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ANNOTATED (Revised)

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, December 20, 2000

Convened 9:00 a.m. / Adjourned 8:32 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 - *All present / Wiseman left at 5:36 p.m.*
2. Invocation and Pledge of Allegiance – *Council Member MacIlvaine*
3. Announcements

Proclamation – Civil Air Patrol Month
Facility Maintenance Employees Recognition – Projects completed in 2000
4. Set agenda (*add or remove items*)
Add Item 16-d - Discussion of Beach Renourishment Committee proposal by County
Herms / Taylor / 7-0
Set Agenda, Withdraw Items 15 and 27 and Amend Item 26 to not reflect after-the-fact purchase / Herms / Taylor / 7-0
5. Open Public Input – *None (See also conclusion of agenda)*

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

NOTICE

Formal action may be taken on any item discussed or added to this agenda. Any person who decides to appeal any decision made by the City Council with respect to any matter considered at this meeting (or hearing) will need a record of the proceedings and may need to ensure that a verbatim record of the proceeding is made, which record includes the testimony and evidence upon which the appeal is to be heard. Any person with a disability requiring auxiliary aids and services for this meeting may call the City Clerk's Office at 434-4701 with requests at least two business days before the meeting date.

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Scheduled Agenda Items

Some of the items on the following agenda may have been scheduled for an estimated time, however, none of the items will be considered EARLIER than the scheduled time. 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, including the Consent Agenda, will be considered at the discretion of the Council and may be taken out of numerical order.

	Scheduled Items
•Resolution	9:30 a.m.
•City Manager	6. Public Hearing to consider approving the transfer of ownership of the AT&T cable franchise (also known as MediaOne) to Comcast Cable Communications, Inc.
•Continued from 10/18/00	
	<i>00-9034 subject to incorporation of recommendations by City's legal counsel and noting the stipulation by Comcast representative to return to Council in 90 days with update on possibility of reinstating <u>the Miami PBS channel</u> / Galleberg / Wiseman / 5-2 (Herms and Tarrant dissenting)</i>
	9:45 a.m.
Pursuant to 12/6/00	7. Consider approving Channel 76 programming.
	<i>1) <u>Authorize</u> taping and replay of items outlined in broadcast overview, excluding property owner and Presidents Council meetings / Taylor / Wiseman / 7-0</i>
	<i>2) <u>Approve</u> replay of two school music programs / Herms / Taylor / 4-2 (Galleberg absent, Tarrant and Wiseman dissenting)</i>
	<i>3) <u>Proceed</u> to edit tape footage taken during Council's visit to Vero Beach and provide for Council Members' review, determining at 1/3/01 Regular Meeting whether it will be aired on City's cable TV channel / Herms / Taylor / 6-1 (Wiseman dissenting)</i>
•Resolution	10:30 a.m.
•Airport Authority	8. Consider approving the issuance of promissory notes as it relates to the following Naples Municipal Airport projects:
	8-a. Car wash, fueling and staging facility for rental cars (\$1.1 million)
	8-b. Airport Road project (\$1.5 million)
	8-c. Natural Disaster or Natural Emergency fund (\$1.5 million)
	<i>8-a) 00-9035 AS AMENDED in Section 1 "This approval is based solely upon representations of the Authority; it does not make the City an issuer of any note; the City assumes no liability arising out of this approval, including that arising out of any taxable or tax-exempt status"</i>
	<i>Wiseman / Galleberg /6-1 (Tarrant dissenting) 8-b) <u>Acknowledge</u> that the City Council has received the request from Naples Airport Authority for advice and consent <u>counsel</u> on three loans and has provided same / MacIlvaine / Galleberg / 6-0 (Wiseman abstaining 8-c) <u>Acknowledge</u> that the City Council has received the request from Naples Airport Authority for advice and consent <u>counsel</u> on three loans and has provided same / Galleberg / MacIlvaine / 5-1 (Tarrant dissenting, Wiseman abstaining)</i>

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•Continued from 12/6/00

Continue to 1/3/01 Regular Meeting
Wiseman / Tarrant / 7-0

1:30 p.m.

9. Consider the settlement agreement (with various interests) proposed by South Florida Water Management District pertaining to the Calusa Bay wells.
-

End of Scheduled Items

Consent Agenda

10. 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.
- 10-a. Approval of Minutes.

