

**NOTICE OF MEETING AND AGENDA (SUPPLEMENT 1)
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 20, 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. Dysautonomia Awareness Month Proclamation

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. National Long-Term Care Residents' Rights Month Proclamation

4.C. Collier County Redistricting Information Presentation

Recommended Action: Receive presentation.

[Agenda Memorandum](#)

[Presentation](#)

[Handout - Public Meeting Schedule](#)

[Handout - Redistricting Fact Sheets](#)

5. Public Comment

CONSENT AGENDA

6. City Clerk

6.A. Approval of the August 18, 2021 Regular Meeting minutes, the August 30, 2021 Regular Meeting minutes, and the September 13, 2021 Special Meeting minutes.

Recommended Action: Approve as submitted.

[Agenda Memorandum](#)

[August 18, 2021 Regular Meeting minutes](#)

[August 30, 2021 Regular Meeting minutes](#)

[September 13, 2021 Special Meeting minutes](#)

7. Community Services

7.A. SPECIAL EVENT - REPEAT EVENTS

(1) Celebration Community Beach Church Weekly Church Service - Sunday mornings, November 23, 2021 –November 23, 2022, from 9:30 a.m. until 10:30 a.m. at Cambier Park

(2) Naples Artcrafters Fine Arts and Craft Shows - Saturday, March 12, 2022, from 10:00 a.m. until 4:00 p.m. at Fleischmann Park

(3) Celebration Community Beach Church Annual Christmas Eve Service - Friday, December 24, 2021, from 6:00 p.m. to 7:00 p.m. at Cambier Park

(4) Gulf Coast Runners Turkey Trot 5K Run - Thursday, November 25, 2021, from 7:00 a.m. until 10:00 a.m. at Cambier Park

(5) 44th Annual Third Street South Christmas Tree Lighting - Monday, November 22, 2021 from 6:00 p.m. until 9:00 p.m. at 3rd Street South

(6) Christmas Comes to 3rd Street South - November 23, 24, 26, and 27, 2021, and December 2, 3, 9, 10, 16, 17, 23, 24, and 30, 2021, from 5:00 p.m. until 8:00 p.m.

(7) Gulf Coast Runners Old Naples 10K - Sunday, November 14, 2021, from 7:00 am until 9:00 am. at Downtown Naples, concluding at Cambier Park

(8) Gulf Coast Runners Naples Half Marathon - Sunday, January 16, 2022, from 7:00 a.m. until 10:00 a.m. at Downtown Naples, concluding at Cambier Park

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

[Agenda Memorandum](#)

8. Utilities

- 8.A. Resolution - Legislative - A RESOLUTION APPROVING THE SECOND AMENDMENT TO THE HAZARD MITIGATION GRANT THROUGH THE FEDERAL EMERGENCY MANAGEMENT AGENCY AGREEMENT NUMBER H0143 FOR THE PURCHASE AND INSTALLATION OF SEVEN (7) EMERGENCY BY-PASS PUMPS TO BE INSTALLED AT SEVEN (7) SEWER PUMP STATIONS; AND PROVIDING AN EFFECTIVE DATE.
Recommended Action: Approve the resolution.
[Agenda Memorandum](#)
[Resolution](#)
[Agreement - Second Amendment](#)
- 8.B. Resolution - Legislative - A RESOLUTION ACCEPTING THE OFFER TO SETTLE AND APPROVING A CONSENT ORDER WITH THE FLORIDA DEPARTMENT OF ENVIRONMENTAL PROTECTION CONCERNING SANITARY SEWER OVERFLOWS BETWEEN OCTOBER 30, 2019 AND AUGUST 27, 2021; AUTHORIZING THE MAYOR TO EXECUTE THE CONSENT ORDER; AND PROVIDING AN EFFECTIVE DATE.
Recommended Action: Adopt the resolution and authorize the Mayor to execute the Consent Order.
[Agenda Memorandum](#)
[Resolution](#)
[Consent Order](#)
- 8.C. Award of contracts to nine (9) underground utility contractors for annual utility maintenance and repair services (RFP-21-041).
Recommended Action: Award contracts and authorize the City Manager to execute.
[Agenda Memorandum](#)
[Agreement - Accurate Drilling Systems, Inc.](#)
[21-041 Bid Analysis](#)

END OF CONSENT AGENDA

9. Community Services

- 9.A. SPECIAL EVENT - NEW EVENTS
- (1) Alzheimer's Association Walk to End Alzheimer's - Saturday, November 13, 2021, from 8:00 a.m. – 11:00 a.m. at Baker Park
 - (2) Walk to Wellness on Fifth Avenue hosted by Be Well in Paradise Inc. - January 22, 2022, 9:00 a.m. - 12:30pm & January 23, 2022 5:00 p.m. - 8:00pm at Sugden Plaza
 - (3) Live Art Runway Show & Cocktail Party hosted by Naples Art - February 11, 2022, from 7:00 p.m. - 9:00 p.m. in the Naples Art Building
 - (4) Naples Pride Vigil & Movie - November 20, 2021 from 6:00 p.m. – 9:30 p.m. at Cambier Park Bandshell
 - (5) Opera Naples - Outdoor Classical Music Concert - Friday March 11, 13 - 16, (March 17 is a rain date only) 7:00 p.m. – 9:00 p.m. at the Cambier Park Softball field

(6) Royal Poinciana Golf Club Private Events - November 13, 2021, January 28, 2022 February 10, 2022, February 19, 2022, March 9, 2022, and April 7, 2022 from 6:00 pm – 10:00 pm on private property at the Royal Poinciana Condo on 1600 Solana Rd.

(7) Special Olympics of Florida Yacht Hop - November 13, 2021, from 5:00 p.m. – 8:00 p.m. at Naples Yacht Club

(8) Capital Wealth Advisors Private Event - November 11, 2021, from 5:00 p.m. – 8:00 p.m. at the Naples Airport 125 Aviation Dr. South

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

[Agenda Memorandum](#)

[Walk to End Alzheimer's](#)

[Live Art Runway Show](#)

[Naples Pride Vigil and Movie](#)

[Opera Naples - Outdoor Classical Music Concert](#)

[Walk to Wellness](#)

[Royal Poinciana Golf Club](#)

[Yacht Hop](#)

[Private Event - Capital Wealth Advisors](#)

10. Planning

- 10.A. 21-ODPV3 Resolution - A RESOLUTION DETERMINING OUTDOOR DINING PETITION 21-ODPV3 GRANTING OUTDOOR DINING ON PRIVATE PROPERTY TO INCLUDE 17 SEATS, 2 TABLES, AND 1 UMBRELLA FOR NECTAR LAB, 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 Property Owner](#)

[Disclosure Business Owner](#)

[Life Safety Plan](#)

[Permission Letter from Property Owner](#)

[Site Photo 1](#)

[Site Photo 2](#)

[Staff Qualifications](#)

[Mailing Labels](#)

- 10.B. 20-SP16 Resolution - A RESOLUTION DETERMINING A SITE PLAN FOR THE PUBLIC SERVICE DISTRICT OF THE NAPLES SQUARE PLANNED DEVELOPMENT; APPROVING SITE PLAN PETITION 20-SP16; ON PROPERTY OWNED BY GULFSHORE PLAYHOUSE, INC., A FLORIDA NOT FOR PROFIT CORPORATION, LOCATED AT 100 GOODLETTE-FRANK ROAD AND 1170 1ST

AVENUE SOUTH, MORE FULLY DESCRIBED HEREIN; AND PROVIDING AN EFFECTIVE DATE.

Recommended Action: Consider the resolution.

[Agenda Memorandum](#)

[Resolution](#)

[20-SP16 Staff Report](#)

[Site Plan Petition](#)

[Affidavit of Authorization](#)

[Disclosure of Interest - Gulfshore Playhouse](#)

[Deed](#)

[Gulfshore Playhouse Sunbiz](#)

[Survey](#)

[Architectural Plans](#)

[Architectural Plans 9-24-21](#)

[Landscape Plans 10-6-21](#)

[Civil Plans](#)

[Uniform Sign Plan Narrative](#)

[Uniform Sign Plan](#)

[Parking Needs Analysis](#)

[Traffic Impact Statement - Trebilcock](#)

[Traffic Impact Study Supplement - Stantec](#)

[Level of Service Build-Out Analysis - Stantec](#)

[Preliminary Utilities Engineering Report](#)

[Resolution 2021-14653 - Parking Garage Agreement](#)

[20-SP16 Sufficiency Letter 10-07-21](#)

[Petitioner Qualifications](#)

[Staff Qualifications](#)

[Mailing Labels](#)

11. Human Resources - Risk Management

- 11.A. Executive Session - Risk Management - Case No. 18-CA-426; Nancy Caputo v. City of Naples; and Case No. 20-CA-1973; Maude Louis v. City of Naples (SUPPLEMENT 1 - ADDING CASE CITES)

Executive Session - Risk Management (12:00 P.M. TIME CERTAIN)

Recommended Action: Meet in closed session

[Agenda Memorandum](#)

12. City Attorney

- 12.A. 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 (SUPPLEMENT 1 - TITLE CORRECTION)

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 October 6, 2021 meeting)

Recommended Action: Approve the ordinance at First Reading; schedule for Second Reading and Public Hearing November 3, 2021.

[Agenda Memorandum](#)

[Ordinance](#)

[Attachment A](#)

13. City Clerk

13.A. Ordinance - First Reading - Legislative - AN ORDINANCE AMENDING SUBSECTION (1) OF SECTION 2.5 OF THE CHARTER OF THE CITY OF NAPLES RELATING TO THE COMPENSATION AND BENEFITS FOR THE MAYOR AND CITY COUNCIL MEMBERS, INCREASING THE SALARY OF THE MAYOR TO \$54,100 AND INCREASING THE SALARY OF COUNCIL MEMBERS TO \$43,300 AS RECOMMENDED BY THE BLUE RIBBON COMMITTEE, PROVIDING A SEVERABILITY CLAUSE, A REPEALER PROVISION AND AN EFFECTIVE DATE.

Recommended Action: Approve at First Reading; schedule Second Reading and Public Hearing on November 3, 2021.

[Agenda Memorandum](#)

[Ordinance](#)

[Blue Ribbon Committee minutes](#)

Public Comment

Correspondence and Communications

Adjourn