



City Council Chamber  
735 Eighth Street South  
Naples, Florida 33940

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**City Council Workshop Meeting - November 16, 1992 - 9:00 a.m.**

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Mayor Muenzer called the meeting to order and presided

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**ROLL CALL**

**Present:** Paul W. Muenzer, Mayor  
Fred L. Sullivan, Vice Mayor

Council Members:  
Kim Anderson  
R. Joseph Herms  
Alan R. Korest  
Ronald M. Pennington  
Peter H. Van Arsdale

**Also Present:**

Dr. Richard L. Woodruff, City Manager  
Missy McKim, Community  
Development Director  
Maria J. Chiaro, City Attorney  
Ann N. Walker, Planner II  
Noah Standifer, Planning &  
Research Supervisor  
Paul Whittaker, Police Captain  
George Henderson,  
Sergeant At Arms  
Tara A. Norman, Deputy City Clerk

Redevelopment Task Force:  
Edward Verdesca, Chairman  
John T. Conroy, Vice Chairman  
Richard A. Botthof  
Lance D. Donovan  
J. Dudley Goodlette  
Donald R. Johnson  
Allen E. Salowe  
Mark Weakley

See Supplemental Attendance List  
(Attachment #1)

**ITEMS TO BE ADDED**

**ITEM 1**

Council Member Herms explained that he had visited the City's newly installed horticultural material incineration equipment and had observed its operation. He said he had received complaints from citizens with reference to excessive smoke from the operation which should not occur if this equipment is operated properly. The problem, Mr. Herms indicated, was that dirt was being introduced into the incinerator along with the horticultural materials. City Manager Woodruff confirmed that this was an operational problem and would be corrected. Mayor Muenzer indicated that various members of the Council should arrange to visit the site individually in the near future.

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Dr. Woodruff also indicated that he wished the Council to discuss a request he had received from Wynn's Family Market which would be taken up later in the meeting.

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**REDEVELOPMENT TASK FORCE -- STATISTICAL STUDY**

**ITEM 2**

Dr. Woodruff introduced the eight members of the Redevelopment Task Force who were present, indicating that a ninth member, Dr. Richard Cavallaro, had been unable to attend.

Edward Verdesca, Chairman of the Redevelopment Task Force, encouraged the Council to create a Community Redevelopment Agency (CRA), noting that competition for business in downtown Naples was becoming increasingly acute with the opening of such centers as the Waterside Shops which is estimated to derive \$100-million in revenues from the area in its first year of operation. Mr. Verdesca commended the Task Force and the City staff for their extensive work and noted that the community had responded well to requests by the Task Force for information and dialog. The statistical report being presented covered all requirements of the enabling legislation contained in the Florida Statutes, he added. (A copy of the statistical report is contained in the file of this meeting in the City Clerk's Office.)

Mr. Verdesca further reviewed the activities of the Task Force, including research with other cities who have undergone downtown redevelopment in various forms. He explained that through tax increment financing (TIF), tax revenues from increased property values in the redevelopment district would provide the enhancements needed. In conclusion, Mr. Verdesca, provided reassurance to the Council that actions taken in creation of a CRA were totally reversible and non-binding so that if a redevelopment plan was not developed to the Council's satisfaction, the effort would not go forward. Nevertheless, such a plan could not be developed without creation of a CRA.

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## City Council Workshop Meeting - November 16, 1992

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To further illustrate the process reviewed by Mr. Verdesca, Community Development Director Missy McKim presented an overview of the supporting data which had been collected. (Attachment #2) The statistical analysis which had been completed supports the initial findings of the Task Force for creation of a CRA, she said, and if the Council decides to move forward with this course of action, a CRA would be created by ordinance. The makeup of the CRA could be accomplished in a variety of ways, including the City Council itself sitting in this capacity.

One element in Mrs. McKim's report which City Manager Woodruff underscored as being particularly significant was the data which indicated that only three out of ten structures in the redevelopment area conformed to current City parking standards. "That is the bottom line because it truly controls everything which happens in the district," Dr. Woodruff added.

In conclusion, Mrs. McKim noted that there were a number of situations which exist in the redevelopment district which address the specifics outlined in the Florida Statutes as bases for the finding of need to establish a CRA. All of these dynamics, such as a preponderance of small buildings which are undervalued in relation to the land value, faulty lot layout, crime, diversity of ownership, etc., if allowed to continue, would inhibit redevelopment, she said.

City Attorney Chiaro then stated that she was satisfied that the Council now had the firm, substantial and competent evidence necessary to make the finding of need in order to establish a Community Redevelopment Agency. The statistics presented cover all areas which are required by Florida Statutes for examination in this regard, Ms. Chiaro explained, and stated that the need for such concrete proof had been her purpose for asking that this data be collected.

During the ensuing Council discussion, it was explained that the statistics which had been developed to show land values in contrast to building values had been based on assessments. Task Force Member Allen Salowe further explained that the use -- and therefore the value -- of buildings is also determined by the viability of the surrounding area. What the community is faced with in looking at this area, he said, is not whether the land will retain its current value relative to buildings, but whether land values are in jeopardy if business activity does not support them.

