



City Council Chamber
735 Eighth Street South
Naples, Florida 34102

City Council Regular Meeting – February 6, 2008 – 9:00 a.m.

Mayor Barnett called the meeting to order and presided.

ROLL CALLITEM 1

Present:

Bill Barnett, Mayor
Johnny Nocera, Vice Mayor (arrived 9:03 a.m.)

Council Members:

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

Also Present:

William Moss, City Manager
Robert Pritt, City Attorney
Tara Norman, City Clerk
Vicki Smith, Technical Writing Specialist
Stephen Weeks, Technology Services Director
Robert Middleton, Utilities Director
David Lykins, Community Services Director
Ann Marie Ricardi, Finance Director
Russell Adams, CRA Executive Director
Ronald Wallace, Construction Mgmt Director
Gregg Strakaluse, Engineering Manager
Roger Jacobsen, Code Enforcement Officer
Victor Morales, Chief of PESD
Rita Naughton, Executive Assistant
Ann Lynch, Exec. Asst. to City Manager
Teresa Heitmann
Margaret Sulick

Gene Scott
Lynn Hixon Holly
Sharon Kenny
George Dondanville
Lois Selfon
Larry Schultz
Kevin Rambosk
Lucy MacIlvaine
Willie Anthony
Judith Chirgwin
Jim Boula
Sue Smith
Honorable Hugh D. Hayes

Media:

Jenna Buzzacco, Naples Daily News
Other interested citizens and visitors

INVOCATION AND PLEDGE OF ALLEGIANCE.....ITEM 2

Pastor Gene Scott, Celebration Community Church.

ANNOUNCEMENTITEM 3

- A video presentation and comments by Council and staff colleagues recognized the service to the City by Council Member MacIlvaine, whose term concluded with this meeting.

- Commendation by Mayor Barnett with regard to “Turn It Off Days! We’re Counting Every Drop” water conservation contest initiated by the Naples Woman’s Club. Lynn Hixon Holley appeared on behalf of the Woman’s Club and urged all residents to examine water usage particularly on the two days referenced above during which the various areas participating will be closely scrutinized.

SET AGENDA (add or remove items).....ITEM 4

MOTION by Nocera to ***SET THE AGENDA*** as submitted; seconded by Taylor and unanimously carried (MacIlvaine-yes, Nocera-yes, Price-absent, Sorey-yes, Taylor-yes, Willkomm-yes, Barnett-yes).

PUBLIC COMMENT.....ITEM 5

(9:14 a.m.) **Lois Selfon, 71 12th Avenue South**, as Chair of the Community Services Advisory Board (CSAB), requested an extension until March for her group to complete recommendations on revisions to the fee schedule for the City’s numerous parks programs. She also noted that a recent request to the Board of County Commissioners (BCC) for additional funding in this regard had been denied and that the CSAB would be appealing this decision in February; Council concurred with the aforementioned extension. **George Dondanville, no address given**, expressed appreciation to Vice Mayor Nocera and Council Member MacIlvaine for their years of service and recognized the City’s assistance with the recent half-marathon, presenting a special trophy to the City, noting Mayor Barnett’s participation in the event. **Larry Schultz, 408 16th Avenue South**, voiced his ongoing concern regarding the lease between the City and the Naples Airport Authority (NAA). He said that despite the City’s legal opinion in this regard, there remains the possibility of a renegotiation and requested that the validity of the lease be further researched.

CONSENT AGENDA

APPROVAL OF MINUTES.....ITEM 6-a

January 7, 2008 Workshop and January 9, 2008 Regular Meeting; as submitted.

SPECIAL EVENTS ITEM 6-b

- 1) Silent Auction – Dinner – Music – St. Patrick’s Parade Scholarship Gala – Inn on Fifth Courtyard – 03/05/08.
- 2) Concert – Gulf Streams Church – Cambier Park Bandshell – 03/21/08.
- 3) Bunny Mania Easter Carnival and Egg Scramble – City of Naples – Fleischmann Park – 03/22/08.
- 4) Fourth of July Parade – 2009 – City Of Naples - Third Street South to Fifth Avenue South – 07/04/08.
- 5) Fourth of July Fireworks – 2009 – City of Naples – Naples Municipal Pier – 07/04/08.
- 6) Rehearsal Dinner – Mr. and Mrs. Gerald M. Bailey – The Von Liebig Art Center – 03/14/08.
- 7) 40th Birthday Party – Darlenn G. Ayan – Bayfront Clubhouse – 02/09/08.

RESOLUTION 08-11937.....ITEM 6-c

A RESOLUTION ACCEPTING THE ANNUAL REPORT OF THE COMMUNITY SERVICES ADVISORY BOARD FOR CALENDAR YEAR 2007; AND PROVIDING AN EFFECTIVE DATE. Title not read.

RESOLUTION 08-11938..... ITEM 6-d

A RESOLUTION APPROVING A FIRST AMENDMENT TO THE AGREEMENT BETWEEN THE CITY OF NAPLES AND SNYDER INDUSTRIES, INC., TO EXTEND THE CONTRACT COMPLETION DATE TO FEBRUARY 28, 2008; AUTHORIZING

THE CITY MANAGER TO EXECUTE THE FIRST AMENDMENT TO THE AGREEMENT; AND PROVIDING AN EFFECTIVE DATE. Title not read.

