



City Council Chamber
735 Eighth Street South
Naples, Florida 34102

City Council Regular Meeting – June 4, 2008 – 9:00 a.m.

Mayor Barnett called the meeting to order and presided.

ROLL CALLITEM 1

Present:

Bill Barnett, Mayor
Penny Taylor, Vice Mayor

Council Members:

Teresa Heitmann
Gary Price, II
John Sorey, III
Margaret Sulick
William Willkomm, III

Also Present:

William Moss, City Manager
Robert Pritt, City Attorney
Jessica Rosenberg, Deputy City Clerk
Roger Reinke, Assistant City Manager
Vicki Smith, Technical Writing Specialist
Robin Singer, Planning Director
David Lykins, Community Services Director
Stephen Weeks, Technology Services Director
Buddy Bonollo, Police Officer
Denise Perez, Human Resources Director
Russell Adams, CRA Executive Director
Paul Bollenback, Building Official
Mireidy Hanson, Planner
Erica Goodwin, Planner
Gregg Strakaluse, Engineering Manager
George Archibald, Traffic Engineer
James McEvoy, Deputy Fire Chief

Ryan Wright
Everett Thayer
Tony Ridgway
Doug Finlay
Judith Chirgwin
Jim Goehler
Sue Smith
Lou Vlasho
Arthur Neumann
John Passidomo
Joe Biasella
Laura DeJohn
Fred Sullivan

Media:

Jenna Buzzacco, Naples Daily News
Other interested citizens and visitors

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

Reverend Ryan Wright, St. Paul's Episcopal Church.

ANNOUNCEMENTITEM 3

Vice Mayor Taylor announced that Iva Turner, wife of former Mayor Archie Turner, had passed away and a memorial celebration is scheduled on June 6, 6:30 p.m. to 12:00 a.m. at 330 Central Avenue; she requested that a special event permit be considered due to amplified music (see Item 7-b(9) below for consideration).

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

MOTION by Price to SET THE AGENDA removing from the Consent Agenda for separate discussion Items 7-b(1), 7-b(2), 7-b(4), 7-b(5), and 7-b(7) (special events); and adding Item 7-b(9) (Iva Turner Memorial Celebration) although for separate discussion. This motion was seconded by Willkomm and unanimously carried, all members present and voting (Heitmann-yes, Price-yes, Sorey-yes, Sulick-yes, Taylor-yes, Willkomm-yes, Barnett-yes). (It is noted for the record that Item 7-g (retiree insurance benefits for Mayor/City Council Members) was also removed from the Consent Agenda for separate discussion during consideration of Item 7 below.

PUBLIC COMMENT.....ITEM 5

(9:06 a.m.) **Judith Chirgwin, Naples**, requested that the City's legal fees be reviewed and consideration be given to an in-house attorney in light of budgetary issues in the present economy. Vice Mayor Taylor noted a late 1990's study regarding the cost of outsourcing attorney services versus a contract with one attorney, expressing the view that the current arrangement by the City for legal services had proven more cost effective. Mayor Barnett suggested that further discussion take place during consideration of Item 17 (see below). **Everett Thayer, 1690 Avion Place**, suggested that fresh water retention become a goal on the east side of North Road on the Naples Airport property, while saltwater remain to the west of the roadway. He also suggested that the Gordon River be dredged northward to the location of the first weir, placing the removed rock on the airport property for later use. **Sue Smith, 11th Avenue South**, requested that Council remove Item 7-g (retirement insurance benefits for Council) from the Consent Agenda for separate discussion, thereby also allowing public input. Mrs. Smith indicated that she did not support the City providing such benefits. Council Member Price indicated that he would indeed make this request during approval of the Consent Agenda (see Item 7 below). **Tony Ridgway, representing the Third Street South Merchants Association**, read into the record his statement updating Council with regard to concerns among the membership (Attachment 1) and commending the efforts of Assistant City Manager Roger Reinke who serves as City liaison for the Association. **Doug Finlay, 3430 Gulf Shore Boulevard**, voiced support of the above referenced Item 7-g, saying that he believed such benefits would aid in economic diversity of Council.

CONSENT AGENDA

MOTION by Price to REMOVE ITEM 7-g FOR SEPARATE DISCUSSION; seconded by Willkomm and unanimously carried, all members present and voting (Heitmann-yes, Price-yes, Sorey-yes, Sulick-yes, Taylor-yes, Willkomm-yes, Barnett-yes).

APPROVAL OF MINUTES.....ITEM 7

May 5, 2008 Workshop and May 7, 2008 Regular Meeting, as submitted.

SPECIAL EVENTS.....ITEM 7-b

- 1) See below, removed for separate discussion (see Item 4 above).
- 2) See below, removed for separate discussion (see Item 4 above).
- 3) Outdoor Family Movie – City of Naples – Cambier Park Bandshell – 09/27/08, 10/25/08, 11/22/08 and 12/27/08.
- 4) See below, removed for separate discussion (see Item 4 above).
- 5) See below, removed for separate discussion (see Item 4 above).
- 6) 59th Swamp Buggy Parade – Swamp Buggy, Inc. – US 41 to Third Avenue South – 10/25/08.

7) See below, removed for separate discussion.

8) Halloween Costume Party – Downtown Naples Association – Fifth Avenue south Shopping District – 10/31/08.

9) (Added Item – see Item 4 above) Removed for separate discussion, see below.

RESOLUTION 08-12075.....ITEM 7-c

A RESOLUTION ACCEPTING A PARKING LOT DRAINAGE EASEMENT AND A LAKE DRAINAGE EASEMENT FOR BASIN III STORMWATER DRAINAGE IMPROVEMENTS AT THE 500 BLOCK OF 5TH AVENUE SOUTH FROM STEPHEN H. FARRINGTON; DIRECTING THAT THE CITY CLERK RECORD SAID EASEMENTS; AND PROVIDING AN EFFECTIVE DATE. Title not read.

RESOLUTION 08-12076.....ITEM 7-d

A RESOLUTION APPROVING A PROFESSIONAL SERVICES AGREEMENT BETWEEN THE CITY OF NAPLES AND TROY & BANKS, INC. FOR BILLING UTILITY AUDIT SERVICES REGARDING THE CITY'S UTILITY SERVICE PROVIDERS; AUTHORIZING THE CITY MANAGER TO EXECUTE THE AGREEMENT; AND PROVIDING AN EFFECTIVE DATE. Title not read.

RESOLUTION 08-12077.....ITEM 7-e

A RESOLUTION AUTHORIZING THE NAPLES ART ASSOCIATION TO COORDINATE THE GORDON RIVER PEDESTRIAN UNDERPASS ARTWORK PROJECT AND WAIVE THE CITY'S ARTIST SELECTION CRITERIA FOR THE PUBLIC ART ADVISORY COMMITTEE'S REVIEW AND APPROVAL OF THE PROJECT ARTWORK; AND PROVIDING AN EFFECTIVE DATE. Title not read.

RESOLUTION 08-12078.....ITEM 7-f

A RESOLUTION AUTHORIZING THE CITY MANAGER TO RE-SUBMIT A COMMUNITY DEVELOPMENT BLOCK GRANT APPLICATION TO COLLIER COUNTY TO CAPTURE THE CITY'S FEDERAL FISCAL YEAR 2007 ALLOCATION; AND PROVIDING AN EFFECTIVE DATE. Title not read.

During a brief discussion of Item 7-b(9) (Iva Turner memorial celebration) the motion below was proffered by Council Member Willkomm in response to concerns voiced by Council Member Price regarding impact to nearby residents due to the provision of music and the hours requested; consideration of the Consent Agenda items removed for separate discussion then commenced.

MOTION by Willkomm to CONSIDER ITEM 7-b(9) AMENDING TIME AS 5:30 P.M. TO 11:00 P.M.; seconded by Price and unanimously carried, all members present and voting (Heitmann-yes, Price-yes, Sorey-yes, Sulick-yes, Taylor-yes, Willkomm-yes, Barnett-yes).

MOTION by Willkomm to APPROVE CONSENT AGENDA except Item 7-b(1), 7-b(2), 7-b(4), 7-b(5), 7-b(7) 7-b(9) and 7-g; seconded by Price and unanimously carried, all members present and voting (Heitmann-yes, Price-yes, Sorey-yes, Sulick-yes, Taylor-yes, Willkomm-yes, Barnett-yes).

END CONSENT AGENDA

SPECIAL EVENTITEM 7-b(1)

ARTS AND CRAFTS FAIR AND SIDEWALK SALE – DOWNTOWN NAPLES ASSOCIATION – FIFTH AVENUE SOUTH SHOPPING DISTRICT – 09/05/08 (SIDEWALK SALE ONLY), 09/06/08 AND 09/07/08 (ARTS AND CRAFTS FAIR AND SIDEWALK SALE). Title read by City Attorney Robert Pritt (9:32 a.m.). Council Member Sorey explained that while he supports such events, with the construction of the parking garage

(Eighth Street and Sixth Avenue South) and the accompanying partial closure of Sixth Avenue South (between Eighth and Ninth Street South), parking plans must be included within the application process and that closure of Fifth Avenue South beginning at Eighth Street instead of Ninth should also be a consideration. He then proffered a motion for approval with the provision of a parking plan acceptable to staff to include offsite parking, shuttle service to and from the offsite parking, advertising and signage regarding same, and closure of Fifth as above noted; Council Member Price seconded.

Acknowledging Mr. Sorey's concerns, Mayor Barnett pointed out that the subject event had been scheduled for September, which is a month with relatively little activity; therefore, he questioned whether all the above noted parking plan requirements were in fact necessary. In response, Community Services Director David Lykins explained that input from the affected merchants should be obtained with regard to the noted limitation of the street closure but that staff would follow Council's direction. Mr. Sorey suggested that the item be continued until the June 18th regular meeting to allow the aforementioned input from the Fifth Avenue South merchants, although he firmly supported the need for a parking plan due to the lack of parking infrastructure, regardless of the time of year; Mr. Price, as the seconder, agreed, especially in light of the anticipated attendance of 1,500 persons.

In response to Council Member Sulick, Director Lykins explained that various offsite parking locales had been researched by petitioners and that combinations of these would be reflected in the parking plans to be provided. Mrs. Sulick cautioned that any directional signage utilized during events should be temporary and small in size, and that examples of same should be included within the application process. Mr. Lykins noted that detailed information regarding offsite parking and directions thereto would be provided in advanced advertising as well and that details as to parking for vendors were still being formulated. Council Member Heitmann strongly supported the concept of vendors parking offsite and a shuttle service being provided to transport wares to the event site; however she expressed the view that requiring an actual trolley would be excessive. Mr. Lykins pointed out that the type of vehicle utilized for shuttle service would be determined by the petitioners; Council Member Sulick noted that a shuttle service could perhaps involve a nominal charge to attendees.

Public Comment: (9:47 a.m.) **Jim Goehler, representing the Downtown Naples Association (DNA)**, explained that the group had been communicating with staff with regard to the parking issue and that contact had been made with various owners of offsite parking lots (St. Ann's Church, Wachovia Bank, Senior Friendship Center, and paved area at the Renaissance Village/former Grand Central Station site); the event planner would develop shuttle services when needed and vendors would park offsite. Mr. Goehler also said that affected merchants had indicated that they would not support Fifth Avenue South closures at Eighth Street South instead of Ninth due to their belief that patrons would then not cross Eighth if vehicular traffic were allowed.

MOTION by Sorey to CONTINUE ITEM 7-b(1) TO JUNE 18, 2008 TO ALLOW PROVISION OF PARKING PLAN (off-site parking, shuttle service, signage and advertising thereof); seconded by Price and unanimously carried, all members present and voting (Heitmann-yes, Price-yes, Sorey-yes, Sulick-yes, Taylor-yes, Willkomm-yes, Barnett-yes).

During discussion which followed, Council indicated that a decision as to the closure of Fifth Avenue South to occur at Eighth or Ninth Street South would also occur on June 18.

SPECIAL EVENTITEM 7-b(2)

U.S. NAVY – COUNTRY CURRENT BAND CONCERT – CITY OF NAPLES – CAMBIER PARK BANDSHELL – 09/13/08. Title read by City Attorney Robert Pritt (9:48 a.m.). Council Member Sorey noted that this event is City sponsored and attendance is estimated at 800; therefore he said that he believed the criteria to differ from the above discussed item (7-b(1)). He further pointed out that while no shuttle service would be needed, offsite parking and advance parking site advertising with directions should be contained within the parking plan.

Public Comment: (9:48 a.m.) None.

MOTION by Sorey to APPROVE ITEM 7-b(2), STAFF TO PROVIDE PARKING PLAN (off-site parking and advertising thereof); seconded by Taylor and unanimously carried, all members present and voting (Heitmann-yes, Price-yes, Sorey-yes, Sulick-yes, Taylor-yes, Willkomm-yes, Barnett-yes).

SPECIAL EVENTITEM 7-b(4)

NAPLES DAILY NEWS JAZZ BAND – CITY OF NAPLES – CAMBIER PARK BANDSHELL – 10/12/08, 11/09/08, 12/14/08, 01/25/09, 02/08/09, 03/15/09, 04/05/09 AND 05/03/09. Title read by City Attorney Robert Pritt (9:49 a.m.). Council Member Sorey noted this event's similarity to Item 7-b(2) (see above), pointing out the January 25 conflict with other scheduled events. Community Services Director David Lykins clarified that staff did not anticipate these Sunday concerts to conflict with the morning services conducted in Cambier Park by the Celebration Church. Staff, he further said, had been addressing the transitioning of back-to-back events and that no issues had arisen in past years with similar situations. Mr. Sorey explained that his concern had been with the Naples Invitational Art Fest scheduled for the above referenced date and that Fifth Avenue South had been scheduled for closure. He then proffered the motion reflected below and Vice Mayor Taylor seconded.

In response to Council Member Sulick, Mr. Sorey pointed out that the above event is less intense with regard to attendance than others to be considered that day, that hopefully the Eighth Street and Sixth Avenue South parking garage would be completed by the first of the year and each event should be considered individually with regard to criteria to be contained within its parking plan. If necessary, the City should provide shuttle service if the Renaissance Village paved parking area is utilized just as would be required of other petitioners, he said, due to the fact that attendees will not walk that distance. Mrs. Sulick suggested that instead of shuttles, police officers be positioned to direct traffic for pedestrians to safely cross intersections, especially US 41. Responding to Council Member Heitmann, Director Lykins indicated that prior research had revealed approximately 200 parking spaces within walking distance thereby more than replacing the 116 to be temporarily lost during construction of the above referenced parking garage; he said he would again provide this summary for the June 18 consideration of continued items. Vice Mayor Taylor stated that she agreed with Council Members Sulick and Heitmann in that the shuttle service should be avoided if at all possible, supporting the suggestion of additional police officers to direct traffic.

Council Member Sorey summarized his understanding of the intent of the provision of a parking plan as to avoid parking on residential lawns and to address the lack of parking capacity in the downtown area.

Public Comment: (10:03 a.m.) None.

MOTION by Sorey to **APPROVE ITEM 7-b(4), STAFF TO PROVIDE PARKING PLAN;** *seconded by Taylor and unanimously carried, all members present and voting (Heitmann-yes, Price-yes, Sorey-yes, Sulick-yes, Taylor-yes, Willkomm-yes, Barnett-yes).*

SPECIAL EVENTITEM 7-b(5)
FALL ART FESTIVAL AND SIDEWALK SALE – DOWNTOWN NAPLES ASSOCIATION – FIFTH AVENUE SOUTH SHOPPING DISTRICT – 10/17/08 (SIDEWALK SALE ONLY) AND 10/18/08 AND 10/19/08 (FALL ART FESTIVAL AND SIDEWALK SALE). Title read by City Attorney Robert Pritt (10:03 a.m.). Vice Mayor Taylor proffered a motion to continue this item to the June 18 regular meeting and Council Member Willkomm seconded. Council Member Price noted that a conflict exists on October 18 with the scheduling of the Fall Art Festival and the Naples Philharmonic Orchestra event similar to Item 7-b(4); he therefore requested that anticipated attendance for all events be provided in the future; Council agreed.

Public Comment: (10:03 a.m.) None.

