



City Council Chamber
735 Eighth Street South
Naples, Florida 34102

City Council Workshop Meeting – March 2, 2009 – 8:29 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
Tara Norman, City Clerk
Vicki Smith, Technical Writing Specialist
Roger Reinke, Assistant City Manager
Jessica Rosenberg, Deputy City Clerk
David Lykins, Community Services Director
Michael Klein, Waterfront Operations Manager
Ron Wallace, Streets & Stormwater Director
Robert Middleton, Utilities Director
Denise Perez, Human Resources Director
Marvin Easton
Andy Woodcock
Stefan Bothe
Brian Leiding
Marlene Chaplin
Marlena Brackebusch
Debi Garnett
Lois Selfon

Jim Boula
Marianne Megela
Alan Ryker
Doug Finlay
James Suckow
David Gardner
Michael McLeod
Renee Zepeda
Linda Black
Linda Messmer
Pamela Stewart
Noreen Schumann
Roslyn Katz
Michelle McLeod
Brett Backus
Media:
Jenna Buzzacco, Naples Daily News

Other interested citizens and visitors.

SET AGENDA.....ITEM 2

MOTION by Price to SET THE AGENDA as submitted; seconded by Sulick and unanimously carried, all members present and voting (Heitmann-yes, Price-yes, Sorey-yes, Sulick-yes, Taylor-yes, Willkomm-yes, Barnett-yes).

PUBLIC COMMENT.....ITEM 3

(8:30 a.m.) **Marianne Megela, Naples Artcrafters**, noted the success of the 30th Naples National Art Festival held in Cambier Park the previous weekend during which over 25,000 patrons had been in attendance. Council Member Sorey commended the Naples Art Association for its initiative with regard to its parking plan; Council Member Willkomm concurred.

.....ITEM 4

INTERVIEWS WITH CANDIDATES FOR VARIOUS BOARDS AND COMMITTEES.

Deputy City Clerk Jessica Rosenberg indicated the following candidates available for interview: James Suckow (Fire Pension Board); David Gardner (East Naples Bay Citizens Advisory Committee / ENBCAC); Michael McLeod (Planning Advisory Board / PAB); Renee Zepeda (Design Review Board / DRB); Brett Backus (Citizens Police Review Board / CPRB); and Pamela Stewart, Michelle McLeod, Linda Messmer, Linda Black, Roslyn Katz and Noreen Schumann (Community Services Advisory Board / CSAB).

Recess: 9:56 a.m. to 10:09 a.m. It is noted for the record that the same Council Members were present when the meeting reconvened. It is also noted that Mayor Barnett indicated that Item 7 would be considered prior to Item 5.

(10:09 a.m.) Noting the memorandum from City Clerk Tara Norman dated March 2 (Attachment 1), Mayor Barnett questioned whether Council wished to delay discussion of minute preparation, which was to be included within Item 10 (see below). Council indicated its intent of moving forward with this discussion; Council Member Heitmann however disagreed.

CITY DOCK FUNDITEM 7

On February 17th City Council discussed the financial conditions of the City Dock Fund. Staff advised of a projected deficit unless corrective action is taken immediately. Staff will offer recommendations to balance revenues and expenditures. Community Services Director David Lykins utilized an electronic presentation (Appended hereto as Attachment 2) wherein he explained that he had worked with the Finance Department with regard to projected revenues for the remaining fiscal year, based upon year-to-date revenue collected at the City Dock facility, which totaled \$1,058,460. He and his staff had then developed their own projection using actual current usage over the past six months, which indicated a total of \$1,305,560. The latter figure had been based upon three assumptions:

- Dock rental at 100% occupancy for the remainder of the fiscal year (transient revenue of \$84,174, and mooring field revenue of \$24,000);
- Fuel sales at a 40% monthly reduction from previous fiscal year; and
- Bait and miscellaneous sales at a 17% monthly reduction from previous fiscal year.

With regard to expenditures (see Attachment 2, Page 2) Mr. Lykins clarified the following savings to the City Dock Fund should staff recommendations be implemented:

- \$75,132 - reduction of one Dockkeeper position for the remainder of the fiscal year (\$22,740), as well as one-half of Waterfront Operations Manager salary and benefits (\$52,392) charged to the General Fund due to the fact that approximately one-half of this individual's time is spent at venues other than the City Dock facility;
- \$25,000 - reduction in operating expenses;
- \$72,214 - reduction in City administration fee (50%) as noted in February 17, 2009 Council workshop discussion of this topic;
- \$107,015 - temporary elimination of the Payment In Lieu of Taxes (PILOT); and

- \$5,947 - reduction in Information Services fee (50%) paid to Technology Services Department.

The above reductions amount to \$285,308 in estimated savings that, when added to the \$150,000 saved by relining rather than replacing fuel tanks, Mr. Lykins said, equated to \$435,308. Furthermore, he explained, this would entail a recommendation to alter hours from a 7:00 a.m. opening to a 9:00 a.m. opening; nevertheless, the usual total of three personnel would remain with Waterfront Operations Manager Michael Klein on site on a more regular basis. Should boating activity increase, the hours could be restored to maintain the level of service.

In further discussion with Council Members Sorey and Price, City Manager William Moss agreed that the net effect of \$256,000 of the above referenced savings would be increasing the General Fund deficit to \$2.35-million. Council Member Price said that he however favored the above described operational changes to minimize the impact upon level of service. Mr. Price also stated that he did not concur with the proposed transfer to the General Fund.

City Manager Moss recommended that Naples Landing be developed as a revenue source by converting to automatic ticket dispensing similar to the system at the Fishing Pier parking lot; staff had projected \$40,000 of additional revenue, he added. Council Member Price said that he could not support increasing cost to residents until to all other possibilities had been eliminated.

In response to Council Member Sulick, Mr. Klein explained that for a half day the charge for commercial uses at Naples Landing is \$300 and \$500 for an entire day (eight hours) of loading or off-loading; a monthly fee of \$5,100 is also available for this purpose, assuming out of 30 days, at least 17 days involve this type of use. He also indicated that these rates had been established prior to his employment in 2003.

In response to Council comments, City Manager Moss maintained support for the above recommendations, noting his belief that some charges are not appropriate. As an example he cited the fact that the Waterfront Operations Manager's salary and benefits are totally underwritten by the City Dock, since he oversees other waterfront facilities and also had devoted considerable time in negotiation of the submerged lands lease and the mooring field use agreement. Council Member Willkomm pointed out that items such as this had been presented as cost savings when in fact they merely removed from the City Dock as expenditures. The intent had been to maintain the level of service while allocating expenditures in a proper manner, Mr. Moss stated.

Council Member Heitmann explained that she had spoken with mayors of other cities whose municipal docks are profitable and pointed out that the City Dock, being the last municipal boating facility before the Keys, should be much busier. She also urged retention of the early hours of operation for the convenience of early morning boaters and expressed concern with safety issues should the City Dock staff be reduced as recommended; rental of the commercial slips should be a priority, she added.

Council Member Sorey however observed that the aforementioned \$256,000 deficit could either be transferred to the General Fund or funds from the General Fund could be transferred into the City Dock Fund. Council Member Price concurred, but also said that his concern is whether all

options had been explored, particularly in light of future needs. Mr. Sorey predicted that the facility would in fact require subsidies since its being quaint and historical would preclude its competing with other municipal docks in the state.

