



# City of Naples

City Council Chamber  
735 Eighth Street South  
Naples, Florida 34102

## Community Redevelopment Agency Advisory Board Regular Meeting

Monday, April 27, 2009 - 9:00 a.m.

Vice Chairman Anthony called the meeting to order and presided.

### ROLL CALL .....ITEM 1

**Present:**

Willie Anthony, Vice Chairman  
Robert DeCastro  
Jacques Groenteman  
Johnny Nocera  
Carl Suarez

**Absent:**

Lou Vlasho, Chairman  
Wynn Phillips

**Also Present:**

Russell Adams, CRA Executive Director  
Tara Norman, City Clerk

Roger Reinke, Assistant City Manager  
Joseph Boscaglia, Parks & Parkways Supt.

### SET THE AGENDA.....ITEM 2

***MOTION** by Nocera to **SET AGENDA** adding Item 3-a, introduction of Assistant City Manager. This motion was seconded by DeCastro and unanimously carried (Anthony-yes, DeCastro-yes, Groenteman-yes, Nocera-yes, Phillips-absent, Suarez-yes, Vlasho-absent).*

### APPROVAL OF MINUTES.....ITEM 3

***MOTION** by Groenteman to **APPROVE** March 23, 2009, meeting minutes; seconded by Nocera and unanimously carried (Anthony-yes, DeCastro-yes, Groenteman-yes, Nocera-yes, Phillips-absent, Suarez-yes, Vlasho-absent).*

### INTRODUCTION OF ASSISTANT CITY MANAGER.....ITEM 3-a

CRA Executive Director Russell Adams noted that his last day of employment would be July 21, and said that the duties of his position would be assumed by the City Manager and Assistant City Manager. Therefore, he introduced Assistant City Manager Roger Reinke. Member Nocera expressed his appreciation to Mr. Adams for his dedication to the redevelopment district. Mr. Reinke said that he looked forward to working with the Community Redevelopment Agency/Area (CRA). Vice Chairman Anthony stressed the importance of continued focus upon the CRA as well as staff support for the CRAAB (Community Redevelopment Agency Advisory Board) despite deletion of the administrative position that had once been assigned for this purpose. He also pointed out that this course of action was a return to a prior arrangement which had caused concern in the past.

**PROJECTS REPORT.....ITEM 4**

Vice Chairman Anthony asked whether projects listed would indeed be completed or whether they were again expected to be delayed for budgetary reasons. CRA Executive Director Russell Adams reported that the Fifth Avenue North streetscape work was currently underway. He also said that while lighting design for Fifth Avenue South had been completed, the actual project had been moved to the coming year in the hope that federal stimulus funding might be available. Otherwise, he added, it is doubtful that the Fifth Avenue South lighting could be funded locally. Mr. Anthony therefore requested that the project status report be corrected to indicate that the \$220,000 for Fifth Avenue South lighting was in fact not to occur in fiscal year 2009. (It is noted for the record that a copy of this report is contained in the file for this meeting in the City Clerk's Office.)

**SUGDEN PLAZA PROJECT SCOPE.....ITEM 5**

CRA Executive Director Russell Adams reported on a plan to rehabilitate the surface at Sugden Plaza which had deteriorated since its construction in 1998. (It is noted for the record that Sugden Plaza is located on the north side Fifth Avenue South between Sixth and Eighth Streets South; it is also noted that a printed copy of the electronic presentation made with regard to this item is contained in the file for this meeting in the City Clerk's Office.) Mr. Russell indicated that tree root damage had occurred to both paving bricks and concrete areas as well as deterioration from heavy vehicles and normal curing/cracking of concrete. The City had budgeted \$40,000 in the CIP (Capital Improvement Program) for the current year. The proposal would replace the current concrete bands with diagonals of paving blocks which could be replaced individually as needed. (Attachment #1) In addition, current paving blocks would be reset to correct areas which have experienced differential settlement. In further discussion, it was noted that heavy vehicles are admitted to the Plaza to maintain outdoor lighting.

