



City Council Chamber
735 Eighth Street South
Naples, Florida 34102

City Council Workshop Meeting – June 4, 2007 – 8:30 a.m.

Mayor Barnett called the meeting to order and presided.

ROLL CALLITEM 1

Present:

Bill Barnett, Mayor
Johnny Nocera, Vice Mayor

Council Members:

William MacIlvaine
Gary Price, II
John Sorey, III
Penny Taylor
William Willkomm, III

Also Present:

Robert Lee, City Manager
Robert Pritt, City Attorney
Vicki Smith, Technical Writing Specialist
Tara Norman, City Clerk
Jessica Rosenberg, Deputy City Clerk
Stephen Weeks, Technology Services Director
Paul Bollenback, Building Official
Ron Wallace, Construction Mgmt Director
Michael Bauer, Natural Resources Manager
Robin Singer, Community Development Director
Denise Perez, Human Resources Director
Mark Nelson, Applications Services Manager
Gregg Strakaluse, Engineer Manager
Dan Mercer, Public Works Director
Bob Middleton, Utilities Director

Sue Smith
Jim Boula
Judith Chirgwin
David Ball
Larry Arrington
Herb Marlowe
Toni Tuttle
Tabitha Whalen Stadler
Mike Ossorio
Sally Kellogg
Brad Cornell
Alan Keller
Everett Thayer

Other interested citizens and visitors.

SET AGENDA.....ITEM 2

No changes.

PUBLIC COMMENT.....ITEM 3

(8:33 a.m.) **Sue Smith, 11th Avenue South**, responded to a recent article in the *Naples Journal* in which Mayor Barnett had addressed the matter of public criticism of City Council, saying that she believes public input to be vital and that evening and town hall meetings should be scheduled to allow more citizens to attend. **Judith Chirgwin, 112 Tenth Avenue South**, expressed concern regarding any ongoing consideration of annexing Collier Park of Commerce, saying that she believes Naples residents are apprehensive and that no decisions should be made with the approach of Council's summer recess. Mayor Barnett noted that this particular annexation

process had been underway for over a year, and City Manager Robert Lee added that Council had authorized staff to proceed with negotiations; that the necessary interlocal agreement with Collier County is to be brought back before Council following the summer recess. Council Member Willkomm assured Ms. Chirgwin that no final decision with regard to this annexation had been reached, that he had not voted to proceed. She reiterated that her primary concern is that the public must have the opportunity to be heard on such a major issue.

**(Continued from 05/14/07)ITEM 4
FINAL CONCEPT DRAWINGS FOR TENTH STREET IMPROVEMENTS**

City Manager Robert Lee explained that this item had been reviewed by Council in the past but that a decision was pending and that staff was returning with completed plans and cost estimates. Construction Management Director Ron Wallace, utilizing an electronic presentation (a printed copy of which is contained in the file for this meeting in the City Clerk's Office), explained that work on Tenth had been completed south of Central Avenue but that difficulties had arisen when this template had been applied to improvements needed north of Central. This, he said, was due to existing businesses and their respective parking spaces. Therefore, he said, staff had endeavored to work with business owners to maximize the beautification effort while minimizing impacts; that day's presentation reflects those changes, he added. Mr. Wallace also noted that the project had originally encompassed the area from Central to Sixth Avenue North but the additional area to Seventh Avenue North was subsequently included, although bids for that block had been obtained separately. Additionally, Director Wallace indicated that plans for a future linear park along the lake on Sixth had been designed but not yet budgeted, although a funding request of approximately \$350,000 would be forthcoming in the next fiscal year.

He explained that his presentation that day included a block-by-block comparison of the original conceptual plan and the bid/contract plans, which attempt to retain as much parking as possible along Tenth, allow the businesses to remain open and plantings introduced wherever possible. Brick pavers had been used at the intersections in accordance with the existing streetscape of the "D" Downtown District (also referred to as 41-10, Heart of Naples District) with the intent that, upon redevelopment of the existing businesses, parallel parking, landscaping and sidewalks would be installed and/or constructed. In response to Council Member Willkomm, Mr. Wallace confirmed that upon redevelopment of a property, it would be a requirement that the on-street parking, which currently is located within the City rights-of-way, either be removed, configured to on-street parallel or moved onto the site; sidewalk gaps are to be filled where necessary.

