

**NOTICE OF MEETING AND AGENDA (SUPPLEMENT 1)**

**Posted  
December 6, 2022**



**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, December 7, 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. Centennial Fun Fact.  
(Teresa Heitmann, Mayor)

- 4.B. Interview Applicants for the Community Redevelopment Agency Advisory Board.  
(Patricia Rambosk, City Clerk)  
[Agenda Memorandum](#)  
[Jorge Blazquez Application](#)  
[Anthony Caraballo Application](#)  
[Joseph Darabi Application](#)  
[Maegan Evans Application](#)  
[Natalia Hester Application](#)  
[Mark Komanecky Application](#)  
[Anthony Matonti Application](#)  
[Lawrence Plack Application](#)  
[CRAAB Code](#)

## 5. PUBLIC COMMENTS

### APPROVAL OF CONSENT AGENDA

## 6. MINUTES

- 6.A. Approval of Various City Council Meeting Minutes.  
(Patricia Rambosk, City Clerk)  
[Agenda Memorandum](#)  
[October 17, 2022 Workshop Meeting Minutes](#)  
[October 19, 2022 Regular Meeting Minutes](#)  
[October 31, 2022 Regular Meeting Minutes](#)

## 7. RESOLUTIONS

- 7.A. A RESOLUTION FOR THE PURPOSE OF EXTENDING INFORMATION TECHNOLOGY (IT) MANAGED SERVICES CONTRACT WITH SENTINEL TECHNOLOGIES, INC. THROUGH FISCAL YEAR 2023 (FY23) BY AN ADDITIONAL \$170,000 FOR TOTAL NOT TO EXCEED AMOUNT OF \$204,000 (FY23) WITH A CONTRACTUAL OPTION TO EXTEND THE CONTRACT ANNUALLY IN AN AMOUNT NOT TO EXCEED \$250,000 THROUGH FISCAL YEAR 2026; AND ALLOCATING AN ADDITIONAL \$200,000 ANNUALLY FOR UNFORSEEN INFORMATION TECHNOLOGY INCIDENTS THROUGH FISCAL YEAR 2026; AND PROVIDING AN EFFECTIVE DATE.  
(Andrew Hunter, Director of Information Technology)  
[Agenda Memorandum](#)  
[Resolution](#)  
[Master Service Agreement](#)  
[Appendix A](#)  
[Addendum](#)  
[Sentinel - Last Invoice](#)

## 8. OTHER

- 8.A. City Council Consideration of the Repeat Special Event Application Below (SUPPLEMENT 1 - ADDED ITEM):
1. Chabad Jewish Center of Naples - Chanukah Celebration - Cambier Park -

12/19/2022

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

Chabad Jewish Center of Naples Chanukah Celebration - 12.19.2022

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

**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. Options for Utility Improvements within the Right-of-Way of Gulf Shore Boulevard North, Adjacent to the Naples Beach Club (Continued from November 2, 2022, City Council Meeting).

(Bob Middleton, Interim Director of Streets & Stormwater)

[Agenda Memorandum](#)

[Presentation](#)

**13. NEW BUSINESS**

13.A. Hurricane Ian Damage Assessment and After-Action Outline.

(Jay Boodheshwar, City Manager)

[Agenda Memorandum](#)

[Presentation \(SUPPLEMENT 1 - ADDED ATTACHMENT\)](#)

13.B. Damage Assessment and Repair/Replacement Options for the Naples Pier (2:00 PM TIME CERTAIN).

[Agenda Memorandum](#)

[The Naples Pier Presentation \(SUPPLEMENT 1 - ADDED ATTACHMENT\)](#)

13.C. A RESOLUTION FOR THE PURPOSE OF RATIFYING, CONFIRMING AND APPROVING THE ACTIONS OF THE CITY MANAGER AND CITY STAFF TO PREPARE FOR, RESPOND TO, AND RECOVER FROM THE EFFECTS OF HURRICANE IAN PURSUANT TO RESOLUTION 2022-14951 WHICH AFFIRMED AND EXTENDED THE ACTION OF THE MAYOR'S PROCLAMATION NO. 2022-01 DECLARING A STATE OF EMERGENCY FOR ALL TERRITORY WITHIN THE LEGAL INCORPORATED BOUNDARIES OF THE CITY OF NAPLES DUE TO HURRICANE IAN'S POTENTIAL FOR CAUSING EXTENSIVE DAMAGE; AND PROVIDING AN EFFECTIVE DATE.

(Gary Young, Director of Finance)

[Agenda Memorandum](#)

[Resolution](#)

13.D. A RESOLUTION FOR THE PURPOSE OF ALLOWING PROPERTY OWNERS TO BUILD TO A HIGHER FLOOD ELEVATION UTILIZING THE BEST AVAILABLE

DATA AS SHOWN ON THE 2019 PRELIMINARY FLOOD MAPS AND TO USE THE HIGHER ELEVATION AS THE BASE POINT OF MEASUREMENT FOR MAXIMUM HEIGHT FOR THE PURPOSE OF PROTECTING PROPERTY AND MITIGATING THE POTENTIAL FOR FUTURE FLOODING; AND PROVIDING AN EFFECTIVE DATE.