MOTION by Taylor to **CONTINUE ITEM 7-b(5) TO JUNE 18, 2008 TO ALLOW PROVISION OF PARKING PLAN;** *seconded by Willkomm and unanimously carried, all members present and voting (Heitmann-yes, Price-yes, Sorey-yes, Sulick-yes, Taylor-yes, Willkomm-yes, Barnett-yes).*

SPECIAL EVENTITEM 7-b(7)
NAPLES CONCERT BAND – CITY OF NAPLES – CAMBIER PARK BANDSHELL – 10/26/08, 11/16/08, 12/07/08, 01/11/09, 02/01/09, 02/15/09, 03/08/09, 03/29/09 AND 04/17/09. Title read by City Attorney Robert Pritt (10:04 a.m.). Council Member Sorey noted that the anticipated attendance of this event would be 5,000 to 10,000 persons and moved approval with the caveat of staff developing a parking and advertising plan which would take into account the carrying capacity of the downtown parking infrastructure; Council Member Price seconded. In response to Council, Mr. Sorey further indicated that staff should be allowed to develop a plan as it deems feasible and Council Member Sulick pointed out that dependence on the Renaissance Village paved parking area should not occur as that development would move forward eventually and therefore the site no longer available for use by special event petitioners. She stated that the issue is to determine exactly what the capacity for these special events should be and parking codes should be enforced. In support of Mr. Sorey, Mr. Price stated that this had been the intent of the parking plan provision.

Discussion ensued during which various Council Members offered differing opinions as to the future of special events as to their size and impact on the City's parking infrastructure with the possible action of limiting attendance.

Public Comment: (10:10 a.m.) None.

MOTION by Sorey to **APPROVE ITEM 7-b(7), STAFF TO DEVELOP PARKING PLAN (and advertising thereof);** *seconded by Price and unanimously carried, all members present and voting (Heitmann-yes, Price-yes, Sorey-yes, Sulick-yes, Taylor-yes, Willkomm-yes, Barnett-yes).*

SPECIAL EVENT (Added Item – see Item 4 above)ITEM 7-b(9)
IVA TURNER – MEMORIAL CELEBRATION – 330 CENTRAL AVENUE – 5:30 P.M. TO 11:00 P.M. – 06/06/08. Title not read.

Public Comment: (10:11 a.m.) None.

MOTION by Taylor to APPROVE ITEM 7-b(9); seconded by Willkomm and unanimously carried, all members present and voting (Heitmann-yes, Price-yes, Sorey-yes, Sulick-yes, Taylor-yes, Willkomm-yes, Barnett-yes).

RESOLUTION 08-12079.....ITEM 7-g
A RESOLUTION PROVIDING RETIREE INSURANCE BENEFITS FOR THE MAYOR AND CITY COUNCIL MEMBERS AFTER COMPLETION OF SIX YEARS OF ELECTED SERVICE; AND PROVIDING AN EFFECTIVE DATE. Title read by City Attorney Robert Pritt (10:12 a.m.). In response to Council Member Price, City Manager William Moss explained that this resolution would enable Council Members to receive the same insurance benefits as other City retirees and would impact the potential cost increase of insurance coverage to all in the event of a catastrophic illness, as is the case with all other employees. Mr. Price stated that as a public servant, he believes that Council should be considered neither a City employee nor a retiree; he therefore could not support this action. Council Member Willkomm disagreed, saying that should a catastrophic illness occur during a Council Member's tenure, that person would perhaps become uninsurable and this may deter others from seeking the office. Mr. Price responded that while a choice exists as to participation in the City's insurance program when individuals are elected to the Council, his concern is whether Council Members should be considered in the same category as City retirees. Council Member Sorey pointed out that at the age of 65, citizens become eligible for Medicare, therefore older persons would not participate due to the cost of premiums for the City's insurance coverage.

In response to Council Member Heitmann, Human Resources Director Denise Perez explained that the City's program contains the provision of a stop loss level of \$100,000, that is if a catastrophic illness occurs and cost of treatment exceeds this amount, the stop loss, or additional insurance coverage, is triggered.

Public Comment: (10:20 a.m.) (See Item 5 above.)

MOTION by Willkomm to APPROVE RESOLUTION 08-12079 as submitted; seconded by Taylor and carried 6-1, all members present and voting (Willkomm-yes, Price-no, Taylor-yes, Sorey-yes, Sulick-yes, Heitmann-yes, Barnett-yes).

Recess: 10:21 a.m. to 10:33 a.m. It is noted for the record that the same Council Members were present when the meeting reconvened.

RESOLUTION 08-12080.....ITEM 8
A RESOLUTION DETERMINING PETITION 08-FWW2 FOR A WAIVER FROM SECTION 56-37(b)(1) TO ALLOW A 10 FOOT BLACK CHAIN LINK FENCE ASSOCIATED WITH AN APPROVED TENNIS COURT AND A 6 FOOT MASONRY WALL IN THE REQUIRED FRONT YARD ON PROPERTY LOCATED AT 45 FOURTH AVENUE SOUTH, MORE FULLY DESCRIBED HEREIN; AND PROVIDING AN EFFECTIVE DATE. Title read by City Attorney Robert Pritt (10:33 a.m.). This being a quasi-judicial proceeding, Notary Public Vicki Smith administered an oath to those intending to offer testimony; all responded in the affirmative. City Council Members then made the following ex parte disclosures: Taylor and Willkomm/familiar with the site but no contact; Price, Barnett, Heitmann and Sorey/visited the site but no contact; and Sulick/visited the site and within the past year participated in the Planning Advisory Board (PAB) consideration of a petition

regarding the subject property. Planning Director Robin Singer provided a brief review of this petition and noted that staff recommended approval, as did the Planning Advisory Board.

Arthur Neumann, agent for the petitioner and landscape architect, explained that the primary intent is the installation of the tennis court; he said that he believes his design meets and exceeds Code requirements, agreeing with staff's recommendations.

In response to Council Member Willkomm, Mr. Neumann clarified that the proposed fence would be constructed of vinyl-coated, black, chain link and that landscaping would indeed shield it from view of all adjoining properties; he then provided a brief review of the landscaping design. Director Singer confirmed for Council Member Sulick that approval of this project would be considered site specific and not set a precedent for future requests. Mr. Neumann also assured Council Member Sorey that given 18 months for growth, the landscaping would obstruct the view from Gulf Shore Boulevard and Fourth Avenue South of the above noted fencing as well as the proposed six-foot masonry wall. Mr. Neumann also noted the Code exception whereby properties west of Gulf Shore Boulevard and Gordon Drive may seek a waiver of wall height up to six foot as measured from the average crown of the frontage road, indicating that the proposed wall would be five-feet, ten-inches utilizing this measurement method. Ms. Singer noted that the provision cited by Mr. Neumann involves beach access roadways and that interpretation, at times, is difficult and that she did not recall waivers requested along Gulf Shore Boulevard as having been approved. Mr. Sorey reiterated his concern that the location for the wall is in fact a front yard along Fourth Avenue South.

Public Comment: (10:45 a.m.) None.

MOTION by Taylor to ***APPROVE RESOLUTION 08-12080*** as submitted; seconded by Willkomm and carried 5-2, all members present and voting (Heitmann-yes, Price-no, Sorey-no, Sulick-yes, Taylor-yes, Willkomm-yes, Barnett-yes).

Council Members Price and Sorey attributed their negative votes of opposition to placement of a six-foot masonry wall in a front yard.

RESOLUTION 08-12081.....ITEM 9
A RESOLUTION DETERMINING RENEWAL OF LIVE ENTERTAINMENT PERMIT APPROVAL FOR VERGINA, LOCATED At 700 FIFTH AVENUE SOUTH, MORE FULLY DESCRIBED HEREIN, SUBJECT TO THE CONDITIONS LISTED HEREIN; AND PROVIDING AN EFFECTIVE DATE. Title read by City Attorney Robert Pritt (10:45 a.m.). This being a quasi-judicial proceeding, Notary Public Vicki Smith administered an oath to those intending to offer testimony; all responded in the affirmative. City Council Members then made the following ex parte disclosures: Willkomm/spoke with a police officer regarding the site; Taylor and Heitmann/familiar with the site but no contact; Barnett and Sulick/visited the site but no contact; Price/visited the site and spoke with the petitioner; and Sorey/familiar with the site and spoke with the petitioner. Planning Director Robin Singer explained that this item had been scheduled on the regular agenda due to the receipt of a noise complaint, referencing a June 3 memorandum from Police Officer Pablo DeBien (Attachment 2) in which he explained the numerous complaints on record for the subject address. Police Office Buddy Bonollo further explained that 700 Fifth Avenue South is utilized by the Police Department as a landmark for logging of traffic citations, as well as other circumstances as noted in the aforementioned memorandum (see Attachment 2).

Public Comment: (10:48 a.m.) None.

MOTION by Sorey to ***APPROVE RESOLUTION 08-12081*** as submitted; seconded by Willkomm and unanimously carried, all members present and voting (Heitmann-yes, Price-yes, Sorey-yes, Sulick-yes, Taylor-yes, Willkomm-yes, Barnett-yes).

It is noted for the record that the June 2, 2008 memorandum from Planning Director Robin Singer regarding Comprehensive Plan Amendments is attached hereto as Attachment 3; it is relative to Items 10, 11, 12 and 13 below.

ORDINANCE (First Reading).....ITEM 10
AN ORDINANCE DETERMINING COMPREHENSIVE PLAN AMENDMENT 08-CPA2 ADDING A NEW FUTURE LAND USE DESIGNATION OF BUSINESS PARK; AND PROVIDING AN EFFECTIVE DATE. Title read by City Attorney Robert Pritt (10:49 a.m.). Planning Director Robin Singer explained staff's request as due to the need for a land use designation appropriate for the recently annexed Collier Park of Commerce (CPOC), that the existing HC Highway Commercial and C4 Airport Commercial were not suitable for this situation. The proposed Business Park Commercial designation allows for semi-industrial uses such as industrial, storage, manufacturing, office and commercial uses and does not allow any residential uses, thereby promoting continued development and redevelopment of the CPOC consistent with the existing character and standards of development. Council Member Price noted a typographical error in Section 3(f) as reflected in the motion below and City Attorney Pritt pointed out that the title should reflect the adoption of the ordinance which is also reflected in the motion below. Mr. Pritt also noted that the title and Section 1 should reflect Business Park Commercial for consistency throughout the ordinance; Director Singer agreed.

Public Comment: (10:52 a.m.) None.

MOTION by Sorey to ***APPROVE THIS ORDINANCE*** on First Reading amending the following: Title: "An ordinance adopting determining... Business Park Commercial,..."; Section 1: "...Business Park Commercial."; and Section 3: "...support the ~~eh~~ strengthening...". This motion was seconded by Taylor and unanimously carried, all members present and voting (Heitmann-yes, Price-yes, Sorey-yes, Sulick-yes, Taylor-yes, Willkomm-yes, Barnett-yes).

ORDINANCE (First Reading).....ITEM 11
AN ORDINANCE DETERMINING LARGE SCALE COMPREHENSIVE PLAN FUTURE LAND USE MAP AMENDMENT CHANGING 112.82 ACRES FROM THE COLLIER COUNTY FUTURE LAND USE DESIGNATION OF INDUSTRIAL TO A CITY OF NAPLES DESIGNATION OF BUSINESS PARK FOR COLLIER PARK OF COMMERCE LOCATED ALONG HORSESHOE DRIVE, ON THE WEST SIDE OF AIRPORT-PULLING ROAD, AND NORTH OF NAPLES MUNICIPAL AIRPORT, MORE FULLY DESCRIBED HEREIN; AND PROVIDING AN EFFECTIVE DATE. Title read by City Attorney Robert Pritt (10:53 a.m.) who then noted amendments similar to those cited in Item 10. Vice Mayor Taylor added that Business Park Commercial should also be reflected in this ordinance; Planning Director Robin Singer agreed.

Public Comment: (10:54 a.m.) None.

MOTION by *Sorey* to **APPROVE THIS ORDINANCE** on First Reading amending as follows: title: “An ordinance ~~adopting determining...~~ designation of Business Park Commercial...”; and fourth Whereas clause and Section 1: “Business Park Commercial...”. This motion was seconded by Willkomm and unanimously carried, all members present and voting (*Heitmann-yes, Price-yes, Sorey-yes, Sulick-yes, Taylor-yes, Willkomm-yes, Barnett-yes*).

ORDINANCE (First Reading).....ITEM 12
AN ORDINANCE PERTAINING TO THE CREATION OF A BUSINESS PARK ZONING DESIGNATION AND ELIMINATION OF THE INDUSTRIAL ZONING DESIGNATION; AMENDING DIVISION 24, I INDUSTRIAL DISTRICT, OF CHAPTER 50 OF THE CODE OF ORDINANCES, CITY OF NAPLES, IN ORDER TO CREATE THE BP BUSINESS PARK DISTRICT AND ELIMINATE THE EXISTING I INDUSTRIAL DISTRICT; PROVIDING A SEVERABILITY CLAUSE, A REPEALER PROVISION AND AN EFFECTIVE DATE. Title read by City Attorney Robert Pritt (10:55 a.m.) who noted the need for amending the title to reflect BP Business Park Commercial as in Items 10 and 11 above, as well as in Section 8 regarding the effective date. Planning Director Robin Singer explained that the Collier Park of Commerce (CPOC) property owners had requested various amendments to insure that existing uses do not become non-conformities; Ms. Singer briefly enumerated these changes. CPOC representative Laura DeJohn, Johnson Engineering, confirmed the amendments listed by Ms. Singer.

Public Comment: (11:00 a.m.) None.

MOTION by *Willkomm* to **APPROVE THIS ORDINANCE** on First Reading amending as follows: Title: “...Business Park Commercial...to create the BP Business Park Commercial District...”; first Whereas clause: “...Business Park Commercial...”; Section 58-711: “...business, civic and service uses...”; Section 58-712(12); “...and similar ~~publicly-owned~~ buildings...”; Section 58-713(8): “...chemical storage as a primary use for distribution and...”; and Section 8: “...upon the effective date of the ordinance adopting Comprehensive Plan Petition 08-CPA4 adoption at second reading.” This motion was seconded by *Sorey* and unanimously carried, all members present and voting (*Heitmann-yes, Price-yes, Sorey-yes, Sulick-yes, Taylor-yes, Willkomm-yes, Barnett-yes*).

ORDINANCE (First Reading).....ITEM 13
AN ORDINANCE DETERMINING LARGE SCALE COMPREHENSIVE PLAN AMENDMENT 08-CPA3 CHANGING 204.73 ACRES FROM A COLLIER COUNTY FUTURE LAND USE DESIGNATION OF URBAN RESIDENTIAL SUB-DISTRICT TO A CITY OF NAPLES FUTURE LAND USE DESIGNATION OF RECREATIONAL PUBLIC, SEMI PUBLIC, PRIVATE, IN ORDER TO ALLOW THE CONTINUED USE OF THE SUBJECT PROPERTY AS A GOLF COURSE AND CLUB ON PROPERTY LOCATED AT 3880 GOODLETTE FRANK ROAD, MORE FULLY DESCRIBED HEREIN; AND PROVIDING AN EFFECTIVE DATE. Title read by City Attorney Robert Pritt (11:01 a.m.) who recommended that the title be amended to reflect its adoption due to the legislative nature of the ordinance. Planning Director Robin Singer explained that this change in land use designation is necessary to allow the continued use as a golf course to the recently annexed Hole-in-the-Wall Golf Course property.

Public Comment: (11:02 a.m.) None.

MOTION by Sorey to APPROVE THIS ORDINANCE on First Reading amending as follows: Title: “An ordinance adopting determining...”; seconded by Price and unanimously carried, all members present and voting (Heitmann-yes, Price-yes, Sorey-yes, Sulick-yes, Taylor-yes, Willkomm-yes, Barnett-yes).

Planning Director Singer pointed out that the above ordinances (Items 10, 11, 12 and 13) would be transmitted to the State Department of Community Affairs (DCA) and that Second Reading for approvals would occur in September following the Council’s summer recess. In response to Vice Mayor Taylor, Ms. Singer also noted the current effort to survey the City’s boundaries so as to provide a precise and correct legal description in the Charter.

Council Member Sulick referred to Attachment 3 regarding the proposed annexation of property projected to contain a senior care project (Bridges of Gordon River) and received clarification from Director Singer that the applicable petition was anticipated to be considered by Council in September. Should this annexation be accomplished prior the end of the year, there would be an impact on City tax revenues. She further stated that an urban services report (USR) would be provided, although not required in a voluntary annexation, the petitioner having already submitted this material; there would also be additional analysis by staff at that time. Mrs. Sulick expressed concern that no information had however been provided to allow ongoing public review and input of the proposed development.

