



City of Naples

Regular Meeting Feb. 15, 1984

City Council Chambers
735 Eighth Street South
Naples, Florida 33940

-SUBJECT-	Ord. No.	Res. No.	Page
<u>ANNOUNCEMENTS</u>			
-MAYOR BILLICK - None			1
-CITY MANAGER JONES - None			
<u>APPROVAL OF MINUTES</u> - 02/01/84 - Regular Meeting			
02/08/84 - Special Meeting			1 & 2
<u>PURCHASING</u>			
-Award bid for street construction material		84-4420	1 & 2
-Award bid for limrock and cover material		84-4421	1 & 2
<u>RESOLUTIONS</u>			
-Elect Vice-Mayor Wade H. Schroeder		84-4419	1
-Approve franchise agreement w/ <u>Naples Transit</u> - trolley		84-4422	2
-Approve Spec. Ex. 84-S1, 100 unit motel & offsite parking		84-4423	3
-Approve Variance Pet. 84-V1, canopy sign, Sunoco, 3391 Ninth Av No		84-4424	3 & 4
-Approve Variance Pet. 84-V2, permit existing 1st floor screen enclosed patio and DENY 2nd floor screen enclosed balcony above it		84-4425	4 & 5
-DENY Nonconformity Pet. 84-N1, addition to <u>quest house</u> , 1835 Gulf Shore Blvd So		84-_____	6
-Approve Spec. Ex. Pet. 83-S2, permit dancing & stgd entertainment - <u>Engine, Engine #9</u>		84-4426	6
-Approve Spec. Ex. Pet. 83-S3, permit dancing & stgd entertainment - <u>Spoonbill Restaurant</u>		84-4427	6
-Approve transfer of administration of <u>HUD Section 8 Rental Assistance</u> program to County		84-4428	7
-Approve temporary use permit for <u>motorhome</u> , 885 Ninth Av So		84-4429	7
-Approve support for <u>David Lawrence Mental Health Center</u> for psychiatric hospital in Collier County		84-4430	8
-Approve establishing fund for collection of money from <u>grant</u> for <u>W.W.T.P.</u> expansion and authorize grant application		84-4431	8
<u>ORDINANCE</u> - First Reading			
-Approve Rezone Pet. 84-R1, rezone <u>First United Methodist Church</u> to PS	84-_____		2
-Approve prohibition of "possession" of <u>glass containers</u> on beach	84-_____		7
<u>DISCUSSION</u>			
-Mr. Anderson noted that the state law mandated \$25.00 fine for violation of <u>handicapped parking space</u> and urged review of City's fines for same.			8

City Council Chambers
735 Eighth Street South
Naples, Florida 33940



Time 9:05 a.m.

Date February 15, 1984

Mayor Billick called the meeting to order and presided as Chairman.

ROLL CALL: Present: Stanley R. Billick ITEM 2
Mayor

R. B. Anderson
William E. Barnett
William F. Bledsoe
Lyle S. Richardson
Wade H. Schroeder
Kenneth A. Wood
Councilmen

Also present:

Franklin C. Jones, City Manager
Roger Barry, Community Development Director
Steve Cramer, Chief Planner
Stewart Unangst, Purchasing Agent
John R. McCord, City Engineer
Mark Wiltsie, Assistant to the City Manager
Barbara Harris, Legal Assistant
Paul Reble, Police Chief
William Savidge, Public Works Director
Gerald Gronvold, Utility Engineer
Ellen Marshall Weigand, Deputy Clerk

See Supplemental attendance list - Attachment #1

INVOCATION - Reverend Eleanor McMullen ITEM 1
East Naples United Methodist Church

ANNOUNCEMENTS ITEM 3

MAYOR BILLICK - None ITEM 3-a

CITY MANAGER JONES - None ITEM 3-b

*** ---RESOLUTION 84-4419 ITEM 4

A RESOLUTION ELECTING A MEMBER OF THE CITY COUNCIL VICE-MAYOR, PURSUANT TO SEC. 2.4 OF THE CITY CHARTER; AND PROVIDING AN EFFECTIVE DATE.

