number of cases and hours worked. The recapitulation shall

include an estimate of the percentage of time spent on activities for the City, County, and State Attorney, and shall be in substantially the form as provided in Exhibit I attached hereto.

7. The County represents that the services of the Assistant State Attorney provided for herein on behalf of the County are exclusively for the purpose of enforcing the County's ordinances in the unincorporated area and, therefore, agrees to make all expenditures provided for herein out of revenues received exclusively from the unincorporated area.

8. This Agreement shall commence on October 1, 1984, and shall terminate on September 30, 1985. In addition, this Agreement may be terminated by any of the parties hereto upon 30 days written notice to the other two parties.

IN WITNESS WHEREOF the parties hereto have affixed their signatures and seals this, the day and year first above written.

ATTEST:
WILLIAM J. REAGAN, Clerk

BOARD OF COUNTY COMMISSIONERS
COLLIER COUNTY, FLORIDA

By: _____
DAVID C. BROWN, Chairman

Approved as to form and
legal sufficiency: -r

Burt L. Saunders

Burt L. Saunders
Collier County Attorney

ATTEST:

CITY OF NAPLES, FLORIDA

_____ Clerk

By: _____
STANLEY BILLYCK, Mayor

JOSEPH P. D'ALESSANDRO
State Attorney
Twentieth Judicial Circuit

ADMINISTRATIVE SERVICES TO COLLIER COUNTY AND CITY OF NAPLES BY STATE ATTORNEY

MONTH OF August, 1984

	CITY				COUNTY				TOTAL	
	Public Safety MO YTD	Zoning/ Building MO YTD	Worthless Checks MO YTD	Other MO YTD	TOTAL MO YTD	Public Safety MO YTD	Zoning/ Building MO YTD	Animal Control MO YTD		Other MO YTD
Trial: (#Cases) HOURS	1	6	0	1		0	2	0	1	
WORTHLESS OR OTHERWISE CASES DISPOSED: (#CASES) HOURS	3	59	0	3	17	79	0	1	6	1
PAID TO APPROX: (#CASES) HOURS	5	64	2	3			0	1	0	10
PERIODIC FINES- PAID: (#CASES) HOURS	14	120	1	3				0	7	
TRANSFERRED TO JUVENILES: (#CASES) HOURS										
ORDERS: (#CASES) HOURS	21	95	0	1	0	4	0	0	10	
TOTAL CASES CLOSED	40	228	1	6	43	180	0	0	0	1.
TOTAL CASES CLOSED	16	190	1	6	17	154	0	1	2	
TOTAL HOURS	30	257	3	16	14	122	0	11	47	406
	10	87	18	168	9	99	0	23	37	377
										45
										235

NOTE: Show #Cases by (.)

DATE Sept 6, 1984

PREPARED BY Michael J. P...

REVIEWED BY [Signature]

DEPARTMENTAL BUDGET - 1984-85

CITY ATTORNEY ✓

	DEPARTMENT REQUEST ✓	CITY MANAGER RECOMMENDATION
<u>EMPLOYEE SERVICES</u>		
<u>Employee Salaries & Wages</u>		
120 Regular Salaries & Wages		
1 City Attorney	56,121	56,121
1 Legal Assistant	23,429	23,429
Total Salaries & Wages	<u>79,550</u>	<u>79,550</u>
<u>Employee Overhead</u>		
250 Employer Payroll Expenses		
Retirement	5,568	5,568
Social Security	4,139	4,139
Health Insurance	2,230	2,230
Life Insurance	356	356
Workers' Compensation	231	-0-
Total Employee Overhead	<u>12,524</u>	<u>12,293</u>
TOTAL EMPLOYEE SERVICES	<u>92,074</u>	<u>91,843</u>
<u>MAINTENANCE & OPERATION</u>		
310 Professional Services	10,000	10,000
Outside attorneys		
340 <u>Other Contractual Services</u>	16,500 ✓	16,500 ✓
<u>State Attorney contract</u>		
400 Travel & Per Diem	2,000	2,000
410 Communication Services	700	700
460 Repair & Maintenance Services	320	320
Typewriter maintenance		
490 Other Current Charges & Obligations	3,500	2,500
Court costs, consultants, witnesses, etc.		
510 Office Supplies	450	450
520 Operating Supplies	3,000	3,000
Law books & supplements		

