

NOTICE OF MEETING AND AGENDA
Naples City Council
City Council Chamber, 735 8th Street South, Naples, Florida
Mayor: Teresa Heitmann
Vice Mayor: Terry Hutchison
City Council Members:

Ted Blankenship, Ray Christman, Mike McCabe, Paul Perry, Gary Price
City Attorney: James Fox • City Clerk: Patricia Rambosk • City Manager: Charles Chapman

Accommodation will be made to allow public comment during the meeting while maintaining social distancing.

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, October 21, 2020
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
4. Set agenda (add or remove items)
5. Public Comment

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.

CONSENT AGENDA

6. City Clerk

- 6.A. Approval of the September 16, 2020 Regular Meeting minutes and the September 21, 2020 Special Meeting minutes.

Recommended Action: Approve as submitted.

[Agenda Memorandum](#)

[September 16, 2020 Regular Meeting minutes](#)

[September 21, 2020 Special Meeting minutes](#)

7. Community Services

- 7.A. SPECIAL EVENT - REPEAT EVENT

(1) Christmas on 3rd - Third Street South Merchants Association - Third Street South - November 23, 24, 25, 27, and 28 from 5:00 p.m. until 8:00 p.m.

Recommended Action: Review and approve repeat special events as submitted.

[Agenda Memorandum](#)

- 7.B. SPECIAL EVENTS - NEW EVENTS

(1) A Grand Opening Event - The Collective Naples - 111 10th Street South, Naples, FL 34102 - Thursday, November 12, 2020 - 4:30 p.m. – 9:30 p.m.

(2) The Uptown Art Festival - The United Arts Council (UAC) - 10th Street South - January 23 & 24, 2021 - 10:00 am – 5:00 pm.

Recommended Action: Review and approve the new special event requests as submitted.

[Agenda Memorandum](#)

[Collective Grand Opening](#)

[Uptown Art Fair on 10th Street](#)

8. Finance

- 8.A. Resolution - Legislative - A RESOLUTION AMENDING THE FISCAL YEAR (FY) 2020-21 BUDGET ADOPTED BY RESOLUTION 2020-14529 TO: APPROPRIATE FUNDS FROM THE FUND BALANCES OF THE PUBLIC SERVICE TAX/CAPITAL PROJECT FUND, ONE CENT SALES TAX CAPITAL PROJECT FUND, NAPLES BEACH FUND, STREET FUND, TECHNOLOGY SERVICES FUND AND PUBLIC ART FUND TO RE-APPROPRIATE VARIOUS FY 2019-20 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. Police

- 9.A. Resolution - Legislative - A RESOLUTION AMENDING THE FISCAL YEAR 2020-21 BUDGET, ADOPTED PURSUANT TO RESOLUTION 2020-14529, TO APPROPRIATE FUNDS FROM THE STATE CONFISCATION TRUST FUND (FLORIDA CONTRABAND FORFEITURE ACT) AND THE FEDERAL CONFISCATION TRUST FUND (FEDERAL EQUITABLE SHARING PROGRAM); AND PROVIDING AN EFFECTIVE DATE.

Recommended Action: Approve the resolution.

[Agenda Memorandum](#)

[Resolution](#)

10. Utilities

- 10.A. Resolution - Legislative - A RESOLUTION ACCEPTING SUBORDINATION OF EASEMENT INTEREST AND AGREEMENT FOR FACILITY RELOCATION FROM COLLIER COUNTY FOR CONSENT TO AND SUBORDINATE A SIDEWALK EASEMENT WITHIN A PORTION OF THE CITY'S 10-FOOT WIDE UTILITY EASEMENT LOCATED ON THE NORTH SIDE OF AIRPORT PULLING ROAD; AUTHORIZING THE CITY MANAGER TO EXECUTE THE SUBORDINATION OF EASEMENT INTEREST AND AGREEMENT FOR FACILITY RELOCATION; AND PROVIDING AN EFFECTIVE DATE.

