



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, April 19, 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
5. PUBLIC COMMENTS (For Items on the Agenda)

APPROVAL OF CONSENT AGENDA

6. MINUTES

- 6.A. Approval of Various City Council Meeting Minutes.
(Patricia Rambosk, City Clerk)
[Agenda Memorandum](#)
[March 1, 2023 Regular Meeting Minutes](#)
[March 20, 2023 Special Meeting Minutes](#)
[March 22, 2023 Regular Meeting Minutes](#)

7. RESOLUTIONS

- 7.A. 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](#)
[Public Art Application](#)
[Site Plan for Public Art Neighborhood Health Clinic](#)
[Public Notice Mailing Addresses](#)
[Petitioner's Presentation - PAAC Meeting 3-28-23](#)
- 7.B. A RESOLUTION APPROVING THE INTERLOCAL AGREEMENT WITH LEE COUNTY AND THE CITY OF NAPLES FOR PROCESSING OF RECYCLABLE MATERIAL COLLECTED FROM CITY RESIDENTIAL CUSTOMERS; AUTHORIZING THE MAYOR TO EXECUTE THE INTERLOCAL AGREEMENT; AND PROVIDING AN EFFECTIVE DATE.
(Bob Middleton, Director of Public Works)
[Agenda Memorandum](#)
[Resolution](#)
[City of Naples Draft Recycling Processing Interlocal Agreement](#)
[2010 Interlocal Agreement](#)
- 7.C. A RESOLUTION FOR THE PURPOSE OF AWARDED CONTRACTS BY PURCHASE ORDER TO HINTERLAND GROUP, INC. AND INSITUFORM TECHNOLOGIES, LLC (“VENDORS”) FOR ANNUAL CURED-IN-PLACE PIPE (CIPP) LINING REHABILITATION SERVICES, IN AN AMOUNT NOT-TO-EXCEED \$1,075,000, PURSUANT TO COMPETITIVELY BID AND AWARDED CONTRACTS BETWEEN THE VENDORS AND OTHER GOVERNMENTAL ENTITIES; AUTHORIZING THE CITY MANAGER TO EXECUTE THE PURCHASE ORDERS; AND PROVIDING AN EFFECTIVE DATE.
(Bob Middleton, Director of Public Works)
[Agenda Memorandum](#)

[Resolution](#)
[Hinterland Contract - Charlotte County](#)
[Insituform Contract - City of Daytona Beach](#)

- 7.D. A RESOLUTION FOR THE PURPOSE OF APPROVING A STANDARD GRANT AGREEMENT WITH THE STATE OF FLORIDA DEPARTMENT OF ENVIRONMENTAL PROTECTION (LPA0342) TO PROVIDE FUNDING FOR THE NAPLES BAY RED TIDE/SEPTIC TANK MITIGATION PROJECT IN THE AMOUNT OF \$500,000, SUBJECT TO CERTAIN TERMS AND CONDITIONS; AUTHORIZING THE MAYOR TO EXECUTE THE AGREEMENT; AND PROVIDING AN EFFECTIVE DATE.

(Bob Middleton, Director of Public Works)

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

- 7.E. A RESOLUTION FOR THE PURPOSE OF AWARDING A CONTRACT BY PURCHASE ORDER TO HASKINS, INC. FOR THE REPLACEMENT OF THE BIOSOLIDS STABILIZATION BUILDING'S (RDP) ROOF LOCATED WITHIN THE WASTEWATER TREATMENT PLANT, IN THE AMOUNT OF \$288,740; AUTHORIZING THE CITY MANAGER TO EXECUTE THE PURCHASE ORDER; AND PROVIDING AN EFFECTIVE DATE.

