

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
Thursday, October 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. Hurricane Ian - Post Storm Recovery Update.
(Jay Boodheshwar, City Manager)

4.B. A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF NAPLES, FLORIDA, EXTENDING THE DECLARATION OF LOCAL EMERGENCY DECLARED BY THE HONORABLE MAYOR TERESA HEITMANN AND PRIOR CITY COUNCIL RESOLUTION 2022-14951 IN ACCORDANCE WITH ARTICLE II, EMERGENCY PREPAREDNESS, OF CHAPTER 14 OF THE CODE OF ORDINANCES OF THE CITY OF NAPLES, FLORIDA, AND ACCORDING TO POWERS GRANTED UNDER CHAPTER 252, FLORIDA STATUTES, AND PROVIDING AN EFFECTIVE DATE.

[Resolution](#)

5. PUBLIC COMMENTS

APPROVAL OF CONSENT AGENDA

6. MINUTES

6.A. Approval of Special Meeting Minutes of September 21, 2022.

(Patricia Rambosk, City Clerk)

[Agenda Memorandum](#)

[September 21, 2022 Special Meeting Minutes](#)

7. RESOLUTIONS

7.A. A RESOLUTION FOR THE PURPOSE OF DECLARING A ZONING IN PROGRESS RELATED TO CHAPTER 54 SUBDIVISION STANDARDS OF THE CITY OF NAPLES, CODE OF ORDINANCES, PROVIDING NEW AND AMENDED STANDARDS AND CRITERIA FOR LOT COMBINATIONS AND LOT RECONFIGURATIONS; DIRECTING THE CITY CLERK TO ADVERTISE A FORMAL NOTICE OF ZONING IN PROGRESS; AND PROVIDING AN EFFECTIVE DATE.

(Nancy Stuparich, City Attorney)

[Agenda Memorandum](#)

[Resolution](#)

7.B. A RESOLUTION FOR THE PURPOSE OF APPROVING THE ATTACHED LIST OF OUTSIDE CONTRACTS AND THEIR STATED FY2022-2023 ANNUAL DOLLER LIMITS AS REQUIRED BY ORDINANCE 18-14176.

(Jay Boodheshwar, City Manager)

[Agenda Memorandum](#)

[Resolution](#)

[AFC Standby](#)

[Amazon](#)

[Bliss Products](#)

[CDW-G](#)

[Communications International](#)

[Cues, Inc.](#)

[Enviro-Tech of America.pdf](#)

[Express Employment](#)

[Ferguson](#)

[Fisher Scientific](#)

Forestry Resources
Goodyear Tires
Grainger
Graybar
Konica Minolta
Mader Electric Motors
Municipal Equipment Services
Nexttran
Office Depot
SHI
Stryker Medical
Tamiami Ford - Parts
Tamiami Ford - Vehicles
Ten 8
Thompson Pump
Unifirst
VERIZON

7.C. A RESOLUTION FOR THE PURPOSE OF ADOPTING A SECOND AMENDMENT TO THE USE AGREEMENT BETWEEN THE CITY OF NAPLES, A FLORIDA MUNICIPAL CORPORATION AND THE NAPLES PLAYERS, INC, A FLORIDA NOT FOR PROFIT CORPORATION FOR THE PROPERTY OWNED BY THE CITY OF NAPLES AND LOCATED AT 701 5TH AVENUE SOUTH; AUTHORIZING THE MAYOR TO EXECUTE THE SECOND AMENDMENT TO THE USE AGREEMENT; AND PROVIDING AN EFFECTIVE DATE.

(Erica Martin, Director of Planning)

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

8. OTHER

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

1. Naples Art Crafters - Cambier Park
2. Swamp Buggy Parade - US 41
3. John Cox Halloween Party (Private Party) - 1040 13th Street North
4. 3rd Street Fall Sidewalk Sale - 3rd Street South
5. Grand Thanksgiving Performance - Cambier Park
6. First Presbyterian Trunk or Treat - 250 6th Street South
7. My Rescue Rescued Me - Baker Park
8. Cars on 5th - 5th Ave

(Chad Merritt, Interim Director of Community Services)

[Agenda Memorandum](#)

[Naples Artcrafters Application](#)

[John Cox Halloween Party \(Private Party\) Application](#)

[Swamp Buggy Parade Application](#)

[3rd Street South Sidewalk Sales Application](#)

[Preschool of the Arts Thanksgiving Performance Application](#)

[First Presbyterian Church Truck or Treat Application](#)

[My Rescue Rescued Me Application](#)
[Cars on 5th Application](#)

- 8.B. Consideration of Payment of a Final Bill for Legal Services Relating to Acceptance of the Conservation Easement in the amount of \$315.00.

(Nancy Stuparich, City Attorney)

[Agenda Memorandum](#)

[Invoice #199167](#)

- 8.C. A RESOLUTION FOR THE PURPOSE OF APPROVING AN AMENDMENT TO THE CITY OF NAPLES PAY AND CLASSIFICATION PLAN TO ADD ADDITIONAL PAY GRADES 30 AND 31; AND PROVIDING AN EFFECTIVE DATE.