Approve 11/13/00 Workshop and 11/15/00 Regular Meeting; continue 10/30/00 Workshop until 1/3/01 Regular Meeting and furnish Council with audio tapes of Item 8 (Charter amendment discussion) Wiseman / Galleberg / 7-0

•Community Services

Approve / Wiseman / Taylor / 7-0

Second Reading of an Ordinance
•Text Amendment Petition 00-T17
•Petitioner: City of Naples
•Approved on First Reading 12/6/00
00-9037 / Wiseman / MacIlvaine / 7-0

•Resolution
•Planning

00-9038 / MacIlvaine / Herms / 7-0

•Residential Impact Statement 00-RIS9
•Resolution
•Petitioner: Lou Vlasho
•Petitioner's Agent: Randall Stofft Architects, PA
•Planning

Continue to 1/3/01 Regular Meeting
Herms / Taylor / 7-0

-
- 10-b. Approve the following special event:
(1) March of Dimes "WalkAmerica 2001"
(Cambier Park) – 4/21/01
-

End of Consent Agenda

11. **Public Hearing** to consider amending Section 102-116(2) of the Code of Ordinances in order to modify the spatial perception requirements of the "R1-15A" Residence District.
12. Consider authorizing the submittal of the Consolidation Annual Performance and Evaluation Report (CAPER) to the U.S. Department of Housing-Urban Development (HUD).
13. Consider approving a Residential Impact Statement for a mixed-use building under construction at 700 Fifth Avenue South.
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•Resolution
•Continued from 12/6/00
Continue to 1/3/01 Regular Meeting
Herms / Wiseman / 6-0

•Development Services

Withdrawn (See Item 4)

•Resolutions (3)
•Natural Resources

16-a) 00-9043 / Herms / MacIlvaine / 6-0
(Wiseman absent) 16-b) 00-9044 / Tarrant
/ Herms / 6-0 (Wiseman absent) 16-c)
00-9045 / Galleberg / MacIlvaine 6-0
(Wiseman absent) 16-d) Herms to
represent City in a meeting called as soon
as possible with a City of Marco Island
Commissioner and Collier County
Commissioner to discuss beach funding
and proposed ordinance establishing a new
beach committee Taylor / Tarrant / 4-2
(Wiseman absent, Galleberg and
MacKenzie dissenting)

•Resolution
•City Manager

00-9039 / Tarrant / Herms / 7-0

Community Services

Schedule workshop discussion after
further revisions by staff based on Council
discussion / Wiseman / Taylor / 7-0

•Resolution
•Community Services

00-9042 AS AMENDED with possibility of
review of additional in-fill trees in April
or May 2001, contingent on funding
Herms / MacIlvaine / 7-0

•Pursuant to 12/6/00

20-a) Cancel all maintenance bids received
Tarrant / Taylor / 5-1 (Wiseman absent;
Herms dissenting) City Manager
authorized to undertake emergency repairs
and continue termite treatment while City
owns / Taylor / Herms / 6-0 (Wiseman
absent) 20-b) Staff to return with revised
contract on 1/2/01 workshop and 1/3/01
regular meeting / 20-c) Staff to return with
marketing plan on 1/2/01 workshop and
1/3/01 regular meeting
20-d) Hire Porter Wright / Herms / Taylor

14. Consider appointing members to the Heart of Naples Committee. (41-10 Redevelopment District)

15. Consider a request to reimburse Old Naples Self-Storage for roadway turn lane improvements in the 200 block of Goodlette-Frank South.

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

16-a. Sand tightening on Gordon Pass Jetty

16-b. Renovate and expand Lowdermilk Park pavilion, concession area and restroom structure.

16-c. Renovate and upgrade 4 beach access areas. (Horizon Way, Vedado Way, Via Miramar and 21st Avenue South).

16-d. Discussion of Beach
Renourishment / Maintenance Committee

17. Consider approving a State Revolving Loan Fund application for potable water projects.

18. Discuss proposed changes to the facility and use fee schedule.

19. Consider approving the Urban Tree Program for the year 2001.

20. Consider the following as it relates to Wilkinson House:

20-a. Report on maintenance

20-b. Deed restrictions/sales contract

20-c. Marketing/sales process

20-d. Review of attorneys regarding bond issue

(Continued on next page)

