

**Naples City Council Notice of Meeting and Agenda  
City Council Chamber, 735 8th Street South, Naples, Florida  
Mayor: Bill Barnett**

**Vice Mayor: Gary Price**

**City Council Members:**

**Reg Buxton, Raymond Christman, Terry Hutchison, Michelle McLeod, Ellen Seigel**

**City Attorney: James Fox • City Clerk: Patricia Rambosk • City Manager: Charles Chapman**

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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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**City Council Regular Meeting  
Wednesday, November 6, 2019  
8:30 AM**

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, Room B, City Hall, or on the City of Naples home page <https://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
  - 3.A. Holocaust Museum & Janet G. and Harvey D. Cohen Education Center Grand Opening & Dedication Day Proclamation
  - 3.B. Farm City Week Proclamation

**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 (239) 213-1015 WITH REQUESTS AT LEAST TWO BUSINESS DAYS BEFORE THE MEETING DATE.**

3.C. Do the Right Thing Recognitions

4. Set agenda (add or remove items)
5. Public Comment

CONSENT AGENDA

6. City Clerk

- 6.A. Approval of the October 2, 2019 Regular Meeting minutes.

Recommended Action: Approve as submitted.

[Agenda Memorandum](#)

[October 2, 2019 Regular Meeting minutes](#)

7. Community Services

- 7.A. Award of contract to H. Barber & Sons, Inc., of Nagatuck, CT, in the amount of \$55,103 to purchase a new beach rake.

Recommended Action: Award a contract to H. Barber & Sons, Inc., of Nagatuck, CT, in the amount of \$55,103 to purchase a new beach rake.

[Agenda Memorandum](#)

[HGAC Buy Interlocal Contract for Cooperative Purchasing - H. Barber & Sons, Inc.](#)

8. Finance

- 8.A. Resolution - Legislative - A Resolution amending the Fiscal Year 2019-2020 budget adopted by Resolution 2019-14400 to appropriate funds from the Fund Balances of the Public Service Tax/Capital Project Fund, One Cent Sales Tax Capital Project Fund, and Naples Beach Fund to re-appropriate various FY 2018-2019 projects not fully expended nor fully encumbered prior to year-end; and providing an effective date.

Recommended Action: Approve the resolution.

[Agenda Memorandum](#)

[Resolution](#)

9. Utilities

- 9.A. Approve a Professional Services Task Order Agreement with Agnoli, Barber, & Brundage, Inc. in the amount of \$73,310 to provide professional design and engineering services for water distribution system improvements on Gulf Shore Boulevard.

Recommended Action: Approve a Professional Services Task Order Agreement with Agnoli, Barber, & Brundage, Inc. in an amount of \$73,310.

[Agenda Memorandum](#)

[Task Order Agreement Amendment - Agnoli, Barber & Brundage, Inc.](#)

END OF CONSENT AGENDA

## 10. City Attorney

### 10.A. 12:00 P.M. TIME CERTAIN

Attorney/Client Executive Session regarding the following pending litigation cases: CRISWELL, ET AL vs. CITY OF NAPLES, FEDERAL MIDDLE DISTRICT OF FLORIDA, CASE NO. 2:19-cv-00305-JES-MRM; and CRISWELL vs CITY OF NAPLES, TWENTIETH JUDICIAL CIRCUIT COURT OF COLLIER COUNTY, STATE OF FLORIDA, CASE NO. 11-2017-CA-000977-0001-XX.

Recommended Action: Hold an Attorney/Client Executive Session.

[Agenda Memorandum](#)

[Public Notice](#)

[Mayor's Announcement](#)

### 10.B. Request for an Attorney/Client Executive Session to discuss settlement negotiations and strategy related to litigation expenditures in reference to the following pending litigation case:

FORESITE 599 LLC vs CITY OF NAPLES, TWENTIETH JUDICIAL CIRCUIT COURT OF COLLIER COUNTY, STATE OF FLORIDA, CASE NO. 11-2019-CA-003580-0001-XX.

Recommended Action: Schedule an Attorney/Client Executive Session.

[Agenda Memorandum](#)

[Attorney's Request](#)

## 11. Planning

### 11.A. Resolution - Quasi-Judicial - A Resolution relating to Fence and Wall Waiver Petition 19-FWW3, pursuant to Section 56-37(e) of the Code of Ordinances to allow a masonry privacy wall and dumpster enclosure approximately 8 feet tall as measured from adjacent grade on the property, where a 6-foot tall wall is allowed located along the eastern and southern boundary of the property for Lake Park Diner on property owned by Markit, LLC, and located at 944 7th Avenue North, more fully described herein, and providing an effective date.

Recommended Action: Approve the resolution.

[Agenda Memorandum](#)

[Resolution](#)

[Supplemental Memo](#)

[Application](#)

[Disclosure](#)

[Site Plan](#)

[Landscape Plans](#)

[Survey](#)

[Photos](#)

[Letter from Neighbor](#)

[Matt Kragh - MHK Architecture](#)

12. Community Services

- 12.A. Ordinance - First Reading - Legislative - An ordinance relating to Public Art; amending Subsection (J) of Chapter 46 – Administration, Procedures and Enforcement, Article I – In General, Section 42 – Public Art; providing for conflicting provisions, severability and applicability; providing a repealer provision; and providing an effective date.

Recommended Action: Approve the Ordinance on First Reading and schedule Second Reading on November 20, 2019.

[Agenda Memorandum](#)  
[Ordinance](#)

- 12.B. (1) Consideration to approve an outdoor Temporary Art Exhibit at Baker Park and Cambier Park, and to authorize the City Manager and City Attorney to approve an agreement with David Hayes.

(2) Consideration to authorize spending \$22,000 from the Public Art Fund for a Temporary Art Exhibit.

Recommended Action: (1) Approve an outdoor Temporary Art Exhibit at Baker Park and Cambier Park, and authorize the City Manager and City Attorney to approve an agreement with David Hayes; and (2) Authorize spending \$22,000 from the Public Art Fund for the Temporary Art Exhibit.

[Agenda Memorandum](#)

[John Hayes Outdoor Exhibitions- 18 months](#)

Public Comment

Correspondence and Communications

Adjourn