



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:

Ted Blankenship, Ray Christman,

Paul Perry, Beth Petrunoff

Interim City Attorney: Ralf Brookes • 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 Regular Meeting

Thursday, February 22, 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. Reactivation of the Naples Police Department K-9 Unit.

Reactivation of the Naples Police Department K-9 Unit Presentation

- 4.B. Planning Advisory Board Annual Presentation by Chairman, Bruce Selfon.
[Agenda Memorandum](#)

5. PUBLIC COMMENTS

APPROVAL OF CONSENT AGENDA

6. MINUTES

- 6.A. Approval of the January 11, 2024 Special Meeting Minutes.
(Patricia Rambosk, City Clerk)
[Agenda Memorandum](#)
[January 11, 2024 Special Meeting Minutes](#)

7. RESOLUTIONS

- 7.A. A Resolution for the Purpose of Approving an Agreement with Douglas N. Higgins, Inc, for the Replacement of Raw Water Production Well No. 408, in the Amount of \$2,737,370, Pursuant to City Bid 24-013; Authorizing the City Manager to Execute the Agreement; And Providing an Effective Date.
(Bob Middleton, Director of Public Works)
[Agenda Memorandum](#)
[Resolution](#)
[Agreement - Douglas N Higgins, Inc](#)
[Analysis of Bid](#)
- 7.B. A Resolution for the Purpose of Approving a Task Order with Agnoli, Barber, and Brundage, Inc, to Provide Construction Engineering and Inspection Services Required for the Replacement of Raw Water Production Well No. 408, in the Amount of \$273,114.37, in Accordance with the Consultants' Competitive Negotiation Act; Authorizing the City Manager to Execute the Task Order; And Providing an Effective Date.
(Bob Middleton, Director of Public Works)
[Agenda Memorandum](#)
[Resolution](#)
[Task Order - Agnoli, Barber, and Brundage, Inc](#)
- 7.C. A Resolution for the Purpose of Accepting a Cash Donation of \$120,660.17 for Use in the Naples Police Department's K-9 Unit From the Gabriella Agatha Hamori Revocable Trust of 2005, Consistent With the Policies and Procedures Set Forth in Resolution 15-13730; Amending the Fiscal Year 2023-24 Budget Adopted by Resolution 2023-15207 by Appropriating Funds From the Donation Account – Naples Police Department K-9 Program; Authorizing the Expenditure of Donated Funds for the Purchase of Necessary Equipment, Supplies, Veterinary Care, Boarding, and Memberships; and Providing an Effective Date.
(Ciro Dominguez, Police Chief)
[Agenda Memorandum](#)
[Resolution](#)
[K9 Unit City of Naples, Hamori Donation](#)

[Resolution 15-13730 Naples Donation Policy](#)

- 7.D. A Resolution for the Purpose of Accepting an Unrestricted Donation From James Newbern, Apex K-9 USA of a Fully Trained Police K-9, Valued at \$18,000, and Capable of Detecting Firearms and Explosive Devices to Assist Law Enforcement in Providing Safety at Special Events in Response to Suspect Threats, and Investigating Criminal Activity, Consistent With the Policies and Procedures in Resolution 15-13730; Authorizing the Expenditure of Funds From the Naples Police Department K-9 Program Donation Account for the Purchase of Necessary Equipment, Supplies, Veterinary Care, Boarding, and Memberships; and Providing an Effective Date.

(Ciro Dominguez, Police Chief)

[Agenda Memorandum](#)

[Resolution](#)

[Apex-Naples Police Department Donation](#)

[Resolution 15-13730-Naples Donation Policy](#)

- 7.E. A Resolution Approving a Memorandum of Understanding Between the City of Naples and Golden Paws Assistance Dogs, Inc.; Authorizing the Mayor to Execute the Agreement; and Providing an Effective Date.

(Ciro Dominguez, Police Chief)

[Agenda Memorandum](#)

[Resolution](#)

[Naples Police Department- Golden Paws MOU](#)

- 7.F. A Resolution Accepting a Utility Easement, Containing Approximately 0.04 Acres, and an Access Easement, Containing Approximately 0.16 Acres, from Naples Botanical Garden, Inc, to the City of Naples, on Property Located on Bayshore Drive, More Fully Described Herein; Directing the City Clerk to Record the Utility Easement and the Access Easement; And Providing an Effective Date.

