



City of Naples

City Council Chambers
735 Eighth Street South
Naples, Florida 33940

-SUBJECT-	Ord. No.	Res. No.	Page
<u>ANNOUNCEMENTS</u>			
-MAYOR BILLYCK - noted the presence of Airport Authority Ed Kant who introduced new Airport Executive Director Jerry Sealy			1
-CITY MANAGER JONES - None			1
<u>APPROVAL OF MINUTES</u> - Regular Meeting, 03/06/85			1&2
<u>PURCHASING</u>			
-Award bid for site improvements - Fleischmann Park		85-4689	1&2
-Award bid for renovations - River Park pool		85-4690	2
-Award bid for one 7 cubic yard dump truck		85-4691	2
<u>RESOLUTIONS</u>			
-Accept esmt. & bill of sale - water & sewer mains - Woodshire		85-4688	1&2
-Approve Spec. Ex. Pet. 84-S15 - gas pumps - 499 Goodlette-Frank Road Goodlette Food Mart		85-4693	3&4
-Approve temporary use of facilities at 11th St So-Power Squadron		85-4694	4
-NO ACTION - Spec. Ex. Pet. for cultural facility, transient lodging facility, drive-up bank & 2 story parking deck - Troyfield*		85-_____	5&6
-Approve adopting the Small Communities Trust Fund Facilities Planning Document		85-4695	6
-Approve amending Res. 84-4431 - to require Mayor's signature only - fund for collecting & disbursing moneys for construction of effluent reuse system		85-4696	7
-Approve appointment of Mr. Schroeder to Tourist Development Council		85-4697	7
<u>ORDINANCES - First Reading</u>			
-Adopt Emergency ordinance - Water conservation	85-4692		2&3
-Approve rezoning Police & Public Works complex to "PS"	85-_____		4
- Second Reading			
-FAILED amendment to Comprehensive Plan - Troyfield*	85-_____		5&6
-NO ACTION - Rezone Blue Caribbean Golf Driving Range* to "PD"	85-_____		5&6
<u>DISCUSSION</u>			
-Action with reference to duties of Parks & Recreation Advisory Board			7&8

* - Northeast corner of the Golden Gate Parkway and U.S. 41

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	
<u>CONSENT AGENDA (Cont)</u>					
<u>PURCHASING (Cont)</u>					
<u>ITEM 6 (Cont)</u>					
<u>---RESOLUTION 85-4690</u>					
<u>ITEM 6-b</u>					
A RESOLUTION AWARDDING THE BIDS FOR RENOVATIONS TO THE RIVER PARK COMMUNITY SWIMMING POOL; AUTHORIZING THE CITY MANAGER TO ISSUE A PURCHASE ORDER THEREFOR; AND PROVIDING AN EFFECTIVE DATE.					
Title not read.					

