



NOTICE OF MEETING AND AGENDA

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

POSTED
September 27, 2023

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. Public comments about items on the agenda will be heard during Item 5 or during specific agenda items. Public comments about issues not on the agenda will be heard at the end of the meeting. 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, October 4, 2023
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. Do the Right Thing Recognitions

4.C. Employee Service Awards & Retirement Recognition

4.D. Interview Candidates for the City of Naples Interim City Attorney (*Supplement will be issued on October 2, 2023, with information for each candidate*).
(Jay Boodheshwar, City Manager)

5. PUBLIC COMMENTS

APPROVAL OF CONSENT AGENDA

6. MINUTES

6.A. Approval of the September 7, 2023 Regular Meeting Minutes and the September 20, 2023 Special (Budget) Meeting Minutes.
(Patricia Rambosk, City Clerk)
[Agenda Memorandum](#)
[September 7, 2023 Regular Meeting minutes](#)
[September 20, 2023 Special \(Budget\) Meeting minutes](#)

7. RESOLUTIONS

7.A. A Resolution Approving an Agreement with the Collier Community Foundation for the Purpose of Establishing a Designated Pass-Through Fund for the Naples Pier Project; Providing for Funding in Addition to that Needed for the Rebuild of the Pier be Held in an Endowment for Future Maintenance and Service Enhancements Authorizing the Mayor to Execute the Agreement; and Providing an Effective Date.
(Chad Merritt, Director of Parks, Recreation & Facilities)
[Agenda Memorandum](#)
[Resolution](#)
[Final Designated Pass-Through Fund Agreement.pdf](#)

7.B. A Resolution for the Purpose of Approving a Task Order to Johnson Engineering, Inc. for Professional Engineering Services for Design and Consulting Services of the Traffic Signal Improvements at the Intersection of Harbour Drive and Crayton Road, Approving a First Amendment to the Existing CCNA Agreement and Providing an Effective date.
(Bob Middleton, Director of Public Works)
[Agenda Memorandum](#)
[Resolution](#)
[Task Order with Attachment A](#)
[CCNA Agreement](#)
[CCNA First Amendment](#)

7.C. A Resolution for the Purpose of Awarding a Task Order to Trebilcock Consulting Solutions, P.A. for Professional Engineering Services for Design and Consulting Services of the Traffic Signal Improvements at the intersection of Mooring Line Drive and Crayton Road; amending the existing CCNA Agreement with Trebilcock Consulting Solutions, P.A. to include updated Terms and Conditions and Providing an Effective Date.

(Bob Middleton, Director of Public Works)

[Agenda Memorandum](#)

[Resolution](#)

[Task Order](#)

[Attachment #1](#)

[CCNA](#)

[CCNA First Amendment](#)

- 7.D. A Resolution Approving a Contractor's Agreement Between the City of Naples and Grady Minor for Architectural and Engineering Services to Design Plans and Provide Bidding Services for the Repair of 27 Public Beach Accesses Damaged by Hurricane Ian; Authorizing the City Manager to Execute the Contractor's Services Agreement; and Providing an Effective Date.

(Chad Merritt, Director of Parks, Recreation & Facilities)

[Agenda Memorandum](#)

[Resolution](#)

[Proposal - Grady Minor](#)

[Task Order](#)

[First Amendment to Agreement](#)

[Q. Grady Minor Agreement](#)

- 7.E. A Resolution Approving a Contractor's Agreement for the River Park Community Center Flooring and Ceiling Replacement Project (ITB 23-034) Between the City of Naples and Steve Schmitt Custom Carpentry, LLC; Authorizing the City Manager to Execute the Contract's Agreement; and Providing an Effective Date.

(Chad Merritt, Director of Parks, Recreation & Facilities)

[Agenda Memorandum](#)

[Resolution](#)

[Contractor's Agreement](#)

[Exhibit A - Payment](#)

[Exhibit B - Certificate of Insurance](#)

[Exhibit C - E-Verify](#)

[Bid Analysis](#)

[Bid Tabulation - 23-034](#)

[Declaration of Intent to Award](#)

[Request for Proposal 23-034](#)

- 7.F. A Resolution for the Purpose of Approving Purchase Order Agreements for the Utilization of Outside Contracts for the Purchase of Goods and Services Between the City of Naples and Multiple Vendors Listed in Sections 1 and 2 of this Resolution; Authorizing the City Manager to Execute the Purchase Order Agreements; and Providing an Effective Date.