The Council then further pursued the stages necessary to proceed with the recommendations of the Task Force. Dr. Woodruff explained that two schools of thought existed with reference to the necessary building of community consensus for a redevelopment plan; namely, that the CRA would do consensus building or that the Task Force would be responsible for the consensus building phase which would then point the way to the creation of a CRA. The Council's charge to the Task Force had been that they determine if there was a problem in downtown Naples and if that answer was "yes," what agency should be assigned to solve the problem. "They have said, 'Yes, there is a problem,' and to the second question, their recommendation is for a CRA," he explained. "If you proceed to create a CRA, then you need to charge them with a task of creating a consensus building program which brings back a redevelopment plan. You, as a Council, will be requested to adopt it;

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## City Council Workshop Meeting - November 16, 1992

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only after you have done that do you adopt an ordinance which gets into the financial aspects of it. You can structure it in a way which Council decides which dollars are spent and in which order ... A CRA is only a facilitator of consensus building. We are prepared to recommend to you their approach (to establish a CRA)."

Council Member Anderson said she wished to dispel the misconception that once a CRA was established it would have undue powers, or that Naples would necessarily be subject to the pitfalls experienced by downtown redevelopment activities in other cities. The final decision on funding would be the Council's, she explained, and the redevelopment program created would be developed for Naples, although taking into consideration mistakes which have been made in other communities.

The Council then discussed the makeup of a CRA, its size, and whether it would be advisable for a member or members of the City Council to be included. City Attorney Chiaro explained that should Council Members be included on a CRA, there would be no inherent problems in the decision making process. These individuals could act in one way on the CRA and then have different concerns in their positions as Council Members, she said. "It is a separate board making separate decisions. When Council acts as a CRA ... it meets as a CRA and then meets separately as Council and makes those decisions," Ms. Chiaro concluded.

The City Attorney also noted that conflicts of interest for members of the CRA are looked upon differently under the law than conflicts of interest for Council Members. Council Members are exempt from voting if a conflict of interest exists, where CRA members declare conflicts of interest, but nevertheless are not prohibited from voting on the issue.

City Manager Woodruff pointed out that a CRA was, in extent of authority, somewhere between an autonomous body like the Airport Authority and an advisory board. The CRA would be more powerful than an advisory board but not independent of the Council like the Airport Authority, as a CRA must receive Council approval on its master plan and then seek adoption by the Council of its annual budget which can be as general or as specific in detail as the Council chooses to require. Dr. Woodruff said he would recommend that the CRA's budget be at least as specific as the general operating budgets regularly reviewed and adopted by the City Council. Nevertheless, he added, the CRA could operate between annual budget reviews without returning to the Council for individual approvals, although it must function under the same regulations for competitive bidding as any other public agency, either specifically adopting the City's purchasing policies or establishing its own.

With reference to the CRA's use of City staff, Dr. Woodruff indicated that he envisioned, and recommended, that work with the CRA be an offshoot of the City staff's existing responsibilities,

although at some point the CRA may wish to engage its own staff. Therefore, with the City staff functioning with the CRA, the policies of the CRA should be identical to those adopted by the City, he added.

City Attorney Chiaro reiterated that the City Council must approve the CRA's master plan which can be as specific as the Council wishes it to be. Once the master plan is adopted, the CRA has all the powers necessary to implement that master plan. If, for example, the master plan specifies that a certain amount of re-landscaping will take place, all the decisions related to that element are given to the members of the CRA, she said.

It was the consensus of Council that the staff begin steps to create a seven-member CRA and that a detailed review by the Council of statutory provisions regarding establishing and operation of a CRA be scheduled for a future date. It was also noted that some of the Task Force members may be available to serve, at least during a transition period, on a CRA.

**Break: 10:42 a.m. to 10:50 a.m.**

### **ITEM 3**

#### **DISCUSSION OF GROIN FIELD PERMIT RECOMMENDATION FROM BEACH RENOURISHMENT COMMITTEE. (*REQUESTED BY COUNCIL MEMBER HERMS*)**

Mr. Frank Blumeyer, 4144 Gordon Drive, a member of the Beach Renourishment/Maintenance Committee, petitioned Council for the City to endorse the reinstallation of seven beach groins south of the Naples Pier. This work would be done at the expense of beachfront property owners in the area and no City funding would be involved. Mr. Blumeyer and Natural Resources Manager Jon Staiger reviewed the history of the construction, deterioration and removal of groins in that area and explained that when the structures were functioning properly, it has been proven that accretion of sand had resulted.

Council Member Herms indicated that this proposal had been discussed at length by the Beach Renourishment/Maintenance Committee which had given its unanimous support. In addition, there was support for such a project by beachfront residents other than Mr. Blumeyer's group, he added.

