

POSTED
01-20-2022

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.

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
Monday, January 24, 2022
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
4. Set agenda (add or remove items)

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. Public Comment

CONSENT AGENDA

6. City Clerk

6.A. Approval of the November 3, 2021 Regular Meeting minutes.

Recommended Action: Approve as submitted.

[Agenda Memorandum](#)

[November 3, 2021 Regular Meeting minutes](#)

7. Community Services

7.A. SPECIAL EVENTS - REPEAT EVENTS

(1) Run for the Paws 5K Run/Walk - Hosted by the Humane Society of Naples- at the Naples Airport on Saturday, January 29, 2022, from 8:00 a.m. to 11:00 a.m.

(2) Hidden Lake Villas Private Party - Hosted by the Hidden Lake Villas Community - at the Hidden Lake Villas

- Monday, February 7, 2022, from 6:00 p.m. to 9:00 p.m.

(3) Movie Night in the Park - Hosted by the City of Naples - at Cambier Park

Bandshell - Friday, February 4, Friday, Mary 4, and Friday April 8, 2022 from 8:00 p.m. to 10:00 p.m.

(4) Mason Classical Academy 5k Run/Walk - Hosted by the Mason Classical Academy - Collier Way East to Horseshoe Drive South to Horseshoe Court, follow course out and back to Citation Point and Enterprise Avenue on Saturday, February 26, 2022 from 7:30 a.m. to 11:00 a.m.

(5) Annual Easter Sunrise Service at the Naples Pier and Beach - Hosted by First United Methodist Church of Naples on Sunday, April 17, 2022 from 7:00 a.m. to 8:00 a.m.

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

[Agenda Memorandum](#)

END OF CONSENT AGENDA

REGULAR AGENDA

PUBLIC HEARINGS

8. City Clerk

8.A. Ordinance - Second 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.
(Continued from December 15, 2021 meeting.)

Recommended Action: Adopt at Second Reading.

[Agenda Memorandum](#)

[Ordinance](#)

9. Fire-Rescue

- 9.A. Ordinance - First Reading - AN ORDINANCE RELATED TO FIRE PREVENTION AND PROTECTION, AMENDING CHAPTER 24, FIRE PREVENTION AND PROTECTION, ARTICLE III, STANDARDS, DIVISION 1, GENERALLY, SECTIONS 24-81, 24-88, 24-90 OF THE NAPLES CODE OF ORDINANCES; PROVIDING A SEVERABILITY CLAUSE; PROVIDING A REPEALER PROVISION; AND PROVIDING AN EFFECTIVE DATE.

Recommended Action: Approve the ordinance at First Reading; schedule a public hearing and Second Reading February 16, 2022

[Agenda Memorandum](#)

[Ordinance](#)

[Chapter 24 - Fire Prevention and Protection - Sections 24-81 through 24-91](#)

10. Planning

- 10.A. 21-ODPV25 - Resolution - Quasi-Judicial - A RESOLUTION DETERMINING OUTDOOR DINING PETITION 21-ODPV25 GRANTING OUTDOOR DINING ON PRIVATE PROPERTY TO MOVE THE LOCATION OF THE SHARED DUMPSTER FOR LAKE PARK DINER AND ROOMS TO GO TO 680 9TH STREET NORTH INSTEAD OF THE PREVIOUSLY APPROVED LOCATION AT 670 9TH STREET NORTH, UNDER A PREVIOUSLY APPROVED CITY COUNCIL RESOLUTION ALLOWING TOTALS OF 20 TABLES, 91 SEATS, 4 SPACE HEATERS, AND 5 RENSON AWNINGS FOR LAKE PARK DINER, ON PROPERTY OWNED BY MARKET, LLC, AND LOCATED AT 944 7TH AVENUE NORTH, 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](#)

[Cover Letter](#)

[Architectural Plans](#)

[Civil Engineering Plans](#)

[Landscape Plans](#)

[Furniture](#)

[Aerial](#)

[Deed 1](#)
[Deed 2](#)
[Site Work Permit Plans \(680 9th St N\)](#)
[Resolution 2020-14549](#)
[Correspondence](#)
[Petitioner Credentials](#)
[Planning Resumes](#)
[Labels](#)
[Petitioner's Presentation](#)

- 10.B. 21-WD3 Resolution - Quasi-Judicial - A RESOLUTION DETERMINING WAIVER OF DISTANCE PETITION 21-WD3 TO ALLOW UNCLE JULIO'S RESTAURANT TO OBTAIN AN ALCOHOLIC BEVERAGE LICENSE WITHIN 400 FEET OF AN ESTABLISHED SCHOOL OR OTHER LICENSED ESTABLISHMENT ON PROPERTY LOCATED AT 2096 9TH STREET NORTH OWNED BY GS PORTFOLIO HOLDINGS 2017, LLC, 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](#)
[Cover Letter](#)
[Agent Authorization](#)
[Distance Exhibit](#)
[Site Plan](#)
[Petitioner Credentials](#)
[Planning Department Resumes](#)
[Labels](#)
[Petitioner's Presentation](#)

- 10.C. 21-ODPV26 Resolution - Quasi-Judicial - A RESOLUTION DETERMINING OUTDOOR DINING PETITION 21-ODPV26 GRANTING OUTDOOR DINING ON PRIVATE PROPERTY FOR UNCLE JULIO'S RESTAURANT LOCATED AT 2096 9TH STREET NORTH ON PROPERTY OWNED BY GS PORTFOLIO HOLDINGS 2017, LLC, SAID PROPERTY BEING MORE FULLY DESCRIBED HEREIN; AND PROVIDING AN EFFECTIVE DATE.

Recommended Action: Consider the Resolution.

[Agenda Memorandum](#)
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[Supplemental Memorandum](#)
[Application](#)
[Disclosure Property Owner](#)

[Disclosure Business Owner](#)
[Cover Letter](#)
[Agent Authorization](#)
[Site Plan](#)
[Architectural Plans](#)
[Landscape Plans](#)
[Previous Approval \(Res 2019-14433\)](#)
[Deed](#)
[Petitioner Credentials](#)
[Planning Department Resumes](#)
[Labels](#)
[Petitioner's Presentation](#)

- 10.D. 21-ODPV27 Resolution - Quasi-Judicial - A RESOLUTION DETERMINING OUTDOOR DINING PETITION 21-ODPV27 TO ALLOW A CHANGE IN THE LIFE SAFETY PLAN TO INCLUDE A TOTAL OF 13 TABLES AND 56 SEATS FOR DECANter 41, INC, D/B/A ESGARGOT 41 ON PROPERTY OWNED BY BRIXMOR PARK SHORE SC, LLC, AND LOCATED AT 4351 9TH STREET NORTH, MORE FULLY DESCRIBED HEREIN; AND PROVIDING AN EFFECTIVE DATE.

Recommended Action: Consider the resolution.

[Agenda Memorandum](#)
[Resolution](#)
[Supplemental Memorandum](#)
[Petition](#)
[Disclosure of Interest - Petitioner](#)
[Disclosure of Interest - Property Owner](#)
[Cover Letter](#)
[Plans](#)
[Pergola system details](#)
[Petitioner's Presentation](#)
[Mailing Labels](#)
[Staff Qualifications](#)

11. Streets and Stormwater

- 11.A. Resolution - Quasi-Judicial - A RESOLUTION RELATING TO LAKES; DETERMINING LAKE FILL PETITION PRMR2005977 TO AUTHORIZE CONDITIONS FOR CONSTRUCTION OF A NEW DOCK AND LITTORAL PLANTINGS ON A PROPERTY THAT ABUTS LAKE 10 (ALLIGATOR LAKE) AND IS LOCATED AT 616 GULF SHORE BOULEVARD NORTH, OWNED BY 616 GSBN, LLC; AND PROVIDING AN EFFECTIVE DATE.

Recommended Action: Consider the resolution.

[Agenda Memorandum](#)
[Resolution](#)

[Attachment #1 - Lake Fill Petition Application](#)
[Attachment #2--Aerial, Survey, Site Plan](#)
[Attachment #3--Lake 10 Ownership Summary](#)
[Staff Photos](#)
[Staff Qualifications](#)
[Petitioner's Presentation](#)

12. City Manager

- 12.A. Ordinance - Legislative - First Reading - AN ORDINANCE OF THE CITY OF NAPLES, FLORIDA, AMENDING CHAPTER 29, PERSONNEL, ARTICLE V, POLICE OFFICERS' PENSION AND RETIREMENT SYSTEM, DIVISION 1, GENERALLY, SECTION 29-271, DEFINITIONS, OF THE CODE OF ORDINANCES, BY AMENDING THE DEFINITION OF "PRIOR SERVICE CREDIT" TO PROVIDE FOR A REFUND OF THE AMOUNT PAID FOR PRIOR SERVICE CREDIT IF A MEMBER SUBSEQUENTLY BECOMES DISABLED IN THE LINE OF DUTY AND THE MEMBER'S DISABILITY BENEFIT IS BASED ON THE APPLICABLE MINIMUM BENEFIT; PROVIDING FOR CONFLICTING PROVISIONS, SEVERABILITY AND APPLICABILITY, AND PROVIDING AN EFFECTIVE DATE.

Recommended Action: Consider the ordinance at First Reading; schedule for Second Reading and Public Hearing on February 28, 2022.

