

**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, June 5, 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. Recognition of Service of Michael Nichols on the Fire Pension Board.
4. Set agenda (add or remove items)
5. Public Comment

**CONSENT AGENDA  
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.**

6. City Clerk

- 6.A. Approval of the April 17, 2019 Regular Meeting minutes, the May 1, 2019 Regular Meeting minutes, and the May 13, 2019 Workshop Meeting minutes.

Recommended Action: Review and approve.

[Agenda Memorandum](#)

[April 17, 2019 Regular Meeting minutes](#)

[May 1, 2019 Regular Meeting minutes](#)

[May 13, 2019 Workshop Meeting minutes](#)

- 6.B. Reappoint Joseph Whitehead to the Board of Trustees of the Police Officers Retirement Trust Fund.

Recommended Action: Reappoint member.

[Agenda Memorandum](#)

[J. Whitehead Application - Police Pension](#)

[Police Pension Code Sec. 29-291](#)

7. Community Services

- 7.A. Resolution - Legislative - A resolution to approve the 2019-2020 Tourism Agreement between Collier County and the City of Naples for Fiscal Year 2019/20 Category "A" City of Naples Beach and Pier Repair and Maintenance; authorizing the Mayor to execute the agreement; and providing an effective date.

Recommended Action: Approve the resolution.

[Agenda Memorandum](#)

[Resolution](#)

[Agreement](#)

- 7.B. Repeat Special Events - (1) 9th Annual Halloween Spooktacular - FASBID - Fifth Avenue South - 10/31/2019; (2) Collier Heart Walk - American Heart Association - Cambier Park - 11/2/2019; (3) Old Naples 10K - Gulf Coast Runners - Broad Avenue South & 3rd Street South - 11/9/2019; (4) 2019 Paradise Coast Wine & Food Experience - FASBID & R Entertainment - Cambier Park - 11/23/2019; (5) Farm City BBQ of Collier County - Farm City BBQ of Collier County, Inc. - Cambier Park - 11/27/2019; (6) Gobble Gobble Four Miler - Matt Sonneborn, LLC - The Village on Venetian Bay - 11/28/2019; (7) Tuba Christmas - FASBID - Sugden Plaza - 12/14/2019; (8) Candlelight Christmas Carols - Jon Strohmeyer - Cambier Park Bandshell - 12/20/2019; (9) Annual Chanukah Celebration - Chabad Jewish Center of Naples, Inc. - Cambier Park - 12/22/2019; (10) Dave Cranor 5k - Gulf Coast Runners - Lowdermilk Park - 1/1/2020; (11) Tap Dance Performance - Recreation Tappers of Southwest Florida - Cambier Park Bandshell - 2/25/2020; and (12) Annual Easter Sunrise Service at the Pier - Naples Pier - First United Methodist Church of Naples - 4/12/2020

Recommended Action: Approve as submitted.

[Agenda Memorandum](#)

- 7.C. Resolution - Legislative - A resolution approving Amendment #2 to the 2017-2018 Tourism Agreement between Collier County and the City of Naples Category "A" 8th Avenue South beach Park Improvements; authorizing the Mayor to execute the amendment; and providing an effective date.  
Recommended Action: Approve the resolution.

[Agenda Memorandum](#)

[Resolution](#)

[Amendment #2 - 2017 Tourism Agreement](#)

- 7.D. Award of contract to Crazy Horse Enterprises, dba Vic's Painting & Reconstruction in the amount of \$71,144 which includes a 10% City-controlled contingency (\$6,467) to complete the exterior painting at City Hall (Bid #19-040).  
Recommended Action: Approve the award of contract.

[Agenda Memorandum](#)

[Agreement - Crazy Hours Enterprises Inc dba Vic's Painting & Reconstruction](#)

[Bid Analysis](#)

## 8. Finance

- 8.A. Resolution - Legislative - A resolution relating to water and sewer rates, stormwater management utility fees, and solid waste collection and disposal rates; amending Section 30-9, monthly rates; amending Section 30-336, stormwater management utility fees; and amending Section 32-71, collection and disposal of refuse and recyclables, of Appendix "A", Fees and Charges Schedule of the Code of Ordinances, City of Naples, to reflect annual rate adjustments based upon the United States Consumer Price Index; and providing an effective date.  
Recommended Action: Approve the resolution.

