

**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: 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, December 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. Announcements
  - 3.A. Do the Right Thing Awards 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. Approval of the October 18, 2021 Workshop Meeting minutes and the October 20, 2021 Regular Meeting minutes.

Recommended Action: Approve as submitted.

[Agenda Memorandum](#)

[October 18, 2021 Workshop Meeting minutes](#)

[October 20, 2021 Regular Meeting minutes](#)

7. Community Services

7.A. SPECIAL EVENT - REPEAT EVENTS

(1) Candlelight Christmas Carols - John Stohmeyer - Friday, December 17, 2021, 6:30 pm - 8:00 pm at the Cambier Park Bandshell

(2) 25th Annual Art Fest Naples - Taire Malloy - Saturday, January 15 and Sunday, January 16, 2021 at Fleischmann Park

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

[Agenda Memorandum](#)

8. Planning

8.A. 21-LE6 - City Council 6-month review of the approval of indoor/outdoor live entertainment for Bistro 821, located at 821 5th Avenue South.

Recommended Action: 6-month review of approval.

[Agenda Memorandum](#)

[Combined no complaints or violations](#)

[2021-14644 resolution](#)

[Site Plan](#)

#### END OF CONSENT AGENDA

9. Community Services

9.A. SPECIAL EVENT - NEW EVENTS

(1) Maria Vision Music Concert - Diana O'Hara - Saturday, December 18, 2021 - 5:00pm - 10:00pm at the Cambier Park Bandshell

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

[Agenda Memorandum](#)

[Maria Vision](#)

10. Planning

10.A. Petition 21-ODPV20

A RESOLUTION DETERMINING OUTDOOR DINING PETITION 21-ODPV20 GRANTING OUTDOOR DINING ON PRIVATE PROPERTY FOR THE EXPANDED AREA OF TULIA'S RESTAURANT, TO INCLUDE 6 TABLES, 20 SEATS, AND 2 CEILING MOUNTED HEATERS, FOR THE PROPERTY OWNED BY 460 – 5TH SOUTH PROPERTY, LLC, AND LOCATED AT 460 5TH AVENUE SOUTH, BEING MORE FULLY DESCRIBED HEREIN; AND PROVIDING AN EFFECTIVE DATE.

Recommended Action: Consider the Resolution

[Agenda Memorandum](#)

[Resolution](#)

[Supplemental Memo](#)

[Outdoor Dining Application](#)

[Disclosure Business Owner](#)

[Disclosure Property Owner](#)

[Plans](#)

[Petitioner Credentials](#)

[Planning Department Resumes](#)

[Labels](#)

10.B. 21-T3 Ordinance - Second 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 RELATING TO PARKING REQUIREMENTS; PROVIDING A SEVERABILITY CLAUSE; PROVIDING A REPEALER PROVISION; AND PROVIDING AN EFFECTIVE DATE.

Recommended Action: Consider the ordinance at Second Reading.

[Agenda Memorandum](#)

[Ordinance](#)

[PAB Report](#)

[1994 - DPZ Master Plan](#)

[2004 Duany Report](#)

[2021-1013 pabr draft minutes](#)

10.C. 21-T6 Ordinance - Second 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 Second Reading.

[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](#)

- 10.D. 21-T7 Ordinance - Second 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 TO SPECIFY 12 FEET IS THE MINIMUM CEILING HEIGHT FOR FIRST FLOOR STRUCTURES MEASURED FROM THE STRUCTURE'S MAIN CEILING; PROVIDING A SEVERABILITY CLAUSE; PROVIDING A REPEALER PROVISION; AND PROVIDING AN EFFECTIVE DATE.

Recommended Action: Consider the ordinance at Second Reading.

[Agenda Memorandum](#)

[Ordinance](#)

[PAB Report](#)

[Passidomo Letter to City Council](#)

[DIVISION 30. D DOWNTOWN DISTRICT](#)

- 10.E. 21-T8 Ordinance - Second Reading - Legislative - AN ORDINANCE RELATED TO OUTDOOR DINING, AMENDING CHAPTER 56, SUPPLEMENTAL STANDARDS, ARTICLE IV, STANDARDS APPLICABLE TO COMMERCIAL DISTRICTS, SECTION 56-126, OUTDOOR DINING, OF THE CODE OF ORDINANCES, CITY OF NAPLES; PURSUANT TO TEXT AMENDMENT PETITION 21-T8; PROVIDING A SEVERABILITY CLAUSE; PROVIDING A REPEALER PROVISION; AND PROVIDING AN EFFECTIVE DATE.

Recommended Action: Consider the Ordinance at Second Reading.

[Agenda Memorandum](#)

[Ordinance](#)

[PAB Report](#)

[Florida Fire Prevention Code - Applicable Sections](#)

[Sec. 56-126. Outdoor dining - 2021 regulations](#)

[Sec. 56-126. Outdoor dining - 2018 regulations](#)

[Ordinance 2020-14457](#)

[2021-1013 pabr draft minutes](#)

- 10.F. 21-T9 Ordinance - Second Reading - Legislative - AN ORDINANCE RELATED TO LIVE ENTERTAINMENT, AMENDING CHAPTER 56, SUPPLEMENTAL STANDARDS, ARTICLE IV, STANDARDS APPLICABLE TO COMMERCIAL DISTRICTS, SECTION 56-125, LIVE ENTERTAINMENT, OF THE CODE OF ORDINANCES, CITY OF NAPLES; PURSUANT TO TEXT AMENDMENT PETITION 21-T9; PROVIDING A SEVERABILITY CLAUSE; PROVIDING A REPEALER PROVISION; AND PROVIDING AN EFFECTIVE DATE.

Recommended Action: Consider the ordinance at Second Reading.

[Agenda Memorandum](#)

[Ordinance](#)

[PAB Report](#)

[Sec 56-125. Live entertainment permit](#)

[2021-1013 pabr draft minutes](#)

## 11. Utilities

- 11.A. Approve a Task Order with Agnoli, Barber, and Brundage, Inc. for \$268,235 to provide professional engineering design services to replace Golden Gate Well No. 408 and construct new Well No. 426 within the Golden Gate Wellfield.

Recommended Action: City Council is asked to approve a Task Order with Agnoli, Barber, and Brundage, Inc. (ABB) for \$268,235 to provide professional engineering design services to replace Golden Gate Well No. 408 and construct new Well No. 426 within the Golden Gate Wellfield. Services are pursuant to the terms and conditions outlined within the Continuing Services Contract with Agnoli, Barber, and Brundage, Inc.; reference City Clerk's Tracking No. 2019-00047 and City RFQ 19-001.

[Agenda Memorandum](#)

[Task Order - Angoli, Barber & Brundage](#)

## 12. City Clerk

- 12.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 November 1, 2021 Regular Meeting)

Recommended Action: Approve at First Reading; schedule Second Reading and Public Hearing on December 15, 2021.

[Agenda Memorandum](#)

[Ordinance](#)

[Blue Ribbon Committee minutes](#)

- 12.B. Ordinance - First Reading - Legislative - AN ORDINANCE RELATING TO THE COMMUNITY REDEVELOPMENT AGENCY ADVISORY BOARD; AMENDING CHAPTER 2, ADMINISTRATION, ARTICLE V, BOARDS, COMMISSIONS AND COMMITTEES, DIVISION 8, COMMUNITY REDEVELOPMENT AGENCY ADVISORY BOARD, SECTION 2-572, COMPOSITION; TERM OF OFFICE; QUORUM; OF THE CODE OF ORDINANCES, CITY OF NAPLES, TO AMEND THE MEMBERSHIP AND THE TERMS OF APPOINTMENT; PROVIDING A SEVERABILITY CLAUSE, A REPEALER PROVISION, AND AN EFFECTIVE DATE.

Recommended Action: Approve at First Reading; schedule Second Reading and Public Hearing on December 15, 2021.

[Agenda Memorandum](#)  
[Ordinance](#)  
[October 25, 2021 CRAAB minutes](#)

- 12.C. Consider appointing two Commissioners to the Naples Airport Authority.  
Recommended Action: Appoint Commissioners.

[Agenda Memorandum](#)  
[M. Brainerd application](#)  
[J.P. Cassaniti application](#)  
[R. Cuddihy application](#)  
[K. Dustin application](#)  
[M. Klingenberg application](#)  
[C. Lounsbury application](#)  
[M. Schumann application](#)  
[Airport Authority Act](#)

13. Finance

- 13.A. Resolution - Legislative - A RESOLUTION OF THE CITY OF NAPLES, FLORIDA AUTHORIZING CITY STAFF TO PROCEED WITH A REQUEST BY THE MARINA AT NAPLES BAY RESORT ASSOCIATION, INC., AND NAPLES BAY PROPERTIES, LLC, FOR A SPECIAL ASSESSMENT RELATED TO CANAL DREDGING ALONG THE NORTH SIDE OF CURLEW CANAL; AND PROVIDING AN EFFECTIVE DATE.

Recommended Action: Approve the resolution.

[Agenda Memorandum](#)  
[Resolution](#)  
[NBP Letter to City re: Dredging 10.21.2021](#)  
[Parcel list for Curlew Canal Slips](#)  
[2008-12256 Special Assessment Procedures](#)

14. City Attorney

- 14.A. Ordinance - 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: Adopt the ordinance at Second Reading.

[Agenda Memorandum](#)  
[Ordinance](#)

- 14.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, OF THE CODE OF ORDINANCES; PROVIDING A SEVERABILITY CLAUSE, A REPEALER PROVISION AND AN EFFECTIVE DATE. (First Reading continued from November 1, 2021 meeting.)
2. Resolution - Discussion only - 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 Second Reading and Public Hearing December 15, 2021; and
2. Discuss resolution to be considered on December 15, 2021.

[Agenda Memorandum](#)

[1. Ordinance - revised by City Attorney 11.23.21](#)

[2. Resolution - Discussion only](#)

[Exhibit A of Resolution](#)

Public Comment

Correspondence and Communications

Adjourn