

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
Wednesday, December 14, 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

- 4.B. Martin Luther King Day Proclamation
- 4.C. Trinity Life Foundation Proclamation
- 4.D. Presentation of 2022 Christmas Parade Awards

5. PUBLIC COMMENTS

APPROVAL OF CONSENT AGENDA

6. MINUTES

- 6.A. Approval of City Council Meeting Minutes
[Agenda Memorandum](#)
[November 2, 2022 Regular Meeting Minutes](#)

7. RESOLUTIONS

- 7.A. A RESOLUTION FOR THE PURPOSE OF ELECTING TO USE THE UNIFORM METHOD OF COLLECTING NON-AD VALOREM ASSESSMENTS FOR MORE THAN ONE YEAR LEVIED IN THE SEAGATE UNDERGROUNDING ASSESSMENT AREA AND THE CURLEW CANAL ASSESSMENT AREA; STATING A NEED FOR SUCH LEVY; PROVIDING FOR THE MAILING OF THIS RESOLUTION; AND PROVIDING FOR AN EFFECTIVE DATE.
(Gary Young, Director of Finance)
[Agenda Memorandum](#)
[Resolution](#)
[Seagate Resolution 2018-14093](#)
[Seagate Init Resolution 2021-14733](#)
[Seagate Final Resolution 2021-14761](#)
[Curlew Resolution 2021-14754](#)
[Curlew Init Resolution 2022-14777](#)
[Curlew Final Resolution 2022-14799](#)
[2008-12256 Special Assessment Procedures](#)
- 7.B. A RESOLUTION FOR THE PURPOSE OF AWARDING A CONTRACT BY PURCHASE ORDER TO C.A.P. GOVERNMENT, INC., IN THE AMOUNT OF \$150,000 TO FILL THE PERSONNEL VACANCIES FOR PLAN REVIEW AND INSPECTION SERVICES; AND PROVIDING AN EFFECTIVE DATE.
(Jay Boodheshwar, City Manager)
[Agenda Memorandum](#)
[Resolution](#)
[Fully Executed Contract 5.16.2021 - 5.15.2023](#)
[City of Naples Work Order for Building Official Department Services](#)
[Rates 5.16.2021 - 5.15.2023](#)
- 7.C. A RESOLUTION FOR THE PURPOSE OF DETERMINING PUBLIC ART PETITION 22-PAAC2 PURSUANT TO SECTION 46-42 OF THE CODE OF ORDINANCES, CITY OF NAPLES, TO AUTHORIZE A PUBLIC ART INSTALLATION AND REIMBURSEMENT OF THE PUBLIC ART FEE FOR THE PROPERTY OWNED BY THE NEIGHBORHOOD HEALTH CLINIC, INC.,

LOCATED AT 88 12TH STREET NORTH, MORE FULLY DESCRIBED HEREIN;
AND PROVIDING AN EFFECTIVE DATE.

(Erica Martin, Director of Planning)

[Agenda Memorandum](#)

[Resolution](#)

[PAAC Agenda Memorandum](#)

[Application](#)

[Disclosure of Interest - Property Owner](#)

[Site Plan for Public Art Neighborhood Health Clinic](#)

[Credentials - Staff](#)

[Public Notice Mailing Addresses](#)

[PAAC Meeting 11.29.22 Petitioner's presentation](#)

7.D. A RESOLUTION FOR THE PURPOSE OF DETERMINING PUBLIC ART PETITION 22-PAAC3 PURSUANT TO SECTION 46-42 OF THE CODE OF ORDINANCES, CITY OF NAPLES, TO AUTHORIZE A PUBLIC ART INSTALLATION AND REIMBURSEMENT OF THE PUBLIC ART FEE FOR THE PROPERTY OWNED BY COLSON INVESTMENTS, LLC, LOCATED AT 445-457 5TH AVENUE SOUTH, MORE FULLY DESCRIBED HEREIN; AND PROVIDING AN EFFECTIVE DATE.

