

**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

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.

**City Council Regular Meeting
Wednesday, June 12, 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. Set agenda (add or remove items)
4. Public Comment

CONSENT AGENDA

5. City Clerk
 - 5.A. Approval of the May 15, 2019 Regular Meeting minutes.

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.

Recommended Action: Review and approve.

[Agenda Memorandum](#)

[May 15, 2019 Regular Meeting minutes](#)

6. Community Services

- 6.A. Repeat Special Events - (1) Back to School Bash - City of Naples - Charlie C. Anthony Park - 8/3/2019; (2) Naples Concert Band - Naples Concert Band - Cambier Park Bandshell - 10/13/2019, 11/10/2019, 12/8/2019, 1/19/2020, 2/9/2020, 3/1/2020, 4/19/2020 (Sundays), and 3/28/2020 (Saturday); (3) Naples Jazz Society Concerts - Naples Jazz Society - Cambier Park Bandshell - 10/27/2019, 11/17/2019, 12/15/2019, 1/5/2020, 2/2/2020, 3/22/2020, 4/12/2020 and 4/26/2020; (4) Gulf Coast Big Band - Gulf Coast Big Band - Cambier Park Bandshell - 11/3/2019, 12/1/2019, 1/12/2020, 2/16/2020, 3/15/2020, and 4/5/2020; (5) Naples Big Band Concerts - Naples Big Band - Cambier Park Bandshell - 11/11/2019, 12/9/2019, 2/10/2020, 3/9/2020, 4/13/2020 (Monday evenings 7-9:00 p.m.) and 1/26/2020 and 3/29/2020 (Sunday afternoons 2-4:00 p.m.); (6) Stardust Memories Big Band Concerts - Stardust Memories Big Band, Inc., - Cambier Park Bandshell - 1/27/2020, 2/17/2020, 3/2/2020, 3/23/2020, and 4/6/2020 (rain dates being requested 2/24/2020 and 3/30/2020); (7) Art on Park - Fine Art Show - Naples Art Association - Park Street - 11/2/2019 and 4/4/2020; (8) Art in the Park - Fine Art Show - Naples Art Association - Cambier Park - 12/7/2019, 2/1/2020, and 3/7/2020; (9) 24th Annual New Year's Art Show - Naples Art Association - 5th Avenue South, Park Street and 6th Street South - 1/4/2020 and 1/5/2020; (10) 41st Annual Naples National Art Festival - Naples Art Association - Cambier Park - 2/22/2020 and 2/23/2020; and (11) 32nd Annual Downtown Naples Festival of Arts - Naples Art Association - 5th Avenue South, 3/21/2020 and 3/22/2020.

Recommended Action: Approve as submitted.

[Agenda Memorandum](#)

- 6.B. 1. Resolution - Legislative - A Resolution amending the Fiscal Year 2018-2019 budget adopted by Resolution 2018-14215 by appropriating funds from the fund balance of the Public Service Tax Fund to purchase and install outdoor fitness equipment at the Charlie C. Anthony Park; and providing an effective date.
2. Award of contract to Sussman Enterprises, Inc. Southern Division., in the amount of \$275,533 which includes a 5.6% City-controlled contingency (\$14,718.00), to supply and install outdoor fitness equipment at the Charlie C. Anthony Park (Bid #19-021).

Recommended Action: 1. Approve the resolution.

2. Award the contract.

[Agenda Memorandum](#)

[Resolution](#)

[Agreement - Sussman Enterprises](#)

[Bid Analysis](#)

[7-Eleven - Donation Letters](#)

7. Utilities

- 7.A. Resolution - Legislative - A resolution accepting a utility easement for the construction, access, and maintenance of City of Naples Utilities on property owned by Tennessee Jed, LLC, located on Lots 18 through 21, Rock Creek Pines No. 2, as recorded in Plat Book 2, Page 86, of the Public Records of Collier County, Florida, lying in Section 11, Township 50 South, Range 25 East, Collier County, Florida, more fully described herein; directing the City Clerk to record the Utility Easement; and providing an effective date.

Recommended Action: Approve the Resolution accepting the Utility Easement.

[Agenda Memorandum](#)

[Resolution](#)

[Attorneys Affidavit](#)

[Owners Affidavit](#)

- 7.B. Professional Services Agreement with Johnson Engineering, Inc. in an amount of \$78,500 to provide professional design and engineering services for the replacement of the Motor Control Centers and generator switchgear located at the Water Treatment Plant.

Recommended Action: Award the contract.

[Agenda Memorandum](#)

[Agreement - Johnson Engineering](#)

[Bid analysis](#)

8. Streets and Stormwater

- 8.A. Resolution - Legislative - A resolution approving the submission of a capital improvement project within the five-year capital improvement budget of the Streets & Stormwater Department that is eligible for South Florida Water Management District local grant funding in FY 2020; and providing an effective date.

Recommended Action: Approve the resolution.