EXHIBIT NO. 6

Mr. George W. Cecil - Executive Editor
Naples Daily News
1015 Central Ave., Naples, Florida

Editor: Naples Daily News

On Thursday evening September 1, 1983, I attended the Council Meeting for the first Public Hearing of the Proposed City Budget for the year 1983 and 1984. I was disturbed about how some of the Budget Expenditures were arranged. As I personally researched some of these proposed expenditures and found discrepancies, thus, I felt that the Mayor and City Councilmen should be made aware of these discrepancies before they voted to approve the Preliminary Budget for the year 1983/1984.

I explained in detail to the City Council how the City of Naples could save approximately \$15,000.00 by not re-newing the Present Code Enforcement Contract with the State Attorney's Office which expires September 30, 1983, and a News Release signed by Franklin C. Jones on March 14, 1983 which stated the following "The City's Code Enforcement Officers and Fire Prevention Officers will be authorized, as of March 14, 1983, to issue "Notices to Appear" to violators of certain zoning Ordinance and Fire Code regulations. The "Notice to Appear" is similar to a traffic violation notice. The violator receiving such a notice may pay either a \$36.25 fine, or appear in court and have the case considered by a judge. The new procedure should assist the City in obtaining faster compliance with the City's zoning and Fire regulations - this (this) Contract with the State Attorney's Office, according to my document findings is no longer needed by the City of Naples. (As a result of this Ordinance No. 82-4161, the City of Naples now has a method with which to bring "these violators" to court without the need of the State Attorney's office, something that the City could not have done before.

Taxpayer's money can be saved but the Mayor and City Councilmen with the exception of Councilman Rothchild, turned a "deaf ear" to my proposal. They should be pleased to have a "Concerned Citizen" interested in giving them factual information on how to save money for the Taxpayer's in the City of Naples. I was appalled at their lack of flexibility and their total disregard of Fiscal Responsibility. The main reason that they were elected to office was to manage the Taxpayer's money in a responsible way. At least this is what I have always felt to be true.

J. Sandy Galena

Note - Mr. Cecil - Attached for your information are photocopies of Ordinance No. 82-4161 and City of Naples - News Release dated March 14, 1983, etc.

(C.C.C.B.S.)

AN ORDINANCE RELATING TO ENFORCEMENT OF ZONING, BUILDING AND FIRE PROTECTION ORDINANCES OF THE CITY OF NAPLES; AUTHORIZING THE CITY MANAGER TO DESIGNATE CERTAIN EMPLOYEES OF THE CITY AS CODE ENFORCEMENT OFFICERS; AUTHORIZING SAID OFFICERS TO ISSUE NOTICES TO APPEAR; AND PROVIDING AN EFFECTIVE DATE.
PURPOSE: TO PROVIDE FOR THE ISSUANCE OF NOTICES TO APPEAR FOR VIOLATIONS OF CERTAIN ORDINANCES OF THE CITY.

