

This document is promulgated solely for the purpose of providing a brief reference to City Council action. It is not to be construed as minutes of the City Council meeting or in any way the official record of said meeting.

Annotated

Notice of Meeting and Agenda

Naples City Council

City Council Chamber, 735 Eighth Street South, Naples, Florida

Mayor: John F. Sorey III

Vice Mayor: Gary Price

City Council Members:

Bill Barnett, Doug Finlay, Teresa Lee Heitmann, Sam J. Saad III, Margaret Sulick

City Attorney: Robert D. Pritt · City Clerk: Tara A. Norman · 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, May 16, 2012

Convened 8:29 a.m. / Adjourned 5:02 p.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 – ***All present.***
2. Invocation and Pledge of Allegiance – ***Pastor Gene Scott, Celebration Community Church.***
3. Announcements – ***Mayor Sorey***
 - 1) ***\$45,000 contribution to River Park Pool from prior fund raiser at Naples Beach Hotel;***
 - 2) ***\$5,000 donation to River Park Pool from Selfon Family;***
 - 3) ***Introductions of Roetzel & Andress staff by City Attorney; and***
 - 4) ***National Guard and Reserve Day Proclamation***

National Small Business Week Proclamation – ***Vice Mayor Price.***

4. Set agenda (*add or remove items*) – ***Withdrawing Item 8 (Easement Vacation 12-EV1) and adding the following: Item 16 (Public Art Advisory Committee/PAAC appointment); Item 17 (HUD / CDBG Agreement); Item 18 (horticultural collection discussion); and Item 19 (discussion of update for Land Development Regulations) / Barnett / Sulick / 7-0.***
5. Public Comment – ***None.***

City Council may recess for lunch

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.

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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.

Approve Consent Agenda

Saad / Sulick / 7-0

City Clerk

Approved with Consent Agenda

Community Services

- 6-a. Approval of Minutes
Regular Meeting – April 4, 2012
Regular Meeting – April 18, 2012

- 6-b. Approve the following special events:
1. Naples Concert Band – Free Sunday Concert – Cambier Park Bandshell – 10/21/12, 11/11/12, 12/02/12, 01/20/13, 02/10/13, 03/03/13, 03/24/13, and 04/14/13
2. Gulf Coast Big Band – Free Sunday Concert – Cambier Park Bandshell – 11/18/12, 12/16/12, 01/27/13, 02/17/13, 03/10/13, and 03/31/13

Approved with Consent Agenda

**Streets and Stormwater
Award of Contract for 5th Avenue North
Improvements**

- 6-c. Award a contract for Improvements to Fifth Avenue North including on-street parallel parking, landscaping, hardscaping and irrigation: \ Vendor: Surety Construction Company, Bonita Springs, FL \ Cost: \$71,213.78 \ Funding: Community Development Block Grant funds (no required match)

Clerk's Tracking #12-00023

Approved with Consent Agenda

END OF CONSENT AGENDA

**Joint Meeting with the Naples Airport
Authority**

Discussion only

**Resolution – Quasi-Judicial
Planning
Easement Vacation Petition 12-EV1
Petitioner: 1560 Gulf Shore, LLC
Agent: John M. Passidomo, Esquire
Planning Advisory Board
Recommendation for Approval**

Withdrawn

**First Reading of an Ordinance
Planning
Text Amendment Petition 12-T3
Petitioner: City of Naples
Planning Advisory Board
Recommendation for Approval**

Title read / Second Reading 06/06/12

7. Joint Meeting between the Naples City Council and the Naples Airport Authority Board of Commissioners
8. **Public Hearing** to consider determining Easement Vacation Petition 12-EV1 to vacate a portion of the platted 10 foot wide public utility easement described in the Plat of Oasis on the Gulf Subdivision, located 150 feet west of Gulf Shore Boulevard South on the north side of 16th Avenue South
9. Consider an Ordinance relating to Outdoor Dining; amending Section 56-126 (c) (1); moving Section 56-127, Outdoor Dining on Public Property, to Section 56-126, Outdoor Dining, for the purpose of combining provisions regarding outdoor dining under one heading in the Code of Ordinances

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**Second Reading of an Ordinance
Planning
Text Amendment Petition 12-T4
Petitioner: City of Naples
Planning Advisory Board
Recommendation for Approval
First Reading Approved 05/02/12
12-13124 / Saad / Barnett / 4-3
*(Sulick, Heitmann and Price dissenting)***

