

**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, January 15, 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
 - 3.A. Martin Luther King, Jr. Day Proclamation
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 November 18, 2019 Workshop Meeting minutes, the December 4, 2019 Regular Meeting minutes, the December 16, 2019 Workshop Meeting minutes, and the December 18, 2019 Regular Meeting minutes.

Recommended Action: Approve as submitted.

[Agenda Memorandum](#)

[November 18, 2019 Workshop Meeting minutes](#)

[December 4, 2019 Regular Meeting minutes](#)

[December 16, 2019 Workshop Meeting minutes](#)

[December 18, 2019 Regular Meeting minutes](#)

7. Community Services

- 7.A. Special Events - Repeat Events

(1) 9th Annual Fly In Cruise In Pancake Breakfast - Lorenzo Walker Technical College - Naples Airport - 2/1/20

Recommended Action: Review and approve as submitted.

[Agenda Memorandum](#)

8. Fire-Rescue

- 8.A. Resolution - Legislative - A RESOLUTION APPROVING THE STATEWIDE MUTUAL AID AGREEMENT BETWEEN THE CITY OF NAPLES AND THE FLORIDA DIVISION OF EMERGENCY MANAGEMENT; AUTHORIZING THE MAYOR TO EXECUTE THE AGREEMENT; AND PROVIDING AN EFFECTIVE DATE.

Recommended Action: Approve.

[Agenda Memorandum](#)

[Resolution](#)

[Agreement](#)

- 8.B. Contract by means of Purchase Order to Ward Diesel Filter Systems, in the amount of \$78,651.54, to purchase diesel exhaust capture systems and have them installed on all fire apparatus under Capital Improvement Project 20E05.

Recommended Action: Approve the Contract by Purchase Order.

[Agenda Memorandum](#)

[MPA Ward Vehicle Exhaust Removal System 540 Amended](#)

[Fire Rescue GPO-Ward Diesel Overview](#)

[RFP Vehicle Exhaust Removal System 540](#)

[Quote](#)

[Contract Extension Confirmation](#)

- 8.C. Award of a Contract by two Purchase Orders to Fisher Safety and Emergency Services, in the amount of \$90,000 and \$30,000, to purchase self-contained

breathing apparatus (SCBA) and cylinders under Capital Improvement Project 20E04 and 20E06.

Recommended Action: Approve a Contract via two Purchase Orders.

[Agenda Memorandum](#)

[X3 Pro Quote December 2019](#)

[81CN FY20 Orange County Fisher Scientific Y17-1095C](#)

9. Utilities

- 9.A. Approve a contract amendment with Consolidated Electrical Distributors, Inc. for the annual purchase of Variable Frequency Drives for the Utilities Department in an annual amount limited to the budgets adopted by City Council. The original contract (based on City Bid 16-048) was limited to \$50,000 annually. Annual expenditures are estimated to be \$125,000 for the Water/Sewer Fund during FY 2019-20.

Recommended Action: Approve the contract amendment.

[Agenda Memorandum](#)

[Agreement - Consolidated Electrical Distributors](#)

END OF CONSENT AGENDA

10. Human Resources

- 10.A. Risk Management - Executive Session - TIME CERTAIN - 12:00 P.M.

Recommended Action: Meet in closed session

[Agenda Memorandum](#)

11. City Clerk

- 11.A. Consideration to appoint two candidates to the Code Enforcement Board, four candidates to the Community Redevelopment Agency Advisory Board, and one member to the Board of Trustees of the General Retirement System.

Recommended Action: Appoint members.

[Agenda Memorandum](#)

[M. Borelli Application - Code Enforcement Board](#)

[J. Krol Application - Code Enforcement Board](#)

[A. Dumornay Application - CRAAB](#)

[L. Fredrickson Application - CRAAB](#)

[S. Swain Application - CRAAB](#)

[Q. Tyler Application - CRAAB](#)

[S. Weatherby Application - General Pension](#)

12. Community Services

- 12.A. Special Event - New Event

(1) Realtor Event - The Ronto Group - Naples Square Vacant Lot located at 1114 3rd Avenue South, Naples FL 34102.- 2/13/20

Recommended Action: Review and approve as submitted.

[Agenda Memorandum](#)
[Application](#)

12.B. Special Event - Revised Repeat Event

(1) 4th Annual Justice March and Celebration - Collier Freedom Inc. - Cambier Park
- March: 8th Street S. to 8th Avenue S. to 3rd Street S. to 5th Avenue S. to 8th
Street S. - 1/18/20

Recommended Action: Fifth Avenue South Business Improvement District (FASBID)
has expressed concerns with closing the streets for this event and recommends City
Council to not approve the street closure portion of the request and approve the
marchers to walk on the sidewalks as the past three annual marches. City staff
agrees with FASBID recommendation to not approve the street closure request.

[Agenda Memorandum](#)
[Application](#)

13. Utilities

13.A. Resolution - Legislative - A RESOLUTION VACATING PORTIONS OF THREE
UTILITY EASEMENTS LYING ADJACENT TO 3800 GORDON DRIVE, MORE
FULLY DESCRIBED HEREIN; AND PROVIDING AN EFFECTIVE DATE.