(Erica Martin, Director of Planning)

[Agenda Memorandum](#)

[Resolution](#)

[PAAC Agenda Memorandum](#)

[Application](#)

[Disclosure of Interest - Property Owner](#)

[Deed](#)

[Site Plan](#)

[Articles of Conversion](#)

[Survey](#)

[Architectural Plans and Artwork Layout](#)

[Samples of Previous Artwork](#)

[Agreement for Art Commission](#)

[Sculpture and Fab Estimate](#)

[Credentials - Artist](#)

[Credentials - Staff](#)

[Public Notice Mailing Addresses](#)

[Petitioner's Presentation](#)

7.E. A RESOLUTION FOR THE PURPOSE OF DECLARING CITY COUNCIL IS NOT "IN SESSION" FROM 8:30 AM DECEMBER 15, 2022 TO 8:30 AM JANUARY 18, 2023; AND PROVIDING AN EFFECTIVE DATE.

(Nancy Stuparich, City Attorney)

[Agenda Memorandum](#)

[Resolution](#)

7.F. A RESOLUTION FOR THE PURPOSE OF APPROVING A MUTUAL AID AGREEMENT REGARDING THE OPERATIONAL ASSISTANCE AND VOLUNTARY COOPERATION OF S.W.A.T. UNITS BETWEEN THE CITY OF NAPLES AND THE COLLIER COUNTY SHERIFF'S OFFICE; AUTHORIZING

THE MAYOR AND POLICE CHIEF, AS DESIGNEE, TO EXECUTE THE AGREEMENT; AND PROVIDING AN EFFECTIVE DATE.

(Tom Weschler, Police Chief)

[Agenda Memorandum](#)

[Resolution](#)

[Mutual Aid Agreement - CCSO SWAT 2022-2027](#)

- 7.G. A RESOLUTION AUTHORIZING A TEMPORARY USE FOR THE PORT ROYAL CLUB PURSUANT TO THAT CERTAIN DECLARATION OF LOCAL EMERGENCY DECLARED BY THE HONORABLE MAYOR TERESA HEITMANN AND THEREAFTER EXTENDED BY CITY COUNCIL BY ADOPTION OF RESOLUTIONS 2022-14951, 2022-14952, AND 2022-14957 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 SECTION 14-34 OF THE CITY OF NAPLES CODE OF ORDINANCES AS AMENDED BY ORDINANCE 2022-14967, AND PROVIDING AN EFFECTIVE DATE.

(Erica Martin, Director of Planning)

[Agenda Memorandum](#)

[Resolution](#)

[Resolution 2022-14957](#)

- 7.H. A RESOLUTION APPROVING AMENDMENT #2 TO TASK ORDER AGREEMENT WITH STANTEC CONSULTING SERVICES, INC. FOR CONSTRUCTION ENGINEERING AND INSPECTION SERVICES / CONSTRUCTION MANAGEMENT ASSOCIATED WITH THE EAST NAPLES BAY DREDGING AND ROCK REMOVAL PROJECT TO EXTEND THE PROJECT FOR AN ADDITIONAL 61 WEEKS TO COMMENCE UPON THE RESTART OF THE PROJECT AND INCREASE THE STANTEC CONSULTING SERVICES TASK ORDER BY \$394,800; AND PROVIDING AN EFFECTIVE DATE.

(Bob Middleton, Interim Director of Streets & Stormwater)

[Agenda Memorandum](#)

[Resolution](#)

[Stantec Agreement with Amendments](#)

[Quality Enterprises USA Agreement with Amendment](#)

- 7.I. A RESOLUTION APPROVING AMENDING THE CONSTRUCTION SERVICES AGREEMENT RFP NO. 21-036 WITH QUALITY ENTERPRISES USA, INC. ASSOCIATED WITH THE EAST NAPLES BAY DREDGING AND ROCK REMOVAL PROJECT TO EXTEND THE PROJECT FOR AN ADDITIONAL 61 WEEKS TO COMMENCE UPON THE RESTART OF THE PROJECT; AND PROVIDING AN EFFECTIVE DATE.

