

**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, February 19, 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. Set agenda (add or remove items)
4. Public Comment

CONSENT AGENDA

5. City Clerk

5.A. APPROVAL OF THE JANUARY 15, 2020 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: Approve as submitted.

[Agenda Memorandum](#)

[January 15, 2020 Regular Meeting minutes](#)

6. Community Services

6.A. SPECIAL EVENTS - REPEAT EVENTS

(1) Golden Eagles 5K Race - Gulf Coast Runners - Lowdermilk Park - 2/29/2020; (2) Kids Free Fishing Tournament - Marine Industries Association of Collier County - Naples Pier - 3/7/2020; (3) Naples Craft Beer Fest - Naples North Rotary Club - Bayfront - 3/7/2020; (4) India Fest - The India Association of Naples, Inc. - Cambier Park - 3/8/20; (5) St. Patrick's Day Parade - Naples St. Patrick Foundation, Inc. - 3/14/2020; (6) 15th Annual Butterfly Release - Avow Foundation - Cambier Park - 4/4/2020

Recommended Action: Review and approve as submitted.

[Agenda Memorandum](#)

6.B. Resolution - Legislative - A RESOLUTION APPROVING THE NAPLES URBAN FOREST PLAN FOR THE YEAR 2020 AS REQUIRED IN SECTION 38-3 OF THE CODE OF ORDINANCES, CITY OF NAPLES; AND PROVIDING AN EFFECTIVE DATE.

Recommended Action: Approve the resolution.

[Agenda Memorandum](#)

[Resolution](#)

[Urban Forest Report 2020 - CSAB Approved](#)

7. Police

7.A. Resolution - Legislative - A RESOLUTION AMENDING THE FISCAL YEAR 2019-2020 BUDGET ADOPTED BY RESOLUTION 2019-14400 TO APPROPRIATE FUNDS FROM THE 350 ONE CENT SALES TAX CAPITAL PROJECT FUND FOR THE POLICE EMERGENCY STANDBY GENERATOR REPLACEMENT; AND PROVIDING AN EFFECTIVE DATE.

Recommended Action: Approve the resolution.

[Agenda Memorandum](#)

[Resolution](#)

8. City Manager

8.A. REQUEST CANCELLATION OF MARCH 16, 2020 CITY COUNCIL WORKSHOP MEETING.

Recommended Action: Cancel meeting.

[Agenda Memorandum](#)

9. Streets and Stormwater

- 9.A. CONSIDER LETTER OF INTENT FOR GULF OF MEXICO CLIMATE RESILIENCE COMMUNITY OF PRACTICE CLIMATE ADAPTATION PROJECTS FUNDING OPPORTUNITY.

Recommended Action: Approve Letter of Intent.

[Agenda Memorandum](#)

[Draft Letter of Support](#)

[Submission Guidelines 2020](#)

- 9.B. Resolution - Legislative - A RESOLUTION AUTHORIZING THE MAYOR TO SUBMIT THE FISCAL YEAR 2019–20 COMMUNITY DEVELOPMENT BLOCK GRANT APPLICATION TO COLLIER COUNTY FOR THE CITY OF NAPLES CROSSWALK IMPROVEMENT PROJECT; AND PROVIDING AN EFFECTIVE DATE.

Recommended Action: Approve the resolution.

[Agenda Memorandum](#)

[Resolution](#)

END OF CONSENT AGENDA

10. City Clerk

- 10.A. CONSIDERATION TO APPOINT THREE CANDIDATES TO THE COMMUNITY REDEVELOPMENT AGENCY ADVISORY BOARD.

Recommended Action: Appoint members.

[Agenda Memorandum](#)

[G. Dondanville application](#)

[B. Gaston application](#)

[D. Gordley application](#)

[H. Inman application](#)

[G. Palmer application](#)

[CRAAB Code section](#)

11. Utilities

- 11.A. BID 20-013

1. Award of contract to Lawrence Lee Construction Services, Inc. in the amount of \$3,495,475 to rehabilitate Accelator No. 3 located at the Water Treatment Plant; and
2. Approve a 1st Amendment to the Professional Services Agreement with Hole Montes, Incorporated for continuing Construction Administration Services in the amount of \$97,545.