RESOLUTION 08-11939 ITEM 6-g
A RESOLUTION APPROVING AN AGREEMENT FOR PURCHASE AND SALE OF GOODS BETWEEN THE CITY OF NAPLES AND STEELE TRUCK CENTER, INC. FOR THE PURCHASE OF ONE REPLACEMENT SOLID WASTE REFUSE COLLECTION VEHICLE; AUTHORIZING THE CITY MANAGER TO EXECUTE THE AGREEMENT FOR PURCHASE AND SALE OF GOODS; AND PROVIDING AN EFFECTIVE DATE.
Title not read.

RESOLUTION 08-11940 ITEM 6-h
A RESOLUTION APPROVING AN INTERLOCAL AGREEMENT – LICENSE FOR USE OF CITY OFFICE SPACE BETWEEN THE CLERK OF THE COLLIER COUNTY TAX COLLECTOR AND THE CITY OF NAPLES FOR USE OF OFFICE SPACE AT NAPLES CITY HALL; AUTHORIZING THE MAYOR TO EXECUTE THE INTERLOCAL AGREEMENT; AND PROVIDING AN EFFECTIVE DATE. Title not read.

RESOLUTION 08-11941 ITEM 6-i
A RESOLUTION APPROVING AN INTERLOCAL AGREEMENT – LICENSE FOR USE OF CITY OFFICE SPACE BETWEEN THE CLERK OF THE CIRCUIT COURT OF COLLIER COUNTY AND THE CITY OF NAPLES FOR USE OF OFFICE SPACE AT NAPLES CITY HALL; AUTHORIZING THE MAYOR TO EXECUTE THE INTERLOCAL AGREEMENT; AND PROVIDING AN EFFECTIVE DATE. Title not read.

MOTION by Taylor to APPROVE CONSENT AGENDA except Items 6-e and 6-f; seconded by Willkomm and unanimously carried (MacIlvaine-yes, Nocera-yes, Price-absent, Sorey-yes, Taylor-yes, Willkomm-yes, Barnett-yes).

END CONSENT AGENDA

RESOLUTION 08-11942.....ITEM 6-e
A RESOLUTION APPROVING A PROFESSIONAL SERVICES AGREEMENT BETWEEN THE CITY OF NAPLES AND TETRA TECH INC.-HARTMAN AND ASSOCIATES, INC. TO PROVIDE PROFESSIONAL SERVICES TO PREPARE A WATER FEASIBILITY STUDY; AUTHORIZING THE CITY MANAGER TO EXECUTE THE PROFESSIONAL SERVICES AGREEMENT; AND PROVIDING AN EFFECTIVE DATE. Title read by City Attorney Robert Pritt (9:21 a.m.). Council Member Sorey indicated that while he is supportive of the above referenced study, he believed that the review should be more broadly based. City Manager William Moss explained that the study's intent is to establish long-term goals and strategies, as well as to develop a timeline for the City's future water supply needs. Utilities Director Robert Middleton reviewed the scope of services contained in the agreement (Attachment 1), pointing out that all sources will be studied: reclaimed water, stormwater runoff, ground water, and canals or other surface water supplies (potable and irrigation). For each aforementioned source, the study will address quantity, quality, treatment cost, and the estimated time for each source to be implemented. The forthcoming analysis will then be converted into a 20-year plan utilized to develop 5-year capital improvement projects and ascertain the amount of funding necessary for each. Council Member Sorey then noted his concern that objectives should be set, such as a percentage of alternative water usage for irrigation and determinations regarding the elevated chloride level in the reuse water; the issues should be clarified for the public, he added, and proffered the motion below.

Responding to Council Member Willkomm, Director Middleton explained that water quality had been included in the 2002 master plan regarding the reuse system and at that time chloride levels had not been an issue. Council Member Taylor stated that the reuse water had been consistently utilized for irrigation not only by the City but several area golf courses with no indication of a negative impact. She further observed that it was not until a cost increase was announced that the golf courses came forward with complaints regarding quality.

A brief discussion followed regarding saltwater as a raw water source during which Director Middleton explained that the main deterrent in an otherwise costly purification process is disposal of the brine derivative which is closely regulated and usually achieved through deep well injection. Information regarding this process will be included within the analysis, he said, but pointed out that it is not a feasible consideration at that time. Mr. Middleton further commented that one of the aforementioned disposal wells would cost up to \$8-million, with a permitting time of 5 to 6 years.

Public Comment: (9:30 a.m.) None.

