The information contained herein is used only as a working paper preliminary to preparation of meeting minutes and should not be relied upon as the official record.

2023 City Council ACTION REPORT

AGENDA ITEM	MOTION				V	OTES			
JANUARY 18, 2023 - REGULAR MEETING									
		Heitmann	McCabe	Blankenship	Christman	Hutchison	Perry	Petrunoff	Passed
Item 3 - Set Agenda.	MOTION by Blankenship to SET THE AGENDA; subject to removing Items 6.A and 8.A for a separate discussion and vote; seconded by Petrunoff and unanimously carried.	yes	yes	yes	yes	yes	yes	yes	7-0
CONSENT AGENDA ITEMS		•		•		•		•	I
CONSENT AGENDA ITEMS Item 7.A - Resolution 2023-15011 - A Resolution for the purpose of approving a Banking Services Agreement with Fifth Third Bank for banking and related services for a period of three years beginning February 1, 2023, with options for two one-year renewals. Item 7.B Resolution 2023-15012 - A Resolution for the purpose of approving an extension for banking and related services to First Foundation Bank for an additional period not to exceed 90 days from January 31, 2023 until April 30, 2023. Item 7.C Resolution 2023-15013 - A Resolution for the purpose of awarding a contract by purchase order to Insight LPR in the amount of \$134,400, regarding license plate recognition cameras, mounting hardware, and camera licensing. Item 7.D Resolution 2023-15014 - A Resolution for the purpose of awarding a contract by purchase order to Symbiont Service Corp., as a sole source provider, in the amount of \$93,191.84 for the replacement of 3 geothermal pool heaters at the River Park Aquatic Center. Item 7.E Resolution 2023-15015 - A Resolution amending Resolution 2022-14954 for the purpose of increasing the annual maximum expenditure limit for John Mader Enterprises, Inc., dba Mader-Electric Motors from \$325,000 to \$1,125,000 to allow staff to immediately purchase necessary materials for unexpected repairs needed in order to fully restore the sanitary sewer collections system due to damage caused by Hurricane Ian. Item 7.F Resolution 2023-15016 - A Resolution for the purpose of approving a standard grant agreement with the state of Florida Department of Environmental Protection (LPA0343) to provide funding for the Naples Gulf of Mexico Beach Stormwater Outfall Pipe Removal and Water Quality Project in the amount of \$5 million, subject		yes	yes	yes	yes	yes	yes	yes	7-0

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23 City Council ACTION REPORT	
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AGENDA ITEM	MOTION				١	/OTES				
Item 8.B Clerk Tracking 2023-00002 - Acknowledge the Election of Sean Phillips to the Board of Trustees of the Police Officers' Retirement Trust Fund.										
Item 8.C - Approval of the Repeat Special Event Applications: 1. Pets on 3rd Festival and Parade -										
Third Street South - January 22, 2023; 2. Condo Association Party - Naples Square - January 22, 2023; 3. India Association Festival - Cambier Park - February 18, 2023; 4.Gulf Coast Runners										
5k - Baker Park - February 25, 2023; 5. Mason Classical 5k - Mason Classical Academy -										
February 25, 2023; 6. Naples Pathways Bike Brunch - Cambier Park - March 5, 2023; and 7. St.										
Patrick's Foundation Parade - Downtown - March 11, 2023. Item 8.D Clerk Tracking 2023 00004 - Ratify Council Member Perry's Nomination of Fred Sasser										
as a City of Naples Representative on the Citizens Advisory Committee of the Collier Metropolitan										
Planning Organization for a Three-year Term.										
Item 8.E. - Postponement of the Second Reading of a Proposed Ordinance to Amend the Definition of Market Value in Section 16-144 of the City of Naples Code of Ordinandes.										
Item 8.F - Cancellation and Rescheduling of Executive Session for discussion of Brian Dye v. City										
of Naples, Case No. 2022-CA-007689(sic), 20 th Judicial Circuit, Collier County, Florida.										
END OF CONSENT AGENDA ITEMS Item 9.A CONTINUED - A Resolution for the purpose of determining a petition (PRVA2205135) to	MOTION by McCabe to CONTINUE ITEM 9.A	1/00	1/00	1/00	1/00	1/00	1/00	1/00	7-0	
vacate a portion of a ten foot utility easement on property located at 1625 Gulf Shore Boulevard	until February 15, 2023 and DIRECT staff to work	yes	yes	yes	yes	yes	yes	yes	7-0	
South and owned by the John H. Paz Revocable Trust.	with the property owner and/or property owner's									
	agent to come up with a compromise for a 24 feet easement that will grant access to the Lake;									
	seconded by Hutchison and unanimously carried.									
Item 6.A - Approval of the November 14, 2022, Workshop Meeting minutes, the November 16, 2022, Regular Meeting minutes, the November 21, 2022, Workshop Meeting minutes, the	MOTION by Christman to APPROVE ITEM 6.A subject to amending Page 7 of the November 21,	yes	yes	yes	yes	yes	yes	yes	7-0	
December 5, 2022, Regular Meeting minutes, the November 21, 2022, Workshop Meeting minutes, the December 7, 2022, Regular Meeting minutes,	2022 Regular Meeting minutes as follows:									
and the December 12, 2022, Workshop Meeting minutes.	"Attorney Kirsch said that his firm represented									
	the FAA <u>NAA</u> , and not the City"; seconded by McCabe and unanimously carried.									
Item 8.A - Notice of Proclamations Extending the Declaration of Local Emergency Declared by the	MOTION by Blankenship to APPROVE ITEM 8.A;	yes	absent	yes	yes	yes	yes	yes	6-0	
Honorable Mayor Teresa Heitmann as Required by Section 14-34 of the City of Naples Code of Ordinances.	seconded by Hutchison and carried.									
Item 11.A Resolution 2023-15022 - A Resolution for the purpose of determining Petition 22-CU7,	MOTION by Petrunoff to APPROVE	yes	yes	yes	yes	yes	yes	yes	7-0	
relating to a Conditional Use pursuant to Sections 46-34 and 58-503 of the Code of Ordinances of	RESOLUTION 2023-15022 subject to amending									
the City of Naples to allow for the conversion of two office suites into two residential dwelling units on property owned by Naples Hibiscus Center Land Trust c/o Welsh Companies FI, Inc. and	Condition No. 1 to read as follows: These units are to be rented and the rental period should not									
located at 2950 9th Street North.	be less than one year seconded by McCabe and									
	unanimously carried.									
Item 11.B. Resolution 2023-15023 - A Resolution for the purpose of determining Outdoor Dining Petition 22-ODPB2, modifying the life safety plan for Sushi Thai Downtown to include 12 tables	MOTION by McCabe to APPROVE RESOLUTION 2023-15023 subject to removing	yes	yes	yes	yes	yes	yes	yes	7-0	
with 34 seats, and 5 umbrellas on property owned by 898 5th Avenue South Holdings, LLC, and	the two-top table along the entrance at the									
located at 898 5th Avenue South.	atrium: seconded by Hutchison and unanimously									
	carried.						1			

Ordinances, City of Naples.

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AGENDA ITEM	MOTION				١	/OTES			
Item 11.C Resolution 2023-15024 - A Resolution for the purpose of determining Outdoor Dining Petition 22-ODPV16, for expanded outdoor dining on private property to include a total of 17 tables, 58 seats, one maitre'd stand with a menu board, a separate menu board, four large umbrellas with built-in frame lighting and infra-red heaters, and 6 decorative portable planter□ boxes with led backlighting, for a restaurant known as Roma Italian Bistro and Pizzeria, on property owned by 643-63 Fifth Avenue South Holdings, LLC, and located at 655 and 659 5th Avenue South.	MOTION by Blankenship to APPROVE RESOLUTION 2023-15024; seconded by Christman and carried.	yes	no	yes	yes	yes	yes	yes	
Item 11.D Resolution 2023-15025 EA Resolution determining Petition 22-CU5, for Conditional Use pursuant to Section 46-34 of the City of Naples Code of Ordinances and Ordinance 2017-13914, Section III(5) of the North Campus Planned Development, for the purpose of allowing a school on the property owned by OM Holdings 704 & 708, LLC and located at 704 Goodlette-Frank Road North.	MOTION by Blankenship to APPROVE RESOLUTION 2023-15025 subject to amending the Resolution as follows:"2. The maximum number of parking spaces allocated for this conditional use shall be a total of 23. Should the school increase in size, additional parking space allocation may be required. 3. If the existing occupancy type is not the same as the Conditional Use, then prior to operating-as a- schoel, a Change of Occupancy is required. 3. Prior to receiving the Certificate of Occupancy, the petitioner will attest that the permissions required by the State have been met."; seconded by Christman And carried.	yes	yes	yes	yes	no	yes	yes	
Item 13.A Resolution 2023-15026 - A Resolution relating to parking fees in the D Downtown District; amending Appendix "A", Fees And Charges Schedule, Subpart B. Land Development Code, Chapter 58, Zoning, amending Section 58-916(a)(2), On-Street Parking Allocation Charges, Code Of Ordinances, City of Naples.	MOTION by McCabe to APPROVE RESOLUTION 2023-15026 subject to subject to the following: 1) changing the price per parking space for on-street parking allocation in the D- Downtown District to \$18,930.00; and 2) amending Appendix A Fees and Charges Schedule as follows: 1 to 15,000 equals 75 percent, 15,001 to 30,000 equals 25 percent, 30,001 to 60,000 equals zero percent, and 60,001 to 100,000 equals zero percent; seconded by Christman and unanimously carried.	yes	yes	yes	yes	yes	yes	yes	
Item 13.B Resolution 2023-15027 - A Resolution relating to the Open Space Fee in the D-	MOTION by McCabe to APPROVE	yes	yes	yes	yes	yes	yes	yes	

February 1, 2023 at 3:00 p.m.

7-0 7-0 Downtown District; amending section 58-907(b)(3) in Appendix "A", Fees And Charges Schedule, RESOLUTION 2023-15027 eliminating the Open Subpart B. Land Development Code, Chapter 58, Zoning, open space fee, per unit, Code of Space Fee as of January 18, 2023 and amending the fee to \$125,000 for projects approved on or before January 18, 2023; seconded by Petrunoff and unanimously carried. Item 13.C - Discussion of the City of Naples Commissioning an Independent Traffic Impact Study **CONSENSUS** to move forward with Traffic for the Naples Square Planned Development and Surrounding Area. Impact Study for the Naples Square Planned Development and Surrounding Area. Item 13.D - Announcement - EXECUTIVE SESSION - DYE V. CITY NAPLES ANNOUNCEMENT of Executive Session on

6-1

AGENDA ITEM	MOTION				v	OTES				
Item 14.A - First Reading - An Ordinance for the purpose of amending Chapter 58, Zoning, Article II, Zoning Districts, Division 27 - PD Planned Development District of the City of Naples, Code of Ordinances to amend the regulations for Planned Developments; approving Text Amendment 22-T7.	MOTION by McCabe to APPROVE AT FIRST READING subject to amending Section 58- 805(5) of the City of Naples Code of Ordinances to read as follows: " and shall equal or exceed the level of design and construction quality"; seconded by Petrunoff and carried.	yes	yes	No	No	yes	yes	yes	5-2	
tem 14.B First Reading- An Ordinance for the purpose of amending Chapter 54, Subdivision Standards, Article I, in general, of the City of Naples, Code of Ordinances to amend the lot split and minor subdivision regulations and to provide regulations for the combination of single family ots; approving Text Amendment 22-T8.	MOTION by McCabe to APPROVE AT FIRST READING subject to changes; seconded by Perry and carried.	yes	yes	yes	yes	no	yes	no	5-2	
tem 15.A Ordinance 2023-15028 - An Ordinance amending Chapter 26 "Offenses" to provide a new Section 26-5 "Aircraft: Take-off and Landing"; providing for definitions; providing for regulation of aircraft take-off and landing locations within the City of Naples.	MOTION by Mccabe to ADOPT ORDINANCE 2023-15028; seconded by Hutchison and unanimously carried.	yes	yes	yes	yes	yes	yes	yes	7-0	
tem 15.B Ordinance 2023-15029 - An Ordinance amending the City Of Naples Code of Ethics contained in Article IX of Chapter 2 entitled "Administration" in the City of Naples Code of Ordinances; amending Sections 2- 975(f) "Post-Employment Restrictions and 2-975(h) "Bids and Contracts" and creating a new Section 2-975(k) "Cone of Silence" in Article IX of Chapter 2.	MOTION by Blankenship to ADOPT ORDINANCE 2023-15029; subject to correcting Section 2-975(f)(2)(f) of the City of Naples Code of Ordinances to read: "non-profit, 501(c)(3) organization"; seconded by Perry and unanimously carried.	yes	yes	yes	yes	yes	yes	yes	7-0	
END OF AGENDA										
JANUARY 30, 2023 - SPECIAL MEETING										
		Heitmann	McCabe	Blankenship	Christman	Hutchison	Perry	Petrunoff	Passed	Fail
tem 3 - Set Agenda.	MOTION by McCabe to SET THE AGENDA; seconded by Hutchison and unanimously carried.	yes	yes	yes	yes	yes	yes	yes	7-0	