(Bob Middleton, Interim Director of Streets & Stormwater)

[Agenda Memorandum](#)

[Resolution](#)

[Stantec Agreement with Amendments](#)

[Quality Enterprises USA Agreement with Amendment](#)

- 7.J. A RESOLUTION AMENDING THE FY 2022-23 BUDGET ADOPTED BY

RESOLUTION 2022-14943 TO PROVIDE SUFFICIENT FUNDING TO APPROVE THE SECOND AMENDMENT TO THE TASK ORDER AGREEMENT WITH STANTEC CONSULTING SERVICES, INC., IN THE AMOUNT OF \$394,800 ASSOCIATED WITH THE EAST NAPLES BAY DREDGING AND ROCK REMOVAL PROJECT TO EXTEND THE PROJECT FOR AN ADDITIONAL 61 WEEKS TO COMMENCE UPON THE RESTART OF THE PROJECT; AND PROVIDING AN EFFECTIVE DATE.

(Bob Middleton, Interim Director of Streets & Stormwater)

[Agenda Memorandum](#)

[Resolution](#)

[Stantec Agreement with Amendments](#)

[Quality Enterprises USA Agreement with Amendment](#)

8. OTHER

- 8.A. Notice of Proclamations Extending the Declaration of Local Emergency Declared by the Honorable Mayor Teresa Heitmann as Required by Section 14-34 of the City of Naples Code of Ordinances.

[Agenda Memorandum](#)

[2022-08 Hurricane Ian - Proclamation Extending the Declaration of Local State of Emergency](#)

[2022-09 Hurricane Ian - Proclamation Extending the Declaration of Local State of Emergency](#)

END OF CONSENT AGENDA

9. PUBLIC HEARINGS - NONE.

REGULAR AGENDA

10. ITEMS PULLED FROM CONSENT AGENDA (If Needed)

11. LAND USE MATTERS

- 11.A. A RESOLUTION FOR THE PURPOSE OF DETERMINING SITE PLAN PETITION 22-SP5 FOR A NEW RESTAURANT CALLED BAHAMA BREEZE, CONTAINING APPROXIMATELY 10,390 SQUARE FEET OF INDOOR AND OUTDOOR DINING AREA ON THE PROPERTY OWNED BY GS PORTFOLIO HOLDINGS 2017, LLC, AND LOCATED AT 2088 9TH STREET NORTH, MORE FULLY DESCRIBED HEREIN; AND PROVIDING AN EFFECTIVE DATE (continued from October 19, 2022).

(Erica Martin, Director of Planning)

[City Council Supplemental Agenda Memorandum](#)

[Agenda Memorandum](#)

[Resolution](#)

[Supplemental Memo PAB](#)

[Staff Report](#)

[Site Plan Application](#)

[Disclosure of Interest Property Owner](#)

[Disclosure of Interest Business Owner](#)

[Special Warranty Deed](#)

Architectural Plans
Landscape Plans
Civil Engineering Plans
Photometric and Accent Light
Drainage Statement
Letter from Kimley Horn Re: Equivalency Statement - 030422
Fire Truck Turn Exhibit
Garbage Truck Turn Exhibit
Water As Built
Sewer As Built
Chamber As Built
Drainage As Built
Location Map
Bahama Breeze Site Plan Sufficiency Letter
Additional Information - Aerial Map Key
Additional Information - Context Images 1
Additional Information - Context Images 2
Additional Information - Context Images 3
Additional Information - Drainage Letter to City 082522
Additional Information - Exterior Perspectives 1
Additional Information - Exterior Perspectives 2
Additional Information - North and East Landscape Elevations
Additional Information - South and West Landscape Elevations
NEW 11.1.22 Letter to Ed Bliss from Greg Wilfong
NEW 11.2.22 Letter to Greg Wilfong from Ed Bliss
NEW 11.8.22 Civil Plans
NEW 11.8.22 East and North Landscape Elevations
NEW 11.8.22 South and West Landscape Elevations
NEW 11.8.22 Front Perspectives
NEW 11.8.22 Rear Perspectives
NEW 11.8.22 Landscape Plans
NEW 11.8.22 Overall Site Plan
Credentials - Petitioner
Credentials - Staff
Public Notice Mailing Addresses
Affidavit of Sign Posting for 081022 PAB
Affidavit of Sign Posting for 091422 PAB
Affidavit of Sign Posting for City Council 101922
Affidavit of Sign Posting City Council 12.14.22
Petitioner PAB Presentation 081022
Petitioner Presentation 091422 PAB
Petitioner Presentation 101922 City Council
Petitioner's Presentation 12.14.22 City Council