Public Comment: (10:50 a.m.) **Jim Boula, 702 Broad Avenue South**, not only questioned the delay in the opening of the Crayton Cove mooring field, but said that a lack of maintenance had contributed to a recent accident at the dock. He also said that 6 of the 18 commercial slips remain open. Further, in the past five years, \$1.4-million had been transferred from the City Dock Fund into the General Fund, but should the hours of operation be reduced, further revenue would be sacrificed due to decreased fuel sales. In conclusion, he recommended the following: open the mooring field; repair any loose boards on the dock; rent the commercial slips; revise the commercial slip waiting list criteria; and retain the present operating hours. Council Member Sorey explained that with regard to the \$1.4-million transfer, the City budget as a whole must be considered; if not from that fund, it would have been reflected somewhere else within the overall budget. Mr. Boula reiterated his concern with maintenance of the dock and safety issues.

Captain Marlena Brackebusch, 900 Broad Avenue South, voiced opposition to any staff reductions, commending the current personnel and their boating experience. She was critical of the rental rates, especially in light of current economics, suggesting that collecting a lower amount is more favorable than collecting no rent. She also recommended posting a list of items available for sale in the Dockmaster's office and suggested a greater variety of items as well. Further, Ms. Brackebusch said, a monthly City Dock Day could be designated to create greater interest in visiting the historic landmark. **Doug Finlay, 3430 Gulf Shore Boulevard**, characterized charging the City Dock the PILOT as inappropriate, saying that this should only be charged if the facility generated income from activities such as land-side boat sales, repairs, marine store, and/or brokerage services. Then it would indeed be required to pay property taxes, but not at a rate of 6% of revenue, he added. Mr. Finlay further pointed out that he believed the PILOT to have been merely a method of transferring subsidies from the City Dock when the fund was healthy. Mr. Finlay agreed with the reallocation of Mr. Klein's salary and benefits but disagreed with the change to hours of operation, especially with commercial and transient slip rentals. In conclusion, he said that he believed the facility to be in uncontrolled decline and with regard to the Naples Landing, rates for its use should be reviewed. **Brian Leiding, 235 Bahia Point**, noted that four years ago the City Dock Fund had approximately \$600,000 in its reserves, this had been used to subsidize the taxpayers of the City. He also commended the staff and cautioned against eliminating anyone.

Council Member Sulick pointed out the rapid decline in the marine industry, also citing that availability and proximity to other docking facilities are key factors in the City Dock's current issues. The City has allowed numerous marinas with fueling capabilities, she added, and perhaps too many boat storage facilities had also been approved. Mrs. Sulick continued by pointing out that during her research, the Naples City Dock had been the only facility offering commercial charters, recommending that staff contact other municipal marinas to ascertain services offered, the year constructed and fees charged. City Manager Moss said that staff had already done so and some of this information would be forthcoming.

In response to Mayor Barnett, City Manager Moss explained that at times the City Dock's fuel prices differ from other facilities due to its limited fuel storage capacity. Mr. Lykins added that home delivery of fuel had been affecting fuel sales revenue around the entire Naples Bay area.

Council Member Price stated that the total overall cost to operate the City must be reduced by 30%, and Council Member Sulick suggested that privatization be considered, although all aspects of the operation must be reviewed. Vice Mayor Taylor explained that she would support allowing management to attempt to rectify the issues at the City Dock before privatization became a topic of discussion. She also noted that volunteers through the Ambassador Program could be utilized, that the facility is an asset and all measures should be taken to preserve it.

Council Member Sorey agreed with Council Member Price, adding that it must be ascertained what services citizens wish to maintain and pay for, and then the City must find the most economical and efficient way in which to provide those services. He recommended no changes in charges for the fiscal year and transferring the \$256,000 from the General Fund into the City Dock Fund for transparency. Nevertheless, he agreed that staff should be allowed flexibility with regard to hours of operation although a reduction in staffing would most probably be necessary; in the coming budget cycle, proper allocations should however be addressed. He however recommended increasing revenue over decreasing costs. Council Member Heitmann agreed although she reiterated her opposition to decreasing hours of operation and staff, requesting an accounting of allocation of the aforementioned \$1.4-million in past years; funding for maintenance must remain within the City Dock Fund, she said. Council Member Willkomm indicated that he would not support any reduction in staff if this would affect safety at the facility. Priorities must be set and the expectations of the public met, Council Member Sulick however cautioned.

Council Member Price stated that if direction is being sought, this item should be added to a regular meeting agenda for a vote. The resources needed by staff must be found to render the City Dock successful, Mr. Price further said, contending that staff did not create these current issues. Mr. Price also noted agreement with Council Member Willkomm that a decision must be made with regard to the Tennis Fund, as well as the City Dock Fund, if the City is to continue to subsidize certain funds and not others; Council Member Heitmann agreed.

Discussion followed regarding staff continuing to oversee the operational aspects of the City Dock and the scheduling of further discussion regarding the accounting aspects of this item. Council Member Price requested that the discussion include any administrative fees or PILOT monies transferred from any fund into the General Fund, and that they be in detail, all debits and credits must be accounted for.

Waterfront Operations Manager Klein explained that repairs, such as securing planking, are ongoing, and as soon as staff is made aware of a need, it is addressed. With regard to the mooring field, he explained that staff is awaiting permission from the Florida Department of Environmental Protection (FDEP) to open the facility, and in response to Mayor Barnett, Mr. Klein clarified that the mooring field would operate at a deficit. Council Member Sulick indicated that other facilities charge a sufficient amount for a mooring to cover maintenance and operation expenses. Mr. Klein added that should a profit be realized from the mooring field then a fee would however be payable to the state for the 184,000 square feet of the submerged land leased. City Manager Moss suggested that the mooring field, as an amenity to transient boaters, not be included within the City Dock Fund, and Mr. Klein explained that the original intent had been for a secure anchorage, as well as a safe harbor in emergencies. In response to Mr. Price,

Mr. Klein provided a brief overview of the slips open for rental, commercial and recreational, stating that attempts are being made to lease them; he also agreed with Mr. Price that the City's television channel could be utilized to advertise availability to the general public.

Further discussion and action scheduled for April.

Recess: 11:49 a.m. to 12:06 p.m. It is noted for the record that the same Council Members were present when the meeting reconvened.

PAVEMENT MANAGEMENT PROGRAMITEM 5

Last year, following a detailed analysis of the condition of all City streets, staff endorsed a priority list for street resurfacing utilizing a variety of pavement methods. Because of perceived deficiencies with some of the resurfacing techniques, staff will present proposed amendments to the pavement management program. Streets & Stormwater Director Ron Wallace utilized a brief electronic presentation during which he explained that historically the City had repaved roadways with a standard one-inch overlay asphalt mix. (It is noted for the record that a printed copy of the presentation is contained in the file for this meeting in the City Clerk's Office.) Previously, Florida Transportation Engineering, Inc. (FTE) had prepared a pavement management report rating the condition of City roadways with various overlay options, he said, including rebuild, overlay, micro-resurfacing, and slurry seal techniques. Following recommendations contained in the report, the City implemented the micro-resurfacing option on a number of thoroughfares at a reduced cost, but found that the process did not provide the structural support required on many of the older roadways which had crushed-shell bases, and lasted three to five years compared to fifteen years from the traditional overlay method. Therefore, he said, staff recommended a re-evaluation of the roadway inventory and the development of a new overlay program with input from various property owner associations. Furthermore, with current economic challenges, the City should return to the standard one-inch structural overlay process, he said, focusing on repaving deteriorating surfaces instead of sealing adequate ones. Nevertheless, \$500,000 of work had been identified thus far with \$380,000 currently budgeted.

