1. **ROLL CALL**

Present:
- Bill Barnett, Mayor
- Linda Penniman, Vice Mayor
- Doug Finlay
- Michelle McLeod
- Sam Saad III
- Ellen Seigel
- Reg Buxton
- Doug Rankin
- Mark Small
- Patrick Linn
- John Passidomo
- Bob Mulhere
- Frank Meak
- Nancy Mayeux
- Lisa Lefkow
- Gianfranco Betulia
- Cooper Lapham
- Mckellan Welzbacher
- Albert Katz
- Joseph Cranney, Naples Daily News

It is noted for the record that all documentation electronically appended hereto is also contained in the file for this meeting in the City Clerk’s Office. It is also noted that all experts who testified during quasi-judicial hearings were accepted as qualified to do so in their respective fields of expertise.

2. **INVOCATION AND PLEDGE OF ALLEGIANCE**

Pastor Nancy Mayeux, First United Methodist Church.

3. **ANNOUNCEMENTS**

a. **NATIONAL BICYCLE AWARENESS MONTH PROCLAMATION**

The proclamation was read and presented by Mayor Barnett.

b. **MOTORCYCLE SAFETY AWARENESS PROCLAMATION**

The proclamation was read and presented by Mayor Barnett.

c. **NATIONAL MILITARY APPRECIATION MONTH PROCLAMATION**

The proclamation was read and presented by Mayor Barnett.

d. **MUNICIPAL CLERKS WEEK PROCLAMATION**

The proclamation was read and presented by Mayor Barnett.

e. **DO THE RIGHT THING RECOGNITIONS**

Just prior to the recognitions, Police Sergeant Kyle Bennett offered a moment of silence for former Do the Right Thing recipient Marc Newberry, who had recently passed away. Police Officer Sean
Phillips then recognized the following area school children: Gianfranco Betulia, Cooper Lapham and Mckellan Welzbacher. Do the Right Thing Committee Chair Pat O’Connor expressed appreciation for the opportunity to present the program to the City.

4. **SET AGENDA (ADD OR REMOVE ITEMS)**
   
   MOTION by Buxton to SET THE AGENDA as submitted; seconded by Saad and unanimously carried, all members present and voting (Buxton-yes, Finlay-yes, McLeod-yes, Penniman-yes, Saad-yes, Seigel-yes, Barnett-yes).

5. **PUBLIC COMMENT**

   Doug Rankin expressed concern regarding beach safety patrol and restroom facility maintenance at beach locations. He also suggested amending the noise ordinance to require a later start time for lawn maintenance during tourist season. Leigh Kistler recommended additional crosswalks to enhance bicyclist safety, and noted concern regarding inadequate visibility at intersections due to landscaping and parked cars. Jo-Anne Jeffreys stated concern that the Florida Department of Transportation (FDOT) St. Ann School sidewalk project would encroach 15 feet into residents’ yards, and damage property and landscaping. She requested that Council approve a right-of-way permit that would allow the affected homeowners to complete the project. Mark Small asserted that the St. Ann’s project had an inconsistent design, and concurred with the previous speaker’s request to allow the residents to complete it at their own cost (see attached drawing). Albert Katz, Moorings Bay Citizens Advisory Committee Chair, asked that the Council request Collier County to include the shoaling in Moorings Bay in its upcoming dredging project. Beth Brainard, Naples Pathways Coalition Executive Director, expressed thanks for the bicycle presentation (Item 3-a). Noting the aforementioned sidewalk project, she recommended educating residents regarding the allowable use of City rights-of-way in order to facilitate future projects.

6. **CONSENT AGENDA**

   MOTION by Buxton to APPROVE CONSENT AGENDA as submitted; seconded by Saad and unanimously carried, all members present and voting (Buxton-yes, Finlay-yes, McLeod-yes, Penniman-yes, Saad-yes, Seigel-yes, Barnett-yes).

