



City Council Chamber
735 Eighth Street South
Naples, Florida 34102

City Council Workshop Meeting – September 30, 2002 – 8:30 a.m.

Mayor MacKenzie called the meeting to order and presided.

ROLL CALLITEM 1

Present:

Bonnie R. MacKenzie, Mayor
Gary Galleberg, Vice Mayor

Council Members:

Joseph Herms
William MacIlvaine
Clark Russell
Penny Taylor
Tamela Wiseman (arrived at 8:39 a.m.)

Also Present:

Kevin Rambosk, City Manager
Brenda Blair, Recording Specialist
Karen Kateley, Administrative Specialist

Lawrence Farese
Other interested citizens and visitors.

Media:

Eric Staats, Naples Daily News

SET AGENDA.....ITEM 2

Mayor MacKenzie requested adding Item 5 in order to schedule an executive session for 9:45 a.m., Wednesday, October 2, regarding Kevin A. Denti as Trustee vs. City of Naples vs. Pamela Sibcy, Collier County Historical Society, Inc., and Kevin A. Denti, Trustee.

MOTION by Galleberg to ADD ITEM 5; seconded by MacIlvaine and carried 6-0 (Galleberg-yes, Herms-yes, MacIlvaine-yes, Taylor-yes, Russell-yes, Wiseman-absent, MacKenzie-yes).

BRIEFING BY CITY MANAGER.....ITEM 3

City Manager Kevin Rambosk reported that City staff had met with FEMA (Federal Emergency Management Agency) representatives regarding the City's appeal regarding flood plane maps. It was subsequently learned that the City had not met either the technical or the scientific basis for review by FEMA or for changes to the City's base flood maps. This affects approximately 600 properties.

It was noted for the record that Council Member Wiseman arrived at 8:39 a.m.

Mr. Rambosk advised that the City would have 30 days in which to respond once FEMA's formal notification letter had been received, however, City and County staffs will review options which are largely limited to litigation. Although FEMA representatives had indicated a willingness to continue to work with the City in this regard, Mr. Rambosk noted, a 1-2 year process would nevertheless result in new homes being constructed between one and five feet

higher while this process goes forward. Further information would be provided at the next workshop, he said. Mr. Rambosk then reported that review of the fuel spill in Naples Bay had been completed and that copies of the report would be distributed to Council the following day. Mr. Rambosk then reported that bids for the Naples Preserve diorama, displays, and educational materials indicated a \$113,000 cost rather than the previous estimate of \$200,000. Staff had therefore prepared a Tourist Development Tax (TDC) funding application. Mr. Rambosk then announced that October is National Crime Prevention month, and the City will have displays at the Coastland Mall on October 5. He concluded by noting that the new contract for horticultural services with TFR Enterprises begins October 1.

REVIEW OF ITEMS ON THE 10/02/02 REGULAR MEETING AGENDAITEM 4

Added Items: executive session, two proclamations, and employee recognition awards. **Item 8-b** (Facilities Maintenance) – Council Member Herms requested specific information on proposed repairs. **Item 8-d** (landscape maintenance contract) – Mayor MacKenzie requested additional language to include lane closure hours. **Item 9** (irrigation ordinance) – Council Member Taylor requested clarification on whether the ordinance requires existing systems to be retrofitted. **Item 10** (sculpture) – Council Member Russell requested Public Art Advisory Committee Minutes and information regarding future plans for additional plaza improvements. **Item 11** (Norris Center) – Council Member Herms requested financial information.

ADDED ITEM.....ITEM 5

REQUEST BY ATTORNEY FOR THE CITY FOR ATTORNEY-CLIENT SESSION RELATING TO THE FOLLOWING LITIGATION MATTER: KEVIN A. DENTI AS TRUSTEE VS. CITY OF NAPLES VS. PAMELA SIBCY, COLLIER COUNTY HISTORICAL SOCIETY, INC. AND KEVIN A. DENTI, TRUSTEE, CASE NO. 00-4591-CA-TB

Lawrence Farese, Attorney for the City, noted the following for the record: pursuant to Section 286.011(8)(a), Florida Statutes, I am informing the City Council that I desire the Council's advice and consequently am requesting that the City Council of the City of Naples, Florida, conduct an executive or closed (attorney/client) session at 9:45 a.m. during the Regular Meeting of October 2, 2002, to discuss settlement negotiations and strategy related to litigation expenditures in reference to the following litigation case: Kevin A. Denti as Trustee vs. City of Naples vs. Pamela Sibcy, Collier County Historical Society, Inc., and Kevin A. Denti, Trustee, Case No. 00-4591-CA-TB, filed in the Circuit Court for the Twentieth Judicial Circuit, Collier County. The following persons will be present for the executive session: Mayor Bonnie R. MacKenzie, Vice Mayor Gary Galleberg; Council Members Joseph Herms, William MacIlvaine, Clark Russell, Penny Taylor, and Tamela Wiseman; City Manager Kevin Rambosk; Attorney Lawrence A. Farese; and Emily Underwood of AAF Reporting or other certified court reporter. Estimated duration of the attorney/client session is 30 minutes.

Mayor MacKenzie noted that this item would be added to the agenda on Wednesday, October 2, 2002.

PUBLIC COMMENT.....

None.

CORRESPONDENCE AND COMMUNICATIONS.....

Council Member Russell received clarification that no other Council Members would be attending the October 4 Third Street South Association meeting. Mayor MacKenzie noted that a copy of the proposed Collier County green space tax ordinance is available for perusal in Council's office in City Hall.

ADJOURN
8:59 a.m.

Bonnie R. MacKenzie, Mayor

Tara A. Norman, City Clerk

Minutes prepared by:

Brenda A. Blair, Recording Specialist

Minutes Approved: 11/6/01