Council Member Taylor questioned the advisability of pavers due to maintenance costs; Director Wallace explained that while pavers had been used south of Central Avenue and also on Fifth Avenue South, alternatives exist, exemplified by the thermal plastic process used successfully at the intersection of Crayton Road and Park Shore Drive. Pavers cost approximately \$200,000 and would delay the project due to the installation time involved; therefore, he said, staff awaited direction from Council in this regard. Vice Mayor Nocera however urged the use of pavers to achieve uniformity throughout the District.

Council Member MacIlvaine suggested using pavers just in pedestrian areas. Director Wallace agreed and Council Member Sorey suggested moving forward with the project, proceeding with landscaping and other major facets, returning to Council following summer recess with examples of alternatives to the aforementioned pavers and accompanying costs. Director Wallace noted

that due to the fact that the contract for the project would come before Council at the June 13 regular meeting, he would suggest that the crosswalk construction only be delayed until Council reconvenes in August.

In response to concerns expressed by Council Member Taylor, Director Wallace said that the configuration of islands for additional greenscape between Fourth and Fifth Avenues North meets FDOT (Florida Department of Transportation) standards and requirements as far as clearance for emergency vehicles is concerned. He also noted the placement of the island between Fifth and Sixth Avenues North, that the new design enables the island to appear as an entry feature into the residential sector of the neighborhood.

A brief discussion ensued wherein Council Member Price pointed out that the above referenced linear park was merely a conceptual plan proffered due to the other projects within the area and Director Wallace added that review of priorities by the Community Redevelopment Agency (CRA) was perhaps needed with regard to this proposal. Council Member Taylor ascertained that the park (Betsy Jones Park) had been renovated approximately seven years before and she could not support spending an additional \$350,000 at that time.

Director Wallace pointed out that the \$1.2-million cost for streetlights, roadwork and landscaping reviewed thus far had not included the block between Sixth and Seventh Avenues North; that this particular block was 1,000 feet in length whereas most city blocks are approximately 400 feet. Therefore, an additional \$326,000 would be needed for this portion of the Tenth Street project, which would include improvements to the sidewalk on the east side of the roadway and a retaining wall along one of the properties with a marked higher elevation. He also stressed that another issue was the decorative lighting, that a bid for \$85,000 had been obtained to continue this beyond Sixth, and although this block is within the redevelopment district, it is not within the commercial area; that if redevelopment occurs here as it did along Fifth Avenue South, this block may be perceived as a continuance of the commercial area due to the lighting, Mr. Wallace noted. Therefore, he said, he would recommend no decorative lighting past Sixth Street North at the end of the commercial area but nevertheless to proceed with the roadwork. Council Member Taylor suggested that the roadwork and the sidewalk be completed but that the streetscape north of Seventh Avenue North to the Coastland Mall, with regard to the landscaping, be followed for the block under discussion and that no decorative lighting be installed. Director Wallace explained that the plantings indicated on the plan were indeed royal palms and Council Member Taylor said that this would be acceptable to the neighborhood.

Consensus that lighting component not be bid at that time.

.....ITEM 5
ROOKERY BAY PRESENTATION ON THE GULF OF MEXICO ALLIANCE

Tabitha Whalen Stadler, Coastal Training Coordinator for the Rookery Bay Estuarine Research Reserve, utilized an electronic presentation in the way of updating Council on the Gulf of Mexico Alliance which, she noted, is a partnership of the five states bordering the Gulf of Mexico, various federal agencies and the country of Mexico. (It is noted for the record that a printed copy of this presentation is contained in the file for this meeting in the City Clerk's Office as well as other documentation referenced.) Following a brief history of the Alliance, Ms. Stadler noted that Rookery Bay had been a leader in southwest Florida with regard to offering workshops on the subject and listed the following workshop objectives:

- Gain local perspectives on priority issues;
- Identify successful programs and partnerships that can support Alliance efforts;
- Build better relationships between state, local, and federal entities; and
- Build public awareness about the importance of a healthy Gulf of Mexico to local communities, the Gulf region, and the nation.

She then reviewed recommendations on the following topics of discussion at the aforementioned workshops:

- Living with red tide – create a network for observing beach conditions and reporting via lifeguards, beachfront businesses, etc; conduct a public information campaign about nutrients and water quality; and educate the media.
- Water management and changing climate – provide specific recommendations to municipalities that may include model ordinances or regulations to promote sustainability and bridge the gap between science and policy such as identifying or cultivating a government or community leader who has an environmental ethic to become a spokesperson, and enacting a small tax that would build a fund for associated programs and/or projects; and encourage local governments to establish a task force on climate change.