Members asked Mr. Adams to ascertain whether the Plaza had been funded by TIF (Tax Increment Financing); however, Mr. Adams confirmed that the aforementioned repairs would be funded by TIF. Members Groenteman and DeCastro suggested that the City Council however be asked to identify alternative funding for future maintenance after the repairs have been made. Vice Chairman Anthony stressed the need to determine how the original construction was funded in order to make a recommendation on maintenance; both he and Member Suarez expressed concern, however, that heavy vehicles should not be allowed to avoid compromising any new surface.

***MOTION by Groenteman to APPROVE REPAIR AS PRESENTED IN ACCORDANCE WITH THE DESIGN PROPOSED, but that in the future maintenance not be charged to the CRA; seconded by Suarez and unanimously carried (Anthony-yes, DeCastro-yes, Groenteman-yes, Nocera-yes, Phillips-absent, Suarez-yes, Vlasho-absent).***

**.....ITEM 6  
CAPITAL PROJECTS REVIEW: LAKE MANOR LINEAR PARK, SIXTH AVENUE NORTH LIGHTING**

Member Groenteman questioned the advisability of this expenditure, stressing the need to utilize TIF (Tax Increment Financing) funding to improve the overall area with the goal of increasing the tax base. He said that he believed the intersection of Sixth Avenue North and Tenth Street had been completed. (See Attachment #2) He estimated that 70 to 80 trees already exist in the area between the lake and the commercial property on the south side of Sixth Avenue North, noting that the low-rise commercial structures are then set back an additional 100 feet from Sixth. He said he opposed expending the \$235,000 listed in the project report, pointing out that at the Tenth Street intersection, which is the border of the residential community, also provides a

**Community Redevelopment Agency Advisory Board Regular Meeting**  
**Monday, April 27, 2009 - 9:00 a.m.**

---

transition with bicycle racks, lighting, trash receptacles and benches. He said the funding could be better spent elsewhere in the redevelopment district and expressed the view that the area in question is clearly not blighted, there being a grassed area and sidewalk already present. Member Nocera concurred.

CRA Executive Director Russell Adams however pointed out that the lighting project (\$109,000 in the project report) was intended to be coordinated with the linear park and was intended for the comfort and security of pedestrians. He cited a new condominium complex on the southwest corner of Tenth Street North and Sixth Avenue which would increase foot traffic both on Sixth and at the proposed linear park. Member Nocera asked whether the plans had been endorsed by the Lake Park Property Owners Association, and Mr. Adams said that he could not confirm this. Member Suarez also concurred with Member Groenteman that funds could be more appropriately expended elsewhere in the district.

In response to Member Nocera, Mr. Adams reported that the lighting and linear projects on Sixth Avenue North had rated third and fourth in CRAAB's ranking; he also noted that these improvements had been in the plan for some time. Member Suarez pointed out, however, that this perspective could easily be altered due to scarce resources. Vice Chairman Anthony confirmed that the total for the proposed park and the Sixth Avenue North lighting is \$344,000; he also received confirmation that existing vegetation which now buffers residences on the north side of the lake from the commercial building on the south side of Sixth would not be removed but would in fact be augmented. Mr. Adams also indicated that the only expenditure on the project to date had been preparation of drawings.

In further discussion, Member Suarez suggested that the Board recommend against the project and call for alternative expenditures, and Member Nocera reiterated the need to review the matter with the Lake Park Property Owners Association so as to ascertain the group's endorsement. Member Groenteman pointed out that the funding would be better applied to the section of Sixth Avenue which extends west of Tenth Street North since residential development was occurring in that area. Vice Chairman Anthony also took issue with the estimate which he said he found excessive for the work proposed since the intersection had already been completed. Mr. Adams, however, pointed out that the \$344,000 total includes street lighting, although the Board questioned the definition of the area to receive new lighting; also, Member Nocera sought confirmation of the extent to which new landscaping had been included in the estimate. Mr. Adams said that he did not believe the extra screening requested in the past by the Lake Property Owner Association had been included in the estimate.

The Board's final action appears below; however, prior to this determination, an initial motion and vote was deemed to have caused confusion as to whether a negative vote constituted tabling the project. The initial action proposed by Member Suarez had sought to defer action on the improvements under consideration so that the use of the funds could be re-evaluated; also included had been a request that the staff revisit the proposal with the Lake Park Property Owners Association. Member Groenteman had seconded the initial motion with Members Nocera and Suarez casting the only votes in favor.