<u>---RESOLUTION 85-4691</u>					
<u>ITEM 6-c</u>					
A RESOLUTION AWARDDING THE BID FOR ONE (1) 7 CUBIC YARD DUMP TRUCK; AUTHORIZING THE CITY MANAGER TO ISSUE A PURCHASE ORDER THEREFOR; AND PROVIDING AN EFFECTIVE DATE.					
Title not read.					
/With reference to the 03/06/85 minutes, Mr. Schroeder asked that Mayor Billick's final remarks for Agenda Item 10-b and Mr. Rothchild's response be incorporated; i.e., in response to a question from Mayor Billick, City Attorney Rynders cited Florida Statute 112, Paragraph 1, "The intent of the (Florida) Legislature is to authorize and direct each city and town to provide a system of retirement for elected officials". Mayor Billick had noted that at the July 1, 1981 meeting, when Council salaries were under consideration, then-Councilman Rothchild suggested "that a formula be set up for the purpose of increasing Council salary, such as is set up for the County Commissioners and the School Board members, rather than having the onus fall on the Council to increase their own salaries". Mr. Rothchild had indicated that he still felt the same way and Mayor Billick had also noted that Mr. Rothchild voted for the increase at the 1981 meeting.					
Mr. Anderson confirmed with City Manager Jones that the price of the work to be done renovating the River Park Pool (Agenda Item 6-b) was fair and reasonable. The City Manager further noted there was a significant amount of work to be done.					
<u>MOTION:</u> To <u>APPROVE</u> the minutes as amended and to <u>ADOPT</u> the resolutions as presented.					
-----END CONSENT AGENDA-----					
<u>WATER CONSERVATION</u>					
<u>ITEM 7</u>					
<u>Presentation by Fred Vidzes, South Florida Water Management District, regarding water management and conservation measures.</u>					
<u>ITEM 7-a</u>					
Fred Vidzes, South Florida Water Management District, noted the presence of Michael Tamaro, staff attorney who attends the Basin Board meetings. Mr. Vidzes made a presentation reviewing the water situation for the local area and showed slides indicating comparable water levels and chloride content. Attorney Tamaro reviewed the proposed emergency ordinance and explained that it tracked the model ordinance set up for all areas. City Attorney Rynders explained that the City could adopt the ordinance on an emergency basis if two-thirds of the entire membership of the Council voted to consider it and if two-thirds of the entire membership of the Council voted for it. He further explained that if the City simply allowed the County ordinance, which had been adopted yesterday, to take effect all fines would accrue to the County.					
<u>MOTION:</u> To consider the proposed ordinance on an emergency basis.					

Anderson					
Barnett		X			
Bledsoe					
Richardson					
Schroeder		X			
Wood					
Billick					X
CONSENSUS					
Anderson			X	X	
Barnett				X	
Bledsoe		X		X	
Richardson				X	
Schroeder				X	
Wood					
Billick					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	
<u>WATER CONSERVATION (Cont)</u> <u>ITEM 7</u> (Cont)					
--- <u>ORDINANCE 85-4692</u> <u>ITEM 7-b</u>					
<p>AN EMERGENCY ORDINANCE OF THE CITY OF NAPLES, FLORIDA, PROVIDING FOR LOCAL ENFORCEMENT OF THE WATER SHORTAGE PLAN OF THE SOUTH FLORIDA WATER MANAGEMENT DISTRICT; PROVIDING DEFINITIONS; PROVIDING FOR APPLICATION OF THE ORDINANCE; PROVIDING THAT CHAPTER 40E-21, FLORIDA ADMINISTRATIVE CODE, IS PART OF THIS ORDINANCE; PROVIDING FOR DECLARATION OF WATER SHORTAGE EMERGENCY; PROVIDING FOR ENFORCEMENT; PROVIDING FOR PENALTIES; PROVIDING FOR WATER USERS TO ACCEPT PROVISIONS OF THIS ORDINANCE; PROVIDING FOR REPEAL OF SECTION 26-24 OF THE CODE OF ORDINANCES OF THE CITY OF NAPLES; PROVIDING FOR SEVERABILITY; PROVIDING FOR DECLARATION OF EMERGENCY; PROVIDING FOR INCLUSION IN CODE; AND PROVIDING FOR AN EFFECTIVE DATE. PURPOSE: TO PROVIDE FOR IMPLEMENTATION OF A "WATER SHORTAGE PLAN".</p> <p>Title not read.</p> <p><u>MOTION:</u> To <u>ADOPT</u> the ordinance on an emergency basis as presented.</p> <p>*** *** ***</p>					
Anderson			X	X	
Barnett				X	
Bledsoe	X			X	
Richardson				X	
Schroeder				X	
Wood					X
Billick (6-0)			X		
<u>COMMUNITY DEVELOPMENT DEPARTMENT/NAPLES PLANNING ADVISORY BOARD</u> <u>ITEM 8</u>					
--- <u>RESOLUTION 85-4693</u> <u>ITEM 8-a</u>					
<p>A RESOLUTION GRANTING A SPECIAL EXCEPTION TO PERMIT THE INSTALLATION OF TWO GASOLINE PUMPS AND THREE UNDERGROUND STORAGE TANKS AT AN EXISTING COMMERCIAL DEVELOPMENT WHICH HAS APPROXIMATELY 3,150 SQUARE FEET OF TOTAL FLOOR AREA AT 499 GOODLETTE-FRANK ROAD (THE GOODLETTE FOOD MART); AND PROVIDING AN EFFECTIVE DATE.</p> <p>Title read by City Attorney Rynders.</p> <p>Attorney Joseph McMackin, representing the petitioner, addressed Council in support of the petition. He noted a colored outline of the area on the bulletin board (copy of which is in the meeting packet in the Clerk's office) and pointed out what he felt were the mitigating factors; i.e., the turn lanes afforded by Fifth Avenue North and the landscaping buffer between the commercial structures and the residential area to the east. He stated his interpretation of the traffic study which indicated that the intersection was only being utilized at about 50% of its capacity at the present time and that an average of two cars per hour would utilize the gas pumps. He stressed the safety of the type of pumps to be installed. Kris Dane stated that he had been hired to prepare the traffic impact statement for this project and distributed a new Figure 3 highlighted in color (copy of which is on file in the meeting packet in the Clerk's office). He reviewed the figures used to arrive at the estimates cited by Attorney McMackin. Dennis Combs, Combs Oil Company, answered a question from Mr. Schroeder regarding the markup on gasoline by indicating that regular leaded gas usually sold at a loss, but there was a varying markup on the unleaded and unleaded premium. He stated his opinion that most convenience stores relied on gasoline as a draw to create "inside" sales. Local resident Herb Cambridge spoke to Council in opposition to the gas pumps. He cited the frequent postponements as the reason why more were not present to join the opposition. He questioned the present availability of parking because there were "sit-down" facilities inside the convenience store for eating. He also noted that the traffic study had not taken into consideration additional traffic that may be generated</p>					