MOTION by ***Sorey*** to ***APPROVE RESOLUTION 08-11942*** as submitted;
seconded by MacIlvaine and unanimously carried (MacIlvaine-yes, Nocera-yes,
Price-absent, Sorey-yes, Taylor-yes, Willkomm-yes, Barnett-yes)

RESOLUTION 08-11943.....ITEM 6-f(1)

A RESOLUTION APPROVING AN AGREEMENT BETWEEN THE CITY OF NAPLES AND KYLE CONSTRUCTION, INC., TO PROVIDE UNDERGROUND UTILITIES MAINTENANCE AND REPAIR SERVICES FOR THE CITY ON AN AS-NEEDED BASIS FOR A THREE YEAR PERIOD WITH THE OPTION OF TWO ONE-YEAR RENEWALS; AUTHORIZING THE CITY MANAGER TO EXECUTE THE AGREEMENT; AND PROVIDING AN EFFECTIVE DATE.

RESOLUTION 08-11944.....ITEM 6-f(2)

A RESOLUTION APPROVING AN AGREEMENT BETWEEN THE CITY OF NAPLES AND DOUGLAS N. HIGGINS, INC., TO PROVIDE UNDERGROUND UTILITIES MAINTENANCE AND REPAIR SERVICES FOR THE CITY ON AN AS-NEEDED BASIS FOR A THREE YEAR PERIOD WITH THE OPTION OF TWO ONE-YEAR RENEWALS; AUTHORIZING THE CITY MANAGER TO EXECUTE THE AGREEMENT; AND PROVIDING AN EFFECTIVE DATE.

RESOLUTION 08-11945.....ITEM 6-f(3)

A RESOLUTION APPROVING AN AGREEMENT BETWEEN THE CITY OF NAPLES AND MITCHELL & STARK CONSTRUCTION CO., INC., TO PROVIDE UNDERGROUND UTILITIES MAINTENANCE AND REPAIR SERVICES FOR THE CITY ON AN AS-NEEDED BASIS FOR A THREE YEAR PERIOD WITH THE OPTION OF TWO ONE-YEAR RENEWALS; AUTHORIZING THE CITY MANAGER TO EXECUTE THE AGREEMENT; AND PROVIDING AN EFFECTIVE DATE.

RESOLUTION 08-11946.....ITEM 6-f(4)

A RESOLUTION APPROVING AN AGREEMENT BETWEEN THE CITY OF NAPLES AND QUALITY ENTERPRISES USA, INC., TO PROVIDE UNDERGROUND UTILITIES MAINTENANCE AND REPAIR SERVICES FOR THE CITY ON AN AS-NEEDED-BASIS FOR A THREE YEAR PERIOD WITH THE OPTION OF TWO ONE-YEAR RENEWALS; AUTHORIZING THE CITY MANAGER TO EXECUTE THE AGREEMENT; AND PROVIDING AN EFFECTIVE DATE. Council Member Willkomm

expressed his concern that while there is a limit per repair of \$100,000, there is no limit on the number of repairs, an issue of importance in light of recent revenue concerns. City Manager William Moss explained that it cannot be known in advance when outside services will be required. Furthermore, this structuring allows the City to make strategic business decisions, he said, pointing out that the budget could not be exceeded without prior approval by Council. Council Member Taylor however agreed with Mr. Willkomm's concerns and City Manager Moss explained that information regarding such expenditures is included within his monthly report, but that in the future these types of expenditures would be highlighted for easier reference by Council.

Titles were read by City Attorney Robert Pritt (9:36 a.m.) following consideration of the above items and the following motions were proffered.

Public Comment: (9:36 a.m.) None.

MOTION by Willkomm to **APPROVE RESOLUTION 08-11943** as submitted; seconded by Taylor and unanimously carried (MacIlvaine-yes, Nocera-yes, Price-absent, Sorey-yes, Taylor-yes, Willkomm-yes, Barnett-yes).

MOTION by Willkomm to **APPROVE RESOLUTION 08-11944** as submitted; seconded by Taylor and unanimously carried (MacIlvaine-yes, Nocera-yes, Price-absent, Sorey-yes, Taylor-yes, Willkomm-yes, Barnett-yes).

MOTION by Willkomm to **APPROVE RESOLUTION 08-11953** as submitted; seconded by Taylor and unanimously carried (MacIlvaine-yes, Nocera-yes, Price-absent, Sorey-yes, Taylor-yes, Willkomm-yes, Barnett-yes).

MOTION by Willkomm to **APPROVE RESOLUTION 08-11946** as submitted; seconded by Taylor and unanimously carried (MacIlvaine-yes, Nocera-yes, Price-absent, Sorey-yes, Taylor-yes, Willkomm-yes, Barnett-yes).