***MOTION by Suarez to defer and re-evaluate the project for consideration of modification or application of the funding elsewhere, to confirm the support of the Lake Park Property Owners Association, and for the CRAAB to again consider the project at a later date. This motion was seconded by Groenteman and unanimously carried (Anthony-yes, DeCastro-yes, Groenteman-yes, Nocera***

**Community Redevelopment Agency Advisory Board Regular Meeting  
Monday, April 27, 2009 - 9:00 a.m.**

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*-yes, Phillips-absent, Suarez-yes, Vlasho-absent).*

Vice Chairman Anthony pointed out that the lighting component (\$109,000) and the linear park (\$235,000) should however continue to be considered separately.

**FINANCIAL REPORT.....ITEM 7  
CRA OPERATING EXPENSES – LANDSCAPE MAINTENANCE.....ITEM 8**

**It is noted for the record that Items 7 and 8 were considered simultaneously.**

CRA Executive Director Russell Adams noted that he had determined that the charge-back to the redevelopment district had not been reviewed by this body. A re-evaluation of the costs being charged to the redevelopment district are itemized on Attachment #3, indicating a reduction from \$210,000 to \$83,000. It was noted by Mr. Adams that these services are contained in the Operating Expense heading of the Revenue/Expenditure Analysis as of March 31; this document is appended as Attachment 4. With regard to landscape maintenance expenditures, Mr. Adams explained that the costs had been assessed based on whether the improvements had been funded by the Community Redevelopment Agency/Area (CRA), giving as an example the work done on avenues which connect US 41 (Ninth Street) with Tenth Street. However, he said, legal opinions he had researched generally indicated that assessment of maintenance costs would be a matter of local policy. He cited the Board’s prior motion that maintenance of landscaping should not be included in the redevelopment district’s budget.

In response to Vice Chairman Anthony, Joseph Boscaglia, Parks & Parkways Superintendent, also indicated that the staff had attempted to include only those landscape maintenance charges that directly address areas which were improved by the CRA, including the area described as “south medians from Central Avenue to US 41 and Tenth Street North east and west right-of-way and medians from Central to Seventh Avenue North.” (It was clarified that these medians are those located on US 41 which were installed with redevelopment area funds.) Should the CRA determine that these maintenance charges would not be funded, he said, the City would hold the immediately adjacent property owners responsible for maintenance as is done in other areas of the community.

Mr. Groenteman pointed out that the Board was seeking to maximize utilization of funds for improvements to the redevelopment district; however, he said, once improvements are in place, the City as a whole should fund maintenance. Mr. Boscaglia also noted that, other than in the redevelopment district, the City does not assume the cost of right-of-way improvements, and all the expenditures listed for the redevelopment district are, with the exception of the aforementioned Central Avenue reference, projects that have occurred in the City’s right-of-way. Member Suarez received clarification from Mr. Boscaglia that maintenance is funded by the City for median improvements installed in residential areas such as the Moorings, Park Shore, and Coquina Sands. Member Nocera also received confirmation that since a sidewalk occupies a portion of the right-of-way, this type of maintenance is also funded by the City. Trees planted by the City within the its right-of-way, are also maintained at City expense, but other types of landscaping such as sod are not.

Member Suarez continued the questioning of Mr. Boscaglia to ascertain the distinction that was being applied between the medians in the Moorings and similar residential districts and the US 41 medians for which the redevelopment district is being charged to maintain (included in Attachment #3 as \$22,507.88). Mr. Boscaglia indicated that this was a matter which could be further examined. CRA Executive Director Adams, however, pointed out that neither the CRA nor City Council had discussed this as a budgetary issue and therefore had not taken a policy position.

**Community Redevelopment Agency Advisory Board Regular Meeting  
Monday, April 27, 2009 - 9:00 a.m.**

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Vice Chairman Anthony requested a copy of the Code of Ordinances dealing with right-of-way maintenance so that the Board might better understanding the rationale for the landscape maintenance charges that are being assessed to the redevelopment district. Member Nocera also questioned why, if medians in other sections of the community were being maintained by the City, the redevelopment district medians should be treated differently. Nevertheless, Mr. Nocera cautioned, if the alternative is that immediately adjacent property owners were then to be responsible, the CRA should continue to fund landscape maintenance; otherwise the investment already made would deteriorate.