(Erica Martin, Director of Planning)

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

- 13.E. Proposed Guidelines for Approving Temporary Structures on Non-Residential Properties During Post-Storm Renovations or Reconstruction.

(Erica Martin, Director of Planning)

[Agenda Memorandum](#)  
[Ordinance - First Reading](#)  
[DRAFT Temporary Structure\(s\) Application](#)

- 13.F. Accept the Recommendation of Elysia Dawn To Serve as the United Arts Council Representative on the Public Art Advisory Committee.

(Patricia Rambosk, City Clerk)

[Agenda Memorandum](#)  
[Recommendation of Elysia Dawn](#)  
[PAAC Code](#)

## **ORDINANCES**

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

- 14.A. First Reading of a Proposed Ordinance to Amend the Code of Ordinances to Prohibit the Take-off or Landing of any Aircraft in the City of Naples other than at a Location Duly Designated for Such Activity.

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF NAPLES, FLORIDA, COLLIER COUNTY, FLORIDA, AMENDING CHAPTER 26 TITLED "OFFENSES" TO PROVIDE A NEW SECTION 26-5 TO BE TITLED "AIRCRAFT: TAKE-OFF AND LANDING" PROVIDING A PENALTY; PROVIDING FOR SEVERABILITY; PROVIDING FOR REPEAL OF ORDINANCES IN CONFLICT; PROVIDING FOR CODIFICATION AND PROVIDING AN EFFECTIVE DATE.

(Nancy Stuparich, City Attorney)

[Agenda Memorandum](#)  
[Ordinance](#)

- 14.B. First Reading of a Proposed Ordinance Amending the City of Naples Comprehensive Plan to Include a Property Rights Element.

AN ORDINANCE AMENDING THE CITY OF NAPLES COMPREHENSIVE PLAN; TO ADD A PROPERTY RIGHTS ELEMENT WITH GOALS, OBJECTIVES AND POLICIES; PROVIDING FOR LEGISLATIVE FINDINGS AND INTENT; PROVIDING FOR SEVERABILITY AND CONFLICT; PROVIDING FOR CODIFICATION AND DIRECTIONS TO THE CODIFIER THAT THIS SHALL BE A SEPARATE NEW ELEMENT IN THE COMPREHENSIVE PLAN; PROVIDING

FOR THE IMPLEMENTATION THROUGH THE STATUTORY STATE REVIEW PROCESS OF CHAPTER 163; AND PROVIDING AN EFFECTIVE DATE.

(Nancy Stuparich, City Attorney)

[Agenda Memorandum](#)

[Ordinance](#)

[PAB Staff Report](#)

[Section 163.3177\(6\)\(i\) Florida Statutes](#)

[House Bill 59 Chapter Law 2021-195](#)

- 14.C. First Reading of a Proposed Ordinance to Amend the Definition of Market Value in Section 16-144 of the City of Naples Code of Ordinances.

AN ORDINANCE TO AMEND THE DEFINITION OF MARKET VALUE IN SECTION 16-144 CONCERNING VALUE BASED ON A REASONABLE PERCENTAGE ADJUSTMENT THE COLLIER COUNTY PROPERTY APPRAISER'S ASSESSMENT VALUE, PROVIDING FOR SEVERABILITY; PROVIDING FOR REPEAL OF ORDINANCES IN CONFLICT; PROVIDING FOR CODIFICATION AND PROVIDING AN EFFECTIVE DATE.

(Nancy Stuparich, City Attorney)

[Agenda Memorandum](#)

[Ordinance - First Reading - Property Value](#)

[Draft For Discussion Purposes Only - Ordinance - Florida Building Code Local Amendment](#)

- 14.D. First Reading of a Proposed Ordinance Amending the City of Naples Code of Ethics.

AN ORDINANCE AMENDING THE CITY OF NAPLES CODE OF ETHICS CONTAINED IN ARTICLE IX OF CHAPTER 2 ENTITLED "ADMINISTRATION" IN THE CITY OF NAPLES CODE OF ORDINANCES; AMENDING SECTIONS 2-975(f) "POST-EMPLOYMENT RESTRICTIONS AND 2-975(H) "BIDS AND CONTRACTS" AND CREATING A NEW SECTION 2-975(K) "CONE OF SILENCE" IN ARTICLE IX OF CHAPTER 2; ADOPTING AMENDMENTS PRESENTED TO THE CITY COUNCIL BY THE COMMISSION ON ETHICS AND PUBLIC INTEGRITY; PROVIDING FOR RENUMBERING OF APPLICABLE SECTIONS AS NEEDED, SEVERABILITY, CONFLICTS AND AN EFFECTIVE DATE.

(Nancy Stuparich, City Attorney)

[Agenda Memorandum](#)

[December Ethics Ordinance Draft \(Clean\) Corrected](#)

[December Ethics Ordinance Draft \(Marked up\) Corrected](#)

[Transmittal Letter](#)

[December Post City Service Restrict](#)

[December Bids and Contracts](#)

[December Cone of Silence](#)

## **15. SECOND READING ORDINANCES**

- 15.A. Second Reading of a Proposed Ordinance Granting to People's 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](#)

[TECO-PGS Memo 11-17-22](#)

[Ordinance - Second Reading - Draft with Changes \(Marked Up\)](#)

[Ordinance - Second Reading - Clean Draft](#)

**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.