

**NOTICE OF MEETING AND AGENDA**

**Naples City Council**

**Council Chamber, 735 8th Street South, Naples, Florida**

**Mayor: Teresa Heitmann**

**Vice Mayor: Michael McCabe**

**City Council Members:**

**Ted Blankenship, Ray Christman, Terry Hutchison, Paul Perry, Beth Petrunoff**

**City Attorney: Nancy Stuparich • City Clerk: Patricia Rambosk**

**Interim City Manager: Pete DiMaria**

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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, March 23, 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
  - 3.A. Sam Noe Award Presentation
  - 3.B. Sexual Assault 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.**

- 3.C. Legislative Priorities Update by City's Lobbyist Lisa Hurley (RESCHECULED FROM MARCH 22, 2022 DUE TO SCHEDULING CONFLICT)  
[Agenda Memorandum](#)
- 3.D. Presentation by Community Foundation of check for Blair Tree Fund
- 3.E. Employee Service Awards

- 4. Set agenda (add or remove items)
- 5. Public Comment

#### CONSENT AGENDA

- 6. City Clerk
  - 6.A. Acknowledge the selection of Seth Finman on the Board of Trustees of the Police Officers' Retirement Trust Fund.  
Recommended Action: Acknowledge selection.  
[Agenda Memorandum](#)  
[Police Pension code](#)
  - 6.B. Resolution - Legislative - A RESOLUTION OF THE NAPLES CITY COUNCIL HONORING STEPHEN HRUBY AS THE 2022 RECIPIENT OF THE SAM NOE AWARD; AND PROVIDING AN EFFECTIVE DATE.  
Recommended Action: Approve the resolution.  
[Agenda Memorandum](#)  
[Resolution](#)
- 7. Police
  - 7.A. Resolution - Legislative - A RESOLUTION AMENDING THE FISCAL YEAR 2021-22 BUDGET ADOPTED PURSUANT TO RESOLUTION 2021-14713 FOR THE PURPOSE OF APPROPRIATING FUNDS FROM THE STATE CONFISCATION TRUST FUND (FLORIDA CONTRABAND FORFEITURE ACT) AND THE FEDERAL CONFISCATION TRUST FUND (FEDERAL EQUITABLE SHARING PROGRAM); AND PROVIDING AN EFFECTIVE DATE.  
Recommended Action: Approve the resolution.  
[Agenda Memorandum](#)  
[Resolution](#)
- 8. Community Services
  - 8.A. Resolution - Legislative - A RESOLUTION AMENDING THE FISCAL YEAR 2021-2022 BUDGET ADOPTED BY RESOLUTION 2021-14713 FOR THE PURPOSE OF APPROPRIATING FUNDS FROM THE DONATIONS FOR BLAIR FOUNDATION

TREE CHALLENGE WITHIN THE 120 DONATION FUND TO PLANT STREET TREES; AND PROVIDING AN EFFECTIVE DATE.

Recommended Action: Approve the resolution.

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

8.B. SPECIAL EVENTS - REPEAT EVENTS

(1) 3rd Annual Scoops and Hoops Basketball Event - Hosted by the Naples Police Department at the River Park Basketball Pavilion on Monday, June 6, 2022, from 1:00 p.m. to 6:00 p.m.

(2) Blues, Brews & BBQ Festival - Hosted by Pinchers/Phelan Family Brands within Tin City parking lots and 12th Street South on Friday, April 29, 2022, from 4:00 p.m. until 9:30 p.m., Saturday, April 30, 2022, from 11:00 a.m. until 9:30 p.m., and Sunday, May 1, 2022, from 10:00 a.m. – 5:30 p.m.

(3) Private Party - Hosted by Trese Hadge at 3170 Gordon Drive on April 9, 2022 from 6:00 p.m. - 11:00 p.m.

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

[Agenda Memorandum](#)

8.C. SPECIAL EVENTS - NEW EVENTS

(1) Lake Park Association Neighborhood Party - The Lake Park Association on March 26, 2022, at 971 11th Street North, from 5:00 p.m. – 10:00 p.m.

(2) Epilepsy Florida's Walk the Talk - Epilepsy Florida, Inc., in Baker Park on Saturday, April 2, 2022, from 8:00 a.m. – 12:00 p.m.

(3) 50th Anniversary Party - Woodward Pires & Lombardo P.A., Attorneys at Law, are hosting a 50th Anniversary Party on April 8, 2022, at 3200 Tamiami Trail North Naples from 6:00 p.m. – 10:00 p.m.

(4) Wildlife Federation Silent Auction - The Wildlife Federation at Cambier Park on Saturday, April 16, 2022, from 11:30 a.m. – 2:30 p.m.

(5) Save Our Planet – Climate Change Jamboree - Collier County Waterkeepers on Saturday April 23, 2022, at Cambier Park from 10:00 a.m. – 4:00 p.m.

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

[Agenda Memorandum](#)

[Lake Park Party](#)

[Epilepsy](#)

[50th Anniversary](#)

[Save Our Planet](#)

[Silent Auction](#)

8.D. Award of contract to Hannula Landscaping & Irrigation of Ft. Myers, FL for the restoration of the landscape medians on Goodlette-Frank Road from 7th Avenue North to Golden Gate Parkway in the amount of \$288,011.92 (Bid # 22-011).

Recommended Action: Award contract.

[Agenda Memorandum](#)

[Agreement - Hannula](#)

[22-011 Bid Analysis](#)

[2021-14737 Interlocal with Collier County](#)

## 9. Utilities

- 9.A. City Council is asked to: 1. Approve an interlocal agreement with Collier County acknowledging the City's relinquishment of certain County funds appropriated towards the sanitary sewer constructions costs on Phase 1 of the West Goodlette-Frank Road Area Joint Stormwater and Sanitary Sewer Improvements Project; and 2. Approve a mediated Settlement Agreement and Mutual Release between the Board of County Commissioners of Collier County, the City of Naples, Q. Grady Minor and Associates P.A., and WPM Southern, LLC., related to the construction of the Project.

Recommended Action: 1. Approve the resolution approving the interlocal agreement; and

2. Approve the settlement agreement.

[Agenda Memorandum](#)

[Resolution](#)

[Interlocal Agreement](#)

[Settlement Agreement](#)

[Settlement Agreement](#)

- 9.B. Award of contract to Reliable Disposal and Recycling, Inc. for the collection and hauling of roll-off waste containers and self-contained waste compactors in an annual amount limited to the annual budgets approved by City Council for the collection and hauling of roll-off waste containers and self-contained waste compactor units, for a period of three (3) years, with the City's option to renew for two (2), one-year renewal periods and authorize the City Manager to execute the contract. (22-014)

Recommended Action: Award the contract and authorize the City Manager to execute.

[Agenda Memorandum](#)

[Agreement - Reliable Disposal Recycling Inc.](#)

[Bid Analysis 22-014](#)

## 10. Planning

- 10.A. 21-WD1 - A RESOLUTION AMENDING RESOLUTION 2022-14793 THAT APPROVED A WAIVER OF DISTANCE PETITION 21-WD1 TO ALLOW DMD FLORIDA RESTAURANT GROUP G., LLC, D/B/A TWIN PEAKS – NAPLES, TO OBTAIN AN ALCOHOLIC BEVERAGE LICENSE WITHIN 400 FEET OF AN ESTABLISHED SCHOOL ON PROPERTY LOCATED AT 2078 9TH STREET NORTH OWNED BY GS PORTFOLIO HOLDINGS 2017, LLC, MORE FULLY DESCRIBED HEREIN, FOR THE PURPOSE OF CORRECTING THE HOURS OF OPERATION; PROVIDING THAT ALL OTHER PROVISIONS CONTAINED IN RESOLUTION 2022-14793 REMAIN IN EFFECT; AND PROVIDING AN EFFECTIVE DATE.

Recommended Action: Approval.

[Agenda Memorandum](#)

[Resolution](#)

[Resolution 2022-14793](#)

[Resolution 2022-14794](#)

## END OF CONSENT AGENDA

## PUBLIC HEARINGS

### 11. Planning

- 11.A. 21-T5 Ordinance - Second Reading - Legislative - AN ORDINANCE APPROVING TEXT AMENDMENT 21-T5 AMENDING CHAPTER 58, ZONING, ARTICLE II, ZONING DISTRICTS, DIVISION 30 D-DOWNTOWN DISTRICT FOR THE PURPOSE OF ELIMINATING THE DENSITY BONUS AND OPEN SPACE FEE FOR BONUS DENSITY IN THE D DOWNTOWN ZONING DISTRICT, SECTION 58-907 AMENDING OR ELIMINATING REQUIREMENTS FOR THE USE OF OPEN SPACE TO INCREASE DENSITY IN THE D-DOWNTOWN ZONING DISTRICT; PROVIDING A SEVERABILITY CLAUSE; PROVIDING A REPEALER PROVISION; AND PROVIDING AN EFFECTIVE DATE.

Recommended Action: Adopt the ordinance at Second Reading.

[Agenda Memorandum](#)

[Ordinance](#)

[PAB Staff Report](#)

[D-Downtown Density Chart](#)

[Sec. 58-907. maximum residential density](#)

[Appendix A - Fees and Charges Schedule](#)

[Ordinance 2003-10093](#)

[Civic Design Associates Report 2002](#)

[Ordinance 2008-12165](#)

[Heart of Naples Committee Final Report Recommendations - January 22, 2003](#)

[2008 Open Space Fee Report](#)

[2008-12053 Parking Allocation Fee](#)

[2008 Carroll & Carroll Consulting Report](#)

[Ordinance 2011-12963](#)

[Resolution 2011-12964](#)

[Correspondence - Old Naples Association](#)

- 11.B. 21-CU11 - Resolution - Quasi-Judicial - A RESOLUTION DETERMINING PETITION 21-CU11, RELATING TO A CONDITIONAL USE PURSUANT TO SECTION 58-503 OF THE CODE OF ORDINANCES FOR THE PURPOSE OF ALLOWING A DANCE SCHOOL ON PROPERTY OWNED BY NAPLES VENTURE I, AND LOCATED AT 4947 9TH STREET NORTH, UNIT 107, MORE FULLY DESCRIBED HEREIN; AND PROVIDING AN EFFECTIVE DATE.

Recommended Action: Consider the resolution.

[Agenda Memorandum](#)

[Resolution](#)

[PAB Staff Report](#)

Application  
Disclosure of Interest  
Departmental Review Comments  
Site Plan  
Parking Table  
Petitioner Resume - Liannette Coronado - Expert  
Petitioner Resume - Timothy Curfman  
Planning Department Credentials  
Mailing Labels

- 11.C. 21-CU5 - Quasi-Judicial - A RESOLUTION RELATING TO A CONDITIONAL USE FOR THE PURPOSE OF CONVERTING ONE EXISTING TENNIS COURT TO TWO NEW PICKLEBALL COURTS; DETERMINING PETITION 21-CU5, PURSUANT TO SECTION 58-833 AND SECTION 46-34 OF THE CITY OF NAPLES LAND DEVELOPMENT CODE, ON PROPERTY OWNED BY THE PORT ROYAL CLUB, INC., A FLORIDA NOT FOR PROFIT CORPORATION, LOCATED IN THE PS PUBLIC SERVICE DISTRICT AT 2755 AND 2757 GORDON DRIVE, MORE FULLY DESCRIBED HEREIN; AND PROVIDING AN EFFECTIVE DATE. (11:00 A.M. TIME CERTAIN)

Recommended Action: Consider the resolution.

Agenda Memorandum

Resolution

PAB Staff Report

Petition

Disclosure of Interest

Authorization

Deed

Legal Description

Survey

Aerial

Plans

Parking Memorandum

Traffic Memorandum

Port Royal Club Pickleball Noise Study

Correspondence - prior to June 9 2021 PAB

Proposed Court Materials (Provided at PAB Hearing)

June 2021 PAB minutes

Correspondence - following June 9 2021 PAB

Siebein Qualifications

Planning Staff Qualifications

Mailing Labels - for June 9 PAB hearing

Petitioner's PowerPoint

Mailing Labels - for March 23 Council hearing.pdf

Notarized Sign Posting

11.D. 21-V6 - Quasi-Judicial - A RESOLUTION RELATING TO A VARIANCE; DETERMINING PETITION 21-V6 FOR THE PURPOSE OF ALLOWING A VARIANCE FROM SECTION 58-330 FOR TOTAL PROJECT LOT COVERAGE OF 30 PERCENT WHERE A MAXIMUM OF 25 PERCENT IS PERMITTED FOR THE PALM COURT CONDOMINIUM ON PROPERTY OWNED BY FRANK FERRI (UNIT 1), GARY L & ELIZABETH M HYATT (UNIT 6), JODY L CORBETT (UNIT 7), WADE C APPLEMAN & ROBIN KRAWCZYK (UNIT 12), WILLIAM C PATTERSON & MEGAN N WISE-PATTERSON (UNIT 13), AND THOMAS R & JACQUALYN HESSON (UNIT 17), LOCATED IN THE R3T-12 MULTIFAMILY ZONING DISTRICT AT 660 3RD STREET SOUTH (UNIT 1), 266 6TH AVENUE SOUTH (UNIT 6) 260 6TH AVENUE SOUTH (UNIT 7), 230 6TH AVENUE SOUTH (UNIT 12), 224 6TH AVENUE SOUTH (UNIT 13), & 635 2ND STREET SOUTH (UNIT 17), MORE FULLY DESCRIBED HEREIN; AND PROVIDING AN EFFECTIVE DATE. (2:00 P.M. TIME CERTAIN)

Recommended Action: Consider the resolution.