   a. REAPPOINTMENT OF: CLERK TRACKING 2017-00048 LINDA BLACK AND CLERK TRACKING 2017-00049 JOSEPH FOgg TO THE CITIZENS POLICE REVIEW BOARD, CLERK TRACKING 2017-00050 JASON ANDIS TO THE COMMUNITY REDEVELOPMENT AGENCY ADVISORY BOARD, CLERK TRACKING 2017-00051 STEPHEN HRUBY AND CLERK TRACKING 2017-00052 FERNANDO ZABALA TO THE DESIGN REVIEW BOARD, AND CLERK TRACKING 2017-00053 SHARDA SPAHR TO THE MOORINGS BAY CITIZENS ADVISORY COMMITTEE

   b. APPOINTMENT OF: CLERK TRACKING 2017-00054 HENRY JOHNSON TO THE CODE ENFORCEMENT BOARD AS A REGULAR MEMBER

   END CONSENT AGENDA

7. **PRESENTATION BY PATRICK P. LINN, EXECUTIVE DIRECTOR OF THE COLLIER COUNTY MOSQUITO CONTROL DISTRICT**

   Patrick P. Linn, Executive Director of the Collier Mosquito Control District, proffered an electronic presentation which covered topics including District facts, the mission statement, education and

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outreach, prevention, surveillance and the Zika virus. He also provided additional information in response to questions from Council.

Agenda Memorandum Presentation

Additional Presentation (P. Linn / Added Attachment)

8. **CLERK TRACKING 2017-00055 - AWARD OF CONTRACT TO SUPRA AIR AND HEAT, INC., IN THE AMOUNT OF $198,000 FOR UPGRADES AND RENOVATIONS TO THE FIRE-RESCUE DEPARTMENT, FIRE STATION NO. 2., HVAC, ELECTRICAL AND CEILING RENOVATION**

Fire Chief Peter DiMaria briefly reviewed the agenda memorandum, after which Council expressed concern that only two bids were received for the project. Chief DiMaria said staff had checked the vendor’s references, and had received positive feedback, and he provided information on the warranty. In further discussion, Chief DiMaria said the installation would be complicated as it had to be done in phases, which may have discouraged some bidders. Mayor Barnett added that this was a relatively small project, and that many contractors were currently engaged with larger projects.

Public Comment: None.

**MOTION by Saad to APPROVE CLERK TRACKING 2017-00055 as submitted; seconded by Buxton and unanimously carried, all members present and voting (Buxton-yes, Finlay-yes, McLeod-yes, Penniman-yes, Saad-yes, Seigel-yes, Barnett-yes).**

Agenda Memorandum Agreement

Recess: 10:10 a.m. to 10:24 a.m. It is noted for the record that the same Council Members were present when the meeting reconvened.

9. **RESOLUTION 2017-13959 – A RESOLUTION OF THE CITY OF NAPLES, COLLIER COUNTY, FLORIDA RELATING TO “THE COMMONS” DEVELOPMENT OF REGIONAL IMPACT (DRI) CONSISTING OF APPROXIMATELY 52 ACRES ON PROPERTY LOCATED IN SECTION 34, TOWNSHIP 49 SOUTH, RANGE 25 EAST, CITY OF NAPLES, COLLIER COUNTY, FLORIDA; APPROVING PETITION 16 -DO1 FOR A DEVELOPMENT ORDER AND APPROVING AND ADOPTING A DEVELOPMENT ORDER FOR SAID DRI; DESCRIBING DEVELOPMENT RIGHTS AND STANDARDS; DECLARING THAT THIS RESOLUTION CONSTITUTES A DEVELOPMENT ORDER PURSUANT TO GENERAL LAW AND CITY ORDINANCE; PROVIDING A DISCLAIMER AND PERMIT CONDITION; AND PROVIDING AN EFFECTIVE DATE.**

Title read by City Attorney Robert Pritt. This being a quasi-judicial proceeding, Notary Public Jessica Rosenberg administered an oath to those intending to offer testimony; all responded in the affirmative. Council Members then made the following ex parte disclosures: Saad / spoke to the petitioner’s agent and visited the site; Seigel / visited the site and spoke to City Attorney Pritt, Planner Leslee Dulmer, Petitioner’s Agent John Passidomo and a member of the Southwest Florida Regional Planning Council (SFRPC) regarding a paragraph in the resolution; and Penniman, Barnett, Finlay, McLeod and Buxton / visited the site but had not had contact.

Attorney Passidomo asserted that the matter under consideration was a formality arising from an oversight which had occurred when The Commons was annexed into the City some 28 years prior; more specifically, the City had never adopted the development order required by the 1989 development agreement. He then offered an electronic presentation which reviewed the 1980 Collier County development order, the 1989 City annexation ordinance and development agreement, and a newly proposed City development order. This new development order, which he explained was recommended by the SFRPC, would be subject to all the requirements and conditions of the 1980 development order. It would also establish a 15-year buildout and a maximum trip generation of 1,545 unadjusted two-way p.m. week-day peak hour trips. He added that the Planning Advisory Board had also recommended approval.
Planner Dulmer briefly reviewed the petition, and stated that staff recommended approval of the resolution. Council expressed concern regarding future development and traffic impacts and questioned whether it should review the requirements in the Planned Development (PD) at that time. Ms. Dulmer said the petition was not advertised as a function of reviewing the uses. Mr. Passidomo added that his client was in fact determining the viability of a proposed change in the land use mix, and did anticipate seeking an amendment to the development order being considered for adoption that day and to the PD.

