



City Council Chamber
735 Eighth Street South
Naples, Florida 34102

City Council Workshop Meeting – January 18, 2011 – 8:29 a.m.

Mayor Barnett called the meeting to order and presided.

ROLL CALL..... ITEM 1

Present:

Bill Barnett, Mayor
John Sorey, III, Vice Mayor (left at 4:03 p.m.)

Council Members:

Douglas Finlay
Teresa Heitmann
Gary Price, II (left at 4:03 p.m.)
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
Robin Singer, Planning Director
Jessica Rosenberg, Deputy City Clerk
Robert Middleton, Utilities Director
Raymond Bennett, Equipment Services Supt.
Stephen McNerny, Fire Chief
Thomas Weschler, Police Chief
Larry Bacci, Fire Marshall
Ann Marie Ricardi, Finance Director
Roger Jacobsen, Code & Harbor Manager
Ellie Krier

Planning Advisory Board:

Gloria Kovacs
Wafaa Assaad
Jim Krall
Jim Hughes
David Ball
John Cardillo
Wayne Arnold

Annabel Drew
Lou Vlasho
Larry Schultz
Jim Boula

Media:

Jenna Buzzacco-Foerster, Naples Daily News
Other interested citizens and visitors.

Mayor Barnett commented on the recent shootings that had occurred in Arizona offering expressions of concern and condolence to Congresswoman Gabrielle Giffords and others who had been involved, noting the openness with which local elected bodies of necessity continue to conduct business.

SET AGENDA ITEM 2

MOTION by Sulick to SET THE AGENDA as submitted; seconded by Price 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

(8:32 a.m.) **Larry Schultz, Naples**, noted that the Naples Airport Authority (NAA) had recently confirmed its cancellation of the Part 150 noise study and dissolution of the Technical Advisory

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Committee (TAC), stating that due to the NAA's autonomy there are plans to move forward with the anticipated runway 5/23 extension (displaced threshold), regardless of Council action or other factors. He said that he is therefore also concerned that the 75,000-pound limit might be changed, noting that the City's legal counsel had opined that the Council cannot comment to the FAA (Federal Aviation Administration) with regard to the pending environmental assessment due to the Council's sitting as a quasi-judicial body in the zoning matter with regard to runway length. Nevertheless, he said, it is the City's obligation to represent its citizens in the aforementioned process and therefore the Council should so direct its attorney.

..... **ITEM 4**
Interview with candidate for the Code Enforcement Board and the Carver Finance Board of Directors. (8:35 a.m.) Candidate Annabel Drew was present for interview.

..... **ITEM 5**
Joint Meeting with the Planning Advisory Board (PAB). The City Council and the Planning Advisory Board will meet to discuss goals, objectives, and areas of interest related to the Comprehensive Plan, the Land Development Code, and other matters. (8:40 a.m.) Among the items suggested by various City Council Members for future review of the Planning Advisory Board were:

- Level of service standards (Price)
- Economic development incentives (Sorey)
- Affordable housing (Saad)
- Water quality/Naples Bay (Sorey)
- Land use (Sulick)
- Historic property incentives (Price)
- Residential impact statement requirements (Price)

In further discussion of the above areas, Council Members Sulick and Price said that they did not agree with water quality being a priority of the PAB; Mrs. Sulick also questioned whether expanding the PAB's role to the above subject areas was a prudent use of the Board's time. PAB Chairman Robert Hughes also suggested that a Council Member be assigned as a liaison to the Board, but Council Member Sulick cautioned that this may be precluded by law, recommending that the staff continue in that role.

Planning Director Robin Singer pointed out that overseeing the Comprehensive Plan and related petitions is the PAB's primary responsibility, suggesting that staff schedule a review by the Board of the various elements involved. City Attorney Robert Pritt further noted that a land planning agency is required by state law as well as formulation of a Comprehensive Plan. When there is a delegation of authority, however, all discussions must be in the public domain, therefore, liaison relationships have been limited to listening at meetings and reporting back with no decision-making involved, Mr. Pritt said. Mr. Hughes stated that he had not anticipated a formal relationship. While the local ordinance, which prohibits Council from speaking to PAB members with regard to petitions, might be considered for repeal, attendance by Council Members at quasi-judicial hearings, and the offering of testimony, is problematic due to the adjudicatory powers of Council, the entity that will eventually act upon those petitions.

PAB Member Assaad took the position that Comprehensive Plan amendments before the PAB are generally minor in nature, having been thoroughly prepared by staff; therefore, he said that he would be willing to assume a more involved role, particularly with regard to water quality.

In response to Council Member Heitmann, Chairman Hughes indicated that there had in fact recently been thorough discussions of the PAB's role, which he said had energized the Board to

expand beyond reaction. He urged that the PAB identify problem areas of the Code and then request staff and Council input on possible amendments. However, staff is reluctant to proceed in addressing these matters without Council's direction, he observed. PAB Member Assaad said that the Board should be able to ask staff for research. Although Mrs. Heitmann pointed out that the PAB of necessity is a reactive board and is to monitor concurrency overall, Council Member Saad said that the PAB should be given the latitude to recommend changes when conflicts are noted in the Land Development Code (LDC). This should be a priority of the PAB as with Comprehensive Plan issues; multiple entities within the City organization conduct monitoring in this regard, he added.

Vice Mayor Sorey explained that Council had previously indicated that it would initiate PAB projects as opposed to the reverse; however, there appeared to be sentiment to expand the use of the PAB beyond this prior perspective. He said that in his experience the PAB had in fact been under-utilized. Therefore, expanding the PAB's latitude as noted in Ms. Singer's memorandums dated January 7 and January 14 (Attachment 1), would allow identification of items for prioritization by Council.

In further discussion of water quality issues, Vice Mayor Sorey suggested that targets for potable water usage could be facilitated through the LDC should residents be given incentives to control, store and use stormwater. Additionally, Council Member Heitmann asserted that water quality is a facet of various aspects of the Comprehensive Plan, including the economic value of the City from a recreational standpoint. PAB Member Assaad suggested a temporary committee to provide water quality input to the PAB; Mrs. Heitmann disagreed, suggesting that the City Manager and staff are the technical advisory resources assigned in this area.

Council Member Sulick said that the upcoming Evaluation and Appraisal Report (EAR) should be approached with caution due to the importance and thoroughness of development of the Comprehensive Plan. Ms. Singer explained that the EAR is mandated by state law and functions to determine whether standards have been met and whether any changes in the Comprehensive Plan are warranted. The EAR process will entail public dialog in an effort to accomplish an update and reinsert deadlines that had previously been deleted, Ms. Singer said. Mrs. Sulick indicated that while she was reluctant to attach further standards of accountability to the Comprehensive Plan, the PAB should be schooled in the Naples Bay Plan; more restrictive federal rules with regard to numeric nutrient criteria are in the offing, she added. Therefore, City-imposed requirements should not have a negative effect on business and development. Council Member Saad, nevertheless, maintained that water quality is a needed element of review as it is already in the Comprehensive Plan and that the PAB should be given the authority to propose changes thereto.

Vice Mayor Sorey suggested that the PAB provide for Council approval a work plan with priorities and time lines, adding that the plan should be scheduled for a future workshop discussion; Council Member Saad agreed. Council Member Price said that while Council should provide its priorities also at that time, the PAB should be empowered to initiate solutions to issues it identifies which, he said, would be of assistance.

PAB Member Arnold pointed out that while there is a lull in development, planning agencies are taking the time to clarify and streamline codes in order to remove unnecessary requirements and those processes that are better assigned to administrators.

Consensus that PAB be encouraged to bring forth suggestions and recommendations to better utilize the group's talents in a proactive manner, and provide Council with a list of priorities for review and response.

Recess: 10:01 a.m. to 10:10 a.m. It is noted for the record that the same Council Members were present when the meeting reconvened.

EQUIPMENT SERVICES ITEM 6

The Equipment Services Division of the Utilities Department provides maintenance services for vehicles and other mobile equipment. Staff will summarize activities of the Division, including work performed “in-house” and that which is out-sourced to vehicle and equipment repair service companies. (10:11 a.m.) Utilities Director Robert Middleton described the current Equipment Services staffing and functions, utilizing an electronic presentation, a printed copy of which is contained in the file for this meeting in the City Clerk's Office. He stressed the certifications held by various members of the mechanical service staff.

He then described maintenance schedules, performance measures and benchmarking (Attachment 2), pointing out that the use of older vehicles tends to increase maintenance costs. He also explained that information on vehicle status, including fuel consumption, is provided to individual departments for use in planning and budgeting purposes. These vehicle histories also provide a basis for cost projections for Equipment Services. With regard to labor rates, he indicated that the \$65 per hour charged has remained competitive with industry standards.

Mr. Middleton also discussed software which is utilized to determine life expectancy of vehicles; however, a further determination is made by staff so that variables unique to the vehicle can be taken into account. When a vehicle has reached its life expectancy, a salvage value is set so that the maximum return can be derived from resale; the on-line auction site has in fact increased the amounts received from used equipment. In addition, he noted the idle time policy that prohibits the idle running of engines for more than three minutes, unless absolutely necessary.

Council Member Saad asked whether GPS systems will be installed in various vehicles, and Mr. Middleton said that currently the only installations are intended for testing purposes. Mr. Saad recommended that further software be employed to provide additional surveillance on vehicle operation. Mr. Middleton said that currently run-time meters are utilized in some vehicles, although the miles per gallon are tracked on each vehicle in the City's fleet. In further discussion, Mr. Saad recommended that smaller, more cost efficient vehicles be utilized whenever possible. Raymond (aka Buddy) Bennett, Equipment Services Manager, also noted that recommendations of this nature are made to the departments whenever a vehicle replacement is to be budgeted. Mr. Saad suggested that reports from the City's data management system be informally shared with other jurisdictions so as to derive similar information therefrom. Council Member Finlay recommended that fuel cost benchmarking be accomplished in this regard.