(Bob Middleton, Director of Public Works)

[Agenda Memorandum](#)

[Resolution](#)

[Exhibit A - Legal Description of Utility Easement](#)

[Exhibit A - Legal Description of Access Easement](#)

[Utility Easement - Execution Copy](#)

[Access Easement - Execution Copy](#)

- 7.G. A Resolution for the Purpose of Approving a Contractor's Agreement Between the City of Naples and Quality Enterprises USA, Inc. in the Amount of \$85,144.00 for the Naples Landings Dredging Project (ITB 24-009); Authoring the City Manager to Execute the Contractor's Agreement; and Providing an Effective Date.

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

[Agenda Memorandum](#)

[Resolution](#)

[Naples Landing Dredging Project - Bid Documents](#)

[Naples Landing Dredging Project - Contract \(Signed\)](#)

[Naples Landing Dredging Project - Contractor Recommendation Letter](#)

[Naples Landings Dredging Project - Declaration of Intent to Award](#)

[Naples Landings Dredging Project - Bid Analysis](#)

7.H. A Resolution for the Purpose of Increasing the Annual Maximum Expenditure Limit for the Outside Contract Previously Approved by the City Council For the Purchase of Goods and Services with Dobbs Equipment for Increased Costs Associated with Expenditures for the Replacement of the City’s Excavation Equipment; Authorizing the City Manager to Execute Applicable Purchase Orders; And Providing an Effective Date.

(Bob Middleton, Director of Public Works)

[Agenda Memorandum](#)

[Resolution](#)

[Agenda Memorandum 10-18-2023 - Outside Contracts FY24](#)

[Resolution 2023-15233 - Outside Contracts FY24](#)

7.I. A Resolution for the Purpose of Approving the Installation of Speed Tables Along 7th Avenue North Between US-41 and Gulf Shore Boulevard; And Providing an Effective Date.

(Bob Middleton, Director of Public Works)

[Agenda Memorandum](#)

[Resolution](#)

[7th Ave N Traffic Calming Petition](#)

[Speed Table Location Map](#)

[Speed Table Example](#)

8. OTHER - None

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 23-OD19, Establishing Outdoor Dining on Private Property Consisting of 3 Tables and 6 Chairs for Beyond Juicery + Eatery, a Restaurant Operated by Naples BJ1,LLC, a Florida Limited Liability Company and Located at 2055 9th Street North, Space 10B, on Property Owned by Brixmor Naples SC,LLC, a Florida Limited Liability Company, More Fully Described Herein; and Providing an Effective Date.

(Erica Martin, Director of Planning)

[Agenda Memorandum](#)

[Resolution](#)

[Life Safety Plan](#)

[Application](#)

[Disclosure of Interest - Property Owner](#)

[Disclosure of Interest - Business Owner](#)

[Credentials - Staff](#)

[Affidavit of Sign Posting](#)

[Public Notice Mailing Addresses](#)

- 11.B. A Resolution for the Purpose of Determining Site Plan Petition 22-SP16 for a new Multifamily Residential Development in The Commons Professional Park Planned Development on Property Owned by Good Naples I, LLC and Located at 750 Goodlette Frank Road, More Fully Described Herein; and Providing an Effective Date.

(Erica Martin, Director of Planning)

Agenda Memorandum

Resolution

Boundary Survey prepared by Hole Montes, Inc., dated 1-18-2022

Architectural Plans prepared by MHK Architecture, dated 8-18-2023

Site Development Plans prepared by Hole Montes, Inc., revised 8-21-2023

Landscape Plans prepared by Architectural Land Design, signed 8-21-2023

Traffic Impact Statement prepared by JMB Transportation Engineering, Inc., dated 2-08-2023

Staff Report

Vehicle Tracking Exhibit prepared by Hole Montes, Inc., dated 2-2023

Collier County approval of Transportation Concurrency via Cecilia Varga email, dated 2-23-2023

Engineers Report prepared by Hole Montes, Inc., revised 12-2022

Engineer's Opinion of Probable Cost prepared by Hole Montes, Inc., signed 12-20-2022

Florida Department of Environmental Protection Notice of Intent for Construction of a Domestic Wastewater Collection Transmission System, undated

