

NOTICE OF MEETING AND AGENDA



**Naples City Council
City Hall Council Chambers
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.

Pledge of Civility

It is the desire of the City of Naples to encourage the open exchange of ideas, fair discussion of the issues, and the participation of all persons in government, therefore, we pledge to be respectful of each other even when we disagree, to direct all comments to the issues, and to avoid personal attacks during all City meetings and workshops.

**City Council Regular Meeting
Tuesday, September 6, 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 property of the City of Naples and will be retained by the City Clerk

- 1. CALL TO ORDER AND ROLL CALL**
- 2. INVOCATION AND PLEDGE OF ALLEGIANCE**
- 3. SET AGENDA (add or remove items)**
- 4. ANNOUNCEMENTS AND PRESENTATIONS**
 - 4.A. Legislative Update From Senator Kathleen Passidomo.

- 4.B. Presentation of the Fifth Avenue South Business Improvement District, Inc. Annual Report.
(Gary Young, Director of Finance)
[Agenda Memorandum](#)
[FASBID 2021 Annual Report](#)
[FASBID 2021 Financial Statements and Supplemental Information](#)
[FASBID 2021 Letter To Those Charged With Governance](#)
[FASBID 2021 Federal 990 Return](#)
[FASBID Agreement and Extension](#)
[Resolution 2019-14394](#)
[FASBID Final Assessment Resolution 10-12820](#)
- 4.C. Interview Three Applicants for the Community Redevelopment Agency Advisory Board and Twelve Applicants for the Naples Airport Authority.
(Patricia Rambosk, City Clerk)
[Agenda Memorandum](#)
[CRAAB - A. Caraballo Application](#)
[CRAAB - B. Doyle Application](#)
[CRAAB - M. Komanecky Application](#)
[CRAAB Code](#)
[NAA - T. Abbott Application](#)
[NAA - R. Alberto Application](#)
[NAA - C. Bower Application](#)
[NAA - R. Burns Application](#)
[NAA - T. Cavanaugh Application](#)
[NAA - M. Dugan Application](#)
[NAA - C. Healey Application](#)
[NAA - M. Lenhard Application](#)
[NAA - M. Manginelli Application](#)
[NAA - G. Melanson Application](#)
[NAA - J. Schnatter Application](#)
[NAA - M. Schumann Application](#)
[Airport Authority Act](#)

5. PUBLIC COMMENTS

APPROVAL OF CONSENT AGENDA

6. MINUTES - NONE

7. RESOLUTIONS

- 7.A. A RESOLUTION FOR THE PURPOSE OF APPROVING A CONTRACT BETWEEN THE CITY OF NAPLES AND PROLIME CORPORATION TO PROVIDE HAULING AND DISPOSAL SERVICES FOR LIME SLUDGE GENERATED AT THE CITY'S WATER TREATMENT PLANT; AUTHORIZING THE CITY MANAGER TO EXECUTE THE AGREEMENT AND PROVIDING AN EFFECTIVE DATE.
(Michelle Baines, Interim Director of Utilities)
[Agenda Memorandum](#)

[Resolution](#)
[Bid Analysis](#)
[Agreement](#)

- 7.B. A RESOLUTION FOR THE PURPOSE OF APPROVING AGREEMENTS FOR THE PURCHASE AND SALE OF GOODS BETWEEN THE CITY OF NAPLES AND: ALLIED UNIVERSAL CORPORATION; SHANNON CHEMICAL CORPORATION; AIRGAS SPECIALTY PRODUCTS, INC.; UNIVAR SOLUTIONS USA, INC.; MATHESON TRI-GAS, INC.; POLYDYNE INC.; CHEMTRADE CHEMICALS US, LLC; AND LHOIST NORTH AMERICA OF ALABAMA, LLC; FOR THE PURCHASE OF TREATMENT PLANT CHEMICALS; AUTHORIZING THE CITY MANAGER TO EXECUTE THE AGREEMENTS AND PROVIDING AN EFFECTIVE DATE.

(Michelle Baines, Interim Director of Utilities)

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

- 7.C. A RESOLUTION FOR THE PURPOSE OF ACKNOWLEDGING APPROVAL OF AN AMENDMENT TO ARTICLE 3, SECTION 3.1 OF THE CITY OF NAPLES CITY CHARTER, ENTITLED "QUALIFICATIONS" TO ALLOW THE CITY MANAGER TO RESIDE IN THE CITY OF NAPLES OR IN COLLIER COUNTY, FLORIDA INCORPORATING THE AMENDMENT INTO THE CITY CHARTER AND DIRECTING THAT THE REVISED CHARTER BE FILED WITH THE DEPARTMENT OF STATE; AND PROVIDING AN EFFECTIVE DATE.

(Patricia Rambosk, City Clerk)

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

- 7.D. A RESOLUTION FOR THE PURPOSE OF AWARD OF LIFE, LONG TERM DISABILITY, ACCIDENTAL DEATH AND DISMEMBERMENT, AND VOLUNTARY SHORT TERM DISABILITY INSURANCE TO THE HARTFORD; AUTHORIZING THE CITY MANAGER TO EXECUTE AN APPLICATION FOR COVERAGE; AND PROVIDING AN EFFECTIVE DATE (continued from August 17, 2022 meeting).

