NOTICE OF MEETING AND AGENDA

City Hall Council Chambers
735 8th Street South, Naples, Florida

Mayor: Teresa Heitmann
Vice Mayor: Terry Hutchison
City Council Members:
Berne Barton, Ray Christman,
William Kramer, Linda Penniman, Beth Petrunoff
City Attorney: Matthew McConnell • 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 will be heard during Item 5 and during specific agenda items. Another opportunity for public comments will be provided 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, November 6, 2024
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. Do The Right Thing Award Presentations.
(Ciro Dominguez, Police Chief)

4.B. Recognition of Employee Milestone Anniversaries.
(Charlotte Loewel, Director of Human Resources)

4.C. Recordation of the Perpetual Conservation Easement, Totaling 104.6 Acres of Property at the Naples Beach Club.
(Jay Boodheshwar, City Manager)
Agenda Memorandum
Recorded Conservation Easement 10-29-24

5. PUBLIC COMMENTS

APPROVAL OF CONSENT AGENDA

6. MINUTES

6.A. Approval of the September 4, 2024 Regular Meeting Minutes, the September 16, 2024 Workshop Meeting Minutes, the September 18, 2024 Regular Meeting Minutes, the October 2, 2024 Regular Meeting Minutes, and the October 16, 2024 Regular Meeting Minutes.
(Patricia Rambosk, City Clerk)
Agenda Memorandum
September 4, 2024 Regular Meeting Minutes
September 16, 2024 Workshop Meeting Minutes
September 18, 2024 Regular Meeting Minutes
October 2, 2024 Regular Meeting Minutes
October 16, 2024 Regular Meeting Minutes

7. RESOLUTIONS

7.A. A Resolution Approving a Second Amendment to the Contractor's Services Agreement Between the City of Naples and The Davey Tree Expert Company (Clerk Tracking 2022-14978) for Hardwood and Palm Tree Trimming, Increasing the Amount of the Agreement by $501,800, Not to Exceed the Total Amount of $2,729,700; Authorizing the City Manager to Execute the Second Amendment to the Contractor's Services Agreement; and Providing an Effective Date.
(Chad Merritt, Director of Parks, Recreation & Facilities)
Agenda Memorandum
Resolution
2nd Amendment Agreement - The Davey Tree Expert
Resolution 2023-15113
Contractor's Services Agreement 2022-14978

7.B. A Resolution Approving a Piggyback Agreement Between the City of Naples and SportScape Builders in the Amount of $38,738, for the Cambier Park Basketball Court Resurfacing Project; Approving a Supplemental Appropriation in the Amount of $38,738 from the Unappropriated 340 Fund; Authorizing the City Manager to Execute the Piggyback Agreement; and Providing an Effective Date.
(Chad Merritt, Director of Parks, Recreation & Facilities)
Agenda Memorandum
Resolution
Piggyback Agreement (Unsigned) - Sportscape Builders

Project Renderings - Sportscape
Project Quote - Sportscape
Certificate of Insurance - Sportscape
Sourcewell Contract RFP#031022
Sourcewell Letter re Gerflor Dealer Letter
Sportscape Builders Authorized Dealer Letter

7.C. A Resolution Waiving the Competitive Bidding Process and Approving a First Amendment to the Granicus Service Agreement Between Granicus, LLC and the City of Naples, Florida, for Software and Technology to Support Agenda Management, Web Streaming of Meetings, Preparation of Minutes and for the Application Process for Board and Committee Vacancies, in an Amount Not-to-Exceed $135,135.90 for a Three-year Period Ending on November 16, 2027; Authorizing the City Manager to Execute the First Amendment; and Providing an Effective Date.
(Andrew Hunter, Director of Information Technology)
Agenda Memorandum
Resolution
Granicus Agreement
2020-00162 Granicus Agreement