In response to Council Member Willkomm, Mr. Wallace confirmed that heavy truck traffic often causes the need for restoration of sub-bases, that a structural element is provided by the overlay process which is not the case with the others noted above. Alleys are not resurfaced unless a complaint is received and the majority of affected property owners agree; some residents do not want such activity on the alleyways, he clarified.

Public Comment: (12:14 p.m.) **Doug Finlay, 3430 Gulf Shore Boulevard,** agreed with the above recommendation to return to the structural overlay process, noting that he travels City streets via bicycle and had observed deterioration with the micro-resurfacing and slurry seal processes. Council Member Heitmann commended Mr. Finlay for his effort and he expressed appreciation to the staff for responsiveness to his comments and concerns.

Consensus to accept staff recommendations.

AFTER SCHOOL PROGRAM.....ITEM 6

The City currently offers an after-school program at Fleischmann Park for elementary school age children. Current enrollment is 29. Despite enrollment fees, the program operates at a loss of about \$20,000 per year. Furthermore, the program competes with a similar program offered at Lake Park Elementary School that has better facilities for this purpose. Proposed is the discontinuation of the Fleischmann After School Program for the next school calendar year. (It is noted for the record that a printed copy of the electronic

presentation made in conjunction with this item is contained in the file for this meeting in the City Clerk's Office.) Community Services Director David Lykins noted that staff had reviewed the operations of the City's community centers and facilities and presented the following information regarding the City's after-school program at Fleischmann Park:

- Background: The program was created in 2001, offered Monday through Friday from 3:00 p.m. to 6:00 p.m. and designed for elementary school age children. It is licensed by the Department of Children and Families (DCF) and the majority of the children attend Lake Park Elementary School.
- Enrollment is currently 29 children (65% City residents) for the duration of the school year (approximately 38 weeks) with staff consisting of 4 or 5 temporary counselors and 1 full-time DCF credentialed recreation supervisor. Program fees are \$180.00 per month for the first child; \$162.00 per month for each additional child; and \$30.00 per week for a 3-day week attendance. It offers childcare services for early release days, winter and spring breaks, and teacher planning days at an additional charge. Annual program estimated expenses of \$60,000 include staffing, equipment, supplies, license fees, staff training costs, etc., while revenues are estimated at \$40,000, therefore, there is a net loss of \$20,000 annually.

Mr. Lykins then reviewed an alternate after-school program, Pat's Kids Club:

- This program is offered at Lake Park Elementary School, adjacent to Fleischmann Park, and offers the same hours, days and fees as the Fleischmann program; availability is on a first come first served basis and has space for additional children at this time. It also provides care during additional days when schools are not open to the children, as noted above, at similar rates and offers a scholarship program for qualifying families, as well as accepting payment from Childcare of Southwest Florida for foster care, as does the Fleischmann program.

Considerations for discussion were listed as follows:

- Fleischmann program is a duplication of Pat's Kids Club held at Lake Park Elementary;
- Licensing of the Fleischmann site has proven continually challenging based on the facility's design and competing uses;
- The school site of Pat's Kids Club is designed more appropriately for child care; and
- Pat's Kids Club is available at the elementary school.

Staff's goal is to eliminate program duplication where it exists, Mr. Lykins pointed out, and that by encouraging participation in private sector, school year child care programs, the City could restructure facility operations to accommodate current needs, with a resulting reduction to the general fund operational expenses. Therefore, he said, the recommendation to discontinue the Fleischmann after-school program for the next school calendar year had been offered.

Mr. Lykins noted that contact had been made with the executive director of Pat's Kids Club at Lake Park Elementary. The Club is currently operating at 50% of its capacity and indicated that it would welcome the Fleischmann Park children.

Public Comment: (12:31 p.m.) **Debi Garnett, Executive Director of Pat's Kids Club at Lake Park Elementary School**, confirmed that her facility would indeed welcome the Fleischmann Park children, noting that the Club is offered county-wide. Council thanked Ms. Garnett for her organization's contribution to child care in the area.

During discussion of the finances of the City's program, Council Member Price pointed out that should the fee be increased from the current \$3.00 per hour to \$4.00 per hour, the program would become revenue neutral. Mr. Lykins explained that the primary goal of staff's review had been to identify duplication of services, that the Club is located next door to Fleishmann Park and charges the same fees. In response to Mr. Price, Ms. Garnett confirmed that the seven County resident children would be accepted into the Club's program should they so desire. Council Member Willkomm commended Community Services' review, stating that should the Club program need minimal supplemental funding to provide after-school care for the children that would be displaced by the elimination of the City's program, he would be supportive of such an action; elimination of duplication is essential with the economic situation facing the City, he said, and Council Member Sorey agreed reiterating the difficulty in obtaining accreditation for the program at the Fleischmann Park facility. Council Member Sulick expressed appreciation to staff for its efficiency in identifying the option.

Noting her personal experience with the Club at Lake Park Elementary, Council Member Heitmann commended the services it provides and Ms. Garnett confirmed for Mrs. Heitmann that the Club is currently providing after-school care for 52 to 60 children and is licensed to care for 150.

Vice Mayor Taylor recommended that the financial aspect undergo a more detailed review, that due to her personal experience, she believed the City's after-school program to be one of the finest in the state and should be preserved if possible. She also noted that the program should be marketed, but Council Member Price pointed out that the issue is not one of capacity, but cost. Vice Mayor Taylor agreed, suggesting that parents be polled as to whether they would be willing to pay a higher fee to retain the program; Council Member Heitmann agreed.

Discussion followed regarding alternative use of the Fleischmann Park facility should the after-school program be eliminated. Mr. Lykins reiterated that continuing licensure of the program is an ongoing, year-by-year issue, as well as consideration of priorities and whether the child care program limits use of the facility and lessens service to the majority of City residents. Council Member Heitmann noted that a focus on youth must remain paramount in the City's priorities and should an option be made available for the program to become revenue neutral, she would support its continuation.

In response to Mayor Barnett, Mr. Lykins explained that this recommendation would have been brought forward even if it had proven revenue neutral, the issue being fundamental service provision without duplication. Council Member Willkomm agreed, noting that every line item in the budget has a constituency, although should this program become revenue neutral, he would still call for elimination due to duplication of services. Council Member Sorey agreed but stated that he would defer to Council Member Heitmann and Vice Mayor Taylor due to their personal experience with the two similar programs offered. Council Member Price cautioned that a greater number of children in a program does in fact affect the quality of the program, the option of increasing the fee by \$1.00 per hour must be proffered to the parents; Mrs. Heitmann agreed.

Council expressed appreciation to staff for its effort toward efficiency and encouraged this type of challenge being brought forward to Council to aid in the City's economic recovery in these uncertain times.

Staff to determine fees necessary to render program revenue neutral and contact affected parents as to whether willing to continue their child's attendance should new rates become effective.

STREAMLINING CITY COUNCIL MEETINGSITEM 10

Recognizing budgetary constraints and the cost to prepare for and conduct City Council meetings, City Council will discuss ways that may allow greater efficiencies while insuring transparency of governance and citizen input to the public policy process. City Manager William Moss provided an overview of his memorandum dated February 24 (Attachment 3), following which he expressed the view that, although costly, Council had recently had many issues arise in need of detailed discussions and therefore the length of its meetings.

