



City of Naples

City Council Chamber
735 Eighth Street South
Naples, Florida 34102

City Council Workshop Meeting - **January 17, 2012 - 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

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
Gregg Strakaluse, Streets & Stormwater Director
Denise Perez, Human Resources Director
Stephen McInerny, Fire Chief
Thomas Weschler, Police Chief
Patricia Rambosk, Legal Coordinator
David Lykins, Community Services Director

Willie Anthony
Sue Smith
Amy Saad

Media:

Kristine Gill, Naples Daily News
Eric Staats, Naples Daily News

Other interested citizens and visitors.

SET AGENDA.....ITEM 2

MOTION by Sorey 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

(8:29 a.m.) None.

.....ITEM 4

INTERVIEW WITH COMMUNITY REDEVELOPMENT AGENCY ADVISORY BOARD (CRAAB) APPLICANT. (8:29 a.m.) Mayor Barnett noted that the applicant had withdrawn.

STORMWATER TESTING.....ITEM 5

Stormwater Testing to Identify Sources of Pollution Conveyed to Stormwater Retention Lakes. The City's stormwater retention lakes serve many vital functions, including flood control, stormwater treatment, aesthetic amenities and habitat for fish and wading birds. Without appropriate maintenance, however, these lakes may not provide desired improvements to the water quality of the stormwater system. A study was commissioned to evaluate water quality of lakes and the stormwater entering the lakes and presented for discussion in December, 2011. Recommendations provided in the

report, including additional testing of stormwater to identify sources of pollution, will be discussed. (8:30 a.m.) (It is noted for the record that a printed copy of the electronic presentation made in conjunction with this item is contained in the file for this meeting in the City Clerk's Office.) Streets & Stormwater Director Gregg Strakaluse referred to a December 12 report by staff and AMEC representative, Dr. William Tucker, on the City's stormwater lakes and stormwater conveyance system. (It is noted for the record that the descriptive staff memorandum dated December 28, 2011 is appended as Attachment 1.) He pointed out that as a result of another such study in 2009, defects in both in-flow and out-flow piping were corrected as well as a more routine inspection process implemented. Further, organic sediment was found in some of the lakes; although dredging was one alternative, Mr. Strakaluse said, the City chose to pursue other methods such as the planting of littoral shelves and floating islands to remove nitrogen and phosphorus from stormwater, and to install aerators which have significantly reduced algae in several locations. In accordance with prior Council discussions, Mr. Strakaluse said that measurable goals are needed to continue to improve the quality of both stormwater and the City's conveyance system as well as identification of pollutant sources upstream of the lakes, including meeting numeric nutrient criteria established by state and federal regulators for stormwater discharged into Naples Bay (i.e. total maximum daily loads or TMDL's and numeric nutrient criteria for nitrogen and phosphorus).

Public Comment: (8:35 a.m.) **Amy Saad, President of the Lake Park Property Owners Association,** cited poor conditions of lakes in her neighborhood and was critical of limited City efforts to address the issue. She said that Lake Park residents were ready to take matters into their own hands since they have been repeatedly told that there is no funding despite high levels of bacteria, copper and nutrients. She said that residents of Lake Park would vote for those City Council candidates who were attentive to their concerns.

Mr. Strakaluse then resumed his commentary by itemizing four goals for the Council to consider:

1. Improving lake pollutant removal efficiency: In March 2012, present short- and long-term strategies that improve pollutant removal efficiencies and estimate cost versus benefit. Continue to monitor water quality within City lakes. Mr. Strakaluse stressed that, particularly since lakes are located within developed areas, there are other strategies which could be cautiously applied to avoid adverse affects on the lakes as amenities to the neighborhoods.
2. Source identification of pollutants: Continue to monitor stormwater quality within designated pipes and inlets; add caffeine testing to sampling when fecal coliform levels exceed 400 cfu/100ml; and coordinate with the Utilities Department for smoke/dye testing and video inspection of pipes. Smoke testing, which has been conducted to date, Mr. Strakaluse said, showed a cross-connection between the sanitary sewer and storm sewer with the location having been narrowed but not specifically located. In addition, some sewer clean-out points were found to be improperly capped. Correction of the latter is believed to have a significant impact on the fecal coliform levels in Spring Lake.
3. Source reduction of pollutants: Identify residents and businesses within areas of concern and develop partnerships aimed at reducing pollutant loading; share results of quarterly stormwater monitoring; and design and implement localized, low cost best management practices (BMP's).
4. Monitor the City's progress toward meeting regulator requirements: Continue quarterly monitoring efforts within lakes, piping, inlets, pump stations and outfalls; collect data that allows for future loading analysis; and encourage and support Big Cypress Basin Board and Collier County efforts to prioritize and improve water quality into Naples Bay.

Vice Mayor Sorey stressed the importance of identifying a benchmark from which to proceed

and pointed out that the South Florida Water Management District (SFWMD) and Big Cypress Basin have launched projects south of Lake Okeechobee to, as an alternative to dredging, employ natural organisms to deal with both accretions in the lake bottom as well as nitrogen, phosphorus and other pollutants. In response to Mr. Sorey's concerns that the above referenced cross-connection between the sanitary and storm sewers be immediately addressed, City Manager William Moss pointed out that while testing and corrective action will go forward, there was more likelihood of stormwater flowing into the sanitary sewer system than the reverse. Also, in response to Council Member Finlay, Mr. Moss clarified that while improperly capped sanitary sewer clean-out points could overflow into alleyways, this would be of short duration since there would be calls for correction of any stoppages at those locations.

With regard to quarterly testing of lake water quality, Mr. Strakaluse recommended that this process continue until the City is able to better gauge progress that is being made on meeting numeric nutrient criteria. In further dialog with Council Member Finlay, regarding required reduction in source pollutants, Mr. Strakaluse clarified that basin management action plans (BM AP's) are still to be prepared with regard to jurisdictions responsible for pollutants in the upper Gordon River, possibly including golf courses as well as governmental entities such as the City and County. He then specified various improvements that have to date been made to lakes in the Lake Park neighborhood as well as lakes in other locations; further, he assured Mr. Finlay that the City periodically removes accumulation of barnacles in stormwater outfalls such as those around Moorings Bay.

In response to Council Member Saad, Mr. Strakaluse explained that the sources of stormwater, which flow into City lakes, are runoff from surrounding properties and street drainage; the lakes then overflow a weir with the stormwater going into Naples Bay or the Gulf of Mexico. It was also clarified that the sources of nitrogen and phosphorus are fertilizer applied to lawns and other greenspace. Mr. Saad then expanded on prior comments regarding lakes in the Lake Park neighborhood, expressing doubt that the aerators are producing the level of oxygen that staff claims; he also said that invasive species of plants are encroaching the lake at Betsy Jones Park. Vice Mayor Sorey however noted that the invasive plant growth is not attributable to oxygen levels but migration into the lake of nitrogen and phosphorus; when such plants die due to application of such chemicals as copper sulfate, the presence of the plant's remains further reduces dissolved oxygen and results in additional silting at the bottom of the waterbody. Mr. Strakaluse further explained that dredging is not desirable due to the unknown elements which could reside in the spoil as well as objectionable odors which are emitted from the process of raising the material to the surface. City Manager Moss also noted that lake access can present a challenge as well as a need to identify a dewatering site, all of which he characterized as representing both inconvenience and expense which could reach \$1-million per lake or more.

Council Member Price expressed dissatisfaction with proposing testing only as the proposed goals without indicating any other type of action. He said that sediment should also be tested. He then said that he had been meeting with various County officials and had briefly discussed the subject of stormwater which is generated from the unincorporated area; interest had been expressed to pursue further discussion, including source reduction. He then recommended that one lake be identified for observation as well as testing for elements present in sediment. Mr. Strakaluse said some testing of bottom materials had in fact occurred in 2008 and no hazardous materials were found; he suggested that some strategic, small scale dredging projects might be considered. Mayor Barnett pointed out that all sediment conditions cannot however be assumed to be the same.

Council Member Heitmann urged the City to take a strong stand to solve the issue of pollution at its source. In further dialog with staff it was learned that: 1) few of the City's lakes are

connected and that it is not believed that they receive water from outside the city limits; 2) malfunctioning grease traps may clog sanitary sewer lines; 3) while access to private lakes might be an issue should dredging be used, it must be determined whether City funds should be expended in dredging private property; 4) installation of plants and aerators began in 2008-09 although the Natural Resources Division had been planting and harvesting littoral shelves around lakes for several years; 5) solar-powered aerators appear to be beneficial in controlling aquatic growth, particularly in Spring Lake; 6) should the Riverside Circle site be used for dewatering dredged lake material, it would necessitate transport by truck, particularly for small, strategic dredging activities at the point where stormwater enters the lake; 7) the City on a regular basis does perform maintenance of in-flow areas at lakes; and 8) contact with other cities has determined that, with the exception of dredging, the City is in general utilizing strategies employed by other communities. Mrs. Heitmann expressed further concern that should the Riverside Circle property be, as previously determined, dedicated as a park in conjunction with the Gordon River Greenway, this area would no longer be available not only for dewatering but for debris storage in case of a hurricane. Vice Mayor Sorey expressed the view that the need for space for hurricane debris is solved through the use of the Municipal Airport property and parks, if necessary; however, a dewatering site must be addressed separately, he added.

Council Member Sulick concurred with staff that the City should proceed with caution only after the necessary data is compiled. She then received clarification that while the numeric nutrient criteria must be met in Naples Bay, lakes could be considered a contributing factor and therefore corrections mandated. In further discussion, Mr. Strakaluse noted that private ownership of lake bottom will require a partnership approach to improve the lakes where this is the case. City Manager Moss also observed that there is an expectation among neighborhoods that the City should take a more active roll in maintaining the appearance of shorelines which would constitute an increase in the level of service currently provided. Mrs. Sulick pointed out that the Integrated Water Resources Plan can be credited with identifying many of the interrelationships of lake maintenance and other aspects previously unknown.

City Manager Moss confirmed for Council Member Saad that there is a need for a policy regarding lakes, depending upon whether they are privately owned. Mr. Saad said that various lakes in the community are in need of improvements and said he favored development of such a policy. Mr. Strakaluse said that the City and the Big Cypress Basin Board would in the near future provide lakefront residents with a brochure regarding usage of fertilizers as well as instituting a program to keep them apprised of any resultant improvements. Vice Mayor Sorey confirmed that the City's requirements with regard to fertilizer application are not widely followed and further observed that use of reclaimed water results in a diminished need for fertilizer.

Public Comment (cont.): (9:41 a.m.) **Sue Smith, 11th Avenue South**, urged that Council Members consider the public perception both of their body language and side conversations that take place at the dais and not available to the public. She then said that local residents should be contacted to verify that lakes are indeed connected to other larger water bodies due to the types of marine animals present. In addition, she pointed out the overall detriment to the community resulting from a more manicured appearance, which in turn requires more fertilizer and the debris, which is introduced into the stormwater system by leaf blowers, is an additional impact. In conclusion, she urged a natural approach to lake maintenance which is the means other communities have employed.