In response to Council Member Finlay, Mr. Middleton clarified that a unit is counted as a vehicle if occupied by a person and contains a motor. Although Mr. Finlay requested a vehicle inventory history over the past five years, Mr. Middleton indicated that only fuel consumption is available from the software, although there had been a 10% reduction in the number of vehicles. Fuel is purchased in conjunction with other local governmental agencies to achieve the lowest possible rate; however, this price is not comparable to retail since it includes no state or local taxes, he added.

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Mr. Saad maintained that the City should hedge (*in finance, a position established in one market in an attempt to offset exposure to price changes or fluctuations in some opposite position with the goal of minimizing one's exposure to unwanted risk*) on fuel purchases; this is being investigated and risks are being assessed, Mr. Middleton assured him.

Council Member Finlay asked whether warranty claims are filed with dealers on newer vehicles. Mr. Bennett said that overall these vehicles are returned to the dealer for maintenance, including minor body repair issues so that warranties continue to be in force. In some instances, vehicle manufacturers have authorized warranty service through another agency when it is a long distance from the dealer. However, warranty service locally is given priority for governmental agencies. Mr. Finlay received confirmation that alternatives to pickup trucks are a factor that is taken into consideration.

Outsourcing of equipment maintenance services was also noted by Council Member Finlay, and Mr. Middleton said that Cape Coral had experienced difficulties, such as missing fuel, where adequate controls had not been put in place. The Naples fleet maintains a 95% availability rate which would be negatively affected as outsource vendors give priority to vehicles wherein a higher hourly rate can be charged. He also said that, due to joint governmental purchasing, the City pays a much lower price for parts than commercial garages. Mr. Finlay maintained that the City should however continue to investigate outsourcing.

Mayor Barnett supported Mr. Middleton's comments with regard to pitfalls in outsourcing, noting that the number of indicators available to derive prompt comparisons, particularly with regard to the level of service available from in-house operations, would not provide a complete overview. City Manager William Moss said that he was reluctant to pursue outsourcing unless there is indication that the City could achieve advantages. Should the in-house operation be discontinued, it would be cost prohibitive to re-establish it.

Council Member Finlay cited on-line statistics with regard to cost per mile, contending that this cost is much higher locally, and urging that comparisons be made. Mr. Moss indicated that improvements in benchmarking had been discussed and would be implemented in the coming year. Council Member Saad maintained that benchmarking should be in place before any outsourcing is considered. The trend, he said, seems to reflect that nationally outsourcing has not proven as effective as anticipated. He however stressed the importance of refining benchmarking activities.

Council Member Price said that the City must reduce expenditures by 20% in order not to increase taxes over the next few years. Therefore, he characterized it as irresponsible not to research outsourcing and supported Council Member Finlay's proposals, as well as benchmarking. Outsourcing will reduce pension costs and overhead, Mr. Price said, and noted increased competition in the current economic environment.

Council Member Heitmann complimented the report and the means used to monitor vehicle maintenance. She said that while she supported investigating outsourcing, she cautioned that various factors should be considered, such as length of time needed for an outsourcing contract to be effective. Vice Mayor Sorey added that any outsource should provide identical benchmarks as those used by the City, particularly concerning vehicle availability; he also stressed the importance of appropriate penalties for failure of a private firm to meet those standards. Council Member Sulick said that while she favored continuing to examine costs,

there is a danger that outsourcing would very likely affect both vehicle availability and dependability.

Fire Chief Stephen McInerny related experience he had had in Ft. Lauderdale when the city, in the mid-1980's, decided to outsource vehicle maintenance. For the first few years no problems occurred, although tire replacements and other maintenance standards were not as strict. However, companies achieve profit margins through reductions in the frequency of tire changes, oil changes, etc., he said. This debate in Fort Lauderdale continues to consume hundreds of hours of staff time, and the extent of contract oversight needed consumes as much as the savings achieved through outsourcing.

Consensus that staff determine cost and extent of fleet analysis services and the costs involved in receiving a preliminary report.

Recess: 11:27 a.m. to 11:37 a.m. It is noted for the record that the same Council Members were present when the meeting reconvened.

POLICE DEPARTMENT OPERATIONS OVERVIEW..... ITEM 7

Recent discussions have focused on productivity, desired levels of City services, and staffing to insure that balanced budgets can be achieved while providing essential levels of services expected by citizens. The discussion will focus on the Police Department.

(11:37 a.m.) Police Chief Tom Weschler provided a review supported by an electronic presentation, a printed copy of which is contained in the file for this meeting in the City Clerk's Office. Chief Weschler's overview included details of the following (excerpted text of which is appended hereto as Attachment 3):

- City demographics;
- Areas of concern;
- City crime rate;
- Calls for service; and
- Staffing and responsibilities.

In summary, Chief Weschler stated that his department is approaching full staffing and that crime has decreased within the City. The department is also within its proposed budget as well as overtime projections.

In response to Council Member Saad, Chief Weschler clarified that the department currently receives a less stringent state rather than a national accreditation due to budgetary constraints, however, the trend is that most similarly sized police departments around the state are doing likewise as it is believed that the most vital standards are contained within the state program. He further assured Mr. Saad that the department could maintain a desired level of service with 71 sworn officers, although the marine patrol is in need of a new vessel and some vehicles have high mileage and deterioration in appearance.

Chief Weschler advised Council Member Finlay that the City's Police Department works closely with the CCSO (Collier County Sheriff's Office) especially in areas immediate to the City's boundaries; no interlocal agreement is required for this, however, he added. The CCSO also provides the jail, K-9, SWAT (*special weapons and tactics*) team and bomb squad backup, if needed, as well as air patrol, training opportunities and support efforts in general. Additionally, he explained for Vice Mayor Sorey that technology is utilized to support, not replace, officers, and pointed out that it is expensive to purchase and maintain. Vice Mayor Sorey and Mr. Finlay each expressed the view that City residents are not receiving services commensurate with the funding they contribute to the CCSO operation. Vice Mayor Sorey said that this should be

reviewed and that the need for non-patrol, non-policing services provided by the City should also be examined, he added.

During discussion of further budgetary issues Citywide, Council Member Sulick observed that reductions in police and fire services should be considered last as safety is the most highly valued level of service to be maintained. She also asked whether the actual City usage of the above listed CCSO provisions could be calculated with the thought of reducing funding accordingly. Council Member Finlay indicated that he had previously requested data regarding the City's usage of the Collier County jail facility. Vice Mayor Sorey urged that CCSO officers be available for County-oriented events such as the annual Swamp Buggy Parade.

Council Member Heitmann agreed that police and fire services should be the last areas for further budgetary reductions, and Chief Weschler assured her that grant procurement is an ongoing effort, particularly federal funding for possible additional needs in conjunction with the installation of a US Customs Facility at Naples Municipal Airport. He also confirmed that the three officers permanently assigned to the redevelopment area have proven to be an adequate police presence.

Recess: 12:48 p.m. to 12:54 p.m. It is noted for the record that the same Council Members were present when the meeting reconvened.

FIRE-RESCUE DEPARTMENT OPERATIONS..... ITEM 8
Fire-Rescue Department Operations and Insurance Services Organization (ISO) Consultant Report Status. Recent discussions have focused on productivity, desired levels of City services, and staffing to insure that balanced budgets can be achieved while providing essential levels of services expected by citizens. Furthermore, the Insurance Services Office has scheduled an inspection and analysis of the City and its Fire Department, including manpower, training, equipment, response capabilities, water supply and pressure, location of fire stations, communications, and fire prevention. The ISO inspection results are used by property insurance companies to help determine appropriate rates for fire insurance. The discussion will focus on the **Fire-Rescue Department and the ISO inspection.** (12:55 p.m.) Fire Chief Stephen McNerny provided a detailed electronic presentation (excerpted text of which is appended hereto as Attachment 4 and filed in printed form in its entirety in the file for this meeting in the City Clerk's Office). He described fire-rescue operations, as well as outlining recommendations originating from a consultant's inspection and analysis of local levels of service, which is evaluated by the Insurance Services Office (ISO) and utilized by property insurance companies to calculate fire insurance rates. Chief McNerny then also reviewed the following:

- Manpower;
- Training;
- Equipment;
- Response capabilities;
- Water supply and pressure;
- Location of fire stations;
- Communications;
- Fire prevention; and
- ISO Consultant recommendations.

Chief McNerny further noted that the City's ISO rating had not been reviewed for 18 years, and in response to Council Member Saad, stated that he could not at that point estimate the amount of funding required to meet all of the cited recommendations (see Attachment 4, Pages 7 to 10). Mr. Saad stressed that such level of expenditure would necessitate an increase in the City's

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millage rate and therefore called for a complete analysis not only of the needs for fire safety throughout the City, but the cost per property owner of increased insurance rates should the City receive a less favorable ISO rating. Council agreed. Mr. Saad indicated that his calculation of the reported need for capital expenditures is \$5,735,000 with an additional \$750,000 in personnel costs over the coming five years to fund the proposal being made by Chief McInerney.

Although Council Member Heitmann supported Chief McInerney's proposals, Vice Mayor Sorey cautioned that the financial status of the City would be the determinant for expenditures. He then pointed out that the provision of adequate water pressure for fire hoses should also be included within the scope of the Integrated Water Resources Plan. During further discussion of daily e-mail reports of fire and rescue activities, Council also noted the need to emphasize paramedic training and to review the adequacy of the two Collier County Emergency Medical Services (EMS) units stationed within the City.

Consensus that staff provide Council with a weekly report of fire-rescue activities rather than daily.

Recess: 2:51 p.m. to 3:12 p.m. It is noted for the record that the same Council Members were present when the meeting reconvened. It is also noted that prior to commencing discussion of Item 9, a brief discussion ensued wherein consensus was reached to continue Items 12 and 13 to the 02/04/11 workshop.