(Jay Boodheshwar, City Manager)

[Agenda Memorandum](#)

[Resolution](#)

END OF CONSENT AGENDA

9. PUBLIC HEARINGS - NONE

REGULAR AGENDA

10. ITEMS PULLED FROM CONSENT AGENDA (If Needed)

11. LAND USE MATTERS - NONE

12. OLD BUSINESS

- 12.A. Consideration of the Following Repeat Special Event Applications Below (continued from the September 6, 2022, meeting):

1. Art in the Park Fine Art Show - Cambier Park

2. Uptown Art Festival - 10th Street

(Chad Merritt, Interim Director of Community Services)

[Agenda Memorandum](#)

[Art in the Park - Application](#)

[Uptown Art Festival Application](#)

[Uptown Art Festival Parking Plan](#)

[Uptown Art Festival Updated Site Plan](#)

13. NEW BUSINESS

- 13.A. Consideration of the Following Repeat Special Event Applications Enumerated Below:

1. Gobble Gobble 4 Miler – Village Shops on Gulfshore Blvd South

2. New Media Ventures – Cambier Park

3. Farm City BBQ – Cambier Park

(Chad Merritt, Interim Director of Community Services)

[Agenda Memorandum](#)

[Gobble Gobble 4-Miler Application](#)
[New Media Ventures Application](#)
[Farm City BBQ Application](#)

13.B. Consideration of the Following New Special Event Applications Enumerated Below:

1. Wedding Ceremony - Riptide Brewery - 987 3rd Avenue North (private party)
2. FineMark Bank Open House - FineMark Bank; and

Consideration of previously approved special events in public spaces between October 8, 2022 and December 1, 2022.

(Chad Merritt, Interim Director of Community Services)

[Agenda Memorandum](#)

[Wedding Ceremony - Riptide Brewery - Application](#)

[FineMark Bank Open House Application](#)

ORDINANCES

14. FIRST READING ORDINANCES

14.A. First Reading of a Proposed Ordinance to Amend the Code of Ordinances to Prohibit Smoking in all Parks and Beaches in the City of Naples.

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF NAPLES, FLORIDA, COLLIER COUNTY, FLORIDA, AMENDING CHAPTER 28 "PARKS AND RECREATION," IN ARTICLE II "USE OF PARKS AND RECREATION AREAS" TO CREATE SECTION 28-37 "SMOKING PROHIBITED IN ALL PARKS AND BEACHES IN THE CITY" TO BAN SMOKING OF CIGARETTES OR ANY TOBACCO PRODUCT WITH THE EXCEPTION OF UNFILTERED CIGARS UPON THE PUBLIC PARKS AND BEACHES OWNED BY THE CITY; PROVIDING A PENALTY; PROVIDING FOR SEVERABILITY; PROVIDING FOR REPEAL OF ORDINANCES IN CONFLICT; PROVIDING FOR CODIFICATION AND PROVIDING AN EFFECTIVE DATE.

(Chad Merritt, Interim Director of Community Services)

[Agenda Memorandum](#)

[Ordinance](#)

14.B. First Reading of a Proposed Ordinance to Amend the Code of Ordinances for Permitting of Construction and Maintenance in the Public Rights-of-Way, Public Sidewalks and Ways, Public Utility Easements, and other Public Property.

AN ORDINANCE RELATING TO RIGHTS-OF-WAY AND PUBLIC PROPERTY; AMENDING THE PUBLIC RIGHT-OF-WAY ORDINANCE NO. 06-11099 AS AMENDED BY 2019-14313, TO AMEND APPENDIX D, AESTHETIC DESIGN STANDARDS, FOR PERMITTING OF CONSTRUCTION AND MAINTENANCE IN THE PUBLIC RIGHTS-OF- WAY, PUBLIC SIDEWALKS AND WAYS, PUBLIC UTILITY EASEMENTS, AND OTHER PUBLIC PROPERTY; AND PROVIDING A CONFLICT AND SEVERABILITY CLAUSE, A REPEALER PROVISION, AND AN EFFECTIVE DATE

(Nancy Stuparich, City Attorney)

[Agenda Memorandum](#)

[Ordinance](#)

[Attachment #1](#)

[Attachment #2](#)

- 14.C. First Reading of a Proposed Ordinance to Amend the Code of Ordinances, to Allow the Mayor or Vice-Mayor to Extend or Terminate the State of Emergency as Authorized by Florida Law.

AN ORDINANCE FOR THE PURPOSE OF AMENDING CHAPTER 14 "CIVIL EMERGENCIES," IN ARTICLE II "EMERGENCY PREPAREDNESS" SECTION 14-34 "DECLARATION AND TERMINATION OF STATE OF EMERGENCY" OF THE CODE OF ORDINANCES TO ALLOW THE MAYOR OR VICE-MAYOR TO EXTEND OR TERMINATE THE STATE OF EMERGENCY AS AUTHORIZED BY FLORIDA LAW; PROVIDING FOR SEVERABILITY; PROVIDING FOR REPEAL OF ORDINANCES IN CONFLICT; PROVIDING FOR CODIFICATION AND PROVIDING AN EFFECTIVE DATE.

[Agenda Memorandum](#)

[Ordinance](#)

15. SECOND READING ORDINANCES - NONE

16. PUBLIC COMMENTS

17. COMMUNICATIONS FROM MAYOR, CITY COUNCIL, AND STAFF

- 17.A. Communication from Councilmember Petrunoff.

[Communication from Councilmember Petrunoff](#)

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.