



NOTICE OF MEETING AND AGENDA

POSTED
June 15, 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. 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 Special Meeting
Monday, June 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. **PLEDGE OF ALLEGIANCE**
3. **SET AGENDA (Add or Remove Items)**
4. **ANNOUNCEMENTS AND PRESENTATIONS**
 - 4.A. Centennial Fun Fact.

- 4.B. Presentation from Lisa Hurley to Update City Council on the State of Florida 2023 Legislative Session.
(Jay Boodheshwar, City Manager)
[Agenda Memorandum](#)
[Naples 2023 Legislative Report](#)
[2023 Legislative Priorities](#)

- 4.C. Presentation of the Fifth Avenue South Business Improvement District, Inc. (FASBID) Annual Report.
(Mari Gallet, Deputy City Manager)
[Agenda Memorandum](#)
[FASBID Annual Report 2022](#)
[Resolution 2019-14394](#)
[FASBID Presentation](#)
[FASBID 2022 Reviewed Financial Statements](#)

- 4.D. Interview Applicants for the Planning Advisory Board.
(Patricia Rambosk, City Clerk)
[Agenda Memorandum](#)
[PAB - John Crees Application](#)
[PAB - Andrew Mair Application](#)
[PAB - Linda Raclin Application](#)
[PAB - Marshall Slagle Application](#)
[PAB Code](#)

5. PUBLIC COMMENTS (For Items on the Agenda)

APPROVAL OF CONSENT AGENDA

6. MINUTES - None

7. RESOLUTIONS

- 7.A. A RESOLUTION FOR THE PURPOSE OF AMENDING THE FISCAL YEAR 2022-2023 BUDGET ADOPTED BY RESOLUTION 2022-14943 IN THE AMOUNT OF \$277,900 TO APPROPRIATE FUNDS FROM THE GENERAL FUND TO PROVIDE SUFFICIENT FUNDING FOR HARDWOOD AND PALM TREE TRIMMING AND AMENDING THE 3-YEAR CONTRACT WITH DAVEY TREE EXPERT COMPANY, RESOLUTION 2022-14978, TO INCREASE THE CONTRACT AMOUNT FROM \$1,950,000 TO \$2,227,900; AND PROVIDING AN EFFECTIVE DATE.
(Chad Merritt, Director of Parks, Recreation & Facilities)
[Agenda Memorandum](#)
[Resolution](#)
[Contract - 2022-14978 - Davey Tree Expert Company](#)
[Updated Cost Analysis](#)

- 7.B. RESOLUTIONS FOR THE PURPOSE OF 1) APPROVING AN AGREEMENT WITH SEA AND SHORELINE, LLC IN THE AMOUNT OF \$357,802.50, WHICH INCLUDES A \$32,527.50 (10%) CITY-CONTROLLED CONTINGENCY, FOR THE CONSTRUCTION OF TEN OYSTER REEFS AT SITE 2 IN HALDEMAN CREEK;

AUTHORIZING THE CITY MANAGER TO EXECUTE THE AGREEMENT; AND PROVIDING AN EFFECTIVE DATE; 2) APPROVING A MEMORANDUM OF AGREEMENT BETWEEN THE FLORIDA FISH AND WILDLIFE CONSERVATION COMMISSION AND THE CITY OF NAPLES, FLORIDA ESTABLISHING A PARTNERSHIP FOR THE NAPLES BAY-HALDEMAN CREEK OYSTER REEF RESTORATION PROJECT; ACCEPTANCE OF SHELL AND ROCK MATERIALS FROM THE FLORIDA FISH AND WILDLIFE CONSERVATION COMMISSION WITH A VALUE UP TO \$69,000; AUTHORIZING THE MAYOR TO EXECUTE THE MEMORANDUM OF AGREEMENT; AND PROVIDING AN EFFECTIVE DATE AND 3) APPROVING AGREEMENT NO. 4600004754 BETWEEN THE SOUTH FLORIDA WATER MANAGEMENT DISTRICT AND CITY OF NAPLES ACCEPTING A CONTRIBUTION OF FUNDS IN THE AMOUNT OF \$110,000 FOR PAYMENT TOWARDS CONSTRUCTION OF TEN OYSTER REEFS AT SITE 2; AUTHORIZING THE MAYOR TO EXECUTE THE AGREEMENT; AND PROVIDING AN EFFECTIVE DATE.

(Bob Middleton, Director of Public Works)

[Agenda Memorandum](#)

[Attachment 1 - Project Location Map](#)

[Attachment 2 - Reef Design Site 2](#)

[Attachment 3 - 23-018 Bid Analysis](#)

[Resolution - Sea and Shoreline LLC](#)

[Attachment 4 - Agreement Sea & Shoreline \(Exhibit A to Resolution - Sea and Shoreline LLC](#)

[Resolution - Florida Fish and Wildlife](#)

[Attachment 5 - Agreement Florida Fish and Wildlife \(Exhibit A to Resolution - Florida Fish and Wildlife\)](#)

[Resolution - South Florida Water Management District](#)

[Attachment 6 - Grant South Florida Water Management District \(Exhibit A to Resolution - South Florida Water Management District\)](#)

- 7.C. A RESOLUTION FOR THE PURPOSE OF AWARDING A CONTRACT TO ADVANCED ENVIRONMENTAL LABORATORIES, INC., FLORIDA SPECTRUM ENVIRONMENTAL SERVICES, INC., AND SANDERS LABORATORIES, INC. FOR CERTIFIED LABORATORY TESTING SERVICES AS REQUIRED BY THE CITY'S PERMITS FOR OPERATION OF ITS WATER AND WASTEWATER TREATMENT PLANTS; AUTHORIZING THE CITY MANAGER TO EXECUTE THE CONTRACTS AND PROVIDING AN EFFECTIVE DATE.