Title not read.

MOTION: To ADOPT the resolution electing Wade H. Schroeder.

-----CONSENT AGENDA-----

Mayor Billick noted the following items listed in the Consent Agenda.

APPROVAL OF MINUTES - Regular Meeting, 02/01/84 ITEM 5
Special Meeting, 02/08/84

PURCHASING ITEM 6
---RESOLUTION 84-4420 ITEM 6-a

A RESOLUTION AWARDING THE BIDS FOR THE CITY'S SEMI-ANNUAL REQUIREMENTS FOR STREET CONSTRUCTION MATERIALS; AUTHORIZING THE CITY MANAGER TO ISSUE PURCHASE ORDERS THEREFOR; AND PROVIDING AN EFFECTIVE DATE.

Title not read.

---RESOLUTION 84-4421 ITEM 6-b

A RESOLUTION AWARDING THE BIDS FOR THE CITY'S ANNUAL REQUIREMENTS FOR LIMEROCK AND COVER MATERIAL; AUTHORIZING THE CITY MANAGER TO ISSUE PURCHASE ORDERS THEREFOR; AND PROVIDING AN EFFECTIVE DATE.

Title not read.

COUNCIL MEMBERS	M O T I O N	S E C O N D	VOTE		A B S E N T
			Y E S	N O	
Anderson		X	X		
Barnett			X		
Bledsoe			X		
Richardson		X	X		
Schroeder			X		
Wood			X		
Billick (7-0)			X		

COUNCIL MEMBERS	M O T I O N	S E C O N D	Y E S	N O	A B S E N T

CONSENT AGENDA (Cont)

---RESOLUTION 84-4422

ITEM 7

A RESOLUTION AUTHORIZING THE MAYOR AND CITY CLERK TO EXECUTE A FRANCHISE AGREEMENT BETWEEN THE CITY OF NAPLES AND THE NAPLES TRANSIT COMPANY, INC. RELATIVE TO THE OPERATION OF PASSENGER TROLLEYS IN THE CITY; AND PROVIDING AN EFFECTIVE DATE.

Title not read.

In response to questions from Mr. Anderson, Purchasing Agent Unangst noted that it was usual to have only two bidders on most of the street construction material and that the prices were fair and reasonable.

Mr. Schroeder inquired about the term of the franchise for the trolley to which City Manager Jones explained that it would automatically be renewed from year to year unless either party terminates, as specified in the contract.

MOTION: To APPROVE the minutes and ADOPT the resolutions as presented.

-----END CONSENT AGENDA-----

COMMUNITY DEVELOPMENT DEPARTMENT/NAPLES PLANNING ADVISORY BOARD

ITEM 8

---ORDINANCE 84-

ITEM 8-a

AN ORDINANCE REZONING LOTS 1 THRU 12, INCLUSIVE, BLOCK 19, TIER 4, TOWN OF NAPLES, FROM "R1-7.5" RESIDENCE DISTRICT, TO "PS", PUBLIC SERVICE DISTRICT; DIRECTING THAT THE ZONING ATLAS OF THE CITY BE AMENDED TO REFLECT SAID REZONING; AND PROVIDING AN EFFECTIVE DATE.

PURPOSE: TO REZONE SAID PROPERTY AT THE REQUEST OF THE OWNER, FIRST UNITED METHODIST CHURCH, TO ELIMINATE THE NONCONFORMING STATUS OF THE PROPERTY BY PROVIDING AN APPROPRIATE ZONING DESIGNATION THEREFOR.

Title read by City Manager Jones.

City Manager Jones noted that there was an accompanying resolution for a special exception that would be considered by Council at the Second Reading of the proposed ordinance. In response to questions from Mr. Schroeder about the City initiating a change of zone for all present churches, Community Development Director Barry explained that doing it on a case-by-case basis spread out the process and any change, even in the proper zone district, would require a special exception petition to Council. Citizen Fred Redding noted his wish to address the special exception to be acted on at the next meeting and expressed his agreement that the school activities terminate in June 1984.