Recommended Action: 1. Award of contract to Lawrence Lee Construction Services, Inc.; and

2. Approve a 1st Amendment to the Professional Services Agreement with Hole Montes, Inc.

[Agenda Memorandum](#)

[Bid Analysis](#)

[Agreement - Lawrence Lee Construction Services, Inc.](#)

[Agreement - Hole Montes, Inc.](#)

12. Community Services

12.A. SPECIAL EVENT - NEW EVENT REQUEST

(1) Corn Hole Tournament - Rotary Club of Naples - Naples Airport - 3/28/2020

Recommended Action: Review and approve as submitted.

[Agenda Memorandum](#)

[Application](#)

12.B. Ordinance - Legislative - AN ORDINANCE RELATING TO TREE PROTECTION; AMENDING CHAPTER 38, TREE PROTECTION, CODE OF ORDINANCES OF THE CITY OF NAPLES, FLORIDA TO COMPLY WITH FLORIDA STATE STATUTE 163.045; PROVIDING FOR CONFLICT AND SEVERANCE; PROVIDING A REPEALER PROVISION; AND AN EFFECTIVE DATE.

Recommended Action: Approve the ordinance at First Reading and schedule Second Reading and Public Hearing on March 4, 2020.

[Agenda Memorandum](#)

[Ordinance](#)

13. Planning

13.A. 19-LE10 - Resolution - Quasi Judicial - A RESOLUTION RELATING TO OUTDOOR LIVE ENTERTAINMENT; DETERMINING LIVE ENTERTAINMENT PETITION 19-LE10 TO ALLOW AMPLIFIED OUTDOOR LIVE ENTERTAINMENT CONSISTING OF UP TO TWO MUSICIANS ON WEDNESDAYS AND THURSDAYS FROM 5:00 P.M. TO 8:30 P.M. AND ON FRIDAYS AND SATURDAYS FROM 5:00 P.M. TO 10:00 P.M. 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.

Recommended Action: Denial

[Agenda Memorandum](#)

[Resolution](#)

[Supplemental Memorandum](#)

[Application](#)

[Disclosure](#)

[Site Plan](#)

[Aerial](#)

[Entertainer Area](#)

[Warranty Deed](#)

[Landscape Plans](#)

[Correspondence](#)

[Resolution 2019-14410](#)

[City Council Minutes 10.16.19](#)

[Planning Staff Resumes](#)
[Notification Labels](#)

- 13.B. 19-LE9 - Resolution - Quasi Judicial - A RESOLUTION RELATING TO OUTDOOR LIVE ENTERTAINMENT; DETERMINING PETITION 19-LE9 TO ALLOW AMPLIFIED OUTDOOR LIVE ENTERTAINMENT WITH UP TO FOUR PERFORMERS SUNDAY THROUGH WEDNESDAY 6:00 P.M. TO 10:00 P.M., THURSDAY THROUGH SATURDAY, 8:00 P.M. TO 12:00 A.M., AND FRIDAY THROUGH SUNDAY 11:30 A.M. TO 3:00 P.M., FOR D'AMICO'S CONTINENTAL ON PROPERTY OWNED BY NEAPOLITAN ENTERPRISES, LLC, LOCATED AT 1205 3RD STREET SOUTH, MORE FULLY DESCRIBED HEREIN; AND PROVIDING AN EFFECTIVE DATE.

Recommended Action: Approve the resolution.

[Agenda Memorandum](#)

[Resolution](#)

[Supplemental Memorandum](#)

[Petitioner Cover Letter](#)

[Petition](#)

[Disclosure of Interest](#)

[Plans](#)

[Timeline of Recent Police Enforcement](#)

[Resolution 14-13566](#)

[Mailing Labels](#)

[Planning Staff Resumes](#)

[Correspondence \(SUPPLEMENT 1 / ADDED ATTACHMENT\)](#)

- 13.C. 19-ODPV11 - Resolution - Quasi Judicial - A RESOLUTION DETERMINING OUTDOOR DINING PETITION 19-ODPV11 GRANTING OUTDOOR DINING ON PRIVATE PROPERTY TO INCLUDE 3 TABLES AND 6 CHAIRS FOR MAGAYON RESTAURANT, LOCATED AT 318 9TH STREET NORTH ON PROPERTY OWNED BY MY NAPLES SUNSHINE LLC, KILLER COOKE LLC, AND QUEENY BEE LLC, SAID PROPERTY BEING MORE FULLY DESCRIBED HEREIN; AND PROVIDING AN EFFECTIVE DATE.