WHEREAS, Section 901.28, Florida Statutes, authorizes the issuance of notices to appear for violations of municipal or county ordinances and authorizes the chief of the law enforcement agency to establish rules and regulations of procedure governing the exercise of authority to issue notices to appear; and

WHEREAS, it is the desire of this Council to authorize the City Manager to designate certain employees of the City as Code Enforcement Officers for the purpose of enforcing the provisions of certain ordinances of the City and to authorize said officers to issue notices to appear for violations of said ordinances;

NOW, THEREFORE, BE IT ORDAINED BY THE COUNCIL OF THE CITY OF NAPLES, FLORIDA:

- SECTION 1. That the City Manager is hereby authorized to designate certain employees of the City of Naples as Code Enforcement Officers. It shall be the duty of any person designated as a Code Enforcement Officer to investigate violations and enforce the provisions of the ordinances of the City of Naples relating to zoning, building and fire protection.
- SECTION 2. The City Manager shall designate employees in the Community Development Department to enforce building and zoning codes and employees in the Fire Department to enforce ordinances relating to fire protection.
- SECTION 3. Any person designated as a Code Enforcement Officer is hereby authorized to issue notices to appear for violations of ordinances relating to the department in which the employee is employed, where such violations are witnessed by said officers. Pursuant to Section 901.28(6), F.S., it shall be the responsibility of the City of Police of the City of Naples to establish rules and regulations of procedure governing the exercise of authority to issue notices to appear and to provide the training and ascertain the qualifications of any employee so designated.
- SECTION 4. A Notice to Appear issued by a Code Enforcement Officer shall be in a form prescribed by the Florida Rules of Criminal Procedure.
- SECTION 5. Nothing herein contained shall be construed to authorize or permit any person designated as a Code Enforcement Officer pursuant to this ordinance to perform any function or duties of a law enforcement officer other than specified herein. Code Enforcement Officers designated pursuant to this ordinance shall not make physical arrests or take any person into custody and shall be exempt from the requirements relating to the state high-hazard retirement program and Police Standards and Training Commission as defined and provided by general law. If a cited person refuses to accept a notice to appear or fails to appear as required by the notice, the Code Enforcement Officer shall notify a law enforcement officer of the City of such refusal to accept a notice or failure to appear.

SECTION 6. If any section, subsection, sentence, clause, phrase or portion of this ordinance is for any reason held invalid or unconstitutional by any court of competent jurisdiction, such portion shall be deemed a separate, distinct and independent provision, and such holding shall not affect the validity of the remaining portions of this ordinance.

SECTION 7. This ordinance shall take effect immediately upon adoption at second reading.

APPROVED AT FIRST READING THIS 17th DAY OF NOVEMBER, 1982.

PASSED AND ADOPTED AT SECOND READING AND PUBLIC HEARING IN OPEN AND REGULAR SESSION OF THE CITY COUNCIL OF THE CITY OF NAPLES, FLORIDA, THIS 1st DAY OF DECEMBER, 1982.

Stanley R. Billick Mayor
Stanley R. Billick

ATTEST:
Janet Cason
Janet Cason
City Clerk

APPROVED AS TO FORM AND LEGALITY BY David W. Rynders
David W. Rynders, City Attorney



City of Naples

735 EIGHTH STREET, SOUTH - NAPLES, FLORIDA 33940

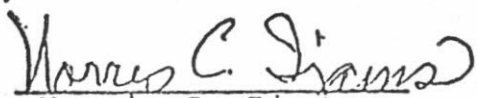
DEPARTMENT OF PLANNING

NEWS RELEASE

The City's Zoning Code Enforcement Officer and Fire Prevention Officers will be authorized, as of March 14, 1983, to issue "Notices to Appear" to violators of certain Zoning Ordinance and Fire Code regulations.


The "Notice to Appear" is similar to a traffic violation notice. The violator receiving such a notice may pay either a \$36.25 fine, or appear in court and have the case considered by a judge.

The new procedure should assist the City in obtaining faster compliance with the City's Zoning and Fire regulations.