MOTION: To APPROVE the ordinance as presented on First Reading.

Anderson	X				X
Barnett					X
Bledsoe					X
Richardson					X
Schroeder		X			X
Wood					X
Billick (7-0)					X

Anderson	X				X
Barnett					X
Bledsoe					X
Richardson			X		X
Schroeder					X
Wood					X
Billick (7-0)					X

COUNCIL MEMBERS

M O T I O N	S E C O N D	VOTE		A B S E N T
		Y E S	N O	

COMMUNITY DEVELOPMENT DEPARTMENT/NAPLES
PLANNING ADVISORY BOARD (Cont)

ITEM 8 (Cont)

---RESOLUTION 84-4423

ITEM 8-b

A RESOLUTION GRANTING A SPECIAL EXCEPTION TO PERMIT THE CONSTRUCTION OF A 100 UNIT MOTEL AT THE NORTHEAST CORNER OF GOODLETTE ROAD AND U.S. 41 AND TO UTILIZE 30 OFF-SITE PARKING SPACES AT THE ADJACENT SHOPPING CENTER TO MEET THE CITY'S PARKING REQUIREMENTS, SUBJECT TO THE CONDITIONS ENUMERATED HEREIN; AND PROVIDING AN EFFECTIVE DATE.

Title read by City Manager Jones.

Attorney George Vega, representing the petitioner, addressed Council in support of the petition. He pointed out that ingress and egress would be from Goodlette Road and that his clients had obtained a 99-year agreement for the off-site parking (Attachment #2). In response to questions from Mayor Billick, Community Development Director Barry explained that the property was zoned commercial but all motels required the approval of a special exception petition. City Engineer McCord answered questions regarding proposed traffic in the area and noted that Collier County, which has jurisdiction over Goodlette Road, is satisfied with the proposed arrangements.

Anderson				X
Barnett				X
Bledsoe				X
Richardson		X		X
Schroeder				X
Wood				X
Billick (7-0)				X

MOTION: To ADOPT the resolution as presented.

---RESOLUTION 84-4424

ITEM 8-c

A RESOLUTION GRANTING A VARIANCE FROM THE PROVISIONS OF SECTION 6.10E(3) OF APPENDIX "A" - ZONING OF THE CODE OF ORDINANCES OF THE CITY OF NAPLES TO PERMIT CERTAIN SIGNS TO BE RETAINED AT THE SUNOCO SERVICE STATION AT 3391 NINTH STREET NORTH; AND PROVIDING AN EFFECTIVE DATE.

Title read by City Manager Jones.

Mr. Schroeder moved to accept the Planning Advisory Board's recommendation to deny the petition, seconded by Mr. Richardson. Mayor Billick stated his opinion that the installation of the subject canopy with the unpermitted signs had been done by the petitioner with the belief that the building permit covered the permission needed for the signs. Arthur Weyant, representing the petitioner, addressed Council and stated that he had received approval of the building plans; and because the plans showed the signs, he assumed this was the only permit required. He added that he was told after the construction of the canopy was completed that the plans had never been submitted to the individual authorized to permit signs. In response to a question from the Mayor, Mr. Weyant stated that correcting the sign would cost approximately \$2500. He showed Council the approved plans signed by the building official. Mr. Wood asked about Sun Oil Company reportedly pulling out of Florida and Mr. Weyant replied that the company may sell their Florida operations to another supplier who may continue to operate under the name of Sunoco. Mr. Schroeder noted City Attorney Rynders' statements that the City cannot be held responsible for an error by an employee. Mr. Schroeder stated his feeling that the ordinance should be enforced and that contractors should be knowledgeable about City ordinances. Mr. Weyant stated his feeling that his company did not create the problem and asked that Council not make them change the sign. In response to Mr. Anderson's

COUNCIL MEMBERS

MOTION	SECTION	YEAS	NAYS	ABSENT
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COMMUNITY DEVELOPMENT DEPARTMENT/NAPLES ITEM 8 (Cont)
PLANNING ADVISORY BOARD (Cont)

---RESOLUTION 84-4424 (Cont) ITEM 8-c (Cont)

question about setting a precedent, Mr. Barry suggested that Council could find that the criteria for granting a variance had been met and further that Council could construe there were enough unique circumstances to grant the request. Mr. Anderson noted another case where a bank had a sign that was slightly larger than permitted and Council made them change it. Mr. Barry pointed out, however, that any changes in the service station sign at a later date would give the City an opportunity to eliminate any nonconformity. Wayne Curt Ashley, owner of the service station, and local resident Gilbert Weil spoke in support of the petition.