FIVE-YEAR GENERAL FUND SUSTAINABILITY ANALYSIS ITEM 9

The City of Naples, like most local governments, has been faced with significant fiscal challenges for the past three years. Revenues have declined substantially, and operating expenditures have been cut to allow adoption of balanced budgets. The City's General Fund provides many of the traditional City services, such as Police, Fire-Rescue, park and recreation programs, maintenance of landscaping and public buildings, planning, Finance, and Administration. The fiscal planning process includes a 5-year projection of revenues and expenditures for the General Fund in order to begin to address budget issues well in advance of the preparation of the annual budget. The analysis allows City Council to determine whether current expenses and levels of service are financially sustainable and what actions are required to insure an appropriate level of services within available financial resources. (3:13 p.m.) Finance Director Ann Marie Ricardi utilized an electronic presentation to provide a summary of the written sustainability analysis. (A printed copy of the presentation as well as the aforementioned analysis is contained in the file for this meeting in the City Clerk's Office.) She noted that the entire five-year projection could be summarized by the information contained in her graph of General Fund Budget Projections (depicted below) which reflects the following assumptions:

- Property values – decreasing 5% (FY 11-12), 0% (FY 12-13), increase 2% (FY 13-14), and increase 4% (FY 14-15 and FY 15-16);
- Four new fire positions each in FY 11-12 (accounts for approximately \$250,000), FY 12-13 and FY 13-14, for establishment of new engine company as required due to annexations;
- Cost of salaries increase 2% in FY 11-12 (i.e. contractual) and 1% in each of following four years as well as an increase in health and pension costs;
- No additional capital or infrastructure needs, which continue to be funded through current resources.

**General Fund Budget Projections
Five Fiscal Years**

	FY 10-11 Budget	FY 11-12 Estimated	FY 12-13 Estimated	FY 13-14 Estimated	FY 14-15 Estimated	FY 15-16 Estimated
Revenue	34,031,270	33,603,478	33,655,268	34,144,193	34,949,936	35,788,002
Expenditures	34,478,890	36,138,048	36,766,530	37,905,980	38,469,666	39,084,911
Change in Fin. Pos	(447,620)	(2,534,570)	(3,111,263)	(3,761,787)	(3,519,730)	(3,296,909)

Ms. Ricardi then summarized the following options and/or solutions:

- The assumed wage/salary increase would result in nearly \$1-million in expenditures over the five-year period under discussion; this figure does not reflect related benefits;
- Pensions must be evaluated as they currently represent 10% of the total General Fund;
- Control of utility bills is important to control of costs and benefit the environment;
- Enhanced efficiency and effectiveness would result from greater use of technology, alternative-sourcing, and cooperative projects with other entities; and
- Careful use of the Tax Mitigation Fund could continue. (Reserves over the \$10.6-million allowable maximum / City policy directs any overage to be utilized.).

She explained that consideration of the CIP (Capital Improvement Plan) would begin in two weeks with the operating budget planning scheduled for April. Careful planning and decision-making by Council and staff will lessen the above projected \$2.5-million deficit, she concluded.

In response to Vice Mayor Sorey, Ms. Ricardi reviewed the options to balance the budget, should the projected shortfall remain at \$2.5-million when it is time for final decision-making. (See excerpt from City Manager's January 3 memorandum appended hereto as Attachment 5). She further explained that the Tax Mitigation figure contained in the City Manager's memorandum reflects the amount in November and therefore must be revised downward by \$400,000. City Manager William Moss pointed out that of the 450 City employees, 247 are reflected under the General Fund, although many of these latter employees are actually funded by utilities/enterprise operations. He then urged Council to remain mindful that 65.5% of the aforementioned General Fund workers are Police and Fire. Noting the remaining 35% of General Fund employees, he stressed that, despite continuing efforts to achieve efficiencies, further staff reductions will in fact impact the City's level of service. The taxable property value figures are to be received by the end of May, prior to staff returning in June for further budget discussions, he concluded. Council Member Finlay noted that he agreed with the City Manager's recommendations as a starting point for balancing the budget.

Council Member Price cautioned that Council must continue to consider the next five years, and that a key factor is employee compensation, which in his opinion must be reduced to that of the private sector. Pension costs are the most significant, and reforms for future employee pensions must occur, he said. Referencing the above projections, Mr. Price stated that he would not support the use of reserves to balance the budget. Council Member Sulick and Vice Mayor Sorey agreed, urging that a market analysis be performed to determine fair compensation rates for budgeting purposes. Vice Mayor Sorey also recommended lobbying the state for pension reform and reviewing the necessity of duplicate programs and facilities.

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wherein the majority of users are Collier County residents. Another area he suggested be scrutinized are the community services performed by the Police and Fire Departments that could instead be provided by the County. Mr. Moss also agreed that staff would revisit the \$200,000 Community Services programs line item in February should Council agree to make a decision in this regard.

Assistant City Manager Roger Reinke noted that alteration in pensions is a mandatory subject of bargaining, and Mr. Moss explained that he had recommended salaries remain neutral, which itself would also involve renegotiation with bargaining units. Mr. Reinke added that the results of the pension analysis currently underway would be presented in March for Council's evaluation. Staff further assured Council that privatization of insurance coverages continues to be reviewed.

City Manager Moss then summarized his memorandum with regard to salaries, pointing out that assumptions provided had been those resulting from contract negotiations two years prior, but that his recommendation involved salaries remaining at current levels, as well as other concessions by staff such as unpaid furloughs by some and additional pension contributions by others. A savings of at least \$300,000 could result, he reported.

Council Member Sulick recommended that the Tax Mitigation Fund be earmarked for future needs of fire service and that she would support the rollback rate, or 50% of the rollback rate, to alleviate its use to balance the budget. She expressed interest in the City's millage rate being compared to similar communities around the state and Council Member Price explained that the City's rate is low due in reality to the \$14.5-billion of assessed property value contained in only 14 square miles. Mrs. Sulick nevertheless pointed out that a certain level of service is also expected by the owners of these properties and a realistic review of what it costs to provide these services must be undertaken. Council Member Heitmann agreed, cautioning against any further staff reductions and commending staff for the information provided.

City Manager Moss summarized the discussion and received consensus as reflected below.

Consensus that a future workshop will deal with Community Services programs and a decision will be requested with regard to acquiring a salary survey from an outside source; millage comparisons with other cities will also be provided.

It is noted for the record that Vice Mayor Sorey and Council Member Price left the meeting at 4:03 p.m. following the conclusion of Item 9 and did not return.

COMMUNITY REDEVELOPMENT AGENCY (CRA) SUSTAINABILITY ANALYSIS..... ITEM 10

Like the above referenced General Fund sustainability analysis, City Council will review a 5-year projected revenues and expenditures analysis for the Community Redevelopment Agency to determine appropriate balance of operating expenses, capital improvements, and financial resources. (4:03 p.m.) Assistant City Manager Roger Reinke reviewed his memorandum dated December 6 (Attachment 6 / memorandum attachments are contained in the file for this meeting in the City Clerk's Office), noting that assumptions included revenue, the primary source of which is ad valorem property tax, and expenditure projections similar to that presented during the above discussion of the General Fund (see Item 9 above). The interfund debt is to be retired in FY 2011-12, he said, adding that an approximate \$80,000 per year will be saved due to the recent refinancing of the CRA (Community Redevelopment Agency) debt obligations.

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Approximately one year ago, the CRAAB (Community Redevelopment Agency Advisory Board) developed a list of priorities that the CRA approved as follows:

• Fifth Avenue South Lighting	\$1,197,202	2010
• River Park Community Pool	550,000	2010-11
• Four Corners Intersection	200,000	2010-11
• Gordon River Underpass	155,000	2010-11
• Lake Manor	235,000	2012
• Sixth Avenue North Lighting	109,000	2013
• Central Avenue Phase I	<u>350,000</u>	2014
Total	\$2,796,202	

Additional capital projects funded in FY 2010-11 include retrofitting the City's original parking garage with LED (*light-emitting diode*) lighting and renovating its landscaping at a cost of \$30,000 and \$20,000, respectively. The savings in electrical billing will render the lighting retrofit revenue neutral within two years, Mr. Reinke pointed out.

Mr. Reinke continued by listing the unscheduled prioritized projects listed below:

• Third Avenue South	\$1,650,000
• Gateways	1,000,000
• Cultural Plaza	2,000,000
• Sixth Avenue South Promenade	2,000,000
• Connectivity & Placemaking	1,500,000
• Central Avenue Phase II	1,400,000
• River Park (not identified)	450,000
• Fifth Avenue Lighting Phase 2	<u>600,000</u>
Total	\$10,600,000

Mr. Reinke noted that the remainder of his report assumes that Phase 2 of Fifth Avenue South lighting, the final project listed above, will not proceed per Council direction. Therefore, he said, the total becomes \$10-million for this category of capital projects. He also advised that the CRA is due to sunset in 2024, with the assumed total available through that date of \$4,664,454, resulting in a \$5,335,546 shortfall. Annual sustainability reviews will be undertaken to aid in planning for the transition and/or elimination of CRA operational funding no later than 2019, Mr. Reinke added.

He then reviewed Chapter 163, Florida Statutes, stating that the CRA can be extended by an additional not-to-exceed 30 years from the date that the plan is amended or modified. The modification may be any change in the boundaries of the redevelopment area or the implementation of community policing innovations, he reported. Should it be desired to add land to the area, it must meet the requirement of "slum and/or blight"; this condition(s) is articulated in highly specific criteria.

Following additional discussion of the assumptions utilized by staff, the consensus below was forthcoming.

Consensus that Council convene as the CRA for discussion of proposed projects and budgetary issues.