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	

TROYFIELD

ITEM 10

ORDINANCE 85-

ITEM 10-a

AN ORDINANCE AMENDING THE COMPREHENSIVE PLAN OF THE CITY OF NAPLES RELATING TO PROPERTY LOCATED AT THE NORTHEAST CORNER OF THE GOLDEN GATE PARKWAY AND U.S. 41 (THE BLUE CARIBBEAN GOLF DRIVING RANGE); AND PROVIDING AN EFFECTIVE DATE. PURPOSE: TO CHANGE THE EXISTING COMPREHENSIVE PLAN DESIGNATION FOR A PORTION OF SAID PROPERTY FROM "MEDIUM DENSITY RESIDENTIAL" TO "HIGHWAY COMMERCIAL" TO PERMIT THE PROPOSED DEVELOPMENT OF A COMMERCIAL/OFFICE COMPLEX ON SAID PROPERTY PURSUANT TO THE REQUEST OF THE PROPERTY OWNER.

Title read by City Attorney Rynders.

ORDINANCE 85-

ITEM 10-b

AN ORDINANCE REZONING PROPERTY LOCATED AT THE NORTHEAST CORNER OF THE GOLDEN GATE PARKWAY AND U.S. 41 (THE BLUE CARIBBEAN GOLF DRIVING RANGE), MORE PARTICULARLY DESCRIBED HEREIN, FROM "HC" HIGHWAY COMMERCIAL AND "R12-7.5" SINGLE-FAMILY RESIDENTIAL TO "PD" PLANNED DEVELOPMENT; DIRECTING THAT THE ZONING ATLAS OF THE CITY BE AMENDED ACCORDINGLY; APPROVING THE DEVELOPMENT PLAN FOR A COMMERCIAL/OFFICE DEVELOPMENT ON SAID PROPERTY, SUBJECT TO THE CONDITIONS ENUMERATED HEREIN; AND PROVIDING AN EFFECTIVE DATE. PURPOSE: TO REZONE SAID PROPERTY AT THE REQUEST OF THE PROPERTY OWNER AND TO APPROVE A DEVELOPMENT PLAN FOR A PROPOSED COMMERCIAL/OFFICE DEVELOPMENT.

Title not read.