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Item 12.A Review of Current Parking Pilot Program.	REVIEW only.									
Item 12.B Resolution 2023-15030 - A Resolution for the purpose of approving the resident only and visitor beach parking locations previously authorized by City Council under a pilot project.	MOTION by Blankenship to APPROVE RESOLUTION 2023-15030; seconded by McCabe and unanimously carried.	yes	7-0							
Item 12.C Resolution 2023-15031 - A Resolution for the purpose of increasing parking meter rates; amending Section 36-163 Meter Rates of Chapter 36, Traffic and Vehicles of Appendix "A" Fees and Charges Schedule, of the Code of Ordinances.	MOTION by McCabe to APPROVE RESOLUTION 2023-15031 amending the rate to \$4 per hour effective immediately and \$5 per hour effective 9/1/23; seconded by Petrunoff and unanimously carried.	yes	7-0							
Item 12.D Resolution 2023-15032 - A Resolution for the purpose of amending the pilot service agreement between Paybyphone Technologies, Inc. and the City of Naples dated April 14, 2022 to extend the terms of the agreement for an additional one year from the date of execution by the last party in order to collect parking data.	MOTION by McCabe to APPROVE RESOLUTION 2023-15032 to include all appropriate beach locations; seconded by Petrunoff and unanimously carried.	yes	7-0							
Item 12.E General Discussion on Roundabouts.	DISCUSSION only.								0.4	
Item 12.F Discussion and direction on a federally funded grant for the construction of a roundabout at Crayton Road and Harbour Drive.	MOTION by McCabe to NOT MOVE FORWARD and to inform the FDOT; seconded by Blankenship and carried.	yes	yes	yes	yes	no	yes	yes	6-1	
Item 12.G . Discuss the roundabout proposal at the intersection of Crayton Road and Mooring Line Drive.	MOTION by McCabe to NOT MOVE FORWARD and to inform the FDOT; seconded by Blankenship and carried.	yes	yes	yes	yes	no	yes	yes	6-1	

orking paper preliminary to preparation of	meeting mi	inutes and s	should not be	relied upon	as the offic	ial record	**		
MOTION				v	OTES				
MOTION by McCabe THAT COUNCIL IS NOT STATING THAT A ROUNDABOUT IS THE DE FACTO OR PREFERRED SOLUTION and that there would be further discussion on this matter; seconded by Petrunoff and unanimously carried.	yes	yes	yes	yes	yes	yes	yes	7-0	
	Li altera a com	MaQaba	Blaskaskis			Dama	5.6	Deserved	F alls d
MOTION by McCabe to SET THE AGENDA subject to removing Items 2, 6, and 7 under Item 8.B for a separate discussion and vote and continuing Item 7.A until the February 16, 2023 City Council Regular Meeting; seconded by Hutchison and carried.	yes	yes	yes	yes	yes	absent	yes	6-0	Failed
MOTION by McCabe to APPROVE THE CONSENT AGENDA; seconded by Christman and carried.	yes	yes	yes	yes	yes	absent	yes	6-0	
	MOTION by McCabe THAT COUNCIL IS NOT STATING THAT A ROUNDABOUT IS THE DE FACTO OR PREFERRED SOLUTION and that there would be further discussion on this matter; seconded by Petrunoff and unanimously carried. MOTION by McCabe to SET THE AGENDA subject to removing Items 2, 6, and 7 under Item 8.B for a separate discussion and vote and continuing Item 7.A until the February 16, 2023 City Council Regular Meeting; seconded by Hutchison and carried. MOTION by McCabe to APPROVE THE CONSENT AGENDA; seconded by Christman	MOTIONyesMOTION by McCabe THAT COUNCIL IS NOT STATING THAT A ROUNDABOUT IS THE DE FACTO OR PREFERRED SOLUTION and that there would be further discussion on this matter; seconded by Petrunoff and unanimously carried.yesHeitmannMOTION by McCabe to SET THE AGENDA subject to removing Items 2, 6, and 7 under Item 8.B for a separate discussion and vote and continuing Item 7.A until the February 16, 2023 City Council Regular Meeting; seconded by Hutchison and carried.yesMOTION by McCabe to APPROVE THE CONSENT AGENDA; seconded by Christmanyes	MOTIONyesyesMOTION by McCabe THAT COUNCIL IS NOT STATING THAT A ROUNDABOUT IS THE DE FACTO OR PREFERRED SOLUTION and that there would be further discussion on this matter; seconded by Petrunoff and unanimously carried.yesyesVersion of the second discussion on this matter; seconded by Petrunoff and unanimously carried.yesyesVersion of the second discussion on this matter; seconded by Petrunoff and unanimously carried.MOTION by McCabe to SET THE AGENDA subject to removing Items 2, 6, and 7 under Item 8.B for a separate discussion and vote and continuing Item 7.A until the February 16, 2023 City Council Regular Meeting; seconded by Hutchison and carried.yesyesMOTION by McCabe to APPROVE THE CONSENT AGENDA; seconded by Christmanyesyes	MOTIONWeshyesyesyesMOTION by McCabe THAT COUNCIL IS NOT STATING THAT A ROUNDABOUT IS THE DE FACTO OR PREFERRED SOLUTION and that there would be further discussion on this matter; 	MOTIONMOTIONWesyesyesyesyesyesyesMOTION by McCabe THAT COUNCIL IS NOT STATING THAT A ROUNDABOUT IS THE DE FACTO OR PREFERRED SOLUTION and that there would be further discussion on this matter; seconded by Petrunoff and unanimously carried.yesyesyesyesHeitmannMcCabeBlankenshipChristmanMOTION by McCabe to SET THE AGENDA subject to removing Items 2, 6, and 7 under Item 8.B for a separate discussion and vote and continuing Item 7.A until the February 16, 2023 City Council Regular Meeting; seconded by Hutchison and carried.yesyesyesyesyesMOTION by McCabe to APPROVE THE CONSENT AGENDA; seconded by Christmanyesyesyesyesyesyes	MOTIONVOTESMOTION by McCabe THAT COUNCIL IS NOT STATING THAT A ROUNDABOUT IS THE DE FACTO OR PREFERRED SOLUTION and that there would be further discussion on this matter; seconded by Petrunoff and unanimously carried.yesyesyesyesyesVersion of the matter; seconded by Petrunoff and unanimously carried.Motion of the matter; seconded by Petrunoff and unanimously carried.MetimannMcCabeBlankenshipChristmanMOTION by McCabe to SET THE AGENDA subject to removing Items 2, 6, and 7 under Item 8.B for a separate discussion and vote and continuing Item 7.A until the February 16, 2023 City Council Regular Meeting; seconded by Hutchison and carried.yesyesyesyesyesMOTION by McCabe to APPROVE THE CONSENT AGENDA; seconded by Christmanyesyesyesyesyesyes	MOTION MCCabe THAT COUNCIL IS NOT STATING THAT A ROUNDABOUT IS THE DE FACTO OR PREFERRED SOLUTION and that there would be further discussion on this matter; seconded by Petrunoff and unanimously carried.yesyesyesyesyesyesyesMOTION by McCabe to SET THE AGENDA subject to removing Items 2, 6, and 7 under Item 8.B for a separate discussion and vote and continuing Item 7.A until the February 16, 2023 City Council Regular Meeting; seconded by Hutchison and carried.HeitmannMcCabe yesBlankenship yesChristman yesHutchison PerryMOTION by McCabe to APPROVE THE CONSENT AGENDA; seconded by ChristmanyesyesyesyesyesyesyesMOTION by McCabe to APPROVE THE CONSENT AGENDA; seconded by Christmanyesyesyesyesyesyesyesabsent	MOTION by McCabe THAT COUNCIL IS NOT STATING THAT A ROUNDABOUT IS THE DE FACTO OR PREFERRED SOLUTION and that there would be further discussion on this matter; seconded by Petrunoff and unanimously carried.yesyesyesyesyesyesyesyesMotion Of PREFERRED SOLUTION and that there would be further discussion on this matter; seconded by Petrunoff and unanimously carried.HeitmannMcCabeBlankenshipChristmanHutchisonPerryPetrunoffMOTION by McCabe to SET THE AGENDA subject to removing Items 2, 6, and 7 under Item 8.B for a separate discussion and vote and continuing Item 7.A until the February 16, 2023 City Council Regular Meeting; seconded by Hutchison and carried.yesyesyesyesyesyesyesMOTION by McCabe to APPROVE THE CONSENT AGENDA; seconded by ChristmanyesyesyesyesyesyesyesyesMOTION by McCabe to APPROVE THE CONSENT AGENDA; seconded by Christmanyesyesyesyesyesyesyesyes	MOTIONWOTION by McCabe THAT COUNCIL IS NOT STATING THAT A ROUNDABOUT IS THE DE FACTO OR PREFERRED SOLUTION and that there would be further discussion on this matter; seconded by Petrunoff and unanimously carried.yesyesyesyesyesyesyesr.0MOTION by McCabe to SET THE AGENDA subject to removing Items 2, 6, and 7 under Item 8.B for a separate discussion and vote and continuing Item 7.A until the February 16, 2023 City Council Regular Meeting; seconded by Hutchison and carried.HeitmannMcCabe yesBlankenship yesChristman PersyHutchison PersyPetrunoffPassedMOTION by McCabe to APPROVE THE CONSENT AGENDA; seconded by Christmanyesyesyesyesyesyesyesyesges6-0

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AGENDA ITEM	MOTION				V	OTES				
Item 7.A. RESOLUTION 2023 A Resolution for the purpose of awarding a contract to U.S.Tennis and recreation in the amount of \$179,277 to resurface 12 clay tennis courts, resinstall the lines and fix the irrigation damaged by Hurricane Ian at the Arthur Allen Tennis Center.	CONTINUED (See Item 3 above).									
Item 8.B - CONSIDER - Repeat Special Event Applications Enumerated Below: 2) Craft Beer Festival - Bayfront - March 3, 2023 6) Evenings on Fifth (Recurring) - April 13, 2023	MOTION by McCabe to APPROVE the Craft Beer Festival event; seconded by Christman and carried.	yes	yes	yes	yes	yes	absent	yes	6-0	
7) Pride Fest - Cambier Park - June 10, 2023	MOTION by Petrunoff to APPROVE the Evenings on Fifth subject to the following: 1) the Police Department will adequately staff the event to prevent incremental hawkers at the locations that were identified; and 2) the petitioner will provide a revised Site Plan indicating the locations of approved outdoor entertainment; seconded by McCabe and unanimously carried.	yes	yes	yes	yes	yes	yes	yes	7-0	
	MOTION by Christman to CONTINUE the consideration of the Pride Fest event until the February 15, 2023 City Council Regular Meeting; seconded by Hutchison and unanimously carried.	yes	yes	yes	yes	yes	yes	yes	7-0	
Item 9.A. RESOLUTION 2023 - A Resolution for the purpose of determining a request to compromise and reduce the required payment and release liens for previously accumulated fines under Code Enforcement Board case nos. cepm201900887, cepm201900889, cepm201900887 and 18-406936, for property located at 1100 Sandpiper Street and owned by Frank K. Stier.	MOTION by McCabe to DENY ITEM 9.A based on the petitioner's failure to complete the City's Lien/Fines Reduction Request adequately for the City Council to render a decision; seconded by Petrunoff and unanimously carried.	yes	yes	no	no	yes	no	yes	4-3	
Item 12.A. RESOLUTION 2023 - A Resolution for the purpose of approving the Naples Urban Forest Plan for the year 2023 as required in Section 38-3 of the Code of Ordinances, City of Naples, Florida.	MOTION by Blankenship to APPROVE the 2023 Urban Forest Plan; seconded by Christman and unanimously carried.	yes	yes	yes	yes	yes	yes	yes	7-0	
Item 13.A. Executive Session - Dye v. City of Naples (3:00PM TIME CERTAIN).	No action announced.									
Item 14.A. First Reading of a proposed ordinance amending the site plan process. An ordinance for the purpose of amending the site plan review regulations of the City of Naples as proposed in text amendment Petition 22-t9; amending subsections (b)(1), (e), and (g) (4)(d) and adding subsection (g)(4)(h) of Article II, administrative procedures, of Chapter 46, administration, procedures and enforcement of the Code of Ordinances, City of Naples; providing a severability clause; providing a repealer provision.	MOTION by McCabe to APPROVE ITEM 14.B subject to changes; seconded by Hutchison and carried.	yes	yes	no	no	yes	no	yes	4-3	
Item 14.B. First Reading of an ordinance related to temporary uses during recovery from a natural disaster. An ordinance of the city of naples amending section 46-39 and creating a new Section 46-39(b)(3) in Chapter 46, Article II, to provide for approval of temporary uses on residential and commercially zoned property during recovery from a natural disaster during and subsequent to termination of a local state of emergency; providing for criteria, and approval by the City Manager for a specific duration.	MOTION by McCabe to APPROVE ITEM 14.B subject to retaining the following sentence under Section 46-39(4)(a) of the City of Naples Code of Ordinances: " and the time for which the permit is requested, shall be submitted to the city manager." Motion seconded by Blankenship and unanimously carried.	yes	yes	yes	yes	yes	yes	yes	7-0	