In a discussion of limiting public hearings to those required by law, Council Member Sorey said that so long as the public has ample opportunity to provide input he would consider this option. Mr. Sorey also questioned the necessity for CRA (Community Redevelopment Agency) meetings when any action taken by the CRA is then affirmed by the City Council. City Attorney Robert Pritt clarified that many governmental entities schedule the first reading and then the public hearing occurs at the second reading, although cautioning that many matters also require two public hearings. Council Member Willkomm however cautioned that any action taken to limit public participation would be viewed with suspicion, saying that he would not support limiting the public's access to Council; Council Member Price agreed, noting that the two public hearings prior to passage of an ordinance had, in his experience, allowed additional information to be brought forward to assist Council in its decision-making. He characterized this step in the public process as essential, however, discussion of the above concern with regard to CRA meetings should be entertained; Mayor Barnett agreed. Mr. Sorey stated that matters be considered on a case-by-case basis, depending on the nature of the issue. In response, Mr. Pritt explained that, per state statutes, any ordinance changing the list of permitted, conditional and prohibited uses in a zoning category must undergo two public hearings and that he would not recommend that a decision be made at the first hearing of a matter as to whether a second public hearing should occur, this could be perceived as ad hoc and not advisable. Council could indeed adhere to minimum state mandates but should do so in a consistent manner, Mr. Pritt advised.

Council Member Sulick said that she supported the hearing process as it is currently applied, that the issue of efficiency and cost savings must be measured against the public's concept of the governing of the City of Naples. Because Council has allocated much of its responsibilities to various advisory boards and committees, she suggested that this be examined with regard to efficiency and cost savings in such areas as staff time and minute preparation. Although she stated that complete and concise minutes are of utmost importance, perhaps the boards and committees, except the Planning Advisory Board (PAB), should meet every other month, quarterly, or on an as-needed basis. The City is facing an unprecedented time, Mrs. Sulick stated, and detailed discussions have proven vitally important in a time when difficult decisions must be made.

Public Comment: (1:22 p.m.) **Lois Selfon, Chair of Community Services Advisory Board (CSAB),** stated that the CSAB attempts to vet subjects prior to Council's consideration, offering

recommendations when requested which are clearly and concisely, but not voluminously, reflected in the minutes provided by the City Clerk's Office. The CSAB's intent is to save Council's time, as especially with the Community Services Department, public input is vitally important, she said, adding that every advisory board or committee in fact, represents the general public. Council Member Heitmann agreed, although noting that joint meetings of the PAB and Council had been a past practice and might be discussed in the future. As a past member of the PAB, Council Member Price cautioned that the PAB, Design Review Board (DRB), and then Council process should remain since these forums allow ample public input, pointing out that the process works as intended; Mrs. Heitmann agreed. Mayor Barnett also agreed with regard to CSAB and PAB meetings, that they provide an invaluable service to Council. Council Member Sulick commended the CSAB for its efforts and clarified that areas of duplication or overlap should be reviewed and streamlined if possible, noting the recent disbanding of the Fifth Avenue South Action Committee (FASAC) due to its overlapping responsibilities with the Community Redevelopment Agency Advisory Board (CRAAB). **Doug Finlay, 3430 Gulf Shore Boulevard**, waived comment.

(1:29 p.m.) It is noted for the record that discussion of Item 10 was suspended to allow discussion of Item 9, which had been scheduled for 1:30 p.m. time certain.

.....**ITEM 9**
DISCUSSION OF AMENDMENTS TO SECTION 30-33 WATER SERVICE RATES AND SECTION 30-259 RECLAIMED (IRRIGATION, REUSE, OR ALTERNATIVE) WATER RATES OF THE CODE OF ORDINANCES. *Continued from 02/18/09 Regular Meeting.* At the recommendation of the City Manager, City Council agreed to remove from consideration a proposed rate adjustment for irrigation (reclaimed, reuse or alternative) water for those properties served by the irrigation water distribution system. **City Council will discuss a strategy to consider alternatives.** Mayor Barnett explained that it had been his understanding that this item would be a discussion regarding the appointment of a committee, the composition of which was to also be decided that day; the committee would then formulate recommendations to be brought forward to Council for its consideration, he added. City Manager William Moss agreed, indicating that staff was prepared to review past Council discussions as needed.

Consultant Andy Woodcock, Tetra Tech, Inc., explained that updated, certified rates for the City's irrigation (reclaimed, reuse or alternative) water system, utilizing the 2007 rate study, had been provided. Further analysis can always be undergone, he said, and may result in slightly more equitable rates than those provided previously, however, he cautioned that additional cost would be involved with this action. The currently proposed rates are defensible and in line with the City's budget, Mr. Woodcock indicated, but his firm will provide whatever level of detail Council requests, indicating that the electronic presentation available had been viewed by Council during a prior meeting and was again available for review if necessary. (It is noted for the record that a printed copy of the presentation is contained in the file for this meeting in the City Clerk's Office.)

Council Member Sorey noted that a recommendation as to policy with regard to the assumptions with which the rates are to be determined was to have been the topic of discussion for the above referenced committee, once the policy is agreed upon then the rate structure could be developed; Vice Mayor Taylor agreed, saying that a divergence of data with regard to the assumptions had

been a factor with the acceptance of prior proposed irrigation water rate structures. City Manager Moss cautioned that it may be difficult, or impossible, to develop a rate structure to match a policy. Mr. Woodcock agreed, that while Council may vary a rate structure somewhat to meet community standards, certain basic rate-making principles exist which must be adhered to, thereby allowing certification of the rates to the City's bond holders. Should a policy be brought forward, he explained, he could indicate at that time whether the policy allowed the development of certifiable rates. Vice Mayor Taylor stated that she believed Mr. Woodcock to be a necessary member of the committee thereby allowing an acceptable policy to be brought forward to Council for consideration.

In response to Council Member Willkomm, Consultant Woodcock clarified that the structure of the City's rates had not been altered, only the level of the rates. A flat rate for all users could however be developed and remain within industry standards, but this would not result in a rate as fair and equitable as the one currently proposed, he said. Mr. Willkomm reiterated what he characterized as his primary concern; namely, that the general user rate is twice that of the bulk user. Mr. Woodcock confirmed that this could be adjusted, but only by mere pennies, to lessen the difference but remain certifiable.

Mr. Woodcock said that he remained confident in his assumed 50% decreased usage by bulk users as reflected in the proposed structure, explaining for Council Member Sulick that historical use by bulk users will most probably change due to the increase in their rates. This assumption must be factored into the calculation of a rate structure to guarantee that revenue is captured to fund the system in coming years. He added that rather conservative assumptions are required to aid in this guarantee of revenue and City Manager Moss pointed out that this would be one of those assumptions to be agreed upon prior to altering the rate structure. Addressing further comments by Mrs. Sulick, Mr. Woodcock explained that, rather than age of the system, maintenance allocation is based upon flow, with an adjustment. This is due to the fact that such a utility has phased installations, not an entire system installed at one time, and should the age be used for calculations, the rates would become indefensible and almost impossible to administer. At some point, he said, generalized assumptions must be made such as the determination that all users are receiving a similar service and it requires maintenance at a certain cost to continue this service. Additionally, he confirmed that all bulk users received a lesser rate due to the fact that they are golf courses, of which the majority are capable of storing the City's irrigation water on site; not all are able to do so and again, he said, this would be a policy decision as to whether another classification should be added to the rate structure for those without storage.