7.D. A Resolution Approving an Award Agreement for the Edward Byrne Memorial Justice Grant Between the Florida of Department Law Enforcement and the City of Naples, Accepting the Amount of $3,065 for the Purchase of Thermal Monocular Surveillance Equipment; Authorizing the Mayor to Execute the Award Agreement; and Providing an Effective Date.
(Ciro Dominguez, Police Chief)
Agenda Memorandum
Resolution
FDLE JAG Agreement - Thermal Monocular Surveillance Equipment

7.E. A Resolution Approving a Second Amendment to Professional Services Consultant's Agreement Amount the City of Naples Community Services Agency ("CRA"), the City of Naples and Q. Grady Minor and Associates, LLC., for additional Stormwater System Design and Permitting as Part of the 1st Avenue South, 12th Street South and 10th Street North Streetscape Design Project, in the Amount of $70,372.80; Authorizing the City Manager to Execute the Second Amendment; and Providing an Effective Date.
(Bob Middleton, Director of Public Works)
Agenda Memorandum
Resolution
2nd Amendment

7.F. A Resolution Approving the Eighth Avenue North Beach Access Improvement Agreement Between the City of Naples and Naples Beach Club Land Trust Trustee, LLC, Accepting a Donation in the Amount Not-to-Exceed $100,000 for the Construction of the Eighth Avenue North Beach Access Improvements; Authorizing the City Manager to Reimburse Costs of Improvements Exceeding $100,000 in an Amount Up to the City Manager's Spending Authority; Authorizing the City Manager to Execute the Agreement; and Providing an Effective Date.

(Jay Boodheshwar, City Manager)
Agenda Memorandum
Resolution
Eighth Ave North Beach Access Improvement Agreement and Exhibit 1 and 2

8. OTHER

8.A. Consideration of the New Special Event Application Enumerated Below:
1. Journey Through the Americas Community Concert – Cambier Park Bandshell
2. Gulfshore Life Men & Women of the Year – Sugden Plaza
3. 60th Birthday Party – Tony's Off Third
4. Private Party - Valet - 4180 Gulf Shore Boulevard North

(Chad Merritt, Director of Parks, Recreation & Facilities)
Agenda Memorandum
Journey Through the Americas Community Concert 5.17.2025
Gulfshore Life Men & Women of the Year Updated 11.12.2024
60th Birthday Party 11.16.2024
Private Party - Valet 11.18.2024

8.B. Consideration of the Repeat Special Event Applications Enumerated Below:
1. 9th Annual Red Gala – Northern Jet Hangar
2. 76th Annual Swamp Buggy Parade – Golden Gate Parkway to Third Ave S
3. House Party – 40 3rd Ave South
4. Hyatt House Cocktail Hour – Hyatt House
5. Veterans Day Ceremony – Cambier Park Veterans Memorial
6. Naples Fire-Rescue Holiday & Retirement Party – Northern Jet Hangar

(Chad Merritt, Director of Parks, Recreation & Facilities)
Agenda Memorandum
9th Annual Red Gala 1.18.2025
76th Annual Swamp Buggy Parade 1.25.2025
House Party 2.1.2025
Hyatt House Welcome Reception 2.7.2025
Veterans Day Ceremony 11.11.2024
Naples Fire-Rescue Holiday & Retirement Party 12.6.2024

END OF CONSENT AGENDA

9. PUBLIC HEARINGS

9.A. A Resolution Vacating a 20-Foot Utility Easement Located at 801 South Golf Drive, More Fully Described Herein, on Property Owned by NBC Club Owner, LLC, that is no Longer Needed Since the City-Owned Reclaimed Water Pump Stations Previously Located on the Property were Eliminated in 2000 and not Replaced; Directing the City Clerk to Record this Resolution; and Providing an Effective Date.
(Bob Middleton, Director of Public Works)
Agenda Memorandum
Resolution
Exhibit "A" - Easement to be Vacated
Cover Letter
Deed

Application
Aerial
Recorded Utility Easement
Letters of No Objection
Professional Resume - Rath, Andrew
Petitioner Presentation - Utility Easement Vacation