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AGENDA ITEM	MOTION				v	OTES				
FEBRUARY 15, 2023 - REGULAR MEETING										
		Heitmann	McCabe	Blankenship	Christman	Hutchison	Perry	Petrunoff	Passed	Failed
Item 3 - Set Agenda.	MOTION by Petrunoff to SET THE AGENDA subject to continuing Item 9.A until the March 22, 2023 City Council Regular Meeting and considering Public Comment for Item 8.A under Item 5; seconded by Hutchison and carried.	yes	yes	yes	yes	yes	absent	yes	6-0	
CONSENT AGENDA ITEMS				·						
Item 6.A - APPROVE - of the December 14, 2022 Regular Meeting Minutes. Item 7.A. RESOLUTION 2023-15038 -Resolution for the purpose of awarding a contract to U.S. tennis and recreation, LLC in the amount of \$179,277 to resurface 12 clay tennis courts, reinstall the lines and fix the irrigation damaged by hurricane lan at the Arthur Allen Tennis Center. Item 8.A - A Request to Continue the Repeat Special Event Application for the Pride Fest at Cambier Park on June 10, 2023, to the March 1, 2023, City Council Regular Meeting. Item 8.B - Notice of Proclamations Extending the Declaration of Local Emergency Declared by the Honorable Mayor Teresa Heitmann as Required by Section 14-34 of the City of Naples Code of Ordinances.	MOTION by Blankenship to APPROVE THE CONSENT AGENDA; seconded by Christman and unanimously approved.	yes	yes	yes	yes	yes	yes	yes	7-0	
END OF CONSENT AGENDA ITEMS		<u> </u>						I		
Item 9.A - CONTINUED - A Resolution to consider to vacate a portion of a ten-foot utility easement on property at 1625 Gulf Shore Blvd. South and owned by John M. Paz as trusteed of John M. Paz revocable trust and accept a drainage access and stormwater easement.	MOTION by Blankenship to CONTINUE ITEM 9.A until the March 22, 2023 City Council Regular Meeting; seconded by McCabe and unanimously carried.	yes	yes	yes	yes	yes	yes	yes	7-0	
Item 12.A - CLERK TRACKING 2023- 00010, 2023-00011, 2023-00012 - Appoint One Regular Member and Two Alternate Members to the Code Enforcement Board and One Commissioner to the Ethics Commission.	MOTION by Blankenship to CERTIFY THE BALLOT appointing Kenneth Dickson as a Regular Member of the Code Enforcement Board for a three-year term commencing February 15, 2023 and expiring February 14, 2026 and Gregory Jarrett and Sophia Abbott as Alternate Members of the Code Enforcement Board for a three-year term commencing February 15, 2023 and expiring February 14, 2026; seconded by Christman and unanimously carried.	yes	yes	yes	yes	yes	yes	yes	7-0	
	MOTION by Petrunoff to Appoint Jessica Douglas to the Ethics Commission for the balance of a four-year term commencing February 15, 2023 and expiring November 16, 2026; seconded by Hutchison and unanimoulsy carried.	yes	yes	yes	yes	yes	yes	yes	7-0	
Item 13.A. - Discuss an Amendment of Chapter 29 of the Code of Ordinances, at the recommendation of the General Employees', the Police Officers', and the Firefighters' Board of Trustees, to Provide for a one-time 5% Cost-of-living Adjustment (COLA).	MOTION by McCabe to DIRECT staff to proceed with a one-time 5 percent cost-of-living adjustment (COLA) for eligible retirees and beneficiaries of the General Employees', Police Officers', and the Firefighters' Board of Trustees pension plans; seconded by Blankenship and unanimously carried.	yes	yes	yes	yes	yes	yes	yes	7-0	

2023 City Council ACTION REPORT

**The information contained herein is used only as a w	vorking paper preliminary to preparation of	meeting mi	nutes and s	should not be	relied upon	as the offic	ial record	**		
AGENDA ITEM	MOTION				V	OTES				
Item 15.A ORDINANCE 2023-15040 - Second Reading of a proposed Ordinance for the purpose of amending Chapter 58, Zoning, Article II, Zoning Districts, Division 27 – PD Planned Development District of the City of Naples, Code of Ordinances to amend the regulations for Planned Developments; approving Text Amendment 22-T7.	MOTION by McCabe to ADOPT ORDINANCE 2023-15040 subject to the following changes; 1) Sec.58-805. Standards for approval of PD zoning"shall deny the request if all any of the following"; 2) Sec.58-508(7) " <u>a minimum of 10</u> <u>percent of</u> open space" and 3) 58-810(b) "Upon applicationby super majority approval <u>at a</u> <u>public hearing</u> "; and 3) seconded by Hutchison and carried.	yes	yes	yes	yes	yes	absent	yes	6-0	
Item 15.B ORDINANCE 2023-15041 - Second Reading of a proposed Ordinance for the purpose of amending Chapter 54, Subdivision Standards, Article I, In General, of the City of Naples, Code of Ordinances to amend the lot split and minor subdivision regulations and to provide regulations for the combination of single family lots; approving Text Amendment 22-T8.	MOTION by McCabe to ADOPT ORDINANCE 2023-15041 subject to the following changes : 1) amending the title of Section 54-5 to read as follows: Lot split or Minor subdivision of single- family residential lots; 2) eliminating Sec.54-5(4); and 3) adding a reference to attached Diagrams One and Two under Sec.54-8(c); seconded by Blankenship and carried.	yes	yes	yes	yes	absent	absent	yes	5-0	
Item 15.C ORDINANCE 2023-15042 - Second Reading of a proposed Ordinance amending the City of Naples Comprehensive Plan; to add a Property Rights Element.	MOTION by Blankenship to ADOPT ORDINANCE 2023-15042 ; seconded by Christman and carried.	yes	yes	yes	yes	absent	absent	yes	5-0	
END OF AGENDA										
FEBRUARY 27, 2023 - SPECIAL MEETING				-		1				
		Heitmann	McCabe	Blankenship	Christman	Hutchison	Perry	Petrunoff	Passed	Fail
Item 1 - Call To Order and Roll Call.	MOTION by Hutchison to ALLOW Council Member Perry to participate by Zoom; seconded by Blankenship and unanimously carried.	yes	yes	yes	yes	yes	yes	yes	7-0	
Item 3 - Set Agenda.	MOTION by Christman to SET THE AGENDA; seconded by Hutchison and unanimously carried.	yes	yes	yes	yes	yes	yes	yes	7-0	
Item 5.A - Memo of Understanding (MOU) between the City of Naples and the Naples Beach Club concerning utility upgrades for the Beach Outfall Stormwater System along Gulf Shore Boulevard North adjacent to the Naples Beach Club.	MOTION by Blankenship to CONTINUE to the March 1, 2023 City Council Regular Meeting; seconded by McCabe and unanimously carried.	yes	yes	yes	yes	yes	yes	yes	7-0	
Item 5.B - Discussion of the small cell wireless applications within the City of Naples, related history, requirement and potential health issues.	CONSENSUS for staff to: explore the macro cell tower concept in locations not impactful to residential areas and the potential to generate revenue, provide information on possible health effects, and determine the merits of pursuing legal remedy with regard to the towers	yes	yes	yes	yes	yes	yes	yes	7-0	

yes

yes

yes

yes

yes

yes

yes

7-0

 Item 6.A - Discussion of the Interlocal Agreement with Collier County related to beach parking and parks and recreation fees.
 CONSENSUS for staff to present additional information to Council at an upcoming meeting to begin developing a cost and revenue-based approach prior to meeting with County representatives.

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AGENDA ITEM	MOTION				v	OTES				
MARCH 1, 2023 - REGULAR MEETING										
		Heitmann	McCabe	Blankenship	Christman	Hutchison	Perry	Petrunoff	Passed	Failed
Item 1 - Call To Order and Roll Call.	MOTION by McCabe to ALLOW Council Member Perry to participate by Zoom; seconded by Hutchison and unanimously carried.	yes	yes	yes	yes	yes	yes	yes	7-0	
Item 3 - Set Agenda.	MOTION by McCabe to SET THE AGENDA subject to adding Items 13.A and 12.B to the Regular Agenda; adding Item 8.E to the Consent Agenda with a request to continue the item for a separate discussion at a future meeting, removing Items 8.A and 8.D from the Consent Agenda for a separate discussion and vote, and considering Item 12.A prior to Item 10; seconded by Hutchison and unanimously carried.	yes	yes	yes	yes	yes	yes	yes	7-0	
Item 4 - Monthly Collier County Update from Commissioner Kowal.	MOTION by Blankenship to ALLOCATE an additional \$50,000 for cleanup efforts relating to red tide issues if needed; seconded by Hutchison and unanimously carried.									
CONSENT AGENDA ITEMS		1			1	1				
Item 6.A - APPROVE - of Various City Council Meeting Minutes. Item 7.A - RESOLUTION 2023-15043 - A resolution for the purpose of awarding a contract by purchase order to bliss products and services, inc. In the amount of \$98,941.70 for the purchase and installation of two gazebos at the Naples Dog Park; acceptance of a donation from the O'brien family to offset the cost of the gazebos. Item 7.B - RESOLUTION 2023-15044 - A resolution for the purpose of awarding a contract to Hannula Landscaping and Irrigation, Inc. in the amount of \$380,828 for the planting, maintenance and warranty of new trees and palms within City rights-of-way, medians, and parks. Item 7.C - RESOLUTION 2023-15045 - A resolution for the purpose of establishing the "163	MOTION by Blankenship to APPROVE THE CONSENT AGENDA; seconded by Hutchison and unanimously carried.	yes	yes	yes	yes	yes	yes	yes	7-0	
 Item 7.C - RESOLUTION 2023-15045 - A resolution for the purpose of establishing the 163 Opioid Settlement Fund" for the purpose of depositing all proceeds (revenue) and recording all transactions (expenditures) related to activities defined under the terms of the Opioid Settlement(s) MOU previously authorized by City Council. Item 7.D - RESOLUTION 2023-15046 - A resolution for the purpose of approving a Third Amendment to the use agreement, as amended, between City of Naples, Florida and the Naples Players, Inc. To amend paragraph 10 of the Use Agreement, as previously amended, to allow for the financing of improvements to Sugden Theater. Item 7.E - RESOLUTION 2023-15047 - A resolution for the purpose of awarding a contract to the University of Florida in the amount of \$49,989.00 to update, enhance, and maintain service of the adaptation of coastal urban and natural ecosystems (ACUNE) tool, and to provide training; authorizing the City Manager to execute a contract subject to legal sign off to complete tasks 1 through 6. Item 8.B - Notice of Proclamations Extending the Declaration of Local Emergency Declared by the Honorable Mayor Teresa Heitmann as Required by Section 14-34 of the City of Naples Code of Ordinances. 										

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AGENDA ITEM	MOTION				V	OTES			
Item 8.C - Clerk Tracking 2023-00020 - Accept the Recommendation of the Naples Art Association (NAA) for Margie White to Serve as the NAA Representative on the Public Art Advisory Committee. Item 8.D - CONSIDER - the Repeat Special Event Applications Below: Antique Auto Show - Naples Depot Museum - March 18, 2023 Spring Sidewalk Sale - Third Street South - May 4 - 7, 2023 Summer Farmers Market - Parking Lot at 255 13th Avenue South - May 6 - November 11, 2023 (each Saturday) Tropicool 5k - Broad Avenue South & 3rd Street South - May 7, 2023 Naples Concert Band Concerts - Cambier Park - October 15, 2023, November 12, 2023, December 10, 2023, January 14, 2024, February 4, 2024, March 3, 2024, March 23, 2024, April 14, 2024 (EVENT REMOVED FROM CONSENT) Gulf Coast Big Band Concerts - Cambier Park - November 5, 2023, December 17, 2023, January 21, 2024, February 18, 2024, March 17, 2024, April 7, 2024 Chanukah Celebration - Cambier Park - December 7, 2023 Candlelight Christmas Carols - Cambier Park - December 15, 2023. Item 8.E - ADDED ITEM - Memorandium of Understanding (MOU) between the Cty and the Naples Beach Club regarding utility upgrades for the Beach Outfall Project adjacent to the Naples Beach Club.									
END OF CONSENT AGENDA ITEMS									
Item 12.A - CONSIDER - the Repeat Special Event Application for the Pride Fest at Cambier Park on June 10, 2023 (Continued from the February 15, 2023, City Council Meeting).	MOTION by Christman to APPROVE the Repeat Special Event Application for the Pride Fest; seconded by Petrunoff and carried.	yes	yes	no	yes	no	yes	yes	5-2
Item 8.A - Review and Discussion of the Selection of the Recipient for the 2023 Sam Noe Award.	MOTION by Hutchison to SELECT Renee Zepeda as the recipient of the 2023 Sam Noe Award; seconded by Petrunoff and unanimously carried.	yes	yes	yes	yes	yes	yes	yes	7-0
Item 8.D - CONSIDER - the Naples Concert Band concerts repeat event application at Cambier Park for October 15, 2023, November 12, 2023, December 10, 2023, January 14, 2024, February 4, 2024, March 3, 2024, March 23, 2024, and April 14, 2024.	MOTION by McCabe to APPROVE the Naples Concert Band Concerts Repeat Event Application with a fee waiver with notification to the event organizer that future costs would not be waived; seconded by Petrunoff and unanimously carried.	yes	yes	yes	yes	yes	yes	yes	7-0
Item 12.B - PROCLAMATION - to amend Section 2(c) of the Declaration of Local State of Emergency to allow for the shortening of the 180-day waiting period for the demolition of homes affected by Hurricanelian in a historic district.	MOTION by McCabe to TABLE Item 12.B until the end of the meeting that day; seconded by Blankenship and unanimously carried	yes	yes	yes	yes	yes	yes	yes	7-0
13.A - (ADDED ITEM) SCHEDULE - an executive session during the March 20, 2023 City Council Workshop to discuss pending litigation (Schulze vs. the City of Naples).	MOTION by Blankenship to APPROVE scheduling an Executive Session during the March 20, 2023 City Council Workshop Meeting at 3:00 p.m. to discuss matters related to Richard L. Schulze and Margaret O'Brien Schulze v. City of Naples; seconded by Christman and unanimously carried.	yes	yes	yes	yes	yes	yes	yes	7-0

