



City Council Chamber
735 Eighth Street South
Naples, Florida 34102

City Council Workshop Meeting – May 17, 2010 – 8:30 a.m.

Mayor Barnett called the meeting to order and presided.

ROLL CALL..... ITEM 1

Present:

Bill Barnett, Mayor
John Sorey, III, Vice Mayor

Council Members:

Douglas Finlay
Teresa Heitmann
Gary Price, II
Samuel Saad, III
Margaret Sulick

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
Ron Wallace, Streets & Stormwater Director
Michael Bauer, Natural Resources Manager
Robin Singer, Planning Director
Monique Krist, Admin Coordinator Natural Resources
Katie Laakkonen, Environmental Specialist
Joe Boscaglia, Parks & Parkways Superintendent
Ann Marie Ricardi, Finance Director
Robert Middleton, Utilities Director
Paul Bollenback, Building Director
Thomas Weschler, Police Chief
Denise Perez, Human Resources Director
Stephen Weeks, Technology Services Director
Stephen McNerny, Fire Chief
David Lykins, Community Services Director
Kathryn Hankins, Budget & Investment Manager
John Allen
Robert Sullivan
Ted Soliday
Joseph McMackin
Ernest Linneman
Cathleen Feser
Ann Shortelle

George Dondanville
Regina Noch
Judith Chirgwin
John Tobin
Sue Smith
Sharon Kenny
Alan Parker
Dolph Von Arx
Moe Kent
Bill Winn
Gary Thomas
JD Loden
Rhea Nichols
Jack Pickett
John Meyer
Scott Cameron
Karen Bouffard
Joseph Fontana
Pat Thompson
Cormac Giblin
Mark London
Bill May
Todd Nelson
Kermit Sutton
Arthur Seigel

Eve May
Jim Boula
Adria Starkey
Raymond Bernier

Media:

Jenna Buzzacco-Foerster, 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 (Finlay-yes, Heitmann-yes, Price-yes, Saad-yes, Sorey-yes, Sulick-yes, Barnett-yes).

PUBLIC COMMENT ITEM 3

(8:30 a.m.) **George Dondanville, 2460 14th Street North**, expressed appreciation to the community for its support of the Gulf Coast Runners' fundraising events, noting that the annual Half Marathon is scheduled for January 16, 2011.

AMENDMENT TO THE AIRPORT UTILIZATION PLAN ITEM 4

City Code requires approval of the Naples Airport Master Plan, known as the Airport Utilization Plan. In addition to sites for new buildings, including a Customs facility, the Naples Airport Authority (NAA) plans to expand one runway for take-off from 5,000 feet to 5,800 feet, and to add 800 feet as a safety zone for landing. However, landings will be limited to 5,000 feet.

The NAA will summarize their proposed Airport Utilization Plan. The City Attorney may discuss legal matters related to the expansion of the runway, and whether City Council may render decisions on runway expansion or whether they are preempted by federal law and the Federal Aviation Administration (FAA) from rendering such decisions. The Planning Advisory Board (PAB) is scheduled to consider the Airport Utilization Plan on May 12. City Council may formally consider the plan in June. City Manager William Moss noted that Council's formal consideration of the Airport Utilization Plan had been tentatively scheduled for June 2; Mayor Barnett also explained that while public comment would indeed be entertained at this session, the June hearing would actually involve decision-making.

Naples Airport Authority (NAA) Chair Robert Sullivan then provided a brief overview of its plan as well as highlighting ongoing controversial issues contained therein. Paving of the runway safety areas, or displaced thresholds (*surfaces surrounding runways prepared or suitable for reducing the risk of damage should aircraft leave the declared runway*), does not increase the declared distance for landing purposes, he explained, although takeoff distance may be increased to improve functioning of the airport by reducing noise and enhancing operational safety; preparing the facility for commercial air service and taking advantage of current lower paving costs will also be achieved, he added. The three proposed projects contained in the plan to be discussed that day include the displaced thresholds for runway 5/23, a customs facility, and a small observation deck. The plan is in response to the NAA's desire to comply with the City's Comprehensive Plan, which requires the continued identification of means to reduce airport noise, and implement all safe and lawful noise control measures, while serving the transportation needs of the community in a safe manner, he pointed out.

NAA Executive Director Ted Soliday briefly reviewed the aforementioned three proposed projects (Attachment 1):

- Displaced thresholds – which would involve paving of both ends of runway 5/23, an additional 510 feet to the existing 290-foot southwest safety area and 800 feet to the northeast end;
- Customs facility – to be located in the terminal area near the existing tower; and
- Observation deck for the public – to be located in the southwest corner of airport property near North Road on the existing elevated area.

Mayor Barnett asked Mr. Sullivan whether he would be willing to approach the NAA with regard to including a Council approval requirement for any commercial carrier proposing service with aircraft exceeding the current 75,000-pound weight limit should a commercial carrier express

interest in using the facility. Although he said he would agree to approach the NAA, Mr. Sullivan explained that the additional displaced thresholds do not allow for heavier aircraft and that this is not the intent of the NAA.

Public Comment: (8:47 a.m.) (It is noted for the record that documentation referenced during this portion is contained in the file for this meeting in the City Clerk's Office.) The following speakers expressed concern and/or disagreement with the NAA plan: **Judith Chirgwin, Naples; John Tobin, 574 Broad Avenue South; Sue Smith, 11th Avenue South; Sharon Kenny, 411 17th Avenue South** (cited then Chair of the NAA John Allen's April 25 letter to Presidents Council); **Alan Parker, 741A Third Street South and Chair of Technical Advisory Committee for Part 150 Noise Study** (cited excerpt of "First-Round Noise Abatement Analysis-Background for April 7, 2010 TAC Meeting" document); **Gary Thomas, 575 18th Avenue South** (provided photographs of aircraft depicting size used in the past by Delta at the airport and one of a larger aircraft proposed for use should the NAA plan be approved); **Rhea Nichols, 1301 Seventh Street South; Jack Pickett, 500 17th Avenue South; Karen Bouffard, 469 Tenth Avenue South; Joseph Fontana, 267 15th Avenue South; and Bill and Eve May, 1525 Gordon Drive.** These individuals opposed the increase in the displaced thresholds due to the following beliefs: 1) the size of aircraft would increase; 2) the number of flights would increase; 3) noise levels would in fact increase; and 4) aircraft operation pollution would also increase. Further concerns were expressed regarding the customs facility, namely, a potential increase in the number of flights and the origin of aircraft utilizing the proposed facility. Speakers also urged that the 5,000-foot maximum runway length be adhered to thereby maintaining the airport's current size and services. Also noted was the need to await completion of the Part 150 Noise Study before a decision is made. In addition, the following speakers supported the plan due to their opinion that the increased displaced thresholds would reduce aircraft noise and most importantly increase safety: **Regina Noch, 1978 Gulf Shore Boulevard South; Dolph Von Arx, 3663 Rum Row; Moe Kent, 4160 Cutlass Lane; Bill Winn, 114 Amblewood Lane; JD Loden, 2925 70th Street SW; John Meyer, 509 Third Avenue South; Scott Cameron, 525 Murex Drive; Pat Thompson, 1731 Gordon Drive; Cormac Giblin, 1100 Eighth Avenue South, and current NAA Board Member; Mark London, 12888 Pond Apple Drive; Todd Nelson, 880 Eastham Way #202; Kermit Sutton, 4101 Cutlass Lane; and Adria Starkey, 1660 Ixora Drive.**

Recess: 10:10 a.m. to 10:20 a.m. It is noted for the record that the same Council Members were present when the meeting reconvened and discussion of Item 4 resumed.

In response to Vice Mayor Sorey, Mr. Soliday explained that the 75,000-pound weight restriction is based upon the design maximum gross for the aircraft and that while three of the general aviation aircraft utilizing the municipal airport may be classified as heavier, each has factory approved restrictions for the City of Naples and three or four other airports with similar weight restrictions. Although weight is not consistently verified, he said, the license of a pilot exceeding such a restriction would however be at risk. Mr. Soliday further stressed that the increased displaced thresholds would in fact decrease noise by at least three decibels, adding that experts would testify at the June meeting in that regard. He also asserted that Delta, a previous commercial carrier, would not have left the Naples airport had the runways been extended as proposed. Vice Mayor Sorey requested statistical information on the noise generated by a particular type of aircraft at the current runway length versus the proposed lengths, for takeoffs and landings, prior to that meeting.

Mr. Soliday then reviewed issues involving the anticipated Federal Aviation Administration (FAA) position on weight limitations should the City and the NAA jointly request a waiver for a 90 passenger RJ-type (regional jet) aircraft weighing 114,000 pounds utilized by a potential carrier; this could in fact result in the weight limit being voided by the FAA, he cautioned. For

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this reason, he said, NAA Attorney Joseph McMackin would be reviewing closely any proposed agreement although the aforementioned waiver would only apply to scheduled commercial service as noted above, and not charters. City Attorney Robert Pritt indicated a preference to receive input from Mr. McMackin and the FAA prior to addressing any agreement on weight limits between the City and NAA. This could possibly be deemed a proprietary federal preemption issue, he added. Vice Mayor Sorey requested that an opinion be provided by the NAA attorney regarding the 75,000-pound weight waiver for the RJ-type aircraft only as above discussed as soon as possible. Council concurred, as well as supporting the NAA obtaining an opinion from the FAA and an opinion by Mr. Pritt regarding same (see consensus below).

With regard to the customs facility, Mr. Soliday maintained that it would be an asset for current airport users although others must obtain a flyover permit in order to utilize it. Mr. Sullivan noted that details of this permit would be provided for the June consideration and would include cost, potential users, user fees, and procedures for use of the facility. Mr. Soliday further explained that aircraft would be required to land per an appointment to use the customs facility, as well as meet the added expense of the flyover permit.