Site Plan Petition Application

Deed

Good Naples I, LLC Letter of Authorization

Disclosure of Interest - Good Naples I, LLC

Naples Municipal Airport Avigation Easement And Declaration Of Height Restrictions And Covenants from Good Naples I LLC (NAA Version 12-12-23)

Collier County Ord 80-42 - The Commons Professional Park Planned Development

The Commons - Final Declaratory Judgment 2-21-2002

Resolution 2017-13959

Credentials - Petitioner

Credentials - Staff

Public Mailing Notice Addresses

Affidavit of Sign Posting - Planning Advisory Board 1-10-24

Affidavit of Sign Posting - City Council 2-22-24

Petitioner's Presentation

Petitioner's Presentation - MHK

12. OLD BUSINESS

- 12.A. Appoint Members to the Carver Finance Board of Directors, the Community Redevelopment Agency Advisory Board, and the Design Review Board.

(Patricia Rambosk, City Clerk)

Agenda Memorandum

Carver Finance Board - Andrew Cribbs Application

Carver Finance Board - Antonio Dumornay Application

Carver Finance Board - Kevin Fitzpatrick Application

Carver Resolution 1980-3606

[CRAAB - Kevin Fitzpatrick Application](#)
[CRAAB Code](#)
[Design Review Board - Adriane Orion Application](#)
[DRB Code](#)

13. NEW BUSINESS

- 13.A. Review of Amendments to the Design Review Handbook.
(Erica Martin, Director of Planning)
[Agenda Memorandum](#)
[Design Review Handbook - Current](#)
[Design Review Handbook 2.0 - Proposed](#)
[Staff Memorandum to Planning Advisory Board](#)
[Design Review Handbook 2.0 - Executive Summary](#)

ORDINANCES

14. FIRST READING ORDINANCES

- 14.A. First Reading of an Ordinance Amending Regulations Related to the Design Review Board.

An Ordinance for the Purpose of Amending Regulations Relating to the Design Review Board; Amending Section 2-472, Purpose, Section 2-473, Jurisdiction; Powers and Duties, and Section 2-476, Procedure for Review; Criteria, and Adding Section 2-477, Architectural and Landscape Architectural Design Standards, of Division 4, Design Review Board, Article V, Boards, Commissions and Committees, Chapter 2, Administration, of the City of Naples Code of Ordinances; Amending Article IX, Design Review Standards, Chapter 50, Development Standards, of the City of Naples Code of Ordinances; Amending Section 58-1134, Specific Provisions, Division 6, 5th Avenue South Special Overlay District, Article III, Special Overlay Districts, Chapter 58, Zoning, 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 - First Reading](#)

[Staff Report](#)

[Division 6. 5th Avenue South Special Overlay District](#)

[24-T1 - Business Impact Estimate](#)

- 14.B. First Reading of an Ordinance Amending the Base Point of Measurement for Maximum Height in Residential Districts to Allow for the Use of the Higher First Finished Floor Elevation Prescribed by Either the 2012 or 2024 Adopted FIRM.

An Ordinance for the Purpose of Amending Regulations Relating to Floodplain Management; Amending Section 44-8, Definitions, Chapter 44, General Provisions; and Amending Sections Relating to Minimum Yards and Maximum Height Throughout Chapter 58, Zoning, Sections 58-56, 58-58, 58-86, 58-88, 58-116, 58-118, 58-146, 58-148, 58-176, 58-178, 58-206, 58-208, 58-236, 58-238, 58-

298, and 58-328, 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 - First Reading](#)
[Staff Report](#)
[Resolution 2022-14991](#)
[24-T4 - Business Impact Estimate](#)

15. SECOND READING ORDINANCES

15.A. Second Reading of an Ordinance Amending the Maximum Pool and Pool Deck Height in the R1-15A District.

An Ordinance for the Purpose of Amending Regulations Relating to the Maximum Height of Decks for Properties Containing Three Front Yards Without a Platted Waterfront Building Line in the R1-15A, Residence District; Amending Section 58-116(5), Encroachments, Division 4, R1-15A Residence District, Chapter 58, Zoning, 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](#)
[Heiderman Email with Attachment](#)
[Variance Petition 23-V2 Letter from Dick Del Bello, President](#)
[Sec-58-116-Minimum Yards](#)
[24-T3 - Business Impact Estimate](#)

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.