

REVISED ANNOTATED AGENDA

This document is promulgated solely for the purposes of providing a brief reference to City Council action. It is not to be construed as the minutes of the City Council meeting or in any way the official record of said meeting.

Naples City Council Agenda

City Council Chamber, 735 Eighth Street South, Naples, Florida

Mayor: Bonnie R. MacKenzie

Vice Mayor: Joseph Herms

City Council: Gary Galleberg, William MacIlvaine, Fred Tarrant, Penny Taylor, Tamela Wiseman

City Attorney: Beverly Grady · City Clerk: Tara A. Norman · City Manager: Kevin J. Rambosk

Welcome to today's City Council meeting. If you wish to address the Council regarding an item listed on this agenda, please complete a registration form at the rear of the room and place it in the Speaker Request Box located on the Council dais prior to consideration of that item. We ask that speakers limit their comments to 5 minutes and that large groups name a spokesperson whenever possible. Thank you for your interest and participation in City government.

Regular Meeting

Wednesday, September 20, 2000

Convened 9:00 a.m./Adjourned 12:40 p.m.

All proposed ordinances and information on other items listed below, which have been provided in advance of this meeting, may be inspected in the office of the City Clerk, Room B, City Hall, or at the Collier County Public Library Research Section, 650 Central Avenue. See also City of Naples home page <http://www.naplesgov.com> or call the City Clerk's Office, 434-4701. All written, audio-visual and other materials presented to the City Council in conjunction with deliberations during this meeting will become the property of the City of Naples and will be retained by the City Clerk.

1. Roll call – *MacIlvaine absent.*
2. Invocation and Pledge of Allegiance – *Dr. Ron Bouthillette, Community Congregational Church*
3. Announcements
Presentation of Great Floridian plaques
Hispanic Heritage Month proclamation
4. Items to be added
Item 16 *Discussion of engaging environmental consultant to review most recent Hamilton Harbor petition (property east of Naples Bay)/Add to Agenda/Taylor/Herms/6-0 (MacIlvaine absent)*

Item 17 *Request to transfer funds to the City Attorney's operating account/Add to Agenda/Herms/Taylor/6-0 (MacIlvaine absent)*

Item 18 *Update on possible settlement agreement pertaining to Calusa Bay wells/Add to Agenda/Herms/Tarrant/6-0 (MacIlvaine absent)*

Set agenda as amended above/Taylor/Herms/6-0 (MacIlvaine absent)

Withdraw Item 14/Herms/Taylor/6-0 (MacIlvaine absent)

Continue Item 15 to the 10/4/00 Regular Meeting/Herms/Tarrant/6-0 (MacIlvaine absent)

City Council will recess from 12:00 p.m. – 1:30 p.m.

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Scheduled Agenda Items

Some of the items on the following agenda may have been scheduled for an estimated time. (See Scheduled Agenda Items Section at the end of this agenda.) This schedule will be followed as closely as possible for the convenience of any citizen(s) wishing to address the Council. Items not listed at an estimated time will be considered at the discretion of the Council and may be taken out of numerical order.

Consent Agenda

5. All matters taken under this section are considered routine, and action will be taken by one motion. There will be no separate discussion of these items. If discussion is desired, that item(s) will be removed from the Consent Agenda and considered separately.

*Approve Consent Agenda/Galleberg/Herms/6-0
(MacIlvaine absent)*

- 5-a. Approval of Minutes.

*9/5/00 Workshop, 9/5/00 Special (Budget),
9/12/00 Town Hall Meeting/Galleberg/Herms/6-0
(MacIlvaine absent)*

•Community Services

- 5-b. Approve the following special events:
- (1) The's Waterfront Café 3rd Annual Halloween Party (Fifth Avenue)--10/31/00
 - (2) Naples Daily News Jazz Band Concert (Cambier Park Bandshell)--11/5/00
 - (3) Royal Brass Orchestra Concert Series (Cambier Park Bandshell)--11/19/00, 1/14/01, 2/4/01, 3/11/01, 4/1/01
 - (4) Third Street South Shopping Week--11/21, 22, 23 and 25, 2000
 - (5) David Lawrence Foundation Santa's Village (Cambier Park)--11/25/00

Approved/Galleberg/Herms/6-0 (MacIlvaine absent)

•Bid #012-01 •Utilities •Equipment Services

- 5-c. Award an annual bid for motor oils, lubricants, etc., for use by the Utilities and Equipment Services Departments \ Vendor: Evans Oil Company, Naples, Florida \ Price: \$20,000.00 \ Funding: Equipment Services Operating Budget.