**ORDINANCE 08-12082.....ITEM 14
AN ORDINANCE PERTAINING TO SIDEWALKS; AMENDING SECTION 50-181 OF THE CODE OF ORDINANCES OF THE CITY OF NAPLES FOR THE PURPOSE OF AMENDING EXCEPTIONS TO THE SIDEWALK REQUIREMENTS AND AMENDING DEVELOPER OPTIONS FOR SIDEWALK INSTALLATIONS; PROVIDING A SEVERABILITY CLAUSE; PROVIDING A REPEALER PROVISION; AND PROVIDING AN EFFECTIVE DATE.** Title read by City Attorney Robert Pritt (11:08 a.m.). In response to Council Member Sorey, Planning Director Robin Singer explained that currently the Code of Ordinances contains the requirement for the provision of sidewalks for new construction in commercial and multi-family zoned areas. Exceptions for single-family and duplex developments within multi-family zoned properties exist which allow developers to decide whether to construct the required sidewalk, or contribute to a City fund for this purpose. The proposed ordinance would allow the City Manager to make the determination as to whether a developer would be responsible for the construction of sidewalks or allowed to make an equivalent contribution into the fund.

Public Comment: (11:09 a.m.) None.

MOTION by Sorey to ADOPT ORDINANCE 08-12082 as submitted; seconded by Taylor and unanimously carried, all members present and voting (Heitmann-yes, Price-yes, Sorey-yes, Sulick-yes, Taylor-yes, Willkomm-yes, Barnett-yes).

**RESOLUTION 08-12083.....ITEM 15
A RESOLUTION APPROVING THE CITY OF NAPLES’ TRAFFIC CALMING PROGRAM FOR FISCAL YEAR 2007-2008; AND PROVIDING AN EFFECTIVE DATE.** Title read by City Attorney Robert Pritt (11:09 a.m.). City Manager William Moss noted that due to prior discussion by Council and the May 19 receipt of a resolution by the Crayton Road Association (Attachment 4), staff had adjusted its recommendations regarding this item to include a mid-block island to be constructed on Crayton, north of Whispering Pines Way. Engineering Manager Gregg

Strakaluse further explained that this traffic calming program had been contained in the fiscal year 2007-08 budget requiring \$128,000 and was proposed as contained in Exhibit A of this resolution (Attachment 5). In response to Council Member Price, Mr. Strakaluse reviewed Attachment 3 of the aforementioned Exhibit A (see Attachment 5, Page 11) which depicts the mid-block island designed for Crayton Road, explaining that the south bound lane would shift to the west as well as the bicycle lane and sidewalk. Mr. Price expressed concern that on the southern end the view of the crosswalk would be obstructed until immediately before a vehicle reaches it. Mr. Strakaluse clarified that the final design would guarantee a clear view, that the intent of the island is to slow traffic prior to reaching the crosswalk. Also in response to Mr. Price, Mr. Strakaluse confirmed that truck traffic is indeed prohibited on Old Trail Drive and Belair Lane and that staff would endeavor to limit the amount of signage needed to convey this message. Council Member Sorey suggested that staff research whether one post could be utilized to display several signs to lessen sign pollution. Enforcement of laws and signage are to be utilized for traffic calming whenever possible, Mr. Strakaluse noted.

In response to Council Member Sorey, Mr. Strakaluse reviewed the process that the residents of South Golf Drive had followed in attempting to deal with vehicles exceeding the speed limit by 10 to 15 miles per hour (see Attachment 5, Pages 14 through 19). He also noted that the residents along the west end of this thoroughfare, near Third Street South, desire additional traffic calming while those on the eastern end near Seventh do not. Traffic Engineer George Archibald clarified that Third Street South is a north/south, through street with heavy traffic volume meeting South Golf Drive whereas Seventh Street South is less traveled. A plan for the entirety of South Golf Drive had been designed, Mr. Archibald said, but the one improvement recommended would calm the unique traffic issue at Third Street.

In response to Council Member Sulick, Engineering Manager Strakaluse explained that directional signage to Venetian Village had been placed in medians along Park Shore Drive in early 2007 but had been removed at the direction of Council. Venetian Village had requested the signs in an attempt to prevent their patrons from driving through surrounding residential areas and had been approved by the Park Shore Association. No similar signage was however placed along Crayton Road due to opposition by the applicable property owner association. Mrs. Sulick characterized such signage in a City-owned median as unsightly; City Manager Moss agreed and Mr. Strakaluse agreed to further research the placement of this type of signage in all areas of the City. A brief discussion followed regarding signage along US 41 and it was clarified that jurisdiction in this regard rests with the Florida Department of Transportation (FDOT). Council Member Price reminded staff that Council had given direction in the past to use wooden sign supports and that unnecessary signs be removed.

With regard to the above referenced Crayton Road improvements, Vice Mayor Taylor read into the record an email from the Gulf Shore Association of Condominiums (Attachment 6) in which these residents had requested that impacts to all residents be a consideration prior to approval of traffic infrastructure changes; this had not occurred it concluded (Attachment 7). Traffic Engineer Archibald suggested that associations in the area under discussion become involved in the North Naples Traffic Consortium thereby allowing their input and concerns to be aired and considered during the planning phase of traffic calming designs, which heretofore had involved two to three years; staff would attempt to involve all who would be impacted in the future.

Although a motion for approval had been proffered by Council Member Sorey and seconded by Council Member Willkomm, Vice Mayor Taylor asked that Council consider continuing this item until the June 18 regular meeting to allow staff sufficient time to contact the Gulf Shore Association and consideration of their input be brought forward; Council Member Price agreed. The motion for approval however carried as reflected below.

Public Comment: (11:34 a.m.) None.

MOTION by Sorey to **APPROVE RESOLUTION 08-12083** as submitted; seconded by Willkomm and carried 5-2, all members present and voting (Sulick-yes, Sorey-yes, Taylor-no, Heitmann-yes, Willkomm-yes, Price-no, Barnett-yes).

EXECUTIVE SESSION.....ITEM 6
(11:36 a.m.) Mayor Barnett advised that Council would enter into an executive session pertaining to ADA KANE v CITY OF NAPLES, Collier County Circuit Court Case No. 07-204-CA.

Executive Session: 11:38 a.m. to 11:53 a.m. It is noted for the record that the same Council Members were present when the meeting reconvened except Council Member Heitmann who returned at 11:55 a.m. during consideration of Item 16 below.

(11:53 a.m.)

MOTION by Willkomm to **APPROVE RESOLUTION 08-12084 DIRECTING THAT THE CITY ACCEPT OFFER OF JUDGMENT DATED MAY 13, 2008 IN FULL SETTLEMENT OF ADA KANE v CITY OF NAPLES, CIRCUIT COURT CASE NO. 07-204-CA.** This motion was seconded by Taylor and carried 6-0 (Heitmann-absent, Price-yes, Sorey-yes, Sulick-yes, Taylor-yes, Willkomm-yes, Barnett-yes).

It is noted for the record that Council Member Heitmann returned at 11:55 a.m. during the reading of the title to Item 16 below.

ORDINANCE (First Reading).....ITEM 16
AN ORDINANCE RELATING TO BUILDING FEES; AMENDING SECTION 16-51, DEFINITIONS; AMENDING SECTION 16-52, PERMIT FEES; AMENDING SECTION 16-53, PLAN REVIEW FEE; AMENDING SECTION 16-54, PLAN REVISIONS; ADDING SUBSECTIONS (e) AND (f) TO SECTION 16-55, INSPECTION FEES; AMENDING SECTION 16-58, MISCELLANEOUS FEES, OF THE CODE OF ORDINANCES, CITY OF NAPLES; AMENDING SECTION 16-52, BUILDING PERMIT FEES; ADDING SECTION 16-54, PLAN REVISION FEE; AMENDING SECTION 16-55, INSPECTION FEES; AMENDING SECTION 16-58(a), TEMPORARY USE PERMIT APPLICATION; AMENDING SECTION 16-59 CONTRACTOR LICENSING FEES, OF APPENDIX “A”, FEES AND CHARGES SCHEDULE; FOR THE PURPOSE OF INCREASING EXISTING FEES AND ESTABLISHING NEW FEES; PROVIDING FOR CODIFICATION; PROVIDING A SEVERABILITY CLAUSE, A REPEALER PROVISION AND AN EFFECTIVE DATE. Title read by City Attorney Robert Pritt (11:54 a.m.). City Manager William Moss noted that in response to Council’s direction, the methodology used to arrive at the fee schedule recommended for stormwater review/inspection had been revisited and therefore had been reduced by one-third of the original recommendation resulting in an amended fee of \$.05 per square foot, down from \$.075 per square foot. In response to Council Member Sulick, City Manager Moss explained that staff would provide an analysis following the summer recess of the possibility of levying impact fees on property from which a structure had been removed and a new structure built.

Public Comment: (11:58 a.m.) None.

MOTION by Willkomm to APPROVE THIS ORDINANCE on First Reading as submitted; seconded by Sorey and unanimously carried, all members present and voting (Heitmann-yes, Price-yes, Sorey-yes, Sulick-yes, Taylor-yes, Willkomm-yes, Barnett-yes).

RESOLUTION 08-12084.....ITEM 17

A RESOLUTION EXTENDING AN AGREEMENT FOR PROVISION OF LEGAL SERVICES WITH THE LAW FIRM OF ROETZEL & ANDRESS, ROBERT D. PRITT AS LEAD ATTORNEY, FOR A TWO-YEAR PERIOD, ENDING SEPTEMBER 30, 2010; AND PROVIDING AN EFFECTIVE DATE. Title read by City Attorney Robert Pritt (11:58 a.m.).

Mr. Pritt then referenced additional information provided regarding three area cities which utilize in-house legal counsel: Bonita Springs, Fort Myers, and Sanibel Island. (It is noted for the record that this information is contained in the file for this meeting in the City Clerk's Office). He asked that the above referenced agreement with Roetzel & Andress be approved. Council Member Price suggested that a Council Member be appointed as liaison with the City Attorney to provide review and analysis of legal billing. Due to present budgetary issues, this action would allow the public and Council to better understand this expenditure, he added, suggesting also that the agreement under consideration be amended to reflect one year, instead of two; Council Member Willkomm agreed. Council Member Sorey however expressed support of the two-year extension, noting that any review and analysis would then be available for consideration at that time. Council Member Sulick agreed that the public should be better informed and greater transparency in billing provided. Council Member Heitmann expressed the need for additional information regarding budgetary issues prior to a decision regarding this item.

Vice Mayor Taylor cited Council's appreciation for City Attorney Pritt's past service, supporting the two-year agreement while also concurring with Council Member Price's concept of a liaison and suggesting him for this responsibility. Mr. Price clarified that he in fact supported the two-year agreement due to inclusion of a 60-day advance termination notice if the aforementioned review indicated such action was necessary; City Manager Moss agreed, also expressing support of Mr. Pritt. Council Member Sorey then proffered the motion reflected below; Vice Mayor Taylor seconded, at which time City Manager Moss clarified that he would attempt to provide closer scrutiny of staff's request for legal opinions at the management level.

Mayor Barnett also commended Roetzel & Andress for its provision of service when Mr. Pritt is unavailable.

Public Comment: (12:16 p.m.) None.

MOTION by Sorey to APPROVE RESOLUTION 08-12084 AND REQUESTING THAT COUNCIL MEMBER PRICE BE DESIGNATED AS LIAISON TO PROVIDE REVIEW AND ANALYSIS OF LEGAL BILLING, REVIEW AND ACTION THEREOF FOLLOWING SEPTEMBER 30, 2010 TERMINATION OF AGREEMENT. This motion was seconded by Taylor and unanimously carried, all members present and voting (Heitmann-yes, Price-yes, Sorey-yes, Sulick-yes, Taylor-yes, Willkomm-yes, Barnett-yes).

Recess: 12:16 p.m. to 12:26 p.m. It is noted for the record that the same Council Members were present when the meeting reconvened.

ORDINANCE (First Reading).....ITEM 18
AN ORDINANCE RELATING TO THE REORGANIZATION OF THE DEPARTMENT OF POLICE AND FIRE; AMENDING DIVISION 5, DEPARTMENT OF POLICE AND FIRE, OF ARTICLE IV, DEPARTMENTS, OF CHAPTER 2, ADMINISTRATION; ADDING A NEW DIVISION 11, DEPARTMENT OF FIRE, TO ARTICLE IV, DEPARTMENTS, OF CHAPTER 2, ADMINISTRATION; AMENDING SECTIONS 20-31, DEFINITIONS; 20-32, CONSENT REQUIRED PRIOR TO INSTALLATION; 20-33, LIST OF PERSONS AUTHORIZED TO DEACTIVATE SYSTEM; 20-34, FEES FOR FALSE ALARMS; SUBSECTION (a) OF SECTION 24-51, ESTABLISHED, SUPERVISION; SECTIONS 24-53, REPORTS; 24-54, INSPECTORS; 24-82, MODIFICATIONS OF FIRE PREVENTION CODE; 24-83, APPEALS; 24-254, DEFINITIONS; SUBSECTIONS (b) AND (c) OF SECTION 24-256, COLLECTION AND DISBURSEMENT OF FUNDS, OF THE CODE OF ORDINANCES, CITY OF NAPLES; PROVIDING A SEVERABILITY CLAUSE, A REPEALER PROVISION AND AN EFFECTIVE DATE. Title read by City Attorney Robert Pritt (12:26 p.m.) who then briefly explained the ordinance as necessary largely for changing titles of the applicable departments throughout the Code of Ordinances due to reorganization. City Manager William Moss added that the City Charter requires that the establishment or abolishment of departments be determined by Council, noting that in 1995 the Police and Fire Departments had been combined and this ordinance would reverse that action. He further noted that the reorganization proposed would provide more clear lines of authority and delineation of responsibilities, however, no additional personnel were being requested and fiscal impact would be minimal.

Council Member Willkomm explained that he had not been convinced by the information provided that sufficient potential benefits would accrue. Council Member Sorey said that the City Manager's recommendation should however constitute a strong consideration; Mr. Sorey further pointed out that currently the department in effect functions as two entities. He moved approval; Mayor Barnett indicated agreement with Mr. Sorey's position and seconded the motion.

In response to Council Member Heitmann, City Manager Moss stressed that the number of employees would not be increased but that he believed effective responsiveness by both Police and Fire personnel would continue with the proposed reorganization. Also responding to Mrs. Heitmann, Deputy Fire Chief James McEvoy clarified that the current overall department employs 172, 61 of whom are considered fire personnel. Dispatch, records, payroll and purchasing would continue on a shared basis, although he stressed that improvement in the department is needed. Vice Mayor Taylor stated that with preset budgetary concerns, she could not support this ordinance. Council Member Heitmann expressed her concern that, from a medical standpoint, paramedics should be properly trained in all aspects of their profession. Deputy Chief McEvoy further explained that this proposed reorganization would allow him to pursue new program development and meet in-house medical training goals. Mayor Barnett noted that public safety is the major concern in regard to this department and Deputy Chief McEvoy added that the reorganization would allow the opportunity to review programs currently implemented and make improvements where needed. City Manager Moss added that should a new Fire Chief be needed at some point in the future, the reorganization would enable this position to be filled in a more timely manner, that an individual serving as a Fire Chief would be unlikely to accept a Deputy Fire Chief position answering to the Police Chief.

Council Member Sulick cited the various recently annexed properties and the need for expansion of Fire Station #3, also noting that she supported the proposed ordinance as a measure towards maintaining the current level of service. Vice Mayor Taylor reiterated budgetary concerns contributing however to her lack of support. Council Member Sorey indicated that the reorganization should go forward to retain the services of Deputy Chief McEvoy who had voiced interest in retiring due to difficulties in performing his duties in the current situation.

In response to Council Member Price, Deputy Chief McEvoy explained that his concerns with regard to staffing issues, contained in his report summary (Attachment 8), had been originally noted in 2003. Mayor Barnett stressed that his support is due to public safety and future recruitment.

Public Comment: (12:53 p.m.) None.

MOTION by Sorey to APPROVE THIS ORDINANCE on First Reading as submitted; seconded by Barnett and carried 4-3, all members present and voting (Sorey-yes, Price-no, Willkomm-no, Sulick-yes, Heitmann-yes, Taylor-no, Barnett-yes)

ORDINANCE (First Reading).....ITEM 19
AN ORDINANCE PERTAINING TO THE POLICE OFFICERS' PENSION AND RETIREMENT SYSTEM; AMENDING SECTION 29-271, DEFINITIONS; SUBSECTION (2) OF SECTION 29-273, MAINTENANCE OF FUND; SECTION 29-311, CONTRIBUTIONS; AND SUBSECTION (2) OF SECTION 29-312, REQUIREMENTS FOR RETIREMENT; PROVIDING A SEVERABILITY CLAUSE, A REPEALER PROVISION AND AN EFFECTIVE DATE. Title read by City Attorney Robert Pritt (12:57 p.m.). Assistant City Manager Roger Reinke provided a brief review of the necessity of this ordinance contained in his June 3 memorandum (Attachment 9) and in the June 4 memorandum of City Manager William Moss (Attachment 10).