(Gary Young, Deputy City Manager/CFO)

[Agenda Memorandum](#)

[Resolution](#)

[Exhibit A - Contract Descriptions](#)

[Exhibit B - Sole Source Descriptions](#)

- 7.G. A Resolution Approving a First Amendment to Services Agreement with Crystal Coatings, Inc., which Agreement was Previously Approved in the City's Library of

Vendors, for the Purpose of Consenting to an Assignment of the Agreement to Crystal Coatings, LLC, Extending the Term of the Agreement and Including Additional Standardized Contract Terms Required by the City for Sandblasting, Painting, and Coating Services; Authorizing the City Manager to Execute the First Amendment to Services Agreement; and Providing an Effective Date.

(Gary Young, Deputy City Manager/CFO)

[Agenda Memorandum](#)

[Resolution](#)

[First Amendment](#)

[Crystal Coatings Agreement](#)

7.H. A Resolution for the Purpose of Approving a Special Events Manual; Providing for Approval of Special Events by Resolution; and Providing an Effective Date.

(Chad Merritt, Director of Parks, Recreation & Facilities)

[Agenda Memorandum](#)

[Resolution](#)

[Special Event Permit Manual](#)

[After Action Report](#)

[Alcohol Request Application](#)

[Tent and Cooking Form](#)

[5th Ave Event Space](#)

[Special Event Fee Chart](#)

7.I. A Resolution Determining Nonconformity Petition 23-N5, Pursuant to Section 46-35(A)(5) of the Land Development Code, to Grant an Extension of Time to Reestablish Nonconforming Structures Located in the R3-18, Multifamily District on Property Owned by Bahama Club, Inc., a foreign not-for-profit corporation, Located at 1121 Gulf Shore Boulevard North; and Providing an Effective Date.

(Erica Martin, Director of Planning)

[Agenda Memorandum](#)

[Resolution](#)

[Bahama Club Extension Request](#)

8. OTHER

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

1. Cancer Alliance Fundraiser – Baker Park
2. Halloween Party – 1040 13th St. N
3. Neighborhood Bash – 88 12th St. N
4. Hyatt House Event – Hyatt House Hotel
5. Lake Park Elementary Family Fun Night – 1295 14th Avenue N.
6. Christmas on 3rd – 3rd St S Courtyards
7. Tuba Christmas 2023 – 5th Ave S, Sugden Plaza
8. Nash to Naples – Cambier Park
9. Health and Wellness Festival/Market – Baker Park
10. Naples Boat Show – Naples City Dock
11. Swamp Buggy Parade – US 41 from GG to 3rd Ave S
12. Pets on Third Pet Parade & Petfest – 3rd Street South & Neapolitan Parking Lot
13. Festival Under the Stars – Cambier Park

- 14. Fine Art Show – Bayfront
- 15. Albanian Flag Raising Ceremony – Naples City Hall (front)
(Chad Merritt, Director of Parks, Recreation & Facilities)
- [Agenda Memorandum](#)
- [Cancer Alliance Fundraiser 10.21.23](#)
- [Halloween Party 10.31.23](#)
- [Neighborhood Bash 11.3.23](#)
- [Hyatt House Event 11.4.23](#)
- [Lake Park Elementary Family Fun Night 11.10.23](#)
- [Tuba Christmas 2023 12.15.23](#)
- [Christmas on 3rd 11.21.23](#)
- [Nash to Naples 1.6.24](#)
- [Health & Wellness FestivalMarket 1.5.24](#)
- [Naples Boat Show 1.17.24](#)
- [Swamp Buggy Parade 1.20.24](#)
- [Pets on Third Pet Parade & Petfest 1.21.24](#)
- [Festival Under the Stars 2.25.24](#)
- [Fine Art Show 3.15.24](#)
- [Albanian Flag Raising Ceremony 11.18.23](#)

- 8.B. Consider Changing a Regular Member Appointment on the Design Review Board to an Alternate Member Appointment, and Directing the City Clerk to Continue Advertising for the Architect Regular Member Position.
(Patricia Rambosk, City Clerk)
- [Agenda Memorandum](#)
- [DRB CODE](#)

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 Live Entertainment Petition 23-LE3, Establishing Indoor Live Entertainment with Doors and Windows closed with a Maximum of Two Entertainers Thursday through Saturday from 11:00 A.M. To 12:00 Midnight and Sunday through Wednesday from 11:00 A.M. To 10:00 P.M.; Establishing Outdoor Amplified Live Entertainment with a Maximum of Two Entertainers Thursday and Friday from 4:00 P.M. To 10:00 P.M. and Saturday and Sunday From 11:00 A.M. To 10:00 P.M. for the AC Marriott Hotel on the Property Located at 455 12th Street South, More Fully Described Herein; and Providing an Effective Date.
(Erica Martin, Director of Planning)
- [Agenda Memorandum](#)
- [Resolution](#)
- [Life Safety Plans prepared by MHK Architecture, dated September 11, 2023](#)