Mayor Barnett observed that expressions and body language are human nature and received clarification that an allusion Council Member Heitmann had made to honesty in the City's approach to its lakes was not directed at individuals but intended to refer to openness in identifying issues to be addressed. Council Member Price also clarified that he had intended an

earlier comment to mean that the City had never dredged its lakes, not that prior City governments had done nothing. Mayor Barnett then stressed that Council clearly identify costs and procedures with regard to lake issues and plans. He further reported that the City had prepared a brochure for distribution, at stores where fertilizer is sold, to urge use of more environmentally appropriate products.

City Manager Moss said that if residents replanted with drought-tolerant materials even a quarter of the area devoted to turf, there would be a corresponding reduction in the need for fertilizers and the resultant runoff as well as debris which flows into the storm sewers. He also reported that the aforementioned possible cross-connection between the sanitary sewer and storm sewer had resulted from a crack in the catch basin and no cross-connection was found by use of video equipment. Vice Mayor Sorey noted a prior discussion of the situation with leaf blowers and recommended that requirements for use of vacuums be reviewed again in the future.

Recess: 9:57 a.m. to 10:12 a.m. It is noted for the record that the same Council Members were present when the meeting reconvened.

RECRUITMENT OF CITY CLERK.....ITEM 6

City Clerk Tara Norman will retire in May, 2012. Discussion will consider strategy for recruitment for the position of City Clerk. (10:12 a.m.) City Clerk Tara Norman noted information which had been received the prior evening and clarified that while there is currently no stated salary range for the City Clerk position, in 2009 one did exist and showed \$73,000 to \$107,000 with a median of \$85,000.

Mayor Barnett noted that the primary determination, which Council should make, is whether recruitment should be from within or outside; he said that there were three well-qualified internal candidates, in his opinion. Vice Mayor Sorey expressed his preference for an external search to compare others with internal candidates. Council Member Saad agreed. Council Member Finlay however concurred with Mayor Barnett, praising the service he had received from the Clerk's Office both as a private citizen and as a Council Member. He said that City Clerk Norman had set a high standard of integrity with regard to maintenance and access to public records. Promotion internally would also allow the Council to consider downsizing the City Clerk's Office through attrition, he added, and further complimented Mrs. Norman's administration and leadership. Therefore, bringing an individual in from outside that office would present an unnecessary risk to its operations, Mr. Finlay added.

Council Member Heitmann agreed with the advisability of selecting a City Clerk from within the organization. In response to Mrs. Heitmann, City Clerk Norman expressed the belief that continuity and cross-training among the Clerk's Office staff had not only allowed safeguarding of public records but the assumption of outside projects such as assisting Streets & Stormwater with research in conjunction with its mapping work. She said she believed that most City Clerks are homegrown and therefore can bring to the job an understanding of the community.

In addition, Mrs. Norman responded to Council Member Heitmann with regard to the cost of outside recruitment, concurring with the Human Resources Director that in-state professional organizations and the Florida League of Cities be utilized. This would be at no cost, although the turn-around time for receiving applications would be 60-90 days, Mrs. Norman said. Other types of posting could also attract unqualified applicants who would nevertheless require review and processing. Mrs. Heitmann pointed out that a training period for an outside appointment would also be compressed.

Council Member Price said that an outside search would allow comparison with internal candidates although promotion from within would facilitate a transition. Even though he said he believed that Council would select from within, he stressed that it would result in a better

decision knowing what talent is available outside the organization. He said that the search should encompass 30 to 45 days. Council Member Sulick said that she, too, believed continuity is the most important factor, but also said that a search within professional associations would help assure Council that an appointment from within was the best choice.

Mayor Barnett announced that the consensus was 4-3 to undertake an outside search.

Public Comment: (10:30 a.m.) **Sue Smith, 11th Avenue South**, expressed shock at the candor of various Council Members who had stated that, even though external candidates would be accepted, most likely appointment would be made from within, citing equal opportunity concerns. She pointed out that despite a national search, the Council had opted for a City Manager who had worked in a nearby community. She praised the City Clerk's Office, including an applicant with a legal background, citing dependence of citizens and professionals on the information made available. Therefore, an outside search should not be conducted, she said.

Council Member Price took issue with the inference that the choice of City Manager was pre-ordained, saying that the decision was based on qualification; Mrs. Smith's comments were a mischaracterization, he said. Vice Mayor Sorey suggested that a committee be formed to screen candidates and recommend three for interview so that a new City Clerk could be hired by April 1. Council Member Finlay said that although he did not concur with considering outside candidates, he would like the Council to review all applications submitted and that the Council itself perform the necessary ranking.

Council Member Saad expressed his displeasure with what he characterized as a good-old-boy network of trying to promote from within the organization. While he commended the Clerk's Office for providing information, he said that the community is nevertheless underserved. He said that technology had not been fully implemented, stating that the report discussed that day by the Streets & Stormwater Department entitled "Naples Stormwater Quality Analysis, Pollutant Loading and Removal Efficiencies" neither appeared on the City's web site nor was it a part of the electronic Council agenda packet. He said that the Clerk's Office had been consistently resistant to posting items like this. He further stressed that a comprehensive search should be undertaken and that both the City Clerk and the City Attorney, who had stated their preferences, should be completely removed from the process. The citizens should be served by finding the best possible clerk, he said. With regard to the point about institutional memory, he equated the need to rotate personnel to what a banker had told him that when new people are brought into the organization, mistakes are found and new things are discovered. Mr. Saad also asserted that institutional memory would not be lost if an internal candidate is not chosen since the people who work under the current City Clerk will remain if they so chose. A fresh perspective, he added, will save taxpayer dollars and provide a higher level of service to the community, which, he added, would not be served by a screening committee who had already decided on a candidate. The City, he said, is in existence to provide service to the residents, not jobs to employees.

City Clerk Norman said that, while she chose to overlook Mr. Saad's banking analogy, her office had no latitude whatsoever as to items which are posted on the City's internet site, indicating that she had made requests in the past to be allowed to post items from the Clerk's Office but was not allowed to do so. This decision rests with the City Manager and Technology Services, she added.

Council Member Sulick received clarification from Human Resources Director Denise Perez that it was within the Council's purview to determine the recruitment method, there being no requirement that an external search be made. Mrs. Perez noted three web sites of professional organizations that would target cities and counties, including Florida League of Cities. She also

confirmed that a recruitment through the end of February could be accomplished with Council being furnished with applications at the first meeting in March (the 7th) for review and narrowing the field.

Council Member Heitmann said she did not agree that there were inefficiencies in the City Clerk's Office based on her experience both as a Council Member and prior and she had received no complaints from members of the community. She stressed however that the entire Council be afforded the opportunity to review all applications should a search outside city government be conducted.

Council Member Sulick said that the most important facet of the process is to assure transparency; if there is no legal requirement to recruit outside the organization, the Council should first consider the three internal candidates who she characterized as excellent. Mrs. Sulick also predicted that the process would be more protracted than the estimated time indicated. Therefore, she indicated that she would change her position to favor promoting from within the organization.

Consensus to promote from within organization / 4-3 (Sorey, Saad and Price dissenting).

Council Members Saad and Price as well as Vice Mayor Sorey took issue with Mrs. Sulick's decision and stressed that this course of action did not fulfill the Council's obligation to the citizens.

Council Member Sulick then asked City Clerk Norman to summarize the performance evaluations she had received in recent years. Mrs. Norman indicated that all have been satisfactory or above, although not all Council Members participate in this process. She also noted that her employment contract indicates that a lack of formal evaluation would be deemed an expression of satisfactory performance. Mrs. Norman also expressed the view that she had over the years received insufficient feedback from the Council.

The discussion continued with various Council Members restating their positions, including an observation by Council Member Heitmann who related conversations she had had with other City Clerks around the state who had each stressed the importance of their function in serving the community. Council Member Finlay said that he is keenly familiar with the City Clerk's operations and knows the members of the staff well; he received clarification from Human Resources Director Perez that the majority of the cities surveyed for the report she had submitted (a copy of which is contained in the file for this meeting in the City Clerk's Office), showed most under the jurisdiction of the City Manager or some other administrator, not City Councils. Mr. Finlay stressed what he described as the vital importance therefore of the City Clerk in Naples maintaining the independence afforded by direct reporting to the City Council. He pointed out that recruiting from outside the organization may yield candidates who were however accustomed to reporting to a City Manager. He gave an example when, as a private citizen, the City Clerk's Office had intervened to obtain a private contract which had become a public record because it had been filed in the City's records in the Community Redevelopment Agency office. This is the kind of independence he said he was looking for in a City Clerk.

Human Resources Director Perez then received Council's authorization to open recruitment to all qualified City employees; therefore, should any external applications be received, these individuals would be notified that external candidates were not being considered.

Council Member Heitmann pointed out that prior to her serving on Council she had asked Council Member Price why a local City Manager candidate had been chosen and had been told that the candidate, Mr. Moss, was familiar with local issues. Acknowledging this, Mr. Price also

noted that there were many candidates in that process with whom Mr. Moss had been compared.

It was a further consensus of Council that individual interviews would be held with three internal candidates prior to a general interview on March 7.

ZERO-BASED BUDGETING.....ITEM 7

This is an approach to planning and decision-making which reverses the working process of traditional budgeting. The approach allows thorough evaluation of functions, activities, and services to determine appropriate levels of services and efficient allocation of resources. The concept was modified to allow evaluation of services and the associated cost before preparation of the Fiscal Year 2012-13 budget next year. Presentations will summarize current and past budgeted expenditures, changes in personnel, the estimated cost of functions, activities, and services, how budgets may be reduced by 10%, what services would be offered if 10% additional funding were available, and what are the future requirements for new facilities. (11:10 a.m.)

Police Department

Police Chief Thomas Weschler utilized an electronic presentation to describe his department; it is noted for the record that a copy of the narrative provided is contained in the file for this meeting in the City Clerk's Office and an outline of which is appended hereto as Attachment 2.

After a discussion with Council Member Saad regarding various types of crime statistics, Mr. Saad praised the department and said that he would not consider any budgetary reductions. With regard to a need for an additional K-9 unit, Chief Weschler said that with two rather than one unit, seven-day coverage could be restored and calls for assistance in this regard from the Collier County Sheriff's Office avoided. Grant sources are being explored, Chief Weschler said.

Chief Weschler then identified desired enhancements such as a GPS (global positioning satellite) system for patrol units, which among other advantages, would allow dispatch of the closest vehicle to a call for service. He also cited personnel, an additional K-9 unit, electronic enhancement for citation issuance, additional marine patrol, and general updating equipment and technology.

Council Member Finlay noted that the current millage rate of 1.18 could be reduced to .37 should the City utilize the services of the Collier County Sheriff's Office rather than continue to fund its own law enforcement; this amounts to approximately \$600 per average property, he added. He said that he believed that this cost is warranted in order to maintain local control and an increased level of service. Mr. Finlay received various clarifications with regard to the data presented. He urged that benchmarks, such as officers per thousand residents, be established to facilitate comparison to levels of service by other cities. With regard to implementing a program of reserve officers for use in parades and similar events, Chief Weschler said that these programs are nevertheless costly due to training and equipping these individuals. He also said that the department is in need of improved volunteer participation on a year-round basis and anticipated that interest may be generated from an upcoming citizens' academy program. Mr. Finlay also questioned the need for the City to provide school crossing guards when elsewhere in the County these individuals are provided by the Sheriff. Chief Weschler indicated that currently over 50% of the City's cost is however funded by a two-dollar surcharge on citations. Mr. Finlay then said that the City's 911 call center costs the average taxpayer approximately \$50, an amount he said he deemed appropriate in light of response times.