ORDINANCE (First Reading).....ITEM 7
AN ORDINANCE RELATING TO IMPACT FEES; AMENDING SUBSECTIONS (B) AND (C) OF SECTION 2-841, AMENDING SECTION 2-842 AND ADDING A NEW SUBSECTION (F) TO SECTION 2-842, AMENDING SUBSECTION (A) OF SECTION 2-846; AMENDING SECTION 2-849; AND AMENDING SUBSECTION (A) OF SECTION 2-850 OF DIVISION 6, FIRE, POLICE, PARKS AND RECREATION AND GENERAL GOVERNMENT CAPITAL FACILITY FEE, OF ARTICLE VI, FINANCE, OF CHAPTER 2; AMENDING SECTION 2-845 OF APPENDIX "A", FEES AND CHARGES SCHEDULE, OF THE CODE OF ORDINANCES, CITY OF NAPLES, TO REFLECT NEW RATES FOR FIRE, POLICE, PARKS AND RECREATION AND TO ELIMINATE THE GENERAL GOVERNMENT CAPITAL FACILITY FEE; BASING FEES UPON THE MOST RECENT IMPACT FEE STUDY; CREATING SEPARATE FUNDS; ADJUSTING CREDITS AND EXEMPTIONS; PROVIDING A SEVERABILITY CLAUSE AND PROVIDING AN EFFECTIVE DATE. Title read by City Attorney Robert Pritt (9:38 a.m.). Council Member Willkomm questioned whether the above referenced fees were to be increased relative to the parks and fire services as previously discussed by Council. Finance Director Ann Marie Ricardi reviewed her memorandum dated January 24 (Attachment 2) in which she discussed these increased fees and her recommendations. She further called attention to the fact that additional impact fees could not be levied regarding the proposed City parking garage to be located at Eighth Street and Sixth Avenue South. Impact fees are applicable only to projects which provide infrastructure for new development which is not the

case with the parking garage, she said, although a special assessment could be implemented for supplemental funding if this were found to be necessary. Council Member Taylor agreed, pointing out that the proposed parking structure is to accommodate the redevelopment district and this would utilize TIF (Tax Incremental Financing) funds since providing parking is not the responsibility of the entire City, especially with Collier County's substantial impact fee schedule. Ms. Ricardi noted that with the inclusion of the Gordon River Greenway and Broad Avenue Linear Water Quality Park, impact fees for parks would be increased by \$323, resulting in a total of \$1,166 for a single-family, detached home. With the expansion of Fire Station #3 (located on the airport property), included in the fire impact fee is an additional \$337, totaling \$1,826 for the same housing unit. Ms. Ricardi then recommended these amendments as presented. Although, various Council Members expressed concern with regard to the level of increase, Ms. Ricardi pointed out that impact fees had not been reviewed in the recent past but assured Council that future reviews would take place every five years.

During discussion which followed, the need for revision of the implementation date was noted as to provide public disclosure in detail. Ms. Ricardi therefore requested an additional ten days which is reflected in the motion below. City Attorney Pritt recommended that, in light of the above amendments to the fee schedule, the ordinance be returned to first reading (with the effective date remaining as stated therein).

Public Comment: (9:53 p.m.) None.

MOTION by Willkomm to APPROVE THIS ORDINANCE on First Reading amended per staff recommendations and revising implementation date to May 29, 2008. This motion was seconded by MacIlvaine and unanimously carried (MacIlvaine-yes, Nocera-yes, Price-absent, Sorey-yes, Taylor-yes, Willkomm-yes, Barnett-yes).

RESOLUTION 08-11947.....ITEM 8
A RESOLUTION RANKING THE TOP THREE FIRMS IN ORDER OF PREFERENCE TO PROVIDE PROFESSIONAL ARCHITECTURAL/ENGINEERING SERVICES RELATED TO THE REPLACEMENT OF THE UTILITIES MAINTENANCE BUILDING; AUTHORIZING THE CITY MANAGER TO NEGOTIATE A CONTRACT WITH THE TOP-RANKED FIRM; AND PROVIDING AN EFFECTIVE DATE. Title read by City Attorney Robert Pritt (9:55 a.m.) who then noted that the selection process for the above referenced ranking had been in accordance with the Consultants' Competitive Negotiation Act (CCNA)(Chapter 287.055, Florida Statute). Council Member MacIlvaine proffered a motion of approval, Council Member Sorey seconded, and Council Member Taylor noted that she would abstain due to conflict.

Public Comment: (9:56 a.m.) None.

MOTION by MacIlvaine to APPROVE RESOLUTION 08-11947 as submitted; seconded by Sorey and carried 5-0-1 (MacIlvaine-yes, Nocera-yes, Price-absent, Sorey-yes, Taylor-abstain, Willkomm-yes, Barnett-yes). (See Attachment 3, Form 8-B Memorandum of Voting Conflict for County, Municipal, and Other Local Public Officers.)

RESOLUTION (Continued – see motion below)ITEM 9
A RESOLUTION APPOINTING ONE MEMBER TO THE COMMUNITY REDEVELOPMENT AGENCY ADVISORY BOARD (CRAAB) FOR A TWO-YEAR TERM COMMENCING FEBRUARY 6, 2008, AND EXPIRING FEBRUARY 5, 2010;

AND PROVIDING AN EFFECTIVE DATE. Title read by City Attorney Robert Pritt (9:57 a.m.). Council Member Sorey stressed the importance of a member representing the “D” Downtown District and therefore suggested that this appointment be continued to allow a further opportunity for someone from that district to apply. However, if no response is received, Council should then consider Wynn Phillips. City Clerk Tara Norman agreed that the vacancy could indeed again be publicized and the motion below was forthcoming.

Public Comment: (9:59 a.m.) None.