Mr. Sullivan confirmed for Council Member Sulick that indeed the landing distance in conjunction with the proposal would not be altered since the controlling factor with regard to the size of aircraft to utilize the local airport is the weight limitation.

Council Member Price indicated that noise and landing profiles for the RJ-type aircraft should indeed be provided prior to the June meeting, pointing out that while focus has been takeoff noise generated, landing also contributes to the accumulation of noise. Mr. Price urged enforcement of the 75,000-pound restriction, adding that while he supports commercial service, assurance must be given that the weight restriction is being enforced by the NAA.

Council Member Finlay pointed out that Mr. Soliday had on September 4, 2007, indicated that runway length was affecting service by Delta and that lengthening would be considered at a future date. This, he said, had been documented in City Council minutes and establishes prior knowledge of this issue.

In response to Council Member Heitmann, Mr. Soliday clarified that the preferred landing and takeoff direction is in fact to and from the northeast, although the Part 150 study would determine the flight path generating the least impact to residents. In addition, further noise monitoring as well as local flights of the Avante RJ-type aircraft would occur over the coming weeks to provide data towards the completion of the study, Mr. Soliday said. The NAA's intent with its Part 150 studies has always been to establish a higher ceiling, especially for landing, thereby allowing a constant descent which generates less noise, Mr. Soliday said. Addressing Mrs. Heitmann's concern with potential commercial service, Mr. Sullivan indicated that the limitations of the airport itself (number of gates and capacity of the terminal), along with the number of estimated flights, would also be provided for the June 2 meeting, reiterating that the customs facility and procedures for its use would also be reviewed and include local police and fire safety requirements imposed by the FAA for provision of commercial service.

Council Member Saad cited the key issue as being the economic benefits realized from the airport versus quality of life issues arising mainly from noise and pollution. The noise levels of the larger aircraft have not been provided as yet, he pointed out, as well as the projected frequency of commercial flights. Mr. Sullivan indicated that these would indeed be included in the NAA's upcoming presentation. Mr. Soliday further confirmed that aircraft body design can

affect the amount of noise generated and briefly explained the diagrams reflecting noise profiles (which are contained in the file for this meeting in the City Clerk's Office).

In a brief discussion which followed, Council dealt with the issue of the City's 5,000-foot runway limitation versus the NAA's intent to extend runway 5/23 to a declared distance of 5,800 feet. Referring to the lease between the City and the NAA for the airport property, Council Member Saad stated that the City's control resides in its limit of the runway length, not weight restrictions, as the lease appears to reflect land use control and not operational control, which would be the FAA's jurisdiction.

Mayor Barnett reiterated his proposal to the NAA for its consideration of the above-discussed waiver of weight limitation, but City Attorney Pritt maintained that an FAA opinion should in fact first be obtained. Furthermore, such an agreement would most likely fall under a proprietor's exemption rather than a policing power, especially with regard to safety issues; any federal preemption would stand as opposed to any local agreement, he added. Council Member Price however stressed that a means for the City to coexist with the airport must be found, pointing out the possibility that aircraft are currently operating above the 75,000-pound weight restriction. In response to Vice Mayor Sorey, Mr. Sullivan clarified that the NAA had always made re-establishing commercial service a priority assuming that the community desired commercial service; if not, the NAA would have to rethink its priorities. Council Member Sulick noted prior public comments regarding the belief that the airport should serve not only the moneyed residents with private aircraft but provide service for all, which would result in commercial service, she said, further recollecting that the Comprehensive Plan noted commercial airline service as a goal.

At Council's urging, City Attorney Pritt clarified that Mr. McMackin's opinion should include his interpretation as to the lengthening of the runway as a runway safety area and/or as a safety issue as these would be applicable with regard to preemption. Furthermore, with regard to the customs facility, he recommended that the legal parameters regarding their establishment and operation also be provided. Council Member Price reiterated the need for the NAA's perspective, prior to June 2, as it relates to declared distance as contained in the City's Code and Council's jurisdiction with regard to preemption from a strictly legal standpoint; Mr. McMackin acknowledged this request.

Council Member Heitmann expressed concern that the City Attorney had not had the opportunity to in fact provide a review the memorandum he had submitted (a copy of which is contained in the file for this meeting in the City Clerk's Office). Mr. Pritt confirmed that much of the information had however been discussed, including his opinion that should it be proven that the increased displaced threshold is a result of safety concerns, then Council would be preempted from jurisdiction of the runway length, referencing case law which he had cited. Mr. Pritt then noted the need for a clear understanding of the original agreement between the federal government and the City and Collier County with regard to possible conditions upon the postwar return to local authorities of the airport property and improvements. However, additional research should be done with regard to the implications of what would be allowed within the proprietary relationship between the City and the airport.

Consensus that prior to the June 2 Regular City Council meeting Robert Sullivan (NAA Board Chairman) is to approach the Naples Airport Authority (NAA) with regard to an agreement with the City Council to continue the 75,000-pound weight limitation for aircraft allowed to use the facility, except for a narrowly determined approval process to allow for RJ-type

aircraft for scheduled commercial service; Attorneys for the City and NAA are to both provide opinions thereon as well as NAA to obtain Federal Aviation Administration (FAA) opinion. (Additional research to also take place regarding various outstanding matters such as inclusion of a US Customs facility at the airport, interpretation of the airport lease, and the issue of pre-emption of local law.)

..... ITEM 5
THIRD STREET COMMERCIAL AREA SPECIAL OVERLAY DISTRICT PARKING STUDY. City Council is considering changes to parking requirements for restaurants so that required parking for outdoor dining is at the same ratio as parking for indoor dining. Differing standards in the several business districts has prompted this consideration. An analysis of parking in the Third Street South vicinity and proposed amendments to the Land Development Code will be discussed. Planning Director Robin Singer briefly reviewed her memorandum dated May 5 (Attachment 2) which provided details of the parking study of the Third Street Commercial Area Special Overlay District which had been conducted by staff; this, she said, indicated no apparent shortage of parking currently in that area. Staff therefore recommended that amendments to the Fifth Avenue South Special Overlay District parking requirements only be reviewed, she explained, as well as the amendment to the parking requirement for small retail sales of prepared food with limited seating on-site. Council Member Price expressed concern that a discussion of Fifth Avenue should not occur at the time since it had not been published on an agenda.

Consensus that no changes occur to parking requirements for Third Street Commercial Area Special Overlay District or Fifth Avenue South Special Overlay District at that time.

Recess: 12:18 p.m. to 12:34 p.m. It is noted for the record that the same Council Members were present when the meeting reconvened.

EXECUTIVE SESSION..... ITEM 13
Executive Session to Discuss Status of Negotiations with the Fraternal Order of Police (FOP), Lodge 38 and Fraternal Order of Police (FOP) Supervisors Bargaining Unit.

Executive Session: 12:34 p.m. to 1:11 p.m. It is noted for the record that the same Council Members were present when the meeting reconvened.
(1:11 p.m.) No action announced.

LAKE INVENTORY REPORT AND RECOMMENDATIONS..... ITEM 6
In order to consider a long-term plan for the maintenance of private and public lakes (stormwater retention ponds), a scientific analysis of the lakes existing conditions was commissioned. The findings and report will be presented. The report will also address potential issues related to the presence of copper in the lakes. (It is noted for the record that the Mactec report and a printed copy of the consultant's electronic presentation are contained in the file for this meeting in the City Clerk's Office; an excerpt of the presentation is appended hereto as Attachment 3.) Dr. Ann Shortelle, Mactec limnologist (*one who scientifically studies life and phenomena of freshwater, especially lakes and ponds*), was noted as present to address the firm's Phase I lake maintenance and improvement program for the City's stormwater retention ponds. With regard to the baseline data to be presented, Streets & Stormwater Director Ron Wallace cautioned that it be kept in mind that nutrient levels vary throughout the year, as well as the fact that stormwater runoff is the greatest contributing factor to pollutant loading manifested in bodies of water; he further said that testing and modeling of future data would be needed to develop an actual lake maintenance plan, especially with the migration of the pollutants to receiving bodies of water.

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Dr. Shortelle emphasized that the majority of the City's lakes and ponds had been intended for stormwater retention to address water quantity as opposed to water quality, which has become a major issue over the past ten years; such systems are also being used as a source for irrigation, she added. Another factor, she said, is downstream pollution of various other bodies of water which receive runoff from City lakes, even though some of the pollutants are indeed filtered out in the lakes. Furthermore, many of the lakes located within the City lakes are large enough to provide aesthetic benefits to neighboring residents but at the cost of the intended stormwater-processing element. Dr. Shortelle additionally reviewed the following (see Attachment 3 for details):

- Problems which can arise over time as lakes perform their function;
- Mactec scope of work;
- Elements inspected;
- Soft sediment mapping;
- Receiving bodies of water ;
- Microbial sources of pollutants;
- Continued monitoring elements;
- Watershed versus in-lake management practices; and
- Phase II elements.

In a brief discussion regarding copper sulfate, Dr. Shortelle explained that the City's lakes, while mostly fresh water, are not considered receiving bodies and that the numeric value set for copper in fresh water is not a single number. This is because, while toxic, the effects of copper are lessened in systems which have abundant solids in the form of organic matter which is dissolved and/or suspended since the association with the organic matter lessens the effects of copper.

Referencing data reflecting the actual copper concentration in the City's lakes (Attachment 4), Director Wallace pointed out that because the only set of samples had been obtained in rainy weather, Mactec had presented the data as ranges. Quarterly testing is in fact needed to develop an accurate analysis and management plan, Dr. Shortelle noted, further clarifying that the copper data may be artificially high due to the methodology used for calculations and the combined effect of other factors. She also stressed that copper does not break down, either remaining in a lake or pond, or migrating downstream.