Recommended Action: Approve the resolution.

[Agenda Memorandum](#)

[Resolution](#)

[Subordination Agreement](#)

[Sidewalk Easement - Sketch](#)

11. Streets & Stormwater

- 11.A. Award of contract to Naples Environmental Sampling & Analysis Project to perform environmental and stormwater quality sampling, analysis, and reporting services (in an amount not to exceed \$165,358 in FY 2020-21), and authorize the City Manager to execute the agreement and approve a purchase order. The agreement is through September 30, 2023, with an option to renew the agreement upon mutual agreement for an addition two (2), one-year renewals; each subsequent Fiscal Year Scope of Services and Compensation to be negotiated (RFP 20-047)

Recommended Action: Approve the agreement.

[Agenda Memorandum](#)

[Agreement - Wood Environment & Infrastructure Solutions, Inc.](#)

[20-047 Bid Analysis](#)

END OF CONSENT AGENDA

12. City Clerk

- 12.A. Consideration to appoint two Directors to the Carver Finance Board of Directors, three members to the Citizens' Police Review Board, one member to the Code Enforcement Board, and one Commissioner to the Naples Airport Authority.

Recommended Action: Appoint members.

Agenda Memorandum
S. Merrick application - Carver Finance
L. Mills - Carver Finance
Carver Finance resolution
J. Brown application - CPRB
J. Fogg application - CPRB
D. Groover application - CPRB
R. Kaufmann application - CPRB
M. Manginelli application - CPRB
W. Michaelson application - CPRB
J. Spivak application - CPRB
CPRB Code section
N. Spahr application - CEB
Code Enforcement Board - Florida Statute
R. Ruppert application - NAA
M. Williams application - NAA
Airport Authority Act

13. Human Resources/Risk Management

- 13.A. Risk Management Executive Session.
Recommended Action: Conduct the executive session.
[Agenda Memorandum](#)
[Resolution](#)

14. Community Services

- 14.A. Ordinance - Second Reading - Legislative - AN ORDINANCE RELATING TO LEAF BLOWER USE, AMENDING CHAPTER 22, ENVIRONMENT, ARTICLE II, NUISANCES, SECTION 22-37, NOISE; PROVIDING A SEVERABILITY CLAUSE, A REPEALER PROVISION, AND AN EFFECTIVE DATE.
Recommended Action: Adopt the ordinance.

[Agenda Memorandum](#)
[Ordinance](#)
[October 7, 2020 Agenda Memorandum and Packet Information](#)

15. City Manager

- 15.A. 2021 City Council Meeting Calendar.
Recommended Action: Approve.
[Agenda Memorandum](#)
[2021 Proposed City Council Meeting Calendar](#)

- 15.B. 1. Resolution - Legislative - A RESOLUTION APPROVING, RATIFYING, AND CONFIRMING THE LABOR CONTRACT BETWEEN THE CITY OF NAPLES AND

THE PROFESSIONAL FIREFIGHTERS OF NAPLES, INTERNATIONAL ASSOCIATION OF FIRE FIGHTERS, LOCAL 2174; AND PROVIDING AN EFFECTIVE DATE.

2. Resolution - Legislative - A RESOLUTION APPROVING, RATIFYING, AND CONFIRMING THE LABOR CONTRACT BETWEEN THE CITY OF NAPLES AND THE GOVERNMENT SUPERVISORS ASSOCIATION OF FLORIDA – OFFICE AND PROFESSIONAL EMPLOYEES UNIONS, LOCAL 100, AFL-CIO, BARGAINING UNIT 1501; AND PROVIDING AN EFFECTIVE DATE.

3. Resolution - Legislative - A RESOLUTION APPROVING, RATIFYING, AND CONFIRMING THE LABOR CONTRACT BETWEEN THE CITY OF NAPLES AND THE AMERICAN FEDERATION OF STATE, COUNTY, AND MUNICIPAL EMPLOYEES, COUNCIL NO. 79, LOCAL 2017; AND PROVIDING AN EFFECTIVE DATE.

