

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, November 18, 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 amended October 7, 2020 Regular Meeting Minutes and the October 19, 2020 Workshop Meeting minutes.

Recommended Action: Approve as submitted.

[Agenda Memorandum](#)

[October 7, 2020 Amended Regular Meeting minutes](#)

[October 19, 2020 Workshop Meeting minutes](#)

7. Community Services

- 7.A. SPECIAL EVENT - REVISED REPEAT EVENT

(1) Evenings on 5th and Sidewalk Sale - The F.A.S.B.I.D. - 5th Avenue South - December 31, 2020 and January 1, 2, & 3, 2021 - 6:30 p.m. – 9:30 p.m.

Recommended Action: Review and approve the revised repeat special event as submitted.

[Agenda Memorandum](#)

- 7.B. SPECIAL EVENT - NEW EVENT REQUEST

(1) Outdoor Classical Music Concerts - Opera Naples - Baker Park GCR Stage and Performance Lawn - March 8, 2021 for set up only and March 9, 10, 11, 12, 13 & 14, 2021 (March 14th-rain date) - 7:00 p.m. to 10:00 p.m.

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

[Agenda Memorandum](#)

[Opera Naples Application](#)

END OF CONSENT AGENDA

8. Correspondence and Communications

9. Planning

- 9.A. 20-CU8 - Resolution - Quasi-Judicial - A RESOLUTION DETERMINING PETITION 20-CU8, RELATING TO A CONDITIONAL USE PURSUANT TO SECTION 58-563(5), CODE OF ORDINANCES, TO ALLOW FOR THE ADDITION OF ONE RESIDENTIAL DWELLING UNIT WITHIN THE EXISTING BUILDING, ON PROPERTY OWNED BY KUKK 787, LLC, LOCATED AT 787 4TH AVENUE SOUTH, MORE FULLY DESCRIBED HEREIN; AND PROVIDING AN EFFECTIVE DATE.

Recommended Action: Consider the resolution.

[Agenda Memorandum](#)

[Resolution](#)

[Planning Advisory Board Report](#)

[Department Comments](#)

Application
Disclosure of Interest
Survey
Site Plan
Drainage Plan
Trip Generation Report
Architectural Plans from DRB Review
Landscape Plans - from Design Review submittal
Credentials - Petitioner
Credentials - Planning Department
Mailing Labels
Presentation to PAB 10.14.20
PAB Minutes 10-14-2020 meeting

- 9.B. 20-CU9 - Resolution - Quasi-Judicial - A RESOLUTION DETERMINING PETITION 20-CU9, RELATING TO A CONDITIONAL USE PURSUANT TO SECTION 58-907 TO ALLOW RESIDENTIAL DENSITY TO EXCEED 12 UNITS AN ACRE BUT NOT TO EXCEED 30 UNITS AN ACRE, ON PROPERTY OWNED BY S.V.M. BUILDING LLC, A FLORIDA LIMITED LIABILITY COMPANY, AND LOCATED AT 201 8TH STREET SOUTH, MORE FULLY DESCRIBED HEREIN; AND PROVIDING AN EFFECTIVE DATE.

Recommended Action: Consider the resolution.

Agenda Memorandum
Resolution
Staff Report
Departmental Comments
Draft 10.14.2020 PAB Minutes
Deed
D Downtown Density Chart
Petition
Disclosure of Interest
Survey
Aerial
Exhibit B - Trip Generation Analysis
Exhibit C - Densities
Site Plan
Architectural Renderings
Expert Resumes
Resolution 2019-14352
Presentation - 10-14-20 - MHK
Presentation - PAB 10-14-20
Streets and Stormwater Resumes
Planning Staff Resumes

[Mailing Labels](#)

- 9.C. 20-SP7 - Resolution - Quasi-Judicial - A RESOLUTION DETERMINING SITE PLAN PETITION 20-SP7 FOR AN APPROXIMATELY 1,300 SQUARE FOOT ADDITION TO THE BOWER CHAPEL WITHIN THE MOORINGS PARK PLANNED DEVELOPMENT ON PROPERTY OWNED BY THE MOORINGS, INC., AND LOCATED AT 140 MOORINGS PARK DRIVE, MORE FULLY DESCRIBED HEREIN; AND PROVIDING AN EFFECTIVE DATE.

