

City Council Chambers
735 Eighth Street South
Naples, Florida 33940



City of Naples

-SUBJECT-

Page

ANNEXATION DISCUSSION

1-4

Also Present:
Franklin S. [unclear]
City Manager
David W. [unclear]
Gary [unclear]
Mark W. [unclear]
Barry [unclear]
James [unclear]
City Clerk
Roger J. [unclear]
Development [unclear]
Sue [unclear]
Deputy Clerk

Ben [unclear] Attendance List - Attachment #1

Mayor [unclear] explained that this workshop was an informal conference of the City Council and was held to a special meeting to be held at 10:00 a.m. He explained that this was the only meeting of the kind of annexation in the Council's history to discuss the complexity and the pros and cons of annexation.

ANNEXATION DISCUSSION

City Manager James [unclear] introduced Robert [unclear] Executive Director of the Florida Legislative Council on Intergovernmental Relations, whose primary function is to advise the Florida Legislature on issues involving local and state government.

At introduction, Mr. Bradley advised that the Florida Statutes allow for annexation by either general or special law. There were three ways to annex special law of the State Legislature, voluntary annexation, and non-voluntary annexation. Mr. Bradley explained that non-voluntary annexation occurs as a result of a property owner as well as a resident of the City, to vote on the proposed annexation. Voluntary annexation occurs when a resident of a property and the property owner voluntarily annexation. Mr. Bradley continued, a petition bearing 10% of the property owners' signatures must be presented to the City to request annexation. Once a legal determination is published within the City, the annexation can occur. There are four annexation methods: voluntary annexation, the City and the property owner.

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Time 9:00 a.m.

Date October 8, 1986

Mayor Putzell called the meeting to order and presided as Chairman:

ROLL CALL: Present: Edwin J. Putzell, Jr.
Mayor
Kim Anderson-McDonald
William F. Bledsoe
Alden R. Crawford, Jr.
John T. Graver
Councilmen

Absent: William E. Barnett
Lyle S. Richardson
Councilmen

Also Present:
Franklin C. Jones, City Manager
David W. Rynders, City Attorney
Mark W. Wiltsie, Asst. City Manager
Janet Cason, City Clerk
Roger J. Barry, Community Development Dir.
Stewart K. Unangst, Purchasing Agent
Christopher L. Holley, Community Services Dir.
Gerald L. Gronvold, City Engineer
Steven C. Brown, Personnel Director
Frank W. Hanley, Finance Director
Norris C. Ijams, Fire Chief
Jodie M. O'Driscoll, Deputy Clerk

See Supplemental Attendance List - Attachment #1.

Mayor Putzell explained that this workshop was an informal conference of the City Council and was prior to a special, formal meeting to be held at 10:00 a.m. He further explained that this was the third meeting on the subject of annexation in the Council's attempt to understand the complexity and the pros and cons of annexation.

ANNEXATION DISCUSSION.

City Manager Jones introduced Robert Bradley, Executive Director of the Florida Advisory Council on Intergovernmental Relations, whose primary function is to advise the Florida Legislature on issues involving local and state governments.

As introduction, Mr. Bradley advised that the Florida Statutes allow for annexation by either general or special law. There were three ways to annex: Special Act of the State Legislature, voluntary annexation, and non-voluntary annexation. Mr. Bradley explained that non-voluntary annexation requires everyone, property owners as well as residents of the City, to vote on the proposed annexation; voluntary annexation occurs when residents of a compact area request annexation.

Under voluntary annexation, Mr. Bradley continued, a petition bearing 100% of the property owners' signatures must be presented to the City to request annexation. Then a legal advertisement is published before the City can accept the area into their boundaries. There are two parties involved in voluntary annexation: the City and the property owners.

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In contrast, Mr. Bradley advised that non-voluntary annexation requires a set of agreements including an agreement that assures residents of the annexed property that they will receive City services upon annexation.

Statutory standards also state that the land to be annexed must be contiguous, compact and not part of another municipality, Mr. Bradley advised, and that the area must be developed for urban use as part of an urban matrix.

Special Act annexation, he explained, is the least typical of the three types and is used infrequently. In the case of enclaves, pieces of unincorporated territory that are inside municipalities, the State in many of these instances may require annexation, Mr. Bradley added.

Interests to be served in the annexation process, Mr. Bradley advised, include the State in making sure that the annexation neither degrades the City nor deprives citizens of any of their rights. The municipality, its citizens and the people whose property will be annexed all have interests that are recognized, but the State favors certain interests of the people who will be annexed, he added. Mr. Bradley gave an example of an area that, after petitioning for annexation, at the last minute withdrew; the State supported their decision. This has been the tradition in Florida for quite some time, he added.

Annexation is the tool designed to help control changing urban development, Mr. Bradley said. The changes which constantly occur in development cause changes to occur in services, fiscal base, political constituency, urban regulations, economic prospects and even the social character of the city, so annexation is a very important tool to control these changes. Mr. Bradley recommended two books, City Lifecycles by Robert Hooter and Urban Decline by Bradbury, Swell and Downs, as possible annexation information resources.

