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 20, 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. Proclamation for Gulf Coast Runners 50th Anniversary.
(Teresa Heitmann, Mayor)

4.B. Youth Council Swearing-In Ceremony.
(Jay Boodheshwar, City Manager)

4.C. Recognition of Elaine L. Reed for her Dedicated Service as Chief Executive Officer of the Naples Historical Society.
(Teresa Heitmann, Mayor)

5. PUBLIC COMMENTS

APPROVAL OF CONSENT AGENDA

6. MINUTES

6.A. Approval of the October 14, 2024, Workshop Meeting Minutes.
(Patricia Rambosk, City Clerk)
Agenda Memorandum
October 14, 2024 Workshop Meeting Minutes

7. RESOLUTIONS

7.A. A Resolution Approving a Fourth Amendment to the Professional Services Agreement with WSP USA Environment & Infrastructure Solutions, Inc., Extending the Term of the Agreement for an Additional One-Year Period Beginning October 1, 2024, and Ending September 30, 2025, for the Environmental Sampling and Analysis Project, Including Water Quality Sampling, Analysis of Stormwater Lakes and Pump Stations and Other Technical Assistance; Authorizing the City Manager to Execute the Fourth Amendment to Professional Services Agreement; and Proving an Effective Date.
(Bob Middleton, Director of Public Works)
Agenda Memorandum
Resolution
Signed 4th Amendment

7.B. A Resolution Approving the Fifth Amendment to the First Amended and Restated Public Parking Garage Agreement to Allow Utilization of the First and Second Floors of the Public Parking Garage for Valet Parking During Performances; Authorizing the City Manager to Execute the Amendment; and Providing an Effective Date
(Anita Jenkins, CRA Administrator)
Agenda Memorandum
Resolution
Amendment 5 to Amended and Restated Public Parking Garage Agreement
2021-14653 Public Parking Garage Agreement
2022-00136 First Amended and Restated Public Parking Garage Agreement

7.C. A Resolution Approving a License Agreement Between Florida Power & Light Company, a Florida Corporation, and the City of Naples for the Use of Public Parking Encroaching on Property Owned by Florida Power & Light Company and Located Along the North Side of 3rd Avenue North, Said Property Containing 597 Square Feet; Authorizing the City Manager to Execute the License Agreement; and Providing an Effective Date.

(Bob Middleton, Director of Public Works)
Agenda Memorandum
Resolution
License Agreement
Perpendicular Parking Plan
Sketch & Description

7.D. A Resolution Granting an Easement to Florida Power & Light Company for the Operation and Maintenance of Electrical Facilities on Property Owned by the City of Naples and Located Along U.S. 41 Across from 1500 5th Avenue South on the North Side Where the Undeveloped Land Meets the Gordon River, Said Easement Containing 1,061 Square Feet; More Fully Described Herein; Authorizing the Mayor to Execute the Easement; Directing The City Clerk To Record The Easement; And Providing An Effective Date.
(Bob Middleton, Director of Public Works)
Agenda Memorandum
Resolution
Easement - Bank of Gordon River
Sovereign Submerged Lands Easement TIITF SSL OR2465 PG0116
1996 Letter of No Objection
Aerial Property Location

8. OTHER

8.A. Approval of the Amended 2025 Workshop and Meeting Schedule for the City Council and Community Redevelopment Agency (CRA).
(Jay Boodheshwar, City Manager)
Agenda Memorandum
Amended 2025 City Council and CRA Meeting Schedule

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 for the Purpose of Determining Outdoor Dining Petition 24-OD9 Establishing Outdoor Dining to Include Eighteen (18) Tables and Thirty-Eight (38) Chairs for the Restaurant Known as Blackbird Modern Asian on Property Owned by Naples Bay Properties, LLC and Located at 1500 5th Avenue South, Suite A2-112 More Fully Described Herein; and Providing an Effective Date.
(Erica Martin, Director of Planning)
Agenda Memorandum
Resolution
Application
Disclosure of Interest - Property Owner

Disclosure of Interest - Business Owner
Articles of Organization
Warranty Deed
Aerial
Architectural Plans
Credentials - Petitioner
Credentials - Staff
Public Notice Mailing Addresses
Affidavit of Sign Posting