[Agenda Memorandum](#)

[Resolution](#)

## 9. Human Resources/Risk Management

- 9.A. Consider Flood Insurance renewal on thirty-two (32) City properties and purchase one new flood policy on Fire Station #1 through the National Flood Insurance Program (NFIP) for the period June 26, 2019 through June 25, 2020.  
Recommended Action: Renew flood insurance.

[Agenda Memorandum](#)

[Naples Flood Quote Comparison 19-20](#)

[Naples Flood Proposal 19-20](#)

## 10. Streets & Stormwater

- 10.A. Resolution - Legislative - A resolution approving a Community Development Block Grant (CDBG) Agreement between Collier County and the City of Naples for sidewalk improvements; authorizing the Mayor to execute the Agreement; and providing an effective date.  
Recommended Action: Approve the resolution.

[Agenda Memorandum](#)  
[Resolution](#)  
[Agreement - CDBG](#)  
[FIGURES CDBG Sidewalk Project](#)  
[Resolution 2019-14293](#)  
[Follow-up Community Meeting Data](#)  
[Naples 12th Street approval letter](#)

11. City Manager

- 11.A. Resolution - Legislative - A resolution authorizing the City Manager, as Trustee, to amend the City Manager 401(a) Retirement Plan, Plan Number 106517, to allow the plan participant to make additional tax deferred contributions to the Plan funded solely by the plan participant; and providing an effective date.  
Recommended Action: Approve the resolution.  
[Agenda Memorandum](#)  
[Resolution](#)  
[Code of Ordinances - Defined Contribution Plans](#)  
[Resolution 16-13813](#)  
[Executed Trust Agreement 2018 - Chapman](#)

END OF CONSENT AGENDA

12. City Clerk

- 12.A. Interview Richard Shanahan for the East Naples Bay Citizens Advisory Committee.  
Recommended Action: Interview candidate.  
[Agenda Memorandum](#)  
[R. Shanahan Application - E. Naples Bay](#)  
[E. Naples Bay Resolution](#)
- 12.B. Consideration to appoint Richard Shanahan to the East Naples Bay Citizens Advisory Committee.  
Recommended Action: Appoint member.  
[Agenda Memorandum](#)  
[R. Shanahan Application - E. Naples Bay](#)  
[E. Naples Bay resolution](#)

13. Community Services

- 13.A. Special Event - New Event - City of Naples Outdoor Family Movie Night - City of Naples - Cambier Park Bandshell - 6/14/2019, 7/12/2019, and 8/9/2019.  
Recommended Action: Review and approve the new special event request as submitted.  
[Agenda Memorandum](#)  
[Movie Night Application](#)

## 14. City Manager

- 14.A. Determination of appropriate action regarding Special Magistrate recommendation pursuant to the procedure under the Florida Land Use and Environmental Dispute Resolution Act (FLUEDRA) in the matter of dispute with Lamar Billboard and Land Trust Agreement #LT500503.

Recommended Action: Discuss recommendations, consider a possible voluntary agreement with Lamar to remove the nonconforming billboard sign, and provide direction.

[Agenda Memorandum](#)

[Correspondence of 4.25.19](#)

[Recommendation of Special Magistrate - Lamar-City of Naples 4-22-19](#)

[City Attorney Recommended Consent Agreement](#)

[Lamar Proposed Consent Agreement](#)

## 15. Finance

- 15.A. Ordinance - Legislative - Second Reading - An ordinance relating to traffic and vehicles; amending Chapter 36 – Traffic and Vehicles, Article III – Stopping, Standing and Parking, Division 1 – Generally, Section 36-61 – Purpose; Incorporation; Intent; Applicability; Definitions; Penalty, Subsection (e) and (e)(1), Code of Ordinances, City of Naples; providing a severability clause, a repealer provision, and an effective date.

Recommended Action: Approve the Ordinance.