- 11.B. A RESOLUTION FOR THE PURPOSE OF DETERMINING PETITION 22-MSD5, RELATING TO A MINOR SUBDIVISION FOR THE COMBINATION OF TWO SINGLE FAMILY LOTS TO CREATE ONE SINGLE FAMILY LOT IN THE R1-10, RESIDENCE DISTRICT OWNED BY MIHAS PALM CIRCLE, LLC, LOCATED AT 659 AND 677 PALM CIRCLE EAST, MORE FULLY DESCRIBED HEREIN; AND PROVIDING AN EFFECTIVE DATE.

(Erica Martin, Director of Planning)

Agenda Memorandum

Resolution

Supplemental Memorandum PAB

PAB Staff Report

Application

Disclosure and Quit Claim Deeds

Ridge Lakes Plat

Survey 659 Palm Circle East

Survey 677 Palm Circle East

Survey Lots Combined

PAB Minutes 081022

NEW Cover Letter 102422 for PAB

NEW Area and Code Calculations Two Residences for PAB

NEW Area and Code Calculations One Residence for PAB

NEW Declaration of Covenants and Deed Restrictions for PAB

NEW Declaration of Covenants and Deed Restrictions for City Council

Credentials - Staff

Public Notice Mailing Addresses

Affidavit of sign posting 081022

Affidavit of Sign Posting 101222

Public Hearing Signs Reinstalled after Hurricane Ian

Affidavit of Sign Posting 110922

Affidavit of sign posting Council 12.14.22

Combined Correspondence

Petitioner's Presentation PAB 081022

Petitioner's Presentation PAB 110922

Petitioner's Presentation Council 121422

- 11.C. A RESOLUTION FOR THE PURPOSE OF DETERMINING PETITION 22-V1, RELATING TO A VARIANCE FROM SECTION 50-35(D)(2) OF THE CITY OF NAPLES CODE OF ORDINANCES TO ALLOW FOR THE DISPLAY OF GASOLINE PRICES ON A FREESTANDING SIGN FOR PROPERTY OWNED BY 7-ELEVEN INC., AND LOCATED AT 450 GOODLETTE-FRANK ROAD, MORE FULLY DESCRIBED HEREIN; AND PROVIDING AN EFFECTIVE DATE.

(Erica Martin, Director of Planning)

Agenda Memorandum

Resolution

Supplemental Memorandum to PAB

Staff Report

Application

Disclosure of Interest

Site Plan

Proposed Sign Rendering

Credentials - Staff

Public Notice Mailing Addresses

Affidavit of Sign posting

Correspondence

- 11.D. A RESOLUTION FOR THE PURPOSE OF DETERMINING OUTDOOR DINING

PETITION 22-ODPV17, ESTABLISHING OUTDOOR DINING TO INCLUDE 3 TABLES WITH 9 CHAIRS FOR A RESTAURANT KNOWN AS PABLO'S R&D KITCHEN ON PROPERTY OWNED BY MY NAPLES SUNSHINE LLC, KILLER COOKE, LLC, AND QUEENY BEE, LLC AND LOCATED AT 947 3RD AVENUE NORTH, MORE FULLY DESCRIBED HEREIN; AND PROVIDING AN EFFECTIVE DATE.