Vice Mayor Sorey criticized the zero-based process to date from the standpoint of staff justifying that changes could not be made. He said that technological efficiencies should continue to be pursued and remarked on the positive feedback that he had received with regard to the Police Department's service and the value received for tax dollars. Noting that the City is 6% of the

population but is paying 25% of the Sheriff's budget, Mr. Sorey concurred with Council Member Finlay that the City should pursue additional benefits from that source, such as training and investigations. However, Chief Weschler cautioned that additional utilization of Sheriff's services for City response would doubtless entail some type of surcharge to City residents.

In response to Council Member Price, Chief Weschler reviewed the current deployment of officers in light of budget reductions and the conversion from 8- to 12-hour shifts; overtime has been reduced in the current year and is closely monitored, he added. Mr. Price praised the department's ability to maintain the level of service to the public at a more economical cost. He reported that he had recently discussed with the Sheriff enhancements which might be offered to the City's 911 call center.

Council Member Sulick characterized public safety as the most important of the City's services and the resultant safety and comfort level experienced. She said however that it was not realistic to believe that assistance in any appreciable way can be expected from Collier County sources because of widespread budget shortfalls.

Council Member Heitmann received further explanation from Chief Weschler with regard to on-line training available from the FDLE (Florida Department of Law Enforcement); however, this does not include such facets as weapons training. Mrs. Heitmann urged that the latter be further pursued with Collier County. Chief Weschler then addressed the need to deploy additional detectives due to the complexity of economic crime investigation; he said that these cases are derived from a variety of sources, not just retail in areas such as Coastland Mall. In response to Mrs. Heitmann, Chief Weschler said that he did not believe that there was any appreciable Sheriff's presence at the Mall on a regular basis. He advised that gang-related issues are coordinated with the Sheriff's Office, which possesses expertise in this regard. Mrs. Heitmann requested further specifics on training costs and needs as well as the aforementioned K-9 unit and technology enhancements. Chief Weschler also explained that rather than pursuing a national accreditation with over 400 compliance standards, the department had chosen the Florida accreditation process which is in the area of 200 standards and requires less staff time. Mayor Barnett echoed other comments in praise of the City's public safety efforts and said that he could not support reductions in the Police Department's budget.

Recess: 12:37 p.m. to 1:10 p.m. It is noted for the record that the same Council Members were present when the meeting reconvened and discussion of Item 7 continued.

Legal Department

City Attorney Robert Pritt utilized an electronic presentation to describe his department; it is noted for the record that a copy of the narrative provided is contained in the file for this meeting in the City Clerk's Office and an outline of which is appended hereto as Attachment 3. Mr. Pritt recognized Legal Coordinator Pat Rambosk for her contributions to the various functions of the department. During his presentation Mr. Pritt stressed the concept of preventive law which he said he had been practicing prior to his arrival in Florida in the mid-1980's. This provides effective legal advice to help the governmental or corporate body make the right decisions rather than reactive law. He said that Naples has seen a downward trend in litigation.

Public Comment: (1:52 p.m.) **Sue Smith, 11th Avenue South**, asked, in light of the functions noted as performed by the paralegal, why this individual was applying to leave the City Attorney's Office and become the City Clerk. City Attorney Pritt said that he would never hold a good person back. Mrs. Smith questioned whether there would be any specific pension arrangements for Pat Rambosk as there had been for Kevin Rambosk when he moved from Police Chief to City Manager. City Attorney Pritt said that state law precludes an individual from being in the police pension system if not functioning as a law enforcement officer; therefore, Mr. Rambosk was required to go into the regular City pension system. City Manager Moss further

clarified that Mrs. Rambosk is currently a City employee and transferring to the Clerk's Office would not change her pension status. Mrs. Smith then asked whether legal services currently out-sourced to other attorneys are shown within the City Attorney's budget. City Attorney Pritt said he believed that, unless specifically addressed in another budget, all out-sourced legal fees are shown in his department. Mrs. Smith then asked for information regarding the time spent by Mr. Pritt in preparation for the establishment of the Fifth Avenue South Business Improvement District (FASBID), expressing the opinion that legal errors had been made. Mr. Pritt, however, disagreed that anything improper or illegal had occurred, a point he said he had made previously, both to Mrs. Smith and City Council. He further said that he had recommended that Mrs. Smith raise her concerns with the attorney who had prepared the FASBID corporation. Mrs. Smith then referred to a response she said she had received individually from Council Member Saad, which refuted the City Attorney's statement. Council Member Saad however disagreed with this statement. He clarified that he had advised Mrs. Smith that even though a sentence in the FASBID agreement dealing with corporation members may be unclear, he did not feel that it mandates that taxed parcels be members of the FASBID, nor did the City have the power to impose such a requirement. City Attorney Pritt concurred with this interpretation. Mr. Saad further noted that the City can mandate only that properties in the FASBID pay the assessment and that the FASBID agreement requires that if the FASBID, a separate, not-for-profit corporation, chooses to receive City funds the board must include tenants and owners of the land subject to the assessment. The City cannot and is not mandating that a holder of the title to land be a member of the corporation, Mr. Saad reiterated, pointing out that because the City provides funds to the not-for-profit corporation, Mrs. Smith's concern had been liability on the part of the entity which holds her real estate on Fifth Avenue South. He said it was his personal opinion that this was not the case and that concern on her part is without merit; he also characterized accusations which Mrs. Smith had made both publicly and privately as incorrect and possibly ingenuous. Mrs. Smith then asked that the aforementioned FASBID document be revised for purposes of clarification. Mr. Saad disagreed. Mrs. Smith then expressed the belief that the atmosphere in the Council was not conducive to citizen attendance and that those who ask questions are chastised. Mayor Barnett responded to the effect that citizens do in fact receive responses when their questions are committed to writing either in document form or email.

In response to Council Member Finlay, Mr. Pritt confirmed that while two readings of an ordinance are necessary, only one hearing must occur, the exception being those relative to certain zoning issues; this is minimum requirements and additional hearings could be scheduled if necessary, he added. City Attorney Pritt also clarified several items of his budget, including hourly rates for him and other attorneys utilized as well as pointing out that special projects could, in fact, result in costs over the annual budgeted amount. Mr. Finlay then indicated that he would meet with the City Manager at a later date with regard to reconciliation of the five-year budget for the Legal Department.

Vice Mayor Sorey recommended that the City Attorney and City Clerk coordinate the application of the public records process throughout the organization and agreed that a police legal advisor should be considered, as well as an overall review of the Land Development Code (LDC).

Mr. Pritt then explained the process for drafting and submission of legislation to Council. City Manager Moss also pointed out that he monitors staff utilization of the City Attorney, which also lowers legal costs. Mr. Pritt also provided an overview of exempted documents and redaction in response to Council Member Heitmann's questions regarding public records, cautioning that providing access electronically to the City's documents would not be a wise course of action. He further assured Mrs. Heitmann that the City Manager and/or City Council may request his assistance, although individual Council Members should contact him immediately regarding ethics or voting matters.

(2:39 p.m.) It is noted for the record that discussion of Item 7 was suspended; discussion of Item 7 resumed at 3:03 p.m. (see below).

REVIEW OF ITEMS ON THE 01/18/2012 REGULAR MEETING AGENDA.....ITEM 8

(2:39 p.m.) Council Member Price requested that Item 6-g and Item 6-h (budget amendments regarding the River Park pool project) be removed from the Consent Agenda for separate discussion.

CORRESPONDENCE / COMMUNICATIONS.....

(2:42 p.m.) Vice Mayor Sorey received updates regarding the following: an economic development presentation by private local entities, which is to be scheduled in February or March; the tentative and yet unknown location of an aquifer storage and recovery (ASR) well near the Cove Storm Station; and staff is to provide an update via e-mail regarding a possible stormwater treatment area along US 41 in front of the soon to be renovated Publix Supermarket. Council Member Heitmann received confirmation of a meeting to be scheduled with TECO/Peoples Gas regarding local service issues and clarification of the amended process for submittals to the Florida Department of Transportation (FDOT) regarding road closures. Council Member Price received consensus that he represent the City during an upcoming meeting with Collier County regarding Emergency Medical Services (EMS). Council Member Finlay commended staff regarding information being posted to the City's website relative to the East Naples Bay dredging project. Council Member Saad noted lowered vehicular speeds along Seventh Avenue North resulting from the installation of an electronic speed monitoring sign and Mayor Barnett took issue with any suggestion that a "Good Ole Boy Network" existed during decision-making with regard to the City Clerk recruitment process (see Item 6 above).

Recess: 2:54 p.m. to 3:03 p.m. It is noted for the record that the same Council Members were present when the meeting reconvened and discussion of Item 7 resumed.

ZERO-BASED BUDGETING (Continued from above).....ITEM 7

Community Services

Community Services Director David Lykins utilized an electronic presentation to describe his department; it is noted for the record that a copy of the narrative provided is contained in the file for this meeting in the City Clerk's Office and an outline of which is appended hereto as Attachment 4. He then explained for Council Member Sulick that the cost for mulch per year is \$86,000 and that the coloration actually prolongs the useful life of the product to 7 or 8 months as compared to roughly 45 to 60 days without the dye. The red color was chosen to remain consistent with that used by Collier County, he added. He further clarified for her that the Norris Center generates 43% of the revenue to offset its expenses and noted a possible workshop discussion regarding means of increasing revenues. Mrs. Sulick then expressed the opinion that the City should maintain control of its tree-trimming program and concluded by requesting that City Dock renovations must soon be considered; Mr. Lykins agreed.

Council Member Finlay commended Mr. Lykins and his staff for the appearance of the City's parks and recreation centers, observing that the zero-based budgeting discussions over the past few weeks have provided an outline from directors and supervisors as to additional reductions to be considered should it become necessary to do so in the future. Vice Mayor Sorey agreed with the excellence of staff, noting its recent presentation to a not-for-profit organization representing the River Park pool project and needed funding. Referencing the pool project, Mr. Sorey questioned whether a nearby parcel of land, for potential use as a parking lot for the pool, was still available for acquisition. Mr. Lykins indicated that it was available, and should the City wish to have year-round swimming pool operation additional parking would be necessary; recently the seller had expressed a willingness to lower the price, Mr. Sorey added. Also in response to Mr. Sorey, Director Lykins stated that the percentage of City facility users from outside the City's boundaries fluctuates and is currently around 65%. In conclusion, Mr. Sorey advised that maintenance of the Fishing Pier, City Dock, Fleischmann and Cambier Parks and their landscaping must be a priority due to their high use and visibility.