MOTION: To ACCEPT the recommendation of the Planning Advisory Board to DENY the petition.

Anderson				X
Barnett				X
Bledsoe				X
Richardson		X		X
Schroeder	X		X	
Wood				X
Billick (1-6)				X

MOTION: To ADOPT the resolution as presented (approving the petition).

Anderson				
Anderson	X		X	
Barnett			X	
Bledsoe		X	X	
Richardson			X	
Schroeder				X
Wood			X	
Billick (6-1)			X	

*** *** ***
---RESOLUTION 84-4425 ITEM 8-d

A RESOLUTION GRANTING A VARIANCE FROM THE PROVISIONS OF SECTION 5.5F(3) OF APPENDIX "A" - ZONING OF THE CODE OF ORDINANCES OF THE CITY OF NAPLES TO PERMIT AN EXISTING SCREEN ENCLOSED PATIO TO ENCROACH TEN (10) FEET INTO A REQUIRED TWENTY (20) FOOT SETBACK AREA AT 1685 BLUE POINT AVENUE; AND PROVIDING AN EFFECTIVE DATE.

Title read by City Manager Jones.

Mr. Richardson moved adoption of the resolution as presented seconded by Mr. Anderson.

Mayor Billick confirmed with Community Development Director Barry that there was no record of approval for the existing screened enclosure and that it was in violation of the setback. Harlan Anderson, petitioner, and Mark Tull, president of the Blue Point Apartments, spoke in support of the petition. Ed McMahon, president of the Old Naples Association, reported that the board of directors of the Association was in favor of the resolution as presented. Mr. Anderson said he felt that the denial of the balcony enclosure should be included in the title of the resolution and in Section 1; he suggested the motion be amended to include the denial. Mr. Richardson, maker of the motion, accepted the amendment, again seconded by Mr. Anderson.

Anderson		X	X	
Barnett			X	
Bledsoe			X	
Richardson			X	
Schroeder	X		X	
Wood			X	
Billick (7-0)			X	

MOTION: To ADOPT the resolution as amended.

(cont. next page)

COUNCIL MEMBERS	MOTION	S	VOTE		A B S E N T
			Y E S	N O	
<p>COMMUNITY DEVELOPMENT DEPARTMENT/NAPLES PLANNING ADVISORY BOARD (Cont) ITEM 8 (Cont)</p> <p>---RESOLUTION 84-4425 (Cont) ITEM 8-d (Cont)</p>					
<p>Mr. Anderson stated his opinion that the two items should not have been combined in one action and asked that in the future such items be presented to Council for separate action. It was then the consensus of Council to consider these items independently.</p>					
Anderson		X	X		
Barnett			X		
Bledsoe			X		
Richardson			X		
Schroeder	X		X		
Wood			X		
Billick (7-0)			X		
<p>MOTION: To RESCIND the action taken to approve the above titled resolution, as amended.</p>					
Anderson	X		X		
Barnett			X		
Bledsoe			X		
Richardson			X		
Schroeder		X	X		
Wood			X		
Billick (7-0)			X		
<p>MOTION: To DENY the petition for the second floor screen-enclosed balcony.</p>					
<p>Mr. Anderson asked if action to approve the existing screen enclosure was necessary. Mr. Barry explained that Council had to either approve the variance petition or require the petitioner to remove the enclosure.</p>					
Anderson	X		X		
Barnett		X	X		
Bledsoe			X		
Richardson			X		
Schroeder			X		X
Wood			X		
Billick (6-1)			X		
<p>MOTION: To APPROVE the existing ground floor screen-enclosed patio which encroaches into setback area.</p>					
<p>City Manager Jones suggested that Council take action on the resolution that had been rescinded.</p>					
<p>*** *** ***</p>					
<p>Mr. Wood left the Council table - 10:34 a.m.</p>					
<p>*** *** ***</p>					
Anderson	X		X		
Barnett		X	X		
Bledsoe			X		
Richardson			X		
Schroeder			X		X
Wood			X		
Billick (5-1)			X		
<p>*** *** ***</p>					

