

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

Mayor: Bill Barnett

Vice Mayor: Linda Penniman

City Council Members:

Reg Buxton, Doug Finlay, Michelle McLeod, Sam J. Saad III, Ellen Seigel

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, September 6, 2017**  
8:30 a.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
2. Invocation and Pledge of Allegiance
3. Set agenda (*add or remove items*)
4. Public Comment

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City Council will recess for lunch at, or near, 12:00 PM

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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.

## 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.

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5. **CONSENT**

a. **City Clerk**

**Minutes** for the August 14, 2017 Workshop and August 16, 2017 Regular meetings  
[Agenda Memorandum](#)     [8/14/17 Workshop](#)     [8/16/17 Regular](#)

b. **Community Services**

**Resolution** approving a Community Development Block Grant (CDBG) Agreement between Collier County and the City of Naples for an Anthony Park Restrooms Project  
[Agenda Memorandum](#)     [Resolution](#)     [Agreement](#)  
[10/10/16 Public Meeting - Community Priorities](#)

c. **Planning**

**Resolution** approving an Amendment to the Collier County and City of Naples State Housing Initiatives Partnership (SHIP) Local Housing Assistance Plans (LHAP) for Fiscal Years 2013-2016 and 2016-2019  
[Agenda Memorandum](#)     [Resolution](#)  
[SHIP/LHAP FY 2013-2016](#) (clean)     [SHIP/LHAP FY 2013-2016](#) (strikethrough/underline)  
[SHIP/LHAP FY 2016-2019](#) (clean)     [SHIP/LHAP FY 2016-2019](#) (strikethrough/underline)

d. **Police**

**Resolution** approving a Mutual Aid Agreement between the City of Naples Police Department and the Collier County Sheriff's Office  
[Agenda Memorandum](#)     [Resolution](#)

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## END OF CONSENT AGENDA

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6. **City Manager**

**Presentation** - Senator Kathleen Passidomo will provide an update on the 2017 legislative session  
[Agenda Memorandum](#)

7. **Planning**  
**Resolution – Quasi-Judicial – Public Hearing** determining Outdoor Live Entertainment Petition 17-LE4 for Felipe’s Taqueria, on property owned by FV Five, LLC, and located at 4255 9th Street North  
**Petitioner/Agent:** John Howard  
[Agenda Memorandum](#)      [Resolution](#)      [Application and Disclosures](#)  
[Supplemental Memorandum](#)      [Plans](#)      [Resumes](#)      [Public Notice Mailing Labels](#)
8. **Community Services**  
**Consideration** to assign naming rights for Baker Park’s Gordon River Bridge as the John and Dorothy Blair Bridge  
[Agenda Memorandum](#)      [Donor Agreement](#)      [Resolution 15-13730 - Donation Policy](#)  
[Resolution 08-12283 - Park Naming Policy](#)      [John and Dorothy Blair Biography](#)
9. **Community Services**  
**Resolution** approving and granting a Deed of a Conservation Easement to Florida Department of Environmental Protection with Third Party enforcement rights to the United States Army Corps of Engineers  
[Agenda Memorandum](#)      [Resolution](#)      [Plans](#) (enlarged)      [Title Affidavit](#)  
[Title Search Report](#)
10. **Community Services**  
**Consideration** of a request to remove and replace trees on Royal Palm Court  
[Agenda Memorandum](#)      [PowerPoint](#)      [Resolution 93-6857](#)      [Resolution 93-6921](#)  
[Resolution 93-7037](#)      [Plans](#)      [Resident Notification Letter](#)  
[Tree Protection Ordinance - Division 3 - Article IV - Appeals Process](#)  
[Tree Alteration Permit Application](#)
11. **Planning**  
**Resolution – Quasi-Judicial – Public Hearing** determining Variance Petition 17-V2 for a variance from Sections 58-598 and 58-1134 of the Code of Ordinances to allow two flagpoles displaying the American flag from the top of the two dome roofs at a height approximately 7 feet above the 42 feet allowed in the C2, General Commercial and 5th Avenue South Special Overlay Districts, and a variance from Code Section 50-37 which limits the longest dimension of a flag to 30 percent of the overall height of the flagpole to which it is attached, on property owned by 898 Fifth Avenue South Holdings, LLC, and located at 898 5th Avenue South ~ *continued from August 16, 2017 Regular meeting*  
**Petitioner:** Hoffman Commercial Real Estate  
**Agent(s):** Lisa Paul, Vice President of Property Management and Thomas J. Scangarello, Scangarello, LLC  
*Planning Advisory Board voted to deny*  
[Agenda Memorandum](#)      [Resolution](#)      [Application](#) - original submittal  
[Revised submittal](#)      [Federal Aviation Administration Approval](#)      [Staff Report](#)  
[PAB Minutes](#)      [Resumes](#)      [Public Notice Mailing Labels](#)