Mr. Lykins then confirmed for Council Member Heitmann that Florida Friendly plantings are constantly being considered and that in some areas seasonal plants are replaced on a three- to four-month cycle although this program is not City-wide. He also clarified that within the budget, certain items due for maintenance or replacement are grouped together under a common line item and reflected at an annual cost, such as playground equipment, replacement elements and amenities (benches, waste receptacles, or similar items). Waterway cleanup occurs as needed, he further noted in response to Mrs. Heitmann. Mr. Lykins also explained that the flowerpots currently installed along Fifth Avenue South are maintained at the cost of the CRA (Community Redevelopment Agency) and that he would provide her with that expenditure from last year.

Council Member Saad stated that he viewed this department as one of the most important in the organization as it addresses the ambience and aesthetics of the City's everyday appearance, commending staff for the place-making that occurs from its endeavors.

Public Comment: (3:42 p.m.) **Sue Smith, 11th Avenue South**, also commended staff, cautioning Council as to reductions that may affect the children of the community.

Vice Mayor Sorey then noted a recent removal of landscaping along Central Avenue, asking that the City Manager clarify the specifics of the action to Erika Hinson, present in the audience and a resident along that roadway. Mr. Lykins indicated that the work had been done by staff which involved replacing plants unable to thrive in the soil particular to that site. Additionally, all City staff speaks English and therefore he was unclear whom Ms. Hinson had spoken to; he added that he would follow-up with her at a later date.

Mayor Barnett then noted the late submittal of a large document relative to that meeting, saying that this is not acceptable and if not submitted in a timely manner, then the pertinent item should be continued to the next meeting. Council indicated interest in a workshop discussion of the matter.

ADJOURN.....
3:48 p.m.

Bill Barnett, Mayor

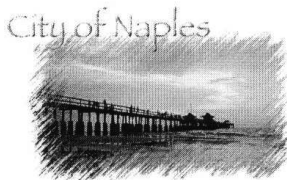
Tara A. Norman, City Clerk

Minutes prepared by:

Vicki L. Smith, Technical Writing Specialist

Minutes Approved: March 7, 2012

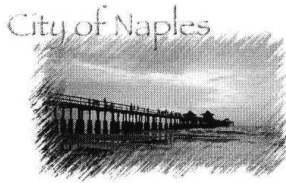
Attachment 1 / Page 1 of 3



NAPLES CITY COUNCIL AGENDA MEMORANDUM

Workshop Meeting Date: January 17, 2012

Agenda Item: 5	Prepared By: Gregg R. Strakaluse, P.E. Date: December 28, 2011 Department: Streets and Stormwater
SUBJECT: Recommendations for 2012 Stormwater Quality Sampling Plan	
BACKGROUND: On December 12, 2011, staff, along with the engineering firm AMEC, presented a report summarizing a year-long effort to monitor stormwater quality in lakes, inlets, pump stations, and outfalls. During 2011, AMEC collected quarterly stormwater samples at various locations and then used that data to evaluate an average lake's effectiveness at removing pollutants. Staff and AMEC also consolidated all data collected since 2008 and prepared a loading model that indicates the quantity of each pollutant "loaded" into key stormwater lakes and receiving water bodies by the City's stormwater drainage system. The data and analysis are contained within the draft report titled: "City of Naples Stormwater Quality Analysis, Pollutant Loading and Removal Efficiencies". This report was submitted in its entirety to City Council for the December 12 th presentation. The stormwater quality sampling and analysis effort performed in 2011 provides very useful information that enables the City to set specific goals aimed at improving the quality of stormwater that is generated from within City limits. Continued stormwater quality monitoring is the most important function for measuring the City's performance towards meeting specific goals. Based on City Council's input at the December 12 th presentation, staff has identified the following goals: <ol style="list-style-type: none"> 1. Improving Stormwater Lake Pollutant Removal Efficiency: In the draft report, staff learned that City stormwater lakes are indeed reducing levels of various pollutants. However, on the average, the City's lakes could improve pollutant removal efficiency if they were reconditioned or improved to more closely meet today's design standards for stormwater lakes. More specifically, further reductions in pollutants could increase by 12% for total nitrogen, 14% for total phosphorus and 16% in total suspended solids. In March, staff plans on presenting recommendations for specific short and long-term strategies over a five-year period aimed at improving pollutant removal efficiencies for several City stormwater lakes. The presentation will also attempt to analyze cost versus benefit. In order to quantify future progress in this area, it is important to continue to monitor water quality within lakes. Data would also be used to assess pollutant loading to receiving water bodies. 2. Source Identification of Pollutants: The stormwater quality data collected this past year has demonstrated that some pollutant sources are occurring upstream from stormwater lakes. Moving stormwater sampling locations upstream has enabled staff to narrow pollutant sources to specific areas, and in some cases specific blocks. Upstream pollutants of concern include fecal coliform, copper, and total nitrogen. Additional upstream areas should be surveyed to determine pollutant sources and/or causes. At this time, staff is coordinating with the Utilities Department to investigate any potential cross connections between the sanitary sewer system and the stormwater system that would be causing high fecal coliform in stormwater run-off at one specific location. AMEC has recommended that stormwater be tested for caffeine to determine if fecal coliform is from human sources. It is important to continue water quality sampling efforts in order to isolate pollutant sources, identify causes, and reduce pollutant 	

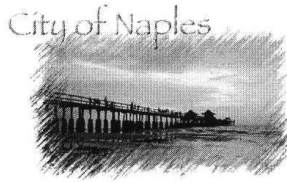


NAPLES CITY COUNCIL AGENDA MEMORANDUM

Workshop Meeting Date: January 17, 2012

Page Two

Agenda Item:	5
<p>BACKGROUND (cont.): loading whenever possible.</p> <p>3. <u>Source Reduction of Pollutants:</u> Source reduction is known to be the most cost effective way to provide long-term improvements to water quality in receiving waters. The City of Naples is mandated to control pollution through State and Federal regulation or face financial penalty. Staff believes a more effective form of source reduction is through education. Sampling in 2011 has enabled staff to better understand pollutant differences among some neighborhoods. Isolating areas of concern enables staff to reach out and develop partnerships with neighborhood residents and businesses to understand localized water quality issues, how those issues affect downstream water bodies, and what can be done to improve conditions. By developing these partnerships, the City has a greater ability to understand specific causes of pollution, create a positive change with residents, and minimize costly downstream pollutant removal technologies that require significant maintenance.</p> <p>4. <u>Monitor City Progress Towards Meeting Nutrient Criteria for Naples Bay and Future Gordon River TMDL's:</u> The Gordon River receives stormwater run-off from the City and unincorporated Collier County. The Big Cypress Basin controls an influx of stormwater from the Golden Gate Main Canal into Naples Bay and all three agencies discharge various quantities of stormwater into Naples Bay. For several years, all three agencies have been working to improve stormwater quality. Recently however, State and Federal regulators have developed specific nutrient criteria for Naples Bay. If the criteria are not met, then each agency will be responsible for proving it is not responsible for the exceedance. For the Gordon River, a 29% reduction in total maximum daily loads (TMDL's) has already been set by FDEP for total nitrogen.</p> <p>The City's existing water quality sampling efforts within Naples Bay provide useful information on the health of the Bay and its ability to sustain habitat. Recently, the City's data also played a critical role in increasing FDEP's proposed nutrient criteria for the Bay. The data itself represents the cumulative impact of pollutant loading from all areas that discharge stormwater, including unincorporated Collier County and the Big Cypress Basin. Water quality improvements are indeed the ultimate goal for all; regulators typically hold each individual agency responsible for meeting specific criteria. The City's efforts to sample stormwater from within its lakes and conveyance system provide the City with important information on the quantity of pollutants being delivered to the Bay by <u>City</u> sources. This sampling effort allows the City to monitor its progress towards meeting regulatory mandates.</p> <p>RECOMMENDATIONS The conclusions outlined in AMEC's report confirm the benefits of performing periodic stormwater quality sampling in lakes and the conveyance system. Staff has outlined four goals (above) for consideration in moving forward. If these goals are supported by City Council, staff recommends the following:</p>	



NAPLES CITY COUNCIL AGENDA MEMORANDUM

Workshop Meeting Date: January 17, 2012

Page Three

Agenda Item: 5		
RECOMMENDATIONS (cont.):		
<ol style="list-style-type: none"> 1. Continue stormwater quality sampling within the City's lakes and conveyance system at the same quantity and frequency as 2011. This effort would allow staff to monitor each lake's effectiveness at removing pollutants, further isolate pollutant sources, and calculate pollutant loading levels. 2. Add caffeine testing to specific water quality sampling where fecal coliform levels exceed 400 cfu/100ml. 3. Coordinate with the Utilities Department to perform smoke and/or dye testing of sanitary sewer lines where human fecal coliform has been found in the stormwater system. Additionally, coordinate the use of the department's video inspection equipment to inspect underground storm sewer pipe and chamber systems. 4. Develop a formal Public Outreach Team charged with developing partnerships with residents and businesses aimed at improving stormwater quality. Information from sampling events would be shared with residents and businesses in order to develop localized plans and implementation strategies to reduce specific pollutants. Quarterly sampling results would be monitored and shared with the team in an effort to see reductions in pollutants of concern. In addition, the City is able to better design and implement localized stormwater treatment programs that are focused on removing pollutants prior to reaching Naples Bay or the Gulf of Mexico. The Public Outreach Team would include staff from Natural Resources and Streets & Stormwater, with some technical support from AMEC. 		
<p>If staff's recommendations are supported by City Council, staff and AMEC would work to develop a specific scope of services, fee schedule and timeline. A contract amendment would be presented to the City Council in March 2012. The Stormwater Enterprise Fund has \$60,000 allocated in FY 11-12 for professional services; however, additional funding, if necessary, is available within Stormwater fund balance.</p>		
Reviewed by Department Director Gregg R. Strakaluse, P.E.	Reviewed by Finance N/A	Reviewed by City Manager A. William Moss
City Council Action:		

**City of Naples
Police Department**

Department Overview

The mission of the Naples Police Department is to promote public safety through crime prevention, crime investigation, providing emergency and non-emergency service and creating strong community partnerships.

The Police Department is the emergency communications and law enforcement arm of public safety for Naples City government. The department is organized into four primary functional commands:

- Administration
- Criminal Investigations
- Police Operations
- Support Services

Administration is responsible for the management of the department under the Chief of Police, including recruitment, training, accreditation and internal affairs.

Criminal Investigations includes a General Investigation Section, a Special Investigations Unit, a Laboratory, a Property and Evidence facility and the Community Policing Unit.

Police Operations is responsible for uniform patrol services throughout the Naples community. Specialty units include a K-9 officer, Marine Patrol, traffic safety and school crossing guards.

Support Services administers the department's fiscal matters and primary information resources including telecommunications, police and fire computer-aided dispatch and a records management system. Support Services is also responsible for maintenance of the headquarters facility and for management of basic equipment and supplies.

The following chart shows the budgetary changes over the past five years.

	07-08	08-09	09-10	10-11	11-12
PERSONAL SERVICE	10,224,581	10,665,260	10,351,248	10,019,246	9,884,211
OPERATING EXPENSES	1,129,629	1,134,991	917,641	927,245	909,548
TOTAL	11,354,210	11,800,251	11,268,889	10,946,491	10,793,759

The following charts show the number of total employees and sworn positions allocated to the Police Department for the past five years.