11.B. A Resolution Determining Amendment No. 1 to Site Plan Petition 20-SP16 for a Valet Operational Plan and Addressing the Conditions Provided in Resolution 2021-14737 Related to Parking for the Gulfshore Playhouse, on Property Owned by Gulfshore Playhouse, Inc. a Florida Not-for-Profit Corporation, and Located at 100 Goodlette-Frank Road South, More Fully Described Herein and Providing an Effective Date.
(Erica Martin, Director of Planning)
Agenda Memorandum
Resolution
Staff Report
Disclosure of Interest
Deed
Application
Affidavit of Authorization
Location Map
Architectural Plans
Landscape Plans
Site Development Plans
Valet Operational Plan with parking spaces
Tract C-1 Stormwater Maintenance Program - provided following PAB
Hours of Operation and Security Plan - provided following PAB
Credentials - Planning Department
Affidavit of Sign Posting - 9/11/24 PAB
Public Notice Mailing Addresses
Affidavit of Sign Posting 11/20/24 Council
Petitioner's Presentation

12. OLD BUSINESS

12.A. Discussion and Direction Regarding Downtown Naples Traffic Study and Traffic Impact Study Procedures.
(Bob Middleton, Director of Public Works)
Agenda Memorandum
Downtown Traffic Study - Presentation
Traffic Impact Studies - Presentation

12.B. Discussion and Direction from the November 7, 2024, Joint Meeting with the Naples Airport Authority (NAA).
(Jay Boodheshwar, City Manager)
Agenda Memorandum

13. NEW BUSINESS

13.A. Consider Appointing Three Members to the Code Enforcement Board, One Alternate Member to the Community Redevelopment Agency Advisory Board, and One Commissioner to the Naples Airport Authority.
(Patricia Rambosk, City Clerk)
Agenda Memorandum
Code Enforcement - Lee Davidson Application
Code Enforcement - Richard Landuyt Application
Code Enforcement - Maria Mair Application
Code Enforcement 162.05 Fla. Stat.
CRAAB - Lee Davidson Application
CRAAB - Christopher Shucart Application
CRAAB code
Airport Authority - Ralph Alberto Application
Airport Authority - Branimir Brankov Application
Airport Authority - John Crees Application
Airport Authority - Donald Kane Application
Airport Authority - Greg Melanson Application
Airport Authority - Joseph Murray Application
Airport Authority - Jason Schappert Application
Airport Authority - Michael Schumann Application
Airport Authority - Walter Skinner Application
Airport Authority Act

13.B. Announcement of an Executive Session - Massey, Paul v. City of Naples.
(Matthew McConnell, City Attorney)
Agenda Memorandum
Public Notice

13.C. Executive Session in BIELA, CAROL v. CITY OF NAPLES, 20th Judicial Circuit, Case No. 23-CA-002456. **(Time Certain 12:30 pm)**
(Matthew McConnell, City Attorney)
Agenda Memorandum
Public Notice

13.D. Any Action Taken after Executive Session in BIELA, CAROL v. CITY OF NAPLES, 20th Judicial Circuit, Case No. 23-CA-002456.
(Matthew McConnell, City Attorney)

13.E. A Resolution for the Purpose to Approving Task Order No. 2 (25-01-60-02-531010) to Professional Services Consultant Agreement with LJA Engineering, Inc. for Design Services to Improve the Drainage Along the Alleyway between Central Avenue and 1st Avenue North in the Amount of $35,545.96; Authorizing the City Manager to Execute the Task Order; and Providing an Effective Date.
(Bob Middleton, Director of Public Works)
Agenda Memorandum
Resolution
LJA Task Order

ORDINANCES

14. FIRST READING ORDINANCES

14.A. First Reading of an Ordinance Amending the Code of Ordinances at Section 16 - Construction, Rehabilitation and Property Maintenance Regulations for the Purpose of Eliminating Cumulative Costs of a One-Year Lookback Period.

An Ordinance Amending Paragraphs (c), (d) and (e) of Section 16-112, Florida Building Code Adopted; Amendments; Amending the Definition of Substantial Improvement in Section 16-144, Definitions; Amending Subparagraph (4)b. Of Section 16-146, Duties and Powers of the Floodplain Administrator of Article III, Building and Technical Codes of Chapter 16, Construction, Rehabilitation and Property Maintenance Regulations of the Code of Ordinances, City of Naples for the Purpose of Eliminating Cumulative Costs of a One-year Lookback Period; Providing for Codification, Conflicts, Severability, Correction of Scrivener's Error, Construction, Publication, and an Effective Date.
(Stephen Beckman, Director of Building Services)
Agenda Memorandum
Ordinance
Naples Business Impact Estimate

15. SECOND READING ORDINANCES - None.

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.