(Bob Middleton, Director of Public Works)

[Agenda Memorandum](#)
[Resolution](#)
[Agreement - Haskins](#)
[Quote - Haskins](#)
[Quote - DN Higgins](#)
[Quality Enterprises - No Bid Response](#)
[RDP Roof Evaluation of Bids](#)

- 7.F. A RESOLUTION FOR THE PURPOSE OF APPROVING AN AGREEMENT WITH EAU GALLIE ELECTRIC, INC. FOR THE INSTALLATION OF GENERATORS, INCLUDING APPLICABLE ELECTRICAL IMPROVEMENTS, AT THE WASTEWATER TREATMENT PLANT, IN THE AMOUNT OF \$1,591,000, PURSUANT TO CITY BID 23-014; AUTHORIZING THE CITY MANAGER TO EXECUTE THE AGREEMENT; AND PROVIDING AN EFFECTIVE DATE.

(Bob Middleton, Director of Public Works)

[Agenda Memorandum](#)
[Resolution](#)
[Agreement - Eau Gallie](#)
[Bid Analysis Summary](#)

- 7.G. A RESOLUTION FOR THE PURPOSE OF APPROVING TASK ORDER NO. 1 WITH JOHNSON ENGINEERING, INC. TO PROVIDE CONSTRUCTION ADMINISTRATION AND SYSTEM INTEGRATION SERVICES FOR THE WASTEWATER TREATMENT PLANT'S GENERATOR REPLACEMENTS IN FISCAL YEAR 2022-2023 IN ACCORDANCE WITH THE CONSULTANTS COMPETITIVE NEGOTIATION ACT; AUTHORIZING THE CITY MANAGER TO EXECUTE THE TASK ORDER AGREEMENT; AND PROVIDING AN EFFECTIVE

DATE.

(Bob Middleton, Director of Public Works)

[Agenda Memorandum](#)

[Resolution](#)

[Task Order #1 Amendment - Johnson Engineering](#)

8. OTHER

8.A. Acknowledge the Election of Mark Hoyt and Adam Nadelman to the Board of Trustees of the Firefighters' Retirement Trust Fund.

(Patricia Rambosk, City Clerk)

[Agenda Memorandum](#)

[Fire Pension Code](#)

8.B. City Council 6 Month Review of Resolution 2022-14894, a Resolution Granting Approval of Live Entertainment Petition 21-LE9 for Bambu Tropical Bar & Grill on the Property Located at 1221 5th Avenue South.

(Erica Martin, Director of Planning)

[Agenda Memorandum](#)

[Resolution 2022-14894](#)

[Staff Memorandums](#)

[Life Safety Plan 7.11.22](#)

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 DETERMINING REVISION NO. 1 TO A PREVIOUSLY APPROVED SITE PLAN FOR PETITION 20-SP11 FOR THE PROPOSED DEMOLITION OF THE EXISTING PUBLIX STORE AND ADJACENT RETAIL UNIT AND STORAGE AREA, AND THE REPLACEMENT WITH A NEW PUBLIX STORE CONTAINING APPROXIMATELY 51,908 SQUARE FEET OF SPACE, ON PROPERTY OWNED BY NEW MARKET – NEAPOLITAN, LLC, A DELAWARE LIMITED LIABILITY COMPANY, AND LOCATED AT 4601 9TH STREET NORTH, MORE FULLY DESCRIBED HEREIN; AND PROVIDING AN EFFECTIVE DATE.

(Erica Martin, Director of Planning)

[Agenda Memorandum](#)

[Resolution](#)

[PAB Staff Report](#)

[Cover Letter](#)

[Application](#)

[Disclosure of Interest](#)

[Deed](#)

[Survey](#)

Architectural Plans
Landscape Plans
Civil Engineering Plans
Lighting Plan
Site Plan Changes Exhibit
20-SP11 REVISION 1 Conditional Sufficiency Approval Letter
Credentials - Petitioner
Credentials - Staff
Public Notice Mailing Addresses
Affidavit of Sign Posting PAB
Affidavit of Sign Posting City Council
Petitioner's Presentation 04.19.23
City Council 4-19-23 - Neapolitan Plaza Publix