MOTION by Sorey to CONTINUE THIS RESOLUTION TO MARCH 5, 2008 and re-advertise for “D” Downtown member (if no applicant response, consider Wynn Phillips at that time). This motion was seconded by MacIlvaine and unanimously carried (MacIlvaine-yes, Nocera-yes, Price-absent, Sorey-yes, Taylor-yes, Willkomm-yes, Barnett-yes).

Mayor Barnett thanked Video Programming & Production Manager David Fralick for the presentation dedicated to Council Member MacIlvaine (see Item 3 above) and Council then personally commended Mr. MacIlvaine and Vice Mayor Nocera for their years of service. Vice Mayor Nocera was also awarded a commemorative skateboard by the City in recognition of his ongoing efforts for the youth of the City and Collier County. Although reelected, Mayor Barnett and Council Member Sorey, along with Messrs. MacIlvaine and Nocera, also received a keepsake from the City for their years of service.

Council Member Willkomm requested that staff provide an update regarding the details of funding for the proposed parking facility to be located at Eighth Street and Sixth Avenue South and Mayor Barnett explained that correspondence and communications would be heard following the recess noted below.

Recess: 10:07 a.m. to 12:00 p.m. It is noted for the record that the same Council Members were present when the meeting reconvened.

.....**ITEM 10**
SWEARING IN OF CITY COUNCIL MEMBERS BY THE HONORABLE HUGH D. HAYES, 20TH JUDICIAL CIRCUIT. (12:00 p.m.) Mayor Bill Barnett and Council Members Teresa Heitmann, John Sorey, III, and Margaret Sulick received the oath of office. Mayor Barnett directed that roll call be taken with the new Council seated and the meeting agenda resumed.

PUBLIC COMMENT.....
None.

CORRESPONDENCE AND COMMUNICATIONS.....
In addition to Council Member Willkomm’s above request for an update of the funding for the parking facility, Council Member Taylor requested an overview of the budget in light of recent tax reforms and their impact on the City’s finances. City Manager William Moss noted that staff would present to Council a review of the parking facility in March, which would include the estimated cost and other CRA (Community Redevelopment Agency) financial matters brought forward. Miss Taylor continued expressing concern for the amount of recent truck traffic along Gulf Shore Boulevard and stressed enforcement by the City of the applicable prohibition. Newly sworn Council Member Heitmann thanked the community for its support and said that she looked forward to serving the City. Council Member Sorey then welcomed the new Council Members (see Item 10 above) and Mayor Barnett requested a consensus to rename the skate

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park located in Fleischmann Park in honor of former Vice Mayor Johnny Nocera, as suggested by City resident Sharon Kenny; Council concurred.

Consensus to rename the skate park located in Fleischmann Park in honor of former Vice Mayor Johnny Nocera.

ADJOURN

12:07 p.m.

Bill Barnett, Mayor

Tara A. Norman, City Clerk

Minutes prepared by:

Vicki L. Smith, Technical Writing Specialist

Minutes Approved: 03/05/08

SCOPE OF SERVICES

City of Naples

Integrated Water Resource and Water Supply Feasibility Study

Introduction

Rapid growth throughout the State of Florida has stressed existing groundwater supply sources making sustainable water supply a key issue for many communities. The City of Naples intends to develop a 20 year integrated water resource plan to identify sustainable alternative water supply sources to meet projected demands. This plan will evaluate options for using stormwater, surface water and reclaimed water to reduce groundwater withdrawals and freshwater discharges to Naples Bay. The City intends to maintain existing surficial aquifer groundwater sources, but wants to ensure that these resources are utilized responsibly to ensure that environmental impacts are minimized to the most practical extent. New brackish water supply sources will be evaluated as additional alternative water supply sources.

Water Demand Projections

Tetra Tech is preparing 20 year water demand projections as part of on-going consumptive use permitting. These projections will include a breakdown of irrigation and potable water needs, and will be utilized in the integrated water resource plan as the basis of the 20 year water demand.

Source Water Data Collection

There are four (4) potential sources of water that can be used to satisfy potable and irrigation water demands for the City. These sources include:

- Reclaimed Water – Irrigation Only
- Storm Water – Irrigation Only
- Canal Water and Other Surface Water Supplies – Potable and Irrigation
- Groundwater – Potable and Irrigation

Data for each potential source will be summarized from the following sources:

- The City of Naples Stormwater Master Plan will be utilized for stormwater collection and routing. The stormwater analysis will focus on existing stormwater pumping facilities as key locations for capturing stormwater as an alternative water supply source for irrigation.
- Available surface water quality and quantity data will be summarized and utilized to identify key locations for supplementing irrigation water with surface water. This analysis will be limited to areas identified as feasible for installation of necessary intake and pumping facilities.

- Data from the City's reclaimed water aquifer storage and recovery (ASR) program will be summarized. This data will be utilized to identify future ASR locations and potential brackish groundwater supply sources and quality.
- Available groundwater quality and quantity data from the City's water plant records, Big Cypress Basin, SFWMD and Collier County will be summarized and utilized to identify existing surficial wells that can be utilized to supplement irrigation water and brackish groundwater sources for potable water supply.

