

Notice of Meeting and Agenda
Naples City Council
City Council Chamber, 735 8th Street South, Naples, Florida

Mayor: Bill Barnett

Vice Mayor: Linda Penniman

City Council Members:

Reg Buxton, Doug Finlay, Michelle McLeod, Sam J. Saad III, Ellen Seigel

City Attorney: Robert D. Pritt · City Clerk: Patricia L. Rambosk · City Manager: Bill Moss

Welcome to today's City Council meeting. If you wish to address the Council regarding an item listed on this agenda, please complete a registration form at the rear of the room and place it in the Speaker Request Box located on the Council dais prior to consideration of that item. We ask that speakers limit their comments to 3 minutes and that large groups name a spokesperson whenever possible. Thank you for your interest and participation in City government.

Regular Meeting
Wednesday, January 17, 2018
8:30 a.m.

All proposed ordinances and information on other items listed below, which have been provided in advance of this meeting, may be inspected in the office of the City Clerk, City Hall, or on the City of Naples website www.naplesgov.com or call the City Clerk's Office, 213-1015. All written, audio-visual and other materials presented to the City Council in conjunction with deliberations during this meeting will become the property of the City of Naples and will be retained by the City Clerk.

1. Roll call
2. Invocation and Pledge of Allegiance
3. Announcements
 - a. **Recognition of outgoing Community Redevelopment Agency Advisory Board Members John Nocera and William DeCastro**
 - b. **Human Trafficking Awareness Month Proclamation**
 - c. ***Do the Right Thing* Recognitions**
4. Set agenda (*add or remove items*)
5. Public Comment

NOTICE

Formal action may be taken on any item discussed or added to this agenda. Any person who decides to appeal any decision made by the City Council with respect to any matter considered at this meeting (or hearing) will need a record of the proceedings and may need to ensure that a verbatim record of the proceeding is made, which record includes the testimony and evidence upon which the appeal is to be heard. Any person with a disability requiring auxiliary aids and services for this meeting may call the City Clerk's Office at 213-1015 with requests at least two business days before the meeting date.

CONSENT AGENDA

All matters taken under this section are considered routine, and action will be taken by one motion. There will be no separate discussion of these items. If discussion is desired, that item(s) will be removed from the Consent Agenda and considered separately.

6. CONSENT

a. City Clerk

Minutes for the December 18, 2017 Workshop and the December 20, 2017 Regular meeting

[Agenda Memorandum](#) [12/18/17 Workshop Minutes](#) [12/20/17 Regular Meeting Minutes](#)

b. City Clerk

Consideration to recommend reappointment of Robert Meister III as a Contractor on the Collier County Contractor's Licensing Board for a three-year term commencing March 1, 2018 and expiring February 28, 2021

[Agenda Memorandum](#) [R. Meister Application and Resume](#)
[Recommendation from Collier County Licensing Compliance Supervisor](#)
[Code Sec. 22-165. - The contractors' licensing board.](#)

c. Community Services

Special Events – Repeat Events

1. **Collier Freedom Women's March** – Collier Freedom - Broad Avenue South, 3rd Street South, 5th Avenue South, 8th Street South, and Cambier Park – 1/20/18
2. **The National Alliance of Mental Illness (NAMI) of Collier County Annual Walk** – NAMI of Collier - 8th Street South, 12th Avenue South, 7th Street South, 14th Avenue South, Gordon Drive, 8th Avenue South and Cambier Park – 2/17/18
3. **2nd Annual Christian Concert** - Mega Ministries, Inc. – Cambier Park Bandshell – 3/31/18
4. **United States Navy Band - Commodores Concert** - The United States Navy Band - Cambier Park Bandshell - 11/11/18

[Agenda Memorandum](#)

END OF CONSENT AGENDA

7. City Manager – City Dock

Presentation and approval of Bradley Walters, a Scout with Troop 2001, regarding building new benches at the Naples City Dock for his Eagle Scout Service Project

[Agenda Memorandum](#) [Eagle Scout Rank Information Sheet](#)
[PowerPoint](#) - City Dock-Eagle Scout Proposal