In response to Council, SFRPC member Bob Mulhere said a 15-year term for a development order is generally believed to be a reasonable period of time; City Attorney Pritt concurred. Mr. Mulhere also provided information on the traffic analysis performed, and noted the advantage to the City of establishing a specified limit to peak hour trips as one currently does not exist. Council discussed adding language to Section 2 of the resolution to validate the basis for that limit. City Attorney Pritt thereby suggested an amendment as indicated in the motion below.

**Public Comment:** None.

**MOTION by Saad to APPROVE RESOLUTION 2017-13959 amending Section 2.9 as follows: “The development ... trips. as recommended by the Florida Department of Transportation and the Southwest Florida Regional Planning Council.”** This motion was seconded by Buxton and unanimously carried, all members present and voting (Buxton-yes, Finlay-yes, McLeod-yes, Penniman-yes, Saad-yes, Seigel-yes, Barnett-yes).

**Public Comment:** None.

**MOTION by Penniman to APPROVE RESOLUTION 2017-13960 replacing references to permeable brick paver hardscape parking with turf block paver**
hardscape parking; seconded by Buxton and unanimously carried, all members present and voting (Buxton-yes, Finlay-yes, McLeod-yes, Penniman-yes, Saad-yes, Seigel-yes, Barnett-yes).

11. **CLERK TRACKING 2017-00056 - AWARD A CONTRACT TO MANHATTAN CONSTRUCTION, INC. FOR CONSTRUCTION MANAGEMENT AT RISK SERVICES FOR THE BAKER PARK PROJECT AT 50 RIVERSIDE CIRCLE, AND APPROVE AN AGREEMENT IN THE AMOUNT OF $84,519 FOR THE PHASE I SERVICES THAT WILL CONNECT THE EXISTING GORDON RIVER GREENWAY AND CENTRAL AVENUE.**

Streets and Stormwater Director Gregg Strakaluse reviewed the agenda memorandum, noting that staff had received Council direction to pursue a construction manager at risk for the Baker Park project. In response to Council, Director Strakaluse provided clarification on the scope of work and fees, and he and Community Services Director Dana Souza explained the selection process.

Public Comment: None.

**MOTION by Buxton to APPROVE CLERK TRACKING 2017-00056 as submitted; seconded by Saad and unanimously carried, all members present and voting (Buxton-yes, Finlay-yes, McLeod-yes, Penniman-yes, Saad-yes, Seigel-yes, Barnett-yes).**

12. **RESOLUTION 2017-13961 - A RESOLUTION APPROVING DONATION OF SURPLUS PROPERTY OWNED BY THE CITY AND LOCATED AT 514 13TH STREET NORTH, TO HABITAT FOR HUMANITY OF COLLIER COUNTY FOR THE PURPOSE OF BUILDING A HOUSE ON THE PROPERTY; AND PROVIDING AN EFFECTIVE DATE.**

Title read by City Attorney Robert Pritt. Deputy Community Services Director Michael Leslie reviewed the agenda memorandum, asserting that Council had previously determined this vacant property to be surplus to enable its donation to a non-profit entity that provides affordable housing. During discussion, it was noted that subsequent transfers of ownership could be only to persons who qualify for affordable housing under the Housing and Urban Development (HUD) guidelines. There was concern expressed, however, that this restriction would expire just 15 years from the date of conveyance of the quit-claim deed from the City. City Attorney Pritt explained that Council could in fact extend this time period although not into perpetuity.

Habitat for Humanity of Collier County Chief Executive Officer (CEO) Lisa Lefkow reviewed the homebuyer process and the organization’s procedures, and responded to questions from Council. With respect to the above-mentioned issue, she said she had no concern with what she described as a longer affordability period.

Public Comment: None.