Public Comment: (1:00 p.m.) None.

MOTION by Barnett to APPROVE THIS ORDINANCE on First Reading as submitted; seconded by Willkomm and unanimously carried, all members present and voting (Heitmann-yes, Price-yes, Sorey-yes, Sulick-yes, Taylor-yes, Willkomm-yes, Barnett-yes).

City Attorney Pritt noted that the above ordinance had been submitted to the State of Florida for its review and that hopefully the review would be completed prior to Second Reading scheduled for the June 18 regular meeting. Assistant City Manager Reinke added that he had spoken to a representative of the State who had verbally indicated approval.

ORDINANCE (First Reading).....ITEM 20
AN ORDINANCE AMENDING SECTION 2-51, REGULAR MEETINGS, OF DIVISION 2, ARTICLE II, OF THE CODE OF ORDINANCES OF THE CITY OF NAPLES, FLORIDA, IN ORDER TO ALLOW CITY COUNCIL TO SET BY MAJORITY VOTE THE TIME AT WHICH REGULAR MEETINGS ARE TO COMMENCE; AND PROVIDING AN EFFECTIVE DATE. Title read by City Attorney Robert Pritt (1:01 p.m.) who clarified that, if approved, Second Reading would occur at the June 18 regular meeting and therefore affect the time the regular meeting would convene following Council's summer recess.

Public Comment: (1:01 p.m.) None.

MOTION by Taylor to APPROVE THIS ORDINANCE on First Reading as submitted; seconded by Willkomm and unanimously carried, all members

present and voting (Heitmann-yes, Price-yes, Sorey-yes, Sulick-yes, Taylor-yes, Willkomm-yes, Barnett-yes).

RESOLUTION 08-12086.....ITEM 21
A RESOLUTION APPOINTING LLOYD DONNELLY TO THE BOARD OF TRUSTEES OF THE POLICE OFFICERS' RETIREMENT TRUST FUND FOR THE BALANCE OF A TWO-YEAR TERM EXPIRING OCTOBER 19, 2008; AND PROVIDING AN EFFECTIVE DATE. Title read by City Attorney Robert Pritt (1:03 p.m.).

Public Comment: (1:03 p.m.) None.

MOTION by Barnett to APPROVE RESOLUTION 08-12086 as submitted; seconded by Willkomm and unanimously carried, all members present and voting (Heitmann-yes, Price-yes, Sorey-yes, Sulick-yes, Taylor-yes, Willkomm-yes, Barnett-yes).

ORDINANCE 08-12087.....ITEM 22
AN ORDINANCE AMENDING SECTION 29-130(a)(8), DEFERRED RETIREMENT OPTION PLAN (DROP) WINDOW, OF DIVISION 3, ARTICLE III, RETIREMENT SYSTEM, OF THE CODE OF ORDINANCES, CITY OF NAPLES, FLORIDA, TO PROVIDE FOR A CHANGE IN THE ALLOWED PERIOD OF THE DEFERRED RETIREMENT OPTION PLAN (DROP) FOR CERTAIN PARTICIPANTS; PROVIDING FOR CONFLICTING PROVISIONS, SEVERABILITY AND APPLICABILITY; AND PROVIDING AN EFFECTIVE DATE. Title read by City Attorney Robert Pritt (1:03 p.m.).

Public Comment: (1:04 p.m.) None.

MOTION by Price to ADOPT ORDINANCE 08-12087 as submitted; seconded by Willkomm and unanimously carried, all members present and voting (Heitmann-yes, Price-yes, Sorey-yes, Sulick-yes, Taylor-yes, Willkomm-yes, Barnett-yes).

PUBLIC COMMENT.....
None.

CORRESPONDENCE AND COMMUNICATIONS.....
(1:04 p.m.) In response to concerns voiced by Council Member Heitmann, Council Member Sorey explained that the Big Cypress Basin Board (BCB) had purchased property allowing the future diversion of five- to six-million gallons of water from the Golden Gate Canal to Haldeman Creek, that the City should therefore anticipate on average, a 60-day period during which the Canal would be unavailable for use as an alternative water source. Mrs. Heitmann reiterated her belief that a stewardship committee is needed to oversee all aspects of water provisioning. She further asserted that taxicab stands are needed in the downtown area and that side streets be considered for this purpose thereby freeing parking spaces for patrons along main thoroughfares. She then expressed concern regarding the City's paramedic certifications with regard to the administration of drugs in emergency situations; City Manager William Moss responded that he would provide additional information in this regard and that this issue could be a future workshop discussion should Council so desire. Vice Mayor Taylor pointed out that \$625,000 of the City's utility tax revenue, which is a general fund source, had been earmarked to underwrite the debt on the parking garage facility at Eighth Street and Sixth Avenue South. Council Member Sulick however pointed out that this actually represented utility tax bonding capacity since ad valorem revenues in the redevelopment district could not longer be pledged for this purpose. In response to Council Member Heitmann, Mrs. Sulick further noted that that the

City Council Regular Meeting – June 4, 2008 – 9:00 a.m.

Community Redevelopment Agency (CRA) would be responsible for assuring that its budget did not exceed projected tax revenues. Council Member Willkomm noted that Traffic Engineer George Archibald and representatives of Kraft Construction had presented to the Fifth Avenue South Action Committee (FASAC) a parking, signage and street plan to be utilized during the construction phase of the parking garage facility. He therefore recommended that Council review that meeting's presentation and City Manager Moss indicated that it would be included within the June 16 workshop agenda.

ADJOURN
1:24 p.m.

Bill Barnett, Mayor

Tara A. Norman, City Clerk

Minutes prepared by:

Vicki L. Smith, Technical Writing Specialist

Minutes Approved: September 3, 2008

City Council Public Comment
Wednesday June 4, 2008

My name is Tony Ridgway and I represent the Third Street South Merchants Association.

Heeding your advice of a few months ago I am here before you to address several issues relevant to our Third Street Business District.

We have had two very productive sessions with Roger Reinke, the new assistant City Manager. He is Third Street's liaison with the city. Thank you very much for providing us with someone so capable.

We have discussed numerous issues from signage to extensive conversations about landscaping. We have also brought Mr. Reinke up to speed on all issues as they relate to Third Street. I'm sure he has already informed some of you that we spared no details and did not offer him a grace period! We are currently scheduled to meet with Mr. Reinke, Joe Boscaglia and several members of our board this Friday to address budget and general landscaping issues as well as some very specific landscape questions.

There is one specific point I would like to address today.

In the past you have heard me as well as others ask that any Fifth Avenue closures begin at Eighth Street South versus the current Ninth Street South.

There are two points I'd like you to keep in mind as you discuss and deliberate. The closure at Eighth Street South facilitates the north/south flow of traffic through Fifth Avenue South, a point that was very well addressed by John Passidomo at a recent session. It also allows for the traffic coming from the east/south to enter onto the first block of Fifth Avenue South, allowing a left turn from Fifth Avenue South onto Eighth Street South and to proceed to all of the business and historical locations south of

Fifth Avenue to include, Crayton Cove, Third Street South, The Naples Pier as well as Palm Cottage. It would also permit those coming from the same direction a have access to the parking garage from Fifth Avenue.



TO: Mireidy Hanson
FROM: TIF Officer Pablo DeBien
DATE: June 3, 2008
SUBJECT: Vergina (700 5th Avenue South) – Item 9

This is an explanation and breakdown of the Information-civil complaints and City Ordinance violation calls at Vergina Restaurant located at 700 5th Avenue S.

Information-civil complaints:

Information-civil complaints calls are opened anytime an officer is approached or dispatched to a location regarding a question or concern. Not all calls are directly related to Vergina Restaurant, Vergina is used as a land mark for any call in the immediate area.

Nine (9) of the eleven calls were related to questions answered either for management or customers at Vergina. Another was related to a subject waiting for a friend for dinner which had not shown up and the last one was related to a cab driver which was parked in front of the business and did not have insurance.

City Ordinance Violation:

None of the thirteen (13) city ordinance violations were directly related to Vergina.

Twelve (12) calls were related to parking issues either in front with Taxi cabs or in the rear with the handicapped parking spaces. The last one was related to skateboarding on the sidewalk with in the business district.

TO: A. William Moss, City Manager
FROM: Robin D. Singer, Planning Director
DATE: June 2, 2008
SUBJECT: Comprehensive Plan Amendments

Due to Statutory requirements and staff workload, there have been some changes to the anticipated schedule of adoption for comprehensive plan amendments. A chart is attached to further clarify the schedule.

School Concurrency: The amendment documents were transmitted in early April to DCA and a report outlining objections, recommendations and comments (ORC report) is due from DCA June 6, 2008. We will then have 60 days following receipt of the ORC report to adopt the amendments. We anticipate adopting the amendments following the summer recess. New State legislation will extend the deadline for implementation from March 1, 2008 to December 1, 2008. I had thought that this would also extend the adoption deadline, but it will not. This means that any future land use map amendments (FLUM) that include an increase in residential density cannot be transmitted to the State until the School Concurrency amendments are adopted.

EAR based amendments: These amendments are based on the findings of the evaluation and appraisal report and the vision statement. Staff has been working diligently to complete the amendments but the support documents have proved more challenging to complete. We had anticipated that these amendments would be heard by the PAB in May and reviewed by City Council and transmitted to DCA in June. We are now expecting to bring these amendments to the PAB in July and have the transmittal hearing following the summer recess.

Hole in the Wall Golf Club: This is a FLUM to change the land use designation from a County designation to a City designation. The size of the parcel means that this is a large scale amendment which has to be done as part of an amendment cycle. This item was heard at the May PAB and is on the City Council agenda for this Wednesday, June 4, 2008 for first reading and transmittal. Adoption is anticipated in September.

Collier Park of Commerce: This is an amendment to the future land use element of the comprehensive plan adding a new Business Park land use category and a FLUM to apply the new land use category to the park. The petition will be accompanied by a text amendment and will be followed by a rezoning so that we will be able to enforce City land use and zoning restrictions. The property cannot be rezoned until the adoption hearing of the comprehensive plan amendment. These items (the text amendment to the comprehensive plan, the FLUM and the text amendment to the code) were heard at the May PAB and is on the City Council agenda for this Wednesday, June 4, 2008 for first reading and transmittal. Adoption is anticipated in September.

Bridges of Gordon River/Senior Care: This petition package includes an annexation, text amendment to create a new land use category, a large scale FLUM to apply the new land use category and a rezoning to PD. Because this project and the land use amendments include an increase in residential density and because the extension of the State deadline on implementation of the school concurrency program did not include an extension on the adoption deadline, the FLUM for this project cannot be transmitted to the State until the school concurrency amendments are adopted. The related petitions for this project will be presented simultaneously at the July PAB meeting and at a September City Council meeting, concurrently with the EAR based amendments.

Tentative Comprehensive Plan Amendment Schedule

Project	May	June	July	August	September	October	November	December	January
School Conc.		ORC		2 nd Read Adopt					
EAR Amend			PAB		1 st Read Transmit		ORC	2 nd Read Adopt	
Hole in the Wall	PAB	1 st Read Transmit		ORC	2 nd Read Adopt				
CPOC	PAB	1 st Read Transmit		ORC	2 nd Read Adopt				
BGR			PAB		1 st Read Transmit		ORC	2 nd Read Adopt	
Action Plans							Public Meetings		↑

ORC – Objections, recommendations and comments report from the Department of Community Affairs

CPOC – Collier Park of Commerce

BGR – Bridges of Gordon River/Senior Care

Action Plans – Neighborhood Action Plans

May 8th, 2008

Mayor and Council
City of Naples
City Hall 735 Eighth Street South
Naples, Florida 34102

5/21/08 R
Agenda Item C 5 C

REFERENCED DURING
ITEM 15
6/04/08 R

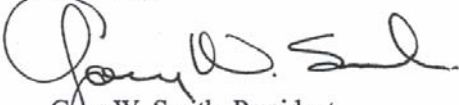
Dear Mayor and Council:

Please find enclosed "Resolution of the Crayton Road Association Dated May 8, 2008

Please include the elements of this document in future city traffic planning.

I can be reached at the locations below, if you have any questions regarding this document.

Sincerely,



Gary W. Smith, President
Crayton Road Association
4217 Crayton Road
Naples, Florida 34103
Home Phone: 239-649-6462
Cell: 239-269-2612
E-Mail: gwsnaples@embarqmail.com

RECEIVED
MAY 19 2008
MAYORS OFFICE

**RESOLUTION
OF THE
CRAYTON ROAD ASSOCIATION**

A RESOLUTION OF THE CRAYTON ROAD ASSOCIATION BOARD OF DIRECTORS RECOMMENDING A CRAYTON ROAD TRAFFIC MANAGEMENT PLAN TO THE NAPLES CITY COUNCIL

WHEREAS, The Crayton Road Association (Association) with over 100 members has historically represented property owners along the entire length of Crayton Road, extending from Seagate Drive at the north to Gulf Shore Boulevard at the south, a total length of approximately 3.5 miles; and

WHEREAS, The Crayton Road Association (Association) has thoroughly studied the corridor since the 1970's and has prepared various master plans; and


WHEREAS, In monitoring traffic over the years, it has been recognized that increasing traffic volume, peak hour traffic and the speed of traffic during certain times of the year create an adverse impact on the character and quality of the communities along Crayton Road; and

WHEREAS. The Association has analyzed various action steps and has developed a Traffic Management Plan (attached as Exhibit #1) with the objective of identifying and implementing improvements that will reduce the adverse impacts of traffic on the North Naples community.

NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF DIRECTORS OF THE CRAYTON ROAD ASSOCIATION:

- Section 1. That the attached Crayton Road Traffic Management Plan attached herein as Exhibit #1 is hereby adopted as the Crayton Road Association's petition for submittal to the Naples City Council.
- Section 2. That the Association President or Designee is hereby authorized to execute this resolution and transmit same to the Naples Mayor, the Naples City Council and the Naples City Manager.

APPROVED THIS 8TH DAY OF MAY 2008 BY THE CRAYTON ROAD ASSOCIATION BOARD OF DIRECTORS AT NAPLES, FLORIDA.



GARY SMITH, PRESIDENT
CRAYTON ROAD ASSOCIATION

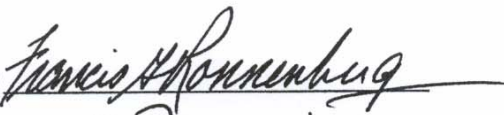
Attest: 
FRANCIS G RONNENBERG

EXHIBIT #1
CRAYTON ROAD ASSOCIATION

RECOMMENDED
CRAYTON ROAD TRAFFIC MANAGEMENT PLAN
May 2008

BACKGROUND:

It is recognized that various problems exist on various segments of Crayton Road during various times of the year. It is also recognized that there is no single solution and that improvements need to be developed in a responsible fashion and possibly implemented in stages with each stage monitored for results.

It is also recognized that three (3) entities need to be accounted for in developing a plan of action. The three entities are 1) property owners along the street; 2) users of the street; and 3) the overall community. With these considerations, the City is being requested to undertake a management plan and implementation plan as follows.

GOALS:

1. Discourage the use of Crayton Road as an alternative route to U.S.41.
2. Implement traffic volume reduction measures to provide for pedestrian & bicycle traffic safety, ease owners access to and from their homes along Crayton Road and enhance and beautify the residential character of Crayton Road
3. Implement measures to discourage speeding.

MANAGEMENT PLAN:

ELEMENTS FOR SUMMER IMPLEMENTATION:

1. Maintain speed enforcement programs.
2. Provide for enhanced crosswalk markings, special signage and pedestrian landings at all intersections as part of resurfacing of the north section of Crayton Road (Whispering Pines south).
3. Implement Mid-block Island north of Whispering Pine, maintaining a 3' or preferably a 4' bike lane.

MANAGEMENT PLAN: continued

ANALYSIS PHASE FOR COMPLETION OVER THE SUMMER:

The City shall undertake a study of the North Naples area to determine traffic patterns in terms of daily and peak hour volume for the purposes of identifying corridor and alternate route impacts for various traffic control devices. With this information as background data, undertake an analysis of Crayton Road between Harbor Drive and Seagate with the intent of evaluating the application of the following traffic devices and analysis factors:

TRAFFIC DEVICES-LOCATION SPECIFIC:

1. Selective speed enforcement.
2. Peak hour-peak season intersection controls by Police Officers or by Special Crossing Guards.
3. Temporary use of traffic devices during peak hour-peak season @ specific locations.
4. Special pavement markings and signage for intersections.
5. Crosswalk enhancements to include raised crosswalks with pedestrian corners.
6. Multi-way stop controls.
7. Neighborhood Entry features, both gateway treatment & mid-block applications.
8. Application of chicanes/islands with recommended locations.
9. Roundabouts and/or traffic circles.
10. Intersection diverters.
11. Speed tables and speed humps.
12. Re-timing of traffic signal phasing.
13. Intersection configuration at U.S.41 and Harbor Drive.
14. Signal warrant analysis at U.S.41 and Banyan Boulevard.