RESOLUTION 85-

ITEM 10-c

A RESOLUTION GRANTING A SPECIAL EXCEPTION TO PERMIT A CULTURAL FACILITY, TRANSIENT LODGING FACILITY, DRIVE-UP BANK AND TWO-STORY PARKING DECK AS PART OF A PLANNED DEVELOPMENT AT THE NORTHEAST CORNER OF GOLDEN GATE PARKWAY AND US 41 (THE BLUE CARIBBEAN GOLF DRIVING RANGE), MORE PARTICULARLY DESCRIBED HEREIN; AND PROVIDING AN EFFECTIVE DATE.

Title not read.

Public Hearing: Reopened - 10:50 a.m. Closed - 11:54 a.m.

Attorney Don Pickworth, representing the petitioner, reviewed the background and previous discussions concerning this project. He noted that Council's concern had been whether or not this project would be built as proposed. He felt that the covenant running with the land would guarantee that the project would be built as proposed, except that there could be no way of guaranteeing that the cultural center would be built. He further noted that the covenants would return the land to the present zoning if, after five years, the project was not built as proposed. He again noted that the developer could not obtain written commitments from anchor stores or financiers without the zoning change. Mr Anderson suggested a change in the covenants from five years to three years which Mr. Pickworth felt would be acceptable to his clients.

COUNCIL MEMBERS

MOTION SECTION Y N O A B S E N T

TROYFIELD (Cont)

ITEM 10
(Cont)

In response to a question from Mr. Schroeder about the covenants actually being contract zoning, Mr. Pickworth responded that his client was voluntarily proffering the covenants which would not constitute contract zoning. Mr. Anderson stated his concern that a judge may not agree that the present zoning is the best use of the land if it became necessary to invoke the covenants to return to the present zoning in the event there had been no progress on the project when the time period ran out. Mr. Schroeder noted his dissatisfaction with the wording concerning the type of stores to be selected for anchors. He stated his wish to preclude mass merchandising stores and discount houses. Mr. Pickworth agreed the wording was difficult and asked for feasible suggestions that may accomplish Mr. Schroeder's aims. Attorney Richard Jones, representing developer Paul Jacobson, and the owner, Mrs. Edith Troy, addressed Council and explained the continuing status of the contract for the sale of the property to Mr. Jacobson by Mrs. Troy. He noted that Mr. Jacobson could still purchase the property without the zoning change or Mrs. Troy could elect to split the property as per the zoning and sell it that way. However, he cautioned that such development may not be as prestigious as the proposal before Council. Attorney Jones stated his belief, however, that Mrs. Troy would not be able to realize as good a selling price as Mr. Jacobson offered without rezoning. He also noted that Mrs. Troy was negotiating with the Internal Revenue Service (IRS) about the inheritance taxes which are now overdue. Mr. Jones asked that Council continue this matter rather than vote negatively because of the time requirement for re-petitioning. He did note that Mrs. Troy had been contacted by a discount house that had no problem with the zoning and that he probably would be forwarding them a transcript of these proceedings. City Attorney Rynders responded to a question from Mr. Barnett by stating that the covenants protected the City as well as it could be protected; however, there was no way of guaranteeing that the cultural center would be built as part of the project. He further stated that adoption of the ordinance to amend the Comprehensive Plan would contemplate that the Council was satisfied with the covenants running with the land for three years. Mr. Anderson stated his opinion that the covenants did not sufficiently provide that the project would be completed as discussed.

Item 10-a

MOTION: To ADOPT the ordinance as presented on Second Reading with the understanding that the Council is satisfied with the covenants running with the land for three years.

Item 10-b

NO ACTION NECESSARY

Item 10-c

NO ACTION NECESSARY

---RESOLUTION 85-4695

ITEM 11

A RESOLUTION ADOPTING THE SMALL COMMUNITIES TRUST FUND FACILITIES PLANNING DOCUMENT; AND PROVIDING AN EFFECTIVE DATE.

Title read by City Attorney Rynders.

MOTION: To ADOPT the resolution as presented.