(Bob Middleton, Director of Public Works)

[Agenda Memorandum](#)

[Resolution](#)

[Sanders Laboratories with Exhibits](#)

[23-021 Bid Analysis](#)

[Advance Environment Lab Testing Services with Exhibits](#)

[Florida-Spectrum Environmental Services with Exhibits](#)

8. OTHER

- 8.A. Authorization for the Mayor or Vice-Mayor to Provide any and all Required Notices and to Sign all Closing Documents to Complete the Transfer of the Property from Gulf Shore Playhouse to the City for Construction of the 1st Avenue South Parking

Garage while the City Council is out of Session.
(Nancy Stuparich, City Attorney)
[Agenda Memorandum](#)

END OF CONSENT AGENDA

9. PUBLIC HEARINGS

- 9.A. A RESOLUTION DETERMINING AN APPEAL OF A DECISION BY THE COMMUNITY SERVICES ADVISORY BOARD SERVING AS THE TREE BOARD TO DENY A TREE ALTERATION APPLICATION FOR REMOVAL OF A MAHOGANY TREE OWNED BY THE CITY OF NAPLES AND LOCATED IN THE RIGHT-OF-WAY IN FRONT OF THE RESIDENCE OWNED BY MS. DENAULT AND MR. ASHTARYEH AND LOCATED AT 358 3RD AVENUE NORTH, NAPLES, FLORIDA; PROVIDING FINDINGS; AND PROVIDING AN EFFECTIVE DATE.

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

[Agenda Memorandum](#)

[Resolution](#)

[Tree Board Item Packet - 358 3rd Avenue North - 4.13.2023](#)

[Emails From Community Members](#)

[Property Owner - Additional Comments on Tree Removal Application](#)

[Tree Alteration Permit Appeal Application](#)

[Arborist - Dylan Jaques](#)

[Photo 1](#)

[Photo 2](#)

[Photo 3](#)

[Photo 4](#)

[Photo 5](#)

- 9.B. A RESOLUTION VACATING A PORTION OF A DRAINAGE EASEMENT LOCATED OVER A PORTION OF LOT 2, BLOCK D, RIDGEVIEW LAKES SUBDIVISION, ACCORDING TO THE PLAT THEREOF, AS RECORDED IN PLAT BOOK 1, PAGE(S) 103, PUBLIC RECORDS OF COLLIER COUNTY, FLORIDA OWNED BY JOHN H. COX, AS TRUSTEE OF THE AMENDED AND RESTATED DECLARATION OF TRUST OF JOHN H. COX TRUST DATED MAY 2, 2002, AND LOCATED AT 637 PALM CIRCLE WEST; AND ACCEPTANCE OF A REPLACEMENT DRAINAGE EASEMENT WITH CONDITIONS; AND PROVIDING AN EFFECTIVE DATE. (CONTINUED FROM MAY 17, 2023 CITY COUNCIL MEETING).

(Bob Middleton, Director of Public Works)

[Agenda Memorandum](#)

[Resolution](#)

[Exhibit A to Resolution](#)

[Exhibit B to Resolution](#)

[Exhibit C to Resolution](#)

[Drainage Easement Agreement](#)

[Attachment #1 Hydraulic Report](#)

[Attachment #2 - Application for Vacation or Abandonment](#)

[Attachment #3- Alternative Drainage Pipe Relocation Plans](#)

[Attorney Title Opinion Letter](#)
[Disclosure of Interest](#)
[Map & Exhibits](#)
[Resume - Foley, Blair](#)
[Petitioner Presentation-May 3, 2023](#)
[Petitioner Presentation -June 19, 2023](#)

REGULAR AGENDA

10. ITEMS PULLED FROM CONSENT AGENDA (If Needed)

11. OLD BUSINESS

11.A. Review of the North Pump Station 90% Design - Beach Outfall Project.