Natural Resources Manager Michael Bauer stated that the copper sulfate he had added to a jar of water remained suspended after ten days, although in situations where plants are present, a certain amount is absorbed, he noted. In addition, he clarified for Council Member Finlay that since Moorings Bay is manmade and constructed to flush twice daily under tidal influences, not only is it not impaired for copper sulfate as Naples Bay, but is also not considered a natural estuary. Vice Mayor Sorey also noted that the Golden Gate Canal (GGC) has low levels of copper sulfate and therefore is not a contributing factor with regard to the Naples Bay copper issue.

Mr. Wallace suggested that testing is needed both of the outfalls and the Crayton Cove pump station wet well which would aid both in determining the amount of pollutant migration and the locales where measures should be taken to address the water entering the receiving bodies of water. Council Member Sulick stated that with the pending numeric nutrient criteria to be mandated by the state, such testing would aid in developing a more global perspective of the pollution issue and determine the extent of the City's responsibility in this regard.

Dr. Shortelle concluded by stressing the importance of continued monitoring of the stormwater retention areas, as well as public education and awareness. The cost of avoiding the pollution of the lakes and ponds is much less than improving the quality of the downstream receiving bodies, she added.

Public Comment: (2:19 p.m.) **Jim Boula, 702 Broad Avenue South**, expressed support of continued lake monitoring, noting that boaters on Naples Bay had been warned against using copper oxide on their hulls. Additionally, increased concentrations of copper had been found at the US Coast Guard Auxiliary station (Crayton Cove) but not upstream at the Naples Yacht Club or Turner's Marina. In response to Mr. Boula, Vice Mayor Sorey explained that while Collier County does in fact use diquat dibromide (*an aquatic herbicide for the control of free-floating and submerged aquatic weeds in ponds, lakes and irrigation ditches*) as a herbicide, it currently does not test the GGC water for the presence of this chemical. **Raymond Bernier, 477 Devil's Lane**, a resident on Devil's Lake (Lake 1), noted that use of copper sulfate has enhanced the lake's aesthetics over the years. He said that there are those who in fact believe that copper sulfate does not transfer/migrate. Aquatic Solutions, the firm responsible for maintenance of Devil's Lake, had indicated that there is no substitute for copper sulfate, which if applied correctly does not adversely affect the environment, he concluded. **Sue Smith, 11th Avenue South**, stated that while she uses no chemicals on her lawn, the chemical smell at times emanating from her neighbors' lawns is overwhelming. She urged that the City's landscaper certification program include holding companies responsible for overuse of chemicals, which contributes to the pollution of Naples Bay. She also said that ADD (attention deficit disorder) in children had been linked to the use of chemicals applied through spraying. **Arthur Seigel, 4790 Whispering Pine Way**, indicated that, as an environmentalist and science teacher, he believed there to be no scientific evidence that utilizing copper in lakes elevated the copper levels in Naples Bay. He also referred to studies that had indicated that the transference of copper sulfate occurs only in a turbulent system, which in his opinion would not include the City's lakes. Mr. Seigel then offered to work with staff in pursuing scientific evidence of whether copper sulfate transfers downstream, confirming for Vice Mayor Sorey that Devil's Lake empties into Venetian Bay and that its outfall had most likely not been tested.

Council Member Sulick expressed concern that the small island that functions as a bird sanctuary in Lantern Lake (Lake 14) most likely contributes to sediment accumulation. Director Wallace however explained that surprisingly little sediment or fecal coliform associated with avian populations had been discerned, noting that the area of the lake outfall is dredged approximately at three year intervals.

Dr. Shortelle clarified that, due to cost, dredging should however be used sparingly as it is less costly to maintain a level of capacity by prohibiting nutrients from entering the lakes and ponds and by limiting any form of erosion. Vice Mayor Sorey then informed staff that while he had included the City's lake project in the Big Cypress Basin Board's ten-year plan, he required additional data to further justify a grant for the dredging of any particular lake. Mr. Wallace stated that dredging is also disruptive and the spoil may not be suitable for land disposal, thereby adding to the cost of a project; a plan must be developed as to how best to apply available funding, he said, and Vice Mayor Sorey agreed. Mr. Wallace further observed that large quantities of water flowing into the wet well at the Crayton Cove pump station during periods when there is no rainfall demonstrates that extensive residential irrigation is occurring, thereby flushing any excess fertilizer into the stormwater system; this is an issue that must be addressed via public education, he said. Vice Mayor Sorey also pointed out that most lawns need no additional fertilizing in light of the nutrients found in the City's irrigation (reclaimed, reuse or alternative) water. In conclusion, Mr. Wallace confirmed that an ongoing program is in

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place to address structural issues of the lake system, including determination of possible private ownership.

In response to Council Member Finlay, Dr. Shortelle agreed that the salinity results of the northwest portion of Devil's Lake had been surprising, but attributed it to a low water level and therefore representing no communication between the two separate drainage areas. During a brief discussion of soft sediment testing in Spring Lake (Lake 1), Dr. Shortelle pointed out that many pollutants are however naturally occurring.

Responding to Council Member Price, City Manager Moss explained that the study being reviewed was the first step in developing a lake management plan, that each lake is unique with changing dynamics to be addressed on a case-by-case basis. Mr. Price reiterated that a timeline and cost/benefit analysis should nevertheless be provided to aid in prioritization.

Council Member Saad then urged that an educational program for residents be developed outlining best management practices (BMP's), noting the City's landscape certification program for professionals. Dr. Bauer agreed, explaining that he had previously recommended establishing an outreach coordinator to work with residents and homeowner associations on this and other issues. Vice Mayor Sorey noted that the Big Cypress Basin Board also currently provides free inspections of sprinkler systems.

Director Wallace assured Council Member Heitmann that lake maintenance is ongoing and further testing is to occur thereby enabling staff to move forward with a plan of action, including the determination of the ownership of the lakes. Dr. Bauer reported what he termed a drastic improvement in the lake located on Seventh Avenue North (Lake 8 aka North Lake), explaining that over the past three years, with the use of solar-powered aerators, floating islands and native vegetation, algae had ceased to be an issue. Mr. Moss added that the lake maintenance program is supported via the stormwater fund and that both Dr. Bauer and Mr. Wallace, along with their staffs, would be continuing with its operation.

Recess: 3:04 p.m. to 3:25 p.m. It is noted for the record that the same Council Members were present when the meeting reconvened.

Electronic Agenda Packets..... ITEM 7
City Council agendas are typically published two times per month, and each of 19 agenda packets for City Council, staff, and the public may contain 100 to 500 pages of information. Proposed for consideration is the issuance of City Council Agenda Packets through electronic transmittal to either a laptop computer or an iPad-type device as a cost-effective alternative to the printing of hard copies of the Agenda Packet. Technology Services Director Stephen Weeks provided a cost/benefit analysis of replacing the current paper agendas and Council meeting packets with electronically generated documents. (It is noted for the record that a printed copy of this electronic presentation is contained in the file for this meeting in the City Clerk's Office and is in addition excerpted and appended hereto as Attachment 5.) Mr. Weeks also offered a demonstration of the use of the electronics which were presented as options.

Public Comment: (3:44 p.m.) **Sue Smith, 11th Avenue South**, questioned the origin of the proposal and cautioned that many members of the public would not have access to the electronic version of Council packets. She also expressed concern with the expenditure for the proposed equipment during the current economic downturn. In response, Council Member Price explained that Council had been discussing such an action for the previous four to five years, and that as reflected in the presentation, the initial costs would be recovered within the first year of use; however, paper copies would still be available, he added.

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City Clerk Tara Norman observed that, should this proposal be approved, a computer terminal would be needed for public access in her office and at the rear of the Council Chamber for public access during meetings; otherwise, some paper copies would still be required. In addition, she noted that those taking meeting minutes would require either a paper copy of the packet for reference or another electronic device since during Council meetings, this person is already operating three separate pieces of software. She further clarified for Council Member Saad that microfilm for long term retention of documents and electronics for access continues to be the most reliable combination, especially in light of needed migration of data in rapidly changing electronic modalities. Mr. Saad reiterated his disagreement with the need for microfilm, but Mrs. Norman stressed the importance of this storage medium to the City's records, especially Council packets, referencing recent information regarding the municipal airport which had only been available in the records retained on microfilm, some as long ago as the 1970's.

Mr. Weeks concluded that should Council wish to move forward with the proposal, minor renovations for installation of backup power sources in the Council Chamber would be needed, explaining that purchase of the individual units could be completed by the end of summer recess. During a brief discussion which preceded the consensus below, City Manager William Moss indicated that staff would ascertain the number of printed copies to be generated.

Consensus to proceed with a combination of printed packets and electronically generated meeting packets for City Council.

LANDSCAPE MATERIALS IN CITY PARKS AND RIGHTS-OF-WAY ITEM 8

A discussion as to appropriate landscape species for City parks, rights-of-way, medians, and other public spaces. Parks & Parkways Superintendent Joe Boscaglia explained that both misconceptions and controversy surround the use and maintenance of native plants in landscaping. He introduced Cathy Feser, who facilitates the City's best management practices (BMP) recertification program. (It is noted for the record that a printed copy of Ms. Feser's electronic presentation is contained in the file for this meeting in the City Clerk's Office.)

Ms. Feser, Urban Horticulture Extension Educator for Collier County, explained that native plants do require less maintenance if planted in the proper conditions and that some environments would in fact sustain non-native plants quite well but with additional maintenance. She cautioned that non-native species can displace native communities if not monitored. She then reviewed numerous native and non-native plantings, highlighting the following Florida Yards & Neighborhoods principles:

- Placing the right plant in the right place which involves site considerations (wet/dry, sun/shade, wind/salt tolerance, size of plant to be installed, and proximity to turf) prior to choice of plants and their installation;
- Watering efficiently;
- Fertilizing appropriately;
- Mulching;
- Attracting wildlife;
- Managing yard pests responsibly;
- Recycling;
- Reducing stormwater runoff; and
- Protecting the waterfront.