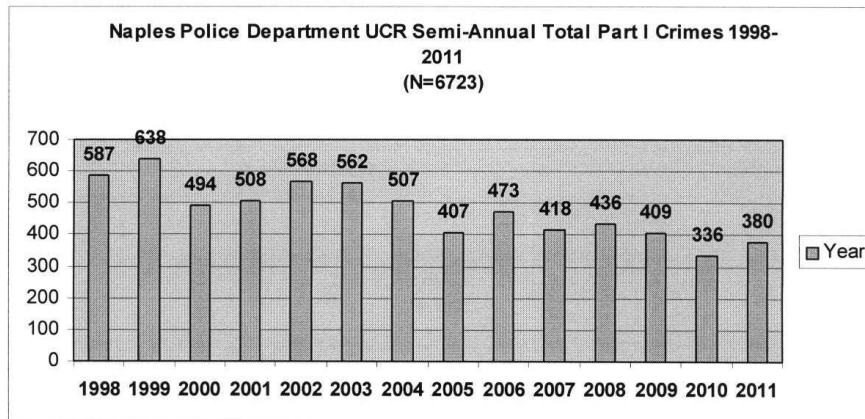
	07-08	08-09	09-10	10-11	11-12
TOTAL POSITIONS	114.7	109.7	104.4	98.4	98.4

	07-08	08-09	09-10	10-11	11-12
SWORN POSITIONS	75	74	70	68	68

Uniform Crime Report

The City of Naples has experienced a 2.8% increase in crime from January through September of 2011. The increase is primarily in larceny, auto thefts and aggravated assaults.

The following chart depicts the semi-annual part one crime data from 1998 to present. While there is an increase from last year, UCR crimes in 2011 are still low in comparison to the past twenty years.



In addition, the Florida Department of Law Enforcement provides information regarding the percentage of part one crimes that are cleared by law enforcement agencies. The Naples Police Department cleared 40.8% of all part one crimes in the first six months of 2011.

	TOTAL CRIME INDEX	PERCENT CLEARED
COLLIER COUNTY SHERIFFS OFFICE	3,072	24.7%
NAPLES POLICE DEPARTMENT	380	40.8%
MARCO ISLAND POLICE DEPARTMENT	87	33.3%

Primary Function Areas (PFA's)

Seven Primary Function Areas have been established for the Naples Police Department.

1. Crime detection and mitigation: \$5,436,316

- Sector patrol
- Respond to calls for service including emergency and non-emergency incidents
- Evidence collection, testing and preservation
- Conduct follow up investigation of reported crimes
- Maintain intelligence information
- Criminal surveillance based on crime trends and active investigations
- Enforce criminal, traffic and code violations
- Incarcerate subjects or serve notice of violation
- Issue verbal or written violation warnings
- Attend pre-trial and court proceedings
- Participate in legal update and procedural training

2. Crime Prevention: \$1,976,842

- Analyze crime data
- Conduct property crime prevention surveys
- Distribute crime trend data to neighborhood associations
- Directed patrol
- COMSTAT meetings
- Attend neighborhood meetings
- Crime prevention programs (DARE, Drug Free Collier, National Night Out)
- Home Watch Program
- Street light monitoring

3. The orderly flow of vehicular traffic: \$296,526

- Traffic enforcement
- DUI enforcement
- Driver education
- Vehicle crash investigations
- Traffic court
- Traffic direction

4. Emergency 911 Communication Center: \$1,087,265

- 911 and non-emergency telephone communications
- Police and Fire radio dispatch
- Subject and vehicle NCIC/FCIC checks
- Computer Aided Dispatch (CAD) information creation and management
- 911 education program

5. Customer service: \$296,526

- Provide copies of crime and crash reports
- Comply with public record requests
- Citizen fingerprinting service
- Correspond with media and provide press releases

Attend neighborhood and school functions
Police and Fire Youth Academy
Citizens Police Academy
Nuisance abatement (noise complaints and neighbor disputes)
Domestic violence mediation and prevention
Distribute public service announcements

6. Marine Patrol Enforcement: \$197,684

Police visibility on city of Naples waterways
Enforce marine law enforcement by issuing citations or warnings
Conduct vessel and equipment safety inspections
Perform marine rescue operations
Assist with safe vessel towing
Environmental protection and species rescue
Waterway crime patrol
Marine safety education programs
Special event patrols
Assist with navigation marker maintenance

7. Support and Administrative Services: \$593,052

Personnel training
Develop five year capital improvement plan budget
Annual budget preparation and implementation
Monitor expenditures throughout fiscal year
False alarm monitoring program
Subpoena delivery and coordination
Florida Law Enforcement accreditation
Records management
State Uniform Crime Report development and reporting
Accounts receivable and payable functions
Travel approval and reconciliation
Police and Fire payroll
Recruitment, hiring and background checks
Promotional process development and administration
Policy and procedure revision and dissemination
Conduct internal investigations
Facility maintenance and equipment purchases
Property room evidence and personal item maintenance
Develop department emergency plan
Emergency plan review and training
Emergency plan public education
EOC inspection and preparation
Emergency incident monitoring
NIMS and Incident Command training
Emergency plan coordination with Collier County Emergency Management Department

PRIMARY FUNCTION AREA	PERCENT	COST
CRIME DETECTION	55%	\$5,436,316
CRIME PREVENTION	20%	\$1,976,842
VEHICULAR TRAFFIC	3%	\$296,526
911 COMM. CENTER	11%	\$1,087,265
CUSTOMER SERVICE	3%	\$296,526
MARINE PATROL	2%	\$197,684
SUPPORT AND ADMIN.	6%	\$593,052
TOTAL		\$9,884,211

Ten Percent Reduction of Expenditures

A ten percent reduction in the police department budget would equate to \$1,079,375. The majority of the general fund expenditures are in Personal Service, therefore the reductions would eliminate a significant number of positions and services.

Option One: Outsourcing the Communications/911 Center

ELIMINATED POSITIONS

Communications Manager	1	\$102,000
Communication Supervisors	3	\$252,000
Telecommunicator II	11	\$770,000
TOTAL		\$1,124,000

The 911 and dispatching responsibilities would be outsourced to the Collier County Sheriffs Office. This would cause a substantial reduction in service to the community, and the efficiency of police/fire response will be diminished.

It is unknown if CCSO would charge an assessment for the service. CCSO will need to increase staffing and provide equipment for a complete transition. In addition, the 911 rollover problems have been discussed in the past along with patient care and 911 caller delays.

FUNCTION	REDUCTION	NEGATIVE
OUTSOURCE 911 CENTER TO CCSO	ELIMINATE/LAY OFF 15 FTE POSITIONS	REDUCTION IN LEVEL OF SERVICE
	ELIMINATE CITY CAD/RMS SYSTEM	OBTAINING INCIDENT RECORDS WILL BE OUT OF NPD CONTROL
	ELIMINATE CITY RADIO SYSTEM	COMPLETE TRANSITION TO CCSO EQUIPMENT
		COST FOR SERVICE AND EQUIPMENT IS UNKNOWN

Option Two: Outsourcing the Criminal Investigations Division

ELIMINATED POSITIONS

Police Lieutenant	1	\$120,000
Police Sergeant	2	\$200,000
Detectives	8	\$640,000
(5 detectives for criminal investigations, 2 detectives for narcotics and street crimes and 1 assigned to DEA Task Force)		
Crime Scene Investigator	1	\$75,000
Crime Analyst	1	\$75,000
Administrative Specialist II	1	\$60,000
TOTAL		\$1,170,000

The elimination of the Criminal Investigations Division will reduce expenditures by approximately \$1,170,000. CCSO detectives would follow up case reports completed by Naples police officers. CCSO narcotics detectives would also be assigned to combat illicit drug usage and sale in the city. This comes at a time when prescription drug abuse is at epidemic levels.

Outsourcing the Naples CID will severely affect service to our citizens. Investigations will be fragmented and the NPD intelligence of local suspects and trends will be lost. All forfeiture funds will be eliminated and funding to DARE, SWAT, training and AED purchases will either be added to the general fund or eliminated.

In addition, the assessment cost that CCSO would charge the City of Naples is unknown. CCSO will need to assign at least the same number of personnel (14 FTEs listed above) to provide adequate service to the City of Naples.

In 2010, 826 cases were assigned to four detectives for follow up investigations.

2010 CID Assigned Cases	826
Four detectives	
Suspended	393
Cleared by Arrest	143
Exceptionally Cleared	79
Unfounded	127
Closed	79
Open/Pending	5
TOTAL	826

2011 CID Assigned Cases	702
Five detectives	
(January thru October)	
Suspended	349
Cleared by Arrest	74
Exceptionally Cleared	29
Unfounded	85
Closed	59
Open/Pending	106
TOTAL	702
CLEARANCE %	35%

702 cases have been assigned to detectives in 2011, and the projection is that approximately 842 cases will be assigned by the end of the year.

Special Investigations Unit	
Two detectives	
2011 (Jan-Nov)	
Arrests	67
Assists with Arrests	39
Arrests Pending	10
Investigations	87
Intelligence Reports Investigated	53
Field Interviews Conducted	40
Traffic Citations/Warnings Issued	45
Surveillance Hours	518

FUNCTION	REDUCTION	NEGATIVE
OUTSOURCE CRIMINAL INVESTIGATIONS TO CCSO	ELIMINATE FIVE DETECTIVE POSITIONS AND SUPERVISOR	LOSS OF CONTROL OF CASES AND COMPLETE FRAGMENTATION OF INVESTIGATIONS
OUTSOURCE NARCOTICS INVESTIGATIONS TO CCSO	ELIMINATE THREE U/C DETECTIVES AND SUPERVISOR	LOSS OF CONTROL OF INVESTIGATIONS AND LOCAL KNOWLEDGE OF CRIME
OUTSOURCE CRIME SCENE PROCESSING	ELIMINATE CRIME SCENE INVESTIGATOR	NO CONTROL OF RESPONSE TIME OR RESULTS OF PROCESSING. ELIMINATE CIVILIAN FINGERPRINTING SERVICE
	ELIMINATE CRIME ANALYST	LOSS OF CRIME TREND DATA TO DEPLOY PERSONNEL AND PREVENT CRIME

Option Three: Outsourcing and eliminating special units

ELIMINATED POSITIONS

Police Sergeant	2	\$200,000
Community Policing/CRA	8	\$640,000
Marine Patrol Officers	2	\$160,000
Traffic Officers	3	\$240,000
Part time officer	1	\$44,000
School Guards	4	\$45,000
TOTAL		\$1,329,000

Police Sergeant: The Community Policing (COP) and Special Operations sergeant positions will be eliminated due to the fact that the Community Policing Unit, Marine Patrol and the Traffic Unit will not exist any longer.

Community Policing Unit and CRA Officers: The eight officers in the unit will be eliminated.

COP officers are assigned to each sector to address quality of life issues and to concentrate on crime in their assigned neighborhoods. This service will be eliminated.