[Agenda Memorandum](#)

[Resolution](#)

[PAB Staff Report](#)

[Petition Application](#)

[Disclosure of Interest - Palm Court](#)

[Warranty Deeds](#)

[Original Permit Cards](#)

[Survey - 1985](#)

[Site Plan - 1986](#)

[Certificates of Occupancy](#)

[Survey - 1987](#)

[Survey, partial - 2019](#)

[Key Plan](#)

[Lot Coverage Diagram](#)

[Rendered Plans](#)

[Draft Minutes - February PAB](#)

[Petitioner's Council presentation](#)

[Correspondence](#)

[James Knafo Resume](#)

[Planning Staff Qualifications](#)

[Affidavit of Posting Public Hearing](#)

[Mailing Labels](#)

## REGULAR AGENDA

### 12. Risk Management

- 12.A. 1. Executive Session regarding Case No. 2021-CA-001944, Prudence McGregor v. City of Naples. (12:00 P.M. TIME CERTAIN); and  
2. Announce action.

Recommended Action: 1. Conduct Executive Session; and

2. Announce action.  
[Agenda Memorandum](#)

13. PUBLIC HEARINGS

14. City Attorney

14.A. Ordinance - Second Reading - Legislative - AN ORDINANCE RELATING TO OFF-PREMISES SOLICITATION OF PEDESTRIANS (“HAWKING”); FOR THE PURPOSE OF ADOPTING CODE SECTION 10-59 CREATING AND REGULATING CONDUCT IN AND ADJACENT TO AN OFF-PREMISES SOLICITING PROHIBITED ZONE IN CERTAIN AREAS; AMENDING CODE SECTIONS REGULATING PEDDLING, CHAPTER 10, BUSINESSES, ARTICLE II, PEDDLERS AND SOLICITORS, DIVISION 1, GENERALLY, SECTIONS 10-31, DEFINITIONS; AND AMENDING DIVISION 2, PERMIT, SECTIONS 10-51 THROUGH 10-58 PERMIT REQUIREMENTS; PROVIDING A SEVERABILITY CLAUSE, PROVIDING A CONFLICT AND REPEALER PROVISION, AND AN EFFECTIVE DATE.

Recommended Action: Adopt the ordinance at Second Reading.

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

15. Ethics Commission

15.A. Ordinance - Second Reading - Legislative - AN ORDINANCE AMENDING THE CITY OF NAPLES CODE OF ETHICS; AMENDING SECTIONS 2-975(e) IN ARTICLE IX OF CHAPTER 2 RELATED TO PROHIBITED EMPLOYMENT; ADOPTING AMENDMENTS PRESENTED TO THE CITY COUNCIL BY THE COMMISSION ON ETHICS AND GOVERNMENTAL INTEGRITY; PROVIDING FOR RENUMBERING OF APPLICABLE SECTIONS AS NEEDED, SEVERABILITY, CONFLICTS AND AN EFFECTIVE DATE.

Recommended Action: Adopt the ordinance at Second Reading.

[Agenda Memorandum](#)  
[Ordinance](#)  
[Resolution by Ethics Commission on Grace period](#)

OTHER BUSINESS

16. City Manager

16.A. 22-T2 - Ordinance - First Reading - Legislative - AN ORDINANCE RELATING TO BUILDING HEIGHTS; PROVIDING FOR LEGISLATIVE INTENT; FOR THE PURPOSE OF AMENDING CHAPTER 44, GENERAL PROVISIONS, SECTION 44-8, DEFINITIONS; PURSUANT TO TEXT AMENDMENT 22-T2; PROVIDING A SEVERABILITY CLAUSE, PROVIDING A REPEALER PROVISION; AND PROVIDING AN EFFECTIVE DATE.

Recommended Action: Approve the Ordinance at First Reading and schedule Second Reading and Public Hearing for April 6, 2022.



[Agenda Memorandum](#)

[Ordinance](#)

[Ordinance 2021-14664](#)

[June 16, 2021 Agenda Memorandum - Text Amendment 20-T1](#)

[June 16, 2021 Meeting Minutes \(see page 21, Item 18.B.\)](#)

17. City Council

17.A. City Manager Selection. The selection is to be made from the three finalist that were interviewed March 21 and March 22, 2022.

Recommended Action: Select a City Manager.

[Agenda Memorandum](#)

Public Comment

Correspondence and Communications

Adjourn