Dr. Staiger further explained that the chances for ultimate State of Florida approval of this proposal might be more favorable if installation of the groins were viewed in the context of helping to stabilize the southern end of the beach which was restored via the overall beach renourishment program. Although difficult, this would have to be established through engineering studies, he added. Mr. Herms also pointed out that under the pay-as-you-go beach renourishment concept, the benefits derived from reinstallation of groins would mean two to three miles of beach that would not

have to be dealt with resulting in a substantial savings.

The proposal received Council's support and it was the consensus of Council that a resolution and other necessary documentation would be drafted to clarify and define the City's involvement in endorsement of this request for consideration of the Council at a subsequent meeting.

**ITEM 4**

**FIVE-YEAR PROGRAM OF PAVEMENT MAINTENANCE (OVERLAY).  
(REQUESTED BY ENGINEERING DIVISION, PUBLIC WORKS DEPARTMENT)**

City Manager Woodruff explained that the City Council was being presented with a street resurfacing program for the coming year with the request that individual members review it in relation to their knowledge of the individual streets involved. The program would then be brought to the Council for final approval in regular session. It was the understanding of the staff based on prior Council action, he said, that only incidental drainage work would be included with these projects which are funded by an increase in utility taxes. The concept was to provide as much work through this funding throughout the community since this is a new tax and since road resurfacing is only a small fraction of the cost of reconstruction, he explained.

Council Member Herms noted that Fifth and Sixth Streets South, east of Goodlette were utilized largely by City vehicles and therefore might be deferred in lieu of other resurfacing needs. In addition, Council Member Pennington suggested that the people of the Seagate Subdivision be informed through their association that resurfacing in that area was not being done in anticipation of more extensive road rebuilding in conjunction with sewer line installation.

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It is noted for the record that Vice Mayor Sullivan left the meeting at 11:30 a.m.

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City Manager Woodruff indicated that he had received a request from Wynn's Family Market, 745 Fifth Avenue South, to place four outdoor, umbrella tables in front of their store. These tables would be for the use of deli patrons on a trial basis so that data could be collected to determine whether the individuals utilizing these tables walked to Wynn's from nearby businesses or whether their visits necessitated use of a vehicle requiring a parking space.

During the discussion it was pointed out that the staff had not spent a great deal of time processing this request until the Council had indicated its agreement with the concept. It was expressed that

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**City Council Workshop Meeting - November 16, 1992**

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such uses as this might be a favorable addition to the Fifth Avenue business area to provide a more friendly environment for shoppers. Concern was nevertheless expressed that the tables be kept clean between uses.

It was the consensus of Council that this request be approved for a trial period of six months, although permission could be revoked at any time prior to the end of this term if problems and complaints arise.

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**ITEM 5**

**REVIEW OF AGENDA ITEMS FOR NOVEMBER 18, 1992 REGULAR MEETING.**

It was determined that Items 16 and 17 would be removed from the consent agenda for separate discussion; Council Member Korest asked to be supplied with the latest actuarial reports from the Fire and Police Pension Plans with reference to Item 19. Additional information on Coastland Center Mall will be provided to the Council by the following day, November 17th. Council Member Pennington will provide the City Clerk's Office with suggested corrections to the minutes to be presented for approval on November 18th.

**ANNOUNCEMENTS/CORRESPONDENCE/COMMUNICATIONS**

Council Member Pennington called Council's attention to various issues due to be considered by the Florida Legislature and noted that a joint legislative study committee on tourist related taxes had been scheduled by Representative Mary Ellen Hawkins in the City Council Chamber on November 24th. Dr. Woodruff indicated that he would provide information with reference to support by other cities and the Florida League of Cities for the proposal for voter control of city taxes.

It was determined that there would be no City Council workshop on Monday, November 23rd, and that all items would be discussed the following Monday, including the sewage backflow prevention program.

**ADJOURN: 11:56 a.m.**

Janet Cason  
City Clerk

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Paul W. Muenzer, Mayor

**City Council Workshop Meeting - November 16, 1992**

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Tara A. Norman  
Deputy City Clerk

These minutes or the Naples City Council approved on 12/2/92.

**Supplemental Attendance List**

Werner Haardt  
Robert Noble  
George C. Mohlke  
Donald Pickworth  
Edward Oates  
Lyle Richardson  
Michael Watkins  
Charles Andrews  
Frank Blumeyer

News Media:

John Lunsford, Naples Daily News



**Index**  
**City Council Workshop Meeting**  
**November 16, 1992**  
Convened 9:00 am / Adjourned 11:56 am

<b>ADJOURN</b> .....	7
<b>ANNOUNCEMENTS/CORRESPONDENCE/COMMUNICATIONS</b> .....	7
<b>GROIN FIELD PERMIT</b>	
Beach Renourishment Activities .....	5
<b>ITEMS TO BE ADDED</b>	
Incinerator Operation, Wynn's Family Market Outdoor Tables .....	2
<b>PAVEMENT MAINTENANCE PROGRAM</b> .....	6
<b>REDEVELOPMENT TASK FORCE -- STATISTICAL STUDY</b> .....	2
<b>REVIEW OF AGENDA ITEMS FOR 11/18/92 REGULAR MEETING</b> .....	7
<b>ROLL CALL</b> .....	1