In response to Council Member Price, Ms. Stadler clarified that her request is that staff be allowed to participate in a climate change workgroup and a sustainable green building workgroup. Mayor Barnett noted Item 10 on that meeting's agenda regarding the U.S. Mayor's Climate Protection Agreement (see Item 10 below) and she voiced support of it.

VISIONING UPDATEITEM 6

Consultants Larry Arrington and Herb Marlowe provided an electronic presentation (a printed copy of which is contained in the file for this meeting in the City Clerk's Office) which outlined the following value of a visioning plan:

- A key finding was that many residents shared a like vision for the future of the City;
- The plan can serve as a blueprint for developing and implementing future policies and initiatives;
- The vision will remain essentially the same but the plan is more flexible and should be utilized as an integral part of the functioning of City government;
- It will support leadership and heighten citizen confidence by enabling Council to be in touch with the needs, aspirations, and values of the public, thereby enhancing community identity; and
- As specific initiatives are undertaken, Council will be able to link them to the overall vision reinforced by public input.

Mr. Arrington pointed out that further input from Council and staff was however needed to complete the document and Dr. Marlowe continued the presentation by reviewing what he identified as key trends, goals, strategies and actions, and strategic initiatives, noting the goals of maintaining Naples' appealing environment, its quality residential character, and its economic health and vitality.

Dr. Marlowe noted that for each strategy within the draft vision plan there is a clear set of actions and performance indicators for future use. (It is noted for the record that a copy of this document

is contained in the file for this meeting in the City Clerk's Office.) Various changes to the draft document were discussed and are listed below:

- Page 8 - #4 - Add reference that revenue is derived from residential;
- Page 10 - #3 - Remove third bulleted item referring to joint projects with Collier County;
- Page 11 - #6 - Remove the word "strategic" from title referring to annexation policy;
- Page 12 - #6 - Remove fourth bulleted item;
- Page 12 - #7 - Remove fourth bulleted item,;
- Page 14 - #11 - Amend first bulleted item to reflect City's revenue and budgeting needs;
- Page 14 - #11 - Amend third bulleted item as follows: "... redevelopment strategies in the "D" Downtown (41-10, Heart of Naples) District ...;" and
- Page 19 to 22 - Amend all bulleted items under Strategic Initiatives as follows: "Adopt a strategie an annexation policy."

The above revisions are to be made and the document resubmitted at the June 13 regular meeting for approval.

Public Comment: (10:26 a.m.) **Sue Smith, 11th Avenue South**, questioned the intent of the visioning plan, especially with regard to annexation, stating that she believes residents desire all the facts, pro and con, prior to any annexation moving forward.

Recess: 10:33 a.m. to 10:46 a.m. It is noted for the record that the same Council Members were present when the meeting reconvened.

TIME KEEPING REPORTING PROGRAM (Continued from 05/14/07).....ITEM 7

Using an electronic presentation, Human Resources Director Denise Perez explained that an internal audit of the payroll system had revealed recordkeeping inconsistencies such as failure to record actual hours of work and hours appearing on timesheets did not coincide with data entered into the payroll system. (It is noted for the record that a printed copy of this presentation is contained in the file for this meeting in the City Clerk's Office.) Furthermore, she said, the Fair Labor Standards Act (FLSA) mandates that complete and accurate records of employee hours worked be maintained. Therefore, a centralized time tracking system was implemented for all departments except Community Services, which is expected to utilize it by the end of the summer.

Applications Services Manager Mark Nelson continued the presentation by demonstrating the process used by employees and supervisors for such functions as processing time off requests, online monitoring of employee hours and adjustment if needed, and ease of determining employee availability at any given time. In response to Council, Mr. Nelson stated that the cost of the system, which is based upon the number of employees, was just under \$80,000.

Public Comment: (10:59 a.m.) **Judith Chirgwin, 112 Tenth Avenue South**, questioned the adaptability of the system and Mr. Nelson explained that the software purchased was extensively researched and found to be the most compatible with the City's existing system, and that a maintenance agreement had been obtained which includes updates.