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***failed 3-3 (Wiseman absent; Galleberg, MacIlvaine and MacKenzie dissenting)
Abandon search for culprit and drop issue
/ MacIlvaine / MacKenzie / failed 2-4
(Wiseman absent; Taylor, Herms, Tarrant, Galleberg dissenting) Consensus for City Manager to make contact with attorney to provide general information on bond issues.***

•City Manager

***Approved / MacIlvaine / Herms / 6-0
(Wiseman absent)***

**•Resolutions (5)
•Human Resources**

***22-a) 00-9047 / Galleberg / Tarrant / 5-0
(Herms and Wiseman absent);
22-b) 00-9048 / Tarrant / MacIlvaine / 5-0
(Herms and Wiseman absent)
22-c) 00-9049 / Galleberg / Taylor / 5-0
(Herms and Wiseman absent);
22-d) 00-9050 / MacIlvaine / Tarrant / 6-0
(Wiseman absent);
22-e) 00-9051 / Taylor / Herms / 6-0
(Wiseman absent)***

**•Resolution
•Police and Emergency Services**

00-9040 / Herms / Galleberg / 7-0

**•Bid #021-01
•Resolution
•Purchasing**

***00-9041 / Taylor / MacIlvaine / 6-0
(Wiseman absent)***

Item 20 (cont)

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21. Consider authorizing the debt service payment due on the Wilkinson House to Bank of America \ Amount: \$178,080.00 \ Funding: Unrestricted Reserves in the City's Utility Tax Capital Projects Fund.
-
22. Consider authorizing the following increases in insurance premiums for the plan year commencing January 1, 2001:
- 22-a. Health insurance (Third Party Administrator) with Florida 1st Health Plans for \$83,000.00.
- 22-b. Medical Stop Loss insurance with Sun Life of Canada for \$200,000.00.
- 22-c. Life insurance with ITT Hartford Life Insurance.
- 22-d. Dental insurance with American Dental Plan for \$51,000.00.
- 22-e. Employee Assistance Services of Southwest Florida for \$7,200.00
-
23. Consider waiving competitive bids and authorizing the purchase of system/software licensing to access Collier and Lee County Sheriffs' photographic criminal offender database \ Vendor: Printrak International, Inc., Anaheim, California \ Estimated Amount: \$29,000.00 \ Funding: CIP #01H26.
-
24. Consider awarding a 3-year contract for mail preparation and presorting services \ Vendor: Mail Barcoding Services of SWFL, Inc., Fort Myers, Florida \ Annual Amount: \$50,000.00 \ Funding: Non-Departmental Budget.
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**•Resolution
•Community Services**

***00-9052 / MacIlvaine / Taylor / 6-0
(Wiseman absent)***

**•Resolution
•Community Services**

***00-9046 / Taylor / Herms / 6-0 (Wiseman
absent)***

**•Resolution
Pursuant to 12/4/00
Withdrawn (see Item 4)**

**•Resolution
•Continued from 12/6/00**

***00-9036 AS AMENDED “to fund the
Sheriff’s budget in accordance with the
prior formula” MacIlvaine / Wiseman / 7-0***

25. Consider waiving competitive bids and authorizing the purchase of a utility cargo van under the Florida Sheriff’s Association Auto & Truck Contract \ Vendor: Duval Ford, Inc., Jacksonville, Florida \ Amount: \$16,824.00 \ Funding: CIP #01I04.

26. Consider an after-the-fact purchase order for an automated fueling and point-of-sale system for the City Dock \ Vendor: J & M Pump Service, Inc., Fort Myers, Florida \ Amount: \$42,636.80 \ Funding: City Dock CIP Funds.

27. Consider appointing one member to the City/County Affordable Housing Commission.

28. Consider requesting that the Board of County Commissioners reenact the unincorporated MSTU (Municipal Special Taxing Unit) to partially fund the Sheriff’s budget.

Correspondence and Communications Doctors Pass dredging (Staiger); Cable TV operation, Christmas luncheon (Rambosk); ASR well information to utility customers (Tarrant); alley resurfacing (Herms); speed limits (MacIlvaine); Neighborhood Health Clinic rezone (MacKenzie)

Open Public Input – J. Biasella regarding Crayton Cove flag pole Christmas decorations

Adjourn – 8:32 p.m.

Order of consideration: 1, 2, 3, 4, (15 and 27 withdrawn) 5, 10, 6, 7, 8, 13, 9, 14, 28, 11, 12, 17, 23, 24, 18, 20, 19, 26, 22, 25, 21, 16, Correspondence, Public Input