COUNCIL MEMBERS	M	S	Y	N	A
	O	E			
	T	C	E	O	B
	I	O	N	N	S
	O	N	S	O	E
	N	D	O		N

---RESOLUTION 84-4428

ITEM 9

A RESOLUTION AUTHORIZING THE TRANSFER OF THE ADMINISTRATION OF THE HUD SECTION 8 RENTAL ASSISTANCE PROGRAM FROM THE CITY OF NAPLES TO COLLIER COUNTY; AUTHORIZING THE MAYOR AND CITY CLERK TO EXECUTE A CONTRACT RELATING THERETO; AND PROVIDING AN EFFECTIVE DATE.

Title read by City Manager Jones.

City Manager Jones reviewed the information in his memorandum to Council dated February 8, 1984 (Attachment #3) which outlined the reasons for transferring this program to Collier County.

MOTION: To ADOPT the resolution as presented.

Anderson	X		X		
Barnett			X		
Bledsoe			X		
Richardson			X		
Schroeder		X	X		
Wood			X		
Billick			X		
(7-0)					

---RESOLUTION 84-4429

ITEM 10

A RESOLUTION GRANTING A TEMPORARY USE PERMIT TO ALLOW A MOTOR HOME TO BE PARKED AT 885 NINTH AVENUE SOUTH FOR A PERIOD OF TWELVE (12) MONTHS; AND PROVIDING AN EFFECTIVE DATE.

Title read by City Manager Jones.

Petitioner Bonnie Wickenheiser addressed Council in support of her petition. Mr. Anderson suggested the resolution be amended to terminate the temporary use permit on December 31, 1984.

MOTION: To ADOPT the resolution as amended to terminate on December 31, 1984.

Anderson	X		X		
Barnett			X		
Bledsoe		X	X		
Richardson					X
Schroeder			X		
Wood					X
Billick			X		
(5-2)					

-----FIRST READINGS-----

---ORDINANCE 84-

ITEM 11

AN ORDINANCE RELATING TO GLASS CONTAINERS ON THE BEACHES AND IN THE PUBLIC PARKS OF THE CITY; AMENDING SECTION 16-30(b) OF THE CODE OF ORDINANCES OF THE CITY OF NAPLES; AND PROVIDING AN EFFECTIVE DATE.
PURPOSE: TO PROHIBIT THE "POSSESSION" OF GLASS CONTAINERS ON THE BEACHES AND IN THE PUBLIC PARKS OF THE CITY.

Title read by City Manager Jones.

Mayor Billick noted that this was really a technical matter as referred to in City Manager Jones' memorandum dated February 10, 1984 (Attachment #4).

MOTION; To APPROVE the ordinance as presented on First Reading.

Anderson		X	X		
Barnett			X		
Bledsoe			X		
Richardson			X		
Schroeder	X		X		
Wood			X		
Billick			X		
(7-0)					

-----END FIRST READINGS-----

COUNCIL MEMBERS

M	S		A
O	E		B
T	C		S
I	O	Y	E
O	N	E	N
N	D	S	T
		O	

---RESOLUTION 84-8430

ITEM 12

A RESOLUTION URGING THE FLORIDA DEPARTMENT OF HEALTH AND REHABILITATIVE SERVICES TO APPROVE THE APPLICATION OF THE DAVID LAWRENCE MENTAL HEALTH CENTER FOR A CERTIFICATE OF NEED FOR THE DEVELOPMENT OF A PSYCHIATRIC HOSPITAL IN COLLIER COUNTY; AND PROVIDING AN EFFECTIVE DATE.