[Agenda Memorandum](#)

[Ordinance](#)

- 15.B. Resolution - Legislative - A resolution of the City Council of the City of Naples, Florida, relating to the establishment and funding of the Aqualane Shores Utility Line Extension Assessment area; determining that real property therein will be specially benefited by the construction and availability of the utility improvements comprised of natural gas facilities and fiber optic facilities; establishing the method of assessing the costs of the utility improvements against the real property that will be specially benefited thereby; establishing other terms and conditions of the assessments; approving the assessment roll; providing the method of collection; directing the provision of notice in connection therewith; ratifying and confirming Resolution 2019-14327; and providing an effective date.

Recommended Action: Approve the Resolution.

[Agenda Memorandum](#)

[Resolution](#)

- 15.C. 1. Resolution - Legislative - A resolution amending the Fiscal Year 2018-19 budget adopted by Resolution 2018-14215 to appropriate funds from the fund balance of the Public Service Tax Capital Projects Fund for the Aqualane Shores Utility Line Special Assessment; and providing an effective date; and

2. Resolution - Legislative - A resolution approving an agreement with Embarq Florida, Inc., d/b/a CenturyLink, and the City of Naples relating to the installation of high-speed fiber communications facilities for the Aqualane Shores Special Assessment District; authorizing the City Manager to execute the agreement; and providing an effective date.

Recommended Action: 1. Approve the Resolution.

2. Approve the Resolution.

[Agenda Memorandum](#)

[Resolution 15.C.1.](#)

[Resolution 15.C.2.](#)

[Agreement - CenturyLink](#)

## 16. Streets and Stormwater

16.A. Ordinance - First 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 First Reading, schedule Second Reading and Public Hearing June 12, 2019.

[Agenda Memorandum](#)

[Ordinance](#)

[FDEP Response - May 2019](#)

[FDEP Suggested Edits](#)

16.B. Resolution - Quasi-Judicial - A resolution relating to lakes; determining lake fill application PRMR1901470 to apply for a permit that includes the construction of a dock, refurbishment of riprap, and to perform littoral planting and maintenance at property abutting Lake 10 (Alligator Lake) and located at 175 South Lake Drive, owned by Sam L. Scalise Revocable Trust; and providing an effective date.

Recommended Action: Approve the resolution as submitted.

[Agenda Memorandum](#)

[Resolution](#)

[Application](#)

[Photos](#)

[S. Molloy Resume](#)

16.C. Resolution - Legislative - A resolution approving a local agency program agreement with the Florida Department of Transportation for the design and construction of a complete streets project along South Golf Drive; authorizing the Mayor to execute the agreement; and providing an effective date.

Recommended Action: Approve the resolution.

[Agenda Memorandum](#)

[Resolution](#)

[Agreement - LAP](#)

[Presentation](#)

## 17. Planning

- 17.A. Resolution - Quasi-Judicial - A resolution determining Site Plan with Deviations Petition 19-SPD2 for a deviation pursuant to Section 58-910 and Section 56-39 to allow a transient lodging building at a maximum height of 49 feet, including 42 feet to the roof and up to an additional 7 feet of height for architectural embellishments, mechanical equipment, mechanical equipment screening, elevator shafts, and stair towers where a maximum of 42 feet is permitted; and considering a conditional use pursuant to Section 58-904 to permit a transient lodging in the D Downtown Zoning District, for property located at 201 8th Street South, and owned by S.V.M. Building, LLC, A Florida Limited Liability Company, more fully described herein; and providing an effective date.

Recommended Action: Approval as submitted.

[Petition](#)

[Resolution](#)

[Agenda Memorandum](#)

[Updated Architectural Elevations](#)

[Staff Report](#)

[Deed](#)

[Aerial](#)

[Disclosure of Interest](#)

[Exhibit A - Legal Description \(provided by petitioner\)](#)

[Exhibit B - Operating Plan](#)

[Exhibit C - Restrictive Covenant](#)

[Exhibit D](#)

[Exhibit E](#)

[Survey](#)

[Supplemental Submittal - Architectural and Landscape](#)

[Supplemental Submittal - Engineering](#)

[Expert Resumes](#)

[Planning Staff Resumes](#)

[Mailing Labels](#)

[19-SPD2 PAB Minutes](#)

- 17.B. Ordinance - First 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, an 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 Drive 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: Approve the ordinance at First Reading and schedule Second Reading and Public Hearing on June 12, 2019.