OUTDOOR DINING AND HOLIDAY LIGHTING..... ITEM 11
Outdoor dining is permitted in specified commercially-zoned areas, providing the outdoor dining meets City Code requirements as to the location, parking, etc. The

discussion will include a review of current outdoor dining requirements and whether these requirements should be amended. Holiday lighting in commercial areas will also be discussed. (4:24 p.m.) Planning Director Robin Singer reviewed her memorandum dated January 4 (Attachment 7), requesting that Council direct staff as to preferred amendments. She then detailed staff's recommendations and Council's responses are listed below:

1. City Manager noted the proposed changes apply to "legal" non-conformities;
2. Council Member Heitmann received clarification that a parking requirement would be added in the Fifth Avenue South Special Overlay District for outdoor dining over 100 square feet in size. A brief discussion regarding the use of the City's parking garages ensued wherein Council Member Sulick provided a history of ongoing issues for the past three to four years since the pool of on-street parking spaces for the District had been totally allocated. Mrs. Heitmann stressed that this must be addressed;
3. No comments;
4. No comments;
5. No comments;
6. No comments;
7. No comments;
8. No comment;
9. Ms. Singer explained that this text amendment (Section 58-1134(d)(16)) would address outdoor lighting in the Fifth Avenue South Special Overlay District, allowing for limited holiday lighting and table lighting from November 15th to January 15th. This would negate the need for a permit for the lighting during the aforementioned timeframe, and should a business indicate that the lighting not be temporary, the matter would then be sent before the Design Review Board (DRB) for approval of the outdoor lighting. In response to Council Member Sulick, she observed that grandfathering should no longer be an issue as Council issued prior direction that temporary holiday lighting for the season just prior was to have been taken down January 17th and the amendment under discussion would be in effect to address future holiday lighting. Council Member Finlay noted that he had not in fact agreed to the prior direction and that additional discussion of this issue should occur. Following public comment from **Lou Vlasho** (4:52 p.m.), who requested that Council delay decision-making on this issue and allow the temporary holiday lighting to remain until the newly formed FASBID (Fifth Avenue South Business Improvement District) has the opportunity to review and offer recommendations, the consensus below was forthcoming. Mr. Vlasho also maintained that he had not received the December 3, 2010 letter informing merchants and property owners of Council's direction that the temporary lighting be removed by January 17; Code & Harbor Manager Roger Jacobsen submitted a copy for the record (which is contained in the file for this meeting in the City Clerk's Office); and
10. No comment.

In conclusion, Ms. Singer agreed that the PAB (Planning Advisory Board) could be provided the opportunity to review the draft ordinance, as well as the DRB reviewing applicable sections; their recommendations would then be provided to Council for a final decision.

Consensus that the draft ordinance be reviewed by the Planning Advisory Board (PAB) and applicable elements reviewed by the Design Review Board (DRB); Council discussion of temporary holiday lighting continued to 01/19/11 Regular meeting.

KIOSKS – CONNECTIVITY (continued to 02/04/11 workshop / see above) **ITEM 12**
A concept to assist pedestrians by providing information and locations of commercial and entertainment activities has been proposed. The discussion will summarize options for strategically placed information kiosks in several commercial areas.

(Continued to 02/04/11 workshop / see above) **ITEM 13**
REGULATIONS REGARDING THE CONSTRUCTION OF ARBORS, TRELLISES AND PERGOLAS. These structures are allowed to encroach into setback areas. Many requests to construct arbors, trellises, and pergolas do not meet current standards. The discussion will consider amendment options.

REVIEW OF ITEMS ON THE 01/19/11 REGULAR MEETING AGENDA..... **ITEM 14**
(5:15 p.m.) Council Member Heitmann requested that Item 6-b (amend Capital Improvement Program) be removed from the Consent Agenda for separate discussion. It was also noted that discussion of Item 11 (outdoor dining and holiday lighting) was to continue and therefore it should be added as an agenda item.

CORRESPONDENCE / COMMUNICATIONS
Deferred to 01/19/11 regular meeting.

ADJOURN
5:16 p.m.

Bill Barnett, Mayor

Tara A. Norman, City Clerk

Minutes prepared by:

Vicki L. Smith, Technical Writing Specialist

Minutes Approved: 02/16/11

City of Naples

**NAPLES CITY COUNCIL AGENDA MEMORANDUM****Workshop Meeting Date:** January 18, 2011

Agenda Item:	Prepared By: Robin Singer, Director	
5	Date: January 7, 2010 Department: Planning	
SUBJECT:		
Joint Meeting with the Planning Advisory Board to discuss the Comprehensive Plan and Land Development Code.		
BACKGROUND:		
<p>As previously discussed, the State Statutes currently require that the City complete and submit an Evaluation and Appraisal Report (EAR) relative to the Comprehensive Plan by February of 2012. The purpose of this Joint Workshop is to discuss the Comprehensive Plan and determine the key issues that should be addressed in the EAR and subsequent amendments. The key issues in the previous EAR included: Housing; Transportation; Water Management and Conservation; Redevelopment; Green Space, Beach and Recreation; Neighborhood Master Plans; River Park Neighborhood; and Effects of County Population Growth on City. Once the new key issues are determined, staff will review how the current plan addresses those issues, hold public meetings to discuss the issues and recommend changes to the plan that might better address the issues.</p> <p>City Council and the Planning Advisory Board may also wish to discuss potential changes to growth management legislation and what status the Comprehensive Plan may have in the City should State legislation change. Staff had recommended a scoping meeting involving other State agencies involved in the review of growth management plans. However, the scoping meetings are not required and, as there are currently many changes taking place in the administration of State agencies, it would probably not be advisable to pursue these meetings. Staff will meet with representatives from Collier County and other agencies to insure intergovernmental compliance.</p> <p>The Planning Advisory Board would also like to discuss their role in the review and revision of the Land Development Code and in taking a more proactive than reactive role in the larger planning issues.</p>		
Reviewed by Department Director	Reviewed by Finance	Reviewed by City Manager
Robin D. Singer	N/A	A. William Moss
City Council Action:		



Memo

Planning

TO: A. William Moss, City Manager
FROM: Robin D. Singer
DATE: January 14, 2011
SUBJECT: Joint Meeting of City Council and the Planning Advisory Board - Agenda Item 5

The purpose of the joint meeting is to discuss the key issues to be used to draft the next evaluation and appraisal report for the City's Comprehensive Plan and to discuss the role of the PAB and various topics related to planning in the City. The following is a list of recommended topics for discussion.

1. Comprehensive Plan update – discussion of key issues
2. Code Amendments
 - Can the PAB begin to initiate code amendments in the future? Could the PAB take the lead in a re-codification?
 - The definition of "functional" with respect to guest units is still not clear. Based on recent applications, should the regulations for guest units be more lenient?
 - Can the home occupation limitations be amended to allow non-profits to operate offices in historic homes in order to help preserve the home? **[Sec. 56-92. - Home occupations.** Home occupations are expressly prohibited in all residential zone districts. The use of a telephone or computer in a residence for business purposes is not considered a home occupation; however, no other business activity may take place at a residence. Non-profit organizations may be permitted limited office use in contributing structures within the historic district through a conditional use approval for the purpose of preserving the structure.]
 - The PAB would like to see more internet updates on code interpretations.
 - The PAB would like to initiate discussion on density in the D Downtown.
 - The PAB would like to move forward on changes to the Residential Impact Statement Process.
3. Liaisons to the board
4. City Council questions and comments on the role of the PAB.

SUPPLEMENT # <u>1</u>

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

2010-11 Benchmarking and Performance Measures

Benchmarks	Naples	Coral Gables	Sarasota County	Collier County
Pieces of Equipment Maintained	580	700	680	2200
Equipment to Mechanic Ratio	116 5 Mechanic	35 20 Mechanic	75 9 Mechanic	129 17 Mechanic

Performance Measures	Actual 2007-08	Actual 2008-09	Actual 2009-10	Projected 2010-11
Percentage of fleet availability	93%	95%	97%	97%
Monthly Preventive Maintenance Services	90%	92%	94%	95%
Technician Productivity (hours billed vs. hours worked)	92%	93%	93.5%	93.5%
Part Turnover	3	3.2	3.4	3.4

Excerpt of text from Naples Police Department Staffing Overview (Item 7)

CITY DEMOGRAPHICS:

16 square miles;
Approximately 4 square miles of water;
9 miles of beachfront;
108 miles of streets; and
Population of 22,000 that swells to 33,500.

AREAS OF CONCERN:

Naples Community Hospital (NCH);
Coastland Mall;
Naples Municipal Airport; and
Naples High School.

NCH DOWNTOWN:

500 physicians;
4,000 employees;
1,900 volunteers;
420 beds;
24 hour emergency department;
Marchman Act facility; and
Psychiatric patients.

COASTLAND MALL:

72 acre campus; AND
Over 100 stores including major anchor companies.

NAPLES MUNICIPAL AIRPORT:

70 airport authority employees;
732 acre facility;
New US Customs office;
200 long term parking spaces and 240 short term spots;
110,000 gallons of Jet A fuel; and
42,000 gallons of 100LL fuel capacity.

NAPLES HIGH SCHOOL:

1,700 students; and
Over 100 faculty and staff members.

OTHER AREAS OF CONCERN:

US 41 Business Corridor;
40 Beach Access Points;
Distinguished and/or High-Profile Residents; and
Special Events And Parades.

CITY OF NAPLES CRIME RATE - DOWN 13.43% YTD**NOVEMBER 2010 UCR REPORT**

CRIMES	2009	2010	2009 YTD	2010 YTD
HOMICIDE	0	0	0	1
SEX OFFENSE	0	0	3	3
ROBBERY	2	0	11	7
AGG ASSAULT	3	1	26	10
BURGLARY	8	16	67	85
LARCENY	57	31	601	506
AUTO THEFT	1	1	7	7
ARSON	0	0	0	0
TOTALS	71	49	715	619

48,192 CALLS FOR SERVICE IN 2010;

- 827 Suspicious Person Calls;
- 455 Verbal Disputes;
- 385 Noise Complaints;
- 240 Retail Thefts;
- 841 Minor Accidents;
- 125 Accidents With Injuries; and
- 10,035 Traffic Stops.