8. **City Manager**
Ordinance – Second Reading – Public Hearing relating to possession of alcoholic beverages on the city fishing pier; amending Chapter 42 waterways, Article II Recreation Areas, Division 2 City Pier, Section 42-53(a) Conduct on Fishing Pier and Parking Area ~ *Public Hearing and First Reading held on December 20, 2017*
[Agenda Memorandum](#) [Ordinance](#)
9. **City Manager**
Resolution opposing offshore oil drilling and exploration in the eastern Gulf of Mexico and supporting the current moratorium on drilling in the eastern Gulf
[Agenda Memorandum](#) [Resolution](#)
10. **Finance**
Resolution relating to the establishment of a Special Assessment Area to be known as the Gulf Acres / Rosemary Heights Assessment Area for the construction and funding of wastewater improvements; describing the property to be located within the Assessment Area and the Wastewater Improvements to be constructed therein; estimating the cost of the wastewater improvements; establishing the method of assessing the costs of the wastewater improvements against real property that will be specially benefited thereby; directing the City Manager to prepare a Preliminary Assessment Roll; establishing a Public Hearing to consider imposition of the Proposed Assessments and directing the provisions of Notice
[Agenda Memorandum](#) [Resolution](#) [Calculation](#) [Timeline](#)
11. **Finance**
Resolution authorizing Staff to proceed with a request by Seagate and Naples Cay Homeowners' Associations for a Special Assessment for a special assessment related to undergrounding power lines on the southwest portion of Seagate Drive and adjoining streets within Seagate and Naples Cay Homeowners' Associations' purview
[Agenda Memorandum](#) [Resolution](#) [Seagate Utility Underground Project Description](#)
[Sample Letter and Ballot](#) [Resolution 08-12256](#)
[Code Sec. DIVISION 5. - Special Assessment Regulations](#)
12. **Finance**
Resolution amending the 2017-18 budget adopted by Resolution 2017-14027 to appropriate \$6,139,135 for the approved Fire Station 1 contracts
[Agenda Memorandum](#) [Resolution](#)
[12/13/17 Funding of Future Capital Projects Memorandum](#)
[12/20/17 Funding Options for Fire Station 1 Memorandum](#)
13. **Community Services**
First Amendment to the Agreement with Manhattan Construction, Inc., for Construction Management at Risk Services, in the amount of \$10,653,591 for the construction of Baker Park
[Agenda Memorandum](#) [First Amendment](#) [Agreement](#)
[PowerPoint](#) - Baker Park Alternate Park Features

14. **Community Services**
First Amendment to the Agreement with Kimley-Horn and Associates, Inc., for Baker Park Design and Permitting Services, in the amount of \$330,000 for the construction phase services
[Agenda Memorandum](#) [First Amendment](#) [Agreement](#)

15. **Building**
Resolution relating to Building Department Fees; amending Section 16-52 through 16-59, Building Permit Fees, of Appendix A, Fees and Charges Schedule, of the Code of Ordinances, City of Naples, for the purpose of increasing and amending Permit Fees
[Agenda Memorandum](#) [Resolution](#)

16. **Building**
Ordinance - Second Reading - Public Hearing relating to the Florida Building Code; amending Section 16-112, Florida Building Code Adopted; amendments, of the Code of Ordinances, for the purpose of adopting The Sixth Edition (2017) of The Florida Building Code ~ *Public Hearing and First Reading held on December 20, 2017*
[Agenda Memorandum](#) [Ordinance](#)

17. **City Attorney**
Ordinance - Second Reading - Public Hearing relating to Special Magistrates; approving Designation and Duties, Minimum Requirements, and Term; Prohibiting Certain Communications ~ *Public Hearing and First Reading held on December 20, 2017*
[Agenda Memorandum](#) [Ordinance](#)

18. **City Attorney**
Resolution relating to request for qualifications for Special Magistrates; authorizing and directing the City Manager to advertise for and receive proposals for one or more qualified Special Magistrates for hearings on Code Enforcement and other matters as set out in Ordinance 2018-14088; and to submit proposals to Council for review
[Agenda Memorandum](#) [Resolution](#)

19. **Planning**
Resolution - Quasi-Judicial - Public Hearing relating to Live Entertainment; determining Petition 17-LE7 to allow outdoor live entertainment to be located outside the store for Tommy Bahama Relax, on property owned by Neapolitan Enterprises, LLC, located at 1201 3rd Street South
Petitioner: Tommy Bahama
Agent: Debra King
[Agenda Memorandum](#) [Resolution](#) [Application](#) [Disclosure](#)
[Supplemental Memorandum](#) [Live Entertainment Master List](#)
[Public Notice Mailing Labels](#) [Resumes](#)