[Agenda Memorandum](#)

[Resolution](#)

- 8.B. Resolution - Legislative - A resolution approving an agreement with Peoples Gas System, a Division of Tampa Electric Company, and the City of Naples relating to the installation of natural gas facilities for the Aqualane Shores Special Assessment District; authorizing the City Manager to execute the agreement; and providing an effective date.

Recommended Action: Approve the resolution.

[Agenda Memorandum](#)

[Resolution](#)

END OF CONSENT AGENDA

9. Community Services

- 9.A. Approval of a Donor Agreement (\$100,000) with Gulf Coast Runners and assign Naming Rights for the Performance Stage at Baker Park as the “Gulf Coast Runners Performance Stage”.

Recommended Action: Approve the Agreement with the Gulf Coast Runners, accept the Gulf Coast Runners initial donation of \$10,000, assign Naming Rights to the Performance Stage at Baker Park as the Gulf Coast Runners Performance Stage and, authorize the City Manager to execute the agreement.

[Agenda Memorandum](#)

[Donor Agreement - Naming Rights](#)

[Naples Donation Policy](#)

[Park Naming Policy 120308](#)

10. City Manager

- 10.A. Discussion of the lobbying services rendered for the 2019 State of Florida Legislative Session and City Council direction regarding future procurement of lobbying services
Recommended Action: Discussion and direction.

[Agenda Memorandum](#)

[Current Agreement](#)

11. Streets & Stormwater

- 11.A. Resolution - Quasi-Judicial - A resolution determining Dredge and Fill Application PRMR1900882 to apply for a marine permit that would allow dredging in Naples Bay at 590-600 Admiralty Parade West; and providing an effective date.

Recommended Action: Approve the resolution amended pursuant to staff recommendation: Staff recommends adoption of a modified Resolution to approve Dredge and Fill Application PRMR1900882 only for the shoreward dredge area (2,179 SF), and not including the waterward dredge area (2,327 SF).

[Agenda Memorandum](#)

[Resolution](#)

[Application](#)

[Email from legal 5.23.2019](#)

[2015 Permit Documents](#)

[Natural Resources Survey 5.23.2019](#)

[2018 Combined resources survey](#)

[Seagrass Survey \(additional information\)](#)

[LUDWIG EMAIL 5.29.2019](#)

[S. Molloy Resume](#)

- 11.B. Resolution - Quasi-Judicial - A resolution determining Dredge and Fill Application PRMR1901392 to apply for a marine permit that would allow dredging the Naples Sailing & Yacht Club Marina, Naples Bay; and providing an effective date.

Recommended Action: Staff recommends adoption of a Resolution to approve Dredge and Fill Application PRMR1901392.

[Agenda Memorandum](#)

[Resolution](#)
[Application](#)
[S. Molloy Resume](#)

- 11.C. Consider Amendment No. 2 to an Agreement with Erickson Consulting Engineers, Inc., to provide additional engineering and permitting services associated with Beach Outfall South System Removal in in the amount of \$291,100 for project additions that address storm resiliency and complete streets; and authorize the City Manager to execute the amendment to the Agreement.
Recommended Action: Approve the agreement and authorize the City Manager to execute the amendment to the Agreement.

[Agenda Memorandum](#)
[Agreement - Erickson Consulting Engineers](#)

- 11.D. Ordinance - Second Reading - Legislative - An ordinance relating to fertilizer use, amending Chapter 52 - Resource Protection Standards, Article VII - Fertilizer Use and Maintenance of Urban Landscapes, Sections 52-182 through 52-187, Code of Ordinances; providing a severability clause, a repealer provision, and an effective date.

Recommended Action: Approve the ordinance at Second Reading.

[Agenda Memorandum](#)
[Ordinance](#)
[FDEP Response - May 2019](#)
[FDEP Suggested Edits](#)
[FDEP Email 5.30.2019](#)

- 11.E. Presentation regarding the use of public rights-of-way and easements for purposes of discussing public policy as it relates to use and encroachment.

Recommended Action: Discussion only.

[Agenda Memorandum](#)
[PowerPoint](#)

12. Planning

- 12.A. Resolution - Quasi-Judicial - A resolution determining Waiver of Distance Petition 19-WD1 to allow Cafe Luna to obtain an alcoholic beverage license within 400 feet of an established church on property located at 1100 9th Street North, owned by Rist Properties, LLC, more fully described herein; and providing an effective date.
Recommended Action: Approve the resolution.

