

NOTICE OF MEETING AND AGENDA
Naples City Council
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, March 17, 2021
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. Recognition of Thomas McCann as the 2021 Recipient of the Sam Noe Award.
[2021 Sam Noe Award Presentation](#)

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.

4. Set agenda (add or remove items)

5. Public Comment

CONSENT AGENDA

6. City Clerk

6.A. Resolution - Legislative - A RESOLUTION OF THE NAPLES CITY COUNCIL HONORING THOMAS MCCANN AS THE 2021 RECIPIENT OF THE SAM NOE AWARD AND PROVIDING AN EFFECTIVE DATE.

Recommended Action: Approve the resolution.

[Agenda Memorandum](#)

[Resolution](#)

6.B. Acknowledge the selection of Dan Radford on the Board of Trustees of the General Retirement System; acknowledge the election of Peter DiMaria and Adam Nadelman to the Board of Trustees of the Firefighters' Retirement Trust Fund; and acknowledge the election of Mike Herman and Erik Noe to the Board of Trustees of the Police Officers' Retirement Trust Fund.

Recommended Action: Acknowledge Pension Board members.

[Agenda Memorandum](#)

[General Pension code](#)

[Fire Pension code](#)

[Police Pension code](#)

7. Community Services

7.A. SPECIAL EVENT - REPEAT EVENT

(1) The 10th Annual Blues, Brews & BBQ - Pinchers/Phelan Family Brands - Tin City - Friday, April 30, 2021 from 4:00 p.m. until 9:30 p.m., Saturday, May 1, 2021 from 11:00 a.m. until 9:30 p.m., and Sunday, May 2, 2021 from 10:00 a.m. – 5:30 p.m. - City Fest event.

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

[Agenda Memorandum](#)

7.B. SPECIAL EVENT - NEW EVENT

(1) Pre-K Graduation - The Naples Preschool of the Arts at the Chabad of Naples - Cambier Park Bandshell - Friday, May 28, 2021 - 10:00 a.m. – 11:30 a.m.

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

[Agenda Memorandum](#)

[Pre K Graduation](#)

8. Streets and Stormwater

8.A. Resolution - Legislative - A RESOLUTION APPROVING A QUIT CLAIM DEED TO ADJACENT PROPERTY OWNER PATRICIA S. MOSCHEL RELEASING FEE SIMPLE TITLE INTEREST TO THE NORTHWESTERNMOST 100 SQUARE FEET

OF BLOCK 19, LOT 8, REPLAT OF TIER ONE NAPLES, AS RECORDED IN PLAT BOOK 1, PAGE 73, OF THE PUBLIC RECORD OF COLLIER COUNTY, FLORIDA; ACCEPTING A PUBLIC UTILITY EASEMENT OVER THE SAME AREA OF PROPERTY DEDICATED BY PATRICIA S. MOSCHEL; AUTHORIZING THE MAYOR TO EXECUTE THE DEED; AND PROVIDING AN EFFECTIVE DATE.

Recommended Action: Approve the resolution.

[Agenda Memorandum](#)

[Resolution](#)

[Historical Records](#)

[Title Fund Notes](#)

[Figure #1](#)

9. Finance

- 9.A. Resolution - Legislative - A RESOLUTION OF THE CITY COUNCIL OF NAPLES, FLORIDA, SUPPLEMENTING CITY RESOLUTIONS 2019-14327 AND 2019-14347 PERTAINING TO THE AQUALANE SHORES UTILITY LINE EXTENSION ASSESSMENT AREA; PROVIDING FOR A CREDIT AGAINST THE AMOUNT OF THE ASSESSMENT IMPOSED PURSUANT TO SUCH RESOLUTIONS TO REFLECT THE REDUCED COST OF THE PROJECT; AND PROVIDING AN EFFECTIVE DATE.

Recommended Action: Approve the resolution.

[Agenda Memorandum](#)

[Resolution](#)

[Initial Resolution 2019-14327](#)

[Final Resolution 2019-14347](#)

END OF CONSENT AGENDA

10. Planning

- 10.A. Resolution - Quasi-Judicial - A RESOLUTION SETTING THE PUBLIC HEARINGS FOR REZONE PETITION 21-R1, ASSOCIATED WITH THE NAPLES SQUARE PLANNED DEVELOPMENT LOCATED AT 1195 5TH AVENUE SOUTH, 402, 192, AND 100 GOODLETTE-FRANK ROAD, PARCEL 14240004027, 1170 1ST AVENUE SOUTH, 1030, 1035, 1130, AND 1135 3RD AVENUE SOUTH, AS PART OF REGULAR CITY COUNCIL MEETINGS BEFORE 5:00 P.M.; AND PROVIDING AN EFFECTIVE DATE.

Recommended Action: Consider the resolution.

[Agenda Memorandum](#)

[Resolution](#)

- 10.B. 21-T4

Consider an Ordinance relating to notice requirements and procedures for Planning petitions amending Chapter 46, Administration, Procedures and Enforcement, Article II, Administrative Procedures, of the Code of Ordinances, City of Naples; Pursuant to

Text Amendment petition 21-T4; providing a severability clause; providing a repealer provision; and providing an effective date.

Recommended Action: Adopt Ordinance on First Reading and schedule Second Reading for April 7, 2021.

[Agenda Memorandum](#)

[Ordinance](#)

[PAB Staff Report](#)

[Chapter 46 ADMINISTRATION PROCEDURES AND ENFORCEMENT](#)

[PAB Regulations and Rules of Procedure 3-14-18 rev](#)

[Section 2-84. Appeals of administrative decisions](#)

- 10.C. 21-LE2 Resolution - Quasi-Judicial - A RESOLUTION RELATING TO INDOOR LIVE ENTERTAINMENT; DETERMINING LIVE ENTERTAINMENT PETITION 21-LE2 TO ALLOW INDOOR LIVE ENTERTAINMENT SUNDAY THROUGH WEDNESDAY FROM 4:00 P.M. TO 11:30 P.M., AND THURSDAY THROUGH SATURDAY FROM 4:00 P.M. TO 12:00 A.M., FOR LA TRATTORIA RESTAURANT, ON PROPERTY OWNED BY GRACE'S PLACE OF NAPLES, LLC, AND LOCATED AT 878 5TH AVENUE SOUTH, MORE FULLY DESCRIBED HEREIN; AND PROVIDING AN EFFECTIVE DATE.

Recommended Action: Consider the resolution

[Agenda Memorandum](#)

[Resolution](#)

[Supplemental Memo](#)

[Application](#)

[Disclosure Business](#)

[Disclosure Property Owner](#)

[Life Safety Plan](#)

[Proof of Business](#)

[Planning Department Credentials](#)

[Mailing Labels](#)

- 10.D. Update on Life Safety Plans for Outdoor Dining in Bayfront Planned Development.

Recommended Action: Discussion and direction.

[Agenda Memorandum](#)

[Fire Marshall Memo - Bayfront Outdoor Dining](#)

[Cabana Bar \(PROMENADE\) at Bayfront - 495 Bayfront Place - Outdoor Seating Plan](#)

[EJ's Bayfront Cafe - 469 Bayfront Place - Outdoor Dining Seating Plan](#)

[Industry Beer & BBQ - 449 Bayfront Place - Outdoor Seating Plan](#)

[K-Rico Mexican Restaurant - 475 Bayfront Place - Outdoor Seating Plan](#)

[Southern Kitchen & Cocktails - 492 Bayfront Place - Outdoor Seating Plan](#)

[Stoney's Steak House - 403 Bayfront Place - Outdoor Seating Plan](#)

[Tavern by the Bay - 489 Bayfront Place - Outdoor Seating Plan](#)

11. City Clerk

- 11.A. Consider appointing one member and one alternate member to the Code Enforcement Board.
Recommended Action: Appoint members.
[Agenda Memorandum](#)
[W. Marshall Application](#)
[W. Phillips Application](#)
[Chapter 162, Florida Statutes](#)

12. Utilities

- 12.A. City Council is asked to award a professional services contract to Q. Grady Minor for design and engineering services required for City owned utility improvements (installation of sanitary sewer system and water main replacements) and a County owned stormwater system located within Areas 1, 2, 3, and 6 as described in the 2006 Unsewered Master Plan within the City's utility service area in an amount of \$2,747,120, and authorize the City Manager to execute the contract.
Recommended Action: Award the contract.
[Agenda Memorandum](#)
[Agreement - Q Grady Minor](#)
[Bid Analysis](#)
- 12.B. Ordinance - Second Reading - AN ORDINANCE RELATING TO CONSERVATION REGULATIONS; AMENDING CHAPTER 30, UTILITIES, ARTICLE II, WATER, DIVISION 2, CONSERVATION REGULATIONS, ADDING SECTION 30-69, VARIANCES; PROVIDING A SEVERABILITY CLAUSE, A REPEALER PROVISION AND AN EFFECTIVE DATE.
Recommended Action: Adopt the Ordinance at Second Reading.
[Agenda Memorandum](#)
[Ordinance](#)
[VARIANCE SIGN](#)

13. Building

- 13.A. Ordinance - Legislative - AN ORDINANCE RELATING TO THE FLORIDA BUILDING CODE; AMENDING CHAPTER 16, CONSTRUCTION, REHABILITATION AND PROPERTY MAINTENANCE REGULATIONS, ARTICLE III, BUILDING AND TECHNICAL CODES, SECTION 16-112, FLORIDA BUILDING CODE ADOPTED; AMENDMENTS, OF THE CODE OF ORDINANCES, CITY OF NAPLES, FOR THE PURPOSE OF ADOPTING THE SEVENTH EDITION (2020) OF THE FLORIDA BUILDING CODE; READOPTING AMENDMENTS TO THE CODE; PROVIDING A SEVERABILITY CLAUSE, A REPEALER PROVISION, AND AN EFFECTIVE DATE.
Recommended Action: Approve at First Reading and Public Hearing; schedule for Second Reading and Public Hearing on March 17, 2021.
[Agenda Memorandum](#)
[Ordinance](#)

14. Human Resources

- 14.A. Executive Session - Labor Relations
Recommended Action: Hold the executive session.
[Agenda Memorandum](#)

15. City Manager

- 15.A. Affirmation of the modified Vision Statement; review and discussion of Strategic Priorities Statements.
Recommended Action: Discussion and direction.
[Agenda Memorandum](#)
[Vision Statement and Strategic Priorities 11-2-2020](#)

- 15.B. Resolution - Legislative - A RESOLUTION APPROVING A SOVEREIGNTY SUBMERGED LANDS LEASE RENEWAL FOR THE NAPLES FISHING PIER WITH THE BOARD OF TRUSTEES OF THE INTERNAL IMPORVEMENT TRUST FUND OF THE STATE OF FLORIDA; AUTHORIZING THE MAYOR TO EXECUTE THE LEASE RENEWAL; AND PROVIDING AN EFFECTIVE DATE.
Recommended Action: Approve the resolution.
[Agenda Memorandum](#)
[Resolution](#)
[Lease](#)
[2016-2021 - Submerged Land Lease](#)

16. CRA

- 16.A. Resolution - Legislative - A RESOLUTION AMENDING THE NAPLES COMMUNITY REDEVELOPMENT PLAN, PROVIDING FOR MODIFICATION TO THE HOUSING OBJECTIVE AND POLICIES, PROVIDING FOR ALLOWABLE ACTIVITIES IN THE ABSENCE OF NEIGHBORHOOD PLANS, AND PROVIDING FOR THE ADOPTION OF A RELOCATION PLAN BY THE COMMUNITY REDEVELOPMENT AGENCY (CRA) AND CITY COUNCIL PRIOR TO INITIATION OF ANY CONTRACT, AGREEMENT, OR ACTION OF THE CRA THAT MAY CAUSE RESIDENTS TO BE DISPLACED FOR ANY PERIOD OF TIME; AND PROVIDING AN EFFECTIVE DATE.
Recommended Action: Approve the resolution.
[Agenda Memorandum](#)
[Resolution](#)
[Proposed 2021 Amended Naples Redevelopment Plan](#)
[List of CRA Taxing Authorities](#)
[Notice of Hearing](#)
[Statutory Requirements](#)

17. Community Services

- 17.A. Consider a request from Collier County Commissioner Penny Taylor to sponsor the remaining City-related costs, in the amount of \$12,947, for Opera Naples concerts to be held in Baker Park.
Recommended Action: Consider the request.
[Agenda Memorandum](#)
[Commissioner Taylor correspondence](#)

18. City Attorney

- 18.A. Review of the State of Local Emergency resolution.
Recommended Action: Discussion and direction.
[Agenda Memorandum](#)
[Resolution 2020-14580](#)

19. Board of Appeals

- 19.A. Resolution - Quasi-Judicial - A RESOLUTION OF THE NAPLES CITY COUNCIL, SITTING AS THE CITY OF NAPLES BOARD OF APPEALS, DETERMINING APPEAL OF JOHN P. TOPPINO c/o NOEL J. DAVIES, ESQ., DAVIES DUKE, PLLC, FROM THE ADMINISTRATIVE DECISIONS OF THE BUILDING OFFICIAL REGARDING PERMIT PRFN2100615 CORRECTIONS NOTICE DATED FEBRUARY 18, 2021 FOR THE PROJECT AT 1109 BROAD AVENUE NORTH, NAPLES, FLORIDA; AND PROVIDING AN EFFECTIVE DATE.

Recommended Action: Consider the resolution.

[Agenda Memorandum](#)

[Resolution](#)

[House permit Architecturals](#)

[House permit Structural](#)

[House permit Survey](#)

[PRFN2100615 Rej Retaining Wall](#)

[PRSW2004768 approved retaining wall plan](#)

[Picture 1](#)

[Picture 2](#)

[Picture 3](#)

[Picture 4](#)

- 19.B. FV19-05 - Resolution - Quasi-Judicial - A RESOLUTION OF THE NAPLES CITY COUNCIL, SITTING AS THE BOARD OF APPEALS, DETERMINING VARIANCE PETITION FV19-05 FROM THE NAPLES LAND DEVELOPMENT CODE, SECTION 16-150(6)(g), IN ORDER TO ALLOW THE CITY OF NAPLES TO CONSTRUCT A NEW SINGLE STORY ACCESSORY STRUCTURE AT THE LOWDERMILK PARK, LOCATED AT 1301 GULF SHORE BOULEVARD NORTH, IN A VE FLOOD ZONE, MORE FULLY DESCRIBED HEREIN; PROVIDING FINDINGS; AND PROVIDING AN EFFECTIVE DATE.

Recommended Action: Consider the resolution.

[Agenda Memorandum](#)

Resolution

Supplemental Memo

19142 - Lowdermilk Park ATV Storage - Permit Set Rev1 2019-11-01_Signed

Lowdermilk Park ATV Site Analysis Report Dec_2019

Submittal 1- Cover Letter Floodplain Variance

Submittal 1 - Application for Flood Plane Variance Lowdermilk ATV Storage_Signed
by Travis.pdf

Submittal 1 - Architectural Lowdermilk Park ATV Storage - Permit Set 2019-10-
21_Signed

Submittal 1 - Lowdermilk Park Facility Improvements Plans 1018-2019_SS

Submittal 1 - Lowdermilk Park Survey 1018-2019_SS

Submittal 1 - Warranty Deeds

Submittal 2 - Architectural Lowdermilk Park ATV Storage - Permit Set
2021_03_08_SIGNED

Public Comment

Correspondence and Communications

Adjourn