20. **Planning**
Resolution - Quasi-Judicial - Public Hearing relating to outdoor live entertainment; determining Petition 17-LE6 for South Avenue Restaurant and Bar on property owned by 643-63 Fifth Avenue South Holding, LLC, and located at 651 5th Avenue South
Petitioner: Crispy Seafood, LLC, DBA South Avenue Restaurant and Bar
Agent: Tony Madkour
[Agenda Memorandum](#) [Resolution](#) [Application](#) [Disclosure](#) [Floor Plan](#)
[Supplemental Memorandum](#) [Police and Code Enforcement Memos](#)
[Letters in response to mailing](#) [Public Notice Mailing Labels](#) [Resumes](#)
21. **Planning**
a. **Resolution – Quasi-Judicial - Public Hearing** determining Variance Petition 17-V9 for a variance from Section 58-175(1) of the Code of Ordinances to allow the subdivision of property to create a lot that is 75 feet in width where a minimum lot width of 87.5 feet is required in the R1-10 Residence District, on property owned by Mary McIntyre (f/k/a Mary Fair Graves), and located at 186 10th Avenue South
Planning Advisory Board (PAB) voted to approve
- b. **Resolution - Quasi-Judicial - Public Hearing** determining Subdivision/Replat Petition 17-SD8, approving and accepting the Final (Record) Plat of My New Tree House Part II Subdivision, a Replat of Lots 1, 2, 3 and 4, Block 10, Tier 2, City (Plan) of Naples, as Recorded in Plat Book 1, Page 8, Public Records of Collier County, Florida, containing approximately 0.46 acres owned by Mary McIntyre (f/k/a Mary Fair Graves) and located at 186 10th Avenue South
Planning Advisory Board voted to approve
Petitioner: Mary McIntyre (f/k/a Mary Fair Graves)
Agent: John M. Passidomo, Esq., Cheffy Passidomo P.A.
(a-b) [Agenda Memorandum](#) (a) [Resolution](#) (b) [Resolution](#) [Staff Report](#)
[Petition 17-V9 Application and Plans](#) [Petition 17-SD8 Application and Plans](#)
[PAB Meeting Minutes](#) [12/04/17 J. Karaganis letter to Cheffy Passidomo P.A.](#)
[Public Notice Mailing Labels](#) [Resumes](#)
22. **Planning**
Resolution – Quasi-Judicial - Public Hearing determining Variance Petition 17-V8 for a variance from Section 58-234 of the Code of Ordinances to allow the separation and development of two platted lots that do not meet the minimum lot area requirements for property located in the R1-7.5 Residence District, on property owned by Cathalin P. Miner, and located at 1245 8th Terrace North
Planning Advisory Board voted to approve
Petitioner: Cathalin P. Miner
[Agenda Memorandum](#) [Resolution](#) [Application and Disclosure](#) [Staff Report](#)
[Letters in Response to Mailing](#) [PAB Meeting Minutes](#) [Public Notice Mailing Labels](#)
[Resumes](#)

23. **Planning**

Resolution – Quasi-Judicial - Public Hearing relating to Site Plan with Deviations Petition 17-SPD5 for a deviation from Section 58-630 to allow lot coverage up to 50 percent where 40 percent is required; a deviation from Section 58-626(3) to allow a 0-foot setback where 25 feet is required for a pool, spa and cabana; a deviation from Section 58-626(3) to allow the building to extend beyond the wet side of the seawall line; consideration of a conditional use pursuant to Section 58-623(4) and Section 58-1078, Noise Impact Zoned in the Airport Overlay District, to allow a transient lodging facility on property owned by Combs Fish Company located at 1302 5th Avenue South
Planning Advisory Board voted to deny

Petitioner: Pinnacle Asset Trust

Agent: Burt L. Saunders, Esq., Gray Robinson, P.A.

[Agenda Memorandum](#) [Resolution](#) [Application](#) [Staff Report](#) [Disclosure](#)
[Architectural Plans](#) [Landscape Plans](#) [Civil Plans](#) [Submerged Land Lease](#)
[Traffic Impact Statement](#) [6/6/17 Letter from Naples Airport Authority](#) [Public Notice](#)
[Petition 17-SP4 Kelly's Landing Conditional Letter of Approval](#) [PAB Meeting Minutes](#)
[Letters in Response](#) [Public Notice Mailing Labels](#) [Resumes](#)

Public Comment

Correspondence and Communications

Adjourn