Title read by City Manager Jones.

Mr. Anderson asked that the record note his previous membership on the Board of the Mental Health Center for 9 years and his present position on the Mental Health Foundation Board which was involved in supplemental funding for the Center. Ron Meserve, Director of the David Lawrence Mental Health Center, petitioner, urged Council's endorsement for their hospital. He noted that they were a non-profit organization.

Anderson
Barnett
Bledsoe
Richardson
Schroeder
Wood
Billick
(7-0)

			X
			X
			X
	X	X	X
			X
			X
			X

MOTION: To ADOPT the resolution as presented.

---RESOLUTION 84-4431

ITEM 13

A RESOLUTION ESTABLISHING A FUND FOR THE PURPOSE OF COLLECTING AND DISBURSING MONEYS RECEIVED THROUGH THE STATE OF FLORIDA CONSTRUCTION GRANT PROGRAM FOR CONSTRUCTION OF AN EFFLUENT REUSE SYSTEM; AUTHORIZING THE MAYOR AND CITY CLERK TO EXECUTE ALL DOCUMENTS RELATING TO SAID GRANT PROGRAM; AND PROVIDING AN EFFECTIVE DATE.

Title of revised resolution read by City Manager Jones.

In response to Mr. Anderson's question about the revised resolution dedicating \$2.45 million as the City's share of the project cost, City Manager Jones referred to the bonus point system used to prioritize the grants and that demonstrating the City's ability to financially proceed with the project would be beneficial. Responding to Mr. Richardson's question about delaying construction to meet grant guidelines, the City Manager noted that the Department of Environmental Regulations had indicated their willingness to consider altering the time table set by their consent order, if the grant was awarded.

Anderson
Barnett
Bledsoe
Richardson
Schroeder
Wood
Billick
(7-0)

	X		X
			X
			X
			X
		X	X
			X
			X

MOTION: To ADOPT the resolution as revised.

CORRESPONDENCE & COMMUNICATIONS

Mr. Anderson referred to a recent Miami Herald article about fines for violations handicapped parking regulations which stated that state law mandated a minimum fine of \$25.00. He added that the City's fine is currently \$15.00. Mayor Billick said the City would be reviewing fines for such violations and Mr. Schroeder said he thought the penalty should be severe enough to hurt.

ADOURN: 11:17 a.m.

Janet Cason
Janet Cason
City Clerk

Stanley R. Billick
Stanley R. Billick, Mayor

Ellen Marshall Weigand
Ellen Marshall Weigand
Deputy Clerk

These minutes of the Naples City Council approved 03/07/84

Supplemental Attendance List - Regular Meeting, February 15, 1984

Reverend Eleanor McMullen
 Charles Andrews
 Edward Kant
 Bill Hill
 Sharon Fischer
 Herb Anderson
 Harlan Anderson
 Mark Tull
 Fred Parker

Marceil Anderson
 Mr. & Mrs. Morton Byrd
 Wayne Curt Ashley
 Joe Cox
 Tish Gray
 Ed McMahan
 Gilbert Weil
 Kit Strietzel
 Bob Galloway

George Vega
 Bob Russell
 Bob Tiffany
 Fred Redding
 Arthur Weyant
 H. M. Curry
 Philip Jamra
 Marilyn McDevitt
 Bonnie Wickenheiser

News Media

Jim Forner, TV-9
 Susan Gardner, TV-9
 Brian Grinonneau, WNOG

Cynthia Glicken, TV-20 WBBH
 Ben Garrett, TV-20, WBBH
 Mary Armbruster, TV 26, WEVU

Other interested citizens and visitors.

ADDENDUM TO PETITION FOR SPECIAL EXCEPTION

The purpose of this covenant is to comply with the City of Naples zoning ordinance requirements for special exception approval of off-site parking. This covenant shall run with the land and is binding on all successors in interest, holders of title, heirs or assigns to any and all portions of the property described in Exhibit B to the Lease Agreement attached to this Petition for Special Exception, recorded at O.R. Book 1063, at Page 124.