Recommended Action: 1. Approve the resolution; 2. Approve the resolution; and 3. Approve the resolution.

[Agenda Memorandum](#)

[1. Resolution](#)

[1. IAFF - Tentative Agreement Signed 10-14-2020.pdf](#)

[2. Resolution](#)

[2. OPEIU - Tentative Agreement Signed 10-13-2020](#)

[3. Resolution](#)

[3. AFSCME - Tentative Agreement Signed 10-14-2020](#)

16. Planning

16.A. 19-SP20 - Resolution - Quasi-Judicial - A RESOLUTION DETERMINING SITE PLAN PETITION 19-SP20 FOR 710 GOODLETTE RESIDENCES – 63 LUXURY APARTMENTS ON PROPERTY OWNED BY SAHASA REALTY CORPORATION, AND LOCATED AT 710 GOODLETTE-FRANK ROAD NORTH, MORE FULLY DESCRIBED HEREIN; AND PROVIDING AN EFFECTIVE DATE.

Recommended Action: Denial.

[Agenda Memorandum](#)

[Resolution](#)

[Legal Opinion 9.8.2020](#)

[PAB Report](#)

[Application](#)

[Disclosure of Interest](#)

[Site Plan Set](#)

[Dumpster Detail](#)

[TIS Certified](#)

[Landscape Plans](#)

[Architectural Plans 4 story over 1 of parking](#)

Architectural Plans 5 story over 1 of parking
Architectural Plans Clubhouse
Fire Access Plan
Lighting Plan
Site Plan Sufficiency with Conditions Letter
FAA Determinations
Code References
The Commons Professional Park PD
Letter and Combined Exhibits Regarding Development Rights
PAB Minutes 081220
PAB Minutes 090920
email from Agent 090320
Email plus attachment from Agent 090920
Email plus attachments from Agent 091620
Petitioners Combined Credentials
Planning Staff Resumes
Labels

- 16.B. 20-CU1 Resolution - Quasi-Judicial - A RESOLUTION RELATING TO A CONDITIONAL USE TO PERMIT BOAT SALES, OFFICE ONLY, NO LOTS; DETERMINING PETITION 20-CU1, PURSUANT TO SECTION 58-904(4) OF THE LAND DEVELOPMENT CODE, ON PROPERTY OWNED BY DEK PROPERTIES AND LOCATED AT 1060 CENTRAL AVENUE, MORE FULLY DESCRIBED HEREIN; AND PROVIDING AN EFFECTIVE DATE.

Agenda Memorandum
Resolution
Staff Memo
Staff Report
Petition
Petitioner Response comments
Disclosure of Interest
Deed
Aerial
Site Plan
1060 Central Before and After paint change
1060 Central Landscape Plan 8-21-20
1060 Central Parking Plan Option 1 8-21-20
1060 Central Parking Plan Option 2 8-21-20
1060 Central Survey 8-21-20
Planning Staff Resumes
Mailing Labels

- 16.C. 20-ODPV5 Resolution - Quasi-Judicial - A RESOLUTION DETERMINING OUTDOOR DINING PETITION 20-ODPV5 TO ESTABLISH OUTDOOR DINING ON PRIVATE PROPERTY TO INCLUDE 15 TABLES AND 60 CHAIRS FOR DECANter 41, INC., D/B/A ESCARGOT 41, ON PROPERTY OWNED BY BRIXMOR PARK SHORE SC LLC AND LOCATED AT 4351 9TH STREET NORTH, MORE FULLY DESCRIBED HEREIN; AND PROVIDING AN EFFECTIVE DATE.
Recommended Action: Consider the resolution.