BUDGETED POSITIONS:

Director	1
Deputy Director	1
Captain	1
Lieutenants	4
Sergeants	10
Officers	55 (3 CRA)
Administrative Coordinator	1
Administrative Specialist II	3
Property Evidence Technician	1
Crime Analyst	1
Crime Scene Investigator	1
Records/Fiscal Manager	1
Communications Supervisors	3
Communications Manager	1
Telecommunicator	11
Inventory Control Clerk	1
Custodian	1
Total	97 FTE and 4 Part Time Guards

2010-2011 SWORN POSITIONS:

Chief	1
Captain	1
Lieutenants	4
Sergeants	10
Officers	55
Total	71

SWORN PERSONNEL STAFF REDUCTIONS:

2007	80 Officers
2008	79 Officers
2009	76 Officers
2010	73 Officers
2011	71 Officers

911-COMMUNICATIONS CENTER:

- One Manager
- Three Supervisors
- Eleven Telecommunicators

Responsible For Police And Fire:

911 Calls And Non-Emergency Complaints
24 Hour Availability
Three Shifts
59,529 Incidents

FISCAL AND RECORDS:

- 40% Reduction In Staffing
- One Manager
- One Administrative Specialist II
- Two Records Specialists
- One Equipment And Inventory Employee

Responsible for:

- Daily Contact With The Public
- Payroll For Police And Fire
- Comply With Public Records Requests
- Uniform Crime Report
- Facility Maintenance
- Order And Dispense Equipment/Uniforms
- Purchase Requests For Police And Fire
- Travel/Training Payment
- Records Retention And Disposal
- Confiscation Fund
- Monthly Quality Assurance Reports

CRIMINAL INVESTIGATION DIVISION:

Lieutenant	1
Detective Sergeant	1
Detectives	4
SIU Sergeant	1
SIU Detectives	3
DEA Detective	1
COP Sergeant	1
COP Officers (1 Per Sector)	5
TIF Officers	3

DEA POSITION:

- One Detective Is Assigned To The Multi-Agency DEA Task Force
- Two To Three Year Agreement
- Work Federal Cases Throughout Southwest Florida

DEA:

- Operation Medicine Cabinet
 - Drug Free Collier
 - Pain Clinic Moratorium
 - Synthetic Marijuana Trend
 - Parent Forum At River Park
 - Naples High School Town Hall Meeting To Address Under-Aged Drinking
-
- *Combining federal leverage and local officer's investigative talents and knowledge of their jurisdiction leads to highly effective drug law enforcement*
 - DEA shares resources with state and local law enforcement increasing the investigative possibilities to all agencies
 - State and local officers are deputized as federal agents allowing them to extend their jurisdiction
 - State and local participating agencies receive an equitable share of forfeited drug proceeds
 - DEA pays overtime and investigative expenses for the state and local agencies

ADVANTAGES

- Excellent Training And Experience;
- Source Of Information For NPD Officers;
- Narcotics Training For NPD Officers;
- Stopping Drug Trade In Naples And Collier County At Federal Level; and
- Confiscation Money Available To NPD.

DEA EQUITABLE SHARING:

FY 2008	\$62,947
FY 2009	\$59,661
FY 2010	\$15,321

2010 Amount Is Through November and Additional Funds Will Be Collected After Litigation Is Complete

PATROL DIVISION:

- Twelve Hour Shifts;
- 84 Hours Bi-Weekly With New Contract;
- Two Squads Per Shift; and
- Minimum Staffing - Five Officers.

PATROL DIVISION STAFFING:

LIEUTENANTS	2
SERGEANTS	7
POLICE OFFICERS	39
SECTOR OFFICERS	33
MOTORCYCLE OFFICERS	3
MARINE PATROL OFFICERS	2
CANINE OFFICER	1

TRAFFIC UNIT:

PURPOSE:

- To Reduce Crashes By Enforcement And Education
- Encourage Voluntary Compliance
- Encourage Efficient Movement Of Traffic
- Visibility At Entrances To City Of Naples

TRAFFIC UNIT:

- Three Motorcycle Officers
- Traffic Crashes
- Traffic Enforcement
- Speed Trailer
- Address Specific Citizen Complaints
- 2010 Statistics
- 4584 Citations Issued
- 456 Crash Investigations
- 37 Hit And Run Investigations
- 2 Traffic Fatalities
- Six Parades

MARINE PATROL:

- Two Officers And Two Boats Provide Seven Day Coverage

2010 STATISTICS:

- 1100 Calls For Service
- Six Vessel Crash Investigations
- 389 Marine Citations
- 14 Rescue Calls

SWAT:

- 12 Part Time Voluntary Members
- No Additional Compensation
- Train Once A Month During Regular Day Of Work
- Special Training At Coastland Mall, Public Works, Naples Daily News, City Hall And Council Chambers
- SWAT Vehicle Cost For 2010 Was \$2,182
- Fuel Cost Was \$121.89

ADVANTAGES:

- Officers With Tactical Training On Duty Day And Night
- Officers Carry Appropriate Tactical Weapons
- Familiarity With City Facilities And Geography
- Hostage Negotiation Training Useful In Daily Police Functions

SUMMARY:

- Crime Is Down
- Department Is Close To Full Staff
- Within Budget And Overtime Projections
- The Department Continues To Accomplish Our Goal To Detect And Deter Crime While Providing Quality Customer Service

Excerpt of text from Fire-Rescue Department Overview (Item 8):

Overview of Fire-Rescue Department

City Demographics:

2010 Taxable Value of \$15,046,100,055

- 22,189 – Population
- 16.47 - Square Miles Protected
- 11.98 - Square Miles Land
- 1,852.2 - Residents Per Square Mile
- 04.49 - Square Miles Water

Fire-Rescue Department:

- \$7,287,982 - Personal Services Budget
- \$540, 230 - Operating Expenses
- \$2,495 - Non-Operating Expenses
- 2010/11 Budget - \$7,830,707
- Personal Services = 92.55%
- Operating Expenses = 7.45%
- \$316,770 Decrease from 2009/10 Budget

- 54 Operations Division Personnel
- Average of 38.58 Years Old – 12.15 Years of Service
- 52 Hour Workweek – 21 Day FLSA Schedule

- 09 Administrative Division Personnel
- 52.33 Years Old – 9.11 Years of Service
- 40 Hour Workweek

- 34 – Emergency Medical Technicians
- 22 – Paramedics
- 14 – Hazardous Materials Team Members
- 11 – Technical Rescue Team Members
- 07 – Rescue Divers
- 04 – Peer Fitness Trainers
- 03 – CAD Records Management Members

Area Stations and Millage Rate Comparison:

- Collier County EMS & Fire-Rescue – 2.0 mil
- Isle of Capri – 1.9 mil – 1 Station
- Ochopee – 4.0 mil – 1 Station
- North Naples Fire Control District – 1.0 mil – 7 Stations
- East Naples Fire Control District – 1.5 mil – 5 Stations
- Golden Gate Fire Control District – 1.5 mil – 4 Stations
- City of Naples Fire-Rescue – .52 mil - 3 Stations
- City of Marco Island Fire-Rescue – .57 mil - 1 Station

- Immokalee Fire Control District – 3.0 miles - 3 Stations
- Big Corkscrew Fire Control District – 2.0 miles - 2 Stations

Demographics Comparison:

- Naples – 16.47/11.98 miles - \$15,046,100,055 - \$125,593,489/per mile
- Marco Island – 17.1 /10.6 miles – \$8,233,060,729 - \$77,670,384/per mile
- Bonita Springs – 41.0/35.3 miles - \$7,022,175,011 - \$19,892,847/per mile
- Sanibel – 33.16/17.21 miles - \$4,151,852,407 - \$24,124,650/per mile
- Boca Raton – 29.1/27.2 miles - \$15,725,321,777 - \$57,813,683/per mile
- Town of Palm Beach – 10.4/3.9 miles - \$11,575,689,954 - \$296,812,562/per mile
- Delray Beach – 15.89/15.27 - \$6,004,308,231 - \$39,320,944/per mile
- Hollywood – 30.80/27.3 miles - \$11,776,681,829 - \$43,138,029/per mile
- Weston – 26.28/23.76 miles - \$7,038,464,675 - \$29,623,167/per mile
- Coral Gables – 37.2/24.1 miles - \$12,710,135,969 - \$52,739,153/per mile

Operations Division Information & Statistics:

Services:

We provide the City of Naples with at least 19 defined emergency and non-emergency services for our taxpayers, residents and guests. You call we roll!

No community can afford to staff for every possibility. However, we do need to deploy a minimum required amount of firefighters and apparatus to deliver safe and effective emergency services in the most efficient and effective way possible that protects both our customers and personnel.