12. **City Manager – 12:00 PM TIME CERTAIN EXECUTIVE SESSION** to discuss labor negotiations pursuant to Chapter 447.605, Florida Statutes, relative to the American Federation of State, County, and Municipal Employees (AFSCME), Council No. 79 of Local 2017; the Government Supervisors Association of Florida – Office and Professional Employees International Union (GSAF – OPEIU), Local 100, AFL-CIO; the Professional Firefighters of Naples, International Association of Firefighters (IAFF), Local 2174; the Collier County Lodge #38 Fraternal Order of Police, Police Officers’ Bargaining Unit, the Collier County Lodge #38 Fraternal Order of Police, Sergeants’ Bargaining Unit  
[Agenda Memorandum](#)
13. **Planning**
- a. **Ordinance - Second Reading – Quasi-Judicial - Public Hearing** relating to rezoning; adopting Rezone Petition 17-R1, rezoning approximately 1.33 acres of property from C2 General Commercial to D-Downtown, on property owned by The George, LLC, a Florida Limited Liability Company and located at 936 5th Avenue South ~ *Approved at a Public Hearing and First Reading on August 16, 2017*
- b. **Resolution – Quasi-Judicial - Public Hearing** determining Site Plan with Deviations Petition 17-SPD3 for a deviation to allow a reduced side yard setback for a parking garage and associated steps, where Section 58-909(2) requires a 10-foot side yard setback; to allow 7 feet of rooftop embellishments for mechanical equipment, mechanical screen enclosures, architectural design, elevator shafts, and egress stair enclosures, where Section 58-910 limits the maximum height to 3 stories and 42 feet; and consideration of Conditional Use Approval pursuant to Section 58-904 to allow a Parking Structure, on property owned by The George, LLC, a Florida Limited Liability Company, located at 936 5th Avenue South
- c. **Resolution – Quasi-Judicial - Public Hearing** determining Development Agreement Petition 17-DA1 to allow off-site development proposed by the land owner or its designee to provide required parking within an on-site parking structure located at 936 5th Avenue South  
*Planning Advisory Board voted to approve*  
**Petitioner:** The Brookline Companies, LLC, a Florida limited liability company  
**Agent:** John M. Passidomo, Esq., Cheffy Passidomo P.A.  
[Agenda Memorandum](#) (a) [Ordinance](#) (b) [Resolution](#) (c) [Resolution](#)  
[Rezone 17-R1 Application](#) [17-R1 Exhibits A-E](#)  
[Site Plan with Deviations 17-SPD3 Application](#) [17-SPD3 Exhibits A-E](#)  
[Development Agreement 17-DA1 Application](#) [Supplemental Submittal](#)  
[Disclosures](#) [Deed](#) [Site Plan](#) [Revised Plans](#) [Aerial](#) [Survey](#)  
[Traffic Impact Statement](#) [Staff Report](#) [PAB Minutes](#) [Resumes](#)  
[Public Notice Mailing Labels](#)

14. **Streets and Stormwater**  
**Resolution – Quasi-Judicial - Public Hearing** determining Vacation Application 171565 to vacate a portion of a 20-foot wide alley located at 936 5th Avenue South within Block 15, Tier 10 of the Replat by Seaboard & Gulf Railway Company as recorded In Plat Book 1, Page 59 of the Public Records of Collier County, Florida, measuring approximately 2,600 square feet and approval of an Agreement between The City of Naples and The George, LLC, for maintenance of the remainder public alleyway; and acceptance of a Quit Claim Deed from The George, LLC for transferring fee simple ownership of approximately 150 square feet of existing alleyway to the City  
[Agenda Memorandum](#)    [Resolution](#)    [Attachment 1 - Application](#)    [Figure 1](#)  
[Attachment 2 - Staff Report and Public Notice Mailing Labels](#)    [Disclosures](#)    [Resumes](#)
  