9.B. A Resolution Vacating a 15-Foot Drainage Easement Located at 871 Gulf Shore Boulevard North, More Fully Described Herein, on Property Owned by Naples Beach Club Land Trust Trustee, LLC, A Delaware Limited Liability Company as the Easement is no Longer Needed due to the City's New Stormwater System and North Outfall Pump Station; Accepting a Temporary Non-Exclusive Drainage Easement Containing 15,062 Square Feet, More or Less, Located on a Portion of Tract RT-2 , Naples Beach Club, as Recorded in Plat Book 68, Pages 52 Through 56, of the Public Records of Collier County, Florida; Directing the City Clerk to Record; and Providing an Effective Date.
(Bob Middleton, Director of Public Works)
Agenda Memorandum
Resolution
Exhibit A - Easement to be Vacated
Cover Letter
Application
Deed
Aerial
Platted Easement
Temporary Non-Exclusive Drainage Easement
Letters of No Objection
Infrastructure Agreement - Resolution 2023-15120 - Gulf Shore Boulevard North & Eighth Avenue North Utilities, Stormwater Improvements and Easement Agreement
Professional Resume - Rath, Andrew
Petitioner Presentation - Drainage Vacation

REGULAR AGENDA

10. ITEMS PULLED FROM CONSENT AGENDA (If Needed)

11. LAND USE MATTERS - None.

12. OLD BUSINESS

12.A. Discussion and Direction Regarding Potential Design Modifications for the Public Beach Access Restoration Project.
(Chad Merritt, Director of Parks, Recreation & Facilities)
Agenda Memorandum
Public Beach Access Project Update - Presentation
Public Beach Access Project - 100 Percent Plans

13. NEW BUSINESS

13.A. A Resolution Accepting a Permanent Non-Exclusive Utility Easement from Naples

Beach Club Land Trust Trustee, LLC, Lying in Section 33, Township 49 South, Range 25 East, Containing Approximately 1,836 Square Feet, More or Less, Being a Portion of Tract H-1 of the Naples Beach Club Plat, Recorded in Plat Book 68, Pages 52 Through 56 of the Public Records of Collier County, Florida, for the Initial Construction and Subsequent Operation and Maintenance of the City's North Outfall Pump Station Generator and Subsurface Electrical Feed Lines; Directing the City Clerk to Record the Easement; And Providing an Effective Date.
(Bob Middleton, Director of Public Works)
Agenda Memorandum
Resolution
Permanent Non-Exclusive Utility Easement - Execution Copy
Presentation (Refer to Slides 4 & 5)
Naples Beach Club Plat - Plat Book 68, Pages 52 through 56
Resolution 2023-15120 - Gulf Shore Boulevard North & Eighth Avenue North Utilities, Stormwater Improvements and Easement Agreement

13.B. A Resolution Accepting a Temporary Non-Exclusive Construction Easement from Naples Beach Club Land Trust Trustee, LLC, Lying in Section 33, Township 49 South, Range 25 East, Containing Approximately 428 Square Feet, More or Less, Being a Portion of Tract H-2 of the Naples Beach Club Plat, Recorded In Plat Book 68, Pages 52 Through 56 of the Public Records of Collier County, Florida, for the Construction of the City's North Outfall Pump Station Within 8th Avenue North; Directing the City Clerk to Record the Easement; And Providing an Effective Date.
(Bob Middleton, Director of Public Works)
Agenda Memorandum
Resolution
Temporary Non-Exclusive Construction Easement - Execution Copy
Presentation (Refer to Slides 6 & 7)
Naples Beach Club Plat - Plat Book 68, Pages 52 through 56
Resolution 2023-15120 - Gulf Shore Boulevard North & Eighth Avenue North Utilities, Stormwater Improvements and Easement Agreement