(Erica Martin, Director of Planning)

[Agenda Memorandum](#)

[Resolution](#)

[Application](#)

[Disclosure of Interest - Property owner](#)

[Disclosure of Interest - Business owner](#)

[Deed](#)

[Site Plan](#)

[Credentials - Petitioner](#)

[Credentials - Staff](#)

[Public Notice Mailing Addresses](#)

[Affidavit of Sign Posting](#)

[Petitioners Presentation](#)

12. OLD BUSINESS

12.A. Appoint One Regular Member for the Balance of a Term and One Alternate Member for a Three-year Term to 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](#)

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 September 6, 2022 meeting).

(Nancy Stuparich, City Attorney)

[Agenda Memorandum](#)

[Resolution](#)

[Rules of Procedure \(Draft\)](#)

[Rules of Procedure \(Clean Copy\)](#)

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

13. NEW BUSINESS

13.A. A RESOLUTION FOR THE PURPOSE OF APPROVING, RATIFYING AND CONFIRMING THE LABOR CONTRACT BETWEEN THE CITY OF NAPLES AND THE GOVERNMENT SUPERVISORS ASSOCIATION OF FLORIDA, OFFICE AND PROFESSIONAL EMPLOYEES INTERNATIONAL UNION, LOCAL 100, AFL-CIO, BARGAINING UNIT 1501; AND PROVIDING AN EFFECTIVE DATE (9:00AM TIME CERTAIN).

(Charlotte Loewel, Director of Human Resources)

[Agenda Memorandum](#)

[Resolution](#)

[Expiring Contract - GSAF OPEIU 2021](#)

[Tentative Agreement - GSAF OPEIU 2022 - 2025](#)

[Red-Lined 2022 to 2025 - GSAF-OPEIU Contract](#)

13.B. A RESOLUTION FOR THE PURPOSE OF VACATING A PORTION OF A DRAINAGE EASEMENT LOCATED ON LOT 10, BLOCK 1, AND LOT 9 AND BLOCK 1, RIDGEVIEW LAKES SUBDIVISION, ACCORDING TO THE PLAT THEREOF, AS RECORDED IN PLAT BOOK 3, PAGE(S) 23, PUBLIC RECORDS OF COLLIER COUNTY, FLORIDA, LYING ADJACENT TO 659 AND 677 PALM CIRCLE EAST, MORE FULLY DESCRIBED HEREIN; AND ACCEPTANCE OF A REPLACEMENT DRAINAGE EASEMENT WITH CONDITIONS; AND A TEMPORARY CONSTRUCTION EASEMENT AND PROVIDING AN EFFECTIVE DATE.

(Bob Middleton, Interim Director of Streets & Stormwater)

[Agenda Memorandum](#)

[Resolution](#)

[Application for Vacation of Easement](#)

[Drainage Easement Agreement](#)

[Exhibits A & B - Drainage and Access Easement proposed](#)

[Temporary Access Agreement](#)

[Engineer's Report - Mihas Pipe Relocation](#)

[Quit Claim Deed \(659 Palm Circle East\)](#)

[Quit Claim Deed \(677 Palm Circle East\)](#)

[Ridge Lakes Subdivision Plat](#)

[Survey of Existing Easement](#)

[Notification Addresses- 659 and 677 Palm Circle East](#)

[Title Opinion Letter - 659 and 677 Palm Circle East - 7-8-2022](#)

13.C. ANNOUNCEMENT - EXECUTIVE SESSION - DYE V. CITY NAPLES - CASE NO.11-2022-CA-007689-0001-XX

[Agenda Memorandum](#)

ORDINANCES

14. FIRST READING ORDINANCES - NONE.

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 (continued from December 7, 2022 meeting). 10:00 AM TIME CERTAIN

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](#)

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

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

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

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.