



## NOTICE OF MEETING AND AGENDA

Posted  
February 23, 2023

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, March 1, 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. STARability Proclamation

4.C. Monthly Collier County Update from Commissioner Kowal

## 5. PUBLIC COMMENTS

### APPROVAL OF CONSENT AGENDA

## 6. MINUTES

- 6.A. Approval of Various City Council Meeting Minutes.  
(Patricia Rambosk, City Clerk)  
[Agenda Memorandum](#)  
[January 20, 2023 Workshop Meeting Minutes](#)  
[January 30, 2023 Special Meeting Minutes](#)

## 7. RESOLUTIONS

- 7.A. A RESOLUTION FOR THE PURPOSE OF AWARDING A CONTRACT BY PURCHASE ORDER TO BLISS PRODUCTS AND SERVICES, INC. IN THE AMOUNT OF \$98,941.70 FOR THE PURCHASE AND INSTALLATION OF TWO GAZEBOS AT THE NAPLES DOG PARK; ACCEPTANCE OF A DONATION FROM THE O'BRIEN FAMILY TO OFFSET THE COST OF THE GAZEBOS; AUTHORIZING THE CITY MANAGER TO SIGN THE PURCHASE ORDER; AND PROVIDING AN EFFECTIVE DATE.  
(Chad Merritt, Director of Parks, Recreation & Facilities)  
[Agenda Memorandum](#)  
[Resolution](#)  
[Exhibit A - Clay County Contract Letter](#)  
[Quote](#)  
[Design Plans](#)  
[Design Plans 2](#)  
[Dog Park Donation Letter - Beth O'Brien - Murchie Family LLC](#)  
[Certificate of Insurance](#)
- 7.B. A RESOLUTION FOR THE PURPOSE OF AWARDING A CONTRACT TO HANNULA LANDSCAPING AND IRRIGATION, INC. IN THE AMOUNT OF \$380,828 FOR THE PLANTING, MAINTENANCE AND WARRANTY OF NEW TREES AND PALMS WITHIN CITY RIGHTS-OF-WAY, MEDIANS, AND PARKS; AND PROVIDING AN EFFECTIVE DATE.  
(Chad Merritt, Director of Parks, Recreation & Facilities)  
[Agenda Memorandum](#)  
[Resolution](#)  
[Contract](#)  
[Bid Tabulation](#)  
[Tree and Palm Fill-in Planting - ITB Bid Analysis](#)  
[Declaration Of Intent To Award](#)  
[Certificate of Insurance](#)  
[Bid Bond](#)  
[Licenses](#)
- 7.C. A RESOLUTION FOR THE PURPOSE OF ESTABLISHING THE "163 OPIOID SETTLEMENT FUND" FOR THE PURPOSE OF DEPOSITING ALL PROCEEDS

(REVENUE) AND RECORDING ALL TRANSACTIONS (EXPENDITURES) RELATED TO ACTIVITIES DEFINED UNDER THE TERMS OF THE OPIOID SETTLEMENT(S) MOU PREVIOUSLY AUTHORIZED BY CITY COUNCIL; AND PROVIDING AN EFFECTIVE DATE.

(Gary Young, Deputy City Manager/CFO)

[Agenda Memorandum](#)

[Resolution](#)

[Walmart Settlement and Subdivision Participation Form](#)

[Resolution 2022-14928](#)

7.D. A RESOLUTION FOR THE PURPOSE OF APPROVING A THIRD AMENDMENT TO THE USE AGREEMENT, AS AMENDED, BETWEEN CITY OF NAPLES, FLORIDA AND THE NAPLES PLAYERS, INC. TO AMEND PARAGRAPH 10 OF THE USE AGREEMENT, AS PREVIOUSLY AMENDED, TO ALLOW FOR THE FINANCING OF IMPROVEMENTS TO SUGDEN THEATER; AND PROVIDING AN EFFECTIVE DATE.

(Nancy Stuparich, City Attorney)

[Agenda Memorandum](#)

[Resolution](#)

[Resolution - Use Agreement](#)

[First Amendment to Use Agreement](#)

[Resolution - Second Amendment to Use Agreement](#)

[Letter - Third Amendment](#)

7.E. A RESOLUTION FOR THE PURPOSE OF AWARDING A CONTRACT TO THE UNIVERSITY OF FLORIDA IN THE AMOUNT OF \$49,989.00 TO UPDATE, ENHANCE, AND MAINTAIN SERVICE OF THE ADAPTATION OF COASTAL URBAN AND NATURAL ECOSYSTEMS (ACUNE) TOOL, AND TO PROVIDE TRAINING; AUTHORIZING THE CITY MANAGER TO EXECUTE A CONTRACT SUBJECT TO LEGAL SIGN OFF TO COMPLETE TASKS 1 THROUGH 6, AND PROVIDING AN EFFECTIVE DATE.

(Jay Boodheshwar, City Manager)

[Agenda Memorandum](#)

[Resolution](#)

[ACUNE Proposal](#)

## 8. OTHER

8.A. Review and Discussion of the Selection of the Recipient for the 2023 Sam Noe Award.