[Agenda Memorandum](#)
[Resolution](#)
[Supplemental Memorandum](#)
[Application](#)
[Disclosure of Interest](#)
[Survey](#)
[Alcohol Beverage License Application](#)

[Credentials - Planning](#)
[Credentials - Code Enforcement](#)
[Labels](#)

- 12.B. Resolution - Quasi-Judicial - A resolution determining Public Art Petition 19-PAAC2 pursuant to Section 46-42 of the Code of Ordinances, City of Naples, to authorize a public art installation and reimbursement of the public art fee for the property owned by Horseshoe Real Estate Holdings, LLC, located at 2705 Corporate Flight Drive, more fully described herein; and providing an effective date.
Recommended Action: Approve the resolution.
[Agenda Memorandum](#)
[Resolution](#)
[Application](#)
[Staff Resumes](#)
- 12.C. Resolution - Quasi-Judicial - A Resolution determining Public Art Petition 19-PAAC3 pursuant to Section 46-42 of the Code of Ordinances, City of Naples, to authorize a public art installation and reimbursement of the public art fee for the property owned by 10th Street Collective LLC and located at 111 10th Street South.
Recommended Action: Approve the resolution.
[Agenda Memorandum](#)
[Resolution](#)
[Application, Disclosure, & Artist's Resume](#)
[Building from DRB](#)
[Location & Rendering](#)
[Staff Resumes](#)
- 12.D. Review the Planning Advisory Board report on the Vision Evaluation
Recommended Action: Discussion and direction
[Agenda Memorandum](#)
[Naples Vision Report from Stantec](#)
[Comments - Migliara](#)
[Comments - Old Naples, Moorings, Coquina Sands](#)
[Survey Analysis - Old Naples, Moorings, Coquina](#)
- 12.E. Ordinance - Second Reading - Quasi-Judicial - An ordinance determining Rezone Petition 19-R4, rezoning approximately 6.1 acres from PD Planned Development to an amended and restated PD Planned Development, to eliminate the "maximum of two stories" height limitation, but retain the maximum height of 30 feet height requirement, on property owned by William B. Hellegas, Trustee of the Shelvey Jean Hellegas GST exempt family trust dated November 13, 2012, and Shelvey Jean Hellegas, Trustee of the William B. Hellegas 2012 irrevocable trust dated December 18, 2012; 2030 Gordon Drive, LLC, a Florida limited liability company; Lisa A. Berlin; B & B Family, LLC, and Illinois limited liability company; Daniel C. Ustian, trustee of the Daniel C. Ustian revocable trust of 2005; Montgomery Street Realty, LLC, a Florida limited liability company; Sharon W. Frisbie, Trustee of the Sharon W. Frisbie revocable trust u/a/d March 14, 2000; and 2060 Gordon LLC, a Connecticut limited

liability company; and located at 2000, 2010, 2020, 2030, 2040, 2050, 2060, 2070, AND 2080 Gordon Drive; providing a severability clause, a repealer provision, and an effective date.

Recommended Action: Adopt the ordinance at Second Reading.

[Agenda Memorandum](#)

[Ordinance](#)

[Staff Report](#)

[Application](#)

[Names Changes Combined](#)

[Disclosures and BOD Res Combined](#)

[PD Document - 2019](#)

[Ord 85-4641 Palmer Estates PD](#)

[Palmer Estates Preliminary Plat](#)

[Palmer Estates Final Plat](#)

[1985 Code Excerpts](#)

[Ordinance 86-5031 definition of story](#)

[Ordinance 91-6341 remove 2 stories from height](#)

[Letter of objection Shaw](#)

[Planning Staff Resumes](#)

[Labels](#)

- 12.F. Ordinance - Second Reading - Legislative - An ordinance relating to the height of decks in side and rear yards, and other yard encroachments; amending Chapter 56 - Supplemental Standards, Article II - Standards Applicable to all Districts, Section 56-45 - Pools, and Section 56-54 - Yards, Code of Ordinances, City of Naples; providing a severability clause; providing a repealer provision; and providing an effective date. Recommended Action: Approve the ordinance at Second Reading.

[Agenda Memorandum](#)

[Ordinance](#)

[Staff Report](#)

[19-T5 PAB Minutes](#)

[Presentation](#)

- 12.G. Ordinance - First Reading - Legislative - An Ordinance relating to fences and walls; amending Chapter 56 – Supplemental Standards, Article II - Standards Applicable to All Districts, Section 56-37 - Fences and Walls, of the Code of Ordinances, City of Naples; Providing a severability clause; providing a repealer provision and providing an effective date.

Recommended Action: Approve the ordinance at First Reading and schedule for Second Reading August 21, 2019.

[Agenda Memorandum](#)

[Ordinance](#)

[Ordinance - Redline](#)

[Staff Report](#)

[Christian Andrea Memorandum](#)

[Current Fence Ordinance](#)
[19-T2 PAB Minutes](#)

13. Finance

- 13.A. Discussion and confirmation of the maximum millage rates for the General Fund, East Naples Bay Taxing District and Moorings Bay Taxing District.
Recommended Action: Discuss and confirm maximum millage rates for the General Fund, East Naples Bay Taxing District and Moorings Bay Taxing District.

[Agenda Memorandum](#)

[PowerPoint](#)

[State DR 420 Forms](#)

[Taxable Value Trend](#)

[Impact of Tax Rates](#)

Public Comment

Correspondence and Communications

Adjourn