[Agenda Memorandum](#)

[Supplemental Memorandum](#)

[Resolution](#)

[Fire Rescue Memorandum](#)

[Adjacent Business Letter of No Objection](#)

[Resubmittal Letter](#)

[Escargot 41 Disclosure of Interest](#)

[Revised sheet 5A - Dimensional Seating Plan](#)

[Revised sheet 2A - Site Context with Seating
Petition](#)

[Disclosure of Interest](#)

[Cover Letter](#)

[Plans](#)

[Aerial](#)

[Proposed Table and Chairs](#)

[Correspondence](#)

[Mailing Labels](#)

[Planning Staff Resumes](#)

- 16.D. 20-ODPV6 Resolution - Quasi-Judicial - A RESOLUTION DETERMINING OUTDOOR DINING ON PRIVATE PROPERTY PETITION 20-ODPV6, PURSUANT TO SECTIONS 56-126 AND 46-43 OF THE CODE OF ORDINANCES TO ALLOW 16 TABLES, 68 SEATS, 3 BAR SEATS, 4 SPACE HEATERS, AND 2 RENSON AWNINGS IN ADDITION TO THE EXISTING 3 RENSON AWNINGS, OVER THE OUTDOOR DINING AREA ON THE WEST SIDE OF THE RESTAURANT; 3 TABLES AND 12 SEATS ON THE NORTH SIDE OF THE RESTAURANT; AND ONE (1) TABLE AND 8 SEATS ON THE SOUTH SIDE OF THE RESTAURANT, 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 (continued from 9/2/2020).

Recommended Action: Consider the resolution.

[Agenda Memorandum](#)

[Resolution for 10/21/2020](#)

[Revised Application](#)

[Revised Architectural Plans](#)

[Revised Landscape Plans](#)

[Revised outdoor furniture](#)

[Smith Organics Disclosure](#)

Agenda Memorandum from 9/2/2020 consideration
Resolution from 9/2/2020 consideration
Supplemental Memorandum from 9/2/2020 consideration
Application
Disclosure
MHK Plans
Marcus Jelley Plan
Furniture Package
Civil Engineering Plan
Landscape Plans (large document)
Warranty Deed
Sunbiz Information
Correspondence
Additional Correspondence Received after 100220
Petitioner Credentials
Planning Staff Resumes
Public Notice Labels

17. City Council

- 17.A. Interim City Attorney Discussion.
Recommended Action: Discussion and direction.
[Agenda Memorandum](#)

18. Code Enforcement

- 18.A. Quasi-Judicial - A RESOLUTION DETERMINING A REQUEST TO COMPROMISE AND RELEASE A LIEN AND TO REDUCE THE REQUIRED PAYMENT FOR PREVIOUSLY ACCUMULATED FINES UNDER CODE ENFORCEMENT BOARD CASE NO. 18-406698; AND PROVIDING AN EFFECTIVE DATE.
Recommended Action: Staff recommends City Council consider the following:
1. No reduction of the lien. Amount due is \$29,500.
 2. A reduction in the lien from \$29,500 to \$_____.
 3. The fine reduction set forth in the Resolution is contingent upon receipt by the City of _____ Naples of the full payment in the specified amounts on or before _____, 2020.
- [Agenda Memorandum](#)
[Resolution](#)
[Respondents' Request](#)
[Respondents' Documents](#)
[Notice of Violation](#)
[Notice of Hearing](#)
[Findings of Fact, Conclusions of Law and Order](#)
[Recorded Order Imposing Fine/Lien](#)

19. City Attorney

- 19.A. Executive Session - 1800 Snook Drive
Recommended Action: Conduct executive session.
[Agenda Memorandum](#)
[Mayor's Script](#)
[Public Notice](#)

- 19.B. Executive Session - 1660 Dolphin Court
Recommended Action: Conduct executive session.
[Agenda Memorandum](#)
[Mayor's Script](#)
[Public Notice](#)

- 19.C. Review of the State of Local Emergency Resolution.
Recommended Action: Review.
[Agenda Memorandum](#)
[Resolution 2020-14534](#)

Public Comment

Correspondence and Communications

Adjourn