(Patricia Rambosk, City Clerk)

[Agenda Memorandum](#)

[Renee Zepeda Nomination](#)

[Resolution 15-13622 - Guidelines for Selection Process](#)

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](#)

[2023-06 Proclamation Extending the Local State of Emergency](#)  
[2023-07 Proclamation Extending the Local State of Emergency](#)

- 8.C. Accept the Recommendation of the Naples Art Association (NAA) for Margie White to Serve as the NAA Representative on the Public Art Advisory Committee.  
(Patricia Rambosk, City Clerk)

[Agenda Memorandum](#)  
[NAA Recommendation for Margie White](#)  
[Margie White Application](#)  
[Current PAAC Code](#)

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

Antique Auto Show - Naples Depot Museum - March 18, 2023  
Spring Sidewalk Sale - Third Street South - May 4 - 7, 2023  
Summer Farmers Market - Parking Lot at 255 13th Avenue South - May 6 - November 11, 2023 (each Saturday)  
Tropicool 5k - Broad Avenue South & 3rd Street South - May 7, 2023  
Naples Concert Band Concerts - Cambier Park - October 15, 2023, November 12, 2023, December 10, 2023, January 14, 2024, February 4, 2024, March 3, 2024, March 23, 2024, April 14, 2024  
Gulf Coast Big Band Concerts - Cambier Park - November 5, 2023, December 17, 2023, January 21, 2024, February 18, 2024, March 17, 2024, April 7, 2024  
Chanukah Celebration - Cambier Park - December 7, 2023  
Candlelight Christmas Carols - Cambier Park - December 15, 2023  
(Chad Merritt, Director of Parks, Recreation & Facilities)

[Agenda Memorandum](#)  
[Antique Auto Show 3.18.2023](#)  
[Spring Sidewalk Sale 5.4-7.2023](#)  
[Summer Farmers Market 5.6.2023 - 11.11.2023](#)  
[Tropicool 5k 5.7.2023](#)  
[Naples Concert Band - Multiple Dates](#)  
[Gulf Coast Big Band - Multiple Dates](#)  
[Chanukah Celebration 12.7.2023](#)  
[Candlelight Christmas Carols 12.15.2023](#)

## **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. Consideration of the Repeat Special Event Application for the Pride Fest at Cambier Park on June 10, 2023 (Continued from the February 15, 2023, City Council Meeting).

(Chad Merritt, Director of Parks, Recreation & Facilities)  
[Agenda Memorandum](#)  
[Pride Fest Application](#)  
[Naples Pride Presentation to Naples City Council 3-1-23](#)

### **13. NEW BUSINESS - NONE**

#### **ORDINANCES**

### **14. FIRST READING ORDINANCES - NONE**

### **15. SECOND READING ORDINANCES**

#### 15.A. Second Reading of a Proposed Ordinance Amending the Site Plan Process.

AN ORDINANCE FOR THE PURPOSE OF AMENDING THE SITE PLAN REVIEW REGULATIONS OF THE CITY OF NAPLES AS PROPOSED IN TEXT AMENDMENT 22-T9; AMENDING SECTION 46-33 (SITE PLAN REVIEW) OF ARTICLE II – ADMINISTRATIVE PROCEDURES, CHAPTER 46 - ADMINISTRATION, PROCEDURES AND ENFORCEMENT, OF THE CODE OF ORDINANCES, CITY OF NAPLES; PROVIDING A SEVERABILITY CLAUSE; PROVIDING A REPEALER PROVISION; AND PROVIDING AN EFFECTIVE DATE.

(Erica Martin, Director of Planning)

[Agenda Memorandum](#)

[Ordinance - Second Reading](#)

[Site Plan List](#)

[PAB Report](#)

[Ordinance 2008-12280](#)

[12-12-2022 City Council Workshop Meeting Minutes - Draft](#)

#### 15.B. Second Reading of a Proposed Ordinance Related to Temporary Uses During Recovery from a Disaster.

AN ORDINANCE OF THE CITY OF NAPLES, FLORIDA AMENDING SECTION 46-39 AND CREATING A NEW SECTION 46-39(B)(3) IN CHAPTER 46, ARTICLE II, TO PROVIDE FOR APPROVAL OF TEMPORARY USES ON RESIDENTIAL AND COMMERCIAL ZONED PROPERTY DURING RECOVERY FROM A NATURAL DISASTER DURING AND SUBSEQUENT TO TERMINATION OF A LOCAL STATE OF EMERGENCY; PROVIDING FOR CRITERIA, AND APPROVAL BY THE CITY MANAGER FOR A SPECIFIC DURATION; PROVIDING FOR SEVERABILITY, CONFLICTS, AND AN EFFECTIVE DATE.

(Nancy Stuparich, City Attorney)

[Agenda Memorandum](#)

[Ordinance - Second Reading](#)

[Resolution 2022-14957](#)

### **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.