13.C. A Resolution Accepting a Permanent Non-Exclusive Sidewalk Access Easement from Naples Beach Club Land Trust Trustee, LLC, and Naples Beach Club Phase II and III Land Trust Trustee, LLC, Lying in Section 33, Township 49 South, Range 25 East, Containing Approximately 12,033 Square Feet, More or Less, Being the Westerly 13.5 feet of Tract H-1, Tract BE, and Tract RT-1 of the Naples Beach Club Plat, Recorded In Plat Book 68, Pages 52 Through 56 of the Public Records of Collier County, Florida, for Sidewalk Maintenance and Repair and Public Access by Pedestrians on the East Side of Gulf Shore Boulevard North; Directing the City Clerk to Record the Easement; And Providing an Effective Date.
(Bob Middleton, Director of Public Works)
Agenda Memorandum
Resolution
Permanent Non-Exclusive Sidewalk Access Easement - Execution Copy
Presentation (Refer to Slides 8 & 9)
Naples Beach Club Plat - Plat Book 68, Pages 52 through 56
Resolution 2023-15120 - Gulf Shore Boulevard North & Eighth Avenue North Utilities, Stormwater Improvements and Easement Agreement

13.D. A Resolution Accepting a Permanent Non-Exclusive Sidewalk Access Easement from Naples Beach Club Land Trust Trustee, LLC, Lying in Section 33, Township 49 South, Range 25 East, Containing Approximately 752 Square Feet, More or Less, Being a Portion of Tract RT-2 of the Naples Beach Club Plat, Recorded in Plat Book 68, Pages 52 Through 56 of the Public Records of Collier County, Florida, for Sidewalk Maintenance and Repair and Public Access by Pedestrians on the West Side of Gulf Shore Boulevard North; Directing the City Clerk to Record the Easement; And Providing an Effective Date.

Agenda Memorandum
Resolution
Permanent Non-Exclusive Sidewalk Access Easement - Execution Copy
Presentation (Refer to Slides 10 & 11)
Naples Beach Club Plat - Plat Book 68, Pages 52 through 56
Resolution 2023-15120 - Gulf Shore Boulevard North & Eighth Avenue North Utilities, Stormwater Improvements and Easement Agreement

13.E. A Resolution Accepting a Permanent Non-Exclusive Sidewalk and Parking Access Easement and Utility Easement from Naples Beach Club Land Trust Trustee, LLC, Lying in Section 33, Township 49 South, Range 25 East, Containing Approximately 5,856 Square Feet, More or Less, Being a Portion of Tract H-2 of the Naples Beach Club Plat, Recorded In Plat Book 68, Pages 52 Through 56 of the Public Records of Collier County, Florida, for Sidewalk Maintenance and Repair and Public Access by Pedestrians on the North Side of 8th Avenue North, Public Access For 12 Parking Spaces, and for Operation and Maintenance of Public Water and Sanitary Sewer Infrastructure to Support the Naples Beach Club Hotel; Directing the City Clerk to Record the Easement; And Providing an Effective Date.
(Bob Middleton, Director of Public Works)

Agenda Memorandum
Resolution
Permanent Non-Exclusive Sidewalk and Parking Access Easement and Utility Easement - Execution Copy
Presentation (Refer to Slides 12 & 13)
Naples Beach Club Plat - Plat Book 68, Pages 52 through 56
Resolution 2023-15120 - Gulf Shore Boulevard North & Eighth Avenue North Utilities, Stormwater Improvements and Easement Agreement

13.F. A Resolution Accepting a Permanent Non-Exclusive Utility Easement from Naples Beach Club Land Trust Trustee, LLC, Lying in Section 33, Township 49 South, Range 25 East, Containing Approximately 696 Square Feet, More or Less, Being a Portion of Tract RT-2 of the Naples Beach Club Plat, Recorded In Plat Book 68, Pages 52 Through 56 of the Public Records of Collier County, Florida, for a Subsurface Water Utility Line and Water Meter to Support Naples Beach Club Residences A, B, And C; Directing the City Clerk to Record the Easement; And Providing an Effective Date.
(Bob Middleton, Director of Public Works)