Anderson					X
Barnett	X		X		
Bledsoe					X
Richardson					X
Schroeder		X	X		
Wood					X
Billick (2-4)					X
<u>FAILED</u>					
Anderson		X		X	
Barnett				X	
Bledsoe			X	X	
Richardson				X	
Schroeder				X	
Wood					X
Billick (6-0)				X	

COUNCIL MEMBERS	MOTION	S E C O N D	VOTE		A B S E N T
			Y E S	N O	
<p><u>---RESOLUTION 85-4696</u> <u>ITEM 12</u></p> <p>A RESOLUTION AMENDING RESOLUTION 84-4431 WHICH ESTABLISHED A FUND FOR THE PURPOSE OF COLLECTING AND DISBURSING MONEYS FOR THE CONSTRUCTION OF AN EFFLUENT REUSE SYSTEM FOR THE CITY AND DEDICATED FUNDS TO PROVIDE FOR THE CITY'S SHARE OF THE PROJECT COST; AND PROVIDING AN EFFECTIVE DATE.</p> <p>Title read by City Attorney.</p> <p>City Attorney Rynders noted that this was a housekeeping matter as per City Manager Jones' memo dated March 13, 1985 (Attachment #2).</p> <p>MOTION: To <u>ADOPT</u> the resolution as presented.</p> <p>*** *** ***</p>					
Anderson			X		
Barnett			X		
Bledsoe		X	X		
Richardson			X		
Schroeder	X		X		
Wood					X
Billick (6-0)			X		
<p><u>---RESOLUTION 85-4697</u> <u>ITEM 13</u></p> <p>A RESOLUTION APPOINTING A MEMBER OF CITY COUNCIL TO THE TOURIST DEVELOPMENT COUNCIL AS SET FORTH BY COLLIER COUNTY ORDINANCE; APPOINTING A MEMBER OF CITY COUNCIL AS AN ALTERNATE MEMBER OF SAID TOURIST DEVELOPMENT COUNCIL; AND PROVIDING AN EFFECTIVE DATE.</p> <p>Title read by City Attorney Rynders.</p> <p>After a brief discussion, Mayor Billick suggested amending the resolution to appoint one member of the Council to the Tourist Development Council and delete any reference to an alternate member. It was the consensus of Council to do so.</p> <p>MOTION: To <u>ADOPT</u> the resolution as amended and appointing Mr. Schroeder.</p> <p>*** *** ***</p>					
Anderson		X	X		
Barnett			X		
Bledsoe	X		X		
Richardson			X		
Schroeder			X		
Wood					X
Billick (6-0)			X		
<p><u>ACTION WITH REFERENCE TO DUTIES OF PARKS & RECREATION ADVISORY BOARD.</u> <u>ITEM 14</u></p> <p>Pursuant to Council discussion at March 19 Conference.</p> <p>Gina Hahn, member of the Parks & Recreation Advisory Board, read into the record a letter from the Board dated March 12, 1985 (Attachment #3) and Suggested Guidelines of the Parks & Recreation Advisory Board (Attachment #4). She also read paragraph nine of the editorial from the March 7, 1985 issue of the Naples Daily News, titled "Advisory Committee, A Valuable Service", "...The advantage of such boards is that since they are not elected, they seek practical solutions instead of popular ones." Casey Miller, also a member of the Parks & Recreation Advisory Board, addressed Council with her suggestions and comments on the proposed ordinance amending Chapter 16 of the Code of Ordinances (Attachment #5). She suggested an introductory paragraph stating, "The Parks & Recreation Advisory Board is established by the City Council to advise the Council on all programs involving parks and recreation." She suggested that the method of making recommendations should be specified in 16-6 (a), (b), and (c) and also suggested that the annual meetings referred to in 16-6 (d) "may be held as directed by Council". She further suggested adding a statement that the Board may prepare from time to time such other reports as may be suggested by the Council. City Manager Jones expressed his opinion that if there had been an introductory paragraph in the original ordinance, some of the current misinterpretation may have been avoided. Mr. Bledsoe and Mr. Barnett noted that there would be further discussion with the Board prior to presenting a proposed ordinance for Council's</p>					