The three CRA officers provide the same service in the CRA district. The elimination of the three CRA officers would save \$240,000 in the CRA fund.

Marine Patrol The two Marine Patrol Unit officer positions will be removed from the budget. Naples Police Department will not patrol the waterways to address violator and crime within the city limits.

CCSO will respond to marine calls and patrol city waterways when available.

Traffic Unit The three motorcycle officer positions will be eliminated.

The motorcycle officers address the following:

- Traffic homicide investigations
- Crash investigations
- Neighborhood traffic complaints
- Routine traffic and school speed zone enforcement
-

Specific attention to speeding, traffic violation complaints and speed zone enforcement will be eliminated. Patrol sector officers will address these issues when they are not assigned to calls in their sectors.

Traffic homicide investigations will be outsourced to Florida Highway Patrol and CCSO traffic crash investigators. Local traffic will be inconvenienced while waiting for traffic homicide investigators to respond before moving vehicles and victims.

Part Time Police Officer: The position concentrates on the following duties:

- Council meeting and City Hall security
- Routine patrol and report writing

Council meeting and City Hall security will be eliminated and perhaps this function could be outsourced to a security company.

School Crossing Guards: Currently, NPD has four part time crossing guards to assist with pedestrian crossing at schools within city limits. They are assigned to specific intersection before and after school hours.

This important service will be eliminated and the safety of our school children will be in jeopardy. Officers would be assigned to assist with school crossing when not assigned to calls in their sectors.

FUNCTION	REDUCTION	NEGATIVE
ELIMINATE AND OUTSOURCE SPECIAL UNITS	ELIMINATE COP/CRA AND SERGEANT - 9 FTEs	ATTENTION TO QUALITY OF LIFE ISSUES WILL BE ELIMINATED
	OUTSOURCE MARINE PATROL TO CCSO- ELIMINATE NPD MARINE PATROL-2 FTEs	NO CONTROL OF PATROL TIMES OR LOCATION
	ELIMINATE TRAFFIC MOTORCYCLE OFFICERS - 3 FTEs	UNABLE TO RESPOND TO COMPLAINTS. LOSS CONTROL OF TRAFFIC HOMICIDE INVESTIGATIONS
	ELIMINATE PART TIME OFFICER	NO SECURITY AT COUNCIL CHAMBERS. ELIMINATE ASSISTANCE WITH POLICE REPORT WRITING/PATROL
	ELIMINATE SCHOOL CROSSING GUARDS	JEOPARDIZE SAFETY OF CHILDREN AND OTHER PEDESTRIANS

Ten Percent Increase in Expenditures

A ten percent increase in the police department budget would equate to \$1,079,375. The following positions would be added to the budget to increase our quality of service:

ADDITIONAL POSITIONS

Police Captain	1	\$140,000
Police Sergeant (CID)	1	\$100,000
Police Detective	2	\$160,000
Marine Patrol Officers	2	\$160,000
Canine	1	\$5,000
Community Service Aides	4	\$200,000
Accreditation Manager	1	\$60,000
Fiscal Analyst	1	\$60,000
Telecommunicator	2	\$120,000
TOTAL		\$1,005,000

Police Captain: Currently, the department has only one captain for the Operations Bureau. The second captain would supervise the Criminal Investigation Division.

Police Sergeant and Detectives: One sergeant will be assigned to the Criminal Investigations Division.

Currently, there is one detective sergeant assigned to CID and the second detective sergeant will be added with the two investigators. The additional supervisor position will reduce the span of control to a manageable level.

The two additional detectives will address economics crimes and juvenile investigations.

Marine Patrol Officers: Two additional Marine Patrol officers will increase coverage on the weekends and patrolling Moorings Bay.

Canine Officer: One canine will be added to provide seven day coverage during the evenings.

Community Service Aides (CSA): Four civilian CSA positions will be added to assist with writing police reports, minor accident investigations and crime prevention initiatives.

Accreditation Manager: The civilian position will be added to concentrate on Florida accreditation, standard operating procedure revisions and special projects.

Fiscal Analyst: The Fiscal Analyst position will be added back into the Records section to address payroll matters for the police and fire departments.

Telecommunicator: Two additional telecommunicators will be added to assist with EMS dispatching and for shift reliefs.

Outsourcing or Consolidation

Out-sourcing and consolidation in a law enforcement agency is very limited due to the nature of the profession. The following functions could be outsourced:

SWAT: Currently, the Naples Police SWAT team is funded with confiscation funds. The team trains on duty and does not cost the department any overtime of capital expenses. The SWAT vehicle was donated to the department and maintenance costs are minimal.

The NPD SWAT team allows officers to be prepared to address tactical incidents, and they carry the necessary weapons required for the particular situation.

SWAT team members are deployed throughout the department and available at all times. The immediate response to incidents such as the Columbine High

School massacre (13 killed and 26 wounded), the Virginia Tech massacre (32 killed) and the Westroads Mall massacre in Nebraska (9 killed and 4 wounded) are just a few examples of the need for an immediate tactical response to an active shooter incident. The on-duty SWAT team members will organize to eliminate the threat or stabilize the situations until the entire team is deployed to the scene.

CCSO has an excellent SWAT team that provides service to the community. They would respond to tactical and warrant incidents in the city. Standard protocol is that the CCSO team would assume incident command responsibilities for the tactical response.

In conclusion, the outsourcing and elimination recommendations will have a significant effect on the Naples Police Department service level. The fragmentation and reduction in key components of the department will limit the ability to respond to situations that Naples residents expect from their police department.

The following areas of concern must be considered when deploying personnel and planning for the future:

- Coastland Mall
- Naples airport
- NCH
- Nine miles of beach and over forty public access points
- Naples High School
- U.S. 41
- Fifth Avenue South and Third Street South businesses
- Special events
- Distinguished high-profile residents

It is not possible to determine the actual savings that would take place. The Collier County Sheriffs Office will have to provide at least the same number of FTE's to match service to the City of Naples. In addition, extensive technological changes would need to be researched for transition to out-sourcing. Both of these factors could require an assessment charge by CCSO.

Naples Police Department personnel have a long and proud legacy of protecting citizens and their property. The reductions listed above will devastate their ability to provide the same levels of quality customer service.

Outsourcing the functions and laying off up to fifteen fulltime employees will begin the dismantling of the Naples Police Department.



Memo

Office of the City Attorney

TO: A. William Moss, City Manager
 Mayor Bill Barnett & Naples City Council

FROM: Robert D. Pritt, City Attorney

DATE: November 30, 2011

SUBJECT: Zero Based Budget – Legal Department

DEPARTMENT OVERVIEW

The mission of the Legal Department is to provide legal counsel to the City Council, Advisory Boards and City staff on all matters involving City policy and administration in a thorough and proficient manner. The City Council has contracted with the law firm of Roetzel & Andress since 1997. The current agreement extends through September 30, 2012. Robert D. Pritt has served as lead attorney and designated City Attorney since 2002.

For the past 5 (actually over 12) years, the City's legal department has consisted of 1 in-house employee, presently the legal coordinator. Prior to that time there were 2 FTE's and 1 part-time contract employee, as well as the City Attorney.

CITY ATTORNEY DEPARTMENT - 5 year Staffing history

JOB TITLE	07-08 Adopted	08-09 Adopted	09-10 Adopted	10-11 Adopted	11-12 Adopted
ADMINISTRATION					
Legal Coordinator	$\frac{1}{1}$	$\frac{1}{1}$	$\frac{1}{1}$	$\frac{1}{1}$	$\frac{1}{1}$

The following chart shows the budgetary changes over the past 5 years:

	07-08	08-09	09-10	10-11	11-12
Personal Services	\$97,661	\$107,771	\$106,663	\$108,394	\$108,058
Operating Exp	\$591,095	\$582,180	\$540,119	\$494,770	\$395,770
Total Expenses	\$688,756	\$689,951	\$646,782	\$603,164	\$503,828

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FUNCTIONS/SERVICES/ACTIVITIES

The primary functions and duties of the department include the following:

1. City Attorney – General legal services. Budget 2011-12 \$245,000.00 (Contract cap-\$292,630)

In accordance with the Agreement for Provision of Legal Services, the City Attorney provides general legal services as follows:

- counseling and advice to the City Council, the City Manager and designated staff members;
- attendance at City Council meetings, Planning Advisory Board meetings (see below), Code Enforcement Board meetings and, as necessary (through request of Mayor, Council or City Manager), specified board or committee meetings;
- orientation sessions for new boards on Government in the Sunshine and Ethics laws;
- annual assessment of new legislation;
- assistance in review and preparation of agenda items for meetings;
- preparation or review of resolutions and contracts;
- preparation of ordinances;
- representation in internal administrative matters and proceedings;
- monitoring new cases and legislation for necessary changes in local legislation.

2. City Attorney - Planning Advisory Board services. Budget 2011-12 \$13,000.00 (part of contract cap).

- departmental review of petitions;
- assistance to staff as to completeness of petition and supporting documents;
- review of staff report and exhibits for legal correctness;
- assistance to staff in preparation of draft legislation;
- attendance and legal advice at meetings;
- post-meeting revision of legislation for Council.

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3. **City Attorney - Non-general legal services. Budget 2011-12 \$6,000.00 (part of contract cap).**
 - Services that are of an extraordinary or unique type that would not be considered general legal services and that would require unusual resources or time (rule of thumb more than 10 hours);
 - Other specialized services are also provided including, opinions and certifications of title, opinions in conjunction with bonds and other borrowings or with federal, state or local funding.
 - Services that could be allocable to specialized matters such as: non-routine human resources, personnel, or employment matters; leasing, sales or purchases of real estate, user agreements, cable and telecommunication matters.
 - Services for matters that are eligible as reimbursable project costs such as: bonds (issuer's counsel) and special assessments.
4. **City Attorney – Litigation. Budget 2011-12 \$100,000.00**
 - Litigation services are provided regarding claims against the City or claims by the City, in courts of law or external administrative proceedings.
5. **Labor Attorney – Budget 2011-12 \$15,000.00.**
 - Under contract with Allen, Norton and Blue.
6. **Pension Attorney – Budget 2011-12 \$0**
 - Under contract with Lewis, Longman and Walker.
7. **Legal Coordinator (including general paralegal services) – Budget 2011-12 \$108,058**

Provides all paralegal support services required of the City Attorney and other outside law firms representing the City, including the following:

 - performs complex legal analysis and research support;
 - Extensive drafting and substantial revisions to ordinances and resolutions, work with City Manager's office in proofreading agendas, draft contracts, pleadings, discovery documents, liens, satisfactions of liens, easements, waivers, orders, bankruptcy claims and other legal instruments;
 - Schedule depositions, coordinate court reporters, interrogatories, meetings, process invoices;
 - Receives, reviews, researches and processes all pleadings regarding bankruptcy cases; prepare index of all outstanding cases and update quarterly; draft bankruptcy claims for collection and file with bankruptcy courts;
 - Receives, reviews, researches and drafts answers pertaining to garnishment matters;
 - Provides continuous direction and assistance to staff on preparation of legislation and contracts;

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- Researches and verifies advertising requirements for various petitions before the Planning Advisory Board and City Council;
- Drafts Code Enforcement Board Orders and Liens;
- Follows through on all documentation for each plat under the City's plat procedures ensuring the City receives title opinions, etc.
- Assists with drafting and filing court documents for miscellaneous litigation cases involving foreclosures and bankruptcies;
- Prepares and monitors department budget;
- Handles all telephone intake and processing calls as well as office reception; drafts correspondence and responds to inquiries and complaints from the general public, other agencies and departments and divisions of the City in a timely manner; maintains a manual and index for attorney opinions; does all filing for department; maintains calendar; transcribes correspondence and provides clerical support to attorneys; prepares revisions to legislation after Planning Advisory Board meetings and City Council meetings; places all legislation in a restricted drive on the network for every Council meeting; proofreads final legislation from the Clerk's office with annotated agendas; processes payments in HTE (open purchase orders, process receiving reports and field purchase orders); responds to public records requests; meets with or communicates with City Attorney via e-mail and telephone on a daily basis; works with department heads and staff to assist with agenda packet submittals to City Council.