NORTH ROAD IMPROVEMENTS.....ITEM 9

Engineer Manager Gregg Strakaluse gave an electronic presentation (a printed copy of which is contained in the file for this meeting in the City Clerk's Office). This included a brief update on the 1,500 linear foot project of the north-south portion of North Road, west of Naples Airport. He stated that Phase I of the project would come before Council at that Wednesday's regular meeting and encompassed a six-foot shoulder widening, vegetation removal, drainage

restoration, and pavement overlay, amounting to \$162,642.14. In addition, he said, \$31,500 for landscaping (Phase II) would come before Council in August and \$91,500 for the pathway (Phase III) in October or November. Engineer Manager Strakaluse briefly summarized permitting status for Phase I and in response to Council Member Sorey, explained that the pathway referenced in Phase III had been specified in bidding documents at eight feet in width, that this width is standard according to the Florida Department of Transportation (FDOT). Public Works Director Dan Mercer further clarified that a 12-foot width had been noted in conjunction with the desire of the Land Preservation Trust to construct a pathway, but that the City's portion near the roadway would be eight feet. Mr. Sorey noted that the 12-foot width had been proposed so as to enable bi-directional travel on the pathway, and Mr. Mercer indicated that quotes for this width could be obtained also for Council's consideration.

In response to Council Member Taylor, Mr. Strakaluse explained that according to Council direction on April 30, staff had contacted the Naples Airport Authority (NAA) regarding increasing its contribution to Phase I from \$25,000 to \$45,000 due to its use of North Road. Miss Taylor also asked whether her request for specific information regarding the amount of use by the NAA had been obtained by staff for Council review, referencing comments made by neighborhood residents of use by construction rock transport vehicles. Mr. Mercer pointed out that he believed however that uprooted trees and debris from Hurricane Wilma had contributed in large measure to the damage to the thoroughfare.

Public Comment: (11:22 a.m.) **Everett Thayer, 1690 Avion Place**, stressed that he strongly believes that the above referenced use of North Road by the airport and its contractor attributed to the damage of the roadway. He then presented Council with a signed statement (and photographs) that rocks were hauled onto the airport property, crushed, and then hauled away over North Road for more that a two-year period (Attachment 1). **Sally Kellogg, 1635 Avion Place**, stated that she believes truck traffic has been continuous over the past two and one half years and that the NAA and the nearby marina should share in the cost of the repairs to North Road.

U.S. MAYOR'S CLIMATE PROTECTION AGREEMENTITEM 10

Natural Resources Manager Michael Bauer gave a brief electronic presentation (a printed copy of which is contained in the file for this meeting in the City Clerk's Office) explaining that the issues of climate protection and global warming are on all levels of the political agenda, from local to international. Two elements are involved in these issues, he said, one of perception and the other scientific knowledge. Noting recent Congressional testimony by scientists, Dr. Bauer said that an upward trend of global temperatures, due to increased levels of carbon dioxide, had been identified over approximately the past 100 years and that it is believed the increases will continue over the next century.

The recent statement by the Intergovernmental Panel on Climate Change to the effect that increases in average temperatures are very likely due to increases in human-produced greenhouse gases, he pointed out, had been endorsed by 30 scientific societies and academies of science, and all of the national academies of science of the major industrialized countries. Explaining the Kyoto Protocol, Dr. Bauer said that it is an agreement under which industrialized countries would reduce their collective emissions of greenhouse gases by 5.2% compared to the year 1990 and that to date all major countries had ratified the document with the exclusion of the United

States and Australia. Furthermore, mayors around the country have taken it upon themselves to draft and support the US Mayor's Climate Protection Agreement, which includes the following:

- Meet Kyoto Protocol targets in local community;
- Urge state and federal government to meet these same targets; and
- Urge Congress to pass greenhouse gas reduction legislation.

Dr. Bauer said that it also includes the recommended actions below:

- Inventory emissions;
- Reduce sprawl, preserve open space, create walkable communities;
- Promote bicycle trails and public transit;
- Establish energy efficient building codes;
- Increase fuel efficiency of fleets;
- Increase recycling;
- Promote tree plantings; and
- Educate children, professionals, business, and industry.