Recommended Action: Consider the resolution.

[Agenda Memorandum](#)

[Resolution](#)

[PAB Report](#)

[Application](#)

[Disclosure](#)

[Site Plan](#)

[Architectural Plans](#)

[Landscape Plans](#)

[Irrigation Plan](#)

[Survey](#)

[Deed](#)

[Site Plan Sufficiency Letter](#)

[Petitioner Credentials](#)

[Planning Resumes](#)

[Labels](#)

[Presentation Architectural - Supplement 10-12-20](#)

[Presentation Engineering - Supplement 10-12-20](#)

[Draft PAB Minutes 101420](#)

- 9.D. 20-V4 Resolution - Quasi-Judicial - A RESOLUTION RELATING TO A VARIANCE; DETERMINING PETITION 20-V4 TO ALLOW A POOL SCREEN ENCLOSURE 7.5 FEET FROM THE REAR (NORTH) PROPERTY LINE WHERE 15 FEET IS REQUIRED, PURSUANT TO SECTION 58-236(3)b, CODE OF ORDINANCES, FOR PROPERTY LOCATED IN THE R1-7.5 RESIDENCE ZONING DISTRICT AT 795 6TH AVENUE NORTH, MORE FULLY DESCRIBED HEREIN; AND PROVIDING AN EFFECTIVE DATE.

Recommended Action: Consider the resolution. PAB recommended denial.

[Agenda Memorandum](#)

[Resolution](#)

[PAB Staff Report](#)

[Departmental Comments](#)

[Application](#)

[Application Supplement After PAB](#)

[Surveys and Permits](#)

[Correspondence](#)
[Credentials - Staff](#)
[Labels](#)
[PAB Presentation](#)
[PAB Draft Minutes](#)

- 9.E. 20-T3 - Ordinance - Legislative - First Reading - AN ORDINANCE RELATED TO CHAPTER 58, ZONING, ARTICLE III, SPECIAL OVERLAY DISTRICTS, DIVISION 6, 5TH AVENUE SOUTH SPECIAL OVERLAY DISTRICT, SECTION 58-1134, SPECIFIC PROVISION, SUBSECTION (c), BUILDING USES; OF THE CITY OF NAPLES CODE OF ORDINANCES, ALLOWING ROOFTOP RESTAURANTS TO BE LOCATED ON THE SECOND AND THIRD FLOORS OF BUILDINGS THROUGH THE CONDITIONAL USE PROCESS, PURSUANT TO TEXT AMENDMENT 20-T3; PROVIDING A SEVERABILITY CLAUSE; PROVIDING A REPEALER PROVISION; AND PROVIDING AN EFFECTIVE DATE.

Recommended Action: Consider the ordinance at First Reading and schedule Second Reading and Public Hearing on December 2, 2020.

[Agenda Memorandum](#)
[Ordinance](#)
[PAB Staff Report](#)
[Letter to Council from John Passidomo](#)
[Map of Affected Area](#)
[Map of Affected Area with Zoning](#)
[Ordinance 2000-8867](#)
[Labels](#)
[PAB Draft Minutes](#)

- 9.F. 20-ODPV7 - Resolution - Quasi-Judicial - A RESOLUTION DETERMINING OUTDOOR DINING ON PRIVATE PROPERTY PETITION 20-ODPV7 TO ALLOW TWO TABLES AND FOUR CHAIRS ON THE OUTDOOR PATIO ON PRIVATE PROPERTY IN THE D DOWNTOWN ZONING DISTRICT FOR CARIBBEAN ISLAND RESTAURANT ON THE PROPERTY OWNED BY MY NAPLES SUNSHINE, LLC, KILLER COOKIE, LLC, AND QUEENY BEE, LLC LOCATED AT 318 9TH STREET NORTH, MORE FULLY DESCRIBED HEREIN; AND PROVIDING AN EFFECTIVE DATE.