Agenda Memorandum
Resolution
Permanent Non-Exclusive Utility Easement - Execution Copy
Presentation (Refer to Slides 16 & 17)
Naples Beach Club Plat - Plat Book 68, Pages 52 through 56

Resolution 2023-15120 - Gulf Shore Boulevard North & Eighth Avenue North Utilities, Stormwater Improvements and Easement Agreement

13.G. A Resolution Accepting a Permanent Non-Exclusive Utility Easement from NBC Club Owner, LLC, Lying in Section 34, Township 49 South, Range 25 East, Containing Approximately 5,407 Square Feet, More or Less, Being a Portion of Tract OS-1 of the Naples Beach Club Plat, Recorded In Plat Book 68, Pages 52 Through 56 of the Public Records of Collier County, Florida, for a Subsurface Water Utility Line that was Permanently Relocated to Accommodate the Construction of the Deceleration Lane on U.S. 41 for the Naples Beach Club Construction Haul Road; Directing the City Clerk to Record the Easement; And Providing an Effective Date.

(Bob Middleton, Director of Public Works)
Agenda Memorandum
Resolution
Permanent Non-Exclusive Utility Easement - Execution Copy
Presentation (Refer to Slides 18 & 19)
Naples Beach Club Plat - Plat Book 68, Pages 52 through 56

13.H. A Resolution Accepting a Permanent Non-Exclusive Utility Easement from NBC Club Owner, LLC, Lying in Section 34, Township 49 South, Range 25 East, Containing Approximately 3,748 Square Feet, More or Less, Being a Portion of Tract OS-1 of the Naples Beach Club Plat, Recorded In Plat Book 68, Pages 52 Through 56 of the Public Records of Collier County, Florida, for a Subsurface Reclaimed Water Utility Line that was Permanently Relocated to Accommodate the Construction of the Deceleration Lane on U.S. 41 for the Naples Beach Club Construction Haul Road; Directing the City Clerk to Record the Easement; And Providing an Effective Date.
(Bob Middleton, Director of Public Works)
Agenda Memorandum
Resolution
Permanent Non-Exclusive Utility Easement - Execution Copy
Presentation (Refer to Slides 20 & 21)
Naples Beach Club Plat - Plat Book 68, Pages 52 through 56
Existing Utility Easement - OR Book 2072 Page 1632

13.I. Executive Session - Labor Negotiations (**12:30pm Time Certain).**
(Charlotte Loewel, Director of Human Resources)
Agenda Memorandum

13.J. Consideration of Approval of Professional Services for Review of Small Cell Applications by CityScape Consultants, Inc.
(Bob Middleton, Director of Public Works)
Agenda Memorandum
Coconut Creek Agreement CityScape
Coconut Creek RFP - Wireless Communications Consulting
CityScape Services Overview
CityScape 2024 Overview of Fees - City of Naples

13.K. Announcement of Executive Session - Biela, Carol v. City of Naples, Case No. 23-CA-002456, 20th Judicial Circuit, in and for Collier County, Florida.
(Matthew McConnell, City Attorney)
Agenda Memorandum
Public Notice

14. ORDINANCES

15. FIRST READING ORDINANCES

15.A. First Reading of an Ordinance Amending the Code of Ordinance to Remove Fluoridation of the City's Water Supply.

An Ordinance of The City of Naples, Florida Amending the Code of Ordinances to Remove Paragraph (D), Fluoridation, of Section 30-31 – General Water Service Regulations of Chapter 30 – Utilities, Article II – Water, Division 1 – Generally; Private Water Systems; Providing for Codification; Conflicts; Severability; Correction ff Scrivener's Error; Construction; Publication; and an Effective Date. **(Time Certain 2:00 PM).**
(Matthew McConnell, City Attorney)
Agenda Memorandum
Ordinance - First Reading
Letter from HOA Presidents to Council

16. SECOND READING ORDINANCES - None.

17. PUBLIC COMMENTS

18. COMMUNICATIONS FROM MAYOR, CITY COUNCIL, AND STAFF

19. 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.