

**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: Pete DiMaria**

**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  
Wednesday, November 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. Presentation of Mayor John Land Years of Service Award to Council Member Gary Price

**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. SUPPLEMENT 1 - ADDED ITEM

This was Item 10.C. on the November 15, 2021 meeting agenda and was rescheduled to this meeting to follow the Consent Agenda.

- 6.A. Discussion - Post project assessment and evaluation of swale projects in Basin IV (Aqualane Shores). (SUPPLEMENT 1 - ADDED ITEM)

Recommended Action: Receive update.

[Agenda Memorandum \(SUPPLEMENT 1 - ADDED ATTACHMENT\)](#)

[PowerPoint \(SUPPLEMENT 1 - ADDED ATTACHMENT\)](#)

### 7. City Clerk

- 7.A. Approval of the September 29, 2021 Joint City Council and Naples Airport Authority Workshop Meeting minutes and the October 4, 2021 Workshop Meeting minutes.

Recommended Action: Approve as submitted.

[Agenda Memorandum](#)

[September 29, 2021 Joint City Council and Naples Airport Authority Workshop Meeting minutes](#)

[October 4, 2021 Workshop Meeting minutes](#)

### 8. Technology Services

- 8.A. Softrim contract extension.

Recommended Action: Approve contract extension.

[Agenda Memorandum](#)

[Renewal Amendment Agreement - Softrim](#)

[First Amendment of Agreement - 2019-00157](#)

[Agreement - 2019-00004](#)

[Agenda Memorandum 1.6.2019](#)

### 9. Planning

- 9.A. City Council review pursuant to Section 56-125(e)(7) of the approved outdoor Live Entertainment petition 21-LE3 for Ziggy D'Amico's Whiskey Bar & Diner located 4691 9th Street North.

Recommended Action: Complete the 6-month review.

[Agenda Memorandum](#)

[Staff Memorandum](#)

[2021-14634](#)

[Life Safety Plan - approved 5-5-2021](#)

END OF CONSENT AGENDA

10. Human Resources

- 10.A. Executive Session - Labor Negotiations (SUPPLEMENT 1 - AMENDING 11:00 A.M. TIME CERTAIN TO 12:00 P.M. TIME CERTAIN)

To discuss collective bargaining pursuant to Section 447.605(1), Florida Statutes (2020), and relative to the following bargaining units:

- American Federation of State, County, and Municipal Employees, A.F.S.C.M.E., Council No. 79 of Local 2017,
- Collier County Lodge 38 of the Fraternal Order of Police, Police Officer Unit,
- Collier County Lodge 38 of the Fraternal Order of Police, Supervisor's Unit,
- Government Supervisors Association of Florida, Office and Professional Employees International Union, GSAF/OPEIU, Local 100 AFL-CIO, and
- The Professional Firefighters of Naples, IAFF, Local 2174.

Recommended Action: Hold Executive Session.

[Agenda Memorandum](#)

11. City Clerk

- 11.A. Consider appointing members to the Citizens' Police Review Board and the Code Enforcement Board.

Recommended Action: Appoint members.

[Agenda Memorandum](#)

[CPRB - R. Bass application](#)

[CPRB - C. Lounsbury application](#)

[CPRB - B. Martino application](#)

[CPRB - L. Orlans application](#)

[CPRB - P. Phillips application](#)

[CPRB - R. Schwasinger, application](#)

[CPRB Code section](#)

[CEB - G. Jarrett application](#)

[CEB - R. Landuyt application](#)

[CEB - M. Mair application](#)

[CEB - W. Marshall application](#)

[CEB - W. Phillips application](#)

[CEB - C. Russell application](#)

[Fla. Stat. 162.05](#)

12. Planning

- 12.A. 20-SP13 Resolution - Quasi-Judicial - A RESOLUTION DETERMINING A SITE PLAN FOR A NEW FIFTH THIRD BANK WITH A DRIVE-THRU IN THE GATEWAY

SHOPPING CENTER PLANNED DEVELOPMENT; APPROVING SITE PLAN PETITION 20-SP13; ON PROPERTY OWNED BY CRF GATEWAY LIMITED PARTNERSHIP, LOCATED AT 2100 9TH STREET NORTH, MORE FULLY DESCRIBED HEREIN; AND PROVIDING AN EFFECTIVE DATE.

Recommended Action: Consider the resolution.

[Agenda Memorandum](#)

[Resolution](#)

[Staff Report](#)

[Sufficiency Letter 08\\_20\\_2021](#)

[Site Plan Petition](#)

[Disclosure of Interest - CRF Gateway LTD Partnership](#)

[Disclosure of Interest - Fifth Third](#)

[Civil Plans](#)

[Fifth Third Signatory Authorization](#)

[Letter of Authorization](#)

[Survey](#)

[Site Plan](#)

[Architectural Elevations](#)

[Electrical Plans](#)

[Landscape Plans](#)

[Trip Generation Analysis](#)

[Ordinance 2001-9098 - Gateway Shopping Center Planned Development](#)

[Schedule A - Gateway Shopping Center Planned Development](#)

[Expert Qualifications](#)

[Planning Department Qualifications](#)

[Mailing Labels](#)

- 12.B. 21-ODPV18 Resolution - Quasi-Judicial - A RESOLUTION DETERMINING OUTDOOR DINING PETITION 21-ODPV18 TO ESTABLISH OUTDOOR DINING ON PRIVATE PROPERTY TO INCLUDE 4 TABLES AND 12 CHAIRS FOR YACHT CLUB SUBS, ON PROPERTY OWNED BY VICTORIA SQUARE, LLC, AND LOCATED AT 1200 CENTRAL AVENUE, MORE FULLY DESCRIBED HEREIN; AND PROVIDING AN EFFECTIVE DATE.

Recommended Action: Consider the resolution.

[Agenda Memorandum](#)

[Resolution](#)

[Supplemental Memorandum](#)

[Petition](#)

[Disclosure of Interest - Victoria Square, LLC](#)

[Disclosure of Interest - Yacht Club Subs, LLC](#)

[Survey](#)

[Outdoor Dining Plan](#)

[Staff Qualifications](#)

[Mailing Labels](#)

- 12.C. 21-CU6 Resolution - Quasi-Judicial - A RESOLUTION RELATING TO A CONDITIONAL USE TO PROVIDE ONE (1) OFF-SITE PARKING SPACE FOR THE DEVELOPMENT OF A RESTAURANT; DETERMINING PETITION 21-CU6, PURSUANT TO SECTION 50-102(b)(2) OF THE CITY OF NAPLES LAND DEVELOPMENT CODE, ON PROPERTY OWNED BY 305 FIFTH AVENUE SOUTH HOLDINGS, LLC C/O EDGEWOOD REAL ESTATE INVESTMENT II, LLC, LOCATED IN THE C-1A COMMERCIAL CORE DISTRICT AND THE FIFTH AVENUE SOUTH SPECIAL OVERLAY DISTRICT AT 305 5TH AVENUE SOUTH, MORE FULLY DESCRIBED HEREIN; AND PROVIDING AN EFFECTIVE DATE. (To be considered concurrently with Petition 21-ODPV19.)

Recommended Action: Consider the resolution.

[Agenda Memorandum](#)

[Resolution](#)

[PAB Staff Report](#)

[Conditional Use Petition](#)

[Affidavit of Authorization - 305 Fifth Avenue South Holdings LLC](#)

[Legal Description - 305 5th Avenue South](#)

[Disclosure of Interest - 305 Fifth Avenue South Holdings LLC](#)

[Legal Description - 410 4th Avenue South](#)

[Affidavit of Authorization - 410 Fourth Avenue South Holdings LLC](#)

[Deed - 305 5th Avenue South](#)

[Deed - 410-460 4th Avenue South](#)

[Disclosure of Interest - 410 Fourth Avenue South Holdings LLC](#)

[Disclosure of Interest - Sava Restaurant LLC](#)

[Survey - 305 5th Avenue South](#)

[Plans - Sava Restaurant](#)

[Parking Affidavit](#)

[Proposed Parking Agreement - Sava Restaurant](#)

[Petitioner Qualifications](#)

[Staff Qualifications](#)

[Mailing Labels](#)

- 12.D. 21-ODPV19 Resolution - Quasi-Judicial - A RESOLUTION DETERMINING OUTDOOR DINING PETITION 21-ODPV19 TO ESTABLISH OUTDOOR DINING ON PRIVATE PROPERTY TO INCLUDE 8 TABLES AND 20 SEATS IN THE COURTYARD AND 10 FIXED SEATS AT THE OUTDOOR BAR FOR SAVA, ON PROPERTY OWNED BY 305 FIFTH AVENUE SOUTH HOLDINGS, LLC C/O EDGEWOOD REAL ESTATE INVESTMENT II, LLC, AND LOCATED AT 305 5TH AVENUE SOUTH, MORE FULLY DESCRIBED HEREIN; AND PROVIDING AN EFFECTIVE DATE. (To be considered concurrently with Petition 21-CU6.)

Recommended Action: Consider the Resolution

[Agenda Memorandum](#)

[Resolution](#)

[Supplemental Memo](#)

[Outdoor Dining Petition](#)

[Affidavit of Authorization - 305 Fifth Avenue South Holdings LLC](#)  
[Affidavit of Authorization - Sails Restaurants, LLC](#)  
[Deed - 305 5th Avenue South](#)  
[Disclosure of Interest - 305 Fifth Avenue South Holdings LLC](#)  
[Disclosure of Interest - Sails Restaurants, LLC](#)  
[Survey - 305 5th Avenue South](#)  
[Plans](#)  
[Petitioner Qualifications](#)  
[Staff Qualifications](#)  
[Mailing Labels](#)  
[Correspondence](#)

- 12.E. 21-CU8 Resolution - Quasi-Judicial - A RESOLUTION DETERMINING PETITION 21-CU8, RELATING TO A CONDITIONAL USE PURSUANT TO SECTION 58-503 OF THE CODE OF ORDINANCES TO ALLOW A DANCE SCHOOL ON PROPERTY OWNED BY DOMENIC COSTANTINI, AND LOCATED AT 3339 9TH STREET NORTH, UNITS 3 AND 4, MORE FULLY DESCRIBED HEREIN; AND PROVIDING AN EFFECTIVE DATE.

Recommended Action: Consider the resolution.

[Agenda Memorandum](#)  
[Resolution](#)  
[Staff Report](#)  
[Application](#)  
[Disclosure of Interest](#)  
[Assignment of Partnership Interests](#)  
[Parking Requirement Study](#)  
[Parking Lot Plan](#)  
[Master Site Plan](#)  
[Proposed Sign Plan](#)  
[Planning Department credentials](#)  
[Labels](#)

- 12.F. 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. (Rescheduled from October 6, 2021 meeting.)

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](#)  
[Airport Noise Contour Plan](#)  
[APF Parcel Calculations Figure - Nov 2021](#)  
[Correspondence - Public - 6.9.21 PAB](#)  
[Correspondence - PAB - 6.9.21 PAB](#)  
[20210609 PAB minutes](#)  
[Planning Department Resumes](#)

13. City Attorney

13.A. Discussion of status of conservation easement - Naples Beach Hotel - Ausley Firm to present. (SUPPLEMENT 1 - ADDING TIME CERTAIN OF 10:00 A.M.)  
Recommended Action: Accept presentation.

13.B. Ordinance - First Reading - Legislative - AN ORDINANCE PROPOSING AN AMENDMENT TO THE CITY OF NAPLES CHARTER, TO REMOVE GENDER SPECIFIC PRONOUNS IN SECTIONS 2.1, 2.4, 2.6, 2.10, 3.1, 3.2, AND 3.3 AND TO INCLUDE GENDER INCLUSIVE LANGUAGE; PROVIDING FOR A REFERENDUM ON THE QUESTION OF APPROVAL OF THE PROPOSED AMENDMENT IN ENGLISH AND SPANISH; PROVIDING FOR FILING THE REVISED CHARTER WITH THE FLORIDA DEPARTMENT OF STATE; PROVIDING FOR COORDINATION WITH THE SUPERVISOR OF ELECTIONS OF COLLIER COUNTY, FLORIDA; PROVIDING FOR SEVERABILITY, CONFLICTS, AND AN EFFECTIVE DATE. (SUPPLEMENT 1 - AMENDED ORDINANCE)

AN ORDINANCE PROPOSING AN AMENDMENT TO THE CITY OF NAPLES CHARTER, REMOVING ALL LANGUAGE RELATED TO GENDER IN SECTIONS 2.1, 2.4, 2.6, 2.10, 3.1, 3.2, AND 3.3 AND SUBSTITUTING GENDER NEUTRAL LANGUAGE; PROVIDING FOR A REFERENDUM ON THE QUESTION OF APPROVAL OF THE PROPOSED AMENDMENT IN ENGLISH AND SPANISH; PROVIDING FOR FILING THE REVISED CHARTER WITH THE FLORIDA DEPARTMENT OF STATE; PROVIDING FOR COORDINATION WITH THE SUPERVISOR OF ELECTIONS OF COLLIER COUNTY, FLORIDA; PROVIDING FOR SEVERABILITY, CONFLICTS, AND AN EFFECTIVE DATE.

Recommended Action: Approve at First Reading; schedule Second Reading and Public Hearing November 29, 2021.

[Agenda Memorandum](#)

[Ordinance](#)

[Exhibit A to Ordinance](#)

[Amended Ordinance \(SUPPLEMENT 1 - ADDED ATTACHMENT\)](#)

[Amended Exhibit A to Ordinance \(SUPPLEMENT 1 - ADDED ATTACHMENT\)](#)

Public Comment

Correspondence and Communications

Adjourn