Approved/Galleberg/Herms/6-0 (MacIlvaine absent)

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**•Bid #002-01
Utilities**

5-d. Award a bid for landscape maintenance services for wastewater and water treatment facilities (including ground storage water tank sites) \ Contractors: Greenwerx Grounds Keeping, North Fort Myers, Florida and TLC Lawn Maintenance, Naples, Florida \ Total Annual Amount: \$32,908.00 \ Funding: Water/Sewer Operating Budget.

00-8940(Greenwerks - \$14,768.00)

00-8941(TLC - \$18,140.00)

Galleberg/Herms/6-0 (MacIlvaine absent)

**•Bid #014-01
Utilities**

5-e. Award a bid for the purchase of anhydrous ammonia which is used in the treatment of drinking water \ Vendor: La Roche Industries, Inc., Atlanta, Georgia \ Estimated Annual Expenditures: \$13,740.00 \ Funding: Water Treatment Operating Budget.

Approved/Galleberg/Herms/6-0 (MacIlvaine absent)

End of Consent Agenda

- Second Reading of an Ordinance (6-a)
- Approved on First Reading on 8/2/00
- Continued from 9/6/00
- Resolution (6-b)

6. City Council regular meeting agenda/packet requirements:

- 6-a. **Public Hearing** to consider amending Section 2-43 of the Code of Ordinances to revise administrative requirements and procedures for preparation of the agenda for regular meetings of the City Council.

00-8942/Herms/Galleberg/6-0 (MacIlvaine absent) modified to exempt Council Members' requests when made at public meetings.

- 6-b. Consider adopting City Council regular meeting agenda/packet procedures and deadlines.

00-8943/Herms/Wiseman/6-0 (MacIlvaine absent)

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•First Reading of an Ordinance
•Text Amendment 00-T13
•Petitioner: City of Naples
•Planning

7. Consider amending Sections 78-170 and 78-171(d)(1) of the Code of Ordinances and adding Subsection 78-171(f) in order to create a temporary unrestricted charter boat designation.

Approved/Herms/Galleberg/6-0 (MacIlvaine absent) clarifying "permanent" displacement, (while considering provisions for temporary displacement), and transfers and assignments; requiring a prior two-year operation within in the City; encouraging operators to seek another slip; and determining appropriate oversight as to the evidence of displacement.

•2 Resolutions
•Petition 00-LE2
•Petition 00-RIS4
•Petitioner: John Tarangelo
•Staff recommendation for approval with conditions
•Continued from 9/6/00

8. Consider the following as it relates to Johnny T's All-American Café, 2950 9th Street North:

- 8-a. Approval for live entertainment in accordance with Section 110-128 of the Code of Ordinances.

00-8945/Herms/Tarrant/6-0 (MacIlvaine absent) incorporating 9/20/00 staff recommended stipulations for entertainers; requiring valet parking service on Friday and Saturday evenings; and prohibiting dumping of refuse in containers after 11:00 pm.

- 8-b. Residential Impact Statement in accordance with Section 110-135(a)(6) of the Code of Ordinances.

00-8946/Herms/Tarrant/6-0 (MacIlvaine absent) requiring valet parking service on Friday and Saturday evenings.

•Resolution
•Planning
•Pursuant to 9/6/00 Council discussion

9. Consider a Cooperation Agreement with Collier County in order to enter into a joint application for Urban County Entitlement status with the U.S. Department of Housing and Urban Development (HUD).

00-8944/Herms/Taylor/6-0 (MacIlvaine absent) Motion to discuss the Community Development Block Grant budget (including the River Park allocation) at the 10/4/00 Regular Meeting Herms/Galleberg/6-0 (MacIlvaine absent).

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**•Resolution
•Utilities**

10. Consider a two-year agreement with Phillips & Jordan, Inc. (per Collier County RFP #00-3038) for disaster recovery and debris cleanup services in the event of a catastrophic storm or other natural disaster.