Recommended Action: Approve the resolution.

[Agenda Memorandum](#)

[Resolution](#)

[Supplemental Memorandum](#)

[Petition](#)

[Deed](#)

[Disclosure of Interest](#)

[Seating Plan](#)

[Planning Staff Resumes](#)

[Mailing Labels](#)

- 13.D. 19-V6 - Resolution - Quasi Judicial - A RESOLUTION RELATING TO A VARIANCE; DETERMINING PETITION 19-V6 FOR A VARIANCE FROM SECTION 58-540 OF THE CODE OF ORDINANCES TO ALLOW FOR THE ADDITION OF AN ELEVATOR TO UNIT #5 OF THE EXISTING CONDOMINIUM THAT WILL RESULT IN THE CONDOMINIUM EXCEEDING THE ALLOWABLE 45 PERCENT LOT COVERAGE IN THE C1, RETAIL SHOPPING DISTRICT ON THE PROPERTY OWNED BY EUROT, LLC, LOCATED AT 352 12TH AVENUE SOUTH, UNIT #5, MORE FULLY DESCRIBED HEREIN; AND PROVIDING AN EFFECTIVE DATE.
Recommended Action: Deny the resolution.

[Agenda Memorandum](#)

[Resolution](#)

[Staff Report](#)

[Alternative Elevator Locations](#)

[Alternative Elevator Locations - Narrative](#)

[Petition](#)

[Disclosure of Interest](#)

[Survey](#)

[Aerial](#)

[Plans](#)

[Lot Coverage Diagram](#)

[PAB Minutes](#)

[Expert Resumes](#)

[Planning Staff Resumes](#)

[Mailing Labels](#)

- 13.E. 19-CPA2 (May be heard concurrently with 19-R7) - Ordinance - First Reading - Quasi-Judicial - AN ORDINANCE APPROVING COMPREHENSIVE PLAN AMENDMENT 19-CPA2 DETERMINING AN AMENDMENT TO THE FUTURE LAND USE MAP OF THE COMPREHENSIVE PLAN TO AMEND THE DENSITY WITHIN THE BAYFRONT PLANNED DEVELOPMENT WITHIN THE DOWNTOWN MIXED USE FUTURE LAND USE DESIGNATION OF THE COMPREHENSIVE PLAN FOR THE PROPERTY LOCATED AT 401-499 BAYFRONT PLACE, 1301, 1320, AND 1333 3RD AVENUE SOUTH, AND OWNED BY BAYFRONT, INC., MORE FULLY DESCRIBED HEREIN; AND PROVIDING AN EFFECTIVE DATE.
Recommended Action: Approve the ordinance at First Reading and Public Hearing; schedule Second Reading and Public Hearing March 4, 2020.

[Agenda Memorandum](#)

[Ordinance](#)

[Staff Report](#)

[Application](#)

[Disclosure of Interest](#)

[Warranty Deed](#)

[Legal Description - Buildings 2-8](#)

[Location Map](#)

[FLU Designation - Bayfront](#)

[Bayfront PD Traffic Impact Analysis 19-10-28](#)

[Planning Staff Resumes](#)

[Mailing Labels](#)

- 13.F. 19-R7 (May be heard concurrently with 19-CPA2) Ordinance - First Reading - Quasi Judicial - AN ORDINANCE DETERMINING REZONE PETITION 19-R7 REZONING APPROXIMATELY 11.5 ACRES OF PROPERTY FROM PD, PLANNED DEVELOPMENT TO PD, PLANNED DEVELOPMENT TO AMEND THE BAYFRONT PLANNED DEVELOPMENT ON PROPERTY OWNED BY BAYFRONT, INC., LOCATED AT 401-499 BAYFRONT PLACE, 1301, 1320, 1333 3RD AVENUE SOUTH, MORE PARTICULARLY DESCRIBED HEREIN; ADOPTING THE PLANNED DEVELOPMENT DOCUMENT AS AMENDED HEREIN; AND PROVIDING A SEVERABILITY CLAUSE, A REPEALER PROVISION AND AN EFFECTIVE DATE.