In discussion of future budget review schedules, Vice Chairman Anthony stressed the importance of the CRAAB making recommendations on relevant issues, pointing out that when the CRA ceases to exist, maintenance needs will continue. Current funding should be devoted to making improvements in the district, not maintenance, he added. Although Member Nocera proposed a motion that landscape maintenance should be funded by the CRA until this structure is no longer in existence, he subsequently concurred with Member Suarez who had proposed that the aforementioned \$22,507.88 median maintenance charges not be included.

CRA Executive Director Adams noted that the Board was then considering a policy determination that would indicate that landscape for all street improvements made by the CRA will be funded by the CRA, except in the case of medians which would be handled as they are elsewhere in the City. However, he noted, this would be contrary to the Board's previous action that none of the landscape maintenance costs should be charged to the CRA. Member Groenteman, therefore proposed that the Board await a decision by the CRA on its prior motion before further pronouncements were made. Mr. Suarez then observed that a subsequent position on landscape maintenance could be considered a compromise to avoid property owners being directly charged.

***MOTION by Suarez to confirm the Board's prior motion with regard to not charging the redevelopment area for landscape maintenance, but that should the CRA/City Council determines, pursuant to the Code of Ordinance, not to fund landscape maintenance in the right-of-way (and require it to be funded by immediately adjacent property owners), the CRA should assume the costs as outlined in Attachment #3 for the duration of the redevelopment district structure. This motion was seconded by Member Nocera and failed 2-3 (Anthony-no, DeCastro-no, Groenteman-no, Nocera-yes, Phillips-absent, Suarez-yes, Vlasho-absent).***

During the vote on the above motion, Vice Chairman Anthony said his opposition had been prompted by the proposal for a compromise position; he said the Board should be firm in its position and not offer an alternative. Member Groenteman attributed his negative vote to a desire for the Board to proceed under its original motion not to fund landscape maintenance; however, he also urged that a clarification of the requirements of the aforementioned ordinance be obtained from the City Attorney. Member Nocera said he however had voted in favor of the motion because of his concern that the downtown area continue to be appropriately maintained, particularly in light of budget constraints being faced by city government.

**PUBLIC COMMENT.....ITEM 9**

None.

**ANNOUNCEMENTS and CORRESPONDENCE.....**

Member Nocera urged that the property currently owned by the Antaramian interests and previously known as Grand Central Station (Goodlette-Frank Road and US 41) be acquired and

**Community Redevelopment Agency Advisory Board Regular Meeting**  
**Monday, April 27, 2009 - 9:00 a.m.**

---

developed as a park, pointing out that the site is within the redevelopment district. This would also function to reduce potential density, he said, suggesting that the space could provide such facilities as an open air theater and hurricane shelter. He urged the Board to look into pledging TIF (Tax Increment Financing) revenues to amortize the purchase of this property, noting that this may be the only means to achieve such a goal; otherwise, a referendum could be conducted to acquire the property through a general obligation bond issue similarly to Naples Preserve. CRA Executive Director Russell Adams indicated that the current debt service obligation of the CRA (Community Redevelopment Agency/Area) is expected to exceed \$1-million in the coming year and, therefore, funding of this acquisition could not occur through that particular funding source. He also noted that the City Council had most recently declined to fund an appraisal of the site. Vice Chairman Anthony said he believed that, rather than a CRA project, other methods should be pursued and that the proposal should be presented to the voters.

**SET DATE/TIME FOR NEXT CRAAB MEETING.....ITEM 10**

Because the May meeting will coincide with the Memorial Day holiday, CRA Executive Director Russell Adams said that he would attempt to reschedule the meeting for either Friday, May 22nd, or Tuesday, May 26th.

**ADJOURN.....**

10:43 a.m.

