

POSTED
06/14/2022

NOTICE OF MEETING AND AGENDA (SUPPLEMENT 2)

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, June 15, 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. Support Ukraine Proclamation
 - 3.B. Arbor Day 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.

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

CONSENT AGENDA

6. City Clerk
 - 6.A. Approval of the May 2, 2022 Regular Meeting minutes and the May 4, 2022 Regular Meeting minutes.
Recommended Action: Approve as submitted.
[Agenda Memorandum](#)
[May 2, 2022 Regular Meeting minutes](#)
[May 4, 2022 Regular Meeting minutes](#)
7. Community Services
 - 7.A. Resolution - Legislative - A RESOLUTION APPROVING THE 2022-2023 TOURIST DEVELOPMENT TAX GRANT AGREEMENT BETWEEN COLLIER COUNTY AND THE CITY OF NAPLES CATEGORY "A" CITY OF NAPLES PROJECTS; AUTHORIZING THE MAYOR TO EXECUTE THE AGREEMENT; AND PROVIDING AN EFFECTIVE DATE.
Recommended Action: Approve the Resolution.
[Agenda Memorandum](#)
[Resolution](#)
[2022-2023 Tourist Development Tax Agreement](#)
 - 7.B. Concession Services – Proposal Number 22-020 – Award Contract for Concession Services at Site #1 Lowdermilk Park and the Site #2 Naples Pier.
Recommended Action: Award the contract.
[Agenda Memorandum](#)
[Naples Pier Agreement with Exhibits](#)
[Lowdermilk Agreement with Exhibits](#)
[Declaration of Intent](#)
[Bid Analysis](#)
[22-020 Concession Services RFP](#)
 - 7.C. Approval of contract to replace City Hall roof via the Master Intergovernmental Cooperative Purchasing Agreement (MICPA) with Racine County, WI and OMNIA Partners, Public Sector (U.S. Communities).
Recommended Action: Approve the contract.
[Agenda Memorandum](#)
[Proposal](#)
[Piggyback Contract - Racine County, WI](#)
[Naples City Hall Plans](#)
[Sutter Decline \(No-Bid\)](#)

END OF CONSENT AGENDA

REGULAR AGENDA

8. City Manager

- 8.A. Discussion and direction regarding planning for the City of Naples' Centennial and the establishment of a Centennial Planning Committee.

Recommended Action: Discussion and direction.

[Agenda Memorandum](#)

[September 13, 1984 Meeting Minutes](#)

9. Police Department

- 9.A. Resolution - Legislative - A RESOLUTION ACCEPTING A CASH DONATION OF \$105,000 FROM PORT ROYAL ASSOCIATION; AMENDING THE FISCAL YEAR 2021-22 BUDGET ADOPTED BY RESOLUTION 2021-14713 BY APPROPRIATING FUNDS FROM THE DONATION FUND - PORT ROYAL CAMERA ACCOUNT; AUTHORIZING THE EXPENDITURE OF DONATED FUNDS FOR THE PURCHASE, INSTALLATION, AND YEARS 1-7 OPERATING COSTS FOR AUTOMATED LICENSE PLATE READING CAMERAS; AND PROVIDING AN EFFECTIVE DATE.

Recommended Action: Approve the Resolution.

[Agenda Memorandum](#)

[Resolution](#)

[Naples Donation Policy](#)

[Estimated Costs - Port Royal Automated License Plate Reading Cameras](#)

PUBLIC HEARINGS

10. Planning

- 10.A. Petition 22-ODPV4 - Resolution - Quasi-Judicial - A RESOLUTION DETERMINING OUTDOOR DINING PETITION 22-ODPV4 FOR THE PURPOSE OF GRANTING OUTDOOR DINING ON PRIVATE PROPERTY TO INCLUDE 59 TABLES, 118 SEATS, AND 2 UMBRELLAS, FOR THE BEVY, LOCATED AT 360 12TH AVENUE SOUTH, ON PROPERTY OWNED BY 360 TWELFTH AVE HOLDINGS, LLC, SAID PROPERTY BEING MORE FULLY DESCRIBED HEREIN; AND PROVIDING AN EFFECTIVE DATE.