Annexation deals with long-term effect on an area, Mr. Bradley pointed out, and said that it must be examined in light of needs 50 years or so into the future. Annexation doesn't work every time, he said, and recommended setting goals and policies first. It is up to a lawmaker to decide when the time is right to annex.

Mr. Bradley then pointed out that proponents of annexation contend that it would encourage orderly land use, efficient service delivery, broaden the tax base and provide equity of governmental services and opponents claim annexation would reduce residents' control of government that a smaller population would encourage. In addition, opponents of annexation say residents would not receive certain services for which they are taxed, and annexation would change the social character of the city. It is, however, up to the individual City to make its own determination of the effects of annexation, he advised.

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To achieve the desired goals through annexation, Mr. Bradley recommended study of the following topics: whether the City is ready to expand its services, whether there are any disparities in service delivery, and any other questions or concerns that the staff might have. He cautioned, however, that because of the location of Florida's waterways and highways, annexation was sometimes difficult and further that in some cases, annexation could hurt a city more than help.

Mr. Bradley suggested that the City also look at the pros and cons of not annexing, growth characteristics along the fringe, and concurrent impact on services offered by the City. Mr. Bradley listed other efficacies to be aware of: inequities to residents, impact of annexation on fiscal base, political "spill-overs", service delivery, and residents' quality of life.

Mr. Bradley stated that while he had approached the topic of annexation from the City's point-of-view, the County would lose shared revenue if the City annexed certain properties. This, however, has not been much of a problem in past dealings with other counties in Florida, he added. The County must, by the same token, be prepared to ask a similar set of questions regarding pros and cons of annexation, he added.

Mr. Graver asked how the State viewed the situation between Naples and Collier County with regard to the County Commission trying to duplicate a city environment and the City's efforts towards annexation. Mr. Bradley advised that the State of Florida has not become too involved in these situations and further that he did not think that the County would be a problem.

Mr. Graver asked what would happen if an area wanted to be annexed with 100% of the property owners' permission and the County contested it. Mr. Bradley explained that as long as 100% of the property owners agreed to the annexation, the State law would be on their side and state jurisdiction would become involved only if there were a problem that could not be resolved amicably.

In response to Mayor Putzell, Mr. Bradley advised that non-voluntary annexation requires a dual-majority, the majority of all registered voters in both the city and the area to be annexed.

Mr. Bledsoe inquired as to how other cities have determined if annexation is advantageous. Mr. Bradley said that the city did cost/benefit analyses with regard to the short-term and with regard to long-term paybacks on capital cost.

Mr. Bledsoe asked about annexation of Pelican Bay from a political viewpoint and Mr. Bradley responded that it would be the City's responsibility to make the public aware of the advantages and disadvantages. Mr. Bradley also mentioned a state grant program, "Visions 2000", that is available to communities to assist in goal setting.

SUPPLEMENTAL ATTENDANCE LIST

W. W. Haardt
Alan Korest
Lee Truedwahl
Bob Bradley
Chuck Mohlke

Charles Andrews
Bob Schroer
Ed McMahon
Jack Miller

Michael Zewalk
N. Naples Civic
Association
Bob Russell

NEWS MEDIA

Chuck Curry, Naples Daily News
Racheal Kearns, Naples Star
Hilary Hutchison, TV-9
Beverly Cameron, WINK TV-11
Bill Upham, Naples Times
Gary Arnold, WEVU TV-26
Todd holzman, Miami Herald

Other interested citizens and visitors.

Mr. Crawford asked Mr. Bradley if the State requires a transition period. Mr. Bradley said that none was required at the present time, but if the City desired it could include it in annexation plans. Mr. Crawford concurred with Mr. Bradley's suggestion that the City should pay attention to such areas that come to their attention in light of such goals. Mayor Butrell further suggested that City Manager Jones begin preparation of a goal-setting policy for discussion at a publicly held Council workshop and further that Council come to some consensus as to what they think their future attitude should be with annexation being one of the goals. Mr. Crawford suggested giving the staff various literature and resources available on the topic.

Mr. Graver asked that the public come forward with their ideas regarding annexation. Mayor Butrell concurred but added that the public might be more willing to speak if Council had a definite set of ideas for them to address.

City Manager Jones suggested that staff meet individually with each Council member in order to obtain their ideas and perspectives on the subject. He suggested that the City could be combined into a general policy. Naples is a perfect example of a rural county growing into an urbanized area. Mr. Jones stated areas presently in the County that are not receiving adequate services may want to annex.

Mayor Butrell commented on the overflow use by the County of City facilities.

Mayor Butrell clarified that in a required vote for non-voluntary annexation, only the majority of those actually voting is required to carry the annexation. Mayor Butrell also expressed his hope that RUPAT (Rural/Urban Design Assistance Team) would have recommendations on the subject of annexation.

ADJOURN: 10:03 a.m.

Edwin J. Butrell, Jr., Mayor
Janet Carson
City Clerk
Jodie M. O'Discoll
Deputy Clerk
These minutes of the Naples City Council were approved May 12, 1988