ANALYSIS FACTORS:

1. Allow for emergency vehicles/operations.
2. Maintain driveway access.
3. Provide for pedestrians.
4. Allow for safe design speeds.
5. Identify the impact of devices within the neighborhood.
6. Allow for landscaping
7. Provide for temporary device alternatives.

EXHIBIT A (Page 1 of 2)
CITY OF NAPLES TRAFFIC CALMING PROGRAM
FOR
FISCAL YEAR 2007-2008

BACKGROUND: During the last few years, the City has been involved with over ten traffic calming initiatives. In each location, residents and City staff have jointly participated in fact finding, analysis of information, identification of improvements and in preparing information for presentation to City Council consistent with the City's Neighborhood Traffic Management Program. For the current Fiscal Year 2007-2008, an amount of approximately \$150,000.00 has been allocated to neighborhood traffic improvements in response to primarily traffic calming needs. For FY07-08, the following programs are presented for review, information and as applicable consideration by City Council for implementation.

TRAFFIC CALMING PROJECT SUMMARY: The following summary of individual location/project information is provided to identify and to recommend action steps:

Crayton Road: Problems typically involve excessive volume during winter months causing access issues, excessive speed during summer periods and a need to better identify the residential character of the street to discourage attracting an increasing number of vehicles from U.S.41. The petition position of the Crayton Road Association is represented by their attached resolution (Attachment #1). Related traffic data is provided as composite Attachment #2. The City staff concurs with the Associations management plan and recommends implementation as follows:

1. Crosswalk enhancements as noted.
2. Mid-Block Island construction (reference Attachment #3 with cost estimate Attachment #4).
3. Traffic studies as noted.

South Golf Drive: Problems typically involve east-west speeding and cut thru traffic on 3rd Street North. Summary information is as follows: a) Improvement program (reference Attachment #5); b) Sketch of typical off-set (reference composite Attachment #6); c) Copies of typical petitions (reference Attachment #7; represent 50% of residential properties). Based on positive comments from residents on the west end of the street, staff recommends the following:

1. Construct and monitor the first of three potential traffic devices to slow down traffic at the intersection of South Golf Drive and 3rd Street North (reference cost estimate per Attachment #8).

West Boulevard: Residents and staff have monitored traffic and have considered the design of a possible future mid-block island to discourage commercial thru trips. With the trend of reduced traffic, representatives have requested the completion of a pedestrian crosswalk at the intersection of West Boulevard and Whispering Pine Drive (reference sketch Attachment #9). Staff concurs with this recommendation.

Seagate Drive: The Seagate Homeowners Association has proceeded with the installation of entry feature and landscaping at their entrance from Seagate Drive near Crayton Road. Additionally, the Seagate Association and Naples Cay Associations continue to consider both

Exhibit A (Page 2 of 2)

pedestrian improvements and mid-block islands for speed control. Based on continuing discussions, the staff recommends the following:

1. Assist the Seagate Homeowners Association in the development of both entry landscaping and entry feature (reference sketches, Attachment #10, depicting entry feature).

Old Trail Drive: Volume on this local street continues to be impacted by truck traffic using the street as a local cut-thru. Prior calming devices have had minimal impacts but the need to re-establish street function for access remains the goal. The City staff recommendations are as follows:

1. Process an information questionnaire to the neighborhood to determine the community desires for median closure at Park Shore Drive and Old Trail Drive; if a majority of residents are in favor of the closure, the City would implement a temporary closure during the summer to monitor results.
2. Install truck prohibition signs for Old Trail on U.S.41, Old Trail and Belair Drive.

Eagle Oak Ridge: The previously approved program for Eagle Oak Ridge (reference Attachment #11), has been impacted by the recent 6-laning of Goodlette-Frank Road. As a result of road construction, City staff are monitoring changes in travel patterns and undertaking speed studies. The results of these studies will be shared with neighbors in the community for possible amendment of the approved plan.

Miscellaneous Study Areas: There are continuing investigations into specific problems at the following locations: Neapolitan Way (traffic volume/access); Park Shore Drive (traffic volume/LOS); 10th Avenue South (potential truck traffic); 21st Avenue South (speeding). Each of the above locations will remain subject of monitoring and the potential identification of measures that would address traffic conditions when the surround community is adversely impact by one or more adverse conditions.

Attachment 1 to Exhibit A (Page 1 of 2)

RESOLUTION
OF THE
CRAYTON ROAD ASSOCIATION

A RESOLUTION OF THE CRAYTON ROAD ASSOCIATION BOARD OF
DIRECTORS RECOMMENDING A CRAYTON ROAD TRAFFIC MANAGEMENT
PLAN TO THE NAPLES CITY COUNCIL

WHEREAS, The Crayton Road Association (Association) with
over 100 members has historically represented
property owners along the entire length of Crayton
Road, extending from Seagate Drive at the north to
Gulf Shore Boulevard at the south, a total length
of approximately 3.5 miles; and

WHEREAS, The Crayton Road Association (Association) has
thoroughly studied the corridor since the 1970's
and has prepared various master plans; and

WHEREAS, In monitoring traffic over the years, it has been
recognized that increasing traffic volume, peak
hour traffic and the speed of traffic during
certain times of the year create an adverse impact
on the character and quality of the communities
along Crayton Road; and

WHEREAS, The Association has analyzed various action steps
and has developed a Traffic Management Plan
(attached as Exhibit #1) with the objective of
identifying and implementing improvements that will
reduce the adverse impacts of traffic on the North
Naples community.

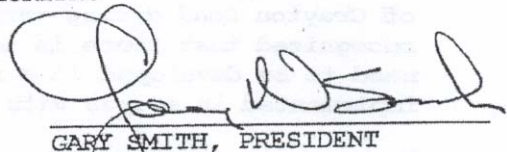
NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF DIRECTORS OF THE
CRAYTON ROAD ASSOCIATION:

Attachment 1 to Exhibit A (Page 2 of 2)

Section 1. That the attached Crayton Road Traffic Management Plan attached herein as Exhibit #1 is hereby adopted as the Crayton Road Association's petition for submittal to the Naples City Council.

Section 2. That the Association President or Designee is hereby authorized to execute this resolution and transmit same to the Naples Mayor, the Naples City Council and the Naples City Manager.

APPROVED THIS 8TH DAY OF MAY 2008 BY THE CRAYTON ROAD ASSOCIATION BOARD OF DIRECTORS AT NAPLES, FLORIDA.


GARY SMITH, PRESIDENT
CRAYTON ROAD ASSOCIATION

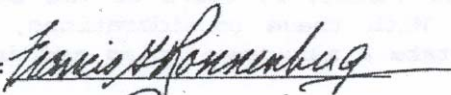
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FRANCIS G. RONNENBERG

Exhibit 1 to Attachment 1 (Page 1 of 2)

EXHIBIT #1
CRAYTON ROAD ASSOCIATION

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CRAYTON ROAD TRAFFIC MANAGEMENT PLAN
May 2008

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It is also recognized that three (3) entities need to be accounted for in developing a plan of action. The three entities are 1) property owners along the street; 2) users of the street; and 3) the overall community. With these considerations, the City is being requested to undertake a management plan and implementation plan as follows.

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MANAGEMENT PLAN:

ELEMENTS FOR SUMMER IMPLEMENTATION:

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2. Provide for enhanced crosswalk markings, special signage and pedestrian landings at all intersections as part of resurfacing of the north section of Crayton Road (Whispering Pines south).
3. Implement Mid-block Island north of Whispering Pine, maintaining a 3' or preferably a 4' bike lane.

Exhibit 1 to Attachment 1 (Page 2 of 2)

MANAGEMENT PLAN: continued

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6. Multi-way stop controls.
7. Neighborhood Entry features, both gateway treatment & mid-block applications.
8. Application of chicanes/islands with recommended locations.
9. Roundabouts and/or traffic circles.
10. Intersection diverters.
11. Speed tables and speed humps.
12. Re-timing of traffic signal phasing.
13. Intersection configuration at U.S.41 and Harbor Drive.
14. Signal warrant analysis at U.S.41 and Banyan Boulevard.

ANALYSIS FACTORS:

1. Allow for emergency vehicles/operations.
2. Maintain driveway access.
3. Provide for pedestrians.
4. Allow for safe design speeds.
5. Identify the impact of devices within the neighborhood.
6. Allow for landscaping
7. Provide for temporary device alternatives.

Composite Attachment 2 to Exhibit A (Page 1 of 3)

CITY OF NAPLES

NORTH NAPLES TRAFFIC DATA
PEAK SEASON

April 2008

CITY STREET	2006 ADT/PEAK HOUR	2007 ADT/PEAK HOUR	2008 ADT/PEAK HOUR
West Boulevard	6,217/628	5,733/571	5,080/523
Neapolitan Way	8,451/793	7,795/751	7,797/699
Parkshore Drive	18,821/1,679	17,516/1,598	16,583/1,540
Crayton Road	11,237/1,081	10,498/1,013	9,366/895

Composite Attachment 2 to Exhibit A (Page 2 of 3)

CRAYTON ROAD-NORTH NAPLES TRAFFIC COUNT DATA*
11Feb03

COUNT STATION	1988 Mar	1998 Feb	1999 Feb	2000 Mar	2001 Feb	2002 Mar	2003 Feb	Speed AvgSpd
#1 Crayton Rd.	6612	4336	9718	6767	9352	----	8895	32-33 MPH
#2 Neapolitan	----	9251	9372	8712	9108	8355	8420	
#3 Crayton Rd.	8170	13402	11732	11923	11017	----	12510	30-31 MPH
#4 Park Shore W	8612	18299	19317	18465	18236	18297	16810	
#5 Park Shore E	9598	----	----	----	----	----	----	
#6 Crayton Rd.	6943	7180	6973	----	7601	----	----	
#7 Crayton Rd.	6145	6910	----	6694	----	----	6310	30-32 MPH
#8 Harbour Dr. W	5801	----	----	----	----	----	----	
#9 Harbour Dr. E	----	6919	6973	7709	6499	6452	5674	
#10 Crayton Rd.	----	13102	10736	10261	----	----	8846	30-31 MPH
#11 Crayton Rd.	11079	11457	11117	11168	12166	11464	9934	
#12 Mooring Line	----	14149	12462	10952	10876	10554		
#13 Gulf Shore	----	14049	12462	10952	10692	10230	8827	W. of Bridge
#14 Crayton Rd.	----	4868	4585	----	----	----		
#15 Orchid Dr.	----	3854	5561	5309	4216	4495	4505	
#16 Crayton Rd.	----	5018	4532	4224	----	----	3859	30-31 MPH
#17 Banyan Blvd.	----	2207	5237	4452	4428	4106	3324	
#18 Banyan Blvd.	----	3528	----	----	----	----		
#19 Crayton Rd.	----	2508	----	----	----	----		

* All traffic counts are 2-way 24 hour counts (Note: Quarterly count data used when available).

Composite Attachment 2 to Exhibit A (Page 3 of 3)