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AGENDA ITEM	MOTION				v	OTES				
Item 15.A - ORDINANCE 2023-15048 - Second reading of a proposed ordinance amending the site plan process. An ordinance for the purpose of amending the site plan review regulations of the City of Naples as proposed in Text Amendment 22-T9; amending section 46-33 (site plan review) of Article II – Administrative Procedures, Chapter 46 - administration, procedures and enforcement, of the Code of Ordinances, City of Naples; providing a severability clause; providing a repealer provision.	MOTION by McCabe to ADOPT ORDINANCE 2023-15048 subject to the following changes: 1) amending Section 46-33(e), with the addition of "for planned developments and any new building or structure or addition to an existing structure that is greater than 5,000 square feet"; 2) amending Section 46-33(h)(1) to "a significant change shall consist of an increase of total floor area of greater than five percent above that originally was approved by City Council."; 3) and adding "this ordinance shall take effect immediately upon adoption at second reading and shall apply to any site plan applications that have been submitted for review but not yet approved as of March 1, 2023; seconded by Hutchison and unanimously carried.	yes	yes	yes	yes	yes	yes	yes	7-0	
Item 15.B - ORDINANCE 2023-15049 - Second reading of a proposed ordinance related to temporary uses during Recovery from a disaster. An Ordinance of the City of Naples, Florida amending section 46-39 and creating a new section 46-39(b)(3) in Chapter 46, Article II, to provide for approval of temporary uses on residential and commercially zoned property during recovery from a natural disaster during and subsequent to termination of a local state of emergency; providing for criteria, and approval by the City Manager for a specific duration.	MOTION by Blankenship to ADOPT ORDINANCE 2023-15049 subject to reinserting the word "natural" before disaster where appropriate; seconded by Christman and unanimously carried.	yes	yes	yes	yes	yes	yes	yes	7-0	
Item 17. Communications from Mayor/City Council/Staff.	MOTION by McCabe to CHANGE the meeting on March 20, 2023 from a Workshop to a City Council Special Meeting; seconded by Christman and unanimously carried.	yes	yes	yes	yes	yes	yes	yes	7-0	
END OF AGENDA	· · · · · · · · · · · · · · · · · · ·	•		•				•		
MARCH 20, 2023 - SPECIAL MEETING										
		Heitmann	McCabe	Blankenship	Christman	Hutchison	Perry	Petrunoff	Passed	Failed
Item 1 - Call To Order and Roll Call	MOTION by Blankenship to ALLOW Council Member Perry to participate by Zoom; seconded by Christman and unanimously carried.	yes	yes	yes	yes	yes	yes	yes	7-0	
Item 4.C - Update on Legislative Session and Bills of Concern (9:00 AM Time Certain). Item 4.C - Update on Legislative Session and Bills of Concern (9:00 AM Time Certain).	CONSENSUS to add the Protection fo Children Act to the City of Naples priority list and request the City's lobbyist to represent the City of Naples to ensure passage of the bill. CONSENSUS to add the Protection fo Children									
Item 4.C - Update on Legislative Session and Bills of Concern (9:00 AM Time Certain).	Act to the City of Naples priority list and request the City's lobbyist to represent the City of Naples to ensure passage of the bill. CONSENSUS to add the Protection fo Children									
	Act to the City of Naples priority list and request the City's lobbyist to represent the City of Naples to ensure passage of the bill.									

GENDA ITEM m 6.A - Memo of Understanding (MOU) Between the City of Naples and the Naples Beach ub Concerning the Utility Upgrades for the Beach Outfall Stormwater System Along Gulf Shore ulevard North Adjacent to the Naples Beach Club Development.	MOTION MOTION by McCabe to APPROVE in principle, subject to revisions to Site Plan, Exhibit A of the Memorandum of Understanding as follows: (1) The reference to the Southside Utility Easement B (i) change to B (ii); (2) The reference to the Access Easement for Sidewalk Easement B (iii)	yes	yes	yes	Ves	OTES				
ub Concerning the Utility Upgrades for the Beach Outfall Stormwater System Along Gulf Shore	subject to revisions to Site Plan, Exhibit A of the Memorandum of Understanding as follows: (1) The reference to the Southside Utility Easement B (i) change to B (ii); (2) The reference to the	yes	yes	yes	ves					
	change to B (iv); (3) The reference to the Access Easement for the Sidewalk Easement B (iv) change to B (v); (4) The reference to the Existing Easement for Box Culvert–To Be Vacated Easement B (vi) change to B (vii); (5) The reference to the Access/Utility Easement for Public Parking/Sidewalk and Watermain Easement B (v) change to B (vi); (6) Add the phrase "Blueprints Building Footprints are Shown for Illustration Purposes Only" and (7) add the word "Public" to identify the Access/Utility Easement for Public Parking/Sidewalk and Watermain Easement B (vi); seconded by Hutchison and carried.					yes	yes	yes	7-0	
 m 7.A - DISCUSSION - Discussion of Specific Parking Regulations and IncentivesProvided in stricts such as the Fifth Avenue South Special Overlay District, the D Downtown District and the -A Waterfront Commercial District, and of the Use of Public On-Street Parking Spaces. m 7.B - DISCUSSION - Discussion of Outdoor Dining Regulations. (Item 7.A and 7.B were ard concurrently). 	CONSENSUS to amend the Code to require the provision of parking for outdoor dining at the same ratio as indoor dining for the Fifth Avenue South Special Overlay District, with an allowance to grandfather restaurants with existing outdoor dining.									
	CONSENSUS to not make any changes to the D- Downtown District Parking Regulations at that time.									
m 7.C - DISCUSSION - Discussion of Signage Regulations.	CONTINUED.									
m 7.D - DISCUSSION - of Ordinance 2022-15048 Amending the Site Plan Review Regulations.	No action taken.									
m 7.E - Executive Session - Richard L. Schulze and Margaret O'Brien Schulze vs. City of ples, Florida - Case Number 22CA1956.	MOTION by Blankenship to CANCEL Item 7.E; seconded by McCabe and unanimously carried	yes	yes	yes	yes	yes	yes	yes	7-0	
m 9 - Communications from the Mayor/City Council/Staff	MOTION by Blankenship to SUSPEND the Rules of Procedure to allow the reconsideration of the Naples Pride Fest Event application, seconded by Hutchison and failed.	yes	no	yes	no	yes	no	no		3-4
ID OF AGENDA										

		Heitmann	McCabe	Blankenship	Christman	Hutchison	Perry	Petrunoff	Passed	Failed
Item 1 - Call To Order and Roll Call.	MOTION by Petrunoff to ALLOW Council Member Perry to participate by Zoom; seconded by Christman and unanimously carried	yes	yes	yes	yes	yes	yes	yes	7-0	

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AGENDA ITEM	MOTION				۱	/OTES			
Item 3 - Set Agenda.	MOTION by Christman to ADD Item 4.G (Update from the City Manager regarding red tide, land use listening sessions, and pending Senate and House Bills that preempt local regulations); CONSIDER Item 13.A (Settlement of FLUEDRA claim) at 1:00 p.m. time certain; and ADD Item 13.D (Discussion of signage regulations, continued from the March 20, 2023 Council Meeting). This motion was seconded by Hutchison and unanimously carried.	yes	yes	yes	yes	yes	yes	yes	7
CONSENT AGENDA ITEMS		T	1	T				-	
Item 6.A - APPROVE - Various City Council Meeting Minutes. Item 7.A - RESOLUTION 2023-15050 - A Resolution For The Purpose Of Approving An Amendment No.6 To The Building Department Permitting Software Subscription Agreement Between The City Of Naples And N. Harris Computer Corporation To Extend The Subscription Agreement For An Additional Five-year Period. Item 7.B - RESOLUTION 2023-15051 - A Resolution For The Purpose Of Honoring Renée Zepeda As The 2023 Recipient Of The Sam Noe Award. Item 7.C - RESOLUTION 2023-15052 - A Resolution for the purpose of establishing the "163 Opioid Settlement Fund" for the purpose of depositing all proceeds (revenue) and recording all transactions (expenditures) related to activities defined under the terms of the Opioid Settlement. Item 8.A - ACKNOWLEDGE - the Election of Erik Noe and Sean Phillips to the Board of Trustees of the Police Officers' Retirement Trust Fund; and Acknowledge the Reappointment of Charlotte Loewel and Russell Thomas to the Board of Trustees of the General Retirement System. Item 8.B - RATIFICATION - of Agenda Memorandum.	MOTION by McCabe to APPROVE THE CONSENT AGENDA; seconded by Hutchison and unanimously carried.	yes	yes	yes	yes	yes	yes	yes	7
END OF CONSENT AGENDA ITEMS			•	•					
Item 9.A - RESOLUTION 2023-15053 - A Resolution For The Purpose Of Vacating A Portion Of A Utility Easement Located Within Block 3, Tier 2, Including Lots 13, 14 And 15, Together With That Part Of The Vacated Alley.	MOTION by McCabe to APPROVE RESOLUTION 2023-15053 adding acceptance language to the easement and clarifying Exhibit A to show the location of the easement; seconded by Blankenship and unanimously carried.	yes	yes	yes	yes	yes	yes	yes	
Item 11.A - RESOLUTION 2023-15054 - A Resolution For The Purpose Of Determining Revision No. 2 To Site Plan Petition 19-sp8 Approved By Resolution 2019-14421, Relating To A Site Plan For Tract Rt-2 Of The Naples Beach Club Plat.	MOTION by McCabe to APPROVE RESOLUTION 2023-15054 with the overall density reduced from 175 units to 147 units, with the 5.2 acre site reduced from 94 units to 58	yes	yes	yes	yes	yes	yes	yes	

units, consistent with the recording of a legal document in the form of a restrictive covenant; seconded by Hutchison and unanimously carried. 7-0 Item 11.B - RESOLUTION 2023-15055 - A Resolution For The Purpose Of Determining Petition **MOTION** by Petrunoff to APPROVE yes yes yes yes yes yes yes RESOLUTION 2023-15055; seconded by 22-N2, Relating To The Expansion Of A Nonconformity From Section 46-35 Of The Code Of Ordinances To Allow The Renovation Of Existing Nonconforming Structures On Property Owned Christman and unanimously carried. By Ellen Macks, Trustee Of The Ellen Macks Revocable Trust And Located At 4080 Cutlass Lane.

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AGENDA ITEM	MOTION VOTES												
Item 12.A - Appoint Two Regular Members and One Alternate Member to the Community Services Advisory Board, One Regular Member and One Alternate Member to the East Naples Bay Citizens Advisory Committee, and One City Resident to the Board of Trustees of the General Retirement System.	MOTION by Blankenship to CERTIFY the ballot and appoint Brian Smith as a regular member for the balance of a three-year term and Christina Muracco as alternate for the balance of a three- year term on the Community Services Advisory Board; secondded by McCabe and unanimously carried.	yes	yes	yes	yes	yes	yes	yes	7-0				
	MOTION by Blankenship to CERTIFY the ballot and appoint Gary Gregg as a regular member for a three-year term and Forrest Milkowski as alternate for a three-year term on the East Naples Bay Citizens Advisory Committee; seconded by McCabe and unanimously carried.	yes	yes	yes	yes	yes	yes	yes	7-0				
	MOTION by McCabe to CERTIFY the ballot and appoint John Chadwick as a City resident member for a four-year term on the Board of Trustees of the General Retirement System; seconded by Hutchison and unanimously carried.	yes	yes	yes	yes	yes	yes	yes	7-0				
Item 13.A - RESOLUTION 2023-15056 - Acknowledgment and Discussion of a Resolution Approving a Special Magistrate's Recommendation of Settlement of a Florida Land Use and Environmental Dispute Resolution Act ("FLUEDRA") Claim Filed by Mr. Richard L. Schulze and Mrs. Margaret O'Brien Schulze.	MOTION by Blankenship to APPROVE RESOLUTION 2023-15056; seconded by Petrunoff and carried 4-3 (Christman, Perry, and Hutchison dissenting).	yes	yes	yes	no	no	no	yes	4-3				
Item 13.B - RESOLUTION 2023-15057 - A Resolution For The Purpose Of Authorizing The City Manager To Execute An Engagement Letter With Cooley.	MOTION by Petrunoff to APPROVE RESOLUTION 2023-15057; seconded by Hutchison and carried 5-2 (Blankenship and Perry dissenting)	yes	yes	yes	yes	yes	yes	yes	7-0				
Item 13.C - RESOLUTION 2023-15058 - A Resolution For The Purpose Of Amending The Fiscal Year (Fy) 2022-23 Budget Adopted By Resolution 2022-14943 To Appropriate Funds From The General Fund To The Fy 2022-23 City Attorney's Office Budget For Other Legal Services In The Amount Of \$120,000.	MOTION by McCabe to APPROVE RESOLUTION 2023-15058; seconded by Hutchison and carried.	yes	yes	no	yes	yes	yes	yes	6-1				
Item 14.A - First Reading of an Ordinance Amending the Signage Regulations for Gas Service Stations.	MOTION by McCabe to APPROVE at First Reading seconded by Petrunoff and carried.	yes	yes	yes	yes	abstain	yes	yes	6-0-1				
Item 14.B - First Reading of an Ordinance to Establish Maximum Density Limitations for Transient Lodging Units.	MOTION by McCabe to CONTINUE directing staff to prepare revisions pursuant to Council direction for another First Reading; seconded by Hutchison and carried.	yes	yes	yes	no	yes	no	yes	5-2				
Item 14.C - First Reading of an Ordinance Amending Maximum Lot Coverage Regulations for Single Family Residences in Multifamily Zoning Districts.	CONTINUED.												
Item 14.C - First Reading of an Ordinance Amending Maximum Lot Coverage Regulations for Single Family Residences in Multifamily Zoning Districts.	CONTINUED.												