[Agenda Memorandum](#)

[Ordinance](#)

[January 11, 2022 Actuarial Impact Statement \(P&F\)-Naples Police](#)

[Updated MOU on Disability Pension Minimum and Purchased Service w JL insight](#)

[Opinion re: Refund of Prior Service Payment](#)

[R. Harp Documents](#)

[B. Gallagher Documents](#)

OTHER BUSINESS

13. City Clerk

- 13.A. Consider appointing seven members to the Community Redevelopment Agency Advisory Board.

Recommended Action: Appoint members.

[Agenda Memorandum](#)

[C. Askar application - CRAAB](#)

[J. Domenick application - CRAAB](#)

[G. Dondanville application - CRAAB](#)

[L. Fredrickson application - CRAAB](#)

[D. Fruscione application - CRAAB](#)

[J. Levy application - CRAAB](#)

[G. Palmer application - CRAAB](#)

14. Community Services

14.A. SPECIAL EVENT - NEW EVENTS

- (1) Annual Fundraiser for Saint Ann School, hosted by Saint Ann School - Friday, February 4, 2022, from 6:00 p.m. – 10:00 p.m. at Saint Ann School Campus.
- (2) Naples Yacht Club Wedding, hosted by Naples Yacht Club - Saturday, February 12, 2022, from 4:00 p.m. - 10:00 p.m. at the Naples Yacht Club.
- (3) Rocking on the Bay, hosted by McQuaid Marketing & Promotion LLC - Saturday, February 26, Saturday, March 26, Saturday, April 23, and Saturday, May 28, 2022 from 5:00 p.m. – 9:00 p.m. at Bayfront - 465 Bayfront Place.
- (4) Realtor Event - hosted by the Ronto Group - Thursday, February 17, 2022 at 1601 Gulf Shore Blvd. North from 4:00 p.m. to 7:00 p.m.
- (5) Celebration 25th Anniversary- hosted by Celebration Church at the Cambier Park Bandshell on Saturday, March 5, 2022 from 6:00 p.m. – 9:00 p.m.
- (6) Naples Yacht Club 75th Anniversary hosted by Naples Yacht Club at the Naples Yacht Club on Thursday, February 24, 2022 from 3:00 p.m. – 6:00 p.m.
- (7) Naples Yacht Club Welcome Aboard hosted by Naples Yacht Club at the Naples Yacht Club on Friday, March 12, 2022 from 4:00 p.m. – 10:00 p.m.
- (8) Saint Patrick's Day at Shane's Cabana Bar, Inc. hosted by Shane's Cabana Bar located at Bayfront on Thursday, March 17, 2022 from 3:00 p.m. – 9:00 p.m.

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

[Agenda Memorandum](#)

[Saint Ann School](#)

[Naples Yacht Club Wedding](#)

[Rocking on the Bay](#)

[The Ronto Group Realtor Event](#)

[Celebration Beach Church](#)

[Naples Yacht Club - 75th Anniversary](#)

[Naples Yacht Club - Welcome Aboard](#)

[Shane's Cabana Bar](#)

15. Streets and Stormwater

15.A. 1. Resolution - Legislative - A RESOLUTION AMENDING THE FISCAL YEAR (FY) 2021-22 BUDGET ADOPTED BY RESOLUTION 2021-14713 TO FUND THE COST OF A WATER QUALITY STUDY AT SWAN LAKE; AND PROVIDING AN EFFECTIVE DATE.

2. Consider approval of Task Order No. 22-03-60-61-531000 to the Continuing Services Contract for Professional Consultants Competitive Negotiation Act (CCNA) with Johnson Engineering, Inc. in an amount of \$194,791 to provide professional services for the Swan Lake Water Quality Study and authorize the City Manager to execute.

Recommended Action: 1. Approve the resolution; and

2. Approve the Task Order and authorize the City Manager to execute.

[Agenda Memorandum](#)

[Resolution](#)

[Task Order - Johnson Engineering](#)

15.B. 1. Resolution - Legislative - A RESOLUTION AMENDING THE FISCAL YEAR (FY) 2021-22 BUDGET ADOPTED BY ORDINANCE 2021-14713 TO FUND THE COST OF A SEAWALL REPLACEMENT DESIGN; AND PROVIDING AN EFFECTIVE DATE.

2. Consider issuing a Task Order to Coastal Engineering Consultants, Inc in the amount of \$139,710 to perform a detailed design and permitting of the 700 linear foot section of seawall known as Outlot "E" apply for a permit and perform an evaluation of the remainder of the 3,280 linear feet of seawall and authorize the City Manager to execute.

Recommended Action: 1. Approve the resolution; and

2. Approve the task order amendment for Coastal Engineering Consultants, Inc., and authorize the City Manager to execute.

[Agenda Memorandum](#)

[Resolution](#)

[Task Order Amendment - Coastal Engineering](#)

[Final Judgement](#)

[Settlement Agreement](#)

[GSB Seawall Replacement backup information](#)

Public Comment

Correspondence and Communications

Adjourn