12. OLD BUSINESS

- 12.A. Nominate One Applicant for Appointment by Collier County on the Collier County Coastal Advisory Committee; Appoint One Regular Member to the Community Services Advisory Board, and Appoint One Regular Member and One Alternate Member to the Planning Advisory Board.
(Patricia Rambosk, City Clerk)
[Agenda Memorandum](#)
[Coastal Advisory Com. - Judith Hushon Application](#)
[Coastal Advisory Com. - Marcy Kramp Application](#)
[Coastal Advisory Com. - Patrick Ruff Application](#)
CAC Code
CSAB - Greg Morris Application
CSAB - Nathaniel Smith Application
CSAB Code
PAB - Greg Gardella Application
PAB - Linda Raclin Application
PAB - Marshall Slagle Application
PAB Code

13. NEW BUSINESS

- 13.A. Discussion Related to Amending the Term Limits of Members of the Design Review Board.
(Erica Martin, Director of Planning)
[Agenda Memorandum](#)
[DIVISION 4. DESIGN REVIEW BOARD - Existing Regulations](#)
- 13.B. A RESOLUTION RANKING THE TOP TWO FIRMS IN ORDER OF PREFERENCE IN RESPONSE TO THE CITY'S RFP 23-009 TO BE FOLLOWED BY CONSIDERATION OF AN AWARD OF A CONTRACT TO TURRELL, HALL & ASSOCIATES, INC. IN THE AMOUNT OF \$1,478,400 ,TO PROVIDE DESIGN AND ENGINEERING SERVICES FOR THE REPAIR OF THE NAPLES PIER THAT WAS DAMAGED BY HURRICANE IAN; AUTHORIZING THE CITY MANAGER TO NEGOTIATE A PROFESSIONAL SERVICES AGREEMENT WITH THE SELECTED TOP-RANKED FIRM AND TO EXECUTE THE AGREEMENT;

AND PROVIDING AN EFFECTIVE DATE (1PM TIME CERTAIN).

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

[Agenda Memorandum](#)

[Resolution](#)

[Contract](#)

[Exhibit A - Proposal](#)

[THA Team Budget](#)

[Bid Analysis](#)

[RFP - Turrell Hall & Associates](#)

[Application and Certificate for Payment](#)

[Declaration Of Intent To Award](#)

[Evaluation Committee Meeting Minutes](#)

[Turrell Hall & Associates - Presentation 3-13-23](#)

[Certificate of Insurance](#)

- 13.C. Update and Consideration of the Florida Department of Transportation (FDOT) Stormwater Improvement Project Along US-41.

(Bob Middleton, Director of Public Works)

[Agenda Memorandum](#)

[Resolution 2018-14134](#)

[November 4, 2021 Memorandum](#)

- 13.D. Presentation on Employee Recruitment and Retention (*AGENDA MEMORANDUM AND SUPPORTING DOCUMENTATION WILL BE ISSUED VIA A SUPPLEMENT IN THE FOLLOWING DAYS*)

(Jay Boodheshwar, City Manager)

- 13.E. Executive Session - Gregory B. Myers v. City of Naples, Florida - Case Number 22CA1181 (4:00 P.M. Time Certain).

(Nancy Stuparich, City Attorney)

[Agenda Memorandum](#)

- 13.F. Executive Session - Gregory B. Myers v. City of Naples, Florida - Case Number 22CA1728 (4:30 P.M. Time Certain, or as Soon Thereafter as can be Heard)

(Nancy Stuparich, City Attorney)

[Agenda Memorandum](#)

ORDINANCES

14. FIRST READING ORDINANCES

- 14.A. First Reading of an Ordinance Amending Maximum Lot Coverage Regulations for Single Family Residences in Multifamily Zoning Districts (Rescheduled from the April 5, 2023 Regular Meeting).