[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](#)

[Mailing Labels](#)

[19-R4 PAB Minutes](#)

- 17.C. Resolution - Quasi-judicial - A resolution approving and accepting the Final (Record) Plat of Mangrove Bay Phase II, a subdivision lying in Section 3, Township 50 South, Range 25 East, City of Naples, Collier County Florida, on property containing approximately 5.92 acres, owned by Mangrove Bay Development, LLC; more fully described herein; requiring recording; approving Subdivision Petition 19-SD2; and providing an effective date.

Recommended Action: Approve the resolution.

[Agenda Memorandum](#)

[Resolution](#)

[Staff Report](#)

[Application](#)

[Disclosure of Interest](#)

[Location Map and Site Aerial](#)

[Boundary Survey](#)

[Existing Plat](#)

[Proposed Plat](#)

[Title Opinion](#)

[Planning Staff Resumes](#)

[Mailing Labels](#)



- 17.D. Resolution - Quasi-Judicial - A resolution determining Conditional Use Petition 19-CU2 to grant approval of a parking needs analysis pursuant to Section 50-107, Code of Ordinances, a valet parking agreement pursuant to Section 50-103(e), Code of Ordinances, and off-site parking pursuant to Section 50-102(b)(2), Code of Ordinances, in order to allow Ocean Garden restaurant to operate with 21 parking spaces on their property where the Code requires 45 spaces, for property owned by 375 13th Avenue S Holdings, LLC, and located at 375 13th Avenue South, more fully described herein; and providing an effective date.  
Recommended Action: Approve the resolution as submitted.

[Resolution](#)

[Agenda Memorandum](#)

[Supplemental Memo](#)

[Staff Report](#)

[19-CU2 PAB Minutes](#)

[Application and Disclosure](#)

[Parking Needs Analysis](#)

[Revised Parking Agreement](#)

[Valet Parking Operational Plan](#)

[Ocean Garden revised valet parking plan](#)

[Dagi revised valet parking plan](#)

[Previous Resolutions for Le Lafayette](#)

[Le Lafayette Signed Operational Plan 6.1.12](#)

[Le Lafayette Planning Letter](#)

[Relevant Code Sections](#)

[Combined correspondence](#)

[Planning Staff Resumes](#)

[Mailing Labels](#)

- 17.E. 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 at First Reading and schedule Second Reading and Public Hearing June 12, 2019.

[Agenda Memorandum](#)

[Ordinance](#)

[Clean Copy](#)

[Staff Report](#)

[Christian Andrea Memorandum](#)

[Current Fence Ordinance](#)

[19-T2 PAB Minutes](#)

- 17.F. Ordinance - First 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 First Reading and schedule Second Reading and Public Hearing for June 12, 2019.

[Agenda Memorandum](#)

[Ordinance](#)

[Staff Report](#)

[19-T5 PAB Minutes](#)

[Presentation](#)

18. City Manager

- 18.A. Ordinance - Second Reading - Legislative - An Ordinance relating to Officers and Employees, and Departments of the City of Naples; amending Chapter 2 – Administration, Article III – Officers and Employees, Division 2 – City Manager, by adding a new Section 2-122; amending Chapter 2 – Administration, Article IV – Departments, Division 1 – Generally, Section 2-202, Division 3 – Department of Planning, Section 2-242, Division 4 – Department Of Community Services, Section 2-262, Division 8 – Department of Technology Services, Section 2-342, Code of Ordinances; providing a severability clause, a repealer provision and an effective date.

Recommended Action: Adopt the Ordinance at Second Reading.

[Agenda Memorandum](#)

[Ordinance](#)

[Revised Organizational Chart](#)

Public Comment

Correspondence and Communication

Adjourn