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**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: Patricia L. Rambosk · City Manager: Bill Moss**

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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.

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**Regular Meeting  
Wednesday, June 13, 2012**

***Convened 8:30 a.m. / Adjourned 2:50 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](http://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 (Heitmann arrived 8:30 a.m. / Barnett left 1:00 p.m.)***
2. Invocation and Pledge of Allegiance - ***Rabbi Fishel Zaklos, Chabad Jewish Center of Naples.***
3. Announcements - Mayor Sorey.  
  
Proclamation of Bladder Cancer Awareness Month  
Proclamation of Earl & Thelma Hodges Month (*scheduled for approximately 9:30 a.m.*)
4. Set agenda (*add or remove items*) - ***Removing Item 6-b-1 (Lipdub) and Item 6-c (Crayton Cove wayfinding signage) from the Consent Agenda for separate discussion / Price / Barnett / 7-0.***
5. Public Comment - ***K. Lilly, Collier County Property Appraiser candidate; S. Smith, concerns with Council summer recess.***

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**City Council may recess for lunch**

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**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**

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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**  
**(except 6-b-1 and 6-c)**  
**Saad / Barnett / 7-0**

6-a. Approval of Minutes; *as submitted*

May 2, 2012 - Regular

City Clerk  
Approval of Minutes

**Approved with Consent Agenda**

Community Services  
Approval of Special Events

**6-b-1) Approved / Saad / Price / 7-0**

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- 6-b. Approve the following special events:
1. Lipdub - Community Music Video - Naples Pier - 13<sup>th</sup> Avenue South and T hird Street South - 10/28/12
  2. Art in the Park - *Naples Art Association* - Park Street - 11/03/12, 12/01/12, 02/02/13, 03/02/13 and 04/06/13
  3. Naples Fall Fine Art & Craft Festival - *Naples Art Association* - Tenth Street South and Third Avenue South - 11/24/12 and 11/25/12
  4. Downtown Naples New Year's Art Fair *Naples Art Association and Greater Naples Chamber of Commerce* - Fifth Avenue South and Park Street - 01/05/13 and 01/06/13
  5. Naples National Art Festival - *Naples Art Association* - Eighth Street South and Cambier Park - 02/23/13 and 02/24/13
  6. 24<sup>th</sup> Annual Downtown Naples Festival of Arts - *Naples Art Association and Greater Naples Chamber of Commerce* - Fifth Avenue South - 03/23/13 and 03/24/13
  7. Evening on Fifth & Sidewalk Sales - *Fifth Avenue South Business Improvement District (FASBID)* - Fifth Avenue South - 06/14/12, 07/04/12, 07/12/12 and 08/09/12
  8. Youth Sailing Regatta - *Naples Community Sailing Center* - Lowdermill k Park & Beach - 11/10/12 and 11/11/12
  9. Making Strides Against Breast Cancer - *American Cancer Society* - Cambier Park - 10/20/12

**Approved with Consent Agenda**

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**Streets and Stormwater  
Approval of Modifying  
Way-Finding Signs**

Approved / Sulick / Barnett / 6-0  
(Finlay absent)

- 6-c. Approval of Staff's recommendation to modify eight existing wayfinding signs to include Crayton Cove as a destination point  
**Workshop discussion to be scheduled following summer recess with City-wide signage recommendations provided..**

**END OF CONSENT AGENDA**

Resolution - **Quasi-Judicial**  
**Planning**  
**Final Subdivision/Replat**  
**Petition 12-SD6**  
**Petitioner: Everbank;**  
**WBC Partners, LLC**  
**Agent: Q Grady Minor and Associates,**  
**P.A.**

**Recommendation for Approval**  
**12-13134 amended as follows: Title: "...**  
**OWNED BY WBC PARTNERS, LLC EVER**  
**BANK..." ; and second Whereas clause:**  
**" Everbank and WBC Partners..." / Saad /**  
**Price / 7-0**

Resolution - **Quasi- Judicial**  
**Planning**  
**Site Plan with Deviations**  
**Petition 12-SPD3**

**Petitioner: Andrea Clark Brown, AIA,**  
**Andrea Clark Brown Architects, PA**  
**Agent: Andrea Clark Brown, AIA,**  
**Andrea Clark Brown Architects, PA**

**Planning Advisory Board**  
**Recommendation for Approval**  
**Continued / Price / Barnett / 6-1**  
**(Heitmann dissenting)**