2023 City Council ACTION REPORT	

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AGENDA ITEM	MOTION				V	OTES				
April 3, 2023 - SPECIAL MEETING										
		Heitmann	McCabe	Blankenship	Christman	Hutchison	Perrv	Petrunoff	Passed	Failed
Item 1 - Call To Order and Roll Call	MOTION by Petrunoff to ALLOW Council Member Perry to participate by Zoom; seconded by Christman and unanimously carried.	yes	yes	yes	yes	yes	yes	yes	7-0	
Item 3 - Set Agenda.	MOTION by McCabe to SET THE AGENDA; seconded by Hutchisonand unanimously carried.	yes	yes	yes	yes	yes	yes	yes	7-0	
Item 6.A - REVIEW - Status of the water quality projects including anticipated water quality discharge improvements into the Gulf of Mexico.	NO ACTION taken.									
Item 6.B - UPDATE - on Naples Beach Club overall project schedule.	NO ACTION taken.									
7.A - RESOLUTION 2023-15059 - Approve resolution amending sections 3(a), 6(D) (3) (i) 9(C) and 10(B) of Res. 2023-15019 as amended containing the rules of procedure for Council Meetings to modify rules related to public comment at the beginning and end of council meetings.	MOTION by Petrunoff to APPROVE the Resolution as submitted; seconded by Perry and carried.	no	yes	no	yes	no	yes	yes	4-3	
END OF AGENDA				<u>.</u>						
April 5, 2023 - REGULAR MEETING										
		Heitmann	McCabe	Blankenship	Christman	Hutchison	Perry	Petrunoff	Passed	Failed
Item 1 - Call To Order and Roll Call.	MOTION by Petrunoff to ALLOW Council Member Perry to participate by Zoom; seconded by Christman and unanimously carried.	yes	yes	yes	yes	yes	yes	yes	7-0	
Item 3 - Set Agenda.	MOTION by Hutchison to SET THE AGENDA subject to removing Item 7.A from the Consent Agenda for a separate discussion and vote; seconded by Petrunoff and unanimously carried.	yes	yes	yes	yes	yes	yes	yes	7-0	
CONSENT AGENDA ITEMS		•		•	•	•				
Item 6.A - APPROVE - various City Council meeting minutes. Item 7.B - RESOLUTION 2023-15061 - Increase the annual maximum expenditure limits for outside contracts to purchase of goods and services with Tamiami Ford Inc and Thompson Pump and Maunfacturing Inc to purchase replacement fleet vehicles and pumping equiment needed to fully restore operations due to damage caused by Hurricane Ian.	MOTION by Christman to APPROVE THE CONSENT AGENDA; seconded by Petrunoff and unanimously carried.	yes	yes	yes	yes	yes	yes	yes	7-0	
Item 7.C - RESOLUTION 2023-15062 - Waive the competitive bid process and accept a proposal from Beyond Audio Visual to upgrade the audio/video equipment in the Chamber and supporting control room in an amount not to exceed \$130,000.										
Item 7.D - RESOLUTION 2023-15063 - Approve a supplemental local agency program agreement with the FI. Dept of Transportation to accept additional grant funding for the South Golf Drive Improvement Project.	at									
Item 8.A - ACCEPT - the donation of public art from Juan Diaz named, "Skate On" and place at Fleischmann park. (Clerk tracking 2023-00067).										
Item 8.B - CONSIDER - the following repeat special event applications: 1) Project Help - April 27, 2023; 2) Epilepsy Florida's Walk the Talk - April 29, 2023; 3) Pay and Neuter Initiative Program Collire 5K - May 29, 2023; 4) Fourth of July fireworks - July 4, 2023.										
END OF CONSENT AGENDA ITEMS										

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AGENDA ITEM	MOTION				v	OTES				
Item 10 (Item 7.A) - RESOLUTION 2023-15060 - Award a contract by purchase order to Lou's Police Distributor's Inc for \$77,311.76 regarding agency handguns, weapons systems and holsters. (Item was pulled from consent agenda).	MOTION by Christman to APPROVE RESOLUTION 2023-15060; seconded by Petrunoff and carried.	yes	no	yes	yes	no	yes	yes	5-2	
Item 11.A - RESOLUTION - Approve site plan with deviations petition 23-SPD1 for property at 852 Gulf Shore Blvd. North for a number of deviations and to allow for a reduction in off-street loading spaces for property owned by the Naples Beach Club.	MOTION by Petrunoff to ALLOW Greg Myer's statement to be read into the record; seconded by McCabe and approved.	yes	yes	no	yes	yes	no	yes	5-2	
	MOTION by Blankenship to APPROVE ITEM 11.A subject to attaching the document included in that day's meeting packet labeled as "Exhibits A through F" and referencing the electronic presentation presented that day in Section 2 of the Resolution as one of the exhibits that the approval is based; seconded by Perry and failed.	no	no	yes	yes	no	yes	no		3-4
	MOTION by McCabe to CONTINUE ITEM 11.A until the May 1, 2023 City Council Regular Meeting based on the following reasons: 1) more information regarding the underground garage and overall parking strategy, stormwater plan, the recording of restricted covenants, and the Memorandum of Understanding (MOU) for Stormwater is needed for City Council to determine whether Standards for Approval B, D, and F have been met; 2) scheduling an Executive Session on April 19, 2023 for City Council to discuss pending litigation relating to Standard for Approval G; and 3) the North American Land Trust (NALT) will provide a presentation update regarding the status of the Conservation Easement; seconded by Hutchison and carried.	yes	yes	no	no	yes	no	yes	4-3	
Item 12.A - DISCUSS - the formation of the Fifth Avenue South Business Improvement District.	No action taken.									
Item 12.B - RESOLUTION 2023-15065 - Award a contract by purchase order to Fieldturf USA Inc. for installation of synthetic turf at the football field at Fleischmann Park for \$1,199,685.00.	MOTION BY Blankenship to APPROVE RESOLUTION 2023-15065; seconded by McCabe and unanimously carried.	yes	yes	yes	yes	yes	yes	yes	7-0	
Item 13.B - CONSIDER - the repeat special event application for the Fitness Challenge Triathlon on June 4, 2023.	MOTION by Christman to CONTINUE ITEM 13.B for staff to work with the organizer on a revised plan to be presented to City Council at the April 19, 2023 City Council Regular Meeting; seconded by Petrunoff and unanimously carried.	yes	yes	yes	yes	yes	yes	yes	7-0	
END OF AGENDA			1	1	1	1	1			

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AGENDA ITEM	MOTION				V	OTES				
April 17, 2023 - WORKSHOP MEETING										
Item 3 - Set Agenda.	MOTION by Christman to SET THE AGENDA subject to considering Item 6.A at a time certain of 2:00 p.m., and hearing Items 5 and 6.C immediately after Item 4.A; seconded by Hutchison and unanimously carried, all members present and voting.	yes	yes	yes	yes	yes	yes	yes	7-0	
Item 6.D - DISCUSS - The Interlocal Agreement with Collier County related to beach parking and parks and recreation fees.	CONSENSUS to revise the interlocal agreement in a way that takes into account the impact on public spaces by non-City residents; for staff to have a preliminary meeting with County staff followed by a meeting between staff, the Mayor and the Board of County Commission Chair; and for staff to email Council with an update and provide a follow up presentation in May.									
Item 9 - Communications from the Mayor/City Council/Staff.	 CONSENSUS to allow for a presentation regarding microcell towers during the April 19, 2023 Council Meeting. CONSENSUS to direct staff to generate 3-D modeling that depicts the potential future built environment on Gulf Shore Boulevard North. 									
END OF AGENDA										
APRIL 19, 2023 - REGULAR MEETING							_			
		Heitmann	McCabe	Blankenship	Christman	Hutchison	Perry	Petrunoff	Passed	Failed
Item 1 - Call To Order and Roll Call	MOTION by Petrunoff to ALLOW Council Member Perry to participate by Zoom; seconded by Christman and unanimously carried.	yes	yes	yes	yes	yes	yes	yes	7-0	
Item 3 - Set Agenda	MOTION by McCabe to SET THE AGENDA subject to adding Item 4.B (Cell Tower Presentation by Nicholas Del Rosso); seconded by Hutchison and unanimously carried.	yes	yes	yes	yes	yes	yes	yes	7-0	
4.B - CELL TOWER PRESENTATION	 MOTION by Hutchison to DIRECT the City Attorney and City Manager to bring back to City Council through an agenda item answers to the concerns presented that day along with options the City may have if the health and safety of residents are at risk; seconded by Blankenship and unanimously carried. MOTION by Hutchison to DIRECT staff to begin the process of placing a moratorium or pause on further deployment of microwave towers until City 		yes	yes	yes	yes	yes	yes	7-0	
	Council has been provided with answers relevant to the previous motion from the City Attorney; motion failed due to a lack of second.									

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AGENDA ITEM	MOTION	VOTES								
CONSENT AGENDA ITEMS										
Item 6.A - APPROVE - various City Council meeting minutes.	MOTION by Blankenship to APPROVE the	yes	yes	yes	yes	yes	yes	yes	7-0	
Item 7.A - RESOLUTION 2023-15066 - Determin public art petition on property owned by the	Consent Agenda; seconded by Hutchison and	,	,	5	,	,	,	,	-	
Neighborhood Health Clinic.	unanimously carried.									
Item 7.B - RESOLUTION 2023-15067 - Approve the Interlocal Agreement with Lee County and	,,,,									
the City of Naples for processing of recyclable material.										
Item 7.C RESOLUTION 2023-15068 - Award contracts for annual cured-in-place pipe (CIPP)										
lining rehabilitation services.										
Item 7.D) RESOLUTION 2023-15069 - Approve a standard grant agreement to provide funding										
for the Naples Bay Red Tide/Septic Tank Mitigation Project.										
Item 7.E) RESOLUTION 2023-15070 - replacement of the Biosolids Stabilization Building's (RDP)										
roof located within the wastewater treatment plant.										
Item 7.F) RESOLUTION 2023-15071 - Approve the installation of generators at the Wastewater										
Treatment Plant.										
Item 7.G) RESOLUTION 2023-15072 - Approve Task Order to provide construction										
administration and system integration services for the Wastewater Treatment Plant's generator										
replacements.										
Item 8.A) CLERK TRACKING 2023-00074 AND 2023-00075 - Acknowledge the election of Mark										
Hoyt and Adam Nadelman to the Board of Trustees of the Firefighters' Retirement Trust Fund.										
,										
Item 8.B) CITY COUNCIL 6 MONTH REVIEW OF RESOLUTION 2022-14894 - Grant approval of										
live entertainment for Bambu Tropical Bar & Grill.										
Item 8.C) CLERK TRACKING 2023-00085 - Approve Intergovernmental Agreement with Miami-										
Dade County and the City of Naples extending the use of the loaned fire apparatus for an										
additional three months.										
END OF CONSENT AGENDA ITEMS										
Item 11.A) RESOLUTION 2023-15073 - approved site plan for the proposed demolition of the	MOTION by McCabe to APPROVE	yes	yes	yes	yes	yes	yes	yes	7-0	
existing Publix Store, and the replacement with a new Publix Store located at 4601 9th Street	RESOLUTION 2023-15073; seconded by									
North.	Blankenship and unanimously carried.									
Item 12.A) CLERK TRACKING 2023-00076 AND 2023-00077 - Nominate one applicant for	MOTION by McCabe to CERTIFY THE BALLOT	yes	yes	yes	yes	yes	yes	yes	7-0	
appointment by Collier County on the Collier County Coastal Advisory Committee; appoint one	and Nominate Judith Hushon for appointment by									
regular member to the Community Services Advisory Board; and appoint one regular member and	Collier County as a City of Naples representative									
one alternate member to the planning advisory board.	on the Collier County Coastal Advisory									
	Committee for a four year term commencing May									
	23, 2023 and expiring May 22, 2027; seconded									
	by Blankenship and unanimously carried.									
	MOTION by McCabe to APPOINT Nathaniel	yes	yes	yes	yes	yes	yes	yes	7-0	
	Smith as a Regular member of the Community									
	Services Advisory Board for a three-year term									
	commencing May 1, 2023 and expiring April 30,									
	2026; seconded by Hutchison and unanimously									
	carried.									
	CONSENSUS reached to direct the City Clerk to									
	advertise the Planning Advisory Board's current									

vacancies for an additional 30 days.