She concluded by stressing that the BMP's described result in healthier, more attractive plants requiring less maintenance, conserving water, and reducing non-point source pollution. Mr. Boscaglia added that because many of the City's landscape sites are of an older design, sod and plants are simultaneously irrigated, which does not comport with currently recommended

methods. New practices have however been employed in Cambridge/Perry Park and the City's existing medians are being renovated to more closely meet accepted standards, he added. Irrigation is also being electronically controlled by a recently upgraded system which detects rainfall, and grants are being sought to install this type of system throughout the City's landscaping.

DOWNTOWN OLD NAPLES PEDESTRIAN MAP ITEM 9

As a means to promote connectivity and visitor awareness of the several business districts in the Old Naples area, representatives of homeowner associations proposed the creation of a downtown map designed to highlight the several districts (Fifth Avenue South, Third Street South, Crayton Cove, Tin City, Bayfront, and the area between US 41 and Tenth Street South, and public amenities such as the City Dock, Cambier Park and the Naples Fishing Pier. The map, developed by City staff, a Member of City Council, volunteers, and an artist, will be presented to City Council. Assistant City Manager Roger Reinke indicated that the pedestrian map of the downtown area of Old Naples had been provided. (It is noted for the record that a copy of the draft map is contained in the file for this meeting in the City Clerk's Office.) As a member of the map developmental committee, Council Member Sulick noted that following review, various revisions were needed:

- Copyright logo to be included;
- "Old Naples" to be enlarged on front with "downtown" made smaller;
- "Star" to be removed from "Historic 3rd St. S." indicator;
- "6th St. S." to be added to its northern segment on map;
- Color to be added to "US 41" corridor;
- Illustration of fisherman with tire to be removed from Naples Bay area;
- Norris Community Center to be identified;
- "Historic Waterfront District" to have "at the Gordon River Bridge" added.

The final product should be available by October, she added, along with Council's recommendation that the public library as well as the Bayfront development be identified.

Recess: 4:59 p.m. to 6:30 p.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 6:31 p.m.

BRIEFING BY CITY MANAGER ITEM 12

(It is noted for the record that a copy of the report is contained in the file for this meeting in the City Clerk's Office.) City Manager William Moss indicated that his report included an update of the irrigation (reclaimed, reuse or alternative) water system with chloride levels below 200 mg/l for the month of April; also included is the monthly financial report. He confirmed for Council Member Sulick that approximately \$50,000 in revenue would be lost to the Beach Fund as the City has stopped handling the Collier County beach sticker distribution. He also noted, in response to Council Member Finlay, that indeed the annual street overlay capital expenditure line item (see Page 21 of monthly financial report) reflected current encumbrances; the majority will be finalized in August with sidewalk improvements addressed over the summer, he added.

REVIEW OF ITEMS ON THE 05/19/10 REGULAR MEETING AGENDA..... ITEM 14

Upon review, the above referenced agenda was accepted without comment or questions.

CORRESPONDENCE / COMMUNICATIONS

(6:34 p.m.) Council Member Finlay noted his recent participation in City's fire training exercises, expressing a new appreciation for the skill of emergency personnel. Council Member Price commended staff and area organizations for the success of the recent City Fest; Vice Mayor Sorey agreed. City Manager William Moss provided a brief explanation for Council Member Heitmann as to the process of the City accepting donations for public fundraising, the most recent being for a proposed dog park to be located on City property at the northeast corner of Goodlette-Frank Road and Central Avenue/Riverside Circle. Vice Mayor Sorey received

consensus for the transmittal of a letter by the Mayor supporting the Collier County Coastal Advisory Committee's (CAC's) endeavor to obtain the USS George Phillip, a decommissioned US Navy vessel for sinking as an artificial reef; funding is to be privately raised, he added. He also questioned when the review of the agreement between the City and County regarding recreational funding was due. Mayor Barnett noted that a \$50,000 donation to the dog park fund had been received the prior day. (See Item 6 of the May 19, 2010 regular meeting minutes for dog park discussion.)

BUDGET STRATEGIES..... ITEM 11

A preliminary view of the FY 2010-2011 budget revenues and expenditures and proposed strategies to balance the budget for the next fiscal year beginning October 1, 2010. A proposed 5-year Capital Improvement Program will be discussed during an all-day workshop on June 14, 2010. (It is noted for the record that a printed copy of the electronic presentation utilized by Finance Director Ann Marie Ricardi is contained in the file for this meeting in the City Clerks Office and that excerpted text is appended hereto as Attachment 6.) Ms. Ricardi provided details of her memorandum dated May 10 (Attachment 7) in which she noted that with the major economic recession, over 60 City staff positions had been eliminated in the prior two fiscal years and therefore, depending on selected budget revenue and use of fund balance strategies, it may become necessary to consider changes in the level of service to meet the projected \$209,592 General Fund shortfall. This figure assumes utilization of rollback rate for the City's millage, health and property insurance increases, two additional fire personnel, and no contractual reduction in current police wages; property tax value however remained unknown as yet, she added.

Ms. Ricardi explained that the rollback rate is the millage which realizes the same amount of revenue for the City as the prior year, and therefore the State does not consider the impact of adopting this rate a tax increase. Should the taxable property values decrease 5%-10%, the rollback rate would be 1.24-1.31 mills, she said; within the prior eight years, rates had ranged from as high as 1.2450 in 2007 to as low as 1.1100 in 2004 while 2009 had been 1.1800. The City's Blue Ribbon Financial Planning Committee (BRFPC) had stated that although for fiscal year 2009-10, the rollback rate would not be acceptable, a maximum 10% increase over the then current rate of 1.1315 would be, therefore equating to a 1.2445 millage rate. The City however enacted a 4.2% increase, she said. If the Committee's recommendation were followed for the current year, a 10% increase would result in 1.298 mills while 1.23 mills would represent a 4.2% increase. Due to the fact that property values remain unknown until June, either of these increases may in fact be below rollback rate, Ms. Ricardi pointed out. In addition, she observed that should the above referenced decrease in property values come to fruition, and the City maintains its current 1.18 millage rate, a \$875,000 to \$1-million decrease in revenue would occur and the shortfall above noted would increase to between \$1,084,000 and \$1,959,000.

Ms. Ricardi then reviewed actions already implemented to reduce expenditures as well as noting three further options to balance the budget: 1) obtain additional revenues; 2) reduce expenditures further; and/or 3) use the reserves. She detailed possible measures such as redirecting revenue of \$570,000 for the current year's Telecommunications Tax into the General Fund rather than to the Capital Improvement Program (CIP) (see Attachment 6, Page 2), but further noted a \$100,000 recommended expenditure for retaining a pension reform consultant with the intent of realizing long term savings. Should all listings be implemented, a \$1,788,000 savings would result.

Reviewing plans for the other funds, Ms. Ricardi noted that monthly utility billing should not have been included as an alternative due to a prior Council discussion wherein it had been deemed

too costly. She further listed additional considerations: 1) charge an entry fee for the Fishing Pier; 2) charge for use of City-owned parking facilities during special events; 3) reduce solid waste pickup to once per week; and 4) eliminate the service providing online streaming video of City meetings (Granicus) as well as television programming.

In conclusion, Ms. Ricardi clarified that during 2009, a \$1.2-million growth in the fund balance over prescribed levels was achieved due to expenditures being \$800,000 less than budgeted and revenues being \$500,000 higher than anticipated; this reflects a 2% variation in the City's \$35-million budget, she added. The use of this \$1.2-million may be recommended later in the budget process, she cautioned, for either a one-time expenditure such as capital, or in a conservative manner to survive the economic decline as part of an orderly plan to adjust to a future of decreased or limited revenues. The schedule for the remainder of the budget process was also reviewed (see Attachment 6, Page 3).

Ms. Ricardi requested further guidance and Council Members offered the following:

- Sulick – review agreement with Collier County regarding County residents' use of City parks and beachends; consider installation of No Parking signage along streets to encourage use of metered beach parking spaces; consider increasing costs of police and cleanup for special events; review police and fire levels of service; increase false fire alarm charge; and reduce but not eliminate special event sponsorships. Mrs. Sulick said she however did not support a Fishing Pier access charge but supported charging for parking in City garages during special events; she also cautioned that an imminent oil spill cleanup may require use of reserves, but stressed that freezing of positions should be a City Manager decision (see Price #2). She also agreed that a consultant should investigate a defined contribution pension system.
- Finlay – maintain millage rate should property tax revenues decrease by 5% to 8%. Mr. Finlay also requested clarification of the indicated increase to fire personnel; received confirmation that contingency funds would be consumed for the current year; and, in the interest of fairness, cautioned against increasing employee health insurance contributions/costs.
- Price – (see Attachment 8 for a list of recommendations submitted). Mr. Price further recommended that his list be implemented prior to those strategies cited by staff, recommending that business models be based upon revenues as reflected in the budget comparison he had compiled for the BRFP (Attachment 9). He also spoke against charging for Fishing Pier access or special event parking and opposed eliminating summer camps or curtailing televising of City meetings; he further said that surplus reserves should not be used to balance another year's budget, although once per week pick-up of solid waste should be considered.
- Saad – supported #6 on Price's list (defined contribution pension plan) but questioned savings to be realized with salary decreases recommended by Price (#1). He further said he supported the top three under "Options to lower millage" (reflected in Attachment 6, Page 2). Mr. Saad also supported two additional fire personnel and further questioned the proposed use of Telecommunications Tax and the process for rehire should eliminated staff become necessary in the future.
- Heitmann – questioned the number of police and fire personnel eliminated but supported temporary redirection of Telecommunication Tax and pension reform. Although not supporting the elimination of summer camps for children or charging for Fishing Pier access, she questioned the amount of revenue which could be generated by charging for parking during special events. She also received confirmation that health insurance

City Council Workshop Meeting – May 17, 2010 – 8:30 a.m.

cost increases to employees would be discussed during future budget reviews and recommended that Council Member Price's list also be further discussed.