 Norris C. Ijams
 Fire Chief


 Roger P. Barry
 Community Development Director

Approved by


 Franklin C. Jones, City Manager

3/14/83



City of Naples

735 EIGHTH STREET, SOUTH - NAPLES, FLORIDA 33940

DEPARTMENT OF BUILDING AND ZONING

NOTICE OF ZONING VIOLATION

LOCATION OF VIOLATION _____

NATURE OF VIOLATION _____

ACTION NECESSARY TO CORRECT _____

TIME PERMITTED FOR CORRECTION OF VIOLATION _____

COMMUNITY DEVELOPMENT DEPT



CARL A. WEIGAND
ZONING ENFORCEMENT INSPECTOR

Carl A. Weigand, Zoning Enforcement Inspector

NOTICE TO APPEAR

Agency Case # _____

STATE OF FLORIDA, COUNTY OF COLLIER

In the name of Collier County, Florida: The undersigned certifies that he has just and reasonable grounds to believe, and does believe that:

On the _____ day of _____, 19____, at _____ () A.M. () P.M.

Last Name		First		M.I.		Aliases	
Street - City and State				Date and Place of Birth			
Phone	Race/Sex	Height	Weight	Hair	Eyes	Scars/Marks	
Occupation		Place of Employment		Employment Phone			
Complexion		Driver's License #		Yr./St.		Social Security #	

at (location) _____ in Collier County, Florida, committed the following offense(s):

(1) _____ (2) _____ () State Statute () Municipal Ord.

In violation of section (s): _____ : _____ () State Statute () Municipal Ord.

DID (Narrative): _____

Name of Officer _____ ID # _____ Agency _____
() Mandatory appearance in County court, _____ Location _____

_____ 19____, at _____ () A.M. () P.M.
Month Day

() You need not appear in court, but must comply with instructions on back.

Fine and Cost _____

CO-DEFENDANTS: () Cited

1. _____ () Jailed
Name DOB Address

2. _____ () Cited () Jailed
Name DOB Address

I AGREE TO APPEAR AT THE TIME AND PLACE DESIGNATED ABOVE TO ANSWER THE OFFENSE CHARGED OR TO PAY THE FINE SUBSCRIBED. I UNDERSTAND THAT SHOULD I WILLFULLY FAIL TO APPEAR BEFORE THE COURT AS REQUIRED BY THIS NOTICE TO APPEAR, THAT I MAY BE HELD IN CONTEMPT OF COURT AND A WARRANT FOR MY ARREST SHALL BE ISSUED.

Sworn to and subscribed before me this _____ day of _____, 19____.

Signature of Defendant

Notary Public, State of Florida

I swear the above and reverse and attached statements are true correct to the best of my knowledge and belief.

NAPLES POLICE DEPARTMENT

Complainant

Fire Officials Praise Businesses' Safety Effort

By CHUCK CURRY Staff Writer

City inspectors uncovered more than 3,000 fire code violations during an 18-month sweep of the city, but Naples' businesses, shops, restaurants and developments are being praised for maintaining a good safety record.

While the problems may appear trivial, fire officials can't cut any slack. "Anything can be a major problem in a fire. We don't want a Beverly Hills Supper Club (dinner) in Naples. The by-product of the inspections

is that we believe there is a reduced chance of a major fire," Martin said. Martin and Wilherite saved the most praise for building owners and managers. Most cooperated with inspectors by getting extinguishers recharged, replacing fire doors and burned-out light bulbs in emergency exit signs.

One example cited is the Fujiana Steak meets fire code regulation is the first time in

recent years that Naples fire officials have had to bring court action against a local businessman. During the past 18 months, every commercial building and multi-family development in Naples have been inspected. The sweep is the first time in history the fire department inspected all buildings in Naples.

Inspection, recharging and placement of fire extinguishers, according to Fire Marshal Wayne Martin and Fire Inspector Tim Wilherite.

But, Martin noted again, most are corrected quickly and efficiently. Wilherite, who does follow-up checks to make sure problems are corrected, said he now makes fewer followups than before. Where he may have had to go back to a business three or four times, Wilherite finds that the violations have been corrected before he returns.