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AGENDA ITEM	MOTION				1	VOTES				
13.A DISCUSSION - related to amending the term limits of members of the design review board.	MOTION by McCabe to TABLE ITEM 13.C until later that day; seconded by Blankenship and unanimously carried.	yes	yes	yes	yes	yes	yes	yes	7-0	
13.A DISCUSSION - related to amending the term limits of members of the design review board.	MOTION by Blankenship to APPROVE the recommended actions outlined on Page 3 of the Agenda Memorandum [Approval from Council to support the following: 1) FDOT District One will continue with all phases of the drainage project; and 2) FDOT District One will continue to work with the City of Naples staff through the PD&E process: 1) Complete one PD&E encompassing the drainage project along U.S.41, most closely identified as between the terminus points of Golden Gate Parkway and 4th Ave South. This may include any mobility enhancements that are within this area, while not impeding the capacity of the corridor; and 2) The second PD&E is project to include review of mobility enhancement possibilities along the east-west stretch of U.S.41 generally starting at the four-corners area moving east toward Davis Boulevard, while not impeding the capacity of the corridor. This PD&E is a City of Naples staff request to meet community bike and pedestrian desires along the US-41 corridor through the City of Naples.]]. ; seconded by Christman and unanimously carried.	yes	yes	yes	yes	yes	yes	yes	7-0	
Item 15.A)ORDINANCE 2023-15075 - Second reading of an Ordinance amending the signage regulations for gas service stations.	MOTION by McCabe to ADOPT ORDINANCE 2023-15075; seconded by Petrunoff and carried.	yes	yes	yes	yes	Abstain	yes	yes	6-0-1	
Item 13.B) RESOLUTION 2023-15074 - Ranking the top two firms for the repair of the Naples Pier that was damaged by Hurricane Ian.	MOTION by McCabe to APPROVE RESOLUTION 2023-15074; seconded by Blankenship and unanimously carried.	yes	yes	yes	yes	yes	yes	yes	7-0	
Item 14.A)FIRST READING - Ordinance amending maximum lot coverage regulations for single family residences in multifamily zoning districts.	MOTION by McCabe to APPROVE ITEM 14.A AT FIRST READING; seconded by Hutchison and unanimously carried.	yes	yes	yes	yes	yes	yes	yes	7-0	
Item 14.C)FIRST READING - Ordinance for providing a one-time 5 percent COLA adjustment to the monthly benefit for current retirees.	MOTION by McCabe to APPROVE ITEM 14.C AT FIRST READING; seconded by Christman and carried.	yes	yes	yes	yes	no	yes	yes	6-1	
Item 14.D) FIRST READING - Amend Chapter 29 of Fire Retirement System providing a percent COLA adjustment to the monthly benefit for current retirees not otherwise eligible for a COLA increase.	MOTION by McCabe to APPROVE ITEM 14.D AT FIRST READING; seconded by Christman and carried.	yes	yes	yes	yes	no	yes	yes	6-1	
Item 14.E) FIRST READING - Ordinance for the purpose of amending Chapter 29 of Police Retirement System providing a 5 percent COLA adjustment to the monthly benefit for current retirees not otherwise eligible for a COLA increase.	MOTION by McCabe to APPROVE ITEM 14.C AT FIRST READING; seconded by Christman and carried.	yes	yes	yes	yes	no	yes	yes	6-1	

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prambosk@naplesgov.com	

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AGENDA ITEM	MOTION	VOTES								
Item 13.E) EXECUTIVE SESSION - Gregory B. Myers v. City of Naples, Florida - Case Number 22CA1181.	MOTION by Blankenship to direct the City Attorney to file a 57.105 Motion for Sanctions; seconded by Hutchison and carried.	yes	yes	yes	yes	yes	absent	yes	6-0	
Item 13.F) EXECUTIVE SESSION - Gregory B. Myers v. City of Naples, Florida - Case Number 22CA1728.	MOTION by Blankenship to direct the City Attorney to file a 57.105 Motion for Sanctions; seconded by Hutchison and carried.	yes	yes	yes	yes	yes	absent	yes	6-0	
Item 17 - Communications from the Mayor/City Council/Staff.	CONSENSUS reached to direct City Staff to follow all applicable codes and regulations regarding cell tower permits. Staff to research the matter and bring back to City Council (Boodheshwar and Stuparich).									
END OF AGENDA										
MAY 1, 2023 - SPECIAL MEETING		Lieitere en ri	MaCaba	Blankanahir	Christman	Hutchison	Damme	Detrumeff	Dessed	Failed
Item 1 - Call To Order and Roll Call.	MOTION by Christman to ALLOW Council Member Perry to participate by Zoom; seconded by Petrunoff and unanimously carried	Heitmann yes	McCabe yes	Blankenship yes	yes	yes	yes	Petrunoff yes	Passed 7-0	Falled
Item 3 - Set Agenda.	MOTION by Blankenship to SET THE AGENDA; seconded by Petrunoff and unanimously carried.	yes	yes	yes	yes	yes	yes	yes	7-0	
11.A - RESOLUTION 2023-15076 - Determine Site Plan with Deviations for the property located at 852 Gulf Shore Boulevard North.	MOTION by McCabe to REOPEN the Public Hearing (continued from the April 5, 2023 Council Meeting) to include additional information into the record; seconded by Christman and unanimously carried.		yes	yes	yes	yes	yes	yes	7-0	
	MOTION by McCabe to APPROVE RESOLUTION 2023-15076; seconded by Hutchison and unanimously carried.	yes	yes	yes	yes	yes	yes	yes	7-0	
	CONSENSUS to direct staff to schedule a special Design Review Board meeting to discuss the Market Square development at the earliest possible date given the notice requirements and the availability of a quorum. (See Correspondence and Communications below.)									
12.A - PRESENTATION AND RECOMMENDATIONS - from The Special Event Committee (Continued From April 5, 2023 Regular Meeting).	CONSENSUS to direct staff to engage with the Community Services Advisory Board and others to discuss shifts in direction that celebrate the value of special events while reversing their adverse impacts on quality of life, and to return to Council before the Summer recess with actionable items including possible fee schedule changes.									

2023 City Council	ACTION REPORT
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AGENDA ITEM MOTION					ν.	OTES				
13.B - DISCUSSION - The draft pedestrian and bicycle project list for the current and upcoming fiscal year and continued discussion of the proposed bike loop.	CONSENSUS to proceed with the projects on the Naples Bike and Pedestrian Master Plan recommendations matrix except for the sidewalk improvement project fronting Villas Escalante on 5th Avenue South between 2nd Street South and 3rd Street South.									
END OF AGENDA										
MAY 3, 2023 - REGULAR MEETING						T				
		Heitmann	McCabe	Blankenship	Christman	Hutchison	Perry	Petrunoff	Passed	Fai
Item 1 - Call To Order and Roll Call.	MOTION by Christman to ALLOW Council Member Perry to participate by Zoom; seconded by Petrunoff and unanimously carried.	yes	yes	yes	yes	yes	yes	yes	7-0	
tem 3 - Set Agenda.	MOTION by Blankenship to ADD Items 4.G and 13.E; seconded by Petrunoff and unanimously carried.	yes	yes	yes	yes	yes	yes	yes	7-0	
	MOTION by Blankenship to SET THE AGENDA; seconded by Christman and unanimously carried.	yes	yes	yes	yes	yes	yes	yes	7-0	
ONSENT AGENDA ITEMS		1	1		I	1		1		
Item 7.A) RESOLUTION 2023-15077 - Approve the scheduling of public hearings for Rezoning Petition 22-R3 for the property owned by Naples Historical Society, Inc. Item 7.B) RESOLUTION 2023-15078 - Amend an agreement to consent to a name change and assignment of the agreement to Water Science Associates, LLC. Item 7.C) RESOLUTION 2023-15079 - Approve to continue providing hydrogeological services to rehabilitate four raw water production wells within the Golden Gate Wellfield.	MOTION by Blankenship to APPROVE the Consent Agenda; seconded by Petrunoff and unanimously carried.	yes	yes	yes	yes	yes	yes	yes	7-0	
END OF CONSENT AGENDA ITEMS										4
Item 11.A) RESOLUTION 2023-15080 - Vacate a portion of a platted drainage easement located on Lot 2, Block D, Ridgeview Lakes subdivision.	MOTION by McCabe to CONTINUE Item 11.A until the May 17, 2023 City Council Regular Meeting; seconded by Blankenship and unanimously carried.	yes	yes	yes	yes	yes	yes	yes	7-0	
Item 12.A) CONTINUED - A Resolution for the purpose of approving and authorizing the City Manager to execute an engagement letter and a letter of informed consent with and requested by Gray Robinson, P.A. For specialized cell tower legal services.	MOTION by Blankenship to CONTINUE Item 12.A until the May 17, 2023 City Council Regular Meeting; seconded by Petrunoff and unanimously carried.	yes	yes	yes	yes	yes	yes	yes	7-0	
Item 13.A) CLERK TRACKING 2023-00088 - Consider approval of right-of-way permit application to close 4th Avenue South between 7th Street South and the westernmost edge of the City of Naples parking garage on 4th Avenue South for partial demolition and construction of the Naples Players Theatre.	MOTION by Petrunoff to APPROVE ITEM 13.A subject to making best effort to provide advance notification and to minimize disruption to traffic; seconded by Blankenship and unanimously carried.	yes	yes	yes	yes	yes	yes	yes	7-0	
Item 13.C - Any action needed as a result of the Risk Management Executive Session - Steven Hunton v. City of Naples.	MOTION by McCabe to APPROVE the Settlement Agreement as discussed that day during Item 13.B (Risk Management Executive Session - Steven Hunton v. City of Naples, OJCC Case No. 22-023452FJC); seconded by Petrunoff and unanimously carried.	yes	yes	yes	yes	yes	yes	yes	7-0	

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AGENDA ITEM	NDA ITEM MOTION VOTES										
Item 13.E - Executive Session Request (Added Item).	MOTION by McCabe to APPROVE the request to schedule an Executive Session for the discussion of settlement negotiations related to litigation expenditures in Brian Dye v. City of Naples, Case No. 2022-CA-001689, 20th Judicial Circuit in and for Collier County, Florida, on May 15, 2023 at 4:30 p.m.; seconded by Blankenship and unanimously carried.	yes	yes	yes	yes	yes	yes	yes	7-0		
Item 14.A - ORDINANCE to amend various sections of the Code to remain consistent with Federal Emergency Management Act (FEMA) regulations as well as Florida Department of Emergency Management Office of Floodplain Management (FDEM OFM) requirements in order to maintain the City's standing in the National Flood Insurance Program (NFIP) and Community Rating System (CRS) Program.	voting.	yes	yes	yes	yes	yes	yes	yes	7-0		
Item 14.B - Continued - first reading of an Ordinance to amend the Code of Ordinances of the City of Naples to provide for the pass-through of costs to applicants and property owners.	MOTION by Blankenship to CONTINUE Item 14.B until the May 17, 2023 City Council Regular Meeting; seconded by Hutchison and carried.	yes	yes	yes	no	yes	yes	yes	6-1		
Item 15.A Ordinance 2023-15082 - Second reading of an ordinance amending maximum lot coverage regulations for single family residences in multifamily zoning districts.	MOTION by McCabe to ADOPT ORDINANCE 2023-15082; seconded by Perry and unanimously carried.	yes	yes	yes	yes	yes	yes	yes	7-0		
Item 15.B Ordinance 2023-15083 - Second Reading of an Ordinance for the purpose of amending Chapter 29 of General Retirement System.	MOTION by Blankenship to ADOPT ORDINANCE 2023-15083; seconded by McCabe and carried.	yes	yes	yes	yes	no	yes	yes	6-1		
Item 15.C Ordinance 2023-15084 – Second Reading of an Ordinance for the purpose of amending Chapter 29 of Police Retirement System.	MOTION by Blankenship to ADOPT ORDINANCE 2023-15083; seconded by McCabe and carried.	yes	yes	yes	yes	no	yes	yes	6-1		
Item 15.D Ordinance 2023-15085 - Second Reading of an Ordinance amending Chapter 29 of Fire Retirement System.	MOTION by Blankenship to ADOPT ORDINANCE 2023-15085; seconded by McCabe and carried.	yes	yes	yes	yes	no	yes	yes	6-1		
END OF AGENDA	•										
MAY 15, 2023 - WORKSHOP MEETING				-							
		Heitmann	McCabe	Blankenship	Christman	Hutchison	Perry	Petrunoff	Passed	Failed	
Item 3 - Set Agenda.	MOTION by Christman to SET THE AGENDA CONSENSUS to move the Sewer Collections System Master Plan (\$500,000) to the current fiscal year. CONSENSUS for proceeding with the proposal for the Streets Fund budget as presented.	yes	yes	yes	yes	yes	yes	yes	7-0		
END OF AGENDA				<u> </u>	ł						
MAY 17, 2023 - REGULAR MEETING											
		Heitmann	McCabe	Blankenship	Christman	Hutchison	Perry	Petrunoff	Passed	Failed	
Item 3 - Set Agenda.	MOTION by McCabe to SET THE AGENDA subject to removing the April 3, City Council Special Meeting Minutes (under Item 6.A) for a separate discussion and vote and adding Item 13.1 (Request for Executive Session); seconded	yes	yes	yes	yes	absent	yes	yes	6-0		

by Christman and carried.

2023 City Cou	uncil AC [.]	TION REP	PORT	
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AGENDA ITEM	MOTION	VOTES									
CONSENT AGENDA ITEMS											
Item 7.A - City Council 6 month review of Resolution 2022-14981	MOTION by McCabe to APPROVE the Consent	yes	yes	yes	yes	absent	yes	yes	6-0		
Item 7.B - RESOLUTION 2023-15086 - A resolution for the purpose of accepting a cash donation of \$52,800 from the Gulf Shore Association of Condominiums.	Agenda; seconded by Christman and carried.										
Item 7.C - RESOLUTION 2023-15087 - A resolution for the purpose of approving a purchase order to Insight LPR.											
Item 7.D - RESOLUTION 2023-15088 - A resolution amending Resolution 2022-14954 for the purpose of increasing the annual maximum expenditure limit for CDW Government LLC for fiscal year 2022-23.											
Item 8.A - CLERK TRACKING 2023-00097 AND 2023-00098 - Acknowledge the reappointment of Kevin Palmer and Voncile Whitaker to the Board of Trustees of the General Retirement System.											
END OF CONSENT AGENDA ITEMS							J				
Item 13.A PRESENTATION - on insurance market conditions and risk management overview.	MOTION by McCabe to APPROVE an extension of the current agreement with Brown & Brown (PRIA) and Johns Eastern Company for FY2023- 2024 subject to considering the option to conduct a competitive bid for insurance brokerage and consulting services and third party claims administration services for FY 2024-2025; seconded by Blankenship and carried.	yes	yes	yes	yes	absent	yes	yes	6-0		
Item 10.A APPROVAL of the April 3, 2023 City Council Special Meeting minutes.	MOTION by Christman to DIRECT the City Clerk to review the April 3, 2023 City Council Special Meeting minutes for corrections and bring back to City Council for approval; seconded by McCabe and carried.	yes	yes	yes	yes	absent	yes	yes	6-0		
Item 11.A RESOLUTION - determining live entertainment the AC Mariott Hotel.	MOTION by McCabe to CONTINUE Item 11.A until the June 5, 2023 City Council Special Meeting; seconded by Blankenship and carried.	yes	yes	yes	yes	absent	yes	yes	6-0		
Item 11.B RESOLUTION - determining outdoor dining for the AC Mariott Hotel on property located at 455 12th Street South.	MOTION by McCabe to CONTINUE Item 11.B until the June 5, 2023 City Council Special Meeting; seconded by Christman and carried.	yes	yes	yes	yes	absent	yes	yes	6-0		
Item 11.C RESOLUTION - determining live entertainment at Ciao Bella Shop located at 779-785 5th Avenue South.	MOTION by McCabe to CONTINUE Item 11.C until the June 21, 2023 City Council Regular Meeting; second by Christman and carried.	yes	yes	yes	yes	absent	yes	yes	6-0		
Item 11.D RESOLUTION - determining live entertainment at Hyatt House Naples located at 1345 5th Avenue South.	MOTION by McCabe to CONTINUE Item 11.D until the June 21, 2023 City Council Regular Meeting; seconded by Christman and carried.	yes	yes	yes	yes	absent	yes	yes	6-0		
Item 11.E RESOLUTION - determining outdoor dining at Ridgeway Bar and Grill on property located at 1300 3rd Street South.	MOTION by McCabe to CONTINUE Item 11.E until the June 21, 2023 City Council Regular Meeting; seconded by Christman and carried.	yes	yes	yes	yes	absent	yes	yes	6-0		
Item 11.F RESOLUTION - determining outdoor dining at Olde Naples Building on property located at 1148 3rd Street South.	MOTION by McCabe to CONTINUE Item 11.F until the June 21, 2023 City Council Regular Meeting; seconded by Christman and carried.	yes	yes	yes	yes	absent	yes	yes	6-0		