In addition, the legal coordinator continually works to reduce costs billed to the City by performing computerized legal research on the less expensive government Westlaw account. The City pays \$136 a month for unlimited access to the Westlaw database for City research.

The legal coordinator continuously monitors Municipal Code Corporation for cost cutting codification methods (For example, the suggestion to reduce the number of paper Code supplements that the City previously received saved the City added expenses.) The City Code is on the City's website and is more current online.

Experience and historical knowledge allows the City to receive more services for less money, and to provide professional, effective and efficient public service assistance to the general public. For example, most legislation is drafted, formatted and/or edited by the legal coordinator for the City Attorney's review, saving time and money.

In the last two years, the workload of the legal coordinator has increased substantially with the monitoring and/or filing claims in over 180 bankruptcy cases. The legal coordinator filed over \$51,000 in bankruptcy claims with little attorney review time. In all but a few specialized bankruptcy cases, the attorney review was billed under the general services rates and cap rather than litigation.

An increase in unpaid utility fees and City lot mowing resulted in the need to research and draft an extraordinary number of liens last year (over 60). Outstanding amounts of \$6,140 were collected.

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DEPARTMENT

Since the 07-08 fiscal year, the total operating budget has decreased from \$688,756 to \$503,828 (27 percent) The operating expenses have decreased from \$591,095 to \$395,770 (33 percent).

The most significant reduction has been the reduction of litigation costs, budgeted from \$200,000 in 2007 to \$100,000 for the current fiscal year. Last fiscal year the amount budgeted was \$160,000, however, not more than \$5,000 was paid on litigation matters (outside of risk management) to Roetzel & Andress. The City spent funds from this line item for legal services from other firms for labor negotiations and pension matters. Since litigation is down, the need for executive sessions and court reporter fees is also down. (However, litigation has increased significantly in the current fiscal year.)

The following chart consists of actual expenses for litigation services (outside of risk management) since 2002:

2002-03	2003-04	2005-06	2007-08	2008-09	2009-10	2010-11
\$192,390	\$196,417	\$146,487	\$228,719	\$102,073	\$84,815	\$32,867

The annual contract with Roetzel & Andress has been capped at \$292,630 since 2007, although the amount budgeted for 2011-12 is \$245,000.00. In fiscal year 2009-10, there was an excess amount of \$75,000.00. Last fiscal year there was an excess of \$55,219.99. Hourly rates have not increased since 2005.

There is virtually no allowance for non-risk management litigation budget. Historically (over last 10 years) that has accounted for between \$200,000 and \$700,000 annually. The reduction to \$100,000 for 2011-12 leaves the absolute minimum necessary for non-risk management disputes.

Most, but not all, of the litigation-related services are performed under the Risk Management budget line item. Examples of claims and disputes that are not covered include: Challenges to City Council action, most contractual disputes, intergovernmental litigation, pension issues (i.e., *Collier County v. Fish and Wildlife Conservation Commission* (boat speeds)), FAA stage 2 jet ban, Comprehensive Plan challenges, Hamilton Harbor, Golden Gate Overpass, Buquebus, Airport runway extension, etc.). It is expected that at least one intergovernmental dispute will be in litigation in this fiscal year.

Reactive Law: Most work in a City legal department is in response to matters that come from City Council, other departments, other agencies (i.e. Airport) or even the public. The City Attorney’s office has a policy and agreement with the City that it only responds to and does significant legal work in response to requests from the City Council as a whole (except for ethics and conflict issues) or the City Manager.

In most litigation, the City is a defendant. In the cases in which the City is a plaintiff, the legal department only proceeds on the request of the City Manager or City Council (depending upon the amount in controversy e.g., collections and forfeitures).

Even when facing difficult economic times and with cutting overhead costs, this department continues to be primarily focused on providing quality services and excellence expected by the residents and the Mayor and City Council.

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10% REDUCTION OF EXPENDITURES

The following functions/services and activities may be reduced.

- Public Records Requests. With proper training of personnel in other departments to recognize documents that must be produced and those which are exempt and/or confidential, or redacted (which is a time-consuming process) time of the legal department can be reduced.
- Better coordination and standardization of resolutions, especially for quasi-judicial matters.
- Timely submission of matters requiring legislation and standardized packets for contract review also submitted in a timely manner. Both reduce mistakes and requirement for "do-overs".
- Help City Council become more efficient timewise. For example, discontinue holding 2 hearings when only 1 is required, reduce the inventory of matters that require Planning Advisory Board and City Council hearings (i.e., permitted/prohibited uses instead of a bevy of conditional uses, special exceptions, variances, etc.).

Impact of reduction on the services provided.

- Reduced assistance of attorney.
- Increased litigation due to avoidable errors.

10% INCREASE IN EXPENDITURES

Functions that would be added or expanded.

- **Preventive Law.** The most effective and cost-saving device is an emphasis on preventive law. This is done through training and monitoring.
- Become more involved in preventative law rather than being reactive. Recognize and advise as to problem areas prior to them being big problems.
- A police department is especially vulnerable to costly legal disputes from outside elements and would benefit by having a police legal advisor as is common in most police and sheriff departments. Civil rights and other litigation is expensive, even if the City wins.
- Employment law preventive assistance. Employment policies have a maximum life span of about 5 years, and perhaps less in governmental agencies, due to trends in legislative activities and in litigation. The budget for Employment law matters was folded into the general department budget and stands at \$0 for the current fiscal year.

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- Estimate that anticipated non-risk management litigation would use up any money in that litigation account in this fiscal year and then some (e.g., East Naples Fire pension dispute).
- Serious and significant changes to update the Land Development Code.
- Improve focus on local legislation that would be a model for, and will encourage economic development;
- Potential lobbying of specific legislators and administrative officials.
- Become more active in environmental regulation matters. Example, City staff had settled a major case with state entities several years ago, which contained oppressive requirements with which the City is now having to deal. Such settlement agreements are not to be done without full participation of the City Attorney and have proved to be very costly. (e.g. submerged land leases)

OUT-SOURCE OR CONSOLIDATION

Functions/Services that are out-sourced and the estimated cost.

- Legal services for City Attorney general legal services are outsourced. Estimated cost – see 5 year budget history below.
- Paralegal services to support the legal department general services are conducted in-house. Estimated cost – see 5 year budget history below.

Recommendation: No change.

Functions/Services that may be out-sourced and the estimated cost and benefit.

- If the same paralegal services were billed back to the City by Roetzel & Andress, the cost would be \$105.00 per hour. An estimate of 30 hours per week would cost the City \$163,800 per year.
- There is no point to outsource work that is carried out cheaper with in-house paralegal services combined with additional functions now handled by the legal coordinator.
- The cost of the duties, functions and responsibilities that are provided by an in-house paralegal/legal coordinator is substantially less than outsourcing the same services and without the benefit of institutional knowledge and other non-paralegal support functions that are currently being provided. A change to this would ultimately result in the potential of increased costs for the same functions as the services being provided today. In 1997 the City contracted with Hildebrandt to provide a study on the legal services provided to the City. In that report it was identified that the legal coordinator “does considerable work that in most law firms would be done by a young lawyer.” In addition, the legal coordinator has absorbed the work of the full time legal secretary that also spent “50 to 60 percent of time doing paralegal functions,” and the part time clerical support.

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Functions/Services that may be consolidated with other entities.

None identified.

ELIMINATION OF FUNCTIONS/SERVICES

This department is already functioning with a minimum level of personnel. Any additional reduction would result in the loss of essential functions supporting requests of the Mayor, City Council, City Manager, staff, businesses and residents.

FACILITIES

Facilities required for the Legal Department are located in City Hall. This allows the City Attorney to efficiently meet with staff, City Manager, City Clerk, City Council members, department heads, and members of the public. Over the past 20 years, the same space was utilized by the Legal Department, and it is not anticipated that the department would need additional space 20 years into the future if the City continues to contract its legal services. If it were to go in-house there would have to be 2-3 attorneys and an equal or greater number of support staff with additional space requirements.

CITY ATTORNEY - 5 year budgeted history

ACCOUNT DESCRIPTION	ADOPTED BUDGET 07-08	ADOPTED BUDGET 08-09	ADOPTED BUDGET 09-10	ADOPTED BUDGET 10-11	ADOPTED BUDGET 11-12
PERSONAL SERVICES					
10-20 REGULAR SALARIES & WAGES	75,264	80,841	79,286	79,286	79,286
25-01 FICA	5,691	6,080	5,965	5,965	5,904
25-03 RETIREMENT CONTRIBUTIONS	8,339	12,005	12,987	13,772	15,215
25-04 LIFE/HEALTH INSURANCE	8,367	8,845	8,425	9,371	7,653
TOTAL PERSONAL SERVICES	97,661	107,771	106,663	108,394	108,058
OPERATING EXPENSES					
30-00 OPERATING EXPENDITURES	4,500	1,900	750	750	750
31-01 PROFESSIONAL SERVICES	25,000	20,000	20,000	12,000	10,000
31-04 OTHER CONTRACTUAL SERVICES	15,000	15,000	15,000	8,000	6,000
32-01 CITY ATTORNEY	292,630	292,630	292,630	270,000	245,000
32-04 OTHER LEGAL SERVICES	20,000	20,000	20,000	13,000	13,000
32-10 LITIGATION	200,000	200,000	160,000	160,000	100,000
32-12 LABOR ATTORNEY	25,000	25,000	25,000	25,000	15,000
40-00 TRAINING & TRAVEL COSTS	2,020	1,460	1,460	1,460	1,460
41-00 COMMUNICATIONS	1,200	745	534	510	510
46-04 EQUIPMENT MAINTENANCE	150	700	0	0	0
51-01 STATIONERY	1,500	600	600	600	600
54-01 MEMBERSHIPS	325	375	375	450	450
54-02 BOOKS, PUBS, SUBS.	3,770	3,770	3,770	3,000	3,000
TOTAL OPERATING EXPENSES	591,095	582,180	540,119	494,770	395,770
TOTAL EXPENSES	688,756	689,951	646,782	603,164	503,828

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**City of Naples
Community Services Department**

Department Overview

Mission Statement

The mission of the Community Services department is to be responsive to the public by providing exceptional Parks and Parkways, Recreation and Enterprises, delivered in a cost-effective, efficient and professional manner.