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Lou Vlasho, Chairman

Minutes prepared by:

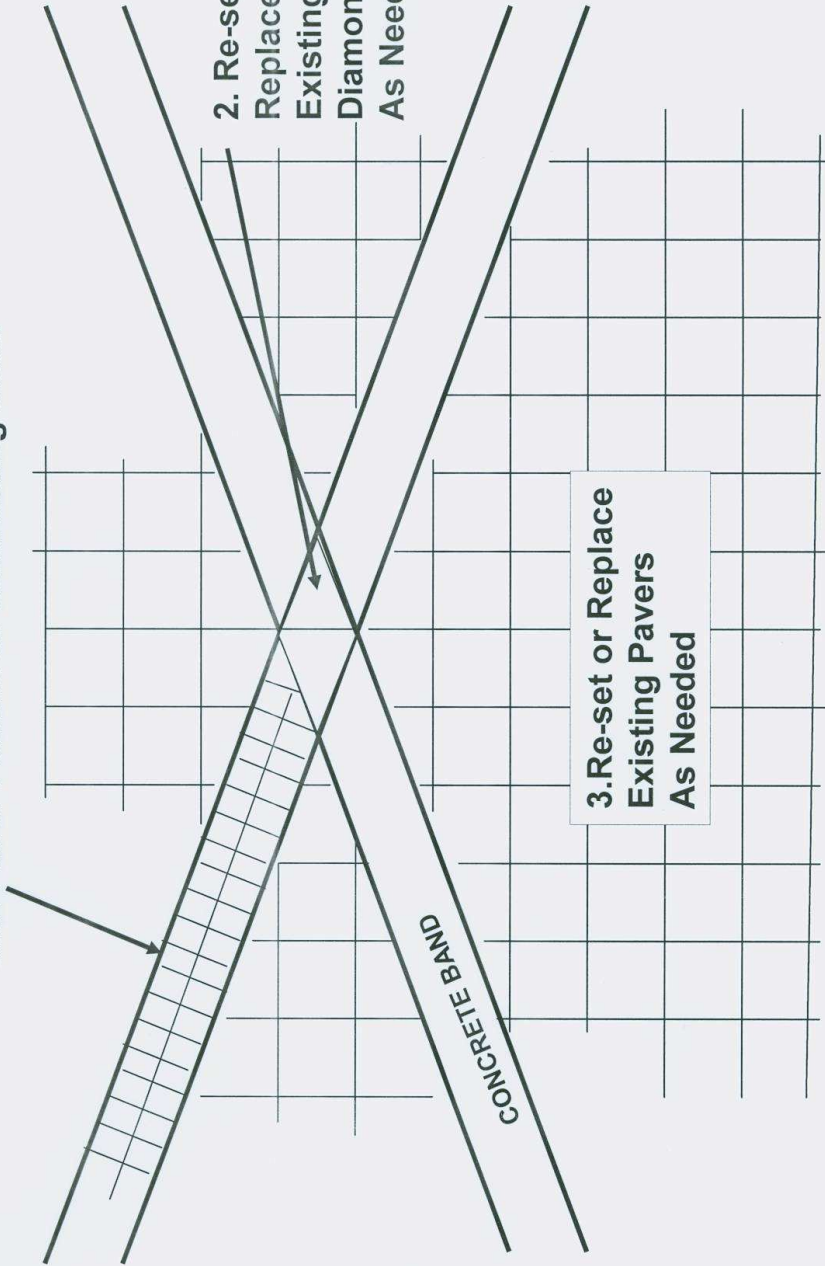
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Tara A. Norman, City Clerk

Minutes Approved: June 22, 2009

# Proposed Solution

1. Replace Diagonal and Curved Concrete Bands with Paver Pattern of Contrasting Color



2. Re-set or Replace Existing Stone Diamonds As Needed

3. Re-set or Replace Existing Pavers As Needed

LAKE MANOR LINEAR PARK PROJECT  
AND 6<sup>TH</sup> AVENUE NORTH LIGHTING PROJECT



Attachment 2  
Page 1 of 1  
4/27/09 CRAAB



**Community Redevelopment Agency Advisory Board Regular Meeting  
Monday, April 27, 2009 - 9:00 a.m.**

Attachment 3  
Page 1 of 1  
4/27/09 CRAAB

Revised 2008-2009 CRA Landscape Maintenance Budget 4/27/09  
Reduced from \$210,000 to \$83,992