In response to Council Member Sulick, Mr. Woodcock then reviewed the table attached to his memorandum regarding allocation factors for irrigation water customers dated November 7, 2008 (Attachment 4, Page 2); the table addressed fiscal requirement allocation. He clarified that the general administration line item had indeed been based upon the number of customers within each customer classification, and that 9 bulk customers had been referenced based upon data at that time, although 11 bulk customers are currently being served; the data can be updated, he indicated.

Furthermore, Mr. Woodcock explained that wastewater treatment, based upon irrigation water demand by customer classification, reflected bulk usage at 17.70% due to the calculation of bulk

and institutional users being reduced by 50% to account for diminished peak demands and interruptible service. Council Member Sulick questioned the equity of the golf courses receiving such a favorable rate when the “take or pay” provision had been removed from their agreements. Mr. Woodcock explained that this had however been offset to some degree by an increase of their cost from \$0.03 to \$0.30. Council Member Sorey noted that in the past the City had benefitted from golf courses accepting excess reuse water so that none was emptied into Naples Bay; however, the golf courses nevertheless paid for the water. Mr. Sorey also noted that during the previous two years, only during the month of May had there been insufficient rainfall to require excess flow to be disposed of. Council Member Heitmann additionally cited the fact that the golf courses had paid for the infrastructure and dealt with damage to their facilities due to the high chloride levels in the City’s reuse water. Mrs. Sulick however maintained that the rates charged to golf courses had been based upon inappropriate assumptions and that bulk rates should therefore be based upon a three-year average usage.

Council Member Price suggested meetings by representatives of all stakeholder groups (two persons from general, institutional and bulk user groups; two from the Phase II irrigation area and/or multi-family; Consultant Woodcock; and Utilities Director Robert Middleton and other necessary staff) to develop recommendations and present them to Council; he suggested a schedule of two, two-hour sessions. Council concurred. Council Member Heitmann further observed that the irrigation water system had been imposed by an unfunded mandate, including a demand for water which should be addressed as a commodity with a finite supply.

In response to Council Member Sorey, Mr. Middleton explained that with regard to excess water sent to golf courses for storage, staff has the ability to control the flow valves and they are indeed charged for the quantity received. Mr. Middleton also touched on the variations between golf courses as it applies not only to their consumptive use permits for irrigation water extracted from the ground, but in the hierarchy of those whose flow of reuse water is curtailed in order to maintain service to residential users and City medians. In addition, he said, South Florida Water Management District (SFWMD) factors in the use of irrigation water when determining the amount of ground or surface water they are allowed to use.

Public Comment: (2:09 p.m.) **Doug Finlay, 3430 Gulf Shore Boulevard**, supported the aforementioned stakeholder committee, urging equity in Phase II rates for multi-family users. The larger condominiums are included within the higher tier with regard to usage, Mr. Finlay said, although if divided among the number of actual users, the demand would fall under conservation consumption usage. He also recommended that Russell Gowland be included within the above referenced committee. **Marvin Easton, 944 Spyglass Lane**, indicated the following for inclusion in the committee: a representative from Phase I users; one from Phase II or III; two golf course users (one with on-site storage and one without) as well as one from a golf course irrigation customer from outside the city limits. Furthermore, he noted that not only is the City an institutional user, but federal buildings such as post offices and schools are also in this class.

Consensus to form a committee of stakeholders, to be determined by the City Manager, to meet on two occasions for a two-hour session each, providing recommendations regarding the reuse rate structure to Council in April.

In response to Council Member Heitmann, Mr. Middleton explained that the Phase II area was as yet undetermined.

Recess: 2:19 p.m. to 2:34 p.m. It is noted for the record that the same Council Members were present when the meeting reconvened and discussion of Item 10 resumed.

(Continued from above)ITEM 10

It was determined that the items listed on the City Manager's memorandum (see Attachment 3) be considered in the following order. Council's determination on each was as follows:

- **Limit public comment to agenda items that require public comment.** Not approved.
- **Conduct only the number of public hearings required by law.** Not approved.
- **Conduct quasi-judicial hearings on their own date and/or times** Not approved.
- **Limit consideration of quasi-judicial proceedings to the record generated at the Planning Advisory Board (PAB).** Not approved.

Public Comment: (2:40 p.m.) **Lois Selfon, Chair of Community Service Advisory Board (CSAB)**, urged that minute preparation continue in its current form, that the CSAB depends heavily upon an accurate summary of its meetings and that while the meetings are televised, interested persons still desire a brief written summary. She pointed out that had the minutes of the Board's most recent discussion of the City Dock fund been prepared, at least 30 minutes of the Council's time could have been saved since many of the concerns addressed by the CSAB had been identical to Council's.

- **Elimination of some Council workshops.** See consensus below.
- **Establish a clear procedure for the trail leading up to legislation for Council action.** No direction given.
- **Agenda Packets.** City Manager to re-examine number of Council packets currently provided. Electronic presentations and memorandums to be provided to Council in black and white rather than color. Copies of deeds and leases to be omitted from Council packets with regard to various types of petitions.
- **Motions and Resolutions.** Council to consider resolutions replaced with motions when possible, following further review by the City Attorney. City Clerk to prepare motions for board appointments and develop system to track action taken by Council via motion, should this proposal be accepted.
- **Minutes.** See consensus below. A brief discussion also commenced regarding the City approaching the Collier County Clerk of Circuit Courts to recover office space located within City Hall. Both the City Manager and City Clerk expressed interest in deploying the space for the City's Purchasing Department and a records center respectively. The consensus below was forthcoming.
- **Award of Contracts.** No discussion.
- **Quasi-judicial review by the Planning Advisory Board.** No discussion.

Consensus that one workshop per month be held on the Monday preceding the second regular meeting.

Consensus that City Manager approach Collier County Clerk of Circuit Courts regarding re-utilizing space located within City Hall.

Consensus to continue discussion of minute preparation by City Clerk staff to April 13 workshop.

NOMINATIONS FOR THE 2009 SAM NOE AWARDITEM 8

On October 4, 2006, City Council established the annual Sam Noe Award to recognize exemplary service by members of the City’s current Boards and Committees. There are three nominations to be considered by City Council for this year’s award. Deputy City Clerk Jessica Rosenberg explained that in the past Council had reviewed nominations for the Sam Noe Award during its first workshop in March. Action with regard to the resolution and the award had been bestowed during the second regular meeting in March; City Clerk Tara Norman confirmed this process. Further discussion however followed and the consensus below was reached.

Continued final decision on recipient of the Sam Noe Award to the March 4 regular meeting.

REVIEW OF ITEMS ON THE 03/04/09.....ITEM 11

Council Member Willkomm requested a clarification as to the cost of the 16-inch water main installation noted in regard to Item 7-a (Hole-in-the-Wall conditional use petition) and Item 8 (Sam Noe Award) was added pursuant to the above discussion (see Item 8).

CORRESPONDENCE / COMMUNICATIONS.....

(3:31 p.m.) In response to Council Member Sulick, Mayor Barnett said that the Florida Department of Transportation (FDOT) would assume responsibility for installation of traffic signal mast arms if the contractor did not begin doing so by April 30. Mrs. Sulick then provided an update of the Metropolitan Planning Organization (MPO) special session regarding allocation of federal stimulus package funding, noting that Collier County would initially receive approximately \$4.7-million with a matching amount from State of Florida stimulus allocations. MPO consensus, she said, had been that either the rebuilding of the Jolley Bridge at Marco Island, or the expansion of Radio Road to State Road 951 (Collier Boulevard) would be funded. A separate allocation to the State for sidewalks in the amount of \$40-million is also expected, she said, but it is yet unknown how it is to be allocated.