CITY OF NAPLES TRAFFIC DEPT.
TRAFFIC COUNT STUDYS

Volume Report with 24 Hour Totals

Page

```

*****
Data File       : D0325011.PRN
Station        : 000000008434
Identification  : 000000004217
Start date     : Mar 25, 08
Stop date      : Mar 25, 08
City/Town      : NAPLES
Location       : 4217 CRAYTON RD
Interval       : 15 minutes
Start time     : 00:00
Stop time      : 24:00
County         : COLLIER
*****
Mar 25
Northbound Volume
-----
End Time  00    01    02    03    04    05    06    07    08    09    10    11
-----
15         4     3     2     2     1     6    11    49   123   147   174   216
30         5     1     2     2     2     7    17    51    94   150   206   240
45         4     0     0     0     2     4    23    82   154   158   240   250
00         1     3     0     0     4    13    29   122   146   201   247   274
-----
Gr Total   14     7     4     4     9    30    80   304   517   656   867   982
-----
End Time  12    13    14    15    16    17    18    19    20    21    22    23
-----
15       231   243   238   258   258   257   188   157   132   100    73    23
30       238   243   233   267   260   203   192   131    92    76    64     8
45       226   266   256   244   227   187   175   131    88    65    30    10
00       248   234   253   255   204   194   141   129   114    55    28     7
-----
Gr Total   943   986   980  1024   949   841   696   548   426   296   195    48
-----
4 Hour Total       : 11406
M peak hour begins : 11:15   AM peak volume : 995   Peak hour factor : 0.91
M peak hour begins : 14:30   PM peak volume : 1034  Peak hour factor : 0.97
*****

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[illegible]

Attachment 4 to Exhibit A (Page 1 of 2)


BONNESS INC.
 Paving and Siework Contractors

 1990 Seward Avenue
 Naples, Florida 34109
 (239) 597-6221 • (239) 597-7416 Fax
 www.bonnessinc.com

Proposal 5/19/2008

Submitted To: City Of Naples Purchasing Division

Estimate Number: 23772007

Address: 270 Riverside Circle
 Naples, FL 34102

Bid Title: Crayton Rd. Traffic Calming Whisperin
 Pine & Crayton Pl.

Project Location: Whispering Pine & Crayton Ln.

Contact: Gregg Strakaluse/David Rivera

Project City, State: Naples, FL

Phone: (239) 213-7100 **Fax:** (239) 213-7105

Engineer/Architect:

Item #	Item Description	Estimated Quantity	Unit	Unit Price	Total Price
101-1	Mobilization	1.00	LS	\$9,742.14	\$9,742.14
102-1	Maintenance Of Traffic	1.00	LS	\$5,022.97	\$5,022.97
110-1-1	Clearing, Grubbing, & Tree Removal	1.00	LS	\$4,688.77	\$4,688.77
110-4A	Asphalt Removal	85.00	SY	\$3.18	\$270.30
110-4B	Remove Concrete	50.00	SY	\$22.10	\$1,105.00
120-1	Reg. Excavation	300.00	CY	\$19.45	\$5,835.00
162-2	Finished Layer Top Soil (4")	260.00	SY	\$8.05	\$2,093.00
285-717	Optional Base (See Note)	140.00	SY	\$39.35	\$5,509.00
331-71-14	Asph. Conc. Type S-III (1-1/2")	350.00	SY	\$12.52	\$4,382.00
425-5	Adjust Manhole Top	1.00	EACH	\$253.79	\$253.79
520-1-10	Curb & Gutter Type F	490.00	LF	\$12.52	\$6,134.80
520-2-4	Conc. Curb Type D	160.00	LF	\$10.15	\$1,624.00
520-3	Conc. Valley Gutter (2')	60.00	LF	\$12.41	\$744.60
522-2	Conc. Sidewalk (6" Thick)	918.00	SF	\$14.31	\$13,136.58
575-1-4	Sodding ST. Augustine	100.00	SY	\$4.27	\$427.00
590-7-1	Irrigation System Repairs (ALLOWANCE)	1.00	LS	\$1,000.00	\$1,000.00
700-40-1	Signs, Single Post (<12)	6.00	AMBY	\$217.43	\$1,304.58
700-46-21	Sign Existing (Relocate)	1.00	AMBY	\$111.50	\$111.50
706-3	Retro-Reflect. Pav't Markers (Bi-Dir.) (Y)	48.00	EACH	\$6.70	\$321.60
710-30	Reflective Paint (Island Nose) (Yellow)	2.00	SY	\$11.16	\$22.32
711-3	Pav't. Message Yield Lines (Thermo) (W)	10.00	EACH	\$20.08	\$200.80
711-33	Traffic Strip Skip (Thermo) (W) (6") (2-4)	60.00	LF	\$0.28	\$16.80
711-35-61	Solid Traffic Stripe Thermo (6" White)	280.00	LF	\$0.28	\$78.40
711-35-121	Solid Traffic Stripe Thermo (12" White)	70.00	LF	\$1.67	\$116.90
711-35-121	Solid Traffic Stripe Thermo (12" Strong Y.G.)	64.00	LF	\$1.67	\$106.88
711-36-61	Solid Traffic Stripe Thermo (6" Yellow)	930.00	LF	\$0.28	\$260.40
711-36-181	Solid Traffic Stripe Thermo (18" Yellow)	75.00	LF	\$3.34	\$250.50
2715-	2 Way (2" G) & (4" W) Conduits (PVC Sch. 40)	30.00	LF	\$29.63	\$888.90

5/19/2008 8:14:01 AM

Page 1 of 3

Attachment 4 to Exhibit A (Page 2 of 2)



BONNESS INC.

Paving and Sheetwork Contractors

1990 Seward Avenue
Naples, Florida 34109
(239) 597-6221 • (239) 597-7416 Fax
www.bonnessinc.com

Item #	Item Description	Estimated Quantity	Unit	Unit Price	Total Price
--------	------------------	--------------------	------	------------	-------------

2211**

Total Price for above Items: \$65,648

Payment Terms: Payment due within 30 days of date of invoice, regardless of when payment is made by Owner

ACCEPTED:

The above prices, specifications and conditions are satisfactory and hereby accepted.

Buyer _____

Signature: _____

Date of Acceptance: _____

CONFIRMED:

Bonness Inc.

Authorized
Signature: _____

Estimator: Jeff Janco

5/19/2008 8:14:01 AM

Page 2 of 2

Attachment 5 to Exhibit A (Page 1 of 3)

IMPROVEMENT PROGRAM

FOR

SOUTH GOLF DRIVE

26JUN06

COMMUNITY GOALS: South Golf Drive, bounded on the east by U.S.41 and on the west by Gulf Shore Boulevard is experiencing the impacts of cut-thru traffic with the unsafe characteristics of higher speeds and higher truck volumes. To counter the neighborhood impacts of such traffic, interested property owners have followed the procedures set forth in the Naples Neighborhood Traffic Management Program and established the following goals to preserve and enhance the neighborhood in character, quality and value:

Reduce the speed limit on the streets to 25 MPH (Note: this goal is to encourage reduced speeds consistent with the residential character of the neighborhood).

Create Intersection Approach Islands and/or Roundabouts at the intersections of Golf Drive with 3rd Street & 7th Street (Note: this goal is to create offsets to the straight street alignment and in so doing force drivers to reduce speed, gain car control and discourage commercial cut-thru traffic).

Install Gateway Treatment at the entry from U.S.41 (Note: this goal is to send a message to drivers that they are entering a residential area and to drive accordingly for the safety of children, residents, pedestrians and bicyclists).

Others: _____

Attachment 5 to Exhibit A (Page 2 of 3)

CITY OF NAPLES

PRELIMINARY SITE REVIEW OF SOUTH GOLF DRIVE

6Jul01

EXISTING RIGHT-OF-WAY CONDITIONS

ROADWAY CHARACTERISTICS:

R/W WIDTH:	60 Feet
PAVEMENT WIDTH:	26-28 Feet
TRAVEL LANE:	10-11 Feet
PATHWAY WIDTH:	5-6 Feet-North side only
SIDEWALKS:	None
LIGHTING:	Pathway only; spacing @ 200± Feet
PARKING:	North side @ Tennis & Golf access
SPEED LIMIT:	30 MPH
TRAFFIC CONTROLS:	No special controls
INTERSECTIONS:	7 TH St. w/Ped crossing & 3 rd St.
DRAINAGE:	Storm System & swales

ROADWAY USAGE:

VEHICLES:	Both cars and trucks.
INTERMODAL:	Pedestrians, bikers, etc.
CUT-THRU ROUTE:	Yes: U.S.41 – Gulf Shore Boulevard
TRAVEL SPEED:	25-35 MPH (Classifier Study not performed)

TYPICAL ROADWAY PROBLEMS:

CUT-THRU TRAFFIC
LARGE TRUCKS
SPEEDING
PASSING
OTHERS

ROADWAY IMPROVEMENTS PLANNED:

SPEED REDUCTION	25 MPH Limit
PAVEMENT REPAIRS	Overlay from 3 rd Street to Gulf Shore
PATHWAY EXTENSION:	Fill-in missing link at Gulf Shore
R/W PARKING:	Reference proposed Naples Code revisions

Attachment 5 to Exhibit A (Page 3 of 3)

OVERVIEW OF TRAFFIC CALMING CONCEPTS FOR SOUTH GOLF DRIVE

BACKGROUND: In response to traffic concerns of residents, the City has undertaken traffic studies on South Golf Drive. These studies in 2002 and in 2005 identified traffic volume and trip speed. Although the studies did not identify unsafe conditions, the studies did confirm higher than normal speeds with over 40% of the traffic exceeding the 30 MPH speed limit. Consistent with the traffic studies and information provided by residents, the major concerns remain speed and safety of pedestrians/bikers. These concerns reflect the need for traffic calming goals of reduced speed and improved driver awareness of the residential character of the area.

INITIAL TRAFFIC CALMING CONCEPTS: In consideration of the above concerns and goals, the City staff reviewed site conditions with the idea of identifying physical changes to the street that would force drivers to reduce speed, gain better control of their vehicle and respect the residential character of the area. In addition to reduced speed limits and entry features, two concepts were developed involving the use of approach islands and/or roundabouts as **intersection controls**. Examples of the application of these **intersection controls** are outlined below and numbered to correspond to the attached drawings:

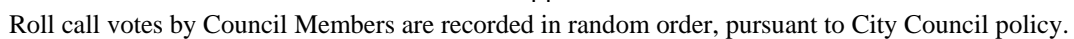
#1: This concept involves road widening and construction of islands to create a 'chicane' that forces drivers to deter the path of travel. Although intended to reduce speed, if properly designed the 'chicane' can change a driver's impression of the street. The pavement widening can create deterrence in either or both directions and the median island can be painted or landscaped.

#2: This concept is a roundabout with approach islands. These islands would be painted and the concept considered punitive in application by forcing reduced speeds to negotiate the roundabout (Note: due to limited right-of-way and the requirement of adequate turning radii for emergency vehicles, to implement the roundabout concepts will require pavement widening).

#3: This concept is also a roundabout with approach islands. These islands would be landscaped and function to both calm traffic and improve esthetics. The above comments on design and the need for pavement widening would apply to this concept.

#4: This concept is also a roundabout with approach islands but shown at the 3rd Street location. These approaches also function to create an off-set to substantially slow vehicle speeds.

The above concepts are intended to provide an overview of intersection operations to change drivers' habits and vehicle speeds. These devices can be placed at either intersection or both locations. Actual design of each device would dictate speed and the degree of physical control on the driver and vehicle. These and other concepts remain available for review and recommendation by residents.



Attachment 7 to Exhibit A (Page 1 of 2)

South Golf Dr.txt

July
~~August~~ 2006

Subject: Traffic Flow on S. Golf Dr.

Dear Neighbor:

A couple of neighbors here on S. Golf Dr. have been working with Mr. George Archibald, Public Works Engineering Mgr, City of Naples, in order to slow the traffic flow on S. Golf Dr. A study completed by the city indicates that said traffic flow exceeds the posted speed limit and creates dangerous situations for pedestrians, children, dog walkers, cyclists, etc.

Enclosed you will find a copy of a proposal from Mr. Archibald for the construction of traffic "calmers" and circles at the intersections of 7th St. No. and 3rd St. No. and S. Golf Dr. respectively. Not only would these constructions slow traffic on S. Golf Dr., but would enhance our residential street with green planting areas.

Enclosed you will also find a petition for your support of this proposal. If you are in agreement, please sign the petition, designating your S. Golf Dr. address and, at your earliest convenience, return the form in the enclosed self-addressed envelope.

Upon receipt of the signed petitions, Mr. Archibald will present this proposal to the Naples City Council for their approval.

Thanking you in advance for your support in making our street safer for all.

Sincerely,

Mr. & Mrs. M. Stephen
374 S. Golf Dr.
Naples

Mr. & Mrs. A. Macdonald
342 S. Golf Dr.
Naples

Attachment 7 to Exhibit A (Page 2 of 2)

DRAFT #1

PUBLIC PETITION
TO
NAPLES CITY COUNCIL
FROM
RESIDENTS OF SOUTH GOLF DRIVE
FOR
TRAFFIC CALMING PROGRAM

26JUN06

The following residents hereby request the Naples City Council to review and endorse the attached **Improvement Program for South Golf Drive** by accepting the identified goals for mitigation of neighborhood impacts from 'cut-thru traffic' and include the projects in upcoming capital improvement programs subject to both available funding and the relative priorities elsewhere in the City for traffic calming and neighborhood enhancement:

Date	Name & Address (please print)	Signature
1. 8/9/2006	DONALD MATOR 270 S. GOLF DR	Don Matos
2. 8/9/2006	APRIL MATOR 270 S. GOLF DR	April Matos
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Attachment 8 to Exhibit A (Page 1 of 1)


BONNESS INC.
 Paving and Streetwork Contractors

 1990 Seward Avenue
 Naples, Florida 34109
 (239) 597-6221 • (239) 597-7416 Fax
 www.bonnessinc.com

Proposal 5/19/2008
Submitted To: City Of Naples Purchasing Division

Estimate Number: 06702007

Address: 270 Riverside Circle
 Naples, FL 34102

Bid Title: South Gulf Dr. @ 3rd ST. N. Traffic
 Calming (Inset #4)(Revised)

Project Location:
Contact: Gregg Strakaluse/David Rivera

Project City, State: Naples, FL

Phone: (239) 213-7100

Fax: (239) 213-7105

Engineer/Architect:

Item #	Item Description	Estimated Quantity	Unit	Unit Price	Total Price
101-1	Mobilization	1.00	LS	\$7,604.37	\$7,604.37
102-1	Maintenance Of Traffic	1.00	LS	\$6,221.94	\$6,221.94
110-4A	Asphalt Removal	240.00	SY	\$3.18	\$763.20
120-1	Reg. Excavation	75.00	CY	\$19.45	\$1,458.75
162-2	Finished Layer Top Soil (4")	260.00	SY	\$8.05	\$2,093.00
285-717	Optional Base (See Note)	20.00	SY	\$76.58	\$1,531.60
331-71-14	Asph. Conc. Type S-III (1-1/2")	620.00	SY	\$7.33	\$4,544.60
520-1-10	Curb & Gutter Type F	370.00	LF	\$12.25	\$4,532.50
575-1-4	Sodding ST. Augustine	380.00	SY	\$3.78	\$1,436.40
590-70-1	Irrigation System Repairs (ALLOWANCE)	1.00	LS	\$1,000.00	\$1,000.00
700-46-21	Sign Existing (Relocate)	2.00	AMBY	\$111.50	\$223.00
706-3	Retro-Reflect. Pav't Markers (Y)	49.00	EACH	\$6.70	\$328.30
711-35-241	Solid Traf.Strip (Thermo) (24" White)	24.00	EACH	\$4.46	\$107.04
711-35-61	Solid Traffic Stripe Thermo (6" White)	30.00	LF	\$0.28	\$8.40
Total Price for above Items:					\$31,853.10

Payment Terms: Payment due within 30 days of date of invoice, regardless of when payment is made by Owner

ACCEPTED:

The above prices, specifications and conditions are satisfactory and hereby accepted.

Buyer _____

Signature: _____

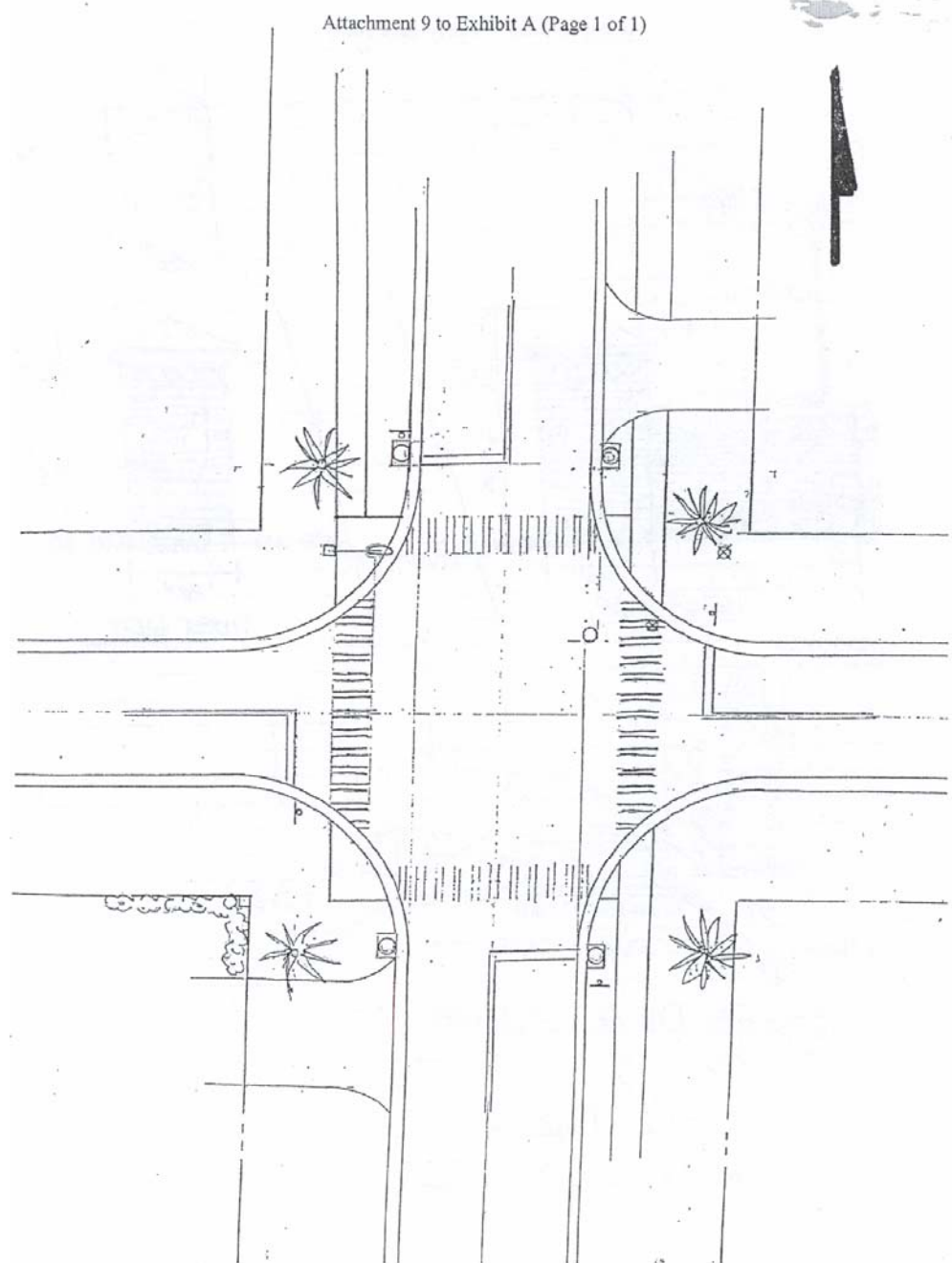
Date of Acceptance: _____

CONFIRMED:

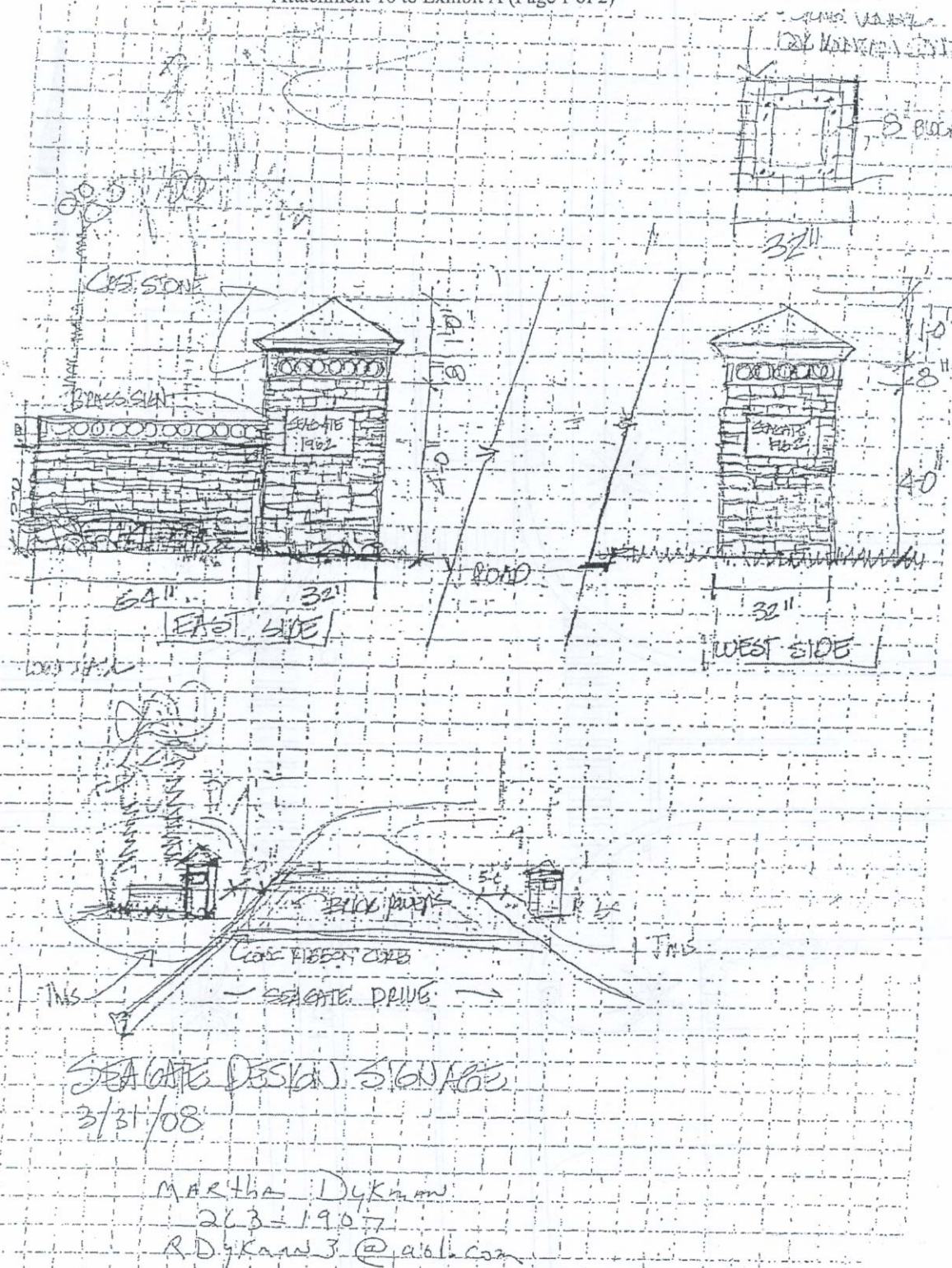
Bonness Inc.

Authorized Signature:
Estimator: Jeff Janco

5/19/2008 8:38:49 AM



Attachment 10 to Exhibit A (Page 1 of 2)



Attachment 11 to Exhibit A (Page 1 of 1)

IMPROVEMENT PROGRAM

FOR

22nd AVENUE NORTH-28TH AVENUE NORTH RESIDENTIAL AREA

18May01

COMMUNITY GOALS: The subject area, bounded on the west by U.S.41 and on the east by Goodlette-Frank Road is experiencing the adverse impacts of cut-thru traffic with the unsafe characteristics of high speed and high truck volume. To counter the neighborhood impacts of such traffic, interested property owners have followed the procedures set forth in the Naples Neighborhood Traffic Management Program over a period of months and established the following goals to preserve and enhance the neighborhood in character, quality and value:

Reduce the speed limit on all streets to 25 MPH (encourage reduced speeds consistent with the residential character).

Create multi-way stops on Royal Palm Drive @ 11th Street, 13th Street and 14th Street and on Diana Avenue at 13th Street and 14th Street (discourage school cut-thru traffic).

Provide Speed Tables with brick pavers on 22nd Avenue, on Diana Avenue, on 26th Avenue and on 28th Avenue (discourage high speed traffic and commercial cut-thru traffic).

Install Gateway Treatment at entries from U.S.41 and Goodlette-Frank Road on 22nd Avenue, Diana Avenue, 26th Avenue and 28th Avenue (enhance residential character and promote neighborhood identity for safety of children, residents, pedestrians and bicyclists).

Construct sidewalks on 26th Avenue, Diana and 28th Avenue North (provide for safe movement of children and residents on streets with the highest volume of traffic).

From: Sally Tiffany [stiffany@comcast.net]
Sent: Tuesday, June 03, 2008 5:10 PM
To: City Council; City Manager Incoming Email
Subject: Traffic Calming
Importance: High