- Firefighting & Suppression
 - Structural, Marine & Wildland
- Emergency Medical Response
 - Advanced Life support (ALS)
 - Basic Life Support (BLS)
- Aircraft Rescue & Firefighting (ARFF) – Naples Airport
- Animal Rescue
- Hazardous Conditions
 - Water Leaks
 - Electrical Emergencies
 - Fuel Spills
 - Explosions
- Technical Rescue
 - Confined Space
 - Trench
 - Elevated Victim
 - Dive Rescue & Police Department Forensics Recovery
 - Collapse
 - Vehicle & Machinery Extrication
- Search & Rescue Operations
- Hazardous Materials Team Responses
- Environmental Hazard Protection & Mitigation
- Fire Training & Safety Officer Response
- Emergency Management
 - Hurricanes
 - Floods

- Droughts
 - Wildfires
 - Extreme Weather
- Pre-Fire Plan Tactical Surveys
- Fire Prevention Education
- Fire Prevention Inspections

- Fire Station No. 2
- Fire Training Center
- Technical Rescue Team Trailer
- Hazardous Materials Trailer
- Air Compressor Trailer
- Fuel Spill Containment Trailer
- Engine Co. 9 – Ladder Co. 1
- Engine Co. 9 - \$637,933
- Reserve Pumper
- Reserve Pumper - \$248,443
- Replace Engine Co. 2
- Fireboat No. 1
- Fireboat No. 1 – 22.48% OOS

City Information (single family permits since 10/10/10):

- 12,267 - Sq. Ft. Under Roof – 3600 Nelson's Walk (513.35%)
- 9,999 - Sq. Ft. Under Roof – 240 Bay Road (399.95%)
- 8,522 - Sq. Ft. Under Roof – 1810 8th Street South (326.11%)
- 8,273 - Sq. Ft. Under Roof – 1270 Gulfshore Boulevard South (313.65%)
- 7,798 - Sq. Ft. Under Roof – 640 Bougainvillea Road (289.99%)
- 7,577 - Sq. Ft. Under Roof – 1209 Gordon River Trail (277.85%)
- 7,270 - Sq. Ft. Under Roof – 1000 Spyglass Lane (265.50%)
- 5,751 - Sq. Ft. Under Roof – 280 Aqua Court (187.55%)
- 4,862 - Sq. Ft. Under Roof – 573 15th Avenue South (143.10%)

City Demographics

- 603 – Low-rise buildings (1-3 stories)
- 111 – Mid-rise buildings (4-7 stories)
- 38 – High-rise buildings (75' & greater)
- 10,257 – Residential Condos
- 379 – Commercial Condos
- 907 – Multiple family buildings greater than 10 units
- 249 – Multiple family buildings less than 10 units
- 5,385 – Single family occupancies

Naples Airport - APF

- Ranked 30th busiest GA airport in 2009
- 90,000 landings & take-offs per year – 246 per day
- 65% of traffic is transient general aviation
- 370 aircraft based at the airport
- 152,000 gal. of low-lead & Jet A fuel storage
- 732 acres - 2 runways

Density and Annexations: 23 Annexations Since 1989 / Annexation Areas Represent Approximately 18.74% of the City

Moorings Park – 19 Buildings

October 2010 – 316 Runs Per Year

- 2 – Eight Story Apartment Buildings
- 2 – Five Story Apartment Buildings
- 9 – Three Story Apartment Buildings
- 1 – Two Story Apartment Building
- 1 – Two-Story Assisted Living Facility
- 1 – Skilled Nursing Facility
- 1 – Administrative Building
- 1 – Chapel
- 1 - Clubhouse

Moorings Park was approved for an additional 100 new single and multifamily units and 40 new assisted living/nursing care units as of August 2010

Annexation: Fire District Service Fee's \$136,437.72 - \$117,596,614 Value

- Ruffina (10/10) – 72 Properties Valued at \$40,522,502 (09/10)
\$58,939.73 – East Naples Fire District
- Eagle View (10/10) – 5 Properties Valued at \$7,144,110 (09/10)
\$10,365.19 – East Naples Fire District
- Moorings Park (10/10) – Properties Valued at \$69,930,002 (09/10)
\$67,132.80 – North Naples District

ISO – Insurance Services Office

Since 1971, ISO has been a leading source of information about property/casualty insurance risk.

The Fire Suppression Rating Schedule (FSRS) is the manual ISO uses in reviewing the fire-fighting capabilities of individual communities. The schedule measures the major elements of a community's fire-suppression system and develops a numerical grading called a Public Protection Classification (PPC™).

OSHA – Two-in/Two out Respiratory Standard

NFPA 1710 – Organization & Deployment of Fire Suppression, Emergency Medical & Special Operations:

Initial full alarm assignment capability is based on typical low-hazard, 2000 Square foot, **two** story single-family dwelling without basement and with no exposures.

01 Personnel – Incident Commander

01 Personnel – Pump Operator w/400 gpm supply for 30 minutes

04 Personnel – Two attack hose lines, 300 gpm total

02 Personnel – Support for attack, hydrant hookup, utility control, forcible entry

02 Personnel – One search and rescue team

02 Personnel – One ventilation team
01 Personnel – Aerial operator w/control at all times
02 Personnel – One rapid intervention crew (RIC)

15 Personnel – Required for a low-hazard structural fire

- 60 seconds or one (1) minute call processing time for at least 90% of the Alarms (A)
- 80 seconds or one (1.33) minute and 20 seconds turnout time for fire and special operations response (B)
- 240 seconds or four (4) minutes or less travel time for arrival of first arriving engine company 90% of the time (C)
- 480 seconds or eight (8) minutes or less travel time for the deployment of an initial full alarm assignment 90% of the time (C)

Staffing Issues:

We currently have two issues. The first being that we have a lack of coverage issue on the east end of the City. We have no structural fire protection for the Naples Airport and the Collier Park of Commerce as well as other annexed areas on the eastern boundaries. Our current overall staffing of 63 personnel is The same as it was on August 19, 1991 or 20 years ago.

The NFPA requires that we deploy single company responses within 6.33 minutes 90% of the time and a full response to a structural fire in 10.33 minutes..

The second issue being that we need to provide a minimum of 15-17 firefighters for a fire in a 2000-square foot, two-story, residential home. We currently operate with 54 firefighters assigned to the Operations Division. Our staffing factor is between .25 and .33 due to years on the job, vacation leave, sick leave, on-the-job injury, funeral leave and so forth. An increase in personnel longevity will result in the staffing factor increasing.

The NFPA 1710 Standard requires four firefighters per engine and ladder company or a total of between 15-17 firefighters available for a fire in a 2000 square foot, two-story residential structure. We currently have four total engine and ladder companies. We would need 16 personnel to staff these existing units. All four trucks should not be operated without a minimum of three personnel, an officer, driver-engineer and firefighter.

We currently operate with 54 firefighters assigned to the Operations Division that cover three 24-hour shifts, A-B-C. There are 18 personnel assigned to each shift covering 15 riding assignments. The number of personnel assigned to each shift allows us on average to cover 13.5 riding positions at a minimum. The riding assignments are as follows:

- 1 - Battalion No. 1 (October 1st, 2010)
- 2 - Engine Co. 1

- 3 - Engine Co. 9
- 3 - Engine Co. 2
- 2 - Tower Ladder Co. 2 (February 1st, 2011)
- 2 - Rescue 2
- 1 - Crash Fire No. 3
- 1 - Crash Rescue No. 3

Adding 12 additional personnel to the Operations Division will provide us with a total of 66 or 22 personnel to each shift. Using the .25 staffing factor, this would allow us on average to cover 16.5 riding positions each day at a Minimum. The riding assignments are as follows:

- 1 - Battalion No. 1 (October 1st, 2010)
- 2 - Engine Co. 1
- 3 - Engine Co. 9
- 3 - Engine Co. 2
- 3 - Engine Co. 3 (October 1st, 2013)
- 2 - Tower Ladder Co. 2 (February 1st, 2011)
- 2 - Rescue 2
- 1 - Crash Fire No. 3
- 1 - Crash Rescue No. 3

IAFC Accreditation

Worst Risk Properties – 25 Firefighters Needed Plus

High Risk Properties – 17 Firefighters Needed

Moderate Risk Properties – 15 Firefighters Needed

Worst Risk – Un-sprinklered high-rises above reach of aerial devices, Hospitals and nursing homes with non-ambulatory or restrained patients, commercial buildings over 10,000 square feet, shopping malls, multi-story hotels, office properties.

High Risk – Strip malls, schools, medical facilities, three story and more apartment buildings, industrial and warehouse areas.

Moderate Risk – Single family detached developments, two story multiple family occupancies, mixed-use residential, commercial occupancies less than 10,000 square feet.

ISO Consultant:

- Pre-fire plan diagrams
- Training activity reports
- Fire Prevention Bureau records
- SB 1196 Sprinklers
- False Alarm Education
- Fireboat Needs
- Battalion Chief 24/7
- ISO Consultant

- Response Vehicle for Training Chief
- Hard Suction for Engine Companies
- Add Hose for 200-foot Requirements
- Explore Fire Corps
- Subcontract Hydrant Painting
- Fireboat
- Water Flow Ordinance
- ISO Consultant
- Tower Ladder Co. Staffing
- NFPA 1710 Staffing Deficiencies
- Automatic Aid w/North & East Naples
- E-1 & E-9 Operational Responses
- 24 New Provisions to FSRs
- Add Additional Engine Company
- Add Generator to Fire Station No. 1
- ISO Consultant
- NFPA 1221 for Receipt of Alarms
- City Coverage Issues
- Communications Driven Automatic Aid
- Alerting System in Each Firehouse

Conclusion:

- Add Engine Company to Fire Station No. 3
- Obtain fireboat to serve firefighting needs on waterfront and Keewaydin properties as well as emergency medical services and search and rescue operations.
- Work to improve fire flow capabilities south of 5th Avenue South

ISO Consultant Recommendations:

Fire-Rescue Department 50%

- Pre-fire plans must include graphic design and/or sketch to meet ISO requirements. We are working to purchase Code Pal software for our inspection and pre-fire plan needs. This software will allow us to attach and associate any sort of digital file to the address record.
- Training activities need to be categorized so that ISO can readily determine the hours of training devoted to ISO required categories. We purchased the Target Safety software program last year and this is a premier online fire-rescue based training program. It has specifically designed ISO reports and prints outstanding quality reports that will address ISO requirements.
- Fire Prevention records must be verifiable to attain available ISO points. We are working to purchase Code Pal software for our inspection and pre-fire plan needs and this software will address this particular problem.
- SB 1196 allows condominiums to opt out of having required minimal fire sprinkler protection. Can buildings deactivate currently required sprinkler systems? We do

not believe that associations/buildings can deactivate required systems due to State of Florida law.