Supplemental Attendance list - Regular Meeting, March 20, 1985

Reverend Robert Bruce
 Jerry Sealy
 Ed Kant
 Charles Andrews
 Joseph McMackin
 Fred Vidzes
 Michael Tammaro
 Bill Hill
 Robert Galloway
 Paul Jacobson
 Eish Gray

Dr. Floyd Peterson
 Gilbert Weil
 George Koopman
 Ralph Cox
 Steve Moore
 Herb Anderson
 Gina Hahn
 Herb Cambridge
 Don Pickworth
 Willie Anthony

Bill Blackwell
 Jack Amaral
 Dennis Combs
 Kris Dane
 Dennis Lynch
 Charles Long
 Myra Daniels
 Casey Miller
 Richard Jones
 Mr. & Mrs. Tony Sciarrino
 Harry Rothchild

News Media

Ed Solberg, TV-9
 Anna-Marie Carsello, TV-9
 Randy Sell, TV-9
 Mary Armbruster, WEVU TV-26

Cheryl Koenig, Miami Herald
 Don Goodwin, Naples Star
 Bev Cameron, WINK TV-11
 Donna Wares, Miami Herald
 Chuck Curry, Naples Daily News
 Denes Husty, News Press
 Bob Goldberger, WBBH TV-20
 Scott Beyerl, WBBH TV-20

Other interested citizens and visitors.

ATTACHMENT #2



City of Naples

--- MEMO ---

TO: HONORABLE MAYOR AND MEMBERS OF CITY COUNCIL
 FROM: CITY MANAGER FRANKLIN C. JONES
 SUBJECT: AMENDMENT OF RESOLUTION 84-4431
 DATE: MARCH 13, 1985

BACKGROUND: In February, 1984, the City Council passed Resolution 84-8831 which set up a fund to collect and disburse funds for construction of the effluent reuse system and to deducate funds to provide the City's share of the project cost over and above the grant funding. During review by the Department of Environmental Regulation of the documents involved with the grant funding, it was discovered that only the Mayor had executed the documents, although Resolution 84-4431 had called for both the Mayor and City Clerk to sign.

The most efficient way to clear up this discrepancy in the grant documentation is to amend the original resolution to require only the Mayor's signature rather than attempting to retrieve all the grant documents which have been by this time forwarded to various destinations.

RECOMMENDATION: I recommend that the Council pass the attached resolution which would serve the "housekeeping" function outlined above.

Respectfully submitted,

Franklin C. Jones
 City Manager

FCJ/tan
 encs.

WORKSHOP ITEM
3/19/85



City of Naples

735 EIGHTH STREET, SOUTH - NAPLES, FLORIDA 33940

DEPARTMENT OF PARKS AND RECREATION

March 12, 1985

Honorable Mayor and City Council Members
Naples City Hall

Dear Mayor and Council:

On February 12th, Mr. Jones, in discussion with the Parks and Recreation Board, expressed a dissatisfaction with the functioning of the Board. Some of his views were not in agreement with what the Parks and Recreation Board perceived as its duties as stated in Sec. 16-6 of the City Code.

At a special meeting, by unanimous consensus, the Parks and Recreation Board recommends the enclosed Suggested Guidelines as an addendum to Chapter 16 of the Naples Code. We feel it re-emphasizes the Parks and Recreation Advisory Board's working perimeters, in order to be of help to City Council.

Sincerely,

Marshall Davenport, Chairman
Naples Parks & Recreation Advisory Board

MD/dj
Enclosures

SUGGESTED GUIDELINES OF THE NAPLES PARKS
AND RECREATION ADVISORY BOARD ESTABLISHED
BY THE NAPLES CITY COUNCIL

ATTACHMENT #4

97

1. INTRODUCTION:

The Parks and Recreation Board has been established by the City Council to advise the Council on all programs involving parks and recreation.

2. RESPONSIBILITIES:

The Parks and Recreation Board shall advise and recommend to the Council on any matters concerning acquisition, development, and programs involving parks and recreation. The Advisory Board shall take into consideration all data and statistics and review each project in detail before said project is presented to the Naples City Council.