Alternative Analysis and Selection

There is a wide variability in the quality of source water from the potential sources, and the finished water qualities required to meet potable and irrigation demands are very different. It is likely that different treatment processes will be necessary for each use. An initial alternatives development and screening process will be necessary to accurately establish raw water characteristics for each potential source, identify treatment goals, preliminarily select appropriate treatment technologies for each water source, identify volumetric constraints, and estimate seasonal variations in supply and demand.

Developing detailed cost estimates for every conceivable scenario would be time consuming, and probably of marginal value, but some means of screening the alternatives will be necessary. The costs for many of the components vary in direct proportion to capacity, however, costs of some of the components change minimally even for a significant increase in capacity as a result of "economy of scale". In order to accurately and efficiently perform an initial screening of alternatives capital cost curves will be developed for supply, treatment, storage, and distribution components. This will allow the City and Tetra Tech to quickly evaluate a wide variety of options and eliminate alternatives that are obviously cost prohibitive.

Current and anticipated withdrawal constraints can be used in conjunction with the cost data to eliminate options that are too costly, or options with volumetric limitations. It is expected that this screening process will significantly reduce the number of alternatives and that detailed costs will be developed for 8 to 10 options. Once the cost has been established, options must be evaluated with respect to their effectiveness in meeting the following goals:

- **Meet Projected Total Demand.** The City's water demand has grown moderately over the years and current population projections indicate that demand will continue to increase modestly in the foreseeable future.
- **Utilize Renewable Resources.** In order for the community to be sustainable into the future, the City needs to shift from a historical reliance on high quality fresh ground water to renewable water supplies. Surface water, brackish water and reclaimed are renewable supplies that must be utilized to the maximum extent possible.
- **Meet Water-Quality Targets.** In addition to complying with federal, state, and local regulations, the City must also be responsive to the water-quality expectations and preferences of its customers.

- **Achieve Sustainable Pumpage.** There is a quantifiable volume of ground water that is naturally replenished each year. Pumping ground water at or below this annual rate would be hydrologically sustainable and would not cause additional water-level declines and associated subsidence. Sustainable pumping must be consistent with state regulations that govern the legal authority to withdraw ground water.
- **Manage Costs and Rate Impacts.** Projects and programs must be cost effective to ensure that water remains affordable.

A cost benefit analysis will be performed on the top 8-10 alternatives, and recommendations of preferred alternatives will be made.

Based on the results of the cost benefit analysis, a capital improvement program (CIP) will be developed for the 20-year planning period. The CIP will include projects necessary to implement the integrated water resource plan and respond to future growth.

Capital Financing Analysis

Funding sources for the recommended alternatives will be presented as part of the integrated water resource plan. As a municipal utility the City has a variety of funding options for the proposed projects. Consideration must be given to the City's overall capital financing policies and other factors that usually result in a combination of funding mechanisms. To this end it will be necessary to consult with the City's Finance Department as well as other members of the City's financial team (Bond Counsel, Financial Advisor, etc.) to generate the optimal mixed of funding alternatives.

A summary of available grant opportunities for alternative water supply programs will be included in the integrated water resource plan, including FDEP and SFWMD grant opportunities such as Clean Water Act 3199, Florida Pollution Recovery Program and grants available through the Big Cypress Basin Board.

Other funding sources that will be evaluated include:

- System Development Charges
- Municipal Bonds, Bank Loans or State Revolving Loan Funds
- User Rates and Charges
- Assessments
- Ad Valorem Taxes
- Special Charges
- Existing Reserve Funds

A description of each funding mechanism will be presented along with a discussion of the feasibility to use each mechanism in the context of funding water supply programs. The City's current utility rate and financial model developed through previous assignments with the City

will be utilized to develop various scenarios for funding the water supply alternatives. Each scenario will include a conceptual mix of funding sources and then evaluate the impact on the City's current rates and charges.

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TO: A. William Moss, City Manager
FROM: Ann Marie S. Ricardi, Finance Director
DATE: January 24, 2008
SUBJECT: Recommendations for Impact Fee Ordinance

City Council requested that the Impact Fee Consultant consider several additional issues:

Parking Garage Impact Fee. I contacted two people regarding this question: Dwayne Guthrie of Tischler Bise and Bryant Miller Olive's Impact Fee Attorney. Both indicated that an impact fee may not be a good option for a parking garage. Although impact fees capture new growth and make them pay a fair share of an existing or anticipated public improvement and a parking facility could be supported in part by impact fee, they indicated that it is probably not the best funding tool.

According to our consultant Dwayne Guthrie "Impact fees are a limited revenue source intended to provide infrastructure needed to accommodate new development. I think we would have a hard time making the case that an infill residential condo near the beach, or a new restaurant at the north end of Naples, requires additional parking spaces in a historic district garage." They have advised us that an impact fee would bring in less than 5% of the cost of the garage.

This ordinance as written and as posted will not allow a parking garage impact fee. To start a parking/parking garage impact fee, a separate impact fee analysis would have to be performed. Such a report would probably cost \$12-\$15,000.