Recommended Action: Consider the Resolution

[Agenda Memorandum](#)

[Resolution](#)

[Application](#)

[Disclosure Property Owner](#)

[Disclosure Business Owner](#)

[Life Safety Plan 051622](#)

[Furniture](#)

[Manual for LED Heaters](#)

[Heater Cut Sheet](#)

[Survey](#)
[Warranty Deed](#)
[17-ODPV1 The Bevy REVISED approval plus attachments](#)
[Combined Correspondence](#)
[Petitioner Credentials](#)
[Planning Department Resumes](#)
[Affidavit of Posting](#)
[Notification Addresses](#)
[Petitioner's Presentation](#)

- 10.B. Petition 21-ODPV25 - City Council review of the approval of outdoor dining Petition 21-ODPV25 for Lake Park Diner located at 944 7th Avenue North.
Recommended Action: Consider the information provided and determine if outdoor dining should be permitted to continue.
[Agenda Memorandum](#)
[Resolution 2022-14783](#)
[Life Safety Plan](#)
[Resolution 2020-14549](#)
[Petitioner's Presentation](#)
- 10.C. 22-T3 - Ordinance - Legislative - Second Reading - AN ORDINANCE AMENDING CHAPTER 56, SUPPLEMENTAL STANDARDS, ARTICLE IV, STANDARDS APPLICABLE TO COMMERCIAL DISTRICTS, SECTION 56-122, ALCOHOLIC BEVERAGES, MEDICAL MARIJUANA DISPENSARY, AND MEDICAL MARIJUANA TREATMENT CENTER LOCATION CRITERIA, OF THE CITY OF NAPLES, CODE OF ORDINANCES, TO AMEND WAIVER OF DISTANCE REQUIREMENTS; APPROVING TEXT AMENDMENT 22-T3; PROVIDING A SEVERABILITY CLAUSE; PROVIDING A REPEALER PROVISION; AND PROVIDING AN EFFECTIVE DATE.
Recommended Action: Adopt the Ordinance at Second Reading.
[Agenda Memorandum](#)
[Ordinance](#)
[Staff Report](#)
[REDLINE Sec. 56-122. Alcoholic beverages medical marijuana dispensary and medical marijuana treatment center location criteria](#)
[Ordinance No. 11-12911](#)
[Ordinance No. 14-13540](#)
- 10.D. 22-T4 - Ordinance - Legislative - Second Reading - 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 22-T4; PROVIDING FOR A LANDSCAPE AND HARDSCAPE PALETTE; PROVIDING A SEVERABILITY CLAUSE; PROVIDING A REPEALER PROVISION; AND PROVIDING AN EFFECTIVE DATE.
Recommended Action: Adopt the Ordinance at Second Reading.
[Agenda Memorandum](#)

[Ordinance](#)
[Staff Report](#)
[5th Avenue South Hardscape and Landscape Palette](#)
[CRA Minutes - September 1, 2020](#)
[For Reference Only: 5th Avenue Streetscape Final Conceptual Design - August 11, 2020](#)

- 10.E. 22-T2 Ordinance - Legislative - Second Reading - 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: Adopt the Ordinance at Second Reading.