Recommended Action: Approve the resolution.

[Agenda Memorandum](#)
[Resolution](#)
[Application](#)
[Century Link - Letter](#)
[FPL - Letter](#)
[Notice Letter](#)
[Legal Notice](#)

14. Streets and Stormwater

14.A. Resolution - Quasi-Judicial - A RESOLUTION DETERMINING RIGHT-OF-WAY
CONVERSION TO PARKING PERMIT APPLICATIONS PRRW1905751 AND
PRRW1905753 FOR PERVIOUS PAVER PARKING IN THE PUBLIC RIGHT-OF-
WAY ADJACENT TO THE PROPERTY LOCATED AT 535 AND 545 2ND AVENUE
SOUTH, OWNED BY 537 2ND AVE NOMINEE TRUST; AUTHORIZING THE CITY
MANAGER TO EXECUTE THE PERMIT WITH SPECIAL CONDITIONS; AND
PROVIDING AN EFFECTIVE DATE.

Recommended Action: Approve the Resolution.

[Agenda Memorandum](#)
[Resolution](#)
[535 2nd Avenue S](#)
[545 2nd Avenue S](#)

15. Planning

- 15.A. Resolution - Quasi Judicial - A RESOLUTION RELATING TO A VARIANCE; DETERMINING PETITION 19-V5 FOR A VARIANCE FROM SECTION 50-37, PROHIBITED SIGNS, SUBSECTION (6), OF THE LAND DEVELOPMENT CODE, TO ALLOW THE PROJECTION OF MOVIES ON AN EXTERIOR WALL THAT IS CONSIDERED A SPECTACULAR SIGN FOR THE FRENCH RESTAURANT ON PROPERTY LOCATED AT 365 5TH AVENUE SOUTH, OWNED BY 365 FIFTH AVENUE SOUTH HOLDINGS, LLC, WITHIN THE C1-A COMMERCIAL CORE ZONING DISTRICT AND THE FIFTH AVENUE SOUTH SPECIAL OVERLAY ZONING DISTRICT, MORE FULLY DESCRIBED HEREIN; AND PROVIDING AN EFFECTIVE DATE.

Recommended Action: Deny.

[Agenda Memorandum](#)

[Resolution](#)

[Staff Report](#)

[Petition](#)

[Disclosure of Interest](#)

[Owner Statement](#)

[Site Plan](#)

[Movie Location](#)

[Email from Betulia](#)

[Correspondence](#)

[PAB Minutes](#)

[Planning Staff Resumes](#)

[Mailing Labels](#)

- 15.B. Resolution - Quasi Judicial - A RESOLUTION DETERMINING OUTDOOR DINING PETITION 19-ODPB2 TO ALLOW CHOPS CITY GRILL TO PROVIDE OUTDOOR DINING EXCEEDING 100 SQUARE FEET ON PUBLIC PROPERTY THAT IS NOT DIRECTLY ABUTTING THE STOREFRONT OF THE RESTAURANT OF WHICH IT SERVES IN THE FIFTH AVENUE SOUTH SPECIAL OVERLAY ZONING DISTRICT, LOCATED AT 837 5TH AVENUE SOUTH, OWNED BY 5TH AVENUE SOUTH INVESTMENTS LLC, SAID PROPERTY BEING MORE FULLY DESCRIBED HEREIN; AND PROVIDING AN EFFECTIVE DATE.

Recommended Action: Approve with Conditions

[Agenda Memorandum](#)

[Resolution](#)

[Supplemental Memorandum](#)

[Disclosure of Interest](#)

[Petition](#)

[Landscape Plans](#)

[Renderings](#)

[Departmental Comments](#)

[Expert Resumes](#)

[Planning Staff Resumes](#)

[Mailing Labels](#)

- 15.C. Resolution - Quasi Judicial - A RESOLUTION DETERMINING INDOOR LIVE ENTERTAINMENT PETITION 19-LE8 TO ALLOW AMPLIFIED INDOOR LIVE ENTERTAINMENT, WITH DOORS AND WINDOWS CLOSED, FOR CAMPIELLOS RISTORANTE & BAR ON PROPERTY OWNED BY NEAPOLITAN ENTERPRISES, LLC, AND LOCATED AT 1177 3RD STREET SOUTH, MORE FULLY DESCRIBED HEREIN; AND PROVIDING AN EFFECTIVE DATE.