Council Member Price said that a workshop review of the residential stormwater ordinance should be scheduled. He also noted a *Naples Daily News* article regarding the four-day work week of the Parks & Parkways Division, and City Manager William Moss explained that no overtime is however involved in this scheduling arrangement. Mr. Price then noted that consideration of the Naples Concert Band contract for the Cambier Park band shell had been scheduled for March 18. Council Member Heitmann questioned whether the new parking garage (located at Eighth Street and Sixth Avenue South) had been completed within budget; Mr. Moss confirmed that it would in fact be slightly under budget. Mrs. Heitmann then requested details of the ongoing River Park survey and noted her attendance in Washington D.C. at the Federal Action Strike Team for the Florida League of Cities to lobby for local allocation of the stimulus package monies. Council Member Sorey indicated that Federal Emergency Management Agency (FEMA) approval of funding for Tropical Storm Fay beach damage repair had been received; repairs are to proceed following sea turtle nesting season. He also provided an update on the Doctors Pass and Wiggins Pass dredging projects.

Recess: 3:42 p.m. to 3:50 p.m. It is noted for the record that the same Council Members were present when the meeting reconvened.

EXECUTIVE SESSION.....ITEM 12

Executive Session to discuss labor negotiation strategies pertaining to the following:

- **Professional Firefighters of Naples International Association of Firefighters, Local 2174;**
- **American Federation of State, County, and Municipal Employees (AFSCME) Council Number 79 of Local 2017;**
- **Government Supervisor Association of Florida, Office and Professional Employees International Union, GSAF – OPEIU, Local 100, AFL-CIO;**
- **Fraternal Order of Police (FOP), Collier County Lodge 38; and**
- **Fraternal Order of Police (FOP), Supervisors’ Bargaining Unit, Collier County Lodge 38.**

Executive Session: 3:50 p.m. to 4:18 p.m. It is noted for the record that the same Council Members were present when the meeting reconvened.

(4:18 p.m.) No action announced.

ADJOURN.....

4:19 p.m.

Bill Barnett, Mayor

Tara A. Norman, City Clerk

Minutes prepared by:

Vicki L. Smith, Technical Writing Specialist

Minutes Approved: 04/01/09



Memo

Office of the City Clerk

To: Honorable Mayor and Members of City Council
From: Tara Norman, City Clerk
Subject: Request for Delay in Discussion of Minute Preparation
Date: March 2, 2009

Because the City Council agenda item for this meeting does not publicize that the operation of the City Clerk's department will be discussed, I request that the Council schedule a future separate review. This will allow a more thorough reflection upon this Charter function and to hear a full and complete report on how decisions with reference to minutes will impact its overall operation.

Thank you for your consideration.

Agenda item as published:

Streamlining City Council Meetings. Recognizing budgetary constraints and the cost to prepare for and conduct City Council meetings, City Council will discuss ways that may allow greater efficiencies while insuring transparency of governance and citizen input to the public policy process.

Revised Budget - Revenue

City Dock Fund Cash Forecast

Acct	Description	Budget	YTD	Finance Projected	Department Projected	Over (Under)	Revised Dept. Estimate (Under)
Revenues:							
347-05-07	Dock Rent	570,000.00	180,150.73	430,000.00	520,000.00	(140,000.00)	(50,000.00)
347-05-08	Fuel	1,250,000.00	151,535.04	455,000.00	605,600.00	(795,000.00)	(644,400.00)
347-05-09	Bait Sales	50,000.00	12,940.65	41,000.00	43,500.00	(9,000.00)	(6,500.00)
347-05-10	Misc. Revenue	30,000.00	6,001.53	19,500.00	23,500.00	(10,500.00)	(6,500.00)
347-05-11	Sales Tax	0.00	4,566.82	0.00	0.00	0.00	0.00
347-05-12	Naples Landing	100,000.00	45,131.25	105,000.00	105,000.00	5,000.00	5,000.00
347-05-15	Appl. Fee	1,000.00	150.00	750.00	750.00	(250.00)	(250.00)
351-02-01	City Fines	400.00	80.00	400.00	400.00	0.00	0.00
361-00-00	Interest Earnings	5,000.00	0.00	5,000.00	5,000.00	0.00	0.00
365-01-00	Auction	0.00	1,810.00	1,810.00	1,810.00	1,810.00	1,810.00
Total Revenue		2,006,400.00	402,366.02	1,058,460.00	1,305,560.00	(947,940.00)	(700,840.00)

Rental est. based on assumption of 100% occupancy remaining 7 months of fiscal year, transient rev. of \$84,174, mooring field rev. of \$24,000

Fuel est. based on assumption of 40% monthly sales reductions from previous fiscal year

Bait and Misc. sales est. based on assumption of 17% monthly sales reductions from previous fiscal year

Revised Budget - Expense

Expense:	Budget	Actual YTD	Encumbered	Finance Projected	Department Projected	Finance Projected Over or (Under)	Additional Dept. Estimated/Potential Savings
572-10-20 Salaries	193,661.00	68,456.53		193,661.00		0.00	
-10-30 Overtime	15,000.00	7,500.24		21,500.00		6,500.00	
-25-01 FICA	14,759.00	5,792.86		14,855.00		96.00	
-25-03 Retirement	16,423.00	5,350.75		15,500.00		(923.00)	
-25-04 Life/Health	16,423.00	5,484.50		16,620.00		197.00	
Personal	256,266.00	92,584.88		262,136.00	187,004.00	5,870.00	
30-00 Operating Exp.	50,000.00	8,821.49	10,514.86	44,500.00	25,000.00	(5,500.00)	
30-01 City Admin.	144,428.00	60,178.35		144,428.00	72,214.00	0.00	
31-04 Contractual Services	20,000.00	5,059.75	8,316.03	21,691.81	20,000.00	1,691.81	
38-01 PILOT	107,015.00	44,589.60		107,015.00	0.00	0.00	
40-00 Travel	1,000.00		1,000.00	1,250.00	1,250.00	250.00	
41-00 Communications	7,500.00	1,516.08	3,583.82	6,800.00	6,800.00	(700.00)	
42-10 Equip Serv-Repairs	5,500.00	116.66		1,000.00	1,000.00	(4,500.00)	
42-11 Equip Serv-Fuel	1,408.00	1,406.76		2,408.00	2,408.00	1,000.00	
43-01 Electricity	28,000.00	9,214.93		28,000.00	28,000.00	0.00	
43-02 Utilities	35,000.00	13,108.69		37,000.00	37,000.00	2,000.00	
44-00 Dock Lease-DEP	35,000.00	17,883.23		35,000.00	35,000.00	0.00	
45-22 Self Insurance	165,987.00	69,161.25		165,987.00	165,987.00	0.00	
46-00 Repair/Maintenance	41,000.00	8,812.27	21,687.73	41,000.00	41,000.00	0.00	
47-02 Advertising	3,000.00	2,037.70	1,155.00	3,195.00	3,195.00	195.00	
49-02 Information Services	11,893.00	4,955.40		11,893.00	5,947.00	0.00	
51-00 Office Supplies	2,000.00	627.92	1,372.08	2,000.00	2,000.00	0.00	
51-06 Resale Supplies	50,000.00	11,224.22	27,775.78	41,000.00	41,000.00	(9,000.00)	
52-02 Fuel	900,000.00	119,510.55	780,489.45	332,150.00	450,000.00	(587,850.00)	
52-09 Clothing	1,500.00	729.92	770.08	1,500.00	1,500.00	0.00	
54-01 Memberships	300.00	0.00		0.00	300.00	(300.00)	
Operating	1,610,531.00	378,954.77	856,664.83	1,027,817.81	939,601.00	(582,713.19)	
ing Expense	1,866,797.00	471,539.65	856,664.83	1,289,953.81	1,126,605.00	(576,843.19)	
CAPITAL							
60-30 Fuel Tanks	300,000.00	40,010.00		150,000.00	150,000.00	(5,500.00)	
L EXPENSE	2,166,797.00	511,549.65	856,664.83	1,439,953.81	1,276,605.00	(582,343.19)	
Net Loss				(381,493.81)	28,955.00		