Public Comment: (11:35 a.m.) **Brad Cornell, 660 Ninth Street North, #32A**, representing the Collier County Audubon Society, stated that his group supports signing the document and also the formulation and implementation of a climate protection action plan for the City as well as the County. Council Member Price asked whether the above referenced recommendations are in fact attainable, and Mr. Cornell said that the 5.2% reduction was merely the beginning, that the goal is actually an 80% reduction by the year 2050, which amounts to approximately 2% per year. Council Member Willkomm questioned the validity of the opinion that global warming is due to human activity. Council Member MacIlvaine questioned the 5.2% reduction, but Mr. Cornell noted that the United States is the largest emitter of greenhouse gases in the world. **Alan Keller, 298 Little Harbour Lane**, said that he strongly believes that this issue should not have become a political one, that it should have remained a scientific question of risk, not fact. He however urged the signing of the letter, noting that it is entirely voluntary in nature. Council Member Willkomm, referencing his recent research (a copy of which is contained in the file for this meeting in the City Clerk's Office), noted that while a trend in global warming does exist, many experts, including NASA (National Aeronautics and Space Administration), question the need for immediately addressing it. Mr. Keller responded that he would email Mr. Willkomm a list of references for further research supporting his opinion. **Sue Smith, 11th Avenue South**, urged personal responsibility worldwide in reduction of greenhouse emissions and said that she could not support the signing of the document. Council Member Price noted that this item would come before Council for action at that Wednesday's regular meeting as Agenda Item 14 for action.

Recess: 12:08 p.m. to 1:54 p.m. It is noted for the record that the same Council Members were present when the meeting reconvened.

CONTRACTOR LICENSINGITEM 11

(It is noted for the record that all materials referenced in the following discussion, as well as a printed copy of the staff's electronic presentation, are contained in the file for this meeting in the City Clerk's Office.) Building Official, Paul Bollenback explained that in February, the City had agreed to an updated interlocal agreement with Collier County, which addresses contractor licensing between the two entities and reflects an arrangement that has been ongoing since 1992. He noted that two members of the Collier County Contractor Licensing Board are residents of

the City, one a consumer and the other a contractor, both of which are assigned by Council. Mr. Bollenback reviewed the following:

- The importance of a well defined and enforceable licensing policy;
- A detailed explanation of how the City and Collier County work together in effectively implementing their policy; and
- Examples and statistics highlighting their shared success.

He explained that registered contractors are required to obtain a County license which, through the aforementioned agreement, allows contractors to also work within the City. Furthermore, he said, Collier County provides a Contractor Licensing Board to address any issues with reference to this process and, in conjunction with the City, assigns a full time licensing investigator, who works closely with City staff, to research various licensing/contractor issues. The City pays no fee for this investigator, he added, who is empowered to issue stop work order upon approval of the City Building Official; contractors who are suspected of violating the Florida Building Code may be brought in front of the County Licensing Board for action, he added. Mr. Bollenback further stressed that this has allowed the City and County to effectively pool their combined resources to better serve the residents of the City. Mr. Bollenback also informed Council that should the City decide to pursue its own licensing procedure, the County had estimated that a minimum of four administrative support personnel would be required to accept and process licensing applications, administer testing, staff the licensing board and prepare meeting packages, etc. One full-time field investigator would also be required, plus additional costs for legal fees to provide service at the current level.

In response to Council Member Sorey, Mike Ossorio, Collier County Contractor Licensing Supervisor, gave examples of those services not requiring licensing as pressure cleaning, painting, and flooring. Mr. Ossorio further confirmed that Worker's Compensation and liability coverage are indeed monitored by the above referenced investigator throughout the City.

During discussion that followed, Mr. Bollenback pointed out that violations of the City's Code of Ordinances are referred to the City's Code Enforcement Board, that City and County inspectors work closely together, and that he believes the current system is working well.

In response to Council Member Taylor, Mr. Ossorio explained that the County's contractor licensing database is shared with the City and that a new system with increased capacity will be installed in the coming year for the tracking of contractor violations and complaints. He also noted the County's website as another means of tracking and indicated that a full-time public relations staffer works with the media and contractors, keeping them informed and updated as to City and County projects and any changing regulations. Both Messrs. Ossorio and Bollenback indicated that a linked database is of utmost interest to both entities and that with both implementing new software with regard to code enforcement, this goal is seen as attainable.

Mr. Ossorio presented Council with a copy of the County ordinance regarding the above discussion.

.....ITEM 12
DISCUSSION OF CITY CLERK TARA NORMAN'S PROPOSAL REGARDING RETIREMENT

In response to Mayor Barnett, City Clerk Tara Norman indicated that she would be available for an additional year of service thereby enabling recruitment of her replacement and continuity through the upcoming election year. Ms. Norman also indicated that the City's actuary, Robert Sugarman, had opined that the original Deferred Retirement Option Plan (DROP) could be amended at no additional cost to the City and did not recommend an actuarial study as a necessity. Council concurred with her continuing employment.