**Resolution**  
**Planning**  
**Easement Vacation Petition 12-EV1**  
**Petitioner: 1560 Gulf Shore, LLC**  
**Agent: John M. Passidomo,**  
**Cheffy Passidomo, P.A.**  
**Planning Advisory Board**  
**Recommendation for Approval**

**12-13135 / Saad / Barnett / 7-0**

**Resolution**  
**Planning**  
**Easement Vacation Petition 12-EV2**  
**Petitioner: La Playa Naples Investment,**  
**LLC**

**Agent: John M. Passidomo,**  
**Cheffy Passidomo, P.A.**  
**Planning Advisory Board**  
**Recommendation for Approval**

**12-13136 amended to reflect legal**

7. **Public Hearing** to consider a Resolution approving Final (Record) plat for Lusso, a replat of Lots 1-7 of the Pienza II subdivision (containing approximately 77,540 square feet), creating 5 separate lots located at 4882 West Boulevard Court, owned by Everbank

8. **Public Hearing** to consider a Resolution determining Site Plan with Deviations Petition 12-SPD3 to allow a residential addition to an existing office and art gallery to include deviations from the parking requirements, lot coverage requirements and rear yard setback requirements, and conditional use approval of a residential use in C1-A Commercial Core District for property owned by Andrea Clark Brown, located at 340 Eighth Street South

9. **Public Hearing** to consider a Resolution 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 16<sup>th</sup> Avenue South

10. **Public Hearing** to consider a Resolution determining Easement Vacation Petition 12-EV2 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 south side of 15<sup>th</sup> Avenue South

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***description as contained in petition  
application / Saad / Price / 7-0***

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**Resolution  
Streets and Stormwater  
Right-of-Way Permit Application  
for 'Hardscape' Parking**

***12-13137 TO DENY based upon request  
not consistent with vision for City /  
Sorey / Price / 4-3 (Sulick, Finlay and Bar  
nett dissenting)***

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**Executive Session  
City Manager**

**Time Certain - 12:00 p.m.**

***No action announced.***

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**Resolution  
Finance  
Annual Special Assessment Roll**

***12-13138 / Saad / Barnett / 7-0***

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**Second Reading of an Ordinance  
Building  
Floodplain Damage Prevention**

***12-13139 / Saad / Barnett / 7-0***

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11. Approve a Resolution determining right-of-way permit application 2012-114 for the installation and maintenance of brick pavers for 'hardscape' parking at a private residence in the public right-of-way at 530 1<sup>st</sup> Avenue North; authorizing the City Manager to approve the application

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12. **Executive Session** to discuss labor negotiations relative to the American Federation of State, County, and Municipal Employees, AFSCME, Council No. 79 of Local 2017; the Florida State Lodge, Fraternal Order of Police Supervisor's Bargaining Unit; the Fraternal Order of Police, Collier County Lodge No. 38; and the Professional Firefighters of Naples, International Association of Firefighters (IAFF), Local 2174

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13. Approve a Resolution adopting an Annual Special Assessment Roll for Fiscal Year 2012-13 for the Fifth Avenue South Business Improvement District; providing that assessments constitute a lien on assessed property upon adoption of the assessment roll; directing the City Clerk to record the assessment roll

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14. **Public Hearing** to consider adopting an Ordinance on Second Reading relating to floodplain management; amending Chapter 16-82 variances to Floodplain Management Regulations; amending Chapter 16-112 Florida Building Code adopted; amendments; amending Chapter 16, Article IV of the Flood Damage Prevention Ordinance of the Code of Ordinances, City of Naples, Florida for the purpose of designating a Floodplain Administrator, adopting procedures and criteria for development in flood hazard areas, and for other purposes; and adopting local administrative amendments to the Florida Building Code

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**Second Reading of an Ordinance  
City Manager  
Amending the General Pension to Clarify  
Benefits**

12-13142 / Sulick / Price / 6-0  
*(Barnett absent)*

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**Resolution  
Finance  
Budget Amendment**

12-13140 / Sulick / Finlay / 7-0

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**Resolution  
Finance  
Budget Amendment**

12-13141 / Sulick / Saad / 7-0

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**Resolution  
Community Services  
Award Contract for Heating, Ventilation  
and Cooling System for City Hall and  
Approve a  
Budget Amendment**

18-a and 18-b) Continued  
Saad / Barnett / 5-2  
(Heitmann and Finlay dissenting)