Recommended Action: Consider the resolution.

[Agenda Memorandum](#)
[Supplemental Memo](#)
[Resolution](#)
[Department Comments](#)
[Application](#)
[Disclosure of Interest](#)
[Plans](#)
[Credentials - City Staff](#)

[Mailing Labels](#)

- 9.G. 20-LE4 - Resolution - Quasi-Judicial - A RESOLUTION RELATING TO INDOOR LIVE ENTERTAINMENT; DETERMINING PETITION 20-LE4 TO ALLOW INDOOR LIVE ENTERTAINMENT ON SUNDAY THROUGH THURSDAY FROM 5:00 P.M. TO 11:30 P.M., AND ON FRIDAY AND SATURDAY FROM 5:00 P.M. TO 12:00 A.M., TO BE LOCATED AT THE REAR OF THE RESTAURANT FOR PAZZO! ITALIAN CAFÉ, ON PROPERTY OWNED BY JAN IRWIN AND JOY IRWIN HOLLAND, AND LOCATED AT 853 5TH AVENUE SOUTH, MORE FULLY DESCRIBED HEREIN; AND PROVIDING AN EFFECTIVE DATE.

Recommended Action: Consider the Resolution.

[Agenda Memorandum](#)

[Supplemental Memo](#)

[Resolution](#)

[Application](#)

[Disclosures](#)

[Originally Submitted Seating Layout](#)

[Response from Swanson w Revised Seating Layout 101320](#)

[Planning Resumes](#)

[Labels](#)

- 9.H. 20-ODPB2 - Resolution - Quasi-Judicial - A RESOLUTION DETERMINING OUTDOOR DINING PETITION 20-ODPB2 GRANTING OUTDOOR DINING ON PUBLIC PROPERTY TO INCLUDE 7 TABLES AND 28 CHAIRS FOR AQUA SEAFOOD, LOCATED AT 862 5TH AVENUE SOUTH ON PROPERTY OWNED BY 852 FIFTH AVE SOUTH, LLC, SAID PROPERTY BEING MORE FULLY DESCRIBED HEREIN; AND PROVIDING AN EFFECTIVE DATE.

Recommended Action: Consider the Resolution.

[Agenda Memorandum](#)

[Supplemental Memo](#)

[Resolution](#)

[Application](#)

[Disclosure - 852 5th Ave S LLC](#)

[Disclosure Aqua](#)

[Architectural Plans](#)

[Landscape Plans](#)

[Survey](#)

[Warranty Deed](#)

[Petitioners Credentials](#)

[Planning Resumes](#)

[Other City Staff resumes](#)

[Labels](#)

10. Streets & Stormwater

- 10.A. Resolution - Quasi-Judicial - A RESOLUTION DETERMINING DREDGE AND FILL APPLICATION PRMR2004429 TO APPLY FOR A MARINE PERMIT THAT WOULD ALLOW DREDGING AND FILLING IN JAMAICA CHANNEL (NAPLES BAY) AT 2275 GORDON DR, NAPLES, FLORIDA; AND PROVIDING AN EFFECTIVE DATE.
Recommended Action: Consider the resolution.

[Agenda Memorandum](#)

[Resolution](#)

[Exhibit A - Application](#)

[Exhibit B - Legal Notice](#)

[Exhibit C - FDEP Mangrove Removal Permit](#)

[Exhibit D - Demolition Permit Application](#)

[Exhibit E - Photos](#)

[Molloy Resume](#)

11. City Manager

- 11.A. 1. Resolution - Legislative - A RESOLUTION APPROVING, RATIFYING, AND CONFIRMING THE LABOR CONTRACT BETWEEN THE CITY OF NAPLES AND THE COLLIER COUNTY LODGE 38 OF THE FRATERNAL ORDER OF POLICE; AND PROVIDING AN EFFECTIVE DATE.