Supplemental to my previous message, please take special note that the Gulf Shore Association of Condominiums was promised in previous traffic calming studies that we would be consulted prior to any final action being taken on the recommendations put forth by Crayton Road Association. That has not happened.

Murray Hendel, President
Gulf Shore Association of Condominiums

From: Sally Tiffany [stiffany@comcast.net]
Sent: Tuesday, June 03, 2008 5:05 PM
To: City Manager Incoming Email; City Council
Cc: Tony Izzo; Russ Gowland; Richard Carthaus; Richard Baker; Paul Hedberg; Murray Hendel; Harvey Friedman; F E Nortman; Ed Duch; David Feight; Carl F De Luca; Bruce Eby; Bob Raymond; Bill Rehring; Bill Mecklenburg; Doug Finlay
Subject: Traffic Calming
Importance: High

It has been called to my attention that traffic calming will appear on Wednesday's City Council agenda. Inasmuch as the Gulf Shore Association of Condominiums was not a part of the North Naples Traffic Calming Consortium, we are requesting appropriate consideration of all impact and inconvenience that could result from any traffic infrastructure changes. Limiting our access to Crayton Road or forcing people out to Highway 41 would adversely impact our members with regard to efficiency and safety.

Murray Hendel, President
Gulf Shore Association of Condominiums

To: A. William Moss, City Manager
From: Jim McEvoy, Fire Chief
Re: Fire Department Reorganization
Date: May 27, 2008

Proposal for Reorganization
Naples Fire Department

Report Summary

The flat command structure of the City of Naples Fire Department does not lend itself to the most efficient and effective command and control of the fire department's functions. The merger of the police and fire departments in 1995 shifted control of the fire department's leadership and managerial functions to the Chief of Police and Emergency Services and other non-fire staff members. Over time, many of these responsibilities have migrated back to the chief fire officer's purview. There have been no effective organizational changes to the fire component of the merged department since the creation of the Police and Emergency Services Department in 1995.

It is the responsibility of the fire chief to see that accurate and ongoing planning is in place to meet the future needs of his organization. Because I function as the fire operations chief, most of my time is spent on those ongoing tasks of maintaining the current operations of the department, leaving little or no time to perform critical leadership functions.

As the chief fire officer for the last six years I have attempted to make organizational changes that would eliminate the challenges that have prevented the application of more sound managerial practices to our organization. Issues such as the lack of a five year strategic plan, active emergency management, fire service accreditation, Insurance Service Office review, and new program development have not flourished due to the lack of adequate administrative staff.

In this proposal I am recommending the creation of one new position, Assistant Fire Chief. The primary duty of this position would be to function as the fire operations chief, responsible for the day to day fire and rescue operations.

This position is created with minimal fiscal impact while maintaining the present number of fire department employees. No additional personnel are being requested. This is accomplished by promoting one of the eligible battalion chiefs into a newly created Assistant chief position, and backfilling the positions below that with subsequent promotions. Sufficient staffing is available to accomplish this.

Through the creation of this position I see a greatly enhanced ability to meet the ever increasing demand to provide the multitude of services tasked to our fire department, and to prepare for the future demands rather than being overwhelmed by them.

PROPOSAL FOR REORGANIZATION

NAPLES FIRE DEPARTMENT

PURPOSE:

The purpose of this report is to propose organizational change for The City of Naples Fire Department in an effort to positively impact the efficiency of the Department and to facilitate planning to address future stressors on the organization. This report attempts to explain the cause for change and the benefits of reorganization.

DISCUSSION

A glance at the existing structure of the Fire Department reveals a flat hierarchy consisting of one fire chief supervising five battalion chiefs. Three of the battalion chiefs work 24-hour tours of duty and supervise three separate shifts of fire lieutenants and firefighters. A fourth B/C (Fire Marshal) manages the Fire Prevention Bureau. The fifth B/C, is the department training and safety officer, and exercises functional supervision and training program management throughout the organization.

Although this flat hierarchal arrangement can minimize the communication problems that result from taller hierarchies, our organization, by the nature of its size (60 members), has clearly defined pathways with which to communicate. Communications between rank and file and administration are not, and will not, be a problem due to a hierarchal structure. Other more serious complications have resulted from this flat model as applied to the Fire Department

Our business has become increasingly more complex due to the amount and types of services we provide. The addition of special rescue teams, new technology, paramedic

services, new standards of service in patient care, and homeland security issues, we will continue to place additional burdens on the administrative staff. It is incumbent on these staff officers to determine what levels of service are best suited for our community, and how best to train and prepare our personnel to meet these new challenges.

STAFFING ISSUES

We have not added any staff officers to our administrative team since 1991 when the shift commander (B/C) positions were created. In 1995 we lost administrative positions through the combining of NPD and NFD. Before the police/fire merger, the fire department administration consisted of a fire chief, one division chief overseeing a prevention bureau with a prevention lieutenant and two inspectors. (we currently have a B/C overseeing five inspector positions). Fire's Training and Administration Bureau was staffed with a division chief and three administrative assistants. The Fire Operations Bureau was managed by the Assistant Chief directly supervising the three shift battalion chiefs.

Call volume has increased 58% over the 10 year period between 1991 and 2001, while Fire realized a decrease of one staff officer, and no increase in fire suppression personnel. City Council approved a plan to add one firefighter per year for three consecutive years beginning in FY96. One firefighter was added that first year but, due to austere budgeting, no subsequent positions have been filled.

Recent annexations of properties will cause our ISO Public Protection Classification to be reviewed when we begin fire protection to several large annexed areas. In order to maintain the much desired rating of ISO 2, we will need to perform a comprehensive pre-survey of our staffing, apparatus, equipment and our overall ability to

respond to these areas. One additional fire company has been recommended to augment fire response capabilities in the easternmost portions of the City. The ability of our staff to successfully prepare for these landmark events, and to proactively assess the needed resources, is at this time questionable. Too few people are spread too thinly with other responsibilities.

Currently the fire chief functions as the fire operations chief, and is responsible for the daily operations of the City's three fire stations, all training programs, fire prevention and education programs, and the preparation and delivery of the division's annual budget. Although there are battalion chiefs managing fire suppression shift personnel, all support needs and most critical decision-making is handled from the fire chiefs' position. The unfortunate result of this arrangement is that little or no time is available for the fire chief to perform the typical functions of a Fire Chief.

By the simplest definition, the Fire Chief is responsible for all activities of the organization. However, in a fire service organization of our size and scope, the chief officer's foremost duties should be demonstrating leadership through strategic planning, and delegating management portions of the organization to administrative officers.

There are several areas of improvement on which our organization should be focused. To date a long term strategic plan has not been created. It is essential for the organization to be able to see its future and prepare to meet it. Issues such as apparatus replacement, officer development, capital improvement, and standard of coverage have been met as they arise, rather than planned for and then executed. It is the chief fire officer's responsibility to facilitate the development, execution and updating of the strategic plan.

Fire Service Accreditation has been a stated goal of the organization for the last twelve years. We have never had the time or staff to plan on how this should or could be accomplished. This is a leadership function for which the chief fire officer should be afforded the time and staff to accomplish. Our present organizational structure does not accommodate this.

In lieu of the City hiring a full time emergency manager, we would be better served by developing the chief fire officer's position as the emergency management coordinator. One of the traditional responsibilities of the fire chief in the City of Naples was that of the emergency manager. This is typical in City's and towns throughout the country. Our recent experiences with tropical weather require that much attention be applied to this emergency management function. City employees as a whole could be better prepared for an event more serious than that experienced with Hurricane Wilma in 2005.

Naples is a unique city with a client base that does not necessarily conform to usual program models. New ways to provide fire and life safety programs to our external customers are essential if we are to continue meeting the needs of our community. Our current staff size and configuration leaves little time to manage our existing programs, and no time to research and develop new programs.

RECOMMENDATIONS

One specific change is recommended to address many of the challenges described above - the creation of a new position titled "Assistant Chief". This position will be responsible for the management of all fire suppression and rescue programs. The change assigns many of the managerial tasks assigned to the Fire Chief to the Assistant chief.

A revised job description for the position is included at the end of this document. It is believed that a minimal adjustment of existing personnel can accomplish an optimal organizational framework.

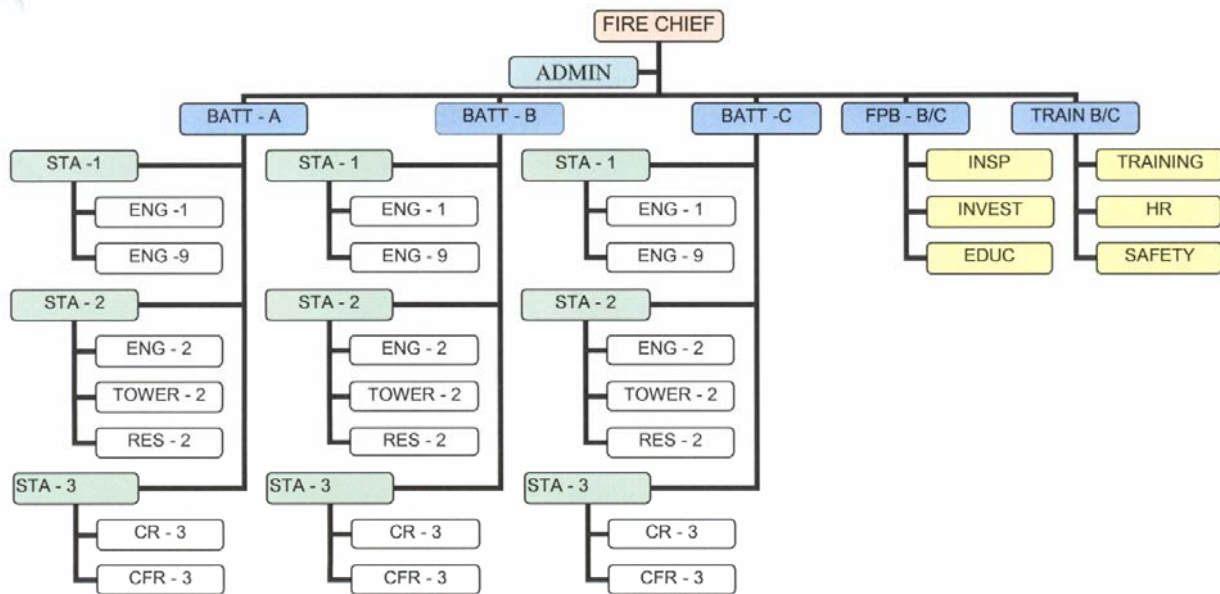
There is currently one more firefighter on one of the shifts (13) than there are on the other two shifts (12). This is a result of the plan to increase staffing by one person per year over a period of three years.

ECONOMICS

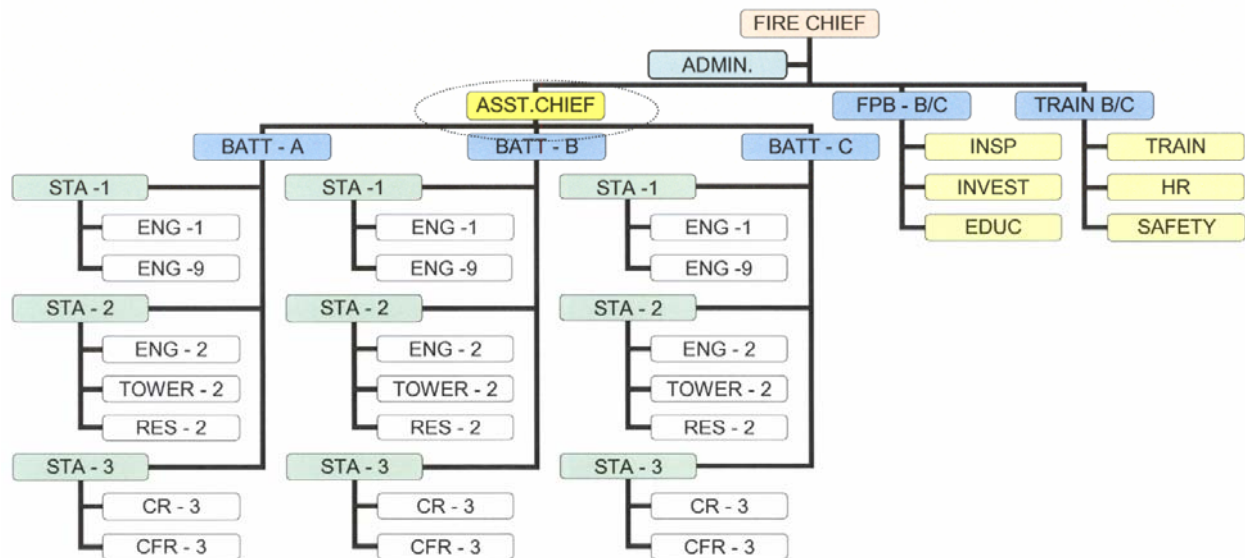
By applying promotions to one firefighter, one lieutenant, and one battalion chief, the proposed new position on the organization chart can be filled at a nominal expense. This change will result in an equal number of personnel on each shift, and the addition of one administrative staff member. In 2008 dollars, the cost would be \$23,891 per year or \$5,973 for the remainder of FY 08. The current year funding will be covered by salary savings from vacant positions that we have delayed in filling. Looking forward, the cost of the promotions will be covered by reduction in salaries and staff in the Police Department.

COST OF PROMOTIONS

Firefighter –Driver Engineer	\$ 3,380
Firefighter –Lt	\$ 5,849
Lt-B/C	\$ 9,864
B/C-D/C	\$ 4,798
Total (2009)	\$23,891
Total (2008)	\$ 5,973



PROPOSED FIRE ORGANIZATION CHART 2008



POSITION TITLE: Assistant Fire Chief

Rank: Assistant Chief

GENERAL DESCRIPTION OF DUTIES

DRAFT

Under administrative direction, the purpose of the position is to plan, administer, and provide comprehensive direction for the City's Fire Operations Bureau. Employees in this classification coordinate and supervise all fire and rescue service activities, and function as the Incident commander on major fire and rescue incidents. Position recommends division policy and procedures, and is responsible for ensuring all City fire service operations practices and procedures adhere to the highest standards of protection of lives and property. Position is responsible for functioning as operations chief under the incident commander within the City's Peacetime Emergency Plan.

SPECIFIC DUTIES AND RESPONSIBILITIES

ESSENTIAL JOB FUNCTIONS

Responds to emergency incidents; commands major incidents; functions as operations chief within the City's Peacetime Emergency Plan.

Evaluates emergency operations for the purpose of developing policy and procedures adhering to the highest standards of protection of lives and property.

Meets with Battalion Chiefs under charge in coordinating fire service operations and activities; supervises initial fire investigations.

Functions as liaison with City departments, the City Airport Authority, and other entities.

Responds to concerns, complaints and inquiries from the public; provides information, resolution or direction accordingly.

Assists in evaluating and the development of long-term bureau goals and objectives; leads in bureau research and development activities.

Reviews fleet status and recommends budgets items and apparatus replacements; evaluates manpower and resource allocation; reviews and recommends staffing levels; reviews and approves bureau payroll.

Identifies bureau training needs; monitors all internal and external training and education programs; coordinates specialized training as required; provides direct instruction to personnel in fire service operations.

Ensures proper coordination and scheduling between shifts; approves Battalion Chief leave requests and vacation time; evaluates Battalion Chiefs' performance.

Develops, implements, adjusts, and/or removes conditions either positively or negatively

impacting organizational efficiency and effectiveness.

Participates in oral review boards for hiring and promotions.

Assembles budget requests from bureau personnel and prepares them for submission to the Fire chief for review.

Assist the Fire Chief in the supervision and command of the operations Bureau; will assume the duties of the Fire Chief in his absence and as otherwise directed.

Assists the Fire Chief in the formulation and implementation of training and safety practices, policies, rules, techniques, and procedures as they are applied to the bureau.

The list of essential functions, as outlined herein, is intended to be representative of the tasks performed within this classification. It is not necessarily descriptive of any one position in the class. The omission of an essential function does not preclude management from assigning duties not listed herein if such functions are a logical assignment to the position.

MARGINAL FUNCTIONS

While the following tasks are necessary for the work of the unit, they are not an essential part of the purpose of this position and may also be performed by other unit members.

Performs related duties as directed.

MINIMUM TRAINING AND EXPERIENCE

Bachelor's degree with course work emphasis in Fire Science/Administration; supplemented by State Firefighter certification and EMT certification; supplemented by three (3) years experience in fire service as a Battalion Chief or higher, with responsibility for budget development and administration, and experience in evaluating operations and services for policy and procedure development; or an equivalent combination of education, training, and experience. Possession of a valid Florida driver license, class "E" and possession and maintenance of a driving record which meets or exceeds minimum City driving standards.

PERFORMANCE APTITUDES

Data Utilization: Requires the ability to evaluate, audit, deduce, and/or assess data and/or information using established criteria. Includes exercise of discretion in determining actual or probable consequences, and in referencing such evaluation to identify and select alternatives.

