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*City of Naples*

City Council Chambers  
735 Eighth Street South  
Naples, Florida 33940

-SUBJECT-	Ord. No.	Res. No.	Page
<p><u>APPROVAL OF APPLICATION FOR STATE'S SMALL CITIES COMMUNITY DEVELOPMENT BLOCK GRANT (CDBG) PROGRAM</u></p>		85-4637	1&2

City Council Chambers  
735 Eighth Street South  
Naples, Florida 33940



Time 9:07 a.m.

Date January 4, 1985

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

ROLL CALL: Present: Stanley R. Billick  
Mayor

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

Absent: William F. Bledsoe  
Councilman

Also present:

Franklin C. Jones, City Manager      Roger Barry, Community  
David W. Rynders, City Attorney      Development Director  
Ellen Marshall Weigand,  
Deputy Clerk

See Supplemental Attendance list - Attachment #1

APPROVAL OF APPLICATION FOR STATE'S SMALL  
CITIES COMMUNITY DEVELOPMENT BLOCK GRANT  
(CDBG) PROGRAM

---RESOLUTION 85-4637

A RESOLUTION AUTHORIZING THE MAYOR TO SUBMIT AN APPLICATION FOR FUNDING UNDER THE FLORIDA DEPARTMENT OF COMMUNITY AFFAIRS SMALL CITIES COMMUNITY DEVELOPMENT BLOCK GRANT PROGRAM IN THE AMOUNT OF \$140,000 TO REHABILITATE THE "E" BUILDING AT RIVER PARK APARTMENTS, 1057 SECOND AVENUE NORTH; AND PROVIDING AN EFFECTIVE DATE.

Title read by City Manager Jones.

Mayor Billick asked Community Development Director Barry to review the matter to date. Mr. Barry noted that the Public Hearings had been held by the Planning Advisory Board (PAB) which Council had appointed as the task force to work on this project. He explained that the PAB had recommended that Council direct the submission of this application to be used to rehabilitate ten apartments in the River Park Apartments. He went on to state that these apartments would then come under the Section 8 Housing program that is now administered by Collier County. He referred to the Memorandum of Understanding (Attachment #2) to be signed by the owners which outlined the improvements recommended and the obligation of the owners in connection with the program. He noted two changes in the Memorandum: one providing for a ten year inspection period as opposed to fifteen years, and the other being an addition of a section providing a performance bond or some security to cover any maintenance the owners failed to provide. In response to questions from Council, Mr. Barry explained that public funds were being used in this instance to preclude these housing units from deteriorating beyond the stage of economic rehabilitation and possibly being condemned, which would remove them from the housing stock for the low income residents. He said he felt that preserving them for this purpose justified the use of federal funds. He explained further that Naples housing code provides minimal standards and is enforceable only when housing becomes substandard. At that point, he continued, the unit could be ordered demolished. He added that the staff had also initiated an application for further federal funding to carry the program to other units at the River Park Apartments because there was only a slim possibility of receiving

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	

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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	

the grant in question. Citizen Ed McMahon spoke in favor of the project and urged the imposition of a performance bond. He further suggested setting up a management program similar to the Carver Apartments to supervise continued maintenance. Larry Ingram, speaking as a private citizen, objected to the project as rewarding bad management. He contended that the owners' records should be checked to see how much they have milked from this property without reinvesting anything towards upkeep. Gilbert Weil stated his feeling that this problem would not have come about if the City had the right laws on the books; the proper laws could force these people to make repairs to buildings such as these. He noted tight ordinances in Shaker Heights at which point Mr. Schroeder directed City Attorney Rynders to obtain a copy of those ordinances. Citizens Egon Hill and Harry Rothchild agreed with Mr. Ingram and also suggested obtaining a report from the owners on their income from the buildings and how much they had reinvested in maintenance. They also agreed on tighter laws to enforce code violations. Willie Anthony spoke in favor of the project and expressed his dismay at the questions raised about using public funds to help unfortunate people, when questions were rarely raised about using public funds for other purposes.

Anderson.  
Barnett  
Bledsoe  
Richardson  
Schroeder  
Wood  
Billick  
(6-0)

X		X		
		X		
			X	X
	X	X		
		X		
		X		

**MOTION:** To ADOPT the resolution as presented, subject to changes in the Memorandum of Understanding recommended by Roger Barry.