AN ORDINANCE FOR THE PURPOSE OF AMENDING LOT COVERAGE REGULATIONS FOR SINGLE FAMILY RESIDENCES CONSTRUCTED IN MULTIFAMILY DISTRICTS; AMENDING CHAPTER 58, ZONING, ARTICLE II, ZONING DISTRICTS, DIVISION 9 - R3-6 MULTIFAMILY DISTRICT, SECTION 58-270, MAXIMUM LOT COVERAGE BY ALL BUILDINGS, DIVISION 10 - R3-12

MULTIFAMILY DISTRICT, SECTION 58-300, MAXIMUM LOT COVERAGE BY ALL BUILDINGS, DIVISION 11 - R3T-12 MULTIFAMILY DISTRICT, SECTION 58-330, MAXIMUM LOT COVERAGE BY ALL BUILDINGS, DIVISION 12 - R3-15 MULTIFAMILY DISTRICT, SECTION 58-360, MAXIMUM LOT COVERAGE BY ALL BUILDINGS, DIVISION 13 - R3-15 MULTIFAMILY DISTRICT, COQUINA SANDS (CS), SECTION 58-390, MAXIMUM LOT COVERAGE BY ALL BUILDINGS, DIVISION 14 - R3-15 MULTIFAMILY DISTRICT, MOORINGS (MOR), SECTION 58-420, MAXIMUM LOT COVERAGE BY ALL BUILDINGS, DIVISION 15 - R3-18 MULTIFAMILY DISTRICT, SECTION 58-450, MAXIMUM LOT COVERAGE BY ALL BUILDINGS, DIVISION 16 - R3T-18 MULTIFAMILY DISTRICT, SECTION 58-480, MAXIMUM LOT COVERAGE BY ALL BUILDINGS, OF THE CITY OF NAPLES, CODE OF ORDINANCES; PROVIDING A SEVERABILITY CLAUSE; PROVIDING A REPEALER PROVISION; AND PROVIDING AN EFFECTIVE DATE.

(Erica Martin, Director of Planning)

[Agenda Memorandum](#)

[Ordinance](#)

[Staff Report](#)

[Zero Lot Line Development Example](#)

- 14.B. Present Information Related to Proposed Ordinances Amending Chapter 29 of the Code of Ordinances Governing the General Pension Plan, the Police Pension Plan, and the Fire Pension Pension to Effectuate a COLA of 5% as Proposed by each Respective Pension Board (Rescheduled from the April 5, 2023 Regular Meeting).

(Gary Young, Deputy City Manager/CFO)

[Agenda Memorandum](#)

[Presentation](#)

- 14.C. First Reading of an Ordinance For the Purpose of Amending Chapter 29 of General Retirement System providing a One-Time 5% COLA Adjustment to the Monthly Benefit for Current Retirees Not Otherwise Eligible for a COLA Increase (Rescheduled from the April 5, 2023 Regular Meeting).

AN ORDINANCE OF THE CITY OF NAPLES, FLORIDA, AMENDING THE CITY OF NAPLES CODE OF ORDINANCES, CHAPTER 29, ARTICLE III, GENERAL RETIREMENT SYSTEM; AMENDING DIVISION 3, SECTION 29-115, PENSION AMOUNT, BY ADDING SUBSECTION (g), TO PROVIDE FOR A ONE-TIME INCREASE IN BENEFITS FOR RETIREES AND BENEFICIARIES; DIRECTING THE CITY CLERK TO FILE A COPY OF THIS ORDINANCE WITH THE FLORIDA DEPARTMENT OF MANAGEMENT SERVICES, DIVISION OF RETIREMENT; PROVIDING FOR CONFLICTING PROVISIONS, SEVERABILITY AND APPLICABILITY; AND PROVIDING AN EFFECTIVE DATE.