.....ITEM 13
REQUEST FOR ATTORNEY/CLIENT SESSION PERTAINING TO JOHN A. PULLING, JR. V CITY OF NAPLES

City Attorney Robert Pritt requested that an executive (closed) attorney/client session be conducted, at 11:15 a.m. on Wednesday, June 6, during the City Council regular meeting, to discuss settlement negotiations and strategy related to litigation expenditures in reference to the following pending litigation: JOHN A. PULLING, JR., as Personal Representative of the Estate of John A. Pulling, Sr. V. CITY OF NAPLES, CIRCUIT COURT CASE NO. 07-268-CA. City Attorney Pritt estimated the duration of the session to be 15 minutes. (It is noted for the record that documentation applicable to this request is contained in the file for this meeting in the City Clerk's Office.)

.....ITEM 14
REQUEST FOR ATTORNEY/CLIENT SESSION PERTAINING TO BOARD OF TRUSTEES NORTH NAPLES FIRE CONTROL DISTRICT V. BOARD OF TRUSTEES CITY OF NAPLES FIREFIGHTERS PENSION FUND AND CITY OF NAPLES

City Attorney Robert Pritt requested that an executive (closed) attorney/client session be conducted, at 11:30 a.m. on Wednesday, June 6, during the City Council regular meeting, to discuss settlement negotiations and strategy related to litigation expenditures in reference to the following pending litigation: BOARD OF TRUSTEES NORTH NAPLES FIRE CONTROL DISTRICT v BOARD OF TRUSTEES CITY OF NAPLES FIREFIGHTERS PENSION FUND AND CITY OF NAPLES, CIRCUIT COURT CASE NO. 03-491-CA. City Attorney Pritt estimated the duration of the session to be 15 minutes. (It is noted for the record that documentation applicable to this request is contained in the file for this meeting in the City Clerk's Office.)

(Continued from 05/14/07)ITEM 8
UPDATE ON AQUIFER STORAGE AND RECOVERY (ASR) WELLS

Utilities Director Bob Middleton explained that 70% of the potable water supply provided by the City's water plant is used for irrigation, roughly 12 million gallons a day, therefore there is a need to identify alternative water supplies. (It is noted for the record that a printed copy of this presentation is contained in the file for this meeting in the City Clerk's Office.) He identified these alternative or supplemental sources as: reclaimed water, Golden Gate Canal (stormwater runoff), existing "A" (potable) wells, and horizontal wells (installed at the wastewater treatment plant).

With regard to storage of the excess reclaimed water, Mr. Middleton listed ASR (Aquifer Storage and Recovery) wells, ground storage tanks and above ground storage ponds. ASR's

store excess water underground during the wet season and during dry periods the water is then pumped into the reclaimed water system for use, Mr. Middleton explained.

Responding to prior questioning by Council, Utilities Director Middleton made the following assertions with regard to cost:

- During 2002, \$85,000 had been spent on the reclaimed water system expansion professional report;
- Reclaimed water system expansion design, permitting and construction administration had amounted to \$1,049,194;
- Phase I construction (16-inch transmission main construction) - \$3,901,594;
- Phase II construction (Port Royal distribution construction) - \$3,718,578;
- Exploratory ASR well (design/permitting/testing) - \$164,000;
- ASR well construction - \$1,076,000.

Ongoing Projects include the following:

- Phase I – ASR exploratory well - \$1.24-million (design, permit and construct);
- Phase II – ASR production well - \$3.2-million (design, permit and construct);
- Golden Gate Canal pump station and main - \$3-million to design and install a pump station and main from the Canal to the wastewater treatment plant

Grant funding opportunities for the above include:

- Reclaimed water expansion – Big Cypress Basin Board (BCB) and Southwest Florida Water Management District (SFWMD) totals \$2,610,000;
- ASR projects – BCB - \$538,350;
- BCB for fiscal year 2007 - \$600,000 and 2008 - \$500,000; and
- SFWMD – grant applications will be submitted by June 1 and the Board will meet in October.

Utilities Director Middleton gave a more detailed breakdown of alternative water cost (Attachment 2) in which he stated that of the contractual amount of \$9,910,766.30, total expenditure to date amounted to \$6,520,313.58.

Discussion followed during which Council Member Sorey stressed the need for reducing the amount of potable water used for irrigation within the City, that this is a mandate for issuance of the consumptive water permit in 2008 from SFWMD regarding the amount of water that the City can remove from Golden Gate Canal for its use.