Recommended Action: Approve the ordinance at First Reading and Public Hearing; schedule Second Reading and Public Hearing March 4, 2020.

[Agenda Memorandum](#)

[Ordinance](#)

[Staff Report](#)

[Ron Lee Letter - Scrivener's Error](#)

[Application](#)

[Disclosure of Interest](#)

[Warranty Deed](#)

[Boundary Survey and Description - Buildings 6 & 7](#)

[Boundary Survey - less Buildings 6, 7, Allen Systems Building\)](#)

[Location Map](#)

[REVISED Bayfront PD Document - Redline](#)

[Outdoor Dining Map](#)

[Outdoor Dining Photographs](#)

[FLU Designation - Bayfront](#)

[Bayfront PD Traffic Impact Analysis 19-10-28](#)

[Planning Staff Resumes](#)

[Mailing Labels](#)

- 13.G. 19-T11 - Ordinance - Second Reading - Legislative - AN ORDINANCE AMENDING CHAPTER 58, ZONING, ARTICLE II, ZONING DISTRICTS, DIVISION 4, R1-15A RESIDENCE DISTRICT, SECTIONS 58-114 MINIMUM LOT AREA AND 58-115 MINIMUM LOT WIDTH, OF THE CODE OF ORDINANCES, CITY OF NAPLES, TO CLARIFY THE METHODS OF DETERMINING MINIMUM LOT AREA AND MINIMUM LOT WIDTH IN THE R1-15A ZONING DISTRICT; APPROVING TEXT AMENDMENT 19-T11; PROVIDING A SEVERABILITY CLAUSE; PROVIDING A REPEALER PROVISION; AND PROVIDING AN EFFECTIVE DATE.

Recommended Action: Adopt the Ordinance at Second Reading.

[Agenda Memorandum](#)

[Ordinance](#)

[PAB Report](#)

[Letter to Mr. Chapman 12-5-19](#)
[Port Royal Subdivisions](#)
[Map of R1-15A](#)

- 13.H. 19-T12 - Ordinance - Second Reading - Legislative - AN ORDINANCE AMENDING CHAPTER 56, SUPPLEMENTAL STANDARDS, ARTICLE IV, STANDARDS APPLICABLE TO COMMERCIAL DISTRICTS, SECTION 56-126, OUTDOOR DINING, OF THE CODE OF ORDINANCES, CITY OF NAPLES, TO CHANGE THE APPLICATION REQUIREMENTS AND APPROVAL PROCESS FOR OUTDOOR DINING PERMITS; APPROVING TEXT AMENDMENT 19-T12; PROVIDING A SEVERABILITY CLAUSE; PROVIDING A REPEALER PROVISION; AND PROVIDING AN EFFECTIVE DATE.
Recommended Action: Adopt the Ordinance at Second Reading.
[Agenda Memorandum](#)
[Ordinance](#)
[PAB Report](#)
- 13.I. 19-T14 - Ordinance - Second Reading - Legislative - AN ORDINANCE AMENDING CHAPTER 44, GENERAL PROVISIONS, SECTION 44-8 DEFINITIONS, OF THE CODE OF ORDINANCES, CITY OF NAPLES, TO ADD DEFINITIONS FOR CROWN OF ROAD AND GRADE; APPROVING TEXT AMENDMENT 19-T14; PROVIDING A SEVERABILITY CLAUSE; PROVIDING A REPEALER PROVISION; AND PROVIDING AN EFFECTIVE DATE.
Recommended Action: Adopt the Ordinance at Second Reading.
[Agenda Memorandum](#)
[Ordinance](#)
[Staff Report](#)
[City Council Workshop Memorandum 11-18-19](#)
- 13.J. 19-T15 - Ordinance - First Reading - Legislative - AN ORDINANCE RELATING TO VARIANCE CRITERIA; AMENDING CHAPTER 46, ADMINISTRATION, PROCEDURES AND ENFORCEMENT, ARTICLE II, ADMINISTRATIVE PROCEDURES, SECTION 46-37, VARIANCES TO ZONING REQUIREMENTS, SUBSECTION 46-37(b)(3) AND SUBSECTION 46-37(c), VARIANCE CRITERIA, OF THE CODE OF ORDINANCES, CITY OF NAPLES, PURSUANT TO TEXT AMENDMENT 19-T15 TO CHANGE THE NOTICE REQUIREMENTS FOR VARIANCES AND AMEND THE CRITERIA FOR GRANTING VARIANCES TO ZONING REGULATIONS; PROVIDING A SEVERABILITY CLAUSE; PROVIDING A REPEALER PROVISION; AND PROVIDING AN EFFECTIVE DATE.
Recommended Action: Approve Ordinance at First Reading and schedule Second Reading and Public Hearing on March 4, 2020.
[Agenda Memorandum](#)
[Ordinance](#)
[Memorandum from City Attorney to City Council](#)
[PAB Report](#)