**MOTION by Buxton to APPROVE RESOLUTION 2017-13961 amending the 8th Whereas clause and Section 4 as follows: “…This restriction shall expire 45 35 years from the date of conveyance of the quit-claim deed from the City.” The motion was seconded by Finlay and unanimously carried, all members present and voting (Buxton-yes, Finlay-yes, McLeod-yes, Penniman-yes, Saad-yes, Seigel-yes, Barnett-yes).**

13. **RESOLUTION 2017-13962 - A RESOLUTION AMENDING THE FISCAL YEAR 2016-17 BUDGET ADOPTED BY RESOLUTION 16-13853 BY APPROPRIATING FUNDS FROM THE FUND BALANCE OF THE PUBLIC SERVICE TAX TO REPLACE THE HEATING, VENTILATION AND AIR CONDITIONING UNIT AT FLEISCHMANN PARK COMMUNITY CENTER; AND PROVIDING AN EFFECTIVE DATE.**

Roll call votes by Council Members are recorded in random order, pursuant to City Council policy.
Title read by City Attorney Robert Pritt. Community Services Director Dana Souza briefly reviewed the agenda memorandum, noting that at the April 17, 2017 Workshop, Council had directed staff to proceed with the project during the current fiscal year.

Public Comment: None.

MOTION by Barnett to APPROVE RESOLUTION 2017-13962 as submitted; seconded by Buxton and unanimously carried, all members present and voting (Buxton-yes, Finlay-yes, McLeod-yes, Penniman-yes, Saad-yes, Seigel-yes, Barnett-yes).

Agenda Memorandum Resolution

14. RESOLUTION 2017-13963 - A RESOLUTION SUPPORTING THE ALLOCATION OF THE 4-CENT TOURIST DEVELOPMENT TAX WITH 60 PERCENT DISTRIBUTED TO BEACHES AND 40 PERCENT DISTRIBUTED TO MARKETING AND PROMOTION.

Title read by City Attorney Robert Pritt who noted that “…and providing an effective date.” would be added to the end of the resolution title. City Manager William Moss explained that Council had requested at a previous Council Meeting that staff draft the subject resolution.

Public Comment: None.

MOTION by Saad to APPROVE RESOLUTION 2017-13962 as submitted; seconded by Penniman and unanimously carried, all members present and voting (Buxton-yes, Finlay-yes, McLeod-yes, Penniman-yes, Saad-yes, Seigel-yes, Barnett-yes).

Agenda Memorandum Resolution

PUBLIC COMMENT

None.

CORRESPONDENCE AND COMMUNICATIONS

Mayor Barnett noted his attendance as a panelist at a recent well-being summit. He then announced that there would be a ceremony to honor two World War II veterans at Cambier Park on May 9th between 9:00 a.m. and 11:30 a.m., and invited the public to attend. Mayor Barnett then explained that The Blair Foundation had recently met with him and several staff members regarding the current plans for Baker Park, and subsequently donated $2-million for naming rights of the Gordon River Bridge. Community Services Director Dana Souza provided additional information on the aforementioned meeting and several of the Foundation’s suggestions for further development of the project. Council Member McLeod expressed interest in speaking with City board and committee members to potentially enhance their processes, and suggested scheduling joint meetings with the Council; it was the consensus of Council to proceed. Assistant City Manager Roger Reinke said staff would arrange the meetings, and that Council could then evaluate how often it needed to meet with each.

Council Member Finlay noted an aerial photograph provided by Collier County (see Doctors Pass Dredge Template attached) which outlines its upcoming dredging project. Asserting that the project would leave 800 cubic yards of sand in the channels, he stated that he would confer with a County representative about dredging the full template as needed, and report back to Council. Council Member McLeod received consensus for staff to research the possibility of installing navigational lighting on the southern jetty at Doctors Pass to increase safety. Mr. Finlay also received consensus for staff to apply to the Florida Fish and Wildlife Conservation Commission for a vessel-restricted zone in front of Lowdermilk Park to enhance safety for swimmers.

Noting action taken on Item 12 above, Vice Mayor Penniman received consensus for staff to identify buildable, surplus City-owned properties for potential donation to City police officers, firefighters or other staff for affordable housing. She also suggested that homeowner associations invite Council Members to attend their meetings to improve communications.
Council Member Seigel provided an overview of the prior week’s pension meeting and all-day pension investment symposium, specifically noting the boards’ current investment approach.

*Doctors Pass Dredge Template (D. Finlay /Added Attachment)*

**ADJOURN**

12:51 p.m.

___________________________________
Bill Barnett, Mayor

Patricia L. Rambosk, City Clerk

Minutes prepared by:

___________________________________
Jessica R. Rosenberg, Deputy City Clerk

Minutes Approved: ________.