Historically-largest exp. later in year

-75,132.00 6 month salary reduction of dockkeeper
50% of Kleins salary to general fund

-25,000.00

-72,214.00 50% reduction

-107,015.00 Temporary removal

Van & Boat are new

-5,947.00 Expense reduced 50% for 1 year

-285,308.00 Estimated/Potential savings

-150,000.00

-435,308.00 Est. savings remainder Fiscal Year

Revised Budget Highlights - Savings

■ 1 person reduction remainder of FY	\$ 22,740
■ 50% reductions	
□ Managers salary	\$ 52,392
□ Operating expense	\$ 25,000
□ Administration cost	\$ 72,214
□ Information services cost	\$ 5,947
■ 100% temporary subsidy of PILOT	\$107,015
■ 50% savings from fuel tank relining	<u>\$150,000</u>
■ Total Estimated Savings	\$435,308



Memo

Office of the City Manager

TO: Honorable Mayor and City Council
FROM: A. William Moss, City Manager
DATE: February 24, 2009
SUBJECT: Workshop Meeting of March 2, 2009 – Efficiency of City Council Meetings

City Council asked that a Workshop meeting be scheduled to discuss ways to improve the efficiency of City Council meetings as a means to reduce costs associated with meetings. The purpose of this memorandum is to summarize suggestions made by the City Attorney in 2004 that may not have been accepted, and suggestions offered by the City Manager and staff.

Several suggestions offered by City Attorney in February, 2004 are:

Limit public comment to agenda items that require public comment.

Explanation: Although the City Council is commonly deemed to be a legislative body, it also handles administrative and quasi-judicial matters. The administrative agenda includes a plethora of housekeeping matters such as contracts, purchasing, etc. Most of the administrative items do not require public comment or a public hearing. Most of such items can be put on the consent agenda with individual City Council Members having the option to remove an item for discussion and/or separate vote. In the past, the City Council has allowed comment on every item. A different option is to allow public comment at the beginning of the agenda for items that are on the agenda but not scheduled for public hearing. During the regular agenda, the Council then discusses and makes any decisions on such items without further public comment. This model is being followed in other jurisdictions such as Lee County.

Implementation: Resolution adopting revised Council procedures.

Conduct only the number of public hearings required by law.

Explanation: Many ordinances require two readings and at least one public hearing. The City historically has had two readings with two public hearings. This is not necessary and often causes the second public hearing to be somewhat redundant. Most communities in the area use the first reading only to read the ordinance and schedule the date, time and place for the public hearing. (Examples: Bonita Springs, Sanibel, Lee County, and Collier County).

Some types of ordinances and resolutions require additional public hearings and those statutes will be followed. Also, case law and Attorney General Opinions clearly

Ethics above all else... Service to others before self... Quality in all that we do.

Page 2

indicate that if substantive and substantial changes are made in an ordinance at a hearing, then there must be another hearing. (Note: This strict rule does not apply to counties, but only to cities.)

Implementation: Resolution adopting revised Council procedures.

Conduct quasi-judicial hearings on their own date and/or times.

Explanation: Quasi-judicial hearings tend to be open ended and tend to have unknown numbers of persons who wish to participate and/or speak. Some local jurisdictions have scheduled dates and/or times for all of their land use quasi-judicial hearings so as not to disrupt the other matters such as administrative matters of the City Council. Sanibel schedules such hearings for the afternoon of a Council meeting date. Bonita Springs has a separate date for land use public hearings.

Implementation: Resolution adopting revised Council procedures.

Limit consideration of quasi-judicial proceedings to the record generated at the Planning Advisory Board.

Explanation: The City historically has a full hearing at the Planning Advisory Board level plus two hearings at the City Council level (for most items). There is no reason (in law) why many of the items, especially those only requiring a resolution, could not be limited to the PAB record with only those who spoke at the PAB being able to give a relatively short statement as to the content of the PAB evidence when the matter comes to the City Council. If new evidence is sought to be added at the Council hearing, the case would be remanded to the PAB. The result would be that applicants and others would be trained to make their case before the PAB rather than negotiating up through the Council level and correspondingly, other persons who wish to speak would be trained to make their opposition known at the PAB level.

Implementation: Ordinance of City Council amending the PAB/Council processes.

Elimination of some Council Workshops.

Explanation: The City of Naples is (to my knowledge) the only local jurisdiction that has regular Council Workshops in anticipation of each Regular City Council meeting where the upcoming agenda is discussed in detail. Workshops are normally used for discussion and formulating policy, not to be a warm up for the Council meeting two days hence. Note: The public may or may not be allowed to participate in Workshops. In the City, the public normally does, but it is not required by law.

Implementation: Resolution adopting revised Council procedures.

Establish a clear procedure for the trail leading up to legislation for Council action.

Explanation: Various boards and commissions are made up of intelligent and eager people who would like to be involved in policy making. Sometimes the individual policies that are sought to be created are not consistent with policy direction of the City

Ethics above all else... Service to others before self... Quality in all that we do.

Page 3

Council. Staff is occasionally caught between a directive of a board or commission and the perceived will (or lack of will) of the Council. It would save a tremendous amount of staff time if such matters got before the City Council for discussion, perhaps at a Workshop, before staff embarks on the implementation phase or the creation of legislation.

Implementation: Council direction, most likely by resolution.

The City Manager offers the following suggestions that may improve efficiency and/or reduce costs:

Agenda Packets. There are 20 copies of the agenda packet assembled for each meeting. The agendas are now available for public review through the City's web site, although some items not available in electronic format may be excluded.

Recommendation:

- Duplicate PowerPoint presentation in grey scale or black and white rather than color, which requires duplication by color printer rather than a high-speed copier. The actual presentation for the City Council meeting will be in color.
- Eliminate copies of deeds for land use matters. Copies of deeds will remain with the application and official file when required.
- Reduce the number of packets to the extent possible.

Motions and Resolutions. Motions are acts of Council for general business matters. They are proposals that certain actions be taken or opinions expressed. They clearly state Council's direction, approval/disapproval, and collective opinion. Because motions and votes are recorded, they provide a record of lasting duration.

There are an extraordinary amount of resolutions adopted by City Council. In 2007 there were 360 and in 2008 there were 372 resolutions adopted. Many decisions may be acted upon by a motion and majority vote. Hence, composing, preparation, legal review, duplication, reading, and permanent recording of separate resolutions in the public record may be reduced. Resolutions are recommended for quasi-judicial matters such as conditional uses, variances, live entertainment, budget amendments, and policy intended for a long duration.