**ADJOURN:** 10:10 a.m.

*Stanley R. Billick*  
Stanley R. Billick, Mayor

*Janet Cason*  
Janet Cason  
City Clerk

*Ellen Marshall Weigand*  
Ellen Marshall Weigand  
Deputy Clerk

These minutes of the Naples City Council approved Jan. 16, 1985

Supplemental Attendance list - Special Meeting, January 4, 1985 - 9:00 a.m.	Chuck Mohlke	Gilbert Weil
Egon Hill	Larry Ingram	Harry Rothchild
Herb Cambridge	Willie Anthony	Arnold Lamm
Bobby Voris		

News Media

Dave Fuller, TV-9	Bob Goldberg, WBBH, TV-20	Todd Holzman, Naples Daily News
Richard Aaron, WEVU, TV-26	Anna-Marie Carsello, TV-9	
Bev Cameron, WINK, TV-11	Randy Sell, TV-9	

Other interested citizens and visitors.

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MEMORANDUM OF UNDERSTANDING

THIS AGREEMENT is made this \_\_\_\_\_ day of \_\_\_\_\_ 1985, by and between the owner(s) of the land and building improvements which constitute the "E" Building at the River Park Apartments in Naples, Florida, hereinafter called the "Owners", and the City of Naples, Florida, through the Small Cities Community Development Block Grant Program administered through the City of Naples Department of Community Development, hereinafter called the "City".

W I T N E S S E T H:

WHEREAS, the "E" Building of the River Park Apartments, located at 1057 Second Avenue, North, Naples, Florida, contains substandard vacant apartments and other inhabited apartments in need of rehabilitation.

WHEREAS, the City, through funds made available through the State of Florida Small Cities Community Development Block Grant Program, intends to rehabilitate the "E" Building, both interior and exterior, in order to secure decent, safe and sanitary living conditions for the tenants.

WHEREAS, the owners will improve the grounds immediately adjacent to and part of the "E" Building.

WHEREAS, the funds secured through the Small Cities Community Development Block Grant Program, to be spent on the "E" Building are granted without interest or obligation of repayment.

THEREFORE, the following is mutually agreed:

1. That the owners will remove the deteriorating asphalt in the courtyard area of the "E" Building and replace same with native, low-maintenance plants and trees and an automatic watering system.
2. That the owners will redefine the parking area on the south side of the building by making necessary subsurface and surface repairs, re-asphalt and restripe, add required landscaping between said parking lot and the street right-of-way.
3. That the owners will screen the trash dumpsters from view

and remove debris from their adjacent property.

4. That the owners will install adequate lighting in the common areas around the buildings, walkways and other areas deficient in lighting on the premises.

5. That the owners will replace the metal screening between the two horizontal railings on the second-floor walkways, specifically, to function as a child restraint.

6. That the owners, their heirs and assigns agree to maintain the "E" Building in a reasonable manner and in compliance with the local Minimum Housing Code at all times during their ownership of the subject property and also agree to permit an inspection of the above-described property periodically by City staff to assure reasonable maintenance and continued compliance with the City's Minimum Housing Code.

7. That the terms of this agreement shall remain in effect should the present owners sell, convey, lease or otherwise dispose of this property during the term of this Memorandum and shall be binding upon any successions in interest.

8. That for a period of fifteen (15) years the owners agree to give priority and a right of first refusal for renting the rehabilitated apartments in the "E" Building, as vacancies occur, to participants of the Federal Section 8 Existing Housing Program administered by the Community Development Division of Collier County, Florida.

9. The provisions of this Memorandum of Understanding shall be binding upon the owners and their estates, personal representatives, heirs and devisees.

IN WITNESS WHEREOF, we have hereunto set our hands and seals on the \_\_\_\_\_ day of \_\_\_\_\_, 1985.

Signes, sealed and delivered in the presence of:

OWNERS OF RIVER PARK APARTMENTS

\_\_\_\_\_  
\_\_\_\_\_

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

ATTEST

\_\_\_\_\_  
Janet Cason,  
City Clerk

\_\_\_\_\_  
Stanley R. Billick, Mayor  
City of Naples, Florida

APPROVED as to form and legality by \_\_\_\_\_  
David W. Rynders, City Attorney