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AGENDA ITEM	MOTION				١	/OTES				
Item 11.H RESOLUTION - vacating a portion of a platted drainage easement located on Lot 2, Block D, Ridgeview Lakes subdivision.	MOTION by Blankenship to CHANGE the June 19, 2023 City Council Workshop Meeting to a Special Meeting; seconded by Petrunoff and carried.	yes	yes	yes	yes	absent	yes	yes	6-0	
	MOTION by McCabe to CONTINUE Item 11.H until the June 19, 2023 City Council Special Meeting; seconded by Petrunoff and carried.	yes	yes	yes	yes	absent	yes	yes	6-0	
Item 13.I REQUEST - for an Executive Session.	MOTION by Perry to APPROVE the request to schedule an Executive Session for the discussion of settlement negotiations related to litigation expenditures in, Case No. 2022-CA-001705, 275 Gulf Shore Boulevard LLC v. City of Naples, 20th Judicial Circuit in and for Collier County, Florida, at the June 19, 2023 City Council Special Meeting at 4:30 p.m.; seconded by Christman and carried.	yes	yes	yes	yes	absent	yes	yes	6-0	
Item 13.D LITIGATION EXECUTIVE SESSION - Ryan Harp V. City Of Naples.	MOTION by Perry to APPROVE the Settlement Agreement as discussed that day during Risk Management Executive Session - Ryan Harp v. City of Naples, OJCC Caser No. 23-010444FJC (Item 13.D) subject to authorizing the Mayor to execute the agreement as well as sign any required documents related thereto; seconded by Christman and carried.	yes	yes	yes	yes	absent	yes	yes	6-0	

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AGENDA ITEM	MOTION				· · · · ·	/OTES				
Item 11.G RESOLUTION 2023-15090 - for the purpose of determining live entertainment for the restaurant known as The Kitchen located at 1200 Central Avenue.	MOTION by McCabe to APPROVE RESOLUTION 2023-15090 subject to the following changes: 1) amending Section 1 of the Resolution as follows: "to establish amplified outdoor live entertainmentMonday through Wednesday 5:00 p.m. to 8:00 p.m., Thursday from 5:00 p.m. to 8:30 p.m., Friday through Saturday from 11:00 a.m. to 3:00 p.m. and 4:00 p.m.to 10:00 p.m., and Sunday from 11:00 a.m.to 3:00 p.m. and 4:00 p.m.to 8:30 p.m.; 2) amending Section 2 as follows: removing Condition Five; adding the criteria contained in the Acoustical Evaluation of Amplified Music prepared by RLM Acoustics, LLC dated 2.21.2023; amending Condition Six as follows: "City Council will review all new permits approximately six months following the first date of approval the restaurant opening"; and adding the following conditions listed in the Summary of Facts [3. Drums will be prohibited with the exception of a steel drum; 5. Tall landscape hedges will be added to buffer and self-contain the sound from operations and live entertainment; 7. The majority of the exterior walls internal to the project will be covered in faux greenery materials to help subside noise transfer and create a better acoustic environment; and 8. All live entertainment shall be played thru the permanent speaker system located at the property so as to regulate the maximum decibel of sound being produced and to remain in compliance with the City of Naples Noise Ordinance. Motion seconded by Blankenship and carried.	NO	yes	yes	yes	absent	yes	no	4-2	
Item 13.F APPROVAL - of a declaration of restrictive covenant for the Naples Beach Club redevelopment project. Item 13.G STATUS REPORT - on the Gulf Shore Boulevard North and 8th Avenue North utilities, stormwater improvement and easement agreement between the City of Naples and the Naples Beach Club Phase II and III.	MOTION by McCabe to CONTINUE Items 13.F and 13.G until the June 7, 2023 City Council Regular Meeting; seconded by Christman and carried.	yes	yes	yes	yes	absent	yes	yes	6-0	
Item 12.A RESOLUTION 2023-15092 - for the purpose of approving and authorizing the City Manager to execute an engagement letter for specialized cell tower legal services.	MOTION by Petrunoff to ENGAGE the services of Attorney Andrew Campanelli and Attorney Robert Schef Wright for specialized cell tower legal services; failed due to lack of second.									
	MOTION by Christman to APPROVE RESOLUTION 2023-15092 engaging the services of GrayRobinson, P.A.; seconded by Blankenship and carried.	absent	no	yes	yes	absent	yes	no	3-2	

END OF AGENDA

**The information contained herein is used only as a w	vorking paper preliminary to preparation of	meeting m	inutes and s	should not be	relied upon	as the offic	cial record.	**
AGENDA ITEM	MOTION				١	/OTES		
Item 13.C RESOLUTION - determining a request to compromise and reduce the required payment and release a lien for previously accumulated fines for property located at 1111 Galleon Drive.	MOTION by McCabe to ENFORCE the lien in the amount of \$78,000.00; seconded by Petrunoff and carried.	absent	yes	yes	yes	absent	yes	}
Item 13.H ANNUAL PERFORMANCE REVIEW OF CITY MANAGER.	MOTION by Blankenship to APPROVE the following: 1) a five percent increase in base salary for the City Manager and 2) the proposed modifications to his Employment Agreement as outlined in the Agenda Memorandum; seconded by McCabe and carried.	absent	yes	yes	yes	absent	yes	Ŋ
Item 14.A FIRST READING OF AN ORDINANCE - Amending setback zone regulations in front yards and authorized street trees in the D-Downtown Zoning District.	MOTION by Perry to APPROVE ITEM 14.A AT FIRST READING as revised by the City Attorney [see "Revised Ordinance (Staff/Added Attachment)"]; seconded by Petrunoff and carried.	absent	yes	yes	yes	absent	yes	y
Item 14.B FIRST READING - AN ORDINANCE - For the purpose of amending the definition of market value in Chapter 16-144 concerning value based on a reasonable percentage adjustment of the Collier County Property Appraiser's assessment value.	MOTION by Christman to APPROVE ITEM 14.B AT FIRST READING; seconded by Blankenship and carried.	absent	yes	yes	yes	absent	yes	}

JUNE 5, 2023 - SPECIAL MEETING		Heitmann	McCabe	Blankenship	Christman	Hutchison	Perry	Petrunoff	Passed	Failed
Item 3 - Set Agenda.	MOTION by McCabe to SET THE AGENDA	yes	yes	yes	yes	yes	yes	yes	7-0	
	(Supplement 1); seconded by Christman and									
	unanimously carried, all members present and									
	voting.									
Item 6.A FIRST READING ORDINANCE - For the purpose of determining the future land	MOTION by McCabe to APPROVE ITEM 6.A at	yes	yes	yes	yes	yes	yes	yes	7-0	
use designation from low density residential to institutional on a portion of the property owned	First Reading; seconded by Petrunoff and									
by Naples Historical Society.	unanimously carried.									
Item 6.B FIRST READING - AN ORDINANCE - For the purpose of determining rezone petition	MOTION by McCabe to APPROVE ITEM 6.B at	yes	yes	yes	yes	yes	yes	yes	7-0	
for the property owned by Naples Historical Society.	First Reading; seconded by Petrunoff and	-			-	-		-		
	unanimously carried.									
Item 6.C RESOLUTION - For the purpose of allowing for a minimum lot width of 100 feet	MOTION by McCabe to CONTINUE to the June	yes	yes	yes	yes	yes	yes	yes	7-0	
where code requires a minimum lot width of 150 feet for the Naples Historical Society.	21, 2023 Council Meeting; seconded by	,	2	-	-			-		
	Hutchison and unanimously carried.									
Item 6.D RESOLUTION - to allow Smith Exhibit Hall to be associated with the existing historic	MOTION by McCabe to CONTINUE to the June	yes	yes	yes	yes	yes	yes	yes	7-0	
Palm Cottage and Norris Gardens on property owned by Naples Historical Society.	21, 2023 Council Meeting; seconded by	,	2			,		-		
	Hutchison and unanimously carried.									
Item 6.E RESOLUTION 2023-15096 - For the purpose of determining site plan petition 22-	MOTION by Blankenship to INCORPORATE by	ves	ves	ves	ves	ves	ves	ves	7-0	
SP24 for a new three-story municipal parking garage on property owned by Gulfshore	reference the prior discussion the Council had	,	2	,		,	2	,		
Playhouse.	heard at the June 5, 2023 CRA meeting as part									
	of the record for this meeting; seconded by									
	McCabe and unanimously carried.									

yes

yes

yes

yes

5-0

5-0

5-0

**The information contained herein is used only as a w	orking paper preliminary to preparation of n	neeting m	inutes and s	hould not be	relied upon	as the offic	cial record.	**	
AGENDA ITEM	MOTION				V	OTES			
	MOTION by McCabe to APPROVE RESOLUTION 2023-15096 with the following amendments: 1) correcting scrivener's error of "12th Avenue South" to "12th Street South" in the title and Section 1; 2) inserting "(private road)" after each reference to 12th Street; 3) updating the site plans to reference 12th Street as a private road; 4) adding in Section 2 "relies upon and incorporates by reference the following attachments, copies of which are on file in the City Clerk's office as part of the site plan approval:" and 5) adding in Section 2 [#] subject to the following condition: Execution of an access easement in favor of the public over 12th Street, private road, as shown in the site plan."; seconded by Christman and unanimously carried.	yes	yes	yes	yes	yes	yes	yes	7-0
Item 6.F RESOLUTION - For the purpose of determining live entertainment for the AC Marriott Hotel.	MOTION by Blankenship to CONTINUE to an August Council meeting; seconded by Christman and unanimously carried.	yes	yes	yes	yes	yes	yes	yes	7-0
Item 6.G RESOLUTION - For the purpose of determining outdoor dining petition for the AC Marriott Hotel on property.	MOTION by Blankenship to CONTINUE to a future date; seconded by Christman and unanimously carried.	yes	yes	yes	yes	yes	yes	yes	7-0
Item 7.A PRESENTATION - regarding stormwater lakes and stormwater lake restoration efforts.	CONSENSUS to replant the littorals, and to revisit this issue in six months at which time the residents could provide feedback on the new plantings and Council could render a decision regarding dredging.								
Item 7.B CONSIDERATION - of the repeat special event application for Y not Tri Reverse Sprint Triathlon, september 24, 2023	MOTION by Petrunoff to APPROVE removing the bicycle race portion of the event; seconded by Hutchison and unanimously carried.	yes	yes	yes	yes	yes	yes	yes	7-0
Item 7.C RESOLUTION 2023-15099 – A resolution for the purpose of providing professional engineering services for a downtown traffic study analysis for David Plummer & Associates, Inc.	MOTION by McCabe to APPROVE RESOLUTION 2023-15099; seconded by Hutchison and unanimously carried.	yes	yes	yes	yes	yes	yes	yes	7-0
Item 8.A UPDATE AND DISCUSSION - Update and discussion of 30% Design Concept options for 9th Street South and 10th Avenue South intersection improvements.	CONSENSUS to proceed with Exhibit 3 and to determine whether the assembly can be established in a way that would enable adding turn lanes in the event there is adequate capacity and space.								
8.B DISCUSSION - Of the repeat Special Event Application for the annual Fourth of July Parade - July 4, 2023.	CONSENSUS to proceed with the Fourth of July Parade.								
END OF AGENDA									