- 13.K. 19-T16 - Ordinance - First Reading - Legislative - AN ORDINANCE RELATING TO SITE PLAN REVIEW AND SITE PLAN WITH DEVIATIONS; AMENDING CHAPTER 46, ADMINISTRATION, PROCEDURES AND ENFORCEMENT, ARTICLE II, ADMINISTRATIVE PROCEDURES, SECTION 46-33, SITE PLAN REVIEW AND SITE PLAN WITH DEVIATIONS, OF THE CODE OF ORDINANCES, CITY OF NAPLES, PURSUANT TO TEXT AMENDMENT 19-T16 TO AMEND THE PROCESS FOR REVIEW OF SITE PLANS AND ELIMINATE THE SITE PLAN WITH DEVIATIONS PROCESS; PROVIDING A SEVERABILITY CLAUSE; PROVIDING A REPEALER PROVISION; AND PROVIDING AN EFFECTIVE DATE.
Recommended Action: Approve the Ordinance on First Reading and schedule a Second Reading and public hearing for March 4, 2020.

[Agenda Memorandum](#)

[Ordinance](#)

[Development Review Process Flow Chart](#)

[PAB Report](#)

[Ordinance 08-12280](#)

14. Building

- 14.A. 19-T9 - Ordinance -First Reading - Legislative - ORDINANCE RELATED TO FLOODPLAIN MANAGEMENT; AMENDING CHAPTER 16, CONSTRUCTION, REHABILITATION AND PROPERTY MAINTENANCE REGULATIONS, SECTION 16-82, VARIANCES AND APPEALS TO FLOODPLAIN MANAGEMENT REGULATIONS, SECTION 16-112, FLORIDA BUILDING CODE ADOPTED; AMENDMENTS, AND ARTICLE IV, FLOODPLAIN MANAGEMENT (SECTIONS 16-141 THROUGH 16-151),; ADDING A NEW SECTION 16-116, HISTORIC BUILDINGS; AMENDING CHAPTER 44, GENERAL PROVISIONS, SECTION 44-8, DEFINITIONS; AND AMENDING SECTIONS RELATING TO MINIMUM YARDS AND MAXIMUM HEIGHT THROUGHOUT CHAPTER 58, ZONING, SECTIONS 58-56, 58-58, 58-86, 58-88, 58-116, 58-118, 58-146, 58-148,58-176, 58-178, 58-206, 58-208,58-236, 58-238, 58-298, 58-328, AND SECTION 58-911, STANDARDS FOR SITE DESIGN, TO BRING THE REGULATIONS INTO COMPLIANCE WITH THE MOST CURRENT FEMA-APPROVED FLOODPLAIN MANAGEMENT ORDINANCE FOR FLORIDA COMMUNITIES; AND FOR OTHER PURPOSES; APPROVING TEXT AMENDMENT 19-T9; PROVIDING A SEVERABILITY CLAUSE; A REPEALER PROVISION; AND AN EFFECTIVE DATE.

Recommended Action: Approve at First Reading and Public Hearing; schedule Second Reading and Public Hearing March 4, 2020.

[Agenda Memorandum](#)

[Ordinance](#)

[CRS Class 5 Ltr from FEMA](#)

Public Comment

Correspondence and Communications

Adjourn