- Sorey – requested utilization of community centers and their programs for children during school holidays and further information with regard to justification of additional fire personnel. Referencing #2 on Council Member Price's list, Vice Mayor Sorey asserted that the City Manager should be decision-maker once a budget is approved; he said he also supported defined contribution pension plans, although questioned the feasibility of implementing such an approach. Mr. Sorey said that he, too, could not support a Fishing Pier access charge nor parking garage charges during special events but supported once per week solid waste pickup and maintaining televised City meetings. He requested discussion of police and fire level of service. He also said that he supported continuing summer camps but asked for further discussion on closing community centers on holidays in order to assess the impact upon the community. In conclusion, he said that if reserves exist over the prescribed \$10-million, discussion should occur as to possible use of this amount.
- Barnett – agreed with Price's #6 but stressed that the remainder should be further discussed.

During the above discussion, Assistant City Manager Roger Reinke provided a brief overview of the scope of work for a pension consultant; Council expressed support of further consideration.

Discussion only; staff to research cost/benefit implications of proposals by Council Member Price (see Attachment 8).

Recess: 8:00 p.m. to 8:08 p.m. It is noted for the record that the same Council Members were present when the meeting reconvened.

COMPREHENSIVE PLAN AMENDMENTS..... ITEM 10
Proposed are the removal of objectives and policies that are deemed obsolete or unnecessary; amending the Downtown Mixed Use Land Use designation to clarify density limitations; amending Parks and Recreation level of service standards; amending Conservation and Coastal Management Element and the Natural Resources Map; and removal of the Neighborhood Action Plans. A proposed Florida Constitutional Amendment will require a City-wide referendum to amend the Comprehensive Plan. Hence, the objective is to remove provisions that may not be necessary, recognizing that amendment by referendum may be difficult, time-consuming, and expensive. Planning Director Robin Singer briefly reviewed her memorandum dated May 6 (Attachment 10), noting that while no amendments were forthcoming, in an earlier consideration the City Attorney had recommended that the Comprehensive Plan be streamlined in anticipation that state voters would approve Constitutional Amendment 4 (*which will require referenda for all amendments to Comprehensive Plans*). Staff recommended that the amendments outlined in the aforementioned memorandum, as well as removal of Neighborhood Action Plans, be supported, she said, whether or not the remainder of the proposed changes are accepted. Referencing the March 15 Council workshop discussion, she noted that amendments discussed at that time had also been included within the information provided for consideration as well as the park usage survey by Community Services upon which the level of service standards for that element had been based. Ms. Singer also pointed out that the elimination of the linear mile standard for beaches had been included in the amendments. Council Member Finlay took issue with the recreational survey in that 61% of the respondents were age 61 to 80.

The following comments/clarifications were then discussed:

- Sulick – FLUE 6 – Policy 1-1 – Coquina Sands is located within R3-15 district and density is 0-15 units per acre although height is limited; definition of a district's parameters; FLUE 9 – Policy 1-4.2 which is struck-through, replace with explanation of

Residential Impact Statement (RIS) process; urged that items moved into the Land Development Code (LDC) have a reference of this action in the Comprehensive Plan (Ms. Singer agreed to do so); FLUE 18 – Policy 1-5.3 – delete the sentence beginning with “However...”; FLUE 26 and 27 – questioned the removal of references to signage and lighting. (Ms. Singer indicated that the photos are to be deleted and that a generalized policy would be included.)

- Heitmann – citing FLUE 8 – Policy 1-3.4, said she could not support many of the amendments due to her belief that, as safeguards to the community, the impending Amendment 4 should not be used as a tactic to instill fear. (It is noted for the record that Council Member Heitmann referenced documentation regarding Conservation and Coastal Management Element not provided in the information packet which Ms. Singer identified as a prior EAR-based amendment document.) Ms. Singer clarified that in Objective 2, Transportation Element’s strikethrough portion reflected a study which had been already completed, and that the reference to the truck routing map in Policy 2-6, same element, had been redundant and therefore removed.
- Saad – noted that while he supported the proposed amendments, should Amendment 4 fail to be adopted, he would support review for re-establishing some items into the Comprehensive Plan;
- Price – listed the following that, if removed, should be placed into another document: FLUE 24 – Policy 1.9; FLUE 28 – Policy 1-12 and 1-13; PRE 9 – Policy 4-6; and with regard to FLUE 15 – Policy 1-4.1, and PRE 10 – Objective 6, he questioned whether these should remain.
- Sorey – FLUE 8 – Policy 1-3 should be discussed as to the best location for this material.

City Attorney Robert Pritt pointed out that under Public Facilities and Water Resources Element, Objective 3, the reference to a completion timeframe should be deleted; Ms. Singer agreed.

Mr. Pritt then confirmed that, if approved, the aforementioned Amendment 4 would become effective the day following vote tabulation and reiterated a prior opinion that most of what was under discussion in fact belonged within the LDC and remains effective in that format. He also said that the contemplated action should not be viewed as a scare tactic since a referendum would in fact be necessary for any and all changes to the Comprehensive Plan; therefore, the current discussion is necessary, he stressed. Council Member Saad also cautioned that if the amendment passes, developers will merely increase their budgets to include public relations and Council will have even less control over items should they remain in the Comprehensive Plan and not be moved into the LDC. Vice Mayor Sorey agreed that a number of the elements are important but do not belong in the Comprehensive Plan; they should reside in other documents, he said.

In response to Council Member Price, Ms. Singer noted that the ordinance would be considered during the June 2 regular meeting, and discussion of the removal of the linear miles of beach as the level of service standard ensued. Ms. Singer clarified that if not removed, it would not solely require an annexation or increased development for the City to become non-compliant, but merely could result from an increase in population. Other controls exist for future development and the fact remains that the City could not acquire additional linear miles of beach once a deficiency is identified, she pointed out. Vice Mayor Sorey added that no building permits could be granted should a deficiency become a fact, but Mr. Price reiterated that if the various elements were removed from the Comprehensive Plan, an alternative placement must be determined. Ms. Singer also clarified for Council Member Sulick that the Comprehensive Plan

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is a growth management document for only the City proper and does not mandate provision of services to Collier County residents whatsoever.

Consensus that all Parks, Recreation and Open Space Element amendments stand (7-0), including removal of linear miles of beach reference / 4-3 (Heitmann, Price and Sulick dissenting).

ADJOURN

9:15 p.m.

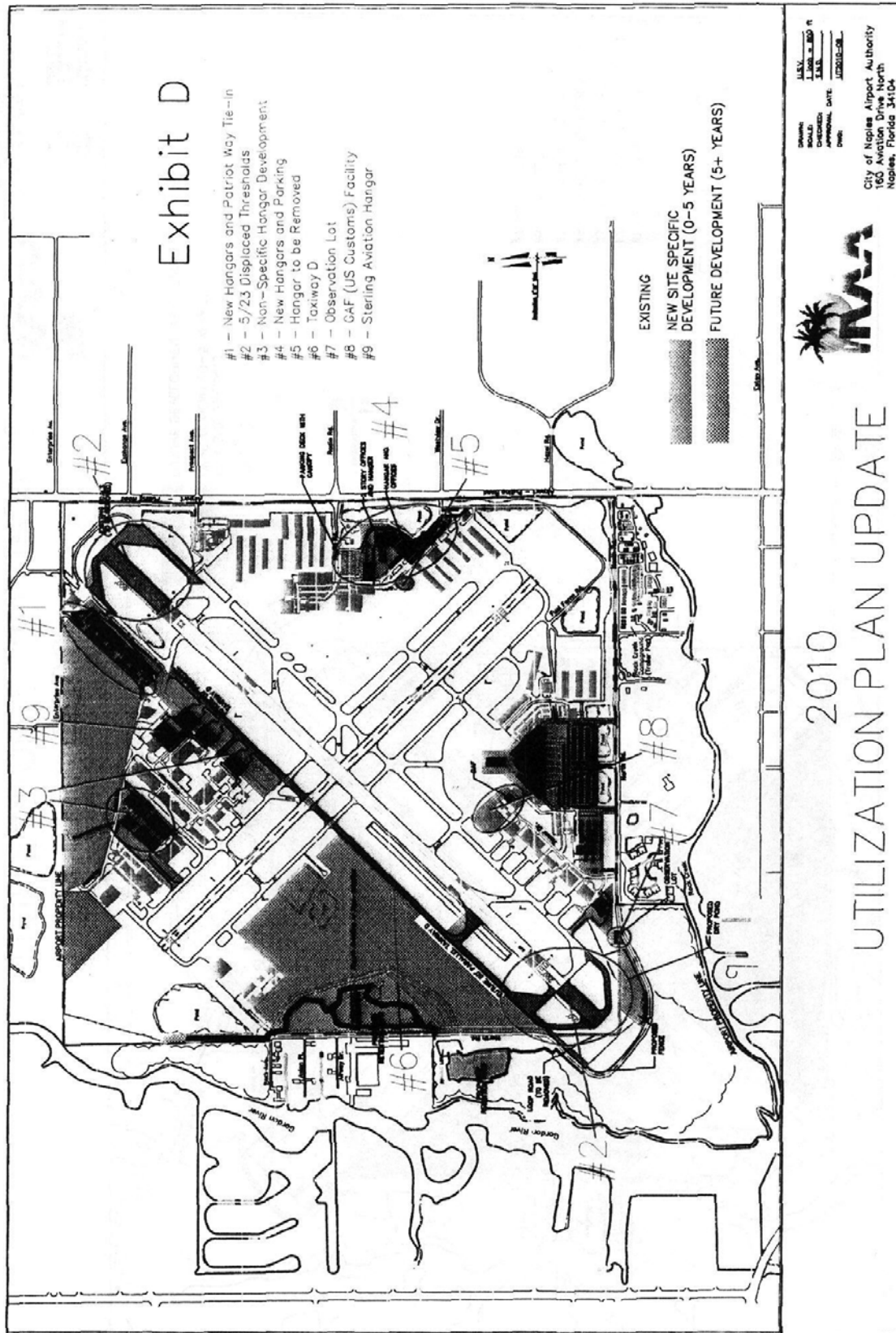
Bill Barnett, Mayor

Tara A. Norman, City Clerk

Minutes prepared by:

Vicki L. Smith, Technical Writing Specialist

Minutes Approved: 08/18/10



City of Naples



NAPLES CITY COUNCIL AGENDA MEMORANDUM

Workshop Meeting Date: May 17, 2010

Agenda Item:	5	Prepared By: Robin D. Singer, Director
		Date: May 5, 2010 Department: Planning
SUBJECT:		
Discussion of the Third Street South parking study and pending Text Amendment.		
BACKGROUND:		
<p>On January 20, 2010, City Council considered a Text Amendment to require parking for outdoor dining at the same ratio as indoor dining. Representatives of the Third Street South Association indicated that they felt the amendment would unfairly burden their District which has a higher parking requirement (1 space/100 square feet) for restaurants than Fifth Avenue South or D Downtown (3 spaces/1000 square feet). The Planning Advisory Board (PAB) had recommended that a final decision on the amendment be postponed until a parking study could be conducted in the Third Street South area. City Council agreed with the PAB's recommendation and authorized the study. The results of the study, shown in the attached data sheet, were shared with Barbara Walker who requested, on behalf of the Third Street South Association, that the discussion of the study be postponed for 90 days. As there is a text amendment pending, staff is presenting the results to City Council for consideration. A copy of Ms. Walker's email is attached.</p> <p>Planning staff conducted the parking study between March 2nd and March 13th. These dates were discussed with the Third Street South Association and chosen to avoid conflicts with any major special events so that the survey would reflect average daily usage during season. Data was collected at noon, 4 pm and 7 pm on Tuesday, Friday and Saturday over those two weeks. The attached data sheet indicates the number of cars counted in each area at each time and the percentage of parking that was in use for those areas. The City's beach area was included in anticipation that heavy use of parking either in the business district or at the beach might cause an overflow into the other area. Extenuating circumstances during the time of the study included cooler weather than normal during that time of year and the St. Patrick's Day Parade on March 13th where the 12:00 count was pushed to 1:00.</p> <p>The results of the study indicate that the heaviest utilization occurs midday with some spikes in the evening hours. Peak utilization was generally around 63% of available parking. There did not appear to be overflow parking between the beach and the business district at anytime. The highest utilization was the on-street spaces and those spaces close to Third Street and in the middle of the District. The large lot along Second Street South was used the most in the evening hours. The least used spaces included those on the perimeter of the District and under the Third Street Plaza. Despite the fact that few spaces are restricted, drivers seem reluctant to use spaces that do not appear to be available to the public or in parking lots that are not well lit.</p> <p>There does not appear to be a parking shortage in the District. This can be construed to mean that the existing parking requirements are adequate to accommodate the needs of this District. Should City Council decide to pursue the text amendment, they may wish to consider only requiring parking for the Fifth Avenue South Special Overlay District where parking is not currently required for outdoor dining. Should the District experience a parking problem in the future, the Association may want to consider a plan to eliminate any restrictions on parking and add signage and lighting to direct drivers to available parking on the perimeter of the District. There appeared to be some effort made</p>		

City of Naples



NAPLES CITY COUNCIL AGENDA MEMORANDUM

Workshop Meeting Date: May 17, 2010

Page Two

Agenda Item:

BACKGROUND (cont.):

to have employees park in more remote locations to make parking available to patrons nearer to the restaurants and businesses.

Text Amendment 09-T8 also included an amendment to the parking requirement for small retail sales of prepared food with limited seating on-site. Staff recommends that this portion of the amendment continue to be pursued and be brought back before City Council for approval.

Reviewed by Department Director
Robin D. Singer

Reviewed by Finance
N/A

Reviewed by City Manager
A. William Moss

City Council Action:

Item 6 / Excerpt of Mactec presentation

Naples stormwater lakes serve vital community functions:

- Water Quantity and Source;
 - Flood control; and
 - Possible future non-potable/reuse (e.g. irrigation);
- Water Quality –capturing and retaining nutrients and pollutants;
- Aesthetics, passive recreation; and
- Ecological Habitat (fish, wading birds, etc.).

Problems can arise, over time as the lakes “do their jobs”:

- Sediment accumulation (loss of storage capacity);
- Infrastructure failures (drains, etc.);
- Degraded water quality;
 - Algal blooms and microbial contaminants;
 - Overgrowth of aquatic plants;
 - Low oxygen and fish kills; and
 - Low water clarity and
- Invasive, exotic species.

Scope of work:

- Conduct baseline inspection and monitoring:
 - 28 lakes;
 - One Round water quality sampling and analyses;
 - Soft sediment evaluation; and
 - Develop form and inspect conditions;
- GIS database with data deliverable;
- Analysis and path forward;
- Identified needs; and
- Routine inspections.

Inspection:

- Inflow and outfall structures;
- Shoreline and vegetation; and
- Water quality.

Structural –In Good Shape!

Soft Sediment Mapping:

- Estimate only;
- Sediment traps or source; and
- Sediment sumps

Receiving Waterbodies:

- Naples Bay:
 - 2009 verified impaired (Cu, DO, Fe, Fecal Coliform);
 - DO causative agent: TN (0.6 mg/L), TP (0.04 mg/L), and BOD;
 - Cu (> 3.7 mg/L); and
 - FC (> 43 cfu/100 mL);
- Gordon River; and
- Gulf of Mexico

Microbial Sources:

- Human sewage treatment systems -private, collective (aging urban utilities);
- Sanitary Sewer Overflows;
- Septic Tanks;
- Dry Weather Flows;
- Stormwater;
- Pet animals;
- Migratory birds; and
- Wild animals

Continued Monitoring:

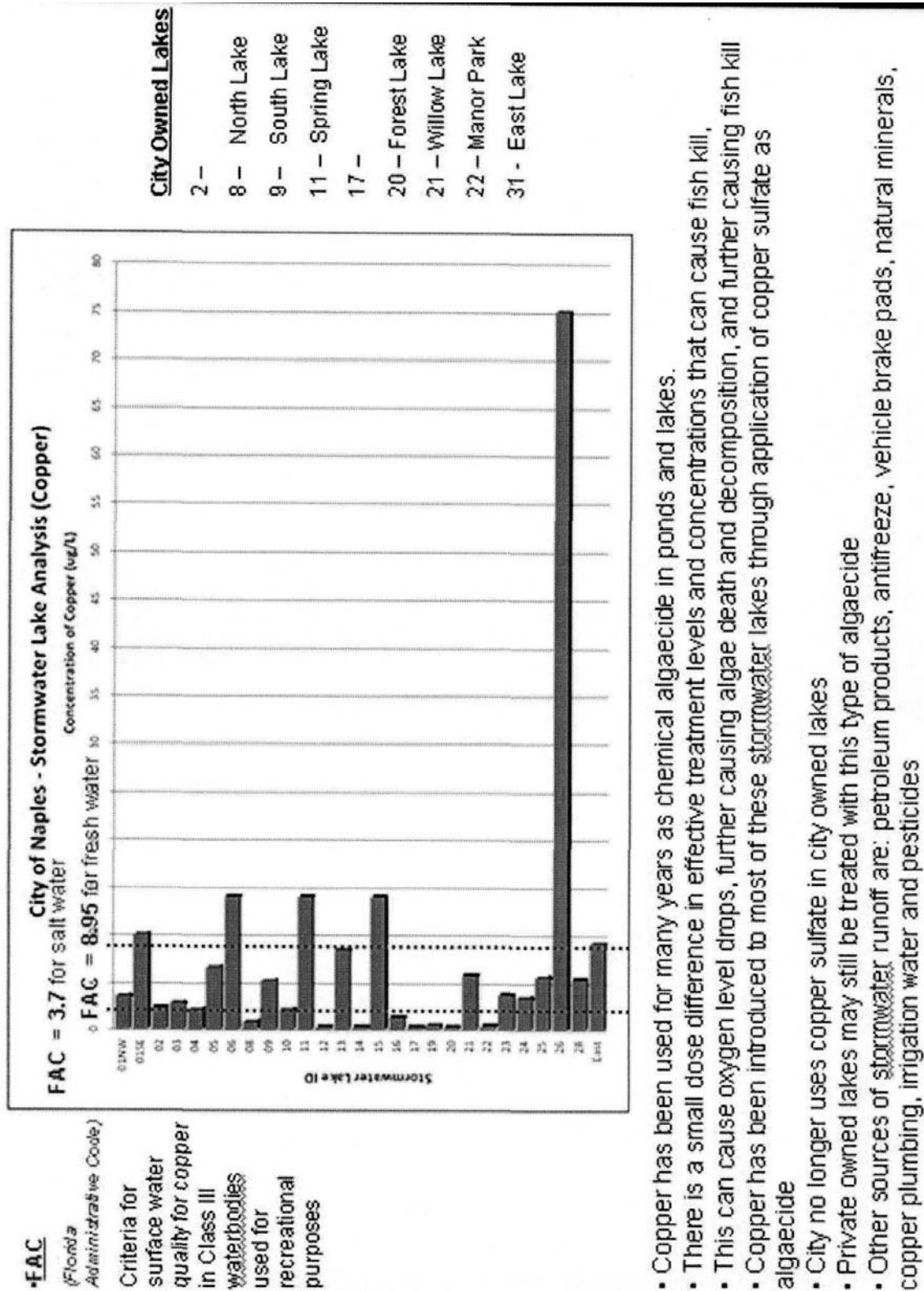
- 4 Quarters –wet and dry seasons;
- Analytes (TN, TP, microbials, DO, TSS, Cu);
- Use these data to guide future management actions, maintenance needs, and capture pollutant load reductions to receiving waterbodies

Management:

- Watershed versus in-lake;
- Watershed;
- Measures to reduce loading; and
- Education/Community Action;
- Copper;
- Fecal coliforms;
- Nutrients
- Reclaimed water
- Low impact development
- Innovations.
- In-lake:
- Address external (watershed issues first);
- Stormwater harvesting (ad hoc systems);
- Vegetation;
- Aquatic vegetation;
- Algae; and
- DO, Cu, nutrients, FC.