3. STAFF ASSISTANCE:

The City Manager shall provide technical information and staff assistance on a need basis, as his resources will allow.

The Parks and Recreation Director will be the liason between the City Manager and the Advisory Board.

4. REPORTS:

Reports shall be prepared on call of the City Council.

5. These guidelines shall become effective upon adoption and approval by the City Council.

ORDINANCE NO. _____

AN ORDINANCE AMENDING CHAPTER 16 OF THE CODE OF ORDINANCES OF THE CITY OF NAPLES PERTAINING TO THE COMPOSITION, TERM AND REMOVAL OF MEMBERS OF THE PARKS AND RECREATION BOARD; PROVIDING DUTIES OF THE PARKS AND RECREATION BOARD; AND PROVIDING AN EFFECTIVE DATE.

PURPOSE: TO REDUCE THE NUMBER OF MEMBERS FROM SEVEN (7) TO FIVE (5); TO LIMIT THE TERMS OF OFFICE OF MEMBERS OF THE PARKS AND RECREATION BOARD TO TWO (2) CONSECUTIVE THREE (3)-YEAR TERMS; TO PROVIDE A DIFFERENT PROCEDURE FOR REMOVAL FROM OFFICE; AND TO REDEFINE THE DUTIES OF THE BOARD.

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

SECTION 1. That Section 16-4 entitled "Establishment, title; composition; terms of office; compensation; removal from office", of the Code of Ordinances is hereby amended as follows:

SECTION 16-4. Establishment, title; composition; terms of office; compensation; removal from office.

(a) A Parks and Recreation advisory board of five (5) members is hereby established. All members shall be residents of the City of Naples, shall serve without compensation and shall be appointed by a majority vote of the mayor and city council.

The term of office for each member shall be three (3) years and shall be limited to two consecutive three-year terms; after serving two such terms, a member may reapply for appointment to the advisory board one year after the expiration of said member's last term. Term of office shall commence on the first day of January of the year following the year appointed. Any member of the advisory board may be removed for cause by a majority vote of the mayor and the city council. Members of the advisory board presently serving shall continue in office until they resign, their terms expire or they are removed from office as set out above.

(b) All members of this board shall be registered voters of the City of Naples. The chairman and vice-chairman of this board shall be elected by the board to serve for a period of one (1) year from date of election. Any vacancies occurring on the board other than by expiration of member's term shall be filled by council appointment for the unexpired term only.

SECTION 2. That Section 16-6 entitled "Duties" of the Code of Ordinances is hereby amended as follows:

SECTION 16-6. Duties

The duties of the board shall be advisory, shall include the following and shall be accomplished through an annual agenda adopted by City Council in January of each year:

(a) Review and make recommendations to the city council concerning those portions of the comprehensive plan pertaining to the procurement, development and/or alteration of parks and recreational facilities.

(b) Review and make recommendations to the city council concerning those portions of the capital improvement program pertaining to projects for parks and recreational facilities.

(c) Review and make recommendations to the city council concerning those portions of the operating budget pertaining to programs and projects for parks and recreational facilities.

(d) Annually hold a public meeting at each of the three community centers (Cambier, River Park, Fleischmann) to gain input from the citizens of Naples as to the types of programs and/or facilities they feel are needed. Input may address both private and public recreational facilities.

SECTION 3. That Section 16-7 entitled "Annual and other Reports" of the Code of Ordinances is hereby amended as follows:

SECTION 16-7. Annual and other Reports.

During December of each year, the board shall make an annual report to the City Council outlining their recommendations pertaining to parks and recreation programs and facilities developed through the public hearings and/or their review of the capital improvement program, comprehensive plan, and operating budget. The Parks and Recreation Advisory Board may prepare other reports as from time to time may be requested from it by the council.

SECTION 4. This ordinance shall take effect immediately upon adoption at second reading.

APPROVED AT FIRST READING THIS _____ day of _____, 1985.

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 _____ DAY OF _____, 1985.

Mayor

ATTEST:

Janet Cason
City Clerk

APPROVED AS TO FORM AND LEGALITY BY

David W. Rynders,
City Attorney

DDD784