

Posted
February 8, 2023



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

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, February 15, 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. Proclamation for George Washington's Birthday

- 4.C. Interview Cynthia Russell for the Code Enforcement Board.
(Patricia Rambosk, City Clerk)
[Agenda Memorandum](#)
[Cynthia Russell Application](#)
[Chapter 162.05 Florida Statute](#)

5. PUBLIC COMMENTS

APPROVAL OF CONSENT AGENDA

6. MINUTES

- 6.A. Approval of the December 14, 2022 Regular Meeting Minutes.
(Patricia Rambosk, City Clerk)
[Agenda Memorandum](#)
[December 14, 2022 Regular Meeting Minutes](#)

7. RESOLUTIONS

- 7.A. A RESOLUTION FOR THE PURPOSE OF AWARDING A CONTRACT TO U.S. TENNIS AND RECREATION, LLC IN THE AMOUNT OF \$179,277 TO RESURFACE 12 CLAY TENNIS COURTS, REINSTALL THE LINES AND FIX THE IRRIGATION DAMAGED BY HURRICANE IAN AT THE ARTHUR ALLEN TENNIS CENTER; AND PROVIDING AN EFFECTIVE DATE (Continued from the February 1, 2023 Regular City Council Meeting).
(Chad Merritt, Director of Parks, Recreation & Facilities)
[Agenda Memorandum](#)
[Resolution](#)
[Contract](#)
[23-005 Invitation To Bid](#)
[Bid Sheet - Signed](#)
[23-005 Bid Analysis](#)
[23-005 Invitation To Bid - Submittal - US Tennis](#)
[Declaration Of Intent To Award](#)
[State License - US Tennis](#)
[Reference - US Tennis](#)

8. OTHER

- 8.A. Request to Continue the Repeat Special Event Application for the Pride Fest at Cambier Park on June 10, 2023, to the March 1, 2023, City Council Regular Meeting (Continued from the February 1, 2023, City Council Meeting).
(Chad Merritt, Director of Parks, Recreation & Facilities)
[Agenda Memorandum](#)
- 8.B. 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.
(Nancy Stuparich, City Attorney)
[Agenda Memorandum](#)
[2023-04 Proclamation Extending the Declaration of Local State of Emergency](#)

END OF CONSENT AGENDA

9. PUBLIC HEARINGS

- 9.A. A RESOLUTION VACATING A PORTION OF A TEN FOOT UTILITY EASEMENT ON PROPERTY LOCATED AT 1625 GULF SHORE BOULEVARD SOUTH AND OWNED BY JOHN M. PAZ, AS TRUSTEE OF THE JOHN M. PAZ REVOCABLE TRUST U/A JUNE 21, 2007, AS MORE FULLY DESCRIBED IN EXHIBIT A; ACCEPTANCE OF A DRAINAGE, ACCESS AND STORMWATER EASEMENT AS PROVIDED IN EXHIBIT B; AND PROVIDING AN EFFECTIVE DATE (Continued from the January 18, 2023 Regular City Council Meeting).

(Bob Middleton, Director of Public Works)

[Agenda Memorandum](#)

[Resolution](#)

[Attachment #1 - Ordinance 1239](#)

[Attachment #2 - Resolution 3826](#)

[Attachment #3 - Lake Ownership - Combined City Clerk Report April 2010](#)

[Letters of No Objection](#)

[Vacation of Utility Easement Application](#)

[Warranty Deed](#)

[Plat](#)

[Original Records - Survey and Plans](#)

REGULAR AGENDA

10. ITEMS PULLED FROM CONSENT AGENDA (If Needed)

11. LAND USE MATTERS - NONE

12. OLD BUSINESS

- 12.A. Appoint One Regular Member and Two Alternate Members to the Code Enforcement Board and One Commissioner to the Ethics Commission.