BRIEFING BY CITY MANAGER.....ITEM 15

(It is noted for the record that a copy of this report is contained in the file for this meeting in the City Clerk's Office.) City Manager Robert Lee noted the upcoming program regarding identity theft to be held at the Norris Community Center on June 13 from 6:00 p.m. to 8:00 p.m., and the receipt by the Finance Department of the Distinguished Budget Presentation Award from the GFOA (Government Finance Officers Association). He also explained that a flashing red light had been installed on the east side of the Dockmaster's office at the City Dock to alert boaters of when the restricted holiday speed zones are in effect.

City Manager Lee pointed out the following discussions scheduled for the June 11 workshop: capital improvement and operating budgets; setting of a revised maximum millage rate; and

bicycle path/sidewalk master plans. He noted the City had requested a variance from the recently imposed water restrictions by Southwest Florida Water Management District (SFWMD) due to fluctuating water pressure which occurs when large numbers of irrigation systems are utilized during permitted watering time periods. He also reported on Senate Bill 746, which reduces the ability of municipalities to defend against Worker's Compensation claims. Council Member Taylor requested that staff review the April 30 City Council Regular Meeting minutes regarding school sidewalk safety issues (not merely striping) and research the possibility of state assistance with removal of exotics in conjunction with the Riverside Circle canal buffering projects. With regard to the above referenced school safety issues, Council Member Sorey pointed out that he believed that the mid-block crossings had been deemed not feasible and that the education and enforcement of the existing crossings had been emphasized; he also pointed out that the aforementioned discussion had included filling gaps in the sidewalk system used by the children for traveling to and from school.

REVIEW OF ITEMS ON 06/06/07 REGULAR MEETING AGENDA.....ITEM 16

Public Comment: (3:21 p.m.) **Sue Smith, 11th Avenue South,** questioned the number of items contained on the consent agenda for the June 6 meeting, many of which she said she felt warranted public discussion and explanation due to the significant cost reflected in these items. Council Members Taylor and Price explained the process by which items may be removed from the consent agenda for separate discussion and action. Ms. Smith also suggested that projects not be undertaken merely because grant funding is available and said that the above referenced budgetary award (see Item 15) did not include a close review of the budgeting process of the City.

This item continued with City Manager Robert Lee requesting that Item 20 (anchorage ordinance) be continued and that the City Clerk's Office had requested Item 26 (Collier Coastal Advisory Committee (CCAC) recommendation) be continued as well. Council Members Sorey and Willkomm however expressed their desire that Item 26 be handled and that candidate David Buser be contacted for interview at the Wednesday regular meeting if need be. The following were removed from the Consent Agenda for separate discussion: Item 8-ac (banking services), Item 8-p (North Road improvements) and 8-q (road microsurfacing) (Taylor); Item 8-r (engineering services for pavement management system), 8-y (parking garage design) and 8-aa (River Park Master Plan) (Price). Council Member Taylor asked that a previous communication regarding Item 11 (PD code amendment) be included within the supplemental information (Attorney John Passidomo's May 15, 2007 letter to Council, a copy of which is contained in the June 6, 2007, regular meeting file in the City Clerk's Office). With regard to Item 18 (Gordon River dredging), Council Member Sorey questioned whether the project could be divided into two sections and Council Member Price asked whether Florida Fish & Wildlife Commission (FWC) should opine on the navigational issues regarding the project.

CORRESPONDENCE / COMMUNICATIONS

(3:37 p.m.) Council Member Sorey clarified his earlier comment (see Item 16) regarding the Gordon River dredging project, saying that he questioned the possibility of it being divided into two projects with the City as applicant for both, requesting an opinion from City Attorney Robert Pritt in this regard. Council Member Taylor noted the upcoming hearing on the proposed Florida Power & Light (FPL) coal-fired generating plant and asked that Council direct Mayor Barnett to issue a letter of opposition (see consensus below). She also requested clarification as to whether cost estimates of fire service for Collier Park of Commerce are dependent upon annexation of

other territories. Miss Taylor then asked whether an appropriate type of ground cover could be researched by staff to replace sod at the Naples Preserve which, she noted, is a Florida ecological site.

Council Member Price requested the following: information on whether the Florida Department of Transportation (FDOT) considers the City eligible for state assistance with regard to Fleischmann Boulevard and Neapolitan Way projects; a summary of compliance with the requirement for commercial size trash container enclosures; follow-up on the information requested from the Metropolitan Planning Organization (MPO) on the scenic highway designation for US 41; information on sidewalks made of recycled vehicle tires; and the possible need for further Council action on replacement of the date palm at 868 Fifth Avenue South. He also expressed concern regarding the conduct, with reference to a citizen, by James Lennane, a member of the Naples Airport Authority (NAA).