The Community Services Department provides public services with operations funded from four different funds: General Fund (Administration, Parkways, Recreation and Facilities Maintenance), Beach Fund, Tennis Fund and the Community Redevelopment Fund.

General Fund budgetary changes during last 5 years.

ACCOUNT DESCRIPTION	ADOPTED BUDGET 07-08	ADOPTED BUDGET 08-09	ADOPTED BUDGET 09-10	ADOPTED BUDGET 10-11	ADOPTED BUDGET 11-12
PERSONAL SERVICES					
General Fund Personal Services	\$4,156,375	\$3,771,697	\$3,279,246	\$3,226,737	\$3,072,562
5 YEAR P.S. REDUCTION FROM 07-08					-\$1,083,813
OPERATING EXPENSES					
General Fund Operating Expenses	\$4,616,100	\$4,224,890	\$3,940,846	\$3,857,195	\$3,507,096
TOTAL EXPENSES	\$8,772,475	\$7,996,587	\$7,220,092	\$7,083,932	\$6,579,658
5 YEAR OP. REDUCTION FROM 07-08					-\$1,109,004
TOTAL 5 YEAR REDUCTION FROM 07-08					-\$2,192,817
OVERALL % REDUCTION FROM 07-08					-25%

The following chart shows the number of employees allocated to the Community Services Department for the past five years.

POSITIONS FUNDED	ADOPTED BUDGET 07-08	ADOPTED BUDGET 08-09	ADOPTED BUDGET 09-10	ADOPTED BUDGET 10-11	ADOPTED BUDGET 11-12
NUMBER OF POSITIONS GENERAL FUND	58.0	48.0	41.0	41.0	40.0
NUMBER OF POSITIONS TENNIS FUND	4.0	4.0	4.0	4.0	4.0
TOTAL POSITIONS	62.0	52.0	45.0	45.0	44.0
TOTAL 5 YEAR POSITION REDUCTION					-18.0

Staffing Changes during the previous five years are a result of the following:

FY 2008-09

- Eliminated Community Services Analyst, 1 Administrative Specialist II, 3 Landscape Technician, 1 Park Manager and 1 Recreation Coordinator. Relocated Natural Resources Division (3 positions) and the Grants Coordinator to other departments

FY 2009-10

- Eliminated Recreation Superintendent, 1 Administrative Specialist II, 2 Landscape Technicians, 2 Recreation Assistant, Facilities Maintenance Superintendent and 1 Tradesworker (added Recreation Services Manager and Facilities Maintenance Supervisor)

FY 2010-11

- No Eliminations

FY 2011-12

- Eliminated 1.5 Recreation Assistant at Fleischmann Park

The City Code provides the basis for the responsibility of the Community Services Department, under the direction of the Community Services Director. Primary responsibilities include:

1. Provide a recreation, athletic and cultural arts program and park facilities for citizens of the city.

2. Maintain and develop the physical facilities and properties of the community services department, including all parks and beach access locations within the City.
3. Operate the business enterprises of the department; remit all revenue collected from these enterprises to the department of finance with a daily cash report.
4. Act as secretary to the community services board.
5. Provide for the maintenance of all public buildings.
6. Provide for the landscape and tree maintenance of all public medians and rights-of-way, including management of the urban forestry plan.

The Recreation Division is funded in the General Fund totaling \$1,849,900 Programs and Activities Generate Revenues of \$638,640 (equating to 35% cost recovery of overall divisional expense).

A summary of the recreation, athletic and cultural arts program and park facilities for citizens of the city includes but is not limited to the following activities.

- A. Classes – Over 360 classes per year
- B. Camps – Over 165 different camps per year
- C. Rentals/Clubs – Over 300 rentals and club meetings with more than 3,500 hours per year
- D. Theatrical/Musical Productions – Over 80 different stage productions per year
- E. Free Concerts /Movies in the Park – Over 50 free outdoor events per year
- F. Athletic/Sports Programs – Over 60 youth and adult athletic programs with more than 3,500 hours of practice/games per year

In July 2008, the City and County entered into a \$1,000,000 Interlocal Agreement to fund the expenses that the City's recreation programs, including beaches, sustain related to serving the County residents. It has been found that 70% of all recreation programs, including beach parking, serve non-city residents. By the County providing this revenue to the City, both the City and the County can provide enhanced levels of services. For FY 2011-12, the City placed half the funds into the Beach Fund, and \$500,000 in the General Fund.

Maintain and develop the physical facilities and properties of the community services department, including all parks and beach access locations within the city: \$990,754

- A. Community Parks/Conservation Areas
 - 101.84 acres
- B. Neighborhood, Linear Parks and Mini Parks
 - 40.56 acres

- C. Beach Access
 - 40
- D. Community Centers
 - 3
- E. Facilities Maintenance provides maintenance to:
 - 62 Public Buildings
 - 406 Trash Cans
 - 71 Public Restroom Facilities
 - 217 Sinks
 - 189 Toilets
 - 81 Urinals
 - 59 Beach Access Showers
 - 42 Public Drinking Fountains
 - 111 Air Condensing Units

Operate the Arthur L. Allen Tennis Facility: \$563,171

- The Tennis Facility is an enterprise fund and provides:
 - Instruction – Over 2,150 participants per year
 - Camps – Over 240 participants per year
 - Socials – Over 1,300 participants per year
 - Tournaments – 13 per year with over 2,400 total participants

The Tennis Fund, although tracked as an enterprise fund, is not fully self-supporting. This is because there is a public purpose that the tennis facility provides, beyond the services to the membership.

The City's General Fund provides a subsidy to the Tennis Fund, related to the common events and use of the facility. Approximately 30% of the time, the facility is used for tournaments and public events, and is not solely available to the members for their pleasure. To that end, a General Fund payment to the fund, in the amount of \$50,000 is provided. This was determined as follows, rounded.

Budgeted expenses	\$563,171	
Debt	64,960	Committed to be paid by membership/donations
Net Budget	\$498,211	
30%	149,460	Amount attributed to public purpose
Revenue from tourneys	(99,460)	This is received during public purpose events
Due from General Fund	\$50,000	

The fund is using a portion of its reserves (\$88,571) to balance for FY11-12. A portion of that use in FY 11-12 is using a reserve from a generous donation. For five years, from 2006-2010, Mr. Arthur Allen provided the City \$100,000 annually to assist with the debt service of the fund.

While the debt service payment was approximately \$66,000 annually, the remainder was reserved to enable the fund to pay the debt that extended past Mr. Allen's donation. Of the current \$329,490 in fund balance, approximately \$165,000 was reserved from Mr. Allen's donation. Therefore, these moneys (reserves) are to be depleted over the next five years, sustaining the Tennis Fund, until the debt is finally paid in full, and keeping the intent of Mr. Allen's donation. When the last payment is made, the fund should continue to operate without a deficit.

Providing landscape and tree maintenance of all public medians and rights-of-way, including management of the Urban Forestry Plan: \$3,120,734

Parks and Parkways manages and provides maintenance to:

- 143 acres of parks and public areas
- 21,695 Trees and Palms
- 261 Irrigation site/systems

Services and Programs Currently Outsourced

Parks and Parkways: (annual expense)

- a. Tree Trimming \$360,000
- b. Tree Removal \$30,000
- c. Tree Planting and Transplanting \$70,000
- d. Landscape Maintenance (mowing, trimming, edging, weed control) \$646,400
- e. Sod purchase/installation \$30,000
- f. Lethal Yellow Inoculations \$19,872

Facility Maintenance: (annual expense)

- a. Pest Control (structural) \$9,500
- b. Elevator Inspection and Maintenance \$14,280
- c. Window Cleaning \$8,800
- d. Fire Inspection and Maintenance \$15,000
- e. Alarm Monitor and Maintenance \$2,500
- f. City Hall Generator Maintenance \$2,000
- g. Carpet Cleaning \$1,000
- h. Other contracted maintenance as needed i.e. Fence repair/installation, Paver repair/installation, Floor polishing/installation, etc.

Recreation:

- a. All Class Instructors (Gymnastics, Karate, Dance, Exercise, Tennis Lessons, etc.)
- b. All Summer Specialty Camps
- c. Afterschool Program
- d. Summer Day Camp Program

* Exception is River Park staff offers a summer/holiday day camp program, a drop in program after school, swimming lessons, etc.

- e. Musical/Theatrical/Comedy Productions
- f. Concession Sales Pier and Lowdermilk (\$60,000 revenue to beach fund)
- g. Typesetting of recreation brochure (3 per year)

Ten Percent Reduction

If there were a 10% reduction of expenditure, consider the following:

Parks and Parkways:

1. Transfer responsibility of tree trimming to adjacent property owners
\$360,000 annual savings
2. Reduce Tree Fill In Program to every other year or eliminate
\$100,000 annual savings
3. Transfer responsibility of Lethal Yellow Inoculation to adjacent property owners
\$19,872 annual savings
4. Mulch Program every other year or eliminate
\$86,000 annual savings
5. Reduce Landscape Services from once a week to every other week
\$321,000 annual savings for every other week service

Facility Maintenance:

1. Contract Tradesworker repairs such as plumbing, air conditioning, electrical, etc.
 - Example of contractor average costs:
 - Plumbing Contractor = \$80+ per hour per person
 - A/C Contractor = \$90+ per hour per person
 - Electrical Contractor = \$90+ per hour per person
 - Canal/Waterway Cleanup = \$15,000 per week

Consider the following if additional reductions are requested or required:

1. Close all Community Centers evenings, weekends and Holidays (Hours: Monday - Friday 8:00 am – 5:00 pm)
2. Eliminate check in/registration of the skate park and open gates to free skate (skate at own risk)
3. Eliminate use of lights on City athletic fields, sports courts and skate park (day time use only)
4. Lease facilities or outsource management of Community Centers

5. Lease facilities or outsource management of the Tennis Center

Ten Percent Increase

If there were an expenditure increase, consider the following:

1. Add 1.0 FTE Custodian position (\$40,000)
This position would serve to clean City facilities. An additional position would increase cleaning schedules to additional days/times that currently are cleaned on a minimal basis.
2. Add 1.0 FTE Landscape Technician II position (\$48,000)
This position would serve to assist with city-wide landscape services, park ballfield maintenance, etc. An additional position would increase schedules to additional days/times that currently are serviced on a minimal basis.
3. Increase Tree/Palm Trimming
Increase from one geographic area one trim per year to two (out of three) geographic areas one trim per year (\$375,000)

Facilities

The Community Services Department administrative offices are located at 280 Riverside Circle.

Parks and facilities operated by the department are as follows:

Anthony Park
Arthur L. Allen Tennis Center
Cambier Park
Fleischmann Park
Lowdermilk Park
Naples Pier
Naples Preserve
River Park
Sea Gate Park

Numerous passive mini-parks and open space areas are managed by the Community Services Department.

Twenty years into the future it is not expected that a need for office space will increase. Should this occur, sufficient office space is currently available. User need and demand will determine if any facility changes or additions may be necessary at any parks and community centers.