Phase II: Path Forward:

- Investigate and repair structural damages.
- Initiate public education on stormwater lake health.
- Evaluate impacts of harvesting of stormwater for irrigation and use of reclaimed water for irrigation to limit excess nutrient loading and/or drawdown.
- Perform 4 quarters of sampling of the stormwater lakes, and prioritize (include receiving waterbody elements in ranking procedure: funding).
- Develop water and nutrient budgets to optimize reduction of pollutant loadings from stormwater lakes to impaired receiving water bodies; capture reductions to ensure crediting against TMDL load reduction requirements.
- Evaluate all stormwater lakes of primary concern for conceptual design of retrofits.
- Ocean outfalls.



Electronic Agenda Packets

Project Goals:

- Replace paper City Council Agenda Packets with electronic versions readable on media readers or notebook computers
- Reduce staff time, production and delivery costs
- Continue to reduce the City's carbon footprint

Technology

- Adobe Acrobat and Acrobat Reader
 - Acrobat Reader is free, widely supported, documents easy to produce
- Media Reader – iPad or Similar
 - Ease of use, wireless delivery of packet, 10 hour battery – touch interface
- Notebook Computers
 - Keyboard for note taking, bigger screen

Current Costs for Agenda Packet Printing – Assembly

- 3 – 7 hours depending on packet size
- Employee Labor (2) \$272 - \$634
- 19 Agenda Packets \$100 – 500 pages
- Employee Labor (2) (Supplement) \$91
- 17 Supplement Packets average 19 pages
- 30 Council Meetings
- Yearly Copier Cost (50%) \$ 3,912
- Yearly Paper Cost \$ 1,363
- Yearly Employee Cost \$16,320
- Yearly Total Cost – Printing/Assembly \$21,595

Current Costs for Agenda Packet Delivery and Grand Total

- 2 hours per packet delivery
- Officer Labor \$92
- Car – Cost – 20 miles \$31
- 30 Council Meetings per Year
- 30 Supplement Packets per Year
- Yearly Officer Cost for Delivery \$7,343
- Yearly Printing and Assembly Costs \$21,595
- Grand Total \$28,938

Hardware Options

- iPad
 - Requires a wireless connection at home or office

Positives

- Simple touch screen interface – easy to navigate
- Cost
- Battery Life
- Highlight and search function

Negatives

- Note taking not easily done – near future; and

- **Notebook**

- Requires a wireless connection at home or office

Positives

- Keyboard
- Familiar interface (Mac or Windows)
- Note taking easily done – can highlight and search agenda packet

Negatives

- Cost
- Maybe overkill for the intended job

Hardware Costs

1. iPad - \$600 - \$700

- Base model with WiFi and 16GB memory
- Protective covering
- 2nd power adaptor (for Council Chambers)
- Extended warranty

2. Macbook Pro 13" - \$1,199 15" - \$1,799

- For those Council Members who use Macs
- \$250 - \$350 for 3 year warranty coverage

3. Windows Notebook – Same price range as Macbook Pro

Procedures

- Staff would focus on formatting and uploading electronic agenda for download
- Would eliminate the time and expense of preparing paper copies for delivery
- Additional workflow – TBD

Payback

- iPad – 10 each < 1 year
- Macbook Pro 13" < 1 year
- Macbook Pro 15" 1 year
- Window Notebooks 1 year

Excerpted text of Item 11 / Strategies To Balance The Budget

Purpose:

- Review the concerns from the most recent Sustainability Report;
- Discuss potential budget changes that could be brought forth in August; and
- Ensure a balanced budget that continues to provide high quality services to the City.

Recent strategies:

- Due to a major economic recession, the past two years resulted in major retooling of how the City did business;
- More than 60 positions have been eliminated in FY09 and FY10;
- Union contracts (except Police) have incorporated reductions that will continue;
- Reduced hours at recreation centers; and
- Keeping taxes low and services high.

General Fund Shortfall:

- Preliminary FY 10-11 sustainability report in the General Fund projected \$500,000 funding gap with certain assumptions

General Fund Shortfall

- The projection below is similar to the one presented in December, but assumes:

1. Rollback rate;
2. Health and property insurance increases;
3. Net GF increase of 2 positions in Fire; and
4. No contractual reduction in Police wages.

	FY 09-10	FY 10-11
Revenue	\$35,385,243	\$35,004,489
Expenditures	<u>\$35,385,243</u>	<u>\$35,214,081</u>
Change in Financial Position	0	(209,592)

General Fund Shortfall (note that this assumes "Rollback rate", also called "rolled Back Rate")

Tax Structure: Rolled back Rate:

- Rolled back rate is the millage rate that brings in the same amount of money as in the year prior;
- State law is that Rolled back rate is not a tax increase, because the City gets no additional money
 - In years of increasing tax values, rolled back rate was less than current millage rate; and
 - In years of declining tax values, rolled back rate is greater than current millage rate.

Impact of Taxable Value Decline:

- 2009-10 Taxable Value \$16,287,802,409;
- This was a 5.56% value decrease. and
- Millage rate is 1.1800.
- If taxable value decreases by 5-10%, then rolled back rate would be **1.24-1.31**

Recent Millage Rates

2009	1.1800
2008	1.1315
2007	1.2450
2006	1.1400
2005	1.1600
2004	1.1100
2003	1.1130
2002	1.1500

Blue Ribbon Committee:

- For FY 09-10, the Blue Ribbon Financial Planning Committee stated "...rollback rate is not acceptable."
- The Committee agreed to a maximum of a 10% increase over the existing rate of 1.1315
- That would have been 1.2445 but the City used 1.18 (4.2% increase)
- At that time the millage was 1.1315
- 10% increase over 1.18 is 1.298*
- 4.2% increase over 1.18 is 1.23*

*Either may be below Rolled Back Rate and direction will be needed for final budget millage rate.

Impact of Taxable Value Decline:

- If taxable value decreases by 5-10%, and City keeps millage rate of 1.1800 and
- The General Fund would face a revenue reduction of \$875,000 to \$1.75 million.
- That would increase the \$209,000 funding gap to \$1.084-\$1.959 million

Actions Already Showing:

- Non union employee furloughs continued;
- Capital Project restraint/reduction;
- 2nd year of union contracted wage concessions;
- Loss of more than 60 positions in FY09 and FY10; and
- Telecom Tax

Three Options to Balance:

1. Obtain Additional Revenues;
2. Reduce Expenditures; and/or
3. Use Reserves

Options to Lower Millage (From Rolled Back Rate to Current):

Police Contract Reduction	315,000
Police - 2 vacancies - Support Services	100,000
Police - 4 officer vacancies	321,000
Revenue Enhancements	
Police False Alarm increase	10,000
Fire Business Service Charges	75,000
Business Tax (biannual 5%)	10,000
Telecom Tax to GF not Capital	570,000
Fire False Alarm Charge	10,000
Employee share in the increased health insurance	240,000
Pension Reform Consultant (COSTS!)	(100,000)
Event Sponsorships - eliminate	25,000
Close Community Centers on Holidays	12,000
Eliminate Summer Camp	200,000
Total	1,788,000

Plans for Other Funds:

- Same contractual reductions as GF;
- Eliminate one vacant Beach Specialist;
- Eliminate one Vacant Plant Operator;
- Monthly Utility Billing; and
- Solid Waste-renovate collection vehicles.

Other Fund Considerations:

- Charge for pier access;
- Pay to park at the garage for special events;
- Solid Waste Once/Week Pickup; and
- Eliminate Granicus and TV programming.

Fund Balance:

The growth in Fund Balance in 2009 was \$1.2 million because expenditures were \$800K below budget and revenues were \$500K over budget; a 2% variance adds up.

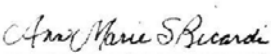

Use of Fund Balances:

- The City should use its fund balances (reserves) in a conservative fashion to:
 1. Survive the decline, and
 2. As part of an orderly plan to adjust to a future of decreased / limited revenues.
 3. The City can consider consuming this 1.2 million increase from FY 09 for one time costs, such as capital. As budget process continues, this may be recommended.