10/3/84

*City of Naples*

--- MEMO ---

TO: HONORABLE MAYOR AND MEMBERS OF CITY COUNCIL
FROM: CITY MANAGER FRANKLIN C. JONES
SUBJECT: RENEWAL OF HEALTH INSURANCE COVERAGE
DATE: OCTOBER 3, 1984

BACKGROUND: As part of our employee benefits we provide group health insurance. There are about 376 of our 385 employees who participate with either single membership or as families. For quite some time we have provided that insurance through a contract with Blue Cross/Blue Shield. The renewal date of this contract is October 15, 1984.

We have been working for some time on obtaining the cost information for the next year's coverage, the types of benefits we wish to offer, and the amount of employee participation in the premiums. We are now prepared to discuss a recommended course of action.

ANALYSIS: In May we began to prepare ourselves by reviewing our current plan and the various alternatives we might have available to us in October. Again this year we retained Lou Cantin of Risk Control Associates, Inc., as our advisor. In meetings with the staff we reviewed: 1) loss/claims information; 2) the self-insurance market, primarily the reinsurance costs; 3) the health insurance market; and 4) trends in health care costs. What we found from this review was that the trends in our claims activity and in health care costs would result in increases in costs for the existing benefits for our group.

Increases in health care costs had caused companies providing reinsurance for self-insurers to increase their premiums thus making self-insurance a less attractive option. Finally, our trend in increases in claims had made us less attractive in competing in the health care insurance market.

The decision we reached in May was that there would be no advantage to rebid or self-insure our group health insurance program and that we would be best to negotiate the best premium possible with Blue Cross/Blue Shield.

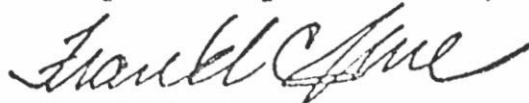
Mayor and Council
October 3, 1984
Page 2

As provided for in our current contract, Blue Cross/Blue Shield provided us a preliminary estimate of premium increases in June. Their estimate was for a 39% increase in premiums based on claims experience and our group trend which they defined as being forecasts for health care costs and our group experience. Our contract also provides that they notify us of final rates for the next year's coverage during July. The final rates were a 41% increase due to the fact that our claims experience continued to increase during the interim period.

Since the health insurance is one of the major benefits we offer our employees and since they participate in the premium by paying one-half of the family coverage rate, we decided to meet with representatives of various employee groups to determine any alternatives that might reduce premiums which might be attractive. We requested that Blue Cross/Blue Shield provide us premium costs for many alternatives; however, the consideration was narrowed to two primary alternatives. While the two alternatives would result in lower premiums, this is done primarily through maintaining comparable benefits while shifting the burden of payment from premiums to the employees through the use of various deductible amounts. In reviewing the potential premium savings to both the employees and the City and the potential added cost to the employees, we felt that there was no real overall cost benefit in making a change in the plan.

RECOMMENDATION: As a result of our review we are now recommending that the City Council renew the health insurance contract with Blue Cross/Blue Shield at rates which they have proposed. At the same time we are beginning to undertake an effort both with City staff and representatives from the health insurance company to determine what can be done to effect changes in the upward trend in claims activity. As you can see, managing our health insurance program is now becoming a year-round activity and very shortly we will begin the cycle again dealing with the employee groups in negotiating their participation in premiums as part of their contracts; reviewing our claims activity under the current contract; and assessing the potential markets for providing health care insurance. We will keep the Council posted throughout the year as to the result of these activities.

Respectfully submitted,



Franklin C. Jones
City Manager

FCJ/tan

HEALTH INSURANCE COST ANALYSIS

	<u>Premiums Per Employee</u>	<u>Number of Employees</u>	<u>Annual Total Premiums</u>	<u>City Pays</u>	<u>Employee Pays</u>
Current:					
Single	\$ 71.18	130	\$111,040		
Family	\$ 165.94	246	\$489,854		
TOTALS			<u>\$600,894</u>	<u>\$411,009</u>	<u>\$189,885</u>
Proposed:					
Single	\$ 97.24	130	\$151,694		
Family	\$ 237.54	246	\$701,218		
TOTALS			<u>\$852,912</u>	<u>\$645,830</u>	<u>\$207,082</u>