Parks Impact Fee. The parks impact fee proposal passed on first reading was \$777 per single family detached, and \$598 per other housing unit. The revised amount of a maximum supportable fee now includes Broad Avenue South Park and the Greenway, and totals \$1,166 per single family detached and \$897 for other housing units. This is an increase of \$389 per single family house.

Because this revised fee ensures that new growth is paying their share of the added projects that are scheduled or planned within the City's capital program over the next few years, changing the parks impact fee from the original proposal is reasonable.

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Fire Impact Fee. The original proposal did not include the required expansion of Station 3 which is an expanded level of service that will help current and future residents. The original fee was \$269 per single family detached and \$207 per other housing unit. The revised maximum allowable fee is \$337 and \$259 respectively, plus corresponding increases for non-residential construction, based on square foot or demand indicator. These changes to the ordinance should be implemented, as this is a committed project.

Implementation Date. The ordinance had an implementation date of 91 days after passage. While this would be legal, it seems as though the intent of state law is to provide an expanded level of public notice of 90 days prior to implementation. As guided by our City attorney, I would prefer to give more disclosure than less. That means that staff will place an ad in the paper after passage of the new adopted rates, instead of a preliminary ad with proposed rates. The ad will state the adopted fees and reference the ordinance number. To accomplish this, I am requesting that the implementation date be changed to May 15, 2008.

In summary, the January 25, 2008 updated report recommends an additional increase to the recreation impact fees and the fire impact fees as shown below, and amending the implementation date at Second Reading. The revised and final report is available in the City Clerk's office.

| | Parks 1st Reading | Parks 1/25 | Police 1st Reading | Fire 1st Reading | Fire 1/25 | Total | (From current) | Increase/ (decrease) |
|---|-------------------------|---------------|--------------------------|----------------------|--------------|----------------------|-------------------|-------------------------|
| Single Family Detached | \$777 | \$1,166 | \$323 | \$269 | \$337 | \$1,369 | \$1,826 | \$ 1,383.50 |
| All Other Housing | \$598 | \$897 | \$248 | \$207 | \$259 | \$1,053 | \$1,404 | \$ 961.50 |
| | | | | | | | | |
| | | | Police | Fire | | | | |
| 820 Commercial Shopping Center 100,000 SF or less | | | \$ 0.45 | \$ 0.99 | \$ 1.24 | \$ 1.44 | \$1.69 | \$0.96 |
| 820 Commercial Shopping Center 100,000 SF or more | | | \$ 0.33 | \$ 0.72 | \$ 0.90 | \$ 1.05 | \$1.23 | \$0.50 |
| 770 Business Park | | | \$ 0.13 | \$ 0.28 | \$ 0.35 | \$ 0.41 | \$0.48 | (\$0.25) |
| 720 Medical Dental Office | | | \$ 0.37 | \$ 0.80 | \$ 1.00 | \$ 1.17 | \$1.37 | \$0.64 |
| 710 General Office 50,000 SF or less | | | \$ 0.16 | \$ 0.34 | \$ 0.43 | \$ 0.50 | \$0.59 | (\$0.14) |
| 710 General Office 50,000 SF or more | | | \$ 0.11 | \$ 0.25 | \$ 0.31 | \$ 0.36 | \$0.42 | (\$0.07) |
| 610 Hospital | | | \$ 0.18 | \$ 0.39 | \$ 0.48 | \$ 0.57 | \$0.66 | (\$0.01) |
| 151 Mini Warehouse | | | \$ 0.02 | \$ 0.05 | \$ 0.06 | \$ 0.07 | \$0.08 | (\$0.65) |
| 110 Light Industrial | | | \$ 0.07 | \$ 0.15 | \$ 0.19 | \$ 0.22 | \$0.26 | (\$0.47) |
| Any other not classified | | | \$ 0.45 | \$ 0.99 | \$ 1.24 | \$ 1.44 | \$1.69 | \$0.96 |
| 320 Lodging (per Room) | | | \$ 57.00 | \$ 125.00 | \$ 156.00 | \$ 182.00 | \$213.00 | |
| 520 Elementary School (per student) | | | \$ 8.00 | \$ 18.00 | \$ 23.00 | \$ 26.00 | \$31.00 | |
| 530 Secondary School (per student) | | | \$ 12.00 | \$ 27.00 | \$ 34.00 | \$ 39.00 | \$46.00 | |
| 565 Day Care (per student) | | | \$ 22.00 | \$ 47.00 | \$ 59.00 | \$ 69.00 | \$81.00 | |

| FORM 8B MEMORANDUM OF VOTING CONFLICT FOR COUNTY, MUNICIPAL, AND OTHER LOCAL PUBLIC OFFICERS | |
|---|--|
| LAST NAME—FIRST NAME—MIDDLE NAME <i>TAYLOR, PENNY (Penelope) A</i> | NAME OF BOARD, COUNCIL, COMMISSION, AUTHORITY, OR COMMITTEE <i>City Council</i> |
| MAILING ADDRESS <i>995 13th STREET N</i> | THE BOARD, COUNCIL, COMMISSION, AUTHORITY OR COMMITTEE ON WHICH I SERVE IS A UNIT OF: |
| CITY <i>NAPLES FL</i> | <input checked="" type="checkbox"/> CITY <input type="checkbox"/> COUNTY <input type="checkbox"/> OTHER LOCAL AGENCY |
| COUNTY <i>COLLIER</i> | NAME OF POLITICAL SUBDIVISION: <i>City of Naples</i> |
| DATE ON WHICH VOTE OCCURRED <i>2/6/08</i> | MY POSITION IS: <input checked="" type="checkbox"/> ELECTIVE <input type="checkbox"/> APPOINTIVE |