(Gary Young, Deputy City Manager/CFO)

[General Pension One-Time COLA Increase Ordinance Amendment](#)

- 14.D. First Reading of an Ordinance Amending Chapter 29 of Fire Retirement System Providing a 5% COLA Adjustment to the Monthly Benefit for Current Retirees Not Otherwise Eligible for a COLA Increase (Rescheduled from the April 5, 2023 Regular Meeting).

AN ORDINANCE OF THE CITY OF NAPLES, FLORIDA, AMENDING THE CITY OF NAPLES CODE OF ORDINANCES, CHAPTER 29, ARTICLE IV, FIREFIGHTERS' PENSION AND RETIREMENT SYSTEM; AMENDING DIVISION 3, SECTION 29-232 BY ADDING SUBSECTION (e), REQUIREMENTS FOR RETIREMENT, TO PROVIDE FOR A ONE-TIME INCREASE IN BENEFITS FOR RETIREES AND BENEFICIARIES; DIRECTING THE CITY CLERK TO FILE A COPY OF THIS ORDINANCE WITH THE FLORIDA DEPARTMENT OF MANAGEMENT SERVICES, DIVISION OF RETIREMENT; PROVIDING FOR CONFLICTING PROVISIONS, SEVERABILITY AND APPLICABILITY; AND PROVIDING AN EFFECTIVE DATE.

(Gary Young, Deputy City Manager/CFO)

[Fire Pension - One-Time COLA Increase Ordinance Amendment](#)

- 14.E. First Reading of an Ordinance for the Purpose of Amending Chapter 29 of Police Retirement System Providing a 5% COLA Adjustment to the Monthly Benefit for Current Retirees Not Otherwise Eligible for a COLA Increase (Rescheduled from the April 5, 2023 Regular Meeting).

AN ORDINANCE OF THE CITY OF NAPLES, FLORIDA, AMENDING THE CITY OF NAPLES CODE OF ORDINANCES, CHAPTER 29, ARTICLE V, POLICE OFFICERS' PENSION AND RETIREMENT SYSTEM; AMENDING DIVISION 3, SECTION 29-312, REQUIREMENTS FOR RETIREMENT, BY ADDING SUBSECTION (5), TO PROVIDE FOR A ONE-TIME INCREASE IN BENEFITS FOR RETIREES AND BENEFICIARIES; DIRECTING THE CITY CLERK TO FILE A COPY OF THIS ORDINANCE WITH THE FLORIDA DEPARTMENT OF MANAGEMENT SERVICES, DIVISION OF RETIREMENT; PROVIDING FOR CONFLICTING PROVISIONS, SEVERABILITY AND APPLICABILITY; AND PROVIDING AN EFFECTIVE DATE.

(Gary Young, Deputy City Manager/CFO)

[Police Pension - One-Time COLA Increase Ordinance Amendment](#)

15. SECOND READING ORDINANCES

- 15.A. Second Reading of an Ordinance Amending the Signage Regulations for Gas Service Stations.

AN ORDINANCE FOR THE PURPOSE OF AMENDING SIGNAGE REGULATIONS FOR GAS SERVICE STATIONS, AMENDING SUBSECTIONS (2) AND (3) OF SECTION 50-35(d), GAS SERVICE STATIONS, OF ARTICLE II, SIGNS, CHAPTER 50, DEVELOPMENT AND DESIGN STANDARDS, OF THE CITY OF NAPLES, CODE OF ORDINANCES PROVIDING A SEVERABILITY CLAUSE; PROVIDING A REPEALER PROVISION; AND PROVIDING AN EFFECTIVE DATE.

(Erica Martin, Director of Planning)

[Agenda Memorandum](#)

[Ordinance](#)

[Staff Report](#)

[Florida Statute 553.79\(24\)\(a\)](#)

[Reed v. Town of Gilbert 2015 Case Law Summary](#)

16. **PUBLIC COMMENTS (For Items NOT on the Agenda)**
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.