Human Interaction: Requires the ability to function in a supervisory/managerial capacity for a group of workers. Includes the ability to make decisions on procedural and technical levels.

Equipment, Machinery, Tools, and Materials Utilization: Requires the ability to operate and control the actions of equipment, machinery, tools and/or materials requiring complex and rapid adjustments.

Verbal Aptitude: Requires the ability to utilize a wide variety of reference, descriptive, design, and/or advisory data and information.

Mathematical Aptitude: Requires the ability to perform addition, subtraction, multiplication, and division; calculate decimals and percentages; utilize algebraic and geometric principles; utilize descriptive statistics.

Functional Reasoning: Requires the ability to apply principles of influence systems, such as motivation, incentive, and leadership. Ability to exercise independent judgment to apply facts and principles for developing approaches and techniques to problem resolution.

Situational Reasoning: Requires the ability to exercise the judgment, decisiveness and creativity required in situations involving the direction, control and planning of an entire program or set of programs.

ADA COMPLIANCE

Physical Ability: Tasks involve the regular and, at times, sustained performance of moderately physically demanding work, typically involving some combination of climbing and balancing, stooping, kneeling, crouching, and crawling, and that may involve the lifting, carrying, pushing, and/or pulling of moderately heavy objects and materials (20-50 pounds).

Sensory Requirements: Some tasks require the ability to perceive and discriminate colors or shades of colors. Some tasks require the ability to perceive and discriminate sounds. Some tasks require the ability to perceive and discriminate odors. Some tasks require the ability to perceive and discriminate depths. Some tasks require the ability to perceive and discriminate textures. Some tasks require visual perception and discrimination. Some tasks require oral communications ability.

Environmental Factors: Tasks risks exposure to adverse environmental conditions, such as dirt, dust, pollen, odors, wetness, humidity, rain, fumes, temperature and noise extremes, machinery, vibrations, electric currents, traffic hazards, bright/dm light, explosives, smoke, toxic/poisonous agents, disease, or pathogenic substances.

TO: A. William Moss, City Manager
FROM: Roger Reinke, Assistant City Manager
DATE: June 3, 2008
SUBJECT: Council Supplement – Police Officers Pension – Item 19

City Council inquired about the cost to the City, beyond the first year, of the increased benefits in the police officers' pension being considered for ratification. The Police Pension Board actuary Gabriel Roeder Smith & Company most properly answers questions regarding the costs associated with the Police Officers' Pension and Retirement System. The Actuarial Impact Statement attached to this agenda item indicated there was no change to the City contribution in the first year. The actuary reports to the Pension Board and a response to City Council's question may not be received prior to taking action on this agenda item. This memorandum has been prepared to assist Council in the event a response is not received from the actuary.

Chapter 185 of the Florida Statutes regulates the funding of the Police Officers' Pension and Retirement System. The System is funded by a combination of sources including proceeds from an excise tax on insurance premiums, member contributions, and investment earnings. The City is responsible for any additional amount required to fund any actuarial deficiency shown by an actuarial valuation. (Florida Statute 185.07 attached for reference.)

The actuarial valuation of the plan is determined through an analysis that consists of several key assumptions including investment return and annual salary increases. Each year the Pension Board is responsible for providing an annual report to the State Division of Retirement that reflects City contributions (Florida Statute 185.221 attached for reference). Due to the benefit increase in this proposal, the City will be allowed to utilize an increased amount of the excise tax on insurance premiums collected to fund the benefit. The cost to the City beyond the first year is dependent on the above assumptions and actual experience of invested funds.

The 2007 Florida Statutes

Title XII
MUNICIPALITIES

Chapter 185
MUNICIPAL POLICE PENSIONS

[View Entire Chapter](#)

185.07 Creation and maintenance of fund.--For any municipality, chapter plan, local law municipality, or local law plan under this chapter:

(1) The municipal police officers' retirement trust fund in each municipality described in s. [185.03](#) shall be created and maintained in the following manner:

(a) By the net proceeds of the .85-percent excise tax which may be imposed by the respective cities and towns upon certain casualty insurance companies on their gross receipts of premiums from holders of policies, which policies cover property within the corporate limits of such municipalities, as is hereinafter expressly authorized.

(b) Except as reduced or increased contributions are authorized by subsection (2), by the payment to the fund of 5 percent of the salary of each full-time police officer duly appointed and enrolled as a member of such police department, which 5 percent shall be deducted by the municipality from the compensation due to the police officer and paid over to the board of trustees of the retirement trust fund wherein such police officer is employed. No police officer shall have any right to the money so paid into the fund except as provided in this chapter.

(c) By all fines and forfeitures imposed and collected from any police officer because of the violation of any rule adopted by the board of trustees.

(d) By payment by the municipality or other sources of a sum equal to the normal cost and the amount required to fund any actuarial deficiency shown by an actuarial valuation as provided in part VII of chapter 112.

(e) By all gifts, bequests and devises when donated to the fund.

(f) By all accretions to the fund by way of interest or dividends on bank deposits or otherwise.

(g) By all other sources of income now or hereafter authorized by law for the augmentation of such municipal police officers' retirement trust fund.

(2) Member contribution rates may be adjusted as follows:

(a) The employing municipality, by local ordinance, may elect to make an employee's contributions.

However, under no circumstances may a municipality reduce the member contribution to less than one-half of 1 percent of salary.

(b) Police officer member contributions may be increased by consent of the members' collective bargaining representative or, if none, by majority consent of police officer members of the fund to provide greater benefits.

Nothing in this section shall be construed to require adjustment of member contribution rates in effect on the date this act becomes a law, including rates that exceed 5 percent of salary, provided that such rates are at least one-half of 1 percent of salary.

History.--s. 4, ch. 28230, 1953; s. 3, ch. 29825, 1955; s. 5, ch. 59-320; s. 2, ch. 61-119; s. 6, ch. 86-42; s. 943, ch. 95-147; s. 5, ch. 95-250; s. 47, ch. 99-1.

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The 2007 Florida Statutes

Title XII
MUNICIPALITIES

Chapter 185
MUNICIPAL POLICE PENSIONS

[View Entire Chapter](#)

185.221 Annual report to Division of Retirement; actuarial valuations.--For any municipality, chapter plan, local law municipality, or local law plan under this chapter, the board of trustees for every chapter plan and local law plan shall submit the following reports to the division:

(1) With respect to chapter plans:

(a) Each year by February 1, the chair or secretary of each municipal police officers' retirement trust fund operating a chapter plan shall file a report with the division which contains:

1. A statement of whether in fact the municipality is within the provisions of s. 185.03.

2. An independent audit by a certified public accountant if the fund has \$250,000 or more in assets, or a certified statement of accounting if the fund has less than \$250,000 in assets, for the most recent plan year, showing a detailed listing of assets and methods used to value them and a statement of all income and disbursements during the year. Such income and disbursements shall be reconciled with the assets at the beginning and end of the year.

3. A statistical exhibit showing the total number of police officers on the force of the municipality, the number included in the retirement plan and the number ineligible classified according to the reasons for their being ineligible, and the number of disabled and retired police officers and their beneficiaries receiving pension payments and the amounts of annual retirement income or pension payments being received by them.

4. A statement of the amount the municipality, or other income source, has contributed to the retirement plan for the most recent plan year and the amount the municipality will contribute to the retirement plan for the current plan year.

5. If any benefits are insured with a commercial insurance company, the report shall include a statement of the relationship of the insured benefits to the benefits provided by this chapter. This report shall also contain information about the insurer, basis of premium rates and mortality table, interest rate and method used in valuing retirement benefits.

(b) In addition to annual reports provided under paragraph (a), by February 1 of each triennial year, an actuarial valuation of the chapter plan must be made by the division at least once every 3 years, as provided in s. 112.63, commencing 3 years from the last actuarial valuation of the plan or system for

existing plans, or commencing 3 years from the issuance of the initial actuarial impact statement submitted under s. 112.63 for newly created plans. To that end, the chair of the board of trustees for each municipal police officers' retirement trust fund operating under a chapter plan shall report to the division such data as the division needs to complete an actuarial valuation of each fund. The forms for each municipality shall be supplied by the division. The expense of the actuarial valuation shall be borne by the municipal police officers' retirement trust fund established by s. 185.10. The requirements of this section are supplemental to the actuarial valuations necessary to comply with s. 218.39.

(2) With respect to local law plans:

(a) Each year, on or before March 15, the trustees of the retirement plan shall submit the following information to the division in order for the retirement plan of such municipality to receive a share of the state funds for the then-current calendar year:

1. A certified copy of each and every instrument constituting or evidencing the plan. This includes the formal plan, including all amendments, the trust agreement, copies of all insurance contracts, and formal announcement materials.
2. An independent audit by a certified public accountant if the fund has \$250,000 or more in assets, or a certified statement of accounting if the fund has less than \$250,000 in assets, for the most recent plan year, showing a detailed listing of assets and a statement of all income and disbursements during the year. Such income and disbursements must be reconciled with the assets at the beginning and end of the year.
3. A certified statement listing the investments of the plan and a description of the methods used in valuing the investments.
4. A statistical exhibit showing the total number of police officers, the number included in the plan, and the number ineligible classified according to the reasons for their being ineligible, and the number of disabled and retired police officers and their beneficiaries receiving pension payments and the amounts of annual retirement income or pension payments being received by them.
5. A certified statement describing the methods, factors, and actuarial assumptions used in determining the cost.
6. A certified statement by an enrolled actuary showing the results of the latest actuarial valuation of the plan and a copy of the detailed worksheets showing the computations used in arriving at the results.
7. A statement of the amount the municipality, or other income source, has contributed toward the plan for the most recent plan year and will contribute toward the plan for the current plan year.

When any of the items required hereunder is identical to the corresponding item submitted for a previous year, it is not necessary for the trustees to submit duplicate information if they make reference to the item in the previous year's report.

(b) In addition to annual reports provided under paragraph (a), an actuarial valuation of the retirement plan must be made at least once every 3 years, as provided in s. 112.63, commencing 3 years from the last actuarial valuation of the plan or system for existing plans, or commencing 3 years from issuance of the initial actuarial impact statement submitted under s. 112.63 for newly created plans. Such valuation shall be prepared by an enrolled actuary, subject to the following conditions:

1. The assets shall be valued as provided in s. 112.625(7).
2. The cost of the actuarial valuation must be paid by the individual police officer's retirement trust fund or by the sponsoring municipality.
3. A report of the valuation, including actuarial assumptions and type and basis of funding, shall be made to the division within 3 months after the date of the valuation. If any benefits are insured with a commercial insurance company, the report must include a statement of the relationship of the retirement plan benefits to the insured benefits, the name of the insurer, the basis of premium rates, and the mortality table, interest rate, and method used in valuing the retirement benefits.

History.--s. 7, ch. 59-320; s. 2, ch. 61-119; ss. 13, 35, ch. 69-106; s. 16, ch. 86-42; s. 44, ch. 93-193; s. 951, ch. 95-147; s. 8, ch. 96-324; s. 64, ch. 99-1; s. 43, ch. 2001-266; s. 16, ch. 2004-305.

MEETING OF JUNE 4, 2008 - AGENDA ITEM 19

SUBMITTED BY CITY MANAGER A. WILLIAM MOSS 

RECOMMENDATION: City Council approval of an ordinance amending Chapter 29 of the Code of Ordinances relating to the Police Officers Pension and Retirement System

AUTHORIZATION: Florida Statute 447 (Labor Organizations/Public Employees) states the authority and guidelines to collectively bargain the wages, hours, and terms and conditions of employment of the public employees within a bargaining unit.

BACKGROUND: City Council ratified and confirmed the current Collective Bargaining Agreements between the City and the Fraternal Order of Police Supervisor's Bargaining Unit and the Fraternal Order of Police, Collier County Lodge No. 38, under Resolution #06-11438 and #06-11439, respectively, on November 15, 2006. Through this collective bargaining process, the City negotiated a re-opener to discuss Retirement Benefits. The Union and the City reached a tentative agreement on May 16, 2008 and the Bargaining Units have ratified these changes.

Changes to the Retirement Plan include increasing the Multiplier for all plan members retiring after October 1, 2006 to 3.63% per year of service (from 3.60%) and allowing vested employees with at least five (5) years of service the ability to purchase up to an additional 7.26% of final average compensation. The cost to purchase the additional multiplier and time, shall be paid by the member (employee) at the full actuarial cost of such years purchased.

Other changes include changing the definition of "Compensation" or "salary" to mean the total remuneration including "overtime up to 300 hours" and "accrued leave lump sum payouts not to exceed \$6,700.00" paid by the primary employer to a police officer for service rendered but not including any payments for extra duty or a special detail work performed on behalf of a second party employer.

FISCAL IMPACT/FUNDING SOURCE:

The Actuary has indicated that the changes made to the pension plan will be funded using State money under Chapter 185.