The undersigned Petitioner hereby covenants and agrees that in the event that the Lease attached to this Petition for Special Exception, recorded at O.R. Book 1063, Pages 113-124, Public Records of Collier County, Florida, shall for any reason whatsoever be terminated or declared null and/or void and can not be reestablished or renewed within thirty (30) days, Lessee will reduce the demand for parking for the leased premises by closing down whatever portion of the premises is necessary to avoid the requirement for those thirty (30) off-site parking spaces.

DATED this 21st day of February, 1984.

Michael J. Miceli
Michael J. Miceli

Robin D. Jones
Witnesses

Sworn to and subscribed before me, this 21st day of February, 1984.

(NOTARY SEAL)

[Signature]
Notary Public
My commission expires: 12/31/84

NO. 75087

Abstract of Title

TO

Commencing at the Northwest corner of Government Lot 8, Section 3, Township 50 South, Range 25 East, Collier County, Florida; Thence along the West line of said Lot and the Westerly right-of-way line of S-951-A, South $0^{\circ}31'33''$ East, 911.77 feet; Thence North $89^{\circ}28'27''$ East, intersecting the Easterly right-of-way line of S-951-A at 100 feet a distance of 290 feet, more or less, to the waters of the Gordon River for a Place of Beginning;

Thence South $89^{\circ}28'27''$ West, along the last described line to the Easterly line of S-951-A; Thence along said Easterly line, South $0^{\circ}31'33''$ East, 265.0 feet to the Northerly right-of-way line of State Road 90 (US-41); Thence along said right-of-way line 180.12 feet along the arc of a circular curve concave to the Southwest, radius 1442.66 feet, chord bearing South $77^{\circ}21'40''$ East 180.0 feet to a Concrete Monument; Thence continuing along said right-of-way line 20 feet, more or less, to the waters of the Gordon River; Thence meandering Northwesterly, Westerly and Northerly along said waters of the Gordon River to the Place of Beginning.

ABTRACTOR'S NOTE: This Abstract is supplemental to Abstract No. 30409 prepared by Lawyers' Abstract Service, Inc.

FOR

Surfside Realty

LAWYERS' ABSTRACT SERVICE, INC.

NAPLES, FLORIDA



City of Naples

--- MEMO ---

TO: Honorable Mayor and Members of the City Council

FROM: Franklin C. Jones, City Manager

SUBJECT: Transfer of Rental Assistance Program to Collier County

DATE: February 8, 1984

Summary:

As previously described to you in a memorandum dated December 8, 1983, (copy attached), city and county staff have been discussing the possible transfer to the county of the federally-funded "Rental Assistance Program" which the city currently administers for the United States Department of Housing and Urban Development (HUD).

The program, which is technically known as a "HUD Section 8, Existing-Housing Program," is designed to assist low-income families rent decent, safe and sanitary housing in the private marketplace. (The program is more fully described in the attachments, which include copies of the related information what was provided by county staff to the Collier County Board of Commissioners.)

There are several reasons for the requested transfer. The primary reason is to provide a larger geographic area within which families on the program may seek housing that can be leased within the rental limits established by HUD. The primary benefit of the transfer would be that program participants could reside in either the city or the county, instead of just in the city, which is a current requirement of the program. Other reasons for the requested transfer are outlined in the attached information.

If taken over by the county, the impact on the program would be minimal. Its administration would remain basically unchanged except for the fact that applicants and persons on the program would have to go to the County Government Complex instead of City Hall, as they currently must do.

Staff has obtained HUD's informal approval of the proposed transfer. Their formal approval will need to be obtained (if approved by both the city and county) before the actual transfer would take place, which is tentatively scheduled to occur on April 1, 1984.

Staff contacted the Black Betterment Committee and the Naples Chapter of the NAACP (a copy of the correspondence is attached). Though further clarification was requested by them, no negative comments have been received.