Resolutions are an expression of a governing body concerning matters of administration, an expression of a temporary character, or a provision for the disposition of a particular item of the administrative business of the governing body. They should be used when clear, precise documentation of policy is desirable. These may include matters such as the issuance of bonds, matters of concise policy likely to endure for a long duration, extraordinary declaration of Council's collective desire for support or disapproval of matters considered by other agencies, and extraordinary recognition of an individual or organization. Resolutions are, basically, motions provided in writing and a formal way of expressing policy or sentiment.

Recommendation: Council action by motion rather than resolution for subject matters that include: award of contracts, appointments to boards and committees, additional insurance premium payments, Interlocal agreements, settlement of claims, and other general matters of Council business.

Ethics above all else... Service to others before self... Quality in all that we do.

Page 4

Minutes. There are no statutory requirements for detailed minutes for City Council and board/committee meetings. Extensive time (and expense) is required to record, prepare, review, and publish detailed minutes. Advanced technology allows meetings to be televised. Meetings are video recorded and available by video streaming through the internet for the entire meeting or for the specific subject of interest to the viewer. Meetings for the past 2 ½ years are available through the City's web site. Furthermore, the published agenda packets for past meetings are on file.

Recommendation:

- Prepare "action" minutes that summarize the issue, records the vote, lists the names of citizens speaking in favor of or against an issue, summarizes reports and who reported, all motions, points of order, and important announcements and directives (basically, minutes as recommended by *Robert's Rules*).
- City departments to be responsible for the preparation of minutes for boards and committees and providing minutes to the City Clerk. City Clerk to be responsible for the minutes of City Council and the Planning Advisory Board.
- Encourage quarterly or bi-monthly meetings for some advisory boards where practical.

Award of Contracts. The authority to award contracts for the purchase of services, materials, and supplies is designated by City Code (Procurement Code). City Council considers award of contracts for goods and services at almost every meeting.

As a part of the agenda packet for award of contracts, City Council generally receives a copy of the standard contract (which is almost always the same document), and the bid schedule submitted by the lowest bidder, tabulation of bids and, when applicable, a scope of services. City Council also receives the ratings of committee members evaluating consultants through the Consultants Competitive Negotiations Act.

Recommendation: Include in the Agenda Memorandum an explanation of the service, material, or supplies, a summary of the competitive selection process, the name of lowest acceptable bidder and the total bid submitted, a summary tabulation of bids submitted by all bidders, a recommendation for the award of contract (with justification as may be appropriate), and authorization for the City Manager to execute the contract. Exclude copies of standard contracts and the line item bid submittal of the successful bidder.

Quasi-judicial review by the Planning Advisory Board. Quasi-judicial matters are considered by City Council, although that authority can be delegated, in whole or in part, to a separate board or the Planning Advisory Board. When previously considered, City Council has elected to retain its authority for appeals, conditional uses, variances, etc. However, many of these matters are considered by the Planning Advisory Board for recommendation prior to consideration by City Council. Therefore, agenda packets must be prepared for the Planning Advisory Board and again for City Council.

Recommendation: Eliminate review of quasi-judicial matters by the Planning Advisory Board.

Ethics above all else... Service to others before self... Quality in all that we do.

#9 ANDY



TETRA TECH

To: Robert Middleton
City of Naples

From: Andrew T. Woodcock, P.E.
Erick Van Malssen
Tetra Tech

Subject: Irrigation Water Customer Allocation Factors

Tt #: 200-08516-08012

Date: November 7, 2008

Irrigation customers currently are classified as: 1) General, 2) Government/Institution or 3) Bulk. General customers are Single Family, Multi-Family, and Commercial customers. Governmental/Institutional customers generally consist of the City facilities, and roadway medians that have multiple connections throughout the service area and have the ability to vary demands based on needs of the system. Bulk customers are limited to large users and are primarily golf courses.

Bulk customers are identified as customers who require a large quantity of irrigation and interrupted service. In most cases, Bulk customers do not use certain distribution facilities and services required by General customers. Bulk customers typically put less strain on a system due to a lack of peak demand factors, less maintenance, and require less customer service and administration than General customers. In addition, the utility typically delivers irrigation water to bulk customers at one service connection, as opposed to the full distribution network required for General customers.

Irrigation rates are designed by first identifying the revenue requirements for each customer class. Once the revenue requirements for the entire irrigation system are identified, each line item within the budget is reviewed and an appropriate allocation percentage for each customer class is given to the line item. These allocation percentages are based on the customer class's number of customers, share of total billed flow, and share of total revenues. These allocation methods used are in line with industry standards and recommended methods including those used by the AWWA and other Florida utilities. Table 1 attached shows the major functional areas of the irrigation water budget, and how they are allocated among the customer classes.

Once these allocation percentages are determined, they are multiplied by the total system fiscal requirement to obtain the fiscal requirement for each customer class. In the final step of rate design, the projected billed irrigation demands for each customer class are divided into the fiscal requirements to obtain the irrigation rates.

End of Memorandum

ATW/slm/200-08516-08012/corresp/Middleton-Memo.atw.doc

Table 1
The City of Naples
Irrigation Fiscal Requirement Allocation

Budget Item	Allocation Method	Irrigation Budget	% of Reclaimed Budget Allocated	
			General	Institutional
Administration	Customers ⁽¹⁾			
Water Production	n/a	\$96,700	92.04%	1.14%
Water Distribution	n/a	0	0.00%	0.00%
Wastewater Treatment	n/a	0	0.00%	0.00%
Wastewater Collection	Irrigation Demand ⁽²⁾	119,200	68.80%	17.70%
Maintenance Personnel	n/a	0	0.00%	0.00%
Maintenance - Other	Irrigation Demand plus additional personnel ⁽³⁾	202,700	83.78%	9.20%
Debt Financed Capital	Irrigation Demand ⁽²⁾	33,700	68.80%	17.70%
Pay as you go Capital	Irrigation Demand ⁽⁴⁾	668,000	37.62%	35.39%
Renewal & Replacement	Projected Revenue ⁽⁵⁾	37,100	62.26%	20.56%
Reimbursement to General Fund	Projected Revenue ⁽⁵⁾	63,000	62.26%	20.56%
Misc. Revenue	Projected Revenue ⁽⁵⁾	26,100	62.26%	20.56%
	Irrigation Demand ⁽⁴⁾	(7,900)	37.62%	35.39%
Total Reclaimed Budget		\$1,258,600	50.86%	24.91%

(1) Customer allocation based on the number of customer in each customer class.

General customers: 729
Institutional customers: 54

Bulk customers: 9

(2) Wastewater Treatment and Maintenance allocations are based on irrigation demand by customer class. Bulk and Institutional demand is reduced by half to account for diminished peak demands and interruptible service. Projected irrigation demand is presented below in gallons per year.

General Users: 684,567,100

Bulk: 644,119,000

Institutional: 491,193,075

(3) Maintenance Personnel are allocated among customer classes based on irrigation demand. A budget amount for additional personnel required for the Phase 1 project is allocated to General customers only.

(4) Debt Service and Miscellaneous Revenues are allocated based on unadjusted irrigation demand.

(5) Pays-as-you-go capital, renewal and replacement, and reimbursement to GF are allocated among customer classes based on projected revenues per class. Projected Revenues are presented below (rounded)

General: \$597,000

Bulk: \$197,000

Institutional: \$165,000