(Bob Middleton, Director of Public Works)

[Agenda Memorandum](#)

[Presentation - 90% North Pump Station & Drainage System](#)

11.B. A RESOLUTION FOR THE PURPOSE OF APPROVING A GULF SHORE BOULEVARD NORTH AND 8TH AVENUE NORTH UTILITIES, STORMWATER IMPROVEMENT AND EASEMENT AGREEMENT BETWEEN THE CITY OF NAPLES, NAPLES BEACH CLUB LAND TRUST TRUSTEE, LLC AND THE NAPLES BEACH CLUB PHASE II AND III LAND TRUST TRUSTEE, LLC (“COLLECTIVELY NBC”) FOR THE PURPOSE OF COORDINATION OF INSTALLATION OF THE CITY’S BEACH OUTFALL STORMWATER SYSTEM WITH INSTALLATION OF NBC’S UTILITIES FOR ITS NAPLES BEACH HOTEL REDEVELOPMENT PROJECT AND MITIGATION OF DISRUPTION TO TRAFFIC FLOW IN THE AREA AND RELATED NOISE; AUTHORIZING THE MAYOR TO EXECUTE THE AGREEMENT AND PROVIDING AN EFFECTIVE DATE.

(Bob Middleton, Director of Public Works)

[Agenda Memorandum](#)

[Resolution](#)

[Gulf Shore Boulevard North & Eight Avenue North Utilities, Stormwater Improvements and Easement Agreement](#)

[Exhibit A - Legal Description](#)

[Exhibit B - Drawing of Project Related Improvements](#)

[Exhibit C - Davidson Drawings](#)

[Exhibit D - Erickson Drawings](#)

[Exhibit E - Sketch of Easement Locations](#)

[Exhibit F - General Insurance Requirements](#)

[Exhibit G - Performance and Payment Bonds](#)

[Attachment 1 - GSBN MOU with Exhibits 3.20.23](#)

12. NEW BUSINESS

12.A. Discussion and Confirmation of the Maximum Millage Rates for the General Fund, East Naples Bay Taxing District (ENB) and Moorings Bay (MB) Taxing District.

(Gary Young, Deputy City Manager/CFO)

[Agenda Memorandum](#)

[Budget Planning Calendar FY23-24](#)

[City of Naples Prelim Tax Values 6-1-23 Presentation](#)

12.B. Consideration of the Repeat Special Event Applications Enumerated Below:

1. Cars on 5th Jetport Reception - February 1, 2024
2. Cars on 5th Car Show - February 3, 2024

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

[Agenda Memorandum](#)

[Application - Cars on 5th Jetport Reception 2.1.24](#)

[Event Site Plan 2.1.24](#)

[Application - Cars on 5th 2.3.24](#)

[Event Site Plan 2.3.24](#)

[Cars on 5th Reception - Parking Plan](#)

[Cars on 5th Car Show - Security Plan](#)

[2023 Cars on 5th Photos](#)

[Event Site Plan - Staff Proposed](#)

12.C. Discussion Regarding Affordable/Workforce Housing

(Mari Gallet, Deputy City Manager)

[Agenda Memorandum](#)

[Naples Housing Element](#)

[Live Local Act June-12-2023 Vose Memo](#)

12.D. A RESOLUTION FOR THE PURPOSE OF APPROVING A PROFESSIONAL SERVICES AGREEMENT BETWEEN THE NAPLES COMMUNITY REDEVELOPMENT AGENCY (CRA), THE CITY OF NAPLES AND CBRE, INC. FOR THE PROVISION OF ANNUAL PROFESSIONAL REAL ESTATE SERVICES REQUIRED BY THE CITY OF NAPLES IN AN ANNUAL AMOUNT NOT-TO-EXCEED \$150,000.00 THROUGH FISCAL YEAR 2025-2026; APPROVING A BUDGET AMENDMENT TO APPROPRIATE \$50,000 FROM THE FISCAL YEAR 2022-23 BUDGET; AUTHORIZING THE CITY MANAGER TO EXECUTE THE AGREEMENT; AND PROVIDING AN EFFECTIVE DATE.

(Mari Gallet, Deputy City Manager)

[Agenda Memorandum](#)

[Resolution](#)

[CBRE Agreement](#)

[CBRE RFP Response](#)

[23-002 Bid Analysis](#)

12.E. Selection of Code Enforcement Board Attorney (Time Certain 3:30 PM).

(Nancy Stuparich, City Attorney)

[Agenda Memorandum](#)

[Henry Johnson - Letter of Interest and Resume](#)

[Lorenzo Cobiella - Letter of Interest](#)

[Lorenzo Cobiella - Resume](#)

[Matthew McConnell - Letter of Interest](#)

[Matthew McConnell - Resume](#)

[Patrick Neale - Resume](#)

[Patrick Neale - Letter of Interest](#)

[Patrick Neale - Experience and Capacity of the Firm](#)

12.F. Litigation Executive Session - 275 Gulf Shore Boulevard LLC V. City of Naples, Case No. 2022-CA-001705, 20th Judicial Circuit in and for Collier County Florida **(Time Certain 4:30 PM)**.

(Nancy Stuparich, City Attorney)

[Agenda Memorandum](#)

[Public Notice](#)

12.G. Any Action Needed as a Result of the Litigation Executive Session - 275 Gulf Shore Boulevard LLC v. City of Naples, Case No. 2022-CA-001705, 20th Judicial Circuit in and for Collier County, Florida.

(Nancy Stuparich, City Attorney)

13. PUBLIC COMMENTS (For Items NOT on the Agenda)

14. COMMUNICATIONS FROM THE MAYOR, CITY COUNCIL, AND STAFF

15. 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.