Council Member Willkomm requested an estimate of the value of the above referenced date palm in writing from a supplier. He also expressed concern regarding the conduct of the NAA members and Executive Director Ted Soliday, with reference to fellow NAA member James Lennane, and asked whether Council wished to investigate this matter as well as the possibility of reconstituting the NAA board. (See materials provided to Council by Mr. Willkomm regarding the NAA which are contained in the file for this meeting in the City Clerk's Office). He also objected to the appearance of the new signage located on the Naples High School property; proposed a relaxation of the restrictions regarding architects serving on City boards; noted a request by the Park Shore Association for a sidewalk on Park Shore Drive; and expressed concern regarding whether the costs of building inspections are being covered on projects where single-family homes are demolished and replaced.

Consensus (6-1 / MacIlvaine dissenting) for Mayor Barnett to advise by letter of the City's opposition to the proposed Florida Power & Light (FPL) coal-fired generating plant due to concern about the discharge of hydrocarbons.

Consensus to explore ground cover other than sod, more in line with the environment at Naples Preserve.

ADJOURN.....
4:42 p.m.

Bill Barnett, Mayor

Tara A. Norman, City Clerk

Minutes prepared by:

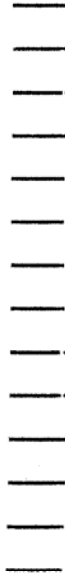
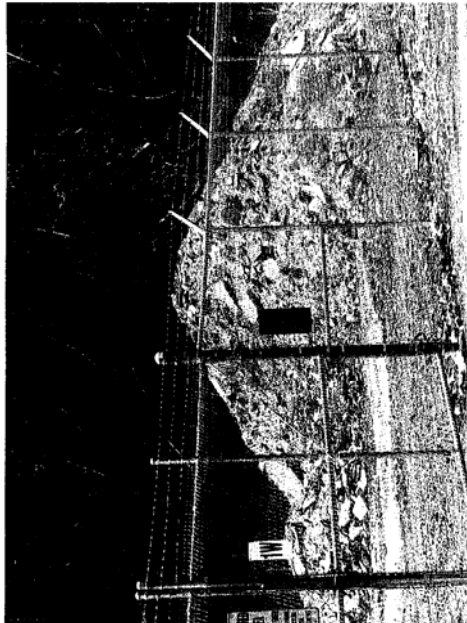
Vicki Smith, Technical Writing Specialist

Minutes Approved: August 15, 2007

NORTH ROAD IMPROVEMENTS

We, the residents/homeowners of Avion Park, hereby testify to the fact that for the past two years or more, hundreds of large dump trucks have used North Road; past Avion Park; to haul rocks and dirt into and out of the airport. We feel that the Naples Airport and the trucking company are responsible financially for the repair of North Road.

Date	Owner	Address
6/3/07	Ernest Stages	1690 Avion Place, Naples, Fla.
6/3/07	Deanna Lange	1690 Avion Place
6/3/07	Kenneth + Barbara Jean Mauer	1585 Oxinary Dr.
6/3/07	Samah W. Bryant	1625 Avion Place, Naples, Florida 34104
3 MAY 06	STUART A. MITSCH	1685 AVION PL, NAPLES 34104
3-5-7	BANK + MARY	1635 AVION PL 732 0394
6-3-07	EDMUND ZAMMIT	1610 PORT AVE
6/3/07	Art Cooper	1551 Avion Pl, Naples FL 34104
10/3/07	Tammy Thukner	1550 Avion Pl



ALTERNATIVE WATER COST BREAKDOWN

Reclaimed Water Design & Construction Management

Contract Amount	\$1,049,194.00
Expenditure to Date	\$ 990,839.90

Reclaimed Water Construction

Phase 1 (Danella Construction)

Contract Amount	\$3,901,594.00
Expenditure to Date	\$2,738,303.06

Phase 1A (Gregory Electric)

Contract Amount	\$3,718,578.30
Expenditure to Date	\$2,109,454.88

ASR Well Design & Testing

Contract Amount	\$164,700.00
Expenditure to Date	\$ 84,739.74

ASR Well Construction

Contract Amount	\$1,076,700.00
Expenditure to Date	\$ 596,976.00

TOTAL CONTRACT AMOUNT	\$9,910,766.30
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TOTAL EXPENDITURE TO DATE	\$6,520,313.58
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