Next Steps:

- June 1 – Receive prelim taxable value
- June 14– CIP and Max Millage Workshop
- July 30 – Distribute preliminary balanced budget
- August 18 – Budget Workshop
- Sept 1 and 15 - Budget Hearings

**NAPLES CITY COUNCIL AGENDA MEMORANDUM****Workshop Meeting Date:** May 17, 2010

Agenda Item:	Prepared By: Ann Marie S. Ricardi, Director	
11	Date: May 10, 2010	Department: Finance
SUBJECT: Discussion of strategies to balance the Fiscal Year 2010-11 budget.		
<p>BACKGROUND: The FY 2009-10 budget continued a retooling of how the City did business. After 08-09, where the City eliminated 33 positions overall and kept the general fund millage at the rolled back rate, the City continued to face economic decline with the elimination of another 33 positions City-wide in 09-10, and kept the general fund millage below the rolled back rate.</p> <p>The budget for 2010-11 is projected to have similar revenue constraints. As in prior years, staff will attempt to keep costs down, as the FY10-11 budgets are prepared. City Council asked that budget strategies be discussed prior to budget development, to ensure all goals were met. This presentation is part of an ongoing process to discuss the City's budget.</p> <p>Department Directors have participated in budget planning meetings since January to brainstorm ideas that could save money or increase revenues. Where appropriate, immediate actions have been taken to reduce expenditures. However, after years of austere budgets, there has been little left to cut, except vacant employee positions that have been left open temporarily. Therefore, depending on selected budget revenue and use of fund balance strategies, it may be appropriate to consider changes in the level of services.</p> <p>Until the City receives the taxable value from Collier County, a realistic millage rate estimate is not feasible. The rolled back rate, which is the rate which brings the same revenue as the prior year, is completely dependent on the property values, which are not available until June 1. As the presentation will show, a property value decline of 5% to 10% can cause the rolled back rate to be from 1.24-1.31, compared to the current millage rate of 1.18.00. As a reminder, the rolled back rate will limit property tax revenue to the amount received this fiscal year.</p> <p>The options for millage rate are nearly infinite, from using the current rate (or less) to the rolled back rate (or more). This presentation focuses on the opportunities between the current millage rate of 1.18 and the possible rolled back rates of 1.24-1.31 depending on what happens to the taxable value. This presentation will engage in dialogue regarding some ideas of reductions that could be made if it is decided to set a millage rate below Rolled Back Rate.</p>		
		
Reviewed by Department Director Ann Marie Ricardi	Reviewed by Finance N/A	Reviewed by City Manager A. William Moss 
City Council Action:		

#11 PRICE

May 17, 2010

Monday Budget Discussion- Gary Price

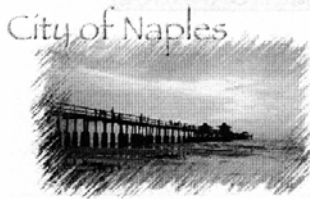
Naples City Council

1. Reduce All Council members and senior staff salaries by 5% below the 2008 salary level. Senior staff is defined as Directors and above and/or those over \$70,000 per year which could eliminate some low paid directors. This is not to be confused with taking an unpaid extra vacation week. Cutting the biggest portion of the costs, employee salaries at a time when they are not justified is the most appropriate action to take.
2. Freeze replacing all city jobs that become vacant for any reason. If a city mission critical job must be filled, that cannot be accomplished via reorganization of functions or responsibilities, then fill from within the current city staff. If there is no one on the entire staff who has the skills, then this decision should come to city council for public discussion.
3. Requiring employees to take a 5% reduction without management and city council doing the same is certainly a major lack of leadership. Leadership starts at the top. Setting examples starts at the top. Leaders cannot ask others to do what they will not do themselves (salary reduction). Taking an extra week vacation without pay, is not the same as asking others to take a "2%" pay reduction and still come to work. If a job/function can accomplish its work while each employee takes an extra unpaid vacation week means there still are too many people in that job/function.
4. Freeze all salaries and step increases and similar increases indefinitely. A decision to change this must be discussed and voted on in open council.
5. When the economy improves and property values increase and other revenue to the city increases, the city can return to "normal" personnel practices.
6. Council should consider changing future pension benefits to a Defined Contribution Plan.
7. From the BRC Report: *We had difficulty understanding why the operating budget would be climbing even with an assumption that pay and benefits would be frozen during the recession. If the operating budget could be stabilized and capital spending pared in light of the new economic realities, the need for higher taxes or tapping the City's surplus might be substantially reduced or even eliminated.* The factors that are driving the operating budget upward during a recession in a city with a stable population should be carefully evaluated by the City Council.

City of Naples, Florida

General Fund Budget Comparison

	FY00-01 Actual	FY01-02 Actual	FY02-03 Actual	FY03-04 Adopted	FY08-09 Budget	
General Fund Revenue						
Local Taxes	12,034,154	13,915,965	15,349,159	16,676,198	25,530,921	
Licenses and Permits	279,265	238,808	263,868	264,500	343,595	
Intergovernmental	3,400,101	2,899,726	3,196,706	2,759,655	3,505,543	
Charges for Service	4,853,376	5,270,821	5,767,337	5,002,100	5,870,354	
Fines and Forfeits	378,336	251,142	369,718	343,000	369,000	
Miscellaneous Income	447,408	396,998	220,987	286,236	1,144,218	
TOTAL REVENUE	21,392,640	22,973,460	25,167,775	25,331,689	36,763,631	146%
Expenditures						
Mayor and City Council	254,163	210,240	200,555	211,406	377,771	188%
City Attorney	433,904	453,928	497,747	501,383	689,951	139%
City Clerk	343,062	398,024	391,834	460,267	693,227	177%
City Manager's Office	531,694	593,413	688,243	374,507	662,426	96%
City Manager's Office/Nat Rec					441,992	
Human Resources	422,079	462,283	559,521	511,931	655,143	117%
Community Development	414,270	399,650	489,500	497,113	596,498	
Development Services	619,669	677,553	638,879	-	-	
Finance Department	914,198	1,016,151	1,328,043	1,467,915	1,895,673	143%
Police and Emergency Svc	10,072,743	10,805,864	11,938,472	12,817,591	19,514,318	163%
Community Services	4,199,158	4,676,970	4,652,050	5,218,418	6,795,917	
Non Departmental Maintenance	877,001	985,655	827,031	902,544	1,200,670	145%
Non Departmental Other	1,693,794	1,681,444	1,941,647	2,338,926	3,048,130	157%
Contingency	-	-	-	200,922	660,400	
Transfers	261,097	762,847	-	-	112,038	
TOTAL EXPENDITURES	21,036,832	23,124,022	24,153,522	25,502,923	37,344,154	155%
Change in Financial Position	355,808	(150,562)	1,014,253	(171,234)	(580,523)	
City Administration			6,434,621	6,768,879	9,222,991	143%



NAPLES CITY COUNCIL AGENDA MEMORANDUM

Workshop Meeting Date: May 17, 2010

Agenda Item:	10	Prepared By: Robin Singer, Planning Director Date: May 6, 2010 Department: Planning
SUBJECT: Discussion of amendments to the Comprehensive Plan.		
<p>BACKGROUND:</p> <p>The PAB will be discussing these amendments at their May 12, 2010 meeting. The CSAB will be discussing the results of the parks and recreational facilities survey at their regular meeting on May 11, 2010. City Council discussed proposed changes to the plan at the March 15, 2010 Workshop.</p> <p>The proposed amendments will remove objectives and policies that have been placed in the comprehensive plan but are deemed obsolete or unnecessary. Most of the policies targeted in the Future Land Use Element were placed in the plan as part of the 1998 comprehensive plan update and many changes have since been made to the City's codes to implement these policies. Removing these policies does not diminish the importance of the concepts outline in the plan because they have been addressed elsewhere. The policies targeted for removal are not required under Florida Statutes. Changes to elements other than the Future Land Use Element have been recommended by other City departments.</p> <p>Some substantive changes proposed include the following:</p> <ul style="list-style-type: none"> • Amending the Downtown Mixed Use Land Use designation to clarify density limitations in this category that fall outside the D Downtown or Fifth Avenue South Special Overlay zoning districts. The density in these areas shall be limited to 12 units per acre. • Amending the Parks and Recreation level of service standards to eliminate deficiencies and reduce the categories. The parks and recreation survey results indicate limited use of deficient facilities. Staff has found that other communities have much more general standards. The standard regarding linear miles of beach front has been controversial but staff is recommending that it be removed. Beach access points will remain as a measured standard. A copy of the Community Services report on the Parks and Recreation Facilities Survey is attached for reference. The survey results indicate limited use of those facilities for which the standards are being omitted. • Amending the Conservation and Coastal Management Element and Natural Resources Map to correct problems recognized by the Natural Resources Division. <p>The proposed changes also include removing the Neighborhood Action Plans from the Comprehensive Plan. Amendment 4 is a proposed State constitutional amendment that will require a citywide referendum on all amendments to the City's comprehensive plan. Should Amendment 4 be passed in November of this year, it will have the effect of requiring that changes to individual neighborhood plans be put to a citywide referendum vote. In the event that Amendment 4 does not pass, the prospect of changing neighborhood plans is still more complicated by virtue of their being in the Comprehensive Plan. This is evidenced by the fact that the plans have not been changed since 1998 even though many of the goals outlined in the plans have been reached. Staff is proposing Text Amendment 10-T8 to create a separate Neighborhood Planning document which can be amended at the discretion of the City Council and request of individual neighborhoods without the review of the State. This should allow for more frequent review and changes.</p>		



NAPLES CITY COUNCIL AGENDA MEMORANDUM

Workshop Meeting Date: May 17, 2010

Page Two

Agenda Item:

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BACKGROUND (cont.):

The City Attorney recommended that the Comprehensive Plan be streamlined in anticipation of the issues that Amendment 4 may present. Should the City Council not want to adopt all of the proposed changes, staff recommends that at a minimum the City needs to make the substantive changes outlined above and should consider placement of the Neighborhood Action Plans in a separate document.

Reviewed by Department Director
Robin D. Singer

Reviewed by Finance
N/A

Reviewed by City Manager
A. William Moss

City Council Action: