

NOTICE OF MEETING AND AGENDA (SUPPLEMENT 1)

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

City Manager: Jay Boodheshwar

One or more other elected or appointed officials may be in attendance at this meeting.

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

Wednesday, May 4, 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. Do the Right Thing Awards Presentation & Marc Newberry Memorial Scholarship 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.

3.B. Drowning Prevention Proclamation

3.C. National Drug Court Awareness Proclamation

3.D. Monthly update from Collier County Commissioner Penny Taylor

4. Set agenda (add or remove items)

5. Public Comment

CONSENT AGENDA

6. Community Services

6.A. Authorization for the Mayor to sign a Ground Lessor Estoppel Certificate requested by Philip J. McCabe as Trustee under Trust Agreement dated May 1, 1986 ("Tenant") related to property leased from the City and commonly known as Sugden Plaza.

Recommended Action: Consider the request.

[Agenda Memorandum](#)

[Ground Lessor - Estoppel Certificate](#)

[Ground Lease City of Naples](#)

[Letter from Attorney Michael S. Kosmas](#)

END CONSENT AGENDA

REGULAR AGENDA

7. City Clerk

7.A. Consider appointing members to the Design Review Board and the East Naples Bay Citizens Advisory Committee.

Recommended Action: Appoint members.

[Agenda Memorandum](#)

[DRB - L. Bulloch application](#)

[DRB - A. Dwyer application](#)

[DRB - L. Fredrickson application](#)

[DRB - D. Haughey application](#)

[DRB code](#)

[ENB - R. Ohlers application](#)

[ENB - T. Oliva application](#)

[ENB - R. Shanahan application](#)

[Resolution 2018-14135](#)

PUBLIC HEARINGS

8. Planning

- 8.A. Resolution - Quasi-Judicial - A RESOLUTION DETERMINING OUTDOOR DINING PETITION 22-ODPB1 FOR THE PURPOSE OF ALLOWING 13 TABLES WITH 50 SEATS ON PRIVATE PROPERTY, 9 TABLES WITH 24 SEATS ON PUBLIC PROPERTY, FOR A TOTAL OF 22 TABLES WITH 74 SEATS FOR THE RESTAURANT KNOWN AS SAILS ON PROPERTY OWNED BY 305 FIFTH AVENUE SOUTH HOLDINGS, LLC, AND LOCATED AT 305 5TH AVENUE SOUTH, MORE FULLY DESCRIBED HEREIN; AND PROVIDING AN EFFECTIVE DATE. (Continued from April 20, 2022 meeting.)

Recommended Action: Consider the resolution.

[Agenda Memorandum](#)

[Resolution](#)

[Outdoor Dining Petition](#)

[Deed](#)

[Disclosure of Interest - Sails](#)

[Disclosure of Interest - Property Owner](#)

[Survey](#)

[Plans](#)

[Furniture](#)

[Surrounding Property Owner Addresses](#)

[Petitioner Qualifications](#)

[Staff Qualifications](#)

[Correspondence](#)

[Petitioner Presentation](#)

- 8.B. Resolution - Quasi-Judicial - A RESOLUTION DETERMINING OUTDOOR DINING PETITION 22-ODPV1 FOR THE PURPOSE OF ESTABLISHING OUTDOOR DINING ON PRIVATE PROPERTY TO INCLUDE TWENTY-ONE (21) TABLES AND EIGHTY-SEVEN (87) CHAIRS FOR MINATIVE, LLC – DBA SEA MONKEY TAVERN AND GRILL, ON PROPERTY OWNED BY SHOPPES AT DOCKSIDE, AND LOCATED AT 1100 6TH AVENUE SOUTH, SUITE 6 AND 7, MORE FULLY DESCRIBED HEREIN; AND PROVIDING AN EFFECTIVE DATE. (Continued from April 20, 2022 meeting.)

Recommended Action: Consider the resolution.

[Agenda Memorandum](#)

[Resolution](#)

[Department Comments](#)

[Application](#)

[Disclosure of Intertest - Property Owner](#)

[Disclosure of Interest - Business Owner](#)

[Outside Seating Floor Plan](#)

[Dockside Parking Map](#)

[Planning Department Credentials](#)

[Public Notice - Addresses
Correspondence](#)

9. City Attorney

- 9.A. 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 December 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 May 18, 2022; and
2. Discuss resolution to be considered on May 18, 2022. (rescheduled from December 1, 2021)
- [Agenda Memorandum](#)
- [Ordinance](#)
- [Resolution - Discussion Only](#)
- [Exhibit A of Resolution - Rules of Procedure](#)

10. City Manager (**SUPPLEMENT 1** - ADDED SECTION)

- 10.A. Resolution - Legislative - A RESOLUTION FOR THE PURPOSE OF APPROVING, RATIFYING, AND CONFIRMING THE LABOR CONTRACT BETWEEN THE CITY OF NAPLES AND THE FRATERNAL ORDER OF POLICE, COLLIER COUNTY LODGE 38, SUPERVISOR'S BARGAINING UNIT; AND PROVIDING AN EFFECTIVE DATE. (continued from May 2, 2022 meeting / **SUPPLEMENT 1** - ADDED ITEM)
- Recommended Action: Approve the resolution and authorize the City Manager to execute the agreement.
- [Agenda Memorandum \(**SUPPLEMENT 1** - ADDED ITEM\)](#)
- [Resolution \(**SUPPLEMENT 1** - ADDED ITEM\)](#)
- [Agreement \(**SUPPLEMENT 1** - ADDED ITEM\)](#)
- [Agreement - Redlined](#)
- 10.B. Resolution - Legislative - A RESOLUTION FOR THE PURPOSE OF APPROVING, RATIFYING, AND CONFIRMING THE LABOR CONTRACT BETWEEN THE CITY OF NAPLES AND THE FRATERNAL ORDER OF POLICE, COLLIER COUNTY LODGE 38, OFFICER'S BARGAINING UNIT; AND PROVIDING AN EFFECTIVE DATE. (continued from May 2, 2022 meeting / **SUPPLEMENT 1** - ADDED ITEM)
- Recommended Action: Approve the resolution and authorize the City Manager to execute the agreement.

Agenda Memorandum (SUPPLEMENT 1 - ADDED ITEM)

Resolution (SUPPLEMENT 1 - ADDED ITEM)

Agreement (SUPPLEMENT 1 - ADDED ITEM)

Agreement - Redlined (SUPPLEMENT 1 - ADDED ITEM)

Public Comment

Correspondence and Communications

Adjourn