2. Resolution - Legislative - A RESOLUTION APPROVING, RATIFYING, AND CONFIRMING THE LABOR CONTRACT BETWEEN THE CITY OF NAPLES AND THE COLLIER COUNTY LODGE 38 OF THE FRATERNAL ORDER OF POLICE SUPERVISOR'S BARGAINING UNIT; AND PROVIDING AN EFFECTIVE DATE.

Recommended Action: Approve the resolutions.

[Agenda Memorandum](#)

[1. Resolution](#)

[2. Resolution](#)

[1. MOU FOP Officers](#)

[2. MOU FOP Supervisors](#)

- 11.B. Review a proposal from Colin Baenziger & Associates to complete Executive Recruitment Services for City Attorney Services and consider authorizing the City Manager to enter into a Contract by Purchase Order (PO) with Colin Baenziger & Associates.

Recommended Action: - Discussion.

- Consider options available to City Council.

- Consider authorizing the City Manager to enter into a Contract by Purchase Order (PO) with Colin Baenziger & Associates to complete Executive Recruitment Services for City Attorney Services in the amount of \$26,500.

[Colin Baenziger & Assoc Naples FL - City Attorney - FINAL Proposal - 2020.10.29](#)

[Agenda Memorandum](#)

Executive Search Firm - 20-058 Bid Analysis
Ralph Anderson Assoc - No Bid Letter 2020-10-29 Naples FL - City Attorney

12. City Clerk

- 12.A. Consideration to appoint one member to the Moorings Bay Citizens Advisory Committee, one Commissioner to the Naples Airport Authority, and one member and one alternate member to the Public Art Advisory Committee.
Recommended Action: Appoint applicants.

[Agenda Memorandum](#)

[R. Williams application - Moorings Bay](#)

[Moorings Bay resolution](#)

[D. Feight application - Naples Airport Authority](#)

[W. Nice application - Naples Airport Authority](#)

[R. Ruppert application - Naples Airport Authority](#)

[Airport Authority Act](#)

[V. Ghossaini application - Public Art Advisory Com.](#)

[V. Ghossaini recommendation - Public Art Advisory Com.](#)

[D. Moskowitz application - Public Art Advisory Com.](#)

[Public Art Advisory Com. code](#)

13. City Attorney

- 13.A. Review of the State of Local Emergency Resolution.
Recommended Action: Review.

[Agenda Memorandum](#)

[Resolution 2020-14534](#)

14. City Council

- 14.A. Ausley McMullen retainer for Naples Beach Hotel project.
Recommended Action: Consider the request.

[Agenda Memorandum](#)

- 14.B. Consider ratification of an agreement with Roetzel & Andress for the provision of legal services for one year, commencing on November 4, 2020 and expiring on November 3, 2021 (CONTINUED FROM NOVEMBER 4, 2020).

Recommended Action: Approve the agreement.

[Agenda Memorandum](#)

[Agreement - Roetzel & Andress](#)

[2019-00127 Roetzel and Andress](#)

[2018-00195 Roetzel and Andress](#)

- 14.C. Ordinance - First Reading - AN ORDINANCE RELATING TO CITY COUNCIL REGULAR MEETINGS, AMENDING CHAPTER 2, ADMINISTRATION, ARTICLE II, CITY COUNCIL, DIVISION 2, MEETINGS, SECTION 2-51, REGULAR MEETINGS;

PROVIDING A SEVERABILITY CLAUSE, A REPEALER PROVISION AND AN EFFECTIVE DATE. (CONTINUED FROM NOVEMBER 4, 2020)

Recommended Action: Consider the ordinance, if approved, schedule a Second Reading and Public Hearing on January 20, 2021.

[Agenda Memorandum](#)

[Ordinance](#)

14.D. 2021 State of Florida Legislative Priorities. (CONTINUED FROM NOVEMBER 4, 2020)

Recommended Action: Discussion and direction.

[Agenda Memorandum](#)

[2021 Legislative Priorities](#)

Public Comment

Adjourn