(Charlotte Loewel, Director of Human Resources)

[Agenda Memorandum](#)
[Resolution](#)
[Basic Life Insurance and AD&D Renewal Evaluation](#)
[Long Term Disability Insurance Evaluation](#)
[Short Term Disability Insurance Renewal Evaluation](#)
[Voluntary Life and AD&D Insurance Renewal Evaluation Revised Rates 080322](#)
[Voluntary Short Term Disability](#)

8. OTHER

- 8.A. Approval to Permit the Sale of Beer and Wine at the Lowdermilk Park Concession by Flip Flop Beach Grill.

(Chad Merritt, Interim Director of Community Services)

[Agenda Memorandum](#)

[Temporary Business License](#)

8.B. Consideration of the Following Repeat Special Event Applications Enumerated Below:

1. Opera Naples Outdoor Classical Music Concert - Cambier Park Softball Field
2. Art in the Park Fine Art Show – Cambier Park
3. Annual Stone Crab/Seafood Festival – Tin City
4. Yoga CAN – Baker Park
5. Art in the Park Fine Art Show – Park Street
6. Trunk or Treat & Movie Night – Fleischmann Park
7. City of Naples Annual Christmas Parade – Downtown Area
8. Annual Christmas Eve Service – Cambier Park
9. The 44th Annual Naples National Art Festival – Cambier Park Area
10. Walk to End Alzheimer's – Baker Park
11. 45th Third Street South Christmas Tree Lighting – 3rd Street South
12. Christmas Comes to 3rd Street South – 3rd Street South
13. Hope Shines Walk 21 Annual Mental Health Walk – Baker Park
14. Open Air Farmers Market – 3rd Street South from Broad Ave South to 13th Ave South

(Chad Merritt, Interim Director of Community Services)

[Agenda Memorandum](#)

END OF CONSENT AGENDA

9. PUBLIC HEARINGS - NONE

REGULAR AGENDA

10. ITEMS PULLED FROM CONSENT (if necessary)

11. LAND USE MATTERS - NONE

12. OLD BUSINESS

- 12.A. Discussion of CS/HB 105: Regulation of Smoking by Counties and Municipalities; Authorizing Counties and Municipalities the Ability to Further Restrict Smoking Within the Boundaries of Public Beaches and Public Parks Under Certain Circumstances; Providing an Exception, etc. (continued from August 17, 2022 meeting).

(Chad Merritt, Director of Community Services)

[Agenda Memorandum](#)

[November 13, 2001 Meeting Minutes](#)

[December 11, 2001 Meeting Minutes](#)

[January 8, 2002 Meeting Minutes](#)

[February 12, 2002 Meeting Minutes](#)

- 12.B. A RESOLUTION FOR THE PURPOSE OF AMENDING RESOLUTION 2021-14640 CONTAINING THE RULES OF PROCEDURE FOR CITY OF NAPLES CITY COUNCIL MEETINGS, AS ADOPTED AND AMENDED FOR THE PURPOSE OF FACILITATING TRANSPARENCY, EFFECTIVENESS, AND

EFFICIENCY IN THE CONDUCT OF CITY COUNCIL MEETINGS; REPEALING PREVIOUSLY ADOPTED PROCEDURES ; AND PROVIDING AN EFFECTIVE DATE (continued from the August 17, 2022 meeting).

(Jay Boodheshwar, City Manager)

[Agenda Memorandum](#)

[Resolution](#)

[Rules of Procedure - Final](#)

[Code of Ordinances 2-51 through 2-57](#)

12.C. Consideration of the Following Repeat Special Events Applications Enumerated Below, as well as a Moratorium on the Issuance of Permits for New Special Events, organized by the public, on Public Property (continued from the August 17, 2022 meeting).

1. The Uptown Art Festival - 10th Street South

2. Thanksgiving Weekend Naples Art Fair - 10th Street South

3. Naples Concert Band Concerts - Cambier Park Bandshell

(Chad Merritt, Interim Director of Community Services)

[Agenda Memorandum](#)

[Attachment - Thanksgiving Art Festival Site Plan \(Updated\)](#)

[LOS for UAC Art Fairs](#)

13. NEW BUSINESS

13.A. Contract Renewal for the New Year's Eve and Fourth of July Fireworks with Zambelli Fireworks Manufacturing Company.

[Agenda Memorandum](#)

[Fireworks Contract 2018](#)

[Fireworks Renewal](#)

13.B. A RESOLUTION FOR THE PURPOSE OF AMENDING AND RESTATING THE CITY OF NAPLES AGREEMENT FOR CITY ATTORNEY LEGAL SERVICES; AND PROVIDING AN EFFECTIVE DATE.

[Agenda Memorandum](#)

[Resolution](#)

[Red-line-Amended & Restated Agreement for City Attorney Legal Services - City of Naples - Vose Law Firm](#)

[Clean-Amended & Restated Agreement for City Attorney Legal Services - City of Naples - Vose Law Firm](#)

ORDINANCES

14. FIRST READING ORDINANCES - NONE

15. SECOND READING ORDINANCES

15.A. Second Reading of Proposed Ordinance Relating to Appeals from the Decisions of the Design Review Board.

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.

(Nancy Stuparich, City Attorney)

[Agenda Memorandum](#)

[Ordinance - Second Reading](#)

[Resolution](#)

[Exhibit A Without Annotations](#)

16. PUBLIC COMMENTS

17. COMMUNICATIONS FROM MAYOR, CITY COUNCIL, AND STAFF

18. ADJOURNMENT

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.