[Agenda Memorandum](#)

[Ordinance](#)

[Ordinance 2021-14664](#)

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

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

[Correspondence as of 4.1.2022](#)

[Thompson Dyke Attachment](#)

[Minutes - April 6, 2022 City Council meeting](#)

[Minutes - April 19, 2022 City Council](#)

[Legal Opinion - Vose Law Firm](#)

[Legal Opinion - Trask Daigneault](#)

[Legal Opinion 2 - Vose Law Firm](#)

[Additional Correspondence](#)

- 10.F. 21-MSD2 - Resolution - Quasi-Judicial - A RESOLUTION RELATING TO A MINOR SUBDIVISION; DETERMINING PETITION 21-MSD2 FOR THE COMBINATION OF TWO SINGLE FAMILY LOTS IN THE R1-10, RESIDENCE DISTRICT OWNED BY NIDO D'AQUILA, LLC, LOCATED AT 5058 SEAHORSE AVENUE AND 0 SEAGATE DRIVE MORE FULLY DESCRIBED HEREIN, TO CREATE ONE SINGLE FAMILY LOT; AND PROVIDING AN EFFECTIVE DATE.

Recommended Action: Consider the Resolution.

[Agenda Memorandum](#)

[Resolution](#)

[PAB Staff Report](#)

[Application](#)

[Disclosure of Interest](#)

[Deeds](#)

[GIS and Locator Map of Subject Properties](#)

[Survey](#)

[Surveyor Credentials](#)

[Staff Credentials](#)

Public Notice Addresses
Correspondence as of 6-7-2022

OTHER BUSINESS

11. Finance

- 11.A. Discussion and confirmation of the maximum millage rates for the General Fund, East Naples Bay Taxing District (ENB) and Moorings Bay (MB) Taxing District.
Recommended Action: Discuss and confirm maximum millage rates for the General Fund, East Naples Bay Taxing District and Moorings Bay Taxing District.

[Agenda Memorandum](#)

[FY22-23 Budget Planning Calendar](#)

[Tax Growth Calculator various scenarios with rollback](#)

[TRIM Prelim Files FY 2022-23](#)

[Presentation](#)

- 11.B. Resolution - Legislative - A RESOLUTION AMENDING THE FISCAL YEAR (FY) 2021-22 BUDGET ADOPTED BY RESOLUTION 2021-14713 TO: APPROPRIATE FUNDS FROM ADDITIONAL FY 2021-22 REVENUE AND/OR THE EXISTING FUND BALANCES OF THE GENERAL FUND, STREET FUND, WATER/SEWER FUND, NAPLES BEACH FUND, DOCK FUND, TENNIS FUND, TECHNOLOGY SERVICES FUND, AND EQUIPMENT SERVICES FUND TO PROVIDE THE NECESSARY SUPPLEMENTAL FUNDING IN FY 2021-22 FOR THE PURPOSES OUTLINED BELOW; AND PROVIDING AN EFFECTIVE DATE.

Recommended Action: Approve the Resolution.

[Agenda Memorandum](#)

[Resolution](#)

12. Streets and Stormwater

- 12.A. Resolution - Legislative - A RESOLUTION DETERMINING ADOPTING THE CITY OF NAPLES 2022 UPDATE OF THE PEDESTRIAN AND BICYCLE MASTER PLAN AND PROVIDING AN EFFECTIVE DATE.

Recommended Action: Consider the Resolution.

[Agenda Memorandum](#)

[Resolution](#)

[Bicycle & Pedestrian Master Plan Update Report](#)

[Appendix A - Existing Sidewalk Networks](#)

[Appendix B - Existing Bike Networks and Crash Data](#)

[Appendix C - Ped & Bike Count Location Diagrams](#)

[Appendix D - Project Recommendations Matrix](#)

[Appendix E - Resolution of the South Gordon Drive Neighborhood Association](#)

[Appendix F - 2013 Master Plan Completed Projects](#)

[Appendix G - HOA Meetings Summary Notes combined](#)

[Appendix H - Community Feedback](#)

[Appendix I - Bicycle Loop Route with signage](#)

- 12.B. Update of the Beach Outfall Project - South System generator and pump station siting and layout alternatives. Contract Amendment #8 with Erickson Consulting Engineers for revisions to North System and South System.

Recommended Action: Discussion and direction. Authorize the City Manager to approve Contract Amendment #8.