Staff Recommendation

If approved by the Collier County Commission on Tuesday, February 14, 1984, which is when they are scheduled to consider this matter, staff recommends approval of a resolution and the agreement required by HUD (copy attached) to transfer the program to the county.

Prepared by:
Steven B. Cramer
Steven B. Cramer
Chief Planner

Respectfully submitted,
Franklin C. Jones
Franklin C. Jones
City Manager

Concurrence:
Robert J. Barry
Robert J. Barry
Community Development Director

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City of Naples

--- MEMO ---

TO: HONORABLE MAYOR AND MEMBERS OF CITY COUNCIL
 FROM: CITY MANAGER FRANKLIN C. JONES
 SUBJECT: TRANSFER OF RENTAL ASSISTANCE PROGRAM TO
 COLLIER COUNTY
 DATE: DECEMBER 8, 1983

Background: The city and county staffs have been discussing the possibility of transferring administration of the Section 8 Existing Housing Program to the county. This program was established in connection with the Community Development Block Grant which was awarded to the City by the U.S. Department of Housing and Urgan Development (HUD) to assist in establishing the Carver Housing Project. Through these funds eligible families are given financial assistance in obtaining housing in the private marketplace with rent supplements based on their income and family size. Although the program is funded by HUD, which sets income limits, it is administered locally.

The City's program consists of 26 certificates to assist that number of families. This allocation by HUD is based on the City's population and is broken down as follows: 8 one-bedroom units; 13 two-bedroom units; and 5 three-bedroom units.

Reasons for Transfer: Since inception of the City's program in 1977, there has been limited success in having leases signed for all 26 certificates. We believe this is largely due to the program's low rent limits and, specifically, an apparent shortage of three-bedroom housing units which are available at rates compatible with the HUD rent limit for that size unit. These rental rates (Fair Market Rents) are calculated on a county-wide basis by HUD and therefore generally reflect rents which are lower than those found in the City.

All but one of the families participating in the City's program have resided at only one apartment complex, River Park Apartments, due to the inavailability of other housing units which rent for under the HUD limit. An audit of the City's program resulted in a directive to decentralize the location of the families on the program, but this has been difficult to accomplish under the present requirements that the units be in the City.

With this in mind, the staff has considered the option of transferring the program to the County for incorporation into their Section 8 Moderate Rehabilitation Program, which is slightly different from that of the City. We feel that this will make available a much wider selection of housing units which can be

Mayor and Council
December 8, 1983
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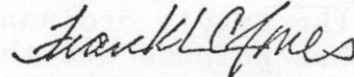
rented within the Fair Market Rents set by HUD. Other advantages of a transfer of the program to the County are:

- Increase the ability to provide applicants with complete information on all available housing assistance programs in the County and other related information through having one location at which to apply.
- Improve the access of lower-income families to both Section 8 programs.
- Improve overall efficiency in administering the two programs.

The proposed transfer has been discussed with the County's Community Development Division and they agree with the plan.

During the next few weeks the staffs will be meeting to formulate a plan and to gain input from the minority community as to the feasibility of this transfer. Although any action to transfer this activity would require Council approval on existing contracts with HUD, if any members of the Council have questions or would like to provide input concerning the change, please contact me.

Sincerely,



Franklin C. Jones
City Manager

FCJ/tan



AGENDA ITEM #11
2/15/84

City of Naples

MEMO

TO: THE HONORABLE MAYOR AND MEMBERS OF CITY COUNCIL

FROM: CITY MANAGER FRANKLIN C. JONES

SUBJECT: GLASS CONTAINER ORDINANCE

DATE: FEBRUARY 10, 1984

BACKGROUND: A recent court decision resulting from prosecution under the City's ordinance prohibiting glass containers on the beach has pointed out that we should add the possession of glass containers as a violation as well as the transporting of glass containers to the beach. This would allow us to cite those people in violation of the ordinance without having to prove that the individual was actually responsible for bringing the container to the beach.

RECOMMENDATION: An ordinance to amend that section of the Code has been prepared and we recommend that the Council adopt it.

Respectfully submitted,

Franklin C. Jones
City Manager

FCJ/tan