- There were over 750 false alarms in the City of Naples in 2009. There is a need for public education concerning false fire alarms and maintenance of smoke detectors. We are reviewing our false alarms and working to properly record problems found so that they may be rectified. We also recommend a false alarm ordinance and associated fee be charged for frequent flyers to track what is in place with the Police Department.
- The present fireboat is grossly unsuitable for the City of Naples in terms of firefighting, search and medical rescue.
- The current fireboat is a 2001 Parker that was operated by the Police Department until replaced by a new boat in 2008. This boat is in very poor shape and has been out of service a considerable amount of time. A new fireboat designed for firefighting, search and rescue and emergency medical services should be acquired by the fire-rescue department. It is likely that we would get additional points during the ISO inspection if the boat came with a 1500 to 2000 GPM pump. This boat could be used to supplement land-based units on major fires and provide water/pressure if we had a catastrophic collapse of our water system due to a hurricane, etc.
- There should also be a chief officer on-duty 24/7 to manage the City's fire-rescue resources and emergency response efforts. As of October 1st, 2010, we are staffing our battalion chief position on a 24/7 basis.
- Tower Ladder Co. 2 should be staffed with at least two personnel to safely operate this complex piece of fire apparatus. It is also recommended that the second position be designated as the officer in charge at the suggested rank of sergeant. We are currently on track to have this unit respond with two personnel the majority of the time as of February 1, 2011.
- Existing staffing levels indicate a shortfall from what is required by NFPA 1710 Standard for a 2000-square foot two-story, single family residential home. We currently only have 13 personnel available for structural fires whereas 15 is the minimum requirement for a 2000-square foot home including a safety officer. The standard requires 17 personnel if the aerial device is in use.
- The concept of automatic aid should be explored with both the North Naples and East Naples Fire Control & Rescue Districts. We have been working to establish good working relationships and training partnerships with all Fire Control & Rescue Districts in Collier County and develop automatic standard operating procedures (SOP's) that relate to the need for additional assistance.
- Engine Co. 1 and Engine Co. 9 should be combined operationally as one company on fire calls until such time that Engine Co. 1 is staffed with three personnel. Both units are currently responding together to all structural fires and Engine Co. 1 requires additional personnel to help lay out and/or stretch hydrant supply lines and/or attack lines.

- Some 24 new provisions are being considered in the upgrading of the FSRS. It is most likely that we will be rated under the new grading system in the 2012/13 budget year.
- Plans should be started without delay to supply an additional engine company and staffing for the commercial and industrial properties in and around the Naples Airport and recently annexed areas to the north end of the City.
- We have devised a plan of action spread out over a period of three years to add 12 additional firefighters. We would add four firefighters in October 2011, four firefighters in October of 2012 and four firefighters in October 2013. The three year plan allows us to hire and properly train the firefighters and then test and promote the driver-engineers and lieutenants needed to staff a new engine company.

The new engine company would serve the eastern end of the City and provide structural fire protection to the Naples Airport, Collier Park of Commerce, Bears Paw, Estuary at Grey Oaks and the other annexed areas to the north.

- A generator should be provided to Fire Station No. 1 to permit operation during power outages. We are currently working to install a mobile portable generator and automatic transfer switch at Fire Station No. 1 courtesy of Utility Director Bob Middleton.
- A vehicle should be provided to the Training & Safety Officer position for response to fire-rescue emergencies. A vehicle was approved in the 2010/11 Capital Improvement Plan (CIP) and it has been ordered.
- Arrangements should be made for each engine company to carry two 10-foot hard suction hose sections for drafting water purposes. We have included hard suction hose sections in equipment lists for new engine companies.
- Full credit under the FSRS requires at least 200-feet of 1-3/4" and 200-feet of 2-1/2" attack hose on each engine company to receive full credit. We requested funds and received approval to purchase additional hose in the 2010/11 Capital Improvement Plan (CIP) to address several firefighting hose deficiencies.
- A Fire Corps should be organized to take advantage of fire-rescue department retirees who would like to volunteer their time with record keeping, fire safety education, etc. We will work to find other departments who utilize such a program and evaluate it.

ISO Consultant Recommendations

Water Supply – 40%

- Some other agency other than the fire-rescue department should have the responsibility for painting of fire hydrants. We can re-evaluate the current procedures as it relates to the painting of hydrants and possibly deploy other personnel other than those assigned to firefighting units.
- A major deficiency in water application capabilities for fire suppression exists in the lack of an effective fireboat for the multi million dollar yachts, marinas and properties

built on the water. This problem was addressed in item six under fire-rescue department recommendations.

- Consider adoption of a needed fire flow ordinance under planning and zoning that would require buildings immediately available fire flow capabilities equivalent to those adopted by ISO and the American Water Works Association for structures of that size, construction and occupancy.

ISO Consultant Recommendations

Receiving & Handling Fire Alarms – 10%

- ISO follows NFPA 1221 Standard that requires that 95% of all calls be answered within 15 seconds or less and no more than 40 seconds for 99% of all calls. In addition, the standard requires that 95% of all alarms be dispatched within 60 seconds. We work with the Communications Center to ensure that we are within the parameters required and that we can produce the needed CAD reports to verify compliance.
- The Fire-Rescue Department should place the responsibility for City coverage and protection issues with the communications center versus the incident commander who may be overwhelmed with other problems. We are currently working on system to provide notification to all on-duty and off-duty chief officers of a working incident. We are also developing a citywide response and coverage system.
- An Automatic Aid system should be developed and initiated by the Communications Center. We are working to develop a comprehensive citywide multiple level response and coverage system.
- Each fire station should be equipped with an alerting system capable of notifying the on-duty personnel that a response is required. We are currently reviewing options that would allow us to install an alerting system in each one of the three fire stations that would be connected to our Communications Center.

OPTIONS TO BALANCE BUDGET - \$2,500,000 SHORTFALL

Renegotiate pending salary/benefit increases with two unions; continue one-week furloughs for non-union employees.	(\$300,000)
Defer additional Firefighter positions (4)	(\$250,000)
Community Services – partner with other service providers for Summer Camp, After School, and staff-run special events.	(\$200,000)
Reduce Community Services staff by 15% (6 positions).	(\$300,000)
Reduce Finance, Human Resources, Planning, & Technology (10)* staff by 16% (6 positions).	(\$350,000)
Reduce Administration staff by 18% (3 positions).	(\$200,000)
Reduce Police staff by 10% (10 positions)	(\$750,000)
Reduce City Attorney budget. Assume additional self-insured Retention through the insurance and risk management program.	<u>(\$120,000)</u>
	\$2,470,000
Reduce General Fund Contingency from \$500,000 to \$350,000.	(\$150,000)
Consolidate Fire-Rescue with Collier County or Fire District(s). Assumes new taxing district is established to fund consolidated Fire-Rescue Service.	(\$7,800,000)
Amend pension programs for current and future employees. Opportunities may be limited pending revision to Florida Statutes. Analysis of options in progress.	(\$???)
Transfer Law Enforcement and Telecommunications to the Collier County Sheriff.	(\$10,900,000)
Transfer Law Enforcement and Telecommunications to the Collier County Sheriff. Contract with Sheriff for higher level of service (50 Police positions).	(\$6,000,000)

Potential implications, depending on the options selected, may be as follows:

- Police response to emergency calls only. Non-emergency reports filed by citizens at the Police Station; curtailed or eliminated Marine Patrol and Traffic Enforcement; reduced investigations, drug enforcement, special operations, sector patrol, and COP; reduced law enforcement management, administration and record-keeping; replacement of city emergency dispatch with county-wide dispatch; longer response time, curtailment of special events and street closures; overall reduction in security and sense of safety.

- Reduced hours and/or days for use of park and community center facilities. Reduced maintenance of parks, medians, rights-of-way, beach-end maintenance and trash removal, and building facilities.
- Reduction of Insurance Services Office Public Protection Class rating and resulting increase in fire insurance premiums for residential and commercial properties. Below area benchmark for Fire-Rescue staffing.
- Extended processing time for Human Resources, Planning, and Zoning activities, including hiring, discipline, and risk management. Longer period for development review, variances, and conditional use processing, limited staff reports, planning activities, etc. Reduction or elimination of training, safety health initiatives, and management and employee assistance for health insurance claims, Workers Compensation, and other H.R. related issues. Reduction in Risk Management program.
- Reduction in the number of advisory boards and committees, or transition to bi-monthly or quarterly meetings. Reduction or elimination of televised or video-streamed meetings. Reduced I.T. support. Possible transition to monthly City Council meetings, action minutes for all meetings, reduce levels of customer service. Reduction in environmental monitoring, outreach, training, and energy initiatives, reduction in code enforcement activities. Reduced level of legal services to support boards, staff, and City Council.
- Reduced level of financial, budgeting and purchasing management with potential loss of Annual Budget Award and Annual Certificate of Achievement in Financial Reporting; reduction of bond rating, financial reports, and content in budget document.
- One or more options will require amendments to collective bargaining agreements.

Revenue Options

Establish city-wide special assessment district for Fire-Rescue services. Removes funding of Fire-Rescue from the General Fund and creates a special revenue fund. Assessment is based on formula for commercial properties and a unit cost for residential properties. Fire-Rescue assessment will be included on the annual property tax bill. Assumes General Fund Reduction will be 50% of the Fire-Rescue budget. \$3,900,000

Surplus General Fund balance (Tax Stabilization Fund) is \$3,000,000. Reduce by 1/3 to finance FY 2011-12 expenditures. \$1,000,000

Adopted budget fund balance policy requires a General Fund restricted reserve for emergencies equal to 10% of the prior year's budget, and an unrestricted reserve between 16% to 30% of the prior year's budget. The Restricted Emergency Reserve is \$3,700,000. The Unrestricted

Reserve is \$10,600,000 (30%). Reduce Unrestricted Reserve to 26% of annual budget to fund FY 2011-12 expenditures.	\$1,500,000
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Adopt rolled-back rate to raise the same property tax revenue received in the prior fiscal year.	\$800,000
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CONCLUSION

It is too early in the budget cycle to make decisions for the FY 2011-12 budget. If a decision to balance the budget had to be made at this time, and if all assumptions are ultimately applicable, the following would be your City Manager's recommendation:

Renegotiate pending salary/benefit increases with two unions; continue one-week furloughs for non-union.	(\$ 300,000)
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Community Services-- partner with other service providers for

Summer Camp, After School, and staff-run special events.	(\$ 200,000)
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Reduce General Fund Contingency.	(\$150,000)
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Reduce City Attorney budget and/or assume greater self-insured retention risk through the Insurance and Risk Management Program	(\$150,000)
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Defer additional Firefighter positions (4) for one year. (\$250,000)	
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Reduce staffing by five to seven positions.	(<u>\$450,000</u>)
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Total Reduction.	(\$1,500,000)
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Use 1/3 of the Tax Stabilization Fund (excess reserves)	<u>\$1,000,000</u>
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Projected General Fund deficit	\$0
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* Eliminating positions will not necessarily result in a 100% reduction of salary/benefits because some positions are calculated in the Administrative Charge and paid by other funds. This is especially relevant in Finance where the Administrative Charge from the General Fund to Utilities funds a portion of most positions (Customer Service, Billing, Accounting, etc.). Furthermore, some positions are funded through two or more funds (i.e.: CRA, Harbor Master). For purposes of this report, elimination of positions assumes a 100% savings of salaries and benefits. Positions in Technology Services are not budgeted in the General Fund. However, General Fund finances about 50% of Technology Services through interfund transfers; hence, Technology Services positions are included among staff options to reduce the budget.