Recommended Action: Approve with Conditions

[Agenda Memorandum](#)

[Resolution](#)

[Supplemental Memorandum](#)

[Deed](#)

[Petition](#)

[Disclosure of Interest - Neapolitan Enterprises](#)

[Disclosure of Interest - Campiello](#)

[Floor Plan](#)

[Permit plans](#)

[PD Comments](#)

[Planning Staff Resumes](#)

[Mailing Labels](#)

- 15.D. Resolution - Quasi Judicial - A RESOLUTION DETERMINING OUTDOOR LIVE ENTERTAINMENT PETITION 19-LE7 FOR INDOOR LIVE ENTERTAINMENT WITH DOORS AND WINDOWS OPEN FOR L'OLIVO RISTORANTE ON PROPERTY OWNED BY 643-63 FIFTH AVENUE SOUTH HOLDINGS, LLC, AND LOCATED AT 651 5TH AVENUE SOUTH, MORE FULLY DESCRIBED HEREIN; AND PROVIDING AN EFFECTIVE DATE.

Recommended Action: Approval with conditions

[Agenda Memorandum](#)

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[Supplemental Memorandum](#)

[Petition](#)

[Disclosure of Interest - Owner](#)

[Disclosure of Interest - Restaurant Owner](#)

[Site Plan](#)

[Report from Fire](#)

[Approval of A-frame sign by City Manager](#)

[Correspondence](#)

[Expert Resumes](#)

[Planning Staff Resumes](#)

[Mailing Labels](#)

- 15.E. 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: Denial.

[Agenda Memorandum](#)

[Resolution](#)

[Staff Report](#)

[Petition](#)

[Disclosure of Interest](#)

[Survey](#)

[Aerial](#)

[Plans](#)

[Lot Coverage Diagram](#)

[PAB Minutes](#)

[Expert Resumes](#)

[Planning Staff Resumes](#)

[Mailing Labels](#)

- 15.F. 19-T13 - Ordinance - Legislative - First Reading - AN ORDINANCE RELATING TO BUILDING HEIGHTS; AMENDING CHAPTER 44, GENERAL PROVISION, SECTION 44-8, DEFINITIONS, AND CHAPTER 56, SUPPLEMENTAL STANDARDS, ARTICLE II, STANDARDS APPLICABLE TO ALL DISTRICTS, SECTION 56-39, HEIGHT REQUIREMENTS, EXCEPTIONS THERETO, AND CHAPTER 58, ZONING, VARIOUS SECTIONS OF ARTICLE II, ZONING DISTRICTS AND ARTICLE III, SPECIAL OVERLAY DISTRICTS, OF THE CODE OF ORDINANCES, CITY OF NAPLES, PURSUANT TO TEXT AMENDMENT 19-T13 TO AMEND THE HEIGHT LIMITS FOR COMMERCIAL DISTRICTS; PROVIDING A SEVERABILITY CLAUSE; PROVIDING A REPEALER PROVISION; AND PROVIDING AN EFFECTIVE DATE.

Recommended Action: Approve at First Reading and schedule for Second Reading and Public Hearing February 5, 2020

[Agenda Memorandum](#)

[Ordinance](#)

[Staff Report](#)

[Height Deviations](#)

- 15.G. 19-T15 - Ordinance - Legislative - First Reading - 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 at First Reading and schedule Second Reading and Public Hearing on February 5, 2020.

[Agenda Memorandum](#)

[Ordinance](#)

[Memorandum from City Attorney to City Council](#)

[Staff Report](#)

- 15.H. 19-T16 - Ordinance - Legislative - First Reading - 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 at First Reading and schedule Second Reading and Public Hearing on February 5, 2020.

[Agenda Memorandum](#)

[Ordinance](#)

[Staff Report](#)

[Ordinance 08-12280](#)

- 15.I. 19-T14 - Ordinance - Legislative - First Reading - 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: Approve at First Reading and schedule for Second Reading and Public Hearing on February 5, 2020.

[Agenda Memorandum](#)

[Ordinance](#)

[Staff Report](#)

[City Council Workshop Memorandum 11-18-19](#)

16. City Attorney

- 16.A. Ordinance - Legislative - AN ORDINANCE OF THE CITY OF NAPLES, FLORIDA, AMENDING CHAPTER 29, PERSONNEL; ARTICLE III, RETIREMENT SYSTEM, DIVISION 3, MEMBERSHIP AND BENEFITS, SECTION 29-130, DEFERRED RETIREMENT OPTION PLAN (DROP) WINDOW, CODE OF ORDINANCES; PROVIDING FOR AN AMENDMENT TO THE DEFERRED RETIREMENT OPTION PROGRAM (DROP) FOR ELIGIBLE PARTICIPANTS; DIRECTING THE CITY CLERK TO FILE A COPY OF THIS ORDINANCE WITH THE FLORIDA

DEPARTMENT OF MANAGEMENT SERVICES, DIVISION OF RETIREMENT;
PROVIDING FOR CONFLICTING PROVISIONS, SEVERABILITY AND
APPLICABILITY; AND PROVIDING AN EFFECTIVE DATE.

Recommended Action: Adopt the ordinance at Second Reading.

[Agenda Memorandum](#)

[Ordinance](#)

[Foster & Foster Correspondence](#)

17. City Manager

17.A. City Manager Goals and Objectives 2020

Recommended Action: Discussion and Direction.

[Agenda Memorandum](#)

[Employment Agreement](#)

Public Comment

Correspondence and Communications

Adjourn