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15. **Public Hearing** to consider adopting an Ordinance on Second Reading relating to the Retirement System of the City of Naples, Florida; adding Paragraph (e) to Section 29-66, established, effective date, merger of systems; amending paragraph (a) of section 29-113, Voluntary Retirement; of the Code of Ordinances, City of Naples, Florida, for the purpose of clarifying that the benefits will not be reduced for members who attained normal retirement age as of September 30, 2011; directing the City Clerk to file a copy of this Ordinance with the Division of Retirement of the Florida Department of Management Services

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16. Approve a Resolution amending the Fiscal Year 2011-12 budget adopted by Ordinance 11-12953 to appropriate funds from the East Naples Bay Fund Balance to pay additional costs related to construction managements oversight for the East Naples Bay dredging project

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17. Approve a Resolution amending the Fiscal Year 2011-12 budget adopted by Ordinance 11-12953 to appropriate funds from the General Fund Contingency to increase legal and professional services related to the International Association of Firefighters (IAFF) collective bargaining/im passe proceedings

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18. a. Award a contract to design and engineer a replacement heating, ventilation and cooling system for City Hall: \ Vendor: Matern Professional Engineering, Inc., Maitland, Florida \ Cost: \$110,605 \ Funding: General Fund Contingency - Design and engineering of HVAC system  
b. Approve a Resolution amending the Fiscal Year 2011-12 Budget adopted by Ordinance 11-12953 appropriating \$110,605 from the General Fund Contingency to design and engineer a replacement heating, ventilation and cooling system for City Hall

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<p><b>Community Services</b> <b>Award of Contract for the</b> <b>Annual Tree Fill-in Program</b></p>	<p>19. Award a contract for the planting and maintenance of trees in City rights-of-way as an element of the annual tree fill-in program: \ Vendor: Superior Landscaping &amp; Lawn Service, Inc., Miami, Florida \ Cost: \$277,918.12 \ Funding: account 340-0913-572-6030 \$127,918.12 (\$100,000 for FY2012 and \$27,918.12 from FY2011) and \$150,000 CIP FY2013 budget - Planting and maintenance of hardwood and palm trees</p>
<p><u>Clerk's Tracking #12-00031</u> <u>Saad / Sulick / 7-0</u></p>	
<p><b>City Clerk</b> <b>Granicus Software Upgrade</b> <b>Presentation</b></p>	<p>20. Approve upgrade to the current Granicus video encoding for streaming to mobile devices and approve implementation of the Granicus Meeting Efficiency Suite to streamline minutes more effectively in accordance with the attached proposal</p>
<p><u>Approved / Price / Saad / 6-1</u> <u>(Heitmann dissenting)</u></p>	
<p><b>City Manager</b> <b>Collier County</b> <b>Public Safety Authority</b></p>	<p>21. Endorsement and Support of a Collier County Ordinance to Create the Collier County Public Safety Authority</p>
<p><u>Endorsed and supported</u> <u>Price / Finlay / 5-1</u> <u>(Heitmann dissenting / Barnett absent_)</u></p>	
<p><b>Utilities</b> <b>Equipment Services</b> <b>Annual Update</b></p>	<p>22. Equipment Services staff will provide an annual update on cost saving initiatives</p>
<p><u>Consensus that Equipment Services</u> <u>remain in-house with update in one year</u></p>	

**Public Comment - S. Smith, appreciation to Council Member Heitmann for her diligence, and noted recent employee layoff.**

**Correspondence and Communications - Recommendation for involving Marvin Easton in discussions regarding fire service with North and East Naples Fire Districts (Finlay); potential communication with CBIA regarding new fire flow regulations enforcement, and strategies and methods for meeting requirements (Sorey); ongoing work and commitment during the summer (Price); appreciation to staff and noted that City resident Trevor Moore would be competing in Summer Olympics (sailing) (Sulick); compensation for equipment mishaps encountered during dredging projects, support for second motor for police boat, and requested status of permits including habitat island installations (Saad); clarification on parking spaces, delay in filling of public records request, and requested clarification on utility easements (Items 9 and 10) (Heitmann); and Council Members wished all a good summer.**

**Adjourn - 2:50 p.m.**

**Order of consideration: 1, 2, 3-a, 4, 5, 6-b-2 through 6-b-9, 6-b-1, 6-c, 7, 3-b, 8, 9 and 10, 11, 13, 14, 16, 17, 18-a and 18-b, 19, 20, 12, 15, 21, 22, Public Comment, and Correspondence and Communications.**