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

[Alligator Lake Generator Exhibit](#)

[Beach Outfall - Erickson Scope and Fees \(Amendment 8\)](#)

[South Pump Station Generator Layout Presentation](#)

13. City Attorney

- 13.A. Ordinance - Second Reading - Legislative - AN ORDINANCE RELATING TO APPEALS FROM DECISIONS OF THE DESIGN REVIEW BOARD FOR THE PURPOSE OF AMENDING SECTION 2-477 OF CHAPTER 2 ADMINISTRATION, ARTICLE V BOARDS, COMMISSIONS AND COMMITTEES, DIVISION 4 DESIGN REVIEW BOARD TO PROVIDE FOR REVIEW OF THE RECORD OF THE DESIGN REVIEW BOARD BY THE CITY COUNCIL AND CLARIFICATION OF NOTICE REQUIREMENTS; PROVIDING A SEVERABILITY CLAUSE, A REPEALER PROVISION AND AN EFFECTIVE DATE.

Recommended Action: Approve the Ordinance on Second Reading.

[Agenda Memorandum](#)

[Ordinance](#)

- 13.B. Resolution - Legislative - A RESOLUTION AMENDING SECTION 10(N) OF RESOLUTION 2021-14640 CONTAINING THE RULES OF PROCEDURE FOR CITY OF NAPLES CITY COUNCIL MEETINGS, AS ADOPTED AND AMENDED, TO AMEND PROCEDURES RELATED TO APPEALS FROM THE DESIGN REVIEW BOARD DECISIONS; AND PROVIDING AN EFFECTIVE DATE.

Recommended Action: Approve the Resolution.

[Agenda Memorandum](#)

[Resolution](#)

[EXHIBIT A](#)

- 13.C. Ordinance - Second Reading - AN ORDINANCE AMENDING CHAPTER 56 ENTITLED "SUPPLEMENTAL STANDARDS" IN ARTICLE III ENTITLED "STANDARDS APPLICABLE TO ALL DISTRICTS" TO CREATE A NEW SECTION 56-55 FOR THE PURPOSE OF REQUIRING LANDLORDS TO GIVE TENANTS 60 DAYS WRITTEN NOTICE OF A RENTAL INCREASE IN EXCESS OF 5%; PROVIDING FOR REPEALER, SEVERABILITY, CODIFICATION, AND AN EFFECTIVE DATE (SUPPLEMENT 2 - ADDED ITEM).

Recommended Action: Approve the Ordinance at Second Reading

[Agenda Memorandum \(SUPPLEMENT 2 - ADDED ATTACHMENT\)](#)

[Ordinance \(SUPPLEMENT 2 - ADDED ATTACHMENT\)](#)

[Miami Dade County - Official Clerk Record \(SUPPLEMENT 2 - ADDED ATTACHMENT\)](#)

[Miami Beach Ordinance 2022-4470 \(SUPPLEMENT 2 - ADDED ATTACHMENT\)](#)
[Tampa proposed Ordinance \(SUPPLEMENT 2 - ADDED ATTACHMENT\)](#)
[Collier County Agenda, May 24, 2022 \(SUPPLEMENT 2 - ADDED ATTACHMENT\)](#)

14. City Clerk

- 14.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 the December 1, 2021 meeting)

Recommended Action: Approve at First Reading; schedule Second Reading and Public Hearing on August 17, 2022.

[Agenda Memorandum](#)

[Ordinance](#)

[Blue Ribbon Committee minutes](#)

15. City Council

- 15.A. Resolution - Legislative - A RESOLUTION DECLARING CITY COUNCIL SHALL NOT BE "IN SESSION" FROM 8:00 AM JUNE 16, 2022 TO 8:30 AM AUGUST 15, 2022; AND PROVIDING AN EFFECTIVE DATE.

Recommended Action: Adopt the Resolution.

[Agenda Memorandum](#)

[Resolution](#)

Public Comment

Correspondence and Communications

Adjourn