15. **Streets and Stormwater**  
**Resolution – Quasi-Judicial – Public Hearing** determining Right-of-Way Permit 174121 to Naples Bay Properties authorizing the design and construction of a low-speed vehicle pathway between Naples Bay Resort facilities through Sandpiper Park  
[Agenda Memorandum](#)    [Resolution](#)    [Application](#)    [Special Conditions](#)    [Aerial](#)  
[Low Speed Vehicle Photo](#)    [8/24/17 Letter from Oyster Bay Homeowners Association](#)  
[8/28/17 Letter from Royal Harbor Association](#)    [Disclosures](#)    [Resumes](#)
  
16. **Streets and Stormwater**  
**Presentation** of the 60% Stormwater Master Plan Update draft, by Amy Eason, Project Manager with AECOM, Inc.  
[Agenda Memorandum](#)    [PowerPoint](#)    [Stormwater Master Plan Update](#)  
[Public Involvement Technical Memorandum](#)
  
17. **Streets and Stormwater**  
**Resolution – Quasi-Judicial – Public Hearing** determining Right-of-Way Conversion to Parking Permit Application 173073 for permeable brick paver hardscape parking in the public right-of-way adjacent to the property located at 1175 1st Avenue South owned by 1175 First Avenue South LLC  
[Agenda Memorandum](#)    [Resolution](#)    [Application](#)    [Plans](#)  
[Figure 1 - Setback Zones and Figure 2 - Plan Section](#)    [Resume](#)
  
18. **Streets and Stormwater – Natural Resources**  
**Professional Services Agreement** with Amec Foster Wheeler Environment & Infrastructure, Inc., in the amount of \$263,414 to provide professional survey, design and engineering services for restoration of the City-owned lake known as Lake #19  
[Agenda Memorandum](#)    [Agreement](#)    [Attachment B-1 Compensation](#)  
[Bid Analysis](#)    [Aerial Lake #19](#)

19. **Streets and Stormwater**

- a. **Resolution** approving the acceptance of a Financial Assistance Award in the amount of \$484,244 from the U.S. Department of Commerce (NOAA) and entering into a Cooperative Agreement between the U.S. Department of Commerce and the City of Naples for the construction of oyster reefs in Naples Bay
- b. **Resolution** approving the acceptance of an award in the amount of up to \$30,000 from the State of Florida Department of Environmental Quality (FDEP) and entering into an Agreement between the State of Florida Department of Environmental Quality and the City of Naples for the construction of oyster reefs in Naples Bay

[Agenda Memorandum](#) (a) [Resolution](#) (b) [Resolution](#) (b) [FDEP Grant Agreement](#)  
[Oyster Reef Map](#)

(a) [Financial Assistance Award Offer – Cooperative Agreement](#)

(a) [Cooperative Agreement Standard Terms and Conditions](#)

(a) [Cooperative Agreement Special Terms and Conditions](#)

(a) [Office of Budget and Finance Uniform Guidance](#)

(a) Cooperative Agreement [C.F.R. Sec.200.24](#)

(a) Cooperative Agreement [C.F.R. Sec.200.211](#)

(a) Cooperative Agreement [C.F.R. Sec.200.300](#)

(a) Cooperative Agreement [C.F.R. Sec.200.306](#)

(a) Cooperative Agreement [C.F.R. Sec.200.324](#)

(a) Cooperative Agreement [C.F.R. Sec.200.327](#)

(a) Cooperative Agreement [C.F.R. Sec.200.329](#)

(a) Cooperative Agreement [C.F.R. Sec.200.333](#)

(a) [Office of the Chief Information Officer Guidelines](#)

20. **Streets and Stormwater – Natural Resources**

**Ordinance – First Reading - Public Hearing** relating to Fertilizer Use and Maintenance of Urban Landscapes; amending Chapter 52 of the City of Naples Code of Ordinances, by Deleting Article VII. Lawn and Landscape Maintenance and Content of Fertilizer and Replacing with a new article VII. Fertilizer Use and Maintenance of Urban Landscapes; providing for: Purpose and Intent, Definitions, and Applicability; Timing, Content, and Means of Fertilizer Application; Exemptions; Certification, Training, and Licensing Requirements; Enforcement and Penalties

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

21. **Police**

**Ordinance – First Reading – Public Hearing** relating to Trespass on Public Property; creating and adopting a new Section 1-16 of the Code of Ordinances, authorizing issuance of trespass warnings for certain violations; providing for an appeal and hearing; providing an administrative penalty

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

22. **City Manager**

**Discussion** of the Collier County State Legislative Delegation Meeting and Public Hearing

[Agenda Memorandum](#) [Collier Delegation Notice](#) [FLC Proposed Legislative Priorities](#)

**Public Comment**

**Correspondence and Communications**

**Adjourn**