(Patricia Rambosk, City Clerk)

[Agenda Memorandum](#)

[Code Enforcement Board - Sophia Abbott Application](#)

[Code Enforcement Board - Kenneth Dixon Application](#)

[Code Enforcement Board - Gregory Jarrett Application](#)

[Code Enforcement Board - Cynthia Russell Application](#)

[Chapter 162.05 Florida Statute](#)

[Ethics Commission - Jessica Douglas Application](#)

[Ethics Commission - Suzanne Szymanski Application](#)

[Ethics Code and Administration](#)

13. NEW BUSINESS

- 13.A. Discuss an Amendment of Chapter 29 of the Code of Ordinances, at the Recommendation of the General Employees', the Police Officers', and the Firefighters' Board of Trustees, to Provide for a One-time 5% Cost-of-living

Adjustment (COLA). If Applicable, Discuss Potential Effective Dates (Proactively or Retroactively), for Those Eligible Retirees and Beneficiaries in Pay Status who are not Currently Eligible for COLA. The Number of Eligible Retirees will Vary by Retirement Plan.

(Gary Young, Deputy City Manager/CFO)

[Agenda Memorandum](#)

[Naples, FL Code of Ordinances Ch. 29](#)

[Resolution 1993-7004](#)

[Ordinance 2008-12286](#)

[Actuarial Cost Study - Proposed Benefit Changes \(COLA\) - Naples General](#)

[11-16-2022 Actuarial Cost Study - Proposed Benefit Changes \(COLA\) - Naples Police](#)

[11-16-2022 Actuarial Cost Study - Proposed Benefit Changes \(COLA\) - Naples Fire](#)

[Cost of Living Adjustments SSA](#)

ORDINANCES

14. FIRST READING ORDINANCES - NONE

15. SECOND READING ORDINANCES

- 15.A. Second Reading of a Proposed Ordinance Amending Planned Development Regulations.

AN ORDINANCE FOR THE PURPOSE OF AMENDING CHAPTER 58, ZONING, ARTICLE II, ZONING DISTRICTS, DIVISION 27 - PD PLANNED DEVELOPMENT DISTRICT OF THE CITY OF NAPLES, CODE OF ORDINANCES TO AMEND THE REGULATIONS FOR PLANNED DEVELOPMENTS; APPROVING TEXT AMENDMENT 22-T7; PROVIDING A SEVERABILITY CLAUSE; PROVIDING A REPEALER PROVISION; PROVIDING FOR CONFLICTS; AND PROVIDING AN EFFECTIVE DATE.

(Erica Martin, Director of Planning)

[Agenda Memorandum](#)

[Ordinance - 2nd Reading](#)

[PAB Staff Report](#)

[Additional Revisions - PAB Suggestions](#)

[DIVISION 27. PD PLANNED DEVELOPMENT DISTRICT \(1\) - Entire Code Section with Redline Changes](#)

- 15.B. Second Reading of a Proposed Ordinance Addressing the Combination of Single Family Lots.

AN ORDINANCE FOR THE PURPOSE OF AMENDING CHAPTER 54, SUBDIVISION STANDARDS, ARTICLE I, IN GENERAL, OF THE CITY OF NAPLES, CODE OF ORDINANCES TO AMEND THE LOT SPLIT AND MINOR SUBDIVISION REGULATIONS AND TO PROVIDE REGULATIONS FOR THE COMBINATION OF SINGLE FAMILY LOTS; APPROVING TEXT AMENDMENT 22-T8; PROVIDING A SEVERABILITY CLAUSE; PROVIDING A REPEALER PROVISION; AND PROVIDING AN EFFECTIVE DATE.

(Erica Martin, Director of Planning)
[Agenda Memorandum](#)
[Ordinance - 2nd Reading](#)
[ARTICLE I. IN GENERAL \(2\) - Entire Code Section with Redline Changes](#)
[Section 44-8 - Yard Definition and Diagram](#)
[Lot Combination Diagrams](#)
[PAB Staff Report](#)
[Resolution 2022-14953 - Zoning In Progress](#)

- 15.C. Second 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.

(Erica Martin, Director of Planning)
[Agenda Memorandum](#)
[Ordinance - 2nd Reading](#)
[PAB Staff Report](#)
[Section 163.3177\(6\)\(i\) Florida Statutes](#)
[House Bill 59 Chapter Law 2021-195](#)

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.