**Utilities
Resolution
Award of Contract for Professional
Engineering Services and Approval of a
Budget Amendment**

**11-a) Clerk's Tracking #12-00024
*(Amending agreement: Article 3.1:
"...~~2013~~ ~~2012~~.") Barnett / Saad / 7-0***

11-b) 12-13125 / Barnett / Saad / 7-0

**Streets and Stormwater
Award of Contract for Professional
Engineering Services**

**Clerk's Tracking #12-00025
*Barnett / Sulick / 7-0***

**Streets and Stormwater
Award of Contract for Basin III
Stormwater Improvements**

**Clerk's Tracking #12-00026
*Sulick / Barnett / 7-0***

10. **Public Hearing** to consider an Ordinance relating to Conditional Uses for the Highway Commercial District; adding Subsection (19) to Section 58-503 of the Code of Ordinances for the purpose of adding funeral homes, with or without crematories, to the list of Conditional Uses in the HC, Highway Commercial District

11. a. Consider approving a Professional Services Agreement for design services, evaluation, and a marketing plan for the expansion of the reclaimed water distribution system; \ Vendor: Weston & Sampson Engineers, Inc., Ft. Myers, FL \ Cost: \$1,099,100 \ Funding: CIP 12K58 – Distribution System Expansion
b. Consider a Resolution amending the Fiscal Year 2011-12 Budget adopted by Ordinance 11-12953 in the amount of \$199,100 to provide sufficient funding for professional engineering services to design the next phase of the reclaimed water distribution system

12. Consider approving a Professional Services Agreement to develop and evaluate management alternatives for the City's stormwater beach outfalls: \ Vendor: AECOM Technical Services, Inc., Ft. Myers, FL \ Cost: \$199,922 \ Funding: CIP 12V03 – Basin II Stormwater Improvements

13. Award a Contract for the purpose of constructing stormwater and water main improvements within Basin III: \ Vendor: Mitchell & Stark Construction Co., Inc., Naples, FL \ Cost: \$809,956.07 (Stormwater) and \$218,681,10 (Water Main) \ Funding: CIP 11V14 – Basin III Stormwater Improvements and CIP 12L02 – Water Transmission Mains

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Vice Mayor Price
Discussion of EMS
Staff to address action steps contained in presentation, adding #5: Correct asset provided for initial response, and periodic progress reports provided to Council.

Time Certain – 1:00 p.m.
Planning – Natural Resources
Discussion of Seawall Construction Standards and Dredge and Fill Permits
Continued from 05/02/12
Discussion / staff to proceed to Planning Advisory Board/PAB with draft regulations

Added Item
Resolution
City Clerk
12-13126 Nominating L. Fogg
Sulick / 7-0

Added Item
Resolution
City Manager
12-13127 / Saad / Barnett / 7-0

Added Item
Solid Waste
(Continued from Workshop of 05/14/12)
Continued

Added Item
Planning
(Continued from Workshop of 05/14/12)
Continued

14. Discussion regarding Emergency Medical Services (EMS) in Collier County

1:00 p.m.
15. Discussion of a proposed amendment to the Code of Ordinances pertaining to seawall construction standards

16. Appointment of a member to the Public Art Advisory Committee (PAAC).

17. Authorization to execute an Urban County Cooperation Agreement with Collier County for participation in the Department of Housing and Urban Development (HUD) Community Development Block Grant (CDBG) Entitlement Program for Fiscal Years 2013 through 2015.

18. Discussion of the City Code pertaining to horticultural collection that is managed by the Solid Waste Division.

19. Discussion of amendments to the Land Development Regulations that will update regulations, remove conflicts, and decrease the time associated with the development review process.

Public Comment – S. Smith, concern about brevity of Council decision to renew City Attorney contract.

Correspondence and Communications – *Appreciation to Vice Mayor Price for EMS presentation (Barnett); City Fest activities (Price); also thanked Mr. Price for EMS item and commended Mayor Sorey for format of joint meeting with Naples Airport Authority (NAA), and appreciation to NAA for its attendance and clarifications offered (Item 7) (Sulick); appreciation for NAA discussion and for EMS presentation, and need for attention to Fishing Pier activities after dark (Saad); recent accident on Fifth Avenue South and appreciation to retiring City Clerk Tara Norman (Heitmann); appreciation to participants in NAA (Sorey).*

Adjourn – 5:02 p.m.

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Order of Consideration - 1, 2, 3, 4 (8), 5, 6, 7, 15, 9, 10, 11, 12, 13, 19, 14, 18, 16, 17, Public Comment, and Correspondence and Communications.