

**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.**

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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.

**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.

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**City Council Regular Meeting  
Wednesday, November 2, 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. Naples Woman's Club 90th Birthday Proclamation  
(Teresa Heitmann, Mayor)

- 4.B. Do The Right Thing Awards  
(Tom Weschler, Police Chief)

## 5. PUBLIC COMMENTS

### APPROVAL OF CONSENT AGENDA

## 6. MINUTES

- 6.A. Approval of Various City Council Meeting Minutes.  
(Patricia Rambosk, City Clerk)  
[Agenda Memorandum](#)  
[September 12, 2022 Council / Naples Airport Authority Joint Workshop Meeting Minutes](#)  
[September 19, 2022 Special Meeting Minutes](#)  
[October 6, 2022 Regular Meeting Minutes](#)  
[October 13, 2022 Special Meeting Minutes](#)

## 7. RESOLUTIONS

- 7.A. A RESOLUTION FOR THE PURPOSE OF AMENDING THE FISCAL YEAR 2022-23 BUDGET, ADOPTED BY RESOLUTION 2022-14943, IN THE AMOUNT OF \$162,700 TO PROJECT 19R02 FROM THE UNAPPROPRIATED FUND BALANCE OF THE 430 BEACH FUND TO PROVIDE THE NECESSARY FUNDING AND AWARD A CONTRACT TO WAYPOINT CONTRACTING INC. IN THE AMOUNT OF \$377,530 FOR THE PURPOSES OUTLINED BELOW; AND PROVIDING AN EFFECTIVE DATE.  
(Chad Merritt, Interim Director of Community Services)  
[Agenda Memorandum](#)  
[Resolution](#)  
[22-043 Bid Analysis](#)  
[Certificate of Insurance](#)  
[WCI Proposal](#)  
[ATV Storage Building - All Bids](#)
- 7.B. A RESOLUTION FOR THE PURPOSE OF AMENDING THE FISCAL YEAR (FY) 2022-23 BUDGET ADOPTED BY RESOLUTION 2022-14943 TO: APPROPRIATE FUNDS FROM THE FUND BALANCES OF THE CRA FUND, STREET FUND, PUBLIC SERVICE TAX/CAPITAL PROJECT FUND, ONE CENT SALES TAX CAPITAL PROJECT FUND, NAPLES BEACH FUND, DOCK FUND AND STORMWATER FUND TO RE-APPROPRIATE VARIOUS FY 2021-22 APPROPRIATED PROJECTS NOT FULLY EXPENDED NOR FULLY ENCUMBERED PRIOR TO YEAR END; AND PROVIDING AN EFFECTIVE DATE.  
(Gary Young, Director of Finance)  
[Agenda Memorandum](#)  
[Resolution](#)
- 7.C. A RESOLUTION FOR THE PURPOSE OF AWARDING A CONTRACT BY PURCHASE ORDER TO ECONOLITE IN THE AMOUNT OF \$276,320 FOR THE REPLACEMENT OF SIXTEEN (16) TRAFFIC CONTROL CABINETS

COMPROMISED DURING HURRICANE IAN.  
(Bob Middleton, Interim Director of Streets & Stormwater)  
[Agenda Memorandum](#)  
[Resolution](#)  
[Traffic Cabinet Replacement Quote](#)  
[Contract](#)

## 8. OTHER

- 8.A. Accept the Recommendation of Valerie Ghossaini to Continue Serving as the Naples Art Association Representative on the Public Art Advisory Committee.  
(Patricia Rambosk, City Clerk)  
[Agenda Memorandum](#)  
[PAAC - Recommendation for Ghossaini](#)  
[PAAC - Valerie Ghossaini Application](#)  
[PAAC code](#)
- 8.B. City Council Consideration of the Repeat Special Event Application Below:  
1. Private Party – Naples Jet Center – December 4, 2022  
(Chad Merritt, Interim Director of Community Services)  
[Agenda Memorandum](#)  
[Private Party Application - 11.2.22](#)
- 8.C. Review of Hourly Billing by the City Attorney for Litigation Legal Services Involving Pro Se Plaintiffs.  
(Nancy Stuparich, City Attorney)  
[Agenda Memorandum](#)

## 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. Appoint Members to Various Boards and Committees.  
(Patricia Rambosk, City Clerk)  
[Agenda Memorandum](#)  
[Carver Finance - Andrew Cribbs Application](#)  
[Carver Finance Resolution 1980-3514](#)  
[E. Naples Bay - Richard Shanahan Application](#)  
[E. Naples Bay Resolution 2018-14135](#)  
[Fire and Police Pension - Walter Romans Application](#)  
[Police Pension - Jerome Fons Application](#)  
[Fire Pension Code](#)  
[Police Pension Code](#)

12.B. Presentation Providing an Update on the Utility Upgrades and Beach Outfall Stormwater System Along Gulf Shore Boulevard North in Front of the Naples Beach Club.

(Bob Middleton, Interim Director of Streets & Stormwater)

[Agenda Memorandum](#)  
[Presentation](#)

12.C. Update on Planning Efforts for the Centennial.

(Jay Boodheshwar, City Manager)

[Agenda Memorandum](#)

### **13. NEW BUSINESS**

13.A. Executive Session - City Manager - Hold an Executive Session to Discuss Security Measures in Council Chambers (12:30 P.M. TIME CERTAIN).

