

**NOTICE OF MEETING AND AGENDA (SUPPLEMENT 2)  
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.**

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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.

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**City Council Regular Meeting  
Monday, November 1, 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. Public Comment

**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.**

5. Community Services

5.A. Public Art Master Plan Presentation.

Recommended Action: Receive Presentation.

[Agenda Memorandum](#)

[Naples PAMP Policies Guidelines \(Oct 2021\)](#)

[PowerPoint](#)

5.B. Naples Fishing Pier - Pelican Protection and Code of Conduct Revision.

Recommended Action: Receive Presentation.

[Agenda Memorandum](#)

[Conservancy PowerPoint 8.12.2021](#)

[SWFL Conservancy Memorandum](#)

[Naples Pier Operations Discussion](#)

[Revised Sec. 42-53. Conduct on fishing pier and parking area](#)

6. City Manager

6.A. 1. Discussion to consider engaging a special magistrate for code enforcement hearings.

2. Discussion to consider a text amendment to regulate product sample distribution in the Fifth Avenue South Special Overlay District, 3rd Street Commercial Area Special Overlay District, and the D Downtown District.

Recommended Action: Discussion and direction.

[Agenda Memorandum](#)

[FL Statutes 162.03](#)

[Code of Ordinances Sec. 2-432. - Special magistrate](#)

[DRAFT - Text Amendment Article II. Nuisances](#)

7. Planning

7.A. 21-T6 Ordinance - First Reading - Legislative - AN ORDINANCE AMENDING CHAPTER 58, ZONING, ARTICLE III, SPECIAL OVERLAY DISTRICTS, DIVISION 6, 5TH AVENUE SOUTH SPECIAL OVERLAY DISTRICT, EXHIBIT A, FIFTH AVENUE SOUTH REGULATING PLAN, OF THE CITY OF NAPLES, CODE OF ORDINANCES, TO REMOVE THE "G" GARAGE DESIGNATION FROM THE 4TH AND 4TH PARCEL; APPROVING TEXT AMENDMENT 21-T6; PROVIDING A SEVERABILITY CLAUSE; PROVIDING A REPEALER PROVISION; AND PROVIDING AN EFFECTIVE DATE.

Recommended Action: Consider the ordinance at first Reading; schedule Second Reading and Public Hearing on December 1, 2021.

[Agenda Memorandum](#)

[Ordinance](#)

[PAB Staff Report](#)

[Ordinance 1994-7163](#)

[Ordinance 1995-7370](#)

[Ordinance 1997-7897](#)

[Text Amendment 97-T9 - Amendment to FASSOD Regulating Plan - Staff Report](#)

[Ordinance 1997-8045](#)

- 7.B. 21-T3 Ordinance - First Reading - Legislative - AN ORDINANCE AMENDING CHAPTER 58, ZONING, ARTICLE III, SPECIAL OVERLAY DISTRICTS, DIVISION 6, 5TH AVENUE SOUTH SPECIAL OVERLAY DISTRICT, SECTION 58-1134, SPECIFIC PROVISIONS, OF THE CITY OF NAPLES, CODE OF ORDINANCES; APPROVING TEXT AMENDMENT 21-T3; PROVIDING A SEVERABILITY CLAUSE; PROVIDING A REPEALER PROVISION; AND PROVIDING AN EFFECTIVE DATE.  
Recommended Action: Consider the ordinance at First Reading; schedule for Second Reading and Public Hearing on December 1, 2021.

[Agenda Memorandum](#)

[Ordinance](#)

[PAB Report](#)

[1994 - DPZ Master Plan](#)

[2004 Duany Report](#)

- 7.C. 21-T7 Ordinance - First Reading - Legislative - AN ORDINANCE AMENDING CHAPTER 58, ZONING, ARTICLE II, ZONING DISTRICTS, DIVISION 30, D DOWNTOWN DISTRICT, SECTION 58-912(3)a, GENERAL STANDARDS, OF THE CITY OF NAPLES, CODE OF ORDINANCES; APPROVING TEXT AMENDMENT 21-T7; PROVIDING A SEVERABILITY CLAUSE; PROVIDING A REPEALER PROVISION; AND PROVIDING AN EFFECTIVE DATE.  
Recommended Action: Consider the ordinance at First Reading; schedule Second Reading and Public Hearing on December 1, 2021.

[Agenda Memorandum](#)

[Ordinance](#)

[PAB Report](#)

[Passidomo Letter to City Council](#)

[DIVISION 30. D DOWNTOWN DISTRICT](#)

- 7.D. 21-T11 Discussion Only - An Ordinance creating a procedure for interpretation of the City of Naples Code of Ordinances.

Recommended Action: Discussion and Direction

[Agenda Memorandum](#)

[DRAFT Ordinance](#)

[Chapter 16 Building - Sec. 16 - 323. Right of appeal](#)

[Chapter 24 - Fire - Sec. 24 - 83. Appeals](#)

## 8. Streets and Stormwater

- 8.A. Presentation and discussion of the Draft Pedestrian & Bicycle Master Plan update.  
Recommended Action: Receive presentation and provide further guidance.

[Agenda Memorandum](#)

Bicycle & Pedestrian Master Plan Report- Updated 11.01.21  
Appendix A - Existing Sidewalk Networks  
Appendix B - Existing Bike Networks and Crash Data  
Appendix C - Ped & Bike Count Location Diagrams  
Appendix D - Bike & Ped Master Plan Projects Recommendations List  
Appendix E Bicycle Loop Map  
Appendix F - Resolution of the South Gordon Drive Neighborhood Association  
Appendix G-1 Gulfshore Blvd Petitions  
Appendix G-2 Gulfshore Blvd Petitions  
Appendix G-3 Gulfshore Blvd Petitions  
Appendix G-4 Gulfshore Blvd Petitions  
Appendix G-5 Gulfshore Blvd Petitions  
Appendix G-6 Gulfshore Blvd Petitions  
Appendix G-7 Gulfshore Blvd Petitions  
Appendix G-8 Gulfshore Blvd Petitions  
Appendix G-9 Gulfshore Blvd Petitions  
Appendix G-10 Gulfshore Blvd Petitions  
Appendix H - 2013 Master Plan Completed Projects  
Appendix I - HOA Meetings Summary Notes.pdf  
Appendix J - Community Feedback  
PowerPoint  
Appendix G-11 Gulfshore Blvd Petitions (SUPPLEMENT 1 - ADDED ATTACHMENT)  
Appendix G-12 Gulfshore Blvd Petitions (SUPPLEMENT 1 - ADDED ATTACHMENT)  
Appendix G-13 Gulfshore Blvd Petitions (SUPPLEMENT 1 - ADDED ATTACHMENT)  
Appendix G-14 Gulfshore Blvd Petitions (SUPPLEMENT 1 - ADDED ATTACHMENT)  
Appendix G-15 Gulfshore Blvd Petitions (SUPPLEMENT 1 - ADDED ATTACHMENT)  
Appendix G-16 Gulfshore Blvd Petitions (SUPPLEMENT 1 - ADDED ATTACHMENT)  
Appendix G-17 Gulfshore Blvd Petitions (SUPPLEMENT 1 - ADDED ATTACHMENT)  
Appendix G-18 Gulfshore Blvd Petitions (SUPPLEMENT 1 - ADDED ATTACHMENT)  
Appendix G-19 Gulfshore Blvd Petitions (SUPPLEMENT 1 - ADDED ATTACHMENT)  
Appendix G-20 Gulfshore Blvd Petitions (SUPPLEMENT 1 - ADDED ATTACHMENT)  
PowerPoint (SUPPLEMENT 1 - ADDED ATTACHMENT)

- 8.B. A presentation by Stantec Consulting Services, Inc., reviewing the progress on studying the Stormwater Utility as it relates to the utility fee rate and fee structure. (Reference: Task Order No. 21-01-60-02-531010)  
Recommended Action: Receive presentation and provide guidance.  
Agenda Memorandum  
PowerPoint  
Task Order 21-01-60-02-531010

9. City Clerk

- 9.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. (Continued from October 20, 2021 meeting)

Recommended Action: Approve at First Reading; schedule Second Reading and Public Hearing on November 17, 2021.

[Memorandum](#)

[Ordinance](#)

[Blue Ribbon Committee minutes](#)

10. City Attorney

- 10.A. Ordinance - First Reading - Legislative - AN ORDINANCE CREATING SECTION 2-57, OF DIVISION 2, MEETINGS, OF ARTICLE II, CITY COUNCIL, OF CHAPTER 2, ADMINISTRATION, OF THE CODE OF ORDINANCES OF THE CITY OF NAPLES TO PROVIDE A PROCEDURE FOR DETERMINING WHEN THE CITY COUNCIL IS "IN SESSION" AS USED IN SECTION 2.4 OF THE CITY OF NAPLES CHARTER; PROVIDING FOR LEGISLATIVE INTENT; PROVIDING A SEVERABILITY CLAUSE; PROVIDING A REPEALER PROVISION; AND PROVIDING AN EFFECTIVE DATE.

Recommended Action: Approve the ordinance at First Reading; schedule Second Reading and Public Hearing on December 1, 2021.

[Agenda Memorandum](#)

[Ordinance](#)

- 10.B. 1. Ordinance - First Reading - Legislative - AN ORDINANCE RELATING TO APPEALS FROM DECISIONS OF THE DESIGN REVIEW BOARD AMENDING SECTION 2-477 OF CHAPTER 2, ADMINISTRATION, ARTICLE V, BOARDS, COMMISSIONS AND COMMITTEES, DIVISION 4, DESIGN REVIEW BOARD; PROVIDING A SEVERABILITY CLAUSE, A REPEALER PROVISION, AND AN EFFECTIVE DATE.

2. Resolution - DISCUSSION ONLY - Legislative - A RESOLUTION AMENDING RESOLUTION 2021-14640 CONTAINING THE RULES OF PROCEDURE FOR CITY OF NAPLES CITY COUNCIL MEETINGS, AS ADOPTED AND AMENDED TO DELETE PROCEDURES RELATED TO APPEALS FROM THE DESIGN REVIEW BOARD DECISIONS; AND PROVIDING AN EFFECTIVE DATE.

Recommended Action: 1. Approve the ordinance at First Reading; schedule for Second Reading and Public Hearing on December 1, 2021; and

2. Discussion the resolution; consideration to occur on December 1, 2021.

[Agenda Memorandum](#)

[1. Ordinance](#)

[2. Resolution - DISCUSSION ONLY](#)

[Exhibit A of Resolution](#)

11. City Council

- 11.A. Employment Agreement for Interim City Manager Pete DiMaria. (Agreement to be provided in a supplement prior to this meeting.)  
Recommended Action: Approve the agreement and authorize the mayor to execute.

[Agenda Memorandum](#)

[Employment Agreement - DiMaria \(SUPPLEMENT 2 - ADDED ATTACHMENT\)](#)

Public Comment

Correspondence and Communications

Adjourn