00-8947/Galleberg/Herms/6-0 (MacIlvaine absent)

**•Resolution
•Community Services**

11. Consider an agreement with the Florida Department of Transportation relating to the construction and maintenance of landscape improvements on US 41 (Goodlette Road to Davis Boulevard).

00-8948/Herms/Galleberg/6-0 (MacIlvaine absent)

**•Resolution
•Natural Resources**

12. Consider an interlocal agreement with Collier County in order to assist in the Collier County Artificial Reef Program.

00-8949/Galleberg/Herms/4-2 (Tarrant and Taylor dissenting, MacIlvaine absent)

**•5 Resolutions
•Natural Resources**

13. Consider the following agreements with Collier County as it relates to Tourist Development Tax (TDC) funding of various beach-related projects:

- 13-a. Amendment 1 to the Tourism Agreement regarding the reconstruction of Naples Pier.

00-8950/Tarrant/Herms/6-0 (MacIlvaine absent)

- 13-b. Amendment 1 to the Tourism Agreement for installation of T-groins and modification of the groin field north of Gordon Pass.

00-8951/Herms/Taylor/6-0 (MacIlvaine absent)

- 13-c. Tourism Agreement for the dredging of Doctors Pass.

00-8952/Herms/Galleberg/6-0 (MacIlvaine absent)

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- 13-d. Tourism Agreement for the post-dredging monitoring of Doctors Pass.

00-8953/Galleberg/Herms/6-0 (MacIlvaine absent)

- 13-e. Tourism Agreement for emergency dredging of Gordon Pass.

00-8954/Taylor/Herms/6-0 (MacIlvaine absent)

**•Resolution
•Development Services
•Continued from 9/6/00**

14. Accept North Road improvements as completed by the Naples Airport Authority and confirm City's responsibility for maintenance of the north-south segment of North Road.

Withdrawn by prior motion.

**•City Manager
•Continued from 9/6/00**

15. Discussion of a previously approved Planned Development document for the City block bounded on the east by US 41 North, on the south by 5th Avenue North, on the west by 8th Street North and on the north by 6th Avenue North.

Continued to 10/4/00 Regular Meeting by prior motion.

•Planning

16. Discussion of engaging environmental consultant services in the review of the most recent Hamilton Harbor petition, pertaining to property east of Naples Bay.

Approved/Herms/Taylor/4-2(Galleberg and Wiseman dissenting, MacIlvaine absent); Council to select consultant at 10/4/00 Regular Meeting.

•City Attorney

17. Request for a transfer of funds to the City Attorney's operating account.

Continued to the 10/4/00 Regular Meeting/Herms/Galleberg/6-0 (MacIlvaine absent).

•City Manager

18. Update on possible settlement agreement pertaining to Calusa Bay wells.

Review of the settlement agreement to be placed on 10/4/00 Regular Meeting agenda.

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Correspondence and Communications – Tarrant –pedestrian safety concern on U.S. 41 and Second Avenue; invite the local legislators to aid in legislation allowing municipalities to establish school crossing zones with a 20 mile per hour speed limit on state roads/Herms/Tarrant/5-1 (Wiseman dissenting, MacIlvaine absent); proposed meeting with County regarding exploratory aquifer storage and recovery well, and status of City's request for administrative hearing; alleged "MTBE" poisoning in water wells in Hillsborough County noted. Herms – clarification on the appropriate use of tourist tax funds; direct the Mayor to request County Clerk and the City Attorney to request Attorney General for opinions thereon/Herms/Tarrant/4-2 (Wiseman and Galleberg dissenting, MacIlvaine absent). Taylor – swimming safety after storms; absentee voting ordinance to be considered at a future workshop. Galleberg – Mayor to announce presence of registered public speakers at beginning of agenda item discussions. Grady – possible conflict regarding Grey Oaks DRI on 10/4/00 Regular Meeting agenda; no consensus on engaging alternate counsel. Rambosk – clarification on the engineers of record for various projects; one additional debater needed for Naples Report on conservation charter amendment.

Open Public Input

None.

Adjourn – 12:40 p.m.

Items were considered in the following order:

1,2,3,4,14,15,5,6,7,8,9,10,11,12,13,16,17,18.