(Jay Boodheshwar, City Manager)

[Agenda Memorandum](#)

13.B. A RESOLUTION FOR THE PURPOSE OF AMENDING THE FISCAL YEAR 2022-23 BUDGET, ADOPTED BY RESOLUTION 2022-14943, IN THE AMOUNT OF \$456,550 FROM THE UNAPPROPRIATED BALANCE OF THE 340 CAPITAL IMPROVEMENT FUND INTO PROJECT 23G13 AND ELIMINATING THE \$900,000 PLACEHOLDER IN FY2023-24 CAPITAL IMPROVEMENT FUND TO PROVIDE THE NECESSARY FUNDING AND AWARD A CONTRACT TO QUALITY ENTERPRISES USA, INC. IN THE AMOUNT OF \$2,353,550 FOR THE PURPOSES OUTLINED BELOW; AND PROVIDING AN EFFECTIVE DATE.

(Chad Merritt, Interim Director of Community Services)

[Agenda Memorandum](#)

[Resolution](#)

[22-037 Anthony Park Master Plan Advancement Project - ITB Tabulation](#)

[Anthony Park Award Recommendation](#)

[Lighting Plans](#)

[Irrigation Plans](#)

[Landscape Plans](#)

[Lighting Design](#)

[Site Plans](#)

13.C. Proposed Program for Expenditure of Hurricane Ian Related Donations.

(Jay Boodheshwar, City Manager)

[Agenda Memorandum](#)

13.D. A RESOLUTION FOR THE PURPOSE OF AMENDING THE FISCAL YEAR 2022-23 BUDGET, ADOPTED BY RESOLUTION 2022-14943, IN THE AMOUNT OF \$213,947 FROM THE GENERAL FUND, AND AWARDING A 3-YEAR CONTRACT WITH TWO (2) ONE (1)-YEAR RENEWAL OPTIONS TO THE DAVEY TREE EXPERT COMPANY REGARDING BID NUMBER 22-032 FOR HARDWOOD AND PALM TREE TRIMMING IN THE AMOUNT \$763,947, FOR FY2022-2023, AND NOT TO EXCEED \$2,344,405 IN THE 3-YEAR TERM FOR THE PURPOSES OUTLINED BELOW; AND PROVIDING AN EFFECTIVE DATE.

(Chad Merritt, Interim Director of Community Services)

[Agenda Memorandum](#)

[Resolution](#)

[Declaration of Intent to Award](#)

[Hardwood and Palm Tree Trimming - ITB Tabulation Bid Schedule I](#)

[FY22-23 Tree Trimming](#)

[FY23-24 Tree Trimming](#)

[FY24-25 Tree Trimming](#)

- 13.E. A RESOLUTION FOR THE PURPOSE OF AMENDING THE FISCAL YEAR 2022-23 BUDGET, ADOPTED BY RESOLUTION 2022-14943, BY APPROPRIATING \$158,333.25 FROM THE 340 CAPITAL IMPROVEMENT FUND, ACCEPTING A GRANT IN THE AMOUNT OF \$100,000 FROM THE COLLIER COUNTY COMMUNITY FOUNDATION, AND AWARD A CONTRACT TO BLISS PRODUCTS AND SERVICES, INC. IN THE AMOUNT OF \$958,333.25 FOR THE PURPOSES OUTLINED BELOW; AND PROVIDING AN EFFECTIVE DATE.

(Chad Merritt, Interim Director of Community Services)

[Agenda Memorandum](#)

[Resolution](#)

[FP Playground Design 1](#)

[FP Playground Design 2](#)

[FP Playground Design 3](#)

[FP Playground Design 4](#)

[FP Playground Design 5](#)

[FP Playground Design 6](#)

[FP Playground Design 7](#)

[FP Playground Design 8](#)

[FP Playground Design 9](#)

[FP Playground Design 10](#)

[FP Playground Design 11](#)

[Quote](#)

[Piggybacking - Clay County RFP No. 18/19-2](#)

[Playground Presentation City Council](#)

## **ORDINANCES**

### **14. FIRST READING ORDINANCES**

- 14.A. First Reading of a Proposed Ordinance Granting Peoples Gas System a New Franchise Agreement to use the Public Rights of Way of the City of Naples.

AN ORDINANCE GRANTING TO PEOPLES GAS SYSTEM, A DIVISION OF TAMPA ELECTRIC COMPANY, ITS SUCCESSORS AND ASSIGNS, A NON-EXCLUSIVE NATURAL GAS FRANCHISE AGREEMENT TO USE THE PUBLIC RIGHTS OF WAY OF THE CITY OF NAPLES, FLORIDA, AND PRESCRIBING THE TERMS AND CONDITIONS UNDER WHICH SAID FRANCHISE MAY BE EXERCISED; MAKING FINDINGS; PROVIDING AN EFFECTIVE DATE; AND REPEALING PRIOR ORDINANCE.

(Jay Boodheshwar, City Manager)

[Agenda Memorandum](#)

## **15. SECOND READING ORDINANCES**

- 15.A. Second Reading of a Proposed Ordinance to Amend the Code of Ordinances to Prohibit Smoking in all Parks and on all 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 IN PUBLIC PARKS AND PUBLIC BEACHES WITHIN 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](#)

[Second Reading - Ordinance](#)

[Florida Statutes - Preemption on Smoking Regulations](#)

[Staff Bill Analysis](#)

- 15.B. Second 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.

(Bob Middleton, Interim Director of Streets & Stormwater)

[Agenda Memorandum](#)

[Second Reading - Ordinance](#)

[Attachment #1 - 2019-14313 Ordinance - Appendix D - Aesthetic Standards ROW Handbook](#)

[Attachment #2 - Florida State Statute 337.401](#)

## **16. PUBLIC COMMENT**

## **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.