<u>Annual</u>	<u>Weekly</u>	
\$5,139.30	\$99	Spring Lake Overlook
\$6,281.27	\$120	Parking Garage 6th Avenue South & 8th Street South
\$5,866.27	\$113	Sugden Theater/Parking Garage
\$1,333.95	\$26	Betsy Jones Park
\$22,507.88	\$433	South medians from Central Avenue to U.S.41 and 10th Street North east & west ROW and medians from Central Avenue to 7th Avenue North
\$16,931.72	\$325	5th Avenue South from 9th Street South to 3rd Street South
\$2,050.15	\$39	5th Avenue South Parkway medians from 8th Street South to 10th Street South
\$2,172.95	\$42	2nd Avenue North, north & south ROW from 10th Street North to U.S. 41
\$1,870.05	\$36	3rd Avenue North, north & south ROW from 10th Street North to U.S. 41
\$2,190.95	\$42	4th Avenue North, north & south ROW from 10th Street North to U.S. 41
\$15,846.51	\$304	5th Avenue North, north & south ROW from Goodlette-Frank Road to 14th Street North to include parking areas and planting beds; 5th Avenue North median at Goodlette-Frank Road
\$1,801.08	\$35	5th Avenue North, north & south ROW from 10th Street North to U.S. 41
\$83,992.08		Total Annual

**Community Redevelopment Agency Advisory Board Regular Meeting  
Monday, April 27, 2009 - 9:00 a.m.**

Attachment 4  
Page 1 of 1  
4/27/09 CRAAB

**COMMUNITY REDEVELOPMENT AGENCY  
REVENUE/EXPENDITURE ANALYSIS (CASH BASIS)  
FISCAL YEARS 2008 & 2009  
50% OF FISCAL YEAR  
as of March 31, 2009**

	Actual 2008 6 Months	Actual 2009 6 Months	2009 Amended Budget	Percentage of Annual Budget
<b>REVENUES:</b>				
Property Taxes	784,208	778,951	778,951	100.0%
Collier County TIF	2,244,090	2,186,571	2,264,983	96.5%
Interest Earned	74,182	78,086	125,000	62.5%
Parking Space Sales	-	-	300,000	0.0%
Interfund Transfer Gen Fund	4,833	-	12,038	0.0%
Grant	-	-	95,000	0.0%
Bond Proceeds	5,800	6,809,890	-	-
Beginning Cash Balance	-	-	4,229,784	-
<b>TOTALS</b>	<b>3,113,113</b>	<b>9,853,498</b>	<b>7,805,756</b>	<b>126.2%</b>
<b>EXPENDITURES:</b>				
Personal Services	251,519	313,618	722,149	43.4%
Operating Expense	116,799	156,388	483,088	32.4%
Transfer Out	307,700	106,528	213,056	50.0%
Capital Expense	1,176,646	3,867,062	4,730,783	81.7%
Debt Service	204,718	532,718	-	0.0%
Repayments to Other Funds	-	-	1,424,109	0.0%
Unbudgeted Reserve	-	-	232,571	0.0%
<b>TOTAL</b>	<b>2,057,382</b>	<b>4,976,314</b>	<b>7,805,756</b>	<b>63.8%</b>
<b>CASH FLOW</b>				
Positive/Negative	1,055,731	4,877,184	-	
	<b>Adopted Budget</b>	<b>3,575,972</b>		
		4,229,784		
		18,355		
		<b>Amended Budget</b>	<b>7,824,111</b>	

*Changes to an Adopted Budget must be approved by City Council.*

<b>Trial Balance as of March 31, 2009</b>	
Cash	6,039,057.81
Accrued Interest Receivables	26,638.58
Retainage due Contractor	409,185.59
Advances from other funds	1,050,828.00
Fund Balance	271,501.24
<b>Revenue:</b>	
Property Taxes	778,951.00
Collier County TIF	2,186,571.00
Interest Earned	78,085.97
Other Income	1,421.25
Transfers In	6,808,468.70
<b>Expenses:</b>	
Personal Services	313,617.80
Operating Expenses	156,387.90
Transfers Out	106,528.00
Capital Expense	3,867,062.20
Debt Service	532,717.98
Repayments to Other Funds	-
	<b>11,313,511.51</b>
	<b>11,313,511.51</b>