% Increase

Single.....36.6%
 Family.....43.3%
 Total.....41.9%

Alternative #1					
Single	\$ 90.72	130	\$141,523		
Family	\$221.62	246	\$654,222		
TOTALS			<u>\$795,745</u>	<u>\$602,537</u>	<u>\$193,208</u>
Alternative #2					
Single	\$ 85.76	130	\$133,785		
Family	\$209.51	246	\$618,473		
TOTALS			<u>\$752,258</u>	<u>\$569,604</u>	<u>\$182,654</u>

BLUE CROSS/BLUE SHIELD
PREMIUMS PAID vs. CLAIMS PAID

<u>Month</u>	<u>Premiums Paid</u>	<u>Claims Paid</u>
August, 1983	\$30,400.44	\$51,192.27
September, 1983	30,592.16	72,638.66
October, 1983	46,589.98	64,728.22
November, 1983	46,278.56	34,257.35
December, 1983	46,056.08	49,396.21
January, 1984	45,937.45	34,749.20
February, 1984	45,466.00	53,307.06
March, 1984	47,615.39	43,829.80
April, 1984	46,356.18	39,924.27
May, 1984	46,109.29	55,516.70
June, 1984	46,301.12	68,639.27
July, 1984	46,343.88	19,500.09
	<hr/>	<hr/>
TOTALS	\$524,046.53	\$587,679.10

PROPOSED ALTERNATE

CITY OF NAPLES
OPTION #1

- \$100 Per Hospital Admission Deductible
- \$200 All Cause Deductible (calendar year)
- 80% - 20% Co-Insurance
- \$500 Stop Loss
- \$700 Out of pocket exclusive of \$100 per admission deductible
- 100% Accident Benefit - no cap on dollar amount
- \$1,000,000 Major Medical
- 80% Outpatient Surgery to stop loss/maximum out of pocket 100% thereafter
- Skilled Nursing Facility Benefit - 60 days
- Home Health Care Benefit - 60 days
- Pre-Admission Testing
- Payment for generic drugs at deductible/co-insurance level
- Mandatory Second Surgical Opinion
- Full Maternity Benefits
- Pre-Existing Conditions

RATES

	Contingent	Fully Insured	Maximum
Single	\$ 77.19.	\$-85.76	\$ 94.34
Family	\$188.56	\$209.51	\$230.48
Carve Out	\$ 65.75	\$ 73.06	\$ 80.36

Premium savings over present benefits with new renewal rates = \$94,267 (contingent rates)

CITY OF NAPLES

BENEFIT ALTERNATIVE **2**

~~\$100~~ Deductible (3 per family)

80/20% Co-Insurance

~~\$500~~ Stop Loss

~~\$600~~ Maximum Out-of-Pocket

100% Accident Benefit

\$1,000,000 Major Medical Maximum

~~Outpatient Surgery at 80%~~

Skilled Nursing Facility 60 Days

Home Health Care 60 Days

Pre-Admission Testing

Mandatory Second Surgical Opinion - No Deductible payable at 100%

Pre-Existing Conditions

RATES WITH MATERNITY

	<u>Contingent</u>	<u>Fully Insured</u>	<u>Maximum</u>
Single	\$ 81.66	\$ 90.72	\$ 99.79
Family	\$199.46	\$221.62	\$243.78
Carve Out	\$ 75.94	\$ 84.38	\$ 92.80

(-53,532 from renewal rates)

RATES WITHOUT MATERNITY

	<u>Contingent</u>	<u>Fully Insured</u>	<u>Maximum</u>
Single	\$ 78.42	\$ 87.12	\$ 95.83
Family	\$191.56	\$212.84	\$234.12
Carve Out	\$ 72.92	\$ 81.02	\$ 89.13

(-83,047 from renewal rates)