WHO MUST FILE FORM 8B

This form is for use by any person serving at the county, city, or other local level of government on an appointed or elected board, council, commission, authority, or committee. It applies equally to members of advisory and non-advisory bodies who are presented with a voting conflict of interest under Section 112.3143, Florida Statutes.

Your responsibilities under the law when faced with voting on a measure in which you have a conflict of interest will vary greatly depending on whether you hold an elective or appointive position. For this reason, please pay close attention to the instructions on this form before completing the reverse side and filing the form.

INSTRUCTIONS FOR COMPLIANCE WITH SECTION 112.3143, FLORIDA STATUTES

A person holding elective or appointive county, municipal, or other local public office MUST ABSTAIN from voting on a measure which inures to his or her special private gain or loss. Each elected or appointed local officer also is prohibited from knowingly voting on a measure which inures to the special gain or loss of a principal (other than a government agency) by whom he or she is retained (including the parent organization or subsidiary of a corporate principal by which he or she is retained); to the special private gain or loss of a relative; or to the special private gain or loss of a business associate. Commissioners of community redevelopment agencies under Sec. 163.356 or 163.357, F.S., and officers of independent special tax districts elected on a one-acre, one-vote basis are not prohibited from voting in that capacity.

For purposes of this law, a "relative" includes only the officer's father, mother, son, daughter, husband, wife, brother, sister, father-in-law, mother-in-law, son-in-law, and daughter-in-law. A "business associate" means any person or entity engaged in or carrying on a business enterprise with the officer as a partner, joint venturer, coowner of property, or corporate shareholder (where the shares of the corporation are not listed on any national or regional stock exchange).

ELECTED OFFICERS:

In addition to abstaining from voting in the situations described above, you must disclose the conflict:

PRIOR TO THE VOTE BEING TAKEN by publicly stating to the assembly the nature of your interest in the measure on which you are abstaining from voting; and

WITHIN 15 DAYS AFTER THE VOTE OCCURS by completing and filing this form with the person responsible for recording the minutes of the meeting, who should incorporate the form in the minutes.

APPOINTED OFFICERS:

Although you must abstain from voting in the situations described above, you otherwise may participate in these matters. However, you must disclose the nature of the conflict before making any attempt to influence the decision, whether orally or in writing and whether made by you or at your direction.

IF YOU INTEND TO MAKE ANY ATTEMPT TO INFLUENCE THE DECISION PRIOR TO THE MEETING AT WHICH THE VOTE WILL BE TAKEN:

- You must complete and file this form (before making any attempt to influence the decision) with the person responsible for recording the minutes of the meeting, who will incorporate the form in the minutes. (Continued on other side)

APPOINTED OFFICERS (continued)

- A copy of the form must be provided immediately to the other members of the agency.
- The form must be read publicly at the next meeting after the form is filed.

IF YOU MAKE NO ATTEMPT TO INFLUENCE THE DECISION EXCEPT BY DISCUSSION AT THE MEETING:

- You must disclose orally the nature of your conflict in the measure before participating.
- You must complete the form and file it within 15 days after the vote occurs with the person responsible for recording the minutes of the meeting, who must incorporate the form in the minutes. A copy of the form must be provided immediately to the other members of the agency, and the form must be read publicly at the next meeting after the form is filed.

DISCLOSURE OF LOCAL OFFICER'S INTEREST

I, Penny Taylor, hereby disclose that on February 6, 2008:

(a) A measure came or will come before my agency which (check one)

- ☒ inured to my special private gain or loss;
- ☐ inured to the special gain or loss of my business associate, _____;
- ☐ inured to the special gain or loss of my relative, _____;
- ☐ inured to the special gain or loss of _____, by whom I am retained; or
- ☐ inured to the special gain or loss of _____, which is the parent organization or subsidiary of a principal which has retained me.

(b) The measure before my agency and the nature of my conflicting interest in the measure is as follows:

I have an ongoing business relationship with Astorino Inc.

*Item 8
City Council
Meeting
of 2/6/08*

Date Filed

Signature

NOTICE: UNDER PROVISIONS OF FLORIDA STATUTES §112.317, A FAILURE TO MAKE ANY REQUIRED DISCLOSURE CONSTITUTES GROUNDS FOR AND MAY BE PUNISHED BY ONE OR MORE OF THE FOLLOWING: IMPEACHMENT, REMOVAL OR SUSPENSION FROM OFFICE OR EMPLOYMENT, DEMOTION, REDUCTION IN SALARY, REPRIMAND, OR A CIVIL PENALTY NOT TO EXCEED \$10,000.