Memo

Office of the City Manager

TO: Honorable Mayor and City Council
FROM: Roger Reinke, Assistant City Manager
DATE: December 6, 2010
SUBJECT: FY 2010-2011 CRA Sustainability Report Update

The Community Redevelopment Agency (CRA) was created in 1994 and is scheduled to sunset in 2024. Since December 2008, an annual Sustainability Report has been presented to provide information and initiate discussion regarding the appropriate goals and objectives in the CRA. An updated sustainability report was presented to the Community Redevelopment Agency Advisory Board (CRAAB) on November 22, 2010 for information and discussion prior to review by the City Council. The CRAAB made no official recommendations for City Council consideration.

Revenue

The attached interactive spreadsheet (Attachment 1) provides financial information for the current budget year and projections for future years. The primary source of revenue in the CRA is ad valorem property taxes calculated by determining the incremental increase in taxable property values. For the purpose of developing these financial projections it is assumed that tax increment revenue will decline 5% in FY 2011-12. The taxable value of property in the CRA declined 16.64% in FY 2010-11 when compared to FY 2009-10. A chart detailing the change in taxable value since inception of the CRA is provided with this report (Attachment 2).

Expenditures

The projections in the attached analysis assume increases in expenditures beginning in FY 2011-12. Expenditures in the CRA can be grouped into five categories: law enforcement operations, maintenance operations, administration, debt, and capital projects. The projected increases assumed differ by type of expenditure and are detailed in Attachment 3. Interfund Debt will be retired during FY 2011-12 with a final payment of \$159,790. The interactive spreadsheet reflects the debt service savings obtained by Finance Director Ann Marie Ricardi with the refinancing of CRA debt obligations.

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Capital Projects

The CRAAB previously recommended a list of prioritized projects that was subsequently approved by the CRA (Attachment 4). The interactive spreadsheet includes the capital projects funded in the current fiscal year, a plan for scheduling capital projects in the 5-year Capital Improvement Plan (CIP), and the remaining prioritized projects that are not currently scheduled in the CIP.

In addition to the Four Corner's pedestrian crossing and US 41 Underpass improvements, both prioritized projects, the current budget includes funding to complete the retrofitting of LED lights to replace the current lights in the parking garage located at 4th Avenue South and 8th Street South. It is anticipated that the use of the LED lights will save approximately \$12,000 annually in operating expenditures and pay for itself in less than 3 years. The FY 2010-11 budget also provides funding for landscape restoration in the planting boxes of this parking garage.

The non-scheduled and unfunded projects on the prioritized list total \$10 million (if Phase 2 of the Fifth Avenue Lighting Project is not considered). Funding available for these capital projects, using these assumptions for revenues and expenditures, is anticipated to be approximately \$4.6 million, creating a shortfall of approximately \$5.4 million.

Planning

The CRA and City Council have directed staff to conduct annual reviews of the sustainability of the CRA Fund and to plan for the transition and/or elimination of CRA funded activities no later than 2019, five years prior to the 2024 sunset date.

The downturn in the economy has altered the plans of many private property owners (Renaissance Village, Enterprise Plaza, etc.). As the market and the community adjust to the new economic reality, the long-range plans of the CRA may need review. Opportunities may be presented such as the reconfiguration of the US 41 corridor, or land acquisition for parking or open space. The below information regarding the sunset date of the CRA is presented for consideration in the development of long term plans for the CRA.

The purpose of the CRA sunset date is to create the financing schedule for implementing the CRA Plan and for informing the taxing authorities about the time frame for their tax increment financing (TIF) obligations. As the Sustainability Report makes clear, there are insufficient TIF revenues anticipated to fund all projects in the CRA Plan, especially with the recent estimates of significant reductions in property values in the CRA district. There is, however, provision in both Statute and Ordinance for extending the sunset date in order to fund modifications or amendments to the Community Redevelopment Plan. Both Florida State Law and a City of Naples Ordinance set the criteria for determining the sunset date of the CRA (see below).

Florida Statute 163.362 (10)

"Provide a time certain for completing all redevelopment financed by increment revenues. Such time certain shall occur no later than 30 years after the fiscal year in which the plan is approved, or amended pursuant to s. 163.361 (1)."

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Ordinance No. 94-7205 Section 5 (a):

“...each taxing authority shall, by January 1 of each year, appropriate and pay to the [CRA] Trust Fund, for so long as any indebtedness pledging increment revenues to the payment thereof is outstanding (but not to exceed 30 years) a sum which is no less than the increment as defined and determined in the Act and Section 4 of the Ordinance, accruing to such taxing authority. **If the Plan is amended or modified pursuant to the Act, each such taxing authority shall make annual appropriation for a period not to exceed 30 years after the date the Council amends the Plan.**”

Florida Statute 163.361 (3) (a)

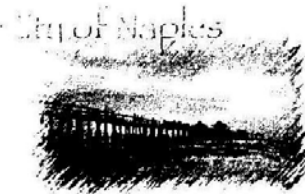
“In addition to the requirements of s. 163.346, and prior to the adoption of any modification to a community redevelopment plan that expands the boundaries of the community redevelopment area or extends the time certain set forth in the redevelopment plan as required by s. 163.362 (10), the agency shall report such proposed modification to each taxing authority in writing or by an oral presentation or both, regarding such proposed modification.”



NAPLES CITY COUNCIL AGENDA MEMORANDUM

Workshop Meeting Date: January 18, 2011

Agenda Item:	11	Prepared By: Robin D. Singer, Director Date: January 4, 2011 Department: Planning
SUBJECT: Discussion of regulations governing Outdoor Dining, lighting on 5 th Avenue South and recommendations for changes.		
BACKGROUND: At the November 15, 2010 City Council Workshop, staff discussed various code compliance issues in the Fifth Avenue South Special Overlay District. Some changes were recommended. The attached draft text includes the following amendments to the Code:		
<ol style="list-style-type: none"> 1 • The proposed changes would apply to new petitions for outdoor dining and permits for construction. As such, the grandfathering provisions addressing outdoor dining are no longer necessary. A grandfathering clause can be added in the ordinance, although the non-conformities provisions already in the Code would allow currently approved outdoor dining to remain. 2 • In earlier discussions regarding parking for outdoor dining it was noted that no parking is required for outdoor dining on public or private property along 5th Avenue South and that there was a conflict in the Code between the parking requirements in Chapter 50 and the specific requirements for outdoor dining in Chapter 56. In the more recent discussion it was also mentioned that some restaurants have provided fairly extensive outdoor dining on private property in the 5th Avenue South area. Changes are proposed to Section 50-104 that would require parking for outdoor dining at the ratios specified in Chapter 56 and the provision for the exemption for parking on 5th Avenue South would be removed. This will make the parking requirement for the 5th Avenue Overlay consistent with what is required in other districts, although the requirement in the overlay will be no greater than the parking required for interior space. 3 • The sections on outdoor dining for public and private property will be combined into one section. There currently is a clearer enforcement provision for outdoor dining on public property and combining the sections will provide the same process for both public and private property. Most of the conditions for approval for public and private dining were identical, but the few additional conditions for public outdoor dining will be moved into this section as will the definitions and permit requirements. 4 • The process under the current Code provides for several different petition types depending on the circumstances: dining exceeding 100 square feet requires an Outdoor Dining Permit; dining facing residential or separated from a storefront requires a Variance; dining not directly abutting 5th Avenue South in the overlay district requires a Conditional Use Permit; and dining within 300 feet of residential requires a Residential Impact Statement. This amendment will provide for the Outdoor Dining Permit process to cover dining facing residential or separated from a storefront. The requirement for a Conditional Use Permit has been removed. The Residential Impact Statement process will be addressed in a separate ordinance. 		



NAPLES CITY COUNCIL AGENDA MEMORANDUM

Workshop Meeting Date: January 18, 2011

Page Two

Agenda Item:

11

BACKGROUND (cont.):

- 5 • The five foot clear path required for outdoor dining on public property will include the umbrellas.
- 6 • Screening will be required for service areas within outdoor dining areas on private property. Service areas are not allowed within outdoor dining on public property.
- 7 • A condition would be added to require that the outdoor dining is consistent with the drawings provided.
- 8 • Proposed are Design Review Board approval for outdoor dining along 5th Avenue South, and plastic chairs and tables will no longer be allowed. This will insure consistent and attractive tables, chairs and umbrellas and help to confirm clear paths along the right-of-way.
- 9 • The text amendment also addresses outdoor lighting in the 5th Avenue South Special Overlay District, allowing for limited holiday lighting and table lighting.
- 10 • Modifications are also proposed to require back-lit signs to use white light, define a window sign as being within two feet of the window and remove the requirement that the cash register be visible from the outside of the establishment.

Reviewed by Department Director
Robin D. Singer

Reviewed by Finance
N/A

Reviewed by City Manager
A. William Moss

City Council Action: