

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: Nancy Stuparich • City Clerk: Patricia Rambosk

Interim City Manager: Dana Souza

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 6, 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. Set agenda (add or remove items)
4. Announcements
 - 4.A. Do the Right Thing Award Presentations

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.B. Monthly Update from Collier County Commissioner Penny Taylor

5. Public Comment

CONSENT AGENDA

6. City Clerk

6.A. Approval of the June 2, 2021 Regular Meeting minutes and the August 16, 2021 Workshop Meeting minutes.

Recommended Action: Approve as submitted.

[Agenda Memorandum](#)

[June 2, 2021 Regular Meeting minutes](#)

[August 16, 2021 Workshop Meeting minutes](#)

6.B. Recommend reappointing Patrick White as a City of Naples representative on the Collier County Contractor's Licensing Board by the Board of County Commission.

Recommended Action: Recommend reappointment.

[Agenda Memorandum](#)

[Contractor's Licensing Board - P. White application](#)

[Contractor's Licensing Board code](#)

7. Community Services

7.A. Resolution - Legislative - A RESOLUTION APPROVING A CONSENT ORDER AND TEMPORARY USE AGREEMENT FOR THE MOORING FIELDS AT THE NAPLES CITY DOCK WITH THE DEPARTMENT OF ENVIRONMENTAL PROTECTION (DEP) AND THE BOARD OF TRUSTEES OF THE INTERNAL IMPORVEMENT TRUST FUND OF THE STATE OF FLORIDA; AUTHORIZING THE MAYOR TO EXECUTE THE CONSENT ORDER; AND PROVIDING AN EFFECTIVE DATE.

Recommended Action: Approve the resolution authorizing the Mayor to execute the Consent Order and Temporary Use Agreement.

[Agenda Memorandum](#)

[Resolution](#)

[Florida Department of Environmental Protection letter - September 13, 2021](#)

7.B. SPECIAL EVENT - REPEAT EVENTS

(1) The Uptown Art Festival on 10th Street South -The United Arts Council (UAC) - Saturday, January 22, 2022, and Sunday, January 23, 2022 from 10:00 a.m. – 5:00 p.m. - 10th Street South.

(2) Open Air Farmers Market - Third Street South Merchants Association - Saturday, November 13, 2021, through April 23, 2022, with the exception of Saturday, March 12, 2022 due to the St. Patrick's Day Parade from - 7:30 a.m. - 11:30 a.m. - 3rd Street South.

(3) Neighborhood Bash – Party at the Clinic - The Neighborhood Health Clinic - Friday, November 5, 2021, from 5:00 p.m. – 8:00 p.m. - 88 12th Street North Parking Lot.

- (4) John Cox Halloween Private Party - John Cox - Sunday, October 31, 2021 from 5:00 p.m. – 12:00 a.m. - 1040 13th Street North.
- (5) Trunk or Treat & Movie Night at Fleischmann Park - The City of Naples Community Services Department - Saturday, October 30, 2021, from 4:00 p.m. until 10:00 p.m. - Fleischmann Park.
- (6) Monster Dash 5k - Gulf Coast Runners (GCR) - Saturday, October 30, 2021, from 7:00 a.m. to 9:00 a.m. at Fleischmann Park.
- (7) Preschool Grand Thanksgiving Performance - The Naples Preschool of the Arts at the Chabad of Naples - Friday, November 19, 2021, from 10:00 a.m. – 11:30 a.m. - Cambier Park Bandshell.
- (8) Pre-K Graduation and Performance - The Naples Preschool of the Arts at the Chabad of Naples - Friday, May 27, 2022, from 10:00 a.m. – 11:30 a.m. - Cambier Park Bandshell.
- (9) Collier Heart Walk - American Heart Association - Saturday, November 6, 2021, from 8:00 a.m. - 11:00 a.m. - Cambier Park.
- (10) Annual Chanukah Celebration - The Annual Chanukah Celebration - Chabad Jewish Center of Naples, Inc., - Tuesday, November 30, 2021 - 5:00 p.m. to 7:00 p.m. - Cambier Park.
- (11) Art in the Park - Fine Art Show - Naples Art Association - Saturday November 6, 2021, and on Saturday, April 2, 2022 - 10:00 a.m. until 4:00 p.m. - Park Street.
- (12) City of Naples Annual Christmas Parade - City of Naples - Tuesday, December 7, 2021, from 6:00 p.m. until 8:00 p.m. - Downtown Naples
- (13) Annual Swamp Buggy Parade - Swamp Buggy, Inc. - Saturday, October 30, 2021, from 10:00 a.m. until Noon - US 41 from Fleischmann Blvd. to 3rd Avenue South
- (14) Dave Cranor 5k - Gulf Coast Runners - Saturday, January 1, 2022, from 7:30 a.m. to 8:30 a.m. - Lowdermilk Park
- (15) Empty Bowls - Empty Bowls Naples, Inc. - Saturday, January 22, 2022, from 10:30 a.m. - 2:00 p.m. - Cambier Park
- (16) Annual Butterfly Release - Avow Foundation - Saturday, April 2, 2022, from 10:00 a.m. - 12:00 p.m. - Cambier Park

Recommended Action: Review and approve the repeat special events as submitted.
[Agenda Memorandum](#)

8. City Manager

- 8.A. Request City Council's approval of the attached list of outside contracts (25) and their stated FY2021-2022 annual dollar limits as required by Ordinance 18-14176. Council's approval will apply to the internal approval processes for said Outside Contracts listed in the attached Table. The internal approval process is by way of a Requisition entry and its issuance of a Purchase Order or through payment by a City issued Credit Card (P-Card).

Recommended Action: Approval.

[Agenda Memorandum](#)

[Outside Contracts for Council Approval of FY2022](#)

- 8.B. Approval of 2022 City Council calendar pursuant to October 4, 2021 discussion.

Recommended Action: Approve 2022 calendar.

[Agenda Memorandum](#)

[2022 City Council Meeting Calendar](#)

9. City Council

- 9.A. City Council, serving as the Evaluation & Ranking Committee for the Request for Proposal (RFP 21-042) titled City of Naples Executive Search Firm (City Manager), is asked to approve an Engagement Letter from First Ranked Firm, Ralph Andersen & Associates, Inc. in the amount of \$50,000.

Recommended Action: Approve an Engagement Letter from First Ranked Firm, Ralph Andersen & Associates, Inc. in the amount of \$50,000 to complete the executive search for the City Manager position and authorize the Mayor to sign the Engagement Letter and issue a Purchase Order.

[Agenda Memorandum](#)

[Professional Services Agreement for Executive Search Services](#)

10. Planning

- 10.A. City Council consent to allow the Naples Players to file a Preliminary Design Review application for a façade renovation and an approximate 11,000 square foot addition to the Sugden Community Theater on property owned by the City of Naples, located at 701 5th Avenue South.

Recommended Action: Consider the request.

[Agenda Memorandum](#)

[Resolution 94-7296 - Use Agreement](#)

[Application - Naples Players Preliminary DRB](#)

[Disclosure of Interest - Naples Players Preliminary DRB](#)

[Survey - Naples Players Preliminary DRB](#)

[Architectural Plans - Naples Players Preliminary DRB](#)

[Ordinance 92-6710 - Original City of Naples Parking Garage PD](#)

[Ordinance 97-8095 - Amended City of Naples Parking Garage PD](#)

[Naples Daily News Article 9-28-2021](#)

END OF CONSENT AGENDA

11. Streets and Stormwater

- 11.A. Update on Collier County's 2021 Beach Renourishment Project (9:00 A.M. TIME CERTAIN)

Recommended Action: Receive the update.

[Agenda Memorandum](#)

[FY22 Beach Renourishment](#)

[Naples Renourishment 2021](#)

[Reference Monuments Lowdermilk to Pier](#)

11.B. Resolution - Legislative - A RESOLUTION APPROVING A MEMORANDUM OF UNDERSTANDING BETWEEN A GROUP OF MEMBERS OF AN UNINCORPORATED ASSOCIATION KNOWN AS THE SWAN LAKE ASSOCIATION AND THE CITY OF NAPLES, DEFINING THE RESPONSIBILITIES OF THE CITY AND THE RESIDENTS DURING THE AUGMENTED PILOT PROGRAM FOR LAKE 2 (SWAN LAKE); AUTHORIZING THE MAYOR TO EXECUTE THE MEMORANDUM OF UNDERSTANDING; AND PROVIDING AN EFFECTIVE DATE.

Recommended Action: Approve the Resolution.

[Agenda Memorandum](#)

[Resolution](#)

[Memorandum of Understanding](#)

[Exhibit A](#)

[Exhibit B](#)

[Swan Lake Association Email Supporting Memorandum of Understanding](#)

11.C. Resolution - Legislative - A RESOLUTION DECLARING THE CITY OF NAPLES' INTENT TO COMPLETE IMPROVEMENTS RELATED TO ITS STORMWATER MANAGEMENT SYSTEM AT THE THIRD AVENUE NORTH BEACH ACCESS POINT AND TO COORDINATE WITH ADJACENT PROPERTY OWNERS TO AVOID ANY UNINTENDED ADVERSE IMPACTS TO THEIR PROPERTIES; AND PROVIDING FOR AN EFFECTIVE DATE.

Recommended Action: Consider the Resolution.

[Agenda Memorandum](#)

[Resolution](#)

[275 GSBN 3rd Ave N - Architectural Plans](#)

[275 GSBN 3rd Ave N - Pump Station Landscape Plans](#)

12. Human Resources

12.A. Executive Session - Labor Negotiations (11:30 A.M. TIME CERTAIN)

Recommended Action: Conduct the Executive Session.

[Agenda Memorandum](#)

13. City Manager

13.A. 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 INTERNATIONAL UNION, LOCAL 100, AFL-CIO, BARGAINING UNIT 1501; AND PROVIDING; AND PROVIDING AN EFFECTIVE DATE.

Recommended Action: Approve the Resolution.

[Agenda Memorandum](#)

[Resolution](#)

[Tentative Agreement OPEIU 2021 MOU](#)

Tentative - GSAF-OPEIU 2021 Contract Draft

14. Utilities

- 14.A. Award of contracts for chemicals required for the Water and Wastewater Treatment Plants (BID 21-049).

Recommended Action: Award contracts and authorize the City Manager to execute.

[Agenda Memorandum](#)

[Bid Analysis](#)

[Agreement - Shannon Chemical Corporation](#)

[Agreement - Allied Universal Corporation](#)

15. Community Services

- 15.A. SPECIAL EVENT - NEW EVENTS

(1) Port Royal Wedding - Saturday November 6, 2021 - 4:00 p.m. to 10:00 p.m. - Port Royal Club

(2) Thanksgiving Weekend Naples Art Fair - Saturday, November 27 and Sunday, November 28, 2021 - 10:00 a.m. to 3:00 p.m. - 10th Street South

(3) The Business of Theatre - Wednesday November 17, 2021 - 3:00 p.m. to 7:15 p.m. - Sugden Plaza

(4) Music and Fashion Show - Saturday October 30, 2021 - 11:00 a.m. to 2:00 p.m. - Sugden Plaza

(5) Dazzling Delrays 50th Anniversary Show - Saturday November 13, 2021 - 6:00 p.m. to 8:00 p.m. - Cambier Park Bandshell

(6) 10th Annual Southwest Florida Epilepsy Walkathon - Saturday November 6 2021 - 8:00 a.m. to 11:30 a.m. - Baker Park

(7) The Humane Society Fundraising Gala - Friday November 19, 2021 - 5:00 p.m. to 10:30 p.m. - Baker Park

Recommended Action: Review and approve the NEW special events as submitted.

[Agenda Memorandum](#)

[Port Royal Wedding](#)

[Thanksgiving Art Fair](#)

[Business of Theater](#)

[Fashion Show](#)

[Dazzling Delrays](#)

[Epilepsy Florida, Inc.](#)

[Humane Society](#)

16. City Clerk

- 16.A. Consider appointing two members to the Community Redevelopment Agency Advisory Board and one member to the Moorings Bay Citizens Advisory Committee.

Recommended Action: Appoint members.

[Agenda Memorandum](#)

[CRAAB - J. Colon application](#)

[CRAAB - J. Domenick application](#)

[CRAAB - A. Gregory application](#)
[CRAAB - J. Kaplan application](#)
[CRAAB Code](#)
[Moorings Bay - B. Broderick application](#)
[Moorings Bay - C. Russell application](#)
[Resolution 2017-14069](#)

17. Planning

- 17.A. 21-ODPV13 Resolution - Quasi-Judicial - A RESOLUTION DETERMINING OUTDOOR DINING PETITION 21-ODPV13 GRANTING OUTDOOR DINING ON PRIVATE PROPERTY TO INCLUDE 4 TABLES AND 16 SEATS, FOR VAN VAN CUBAN CAFÉ, LOCATED AT 2500 9TH STREET NORTH ON PROPERTY OWNED BY GLOBAL PROPERTIES OF NAPLES, LLC, SAID PROPERTY BEING MORE FULLY DESCRIBED HEREIN; AND PROVIDING AN EFFECTIVE DATE.
Recommended Action: Consider the Resolution
[Agenda Memorandum](#)
[Resolution](#)
[Supplemental Memorandum](#)
[Application](#)
[Disclosure of Interest - Business Owner](#)
[Disclosure of Interest - Property Owner](#)
[Floor Plan](#)
[Executive Order Approval](#)
[Planning Department Resumes](#)
[Mailing Labels](#)
- 17.B. 21-V3 Resolution - Quasi-Judicial - A RESOLUTION RELATING TO A VARIANCE; DETERMINING PETITION 21-V3 TO ALLOW A VARIANCE FROM SECTION 58-1134(E)(12) FOR A MARQUEE AWNING WHERE A STRAIGHT SHED AWNING WITH NO SIDE FLAPS IS PERMITTED AND TO ALLOW A VARIANCE FROM SECTION 58-1134(F) FOR A LED ILLUMINATED MARQUEE SIGN FOR PROPERTY OWNED BY COLSON INVESTMENTS, LLC, LOCATED IN THE C1-A COMMERCIAL CORE DISTRICT AND THE 5TH AVENUE SOUTH SPECIAL OVERLAY DISTRICT AT 445-457 5TH AVENUE SOUTH, MORE FULLY DESCRIBED HEREIN; AND PROVIDING AN EFFECTIVE DATE.
Recommended Action: Consider the Resolution
[Agenda Memorandum](#)
[Resolution](#)
[PAB Staff Report](#)
[Variance Petition](#)
[Disclosure of Interest - Colson Investment LLC](#)
[Disclosure of Interest- LC Naples LLC](#)
[Deed](#)
[Aerial](#)

[Survey](#)
[Site Plan](#)
[Le Colonial Plans](#)
[Petitioner Qualifications](#)
[Planning Department Resumes](#)
[Mailing Labels](#)

- 17.C. 21-SP5 Resolution - Quasi-Judicial - A RESOLUTION DETERMINING SITE PLAN PETITION 21-SP5 PURSUANT TO SECTION 58-682 FOR APPROVAL OF AN UPDATED MASTER PLAN FOR THE NAPLES MUNICIPAL AIRPORT LOCATED AT 160 AVIATION DRIVE NORTH, MORE FULLY DESCRIBED HEREIN; AND PROVIDING AN EFFECTIVE DATE. (1:00 P.M. TIME CERTAIN)

Recommended Action: Consider the Resolution.

[Agenda Memorandum](#)

[Resolution](#)

[PAB Staff Report - 6.9.21 PAB](#)

[Department Review Comments - 6.9.21 PAB](#)

[PowerPoint](#)

[Memorandum from NAA - 6.9.21 PAB](#)

[Application - 6.9.21 PAB](#)

[Disclosure of Interest - 6.9.21 PAB](#)

[June 2021 Master Plan Presentation - 6.9.21 PAB](#)

[2021 Master Plan Exhibits - 6.9.21 PAB](#)

[December 2019 Master Plan Presentation - 6.9.21 PAB](#)

[Correspondence - Public - 6.9.21 PAB](#)

[Correspondence - PAB - 6.9.21 PAB](#)

[06092021 PAB Minutes](#)

[Planning Department Resumes](#)

- 17.D. 21-SP4 Resolution - Quasi-Judicial - A RESOLUTION DETERMINING SITE PLAN PETITION 21-SP4 PURSUANT TO SECTION 58-682 FOR APPROVAL OF AN UPDATED UTILIZATION PLAN FOR THE NAPLES MUNICIPAL AIRPORT LOCATED AT 160 AVIATION DRIVE NORTH, MORE FULLY DESCRIBED HEREIN; AND PROVIDING AN EFFECTIVE DATE. (To be considered immediately following 17.C)

Recommended Action: Consider the Resolution.

[Agenda Memorandum](#)

[Resolution](#)

[PAB Staff Report - 6.9.21 PAB](#)

[Department Review Comments - 6.9.21 PAB](#)

[PowerPoint](#)

[Memorandum from NAA - 6.9.21 PAB](#)

[Application - 6.9.21 PAB](#)

[NAA Disclosure of Interest - 6.9.21 PAB](#)

[2021 Utilization Plan Update Presentation - 6.9.21 PAB](#)

[Correspondence - Public - 6.9.21 PAB](#)
[Correspondence - PAB - 6.9.21 PAB](#)
[20210609 PAB minutes](#)
[Planning Department Resumes](#)

18. City Attorney

- 18.A. Ordinance - First Reading - Legislative - AN ORDINANCE CREATING A NEW ARTICLE XI, ENTITLED "PROCEDURES GOVERNING CONDUCT OF PUBLIC OFFICIALS WITH RESPECT TO EX PARTE COMMUNICATIONS AS TO QUASI-JUDICIAL MATTERS; STATING THE POLICY AND PURPOSE OF THE ORDINANCE, DEFINITIONS, DISCLOSURE PROCEDURES, AND PENALTIES; PROVIDING FOR A SEVERABILITY CLAUSE, A REPEALER PROVISION; AND AN EFFECTIVE DATE. (Continued from September 15, 2021 meeting.)
Recommended Action: Approve the ordinance at First Reading; schedule for Second Reading and Public Hearing October 20, 2021.

[Agenda Memorandum](#)

[Ordinance](#)

[Ex Parte - Resolution 95-7474](#)

[Guidelines for Compliance with Resolution 95-7474](#)

[City of Jacksonville Procedures Governing Conduct of Public Officials with Respect to Ex Parte Communications](#)

- 18.B. Ordinance - First Reading - Legislative - AN ORDINANCE CREATING A NEW ARTICLE X, ENTITLED "DEFENSE OF CITY OFFICIALS IN ETHICS MATTERS," IN CHAPTER 2, "ADMINISTRATION," OF THE CITY OF NAPLES CODE OF ORDINANCES; PROVIDING DEFINITIONS; PROVIDING FOR AN AMENDMENT WITHIN THE RISK FUND AUTHORIZING THE REIMBURSEMENT PAYMENT OF ATTORNEY'S FEES AND COSTS INCURRED BY CITY OFFICIALS IN THE COURSE OF DEFENDING AGAINST ETHICS COMPLAINTS; PROVIDING A POLICY STATEMENT, AND PURPOSE; PROVIDING FOR THE CITY'S RECOVERY OF FUNDS FOR MALICIOUS OR FRIVOLOUS ALLEGATIONS OF VIOLATION OF THE CODE OF ETHICS; PROVIDING FOR EMPLOYEE DISCIPLINE AND TERMINATION PROCEEDINGS, PROVIDING FOR A SEVERABILITY CLAUSE, A REPEALER PROVISION; AND AN EFFECTIVE DATE. (Continued from the September 15, 2021 meeting.)

Recommended Action: Approve the ordinance at First Reading and Public Hearing; schedule Second Reading and Public Hearing October 20, 2021.

[Agenda Memorandum](#)

[Ordinance](#)

[Attachment A](#)

19. City Council

- 19.A. Appointment of one City Council member to serve on the Southwest Florida Regional Resiliency Compact

Recommended Action: Appoint a City Council member to serve on the Southwest Florida Regional Resiliency Compact.

[Agenda Memorandum](#)

[SWFL Compact MOU FAQs 062320](#)

[Agenda Memorandum - Molloy Climate Compact Update - 8-28-19](#)

[Nesheiwat Letter for Compact](#)

Public Comment

Correspondence and Communications

Adjourn