Live Entertainment Application

Deed

Disclosure of Interest - Palmetto Hospitality of Naples, LLC

Aerial

Architectural Plans prepared by MHK Architecture, dated September 11, 2023

Marriott AC Naples - Acoustical Evaluation of Amplified Music prepared by RML

Acoustics, LLC, dated July 18, 2023

Operational Plan prepared by OTO Development, dated March 14, 2023

Credentials - Petitioner

Credentials - Staff

Public Notice Mailing Addresses

Affidavit of Sign Posting

Correspondence received through 9/25/23

Petitioner Presentation

- 11.B. A Resolution for the Purpose of Determining Outdoor Dining Petition 23-OD5 to Establish Outdoor Dining on Private Property Including a Total Of 46 Tables and 204 Seats for The AC Marriott Hotel, In Three Distinct Locations, on Property Owned by Palmetto Hospitality of Naples, LLC., A Florida Limited Liability Company, and Located At 455 12th Street South, More Fully Described Herein; and Providing an Effective Date.

(Erica Martin, Director of Planning)

Agenda Memorandum

Resolution

Life Safety Plans prepared by MHK Architecture, dated September 11, 2023

Outdoor Dining Application

Deed

Disclosure of Interest - Palmetto Hospitality of Naples, LLC

Aerial

Architectural Plans prepared by MHK Architecture, dated September 11, 2023

Credentials - Petitioner

Credentials - Staff

Public Notice Mailing Addresses

Affidavit of Sign Posting

Correspondence received through 9/25/23

Petitioner Presentation

12. OLD BUSINESS

- 12.A. Review and Discussion of Article V, Division 4, Sections 2-471 to 2-478 - Design Review Board.

(Jay Boodheshwar, City Manager)

Agenda Memorandum

Code of Ordinances, Article V, Division 4 - Design Review Board

Article IX. Design Review Standards

Resolution 03-10165 - Rules and Regulations for the Design Review Board

13. NEW BUSINESS

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

1. Stone Crab Fest – Naples Tin City
2. Gobble Gobble 4-Miler – Venetian Villages and Surrounding Roads
(Chad Merritt, Director of Parks, Recreation & Facilities)
[Agenda Memorandum](#)
[Stone Crab Fest 10.27.23](#)
[Gobble Gobble Four Miler 11.23.23](#)

- 13.B. Announcement of Executive Session - Dye v. City of Naples
(Nancy Stuparich, City Attorney)
[Agenda Memorandum](#)
[Public Notice](#)

- 13.C. Approval of 2024 City Council and CRA Meetings and Workshops.
(Jay Boodheshwar, City Manager)
[Agenda Memorandum](#)
[Proposed 2024 City Council Schedule](#)

ORDINANCES

14. FIRST READING ORDINANCES

- 14.A. First Reading of an Ordinance Amending Sections of the Public Art Advisory Committee, Community Services Advisory Board, Public Art, and the Design Review Board.

An Ordinance Relating to Public Art: 1) Amending Sections 46-42(D) and (H) of Article II Administrative Procedures of Chapter 46 Administration, Procedures and Enforcement, to Transfer Duties and Responsibilities From the Public Art Advisory Committee to the Community Services Advisory Board; 2) Removing Sections 2-581 to 2-584 of Division 9 of Article V Boards, Commissions and Committees of Chapter 2 Administration, to Dissolve the Public Art Advisory Committee; 3) Amending Section 2-503 of Division 5 Community Services Advisory Board of Article V Boards, Commissions and Committees of Chapter 2 Administration to Add Duties and Responsibilities Related to Review of Public Art to the Community Services Advisory Board; 4) Amending Section 2-476(C)(2)(I) of Division 4 Design Review Board of Article V Boards, Commissions and Committees of Chapter 2 Administration to Substitute the Community Service Board to replace the Public Art Advisory Committee; and 5) Providing for Conflict, Severability Clause, Repealer, and an Effective Date.

(Chad Merritt, Director of Parks, Recreation & Facilities)

[Agenda Memorandum](#)
[Ordinance - First Reading](#)
[Business Impact Estimate](#)

15. SECOND READING ORDINANCES - None

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.