**The information contained herein is used only as a w	orking paper preliminary to preparation of	meeting mi	inutes and s	should not be	relied upon	as the offic	ial record	. **
AGENDA ITEM	MOTION				v	OTES		
JUNE 7, 2023 - REGULAR MEETING								
		Heitmann	McCabe	Blankenship	Christman	Hutchison	Perry	Petrunoff
Item 1 - Call To Order and Roll Call.	MOTION by Christman to ALLOW Council Member Perry to participate by Zoom; seconded by Petrunoff and unanimously carried	yes	yes	yes	yes	yes	yes	yes
Item 3 - Set Agenda.	MOTION by McCabe to SET THE AGENDA subject to adding Item 4.G, removing Items 7.D, 7.G, 8.A, and 8.B from the Consent Agenda for a separate discussion and vote, and setting a 3:00 p.m. Time Certain for Item 7.G; seconded by Blankenship and unanimously carried.	yes	yes	yes	yes	yes	yes	yes
Item 4.F UPDATE - On Senate Bill 250 and its potential impact on City of Naples land use matters.	CONSENSUS reached to DIRECT the City Manager to draft and send a letter to Governor DeSantis expressing City Council's opposition of Senate Bill 250 as well as other pending legislative bills that would limit Home Rule authority.							
Item 4.G DISCUSSION - Of the upcoming 4th of July Celebration.	CONSENSUS reached to POSTPONE the City's Fourth of July Fireworks Celebration until the City's Centennial Celebration in December due to safety concerns at the beach as a result of Hurricane Ian.							
CONSENT AGENDA ITEMS								
Item 6.A APPROVAL - of various City Council meeting minutes.	MOTION by McCabe to APPROVE the Consent	yes	yes	yes	absent	yes	yes	yes
Item 7.A RESOLUTION 2023-15100 - for the purpose of awarding a contract to Motorola Solutions for portable radios. Item 7.B RESOLUTION 2023-15101 - for the purpose of amending water and sewer rates, stormwater management utility fees and solid waste collection rates. Item 7.C RESOLUTION 2023-15102 - for the purpose of waiving the competitive bid process and approving a purchase order for nine 2023 Ford Explorer Police Interceptor vehicles.	Agenda; seconded by Hutchison and carried.							
Item 7.E RESOLUTION 2023-15104 - for the purpose of approving purchase orders to lightning fleet solutions for emergency vehicle lighting equipment, technological items, and required accessories.								
Item 7.F RESOLUTION 2023-15105 - of the City Council of the City of Naples, florida, in support of the Collier Community Foundation as a central agent for the receipt and distribution of financial donations during times of local crises or disaster. Item 8.C) CONSIDERATION - of the following repeat special event applications: 1) NAACP Collier Juneteenth - River Park - June 17, 2023; and 2) Back to School Bash - River Park - July 29, 2023. END OF CONSENT AGENDA ITEMS								

MOTION by McCabe to APPROVE	yes	yes	yes	absent	yes	yes	yes	6-0	
RESOLUTION 2023-15103; seconded by									
Petrunoff and carried.									
	RESOLUTION 2023-15103; seconded by								

Failed

Passed

7-0

7-0

2023 City Council	ACTION REPORT
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**The information contained herein is used only as a v	working paper preliminary to preparation of i	neeting m	inutes and s	should not be	e relied upon	as the offi	cial record	**		
AGENDA ITEM	MOTION				v	OTES				
Item 8.A CLERK TRACKING 2023-00104 – Approve flood insurance renewal on thirty-three (33) essential city properties located in flood zones "A" and "V" through the national flood insurance program.	MOTION by Blankenship to APPROVE CLERK TRACKING 2023-00104; seconded by McCabe and carried.	yes	yes	yes	absent	yes	yes	yes	6-0	
Item 8.B CONSIDERATION - to extend the Special Event Moratorium to September 7, 2023, on new special events organized by members of the public on public property.	MOTION by Petrunoff to EXTEND the Special Event Moratorium on new Special Events organized by members of the public on public property through September 7, 2023 subject to excluding new events for the City's Centennial Celebration; seconded by McCabe and carried.	yes	yes	yes	absent	yes	yes	yes	6-0	
Item 13.D UPDATE AND DISCUSSION - of 30 percent design concept options for the Naples Pier.	MOTION by McCabe to SELECT Design Concept Option One for the Naples Pier; seconded by Hutchison and carried.	yes	yes	no	yes	yes	yes	no	5-2	
Item 12.A APPOINT - appoint three regular members to the Community Redevelopment Agency Advisory Board; three regular members and one alternate member to the Design Review Board; and one regular member to the Moorings Bay Citizens Advisory Committee.	MOTION by Blankenship to CERTIFY THE BALLOT appointing Natalia Hester, Anthony Matonti, and Mary Waller as Regular Members to the Community Redevelopment Agency Advisory Board, each for the balance of a three-year term commencing June 7, 2023 and expiring January 23, 2024; and Patrick Ruff as an Alternate Member for the balance of a three-year term commencing June 7, 2023 and expiring December 13, 2025; seconded by Christman and unanimously carried.	yes	yes	yes	yes	yes	yes	yes	7-0	
	MOTION by McCabe to CERTIFY THE BALLOT appointing Doug Haughey and Stephen Hruby, each for a three-year term commencing June 1, 2023 and expiring April 30, 2026; Sabrina McCabe as a Regular Member for the balance of a three-year term commencing June 1, 2023 and expiring May 31, 2025; and David Driapsa as an Alternate Member for a three-year term commencing June 1, 2023 and expiring May 31, 2026 seconded by Petrunoff and unanimously carried	yes	yes	yes	yes	yes	yes	yes	7-0	
	MOTION by McCabe to CERTIFY THE BALLOT appointing Cynthia Russell to the Moorings Bay Citizens' Advisory Committee as a Regular Member for a three-year term commencing June 17, 2023 and expiring June 16, 2026; seconded by Petrunoff and unanimously carried.	yes	yes	yes	yes	yes	yes	yes	7-0	
Item 12.B APPROVAL - of a declaration of restrictive covenant for the Naples Beach Club Redevelopment Project.	MOTION by McCabe to APPROVE the Final Declaration of Restrictive Covenant between Naples Beach Club Land Trust Trustee, LLC, and the City of Naples subject to striking the last sentence in Paragraph Five; seconded by Christman and carried.	no	yes	yes	yes	yes	yes	yes	6-1	

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2023 City Council ACTION REPORT

South Special Overlay District.

South Special Overlay District.

Item 14.D ORDINANCE - Amending the parking regulations for outdoor dining in the 5th Avenue

AGENDA ITEM	MOTION				N	OTES			
Item 13.B RESOLUTION 2023-15107 - approving, ratifying and confirming the Memorandum of Understanding between the City of Naples and the Collier County Lodge 38 of the Fraternal Order of Police, Officer's Bargaining Unit.	MOTION by Hutchison to APPROVE RESOLUTION 2023-15107; seconded by Christman and unanimously carried.	yes	yes	yes	yes	yes	yes	yes	
Item 13.C RESOLUTION 2023-15108 - approving, ratifying and confirming the Memorandum of Understanding between the City of Naples and the Fraternal Order of Police, Collier County Lodge 38, Supervisor's Bargaining Unit.	MOTION by Hutchison to APPROVE RESOLUTION 2023-15108; seconded by Christman and unanimously carried.	yes	yes	yes	yes	yes	yes	yes	
Item 13.E RESOLUTION 2023-15109 - approve filling of a lake on private property located at 2790 Gordon Drive.	MOTION by McCabe to APPROVE RESOLUTION 2023-15109 subject to the petitioner installing a stormwater management system that meets the standards of the Stormwater Code's highest level of retention of one-inch; seconded by Hutchison and carried.	yes	yes	no	no	yes	no	yes	
Item 13.F RESOLUTION 2023-15110 - approve filling of a lake on private property located at 2800 Gordon Drive.	MOTION by McCabe to APPROVE RESOLUTION 2023-15110 subject to the petitioner installing a stormwater management system that meets the standards of the City of Naples Stormwater Management Code; seconded by Hutchison and unanimously carried.	yes	yes	yes	yes	yes	yes	yes	
Item 7.G RESOLUTION 2023-15106 - for the purpose of ranking firms in order of preference and thereafter approving a Construction Manager at Risk contract between the City of Naples Community Redevelopment Agency (CRA) and Kaufman Lynn Construction.	MOTION by Blankenship to APPROVE RESOLUTION 2023-15106; seconded by Christman and unanimously carried.	yes	yes	yes	yes	yes	yes	yes	
Item 15.A ORDINANCE 2023-15111 - Second reading of an ordinance amending setback zone regulations in front yards and authorized street trees in the d-downtown zoning district.	MOTION by Blankenship to ADOPT ORDINANCE 2023-15111; seconded by Hutchison and unanimously carried.	yes	yes	yes	yes	yes	yes	yes	
Item 15.B ORDINANCE 2023-15112 - Second reading of an ordinance for ammending the definition of market value.	MOTION by McCabe to ADOPT ORDINANCE 2023-15112; seconded by Blankenship and unanimously carried.	yes	yes	yes	yes	yes	yes	yes	
Item 14.A ORDINANCE - first reading to establish maximum density limitations for transient lodging units.	MOTION by McCabe to CONTINUE ITEM 14.A until a future date to be determined by the City Manager; seconded by Christman and unanimously carried.	yes	yes	yes	yes	yes	yes	yes	
Item 14.B ORDINANCE - Amending Chapter 56 Supplemental Standards related to recreational facilities.	MOTION by McCabe to CONTINUE ITEM 14.B until a future date to be determined by the City Manager; seconded by Christman and unanimously carried.	yes	yes	yes	yes	yes	yes	yes	
Item 14.C ORDINANCE - Amending the parking regulations for outdoor dining in the 5th Avenue	MOTION by Blankenship to CONTINUE ITEM	yes	yes	yes	yes	yes	yes	yes	1

14.C until a future date to be determined by the City Manager; seconded by Petrunoff and

MOTION by Christman to CONTINUE ITEM 14.D

until a future date to be determined by the City Manager; seconded by Perry and FAILED.

no

no

yes

yes

no

yes

no

unanimously carried.

2023 City C	council <mark>AC⁻</mark>	FION REPORT
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AGENDA ITEM	MOTION				1	OTES				
	MOTION by Petrunoff to APPROVE ITEM 14.D AT FIRST READING and schedule Second Reading for August 16, 2023 subject to amending the proposed Ordinance to add a grandfathering clause to allow existing outdoor dining permits to maintain the existing five-foot clear path requirement; seconded by Christman and unanimously carried.	yes	yes	yes	yes	yes	yes	yes	7-0	
END OF AGENDA										
JUNE 19, 2023 - SPECIAL MEETING				1		1	-		- ·	
		Heitmann	McCabe	Blankenship	Christman	Hutchison	Perry	Petrunoff	Passed	Failed
Item 3 - Set Agenda.	MOTION by McCabe to SET THE AGENDA, seconded by Hutchison and unanimously carried.	yes	yes	yes	yes	yes	yes	yes	7-0	
CONSENT AGENDA ITEMS		•	•	•	•	•		·		
Item 7.A RESOLUTION 2023-15113 - For the purpose of funding for hardwood and palm tree trimming. Item 7.B RESOLUTIONS - For the purpose of approving the construction of ten oyster reefs at Site 2 in Haldeman Creek; 2) approving a partnership for the Naples Bay-Haldeman Creek Oyster Reef restoration project. Item 7.C RESOLUTION - for the purpose of awarding a contract for certified laboratory testing services as required by the city's permits for operation of its water and wastewater treatment plants. Item 8.A AUTHORIZATION - 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.	CONSENT AGENDA; seconded by Christman and unanimously carried.	yes	yes	yes	yes	yes	yes	yes	7-0	
END OF CONSENT AGENDA ITEMS		1	1		1		1	-	-	
9.A RESOLUTION 2023-15118 – determining an appeal of a decision by the Community Services Advisory Board to deny a tree alteration application for removal of a Mahogany Tree located in the right-of-way in front of the residence owned by Ms. Denault and Mr. Ashtaryeh.	MOTION by McCabe to APPROVE RESOLUTION 2023-15118 AFFIRMING THE DENIAL based on the findings provided by staff as follows in Section 3: "the tree does not pose a safety hazard to people, buildings, structures, or vehicles; 2) the tree is not classified as an invasive species; 3) the tree is not diseased or so weakened by age, storm, or other injury so as to pose a danger to persons, property, utilities, or improvements; and 4) the tree does not unreasonably prevent a development of a lot, parcel, or other lands or the physical use thereof." This motion was seconded by Christman and unanimously carried.	yes	yes	yes	yes	yes	yes	yes	7-0	

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AGENDA ITEM	MOTION				V	OTES				
Item 9.B RESOLUTION 2023-15119 – vacating a portion of a drainage easement located at 637 palm circle west.	MOTION by McCabe to APPROVE RESOLUTION 2023-15119 approving the vacation of the angled portion of the existing easement, establishing a new easement, adding five feet to the existing easement for the length of the property, adding the extra easements the petitioner is offering the City, and instructing the staff to work collaboratively to accomplish the goals of the additional pipe. This motion was seconded by Hutchison and unanimously carried.	yes	yes	yes	yes	yes	yes	yes	7-0	
Item 11.B RESOLUTION 2023-15120 – for the purpose of approving a Gulf Shore Boulevard North and 8th Avenue North utilities, stormwater improvement and easement agreement.	MOTION by Christman to APPROVE RESOLUTION 2023-15120; seconded by Blankenship and unanimously carried.	yes	yes	yes	yes	yes	yes	yes	7-0	
Item 12.B CONSIDERATION - of the following repeat special event applications: 1) Cars on 5th Jetport Reception - February 1, 2024 and 2) Cars on 5th Car Show - February 3, 2024.	MOTION by McCabe to APPROVE ITEM 12.B.1; seconded by Petrunoff and unanimously carried.	yes	yes	yes	yes	yes	yes	yes	7-0	
	MOTION by Blankenship to DIRECT staff to meet with the organizers as soon as possible to reach a solution and authorize the Mayor to approve the application for Item 12.B.2 this summer on behalf of the Council; seconded by Hutchison and unanimously carried.	yes	yes	yes	yes	yes	yes	yes	7-0	
Item 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.	MAJORITY DIRECTION to establish a maximum millage rate for the General Fund of 1.17; and consensus to keep the maximum millage rates for the east Naples Bay Special Taxing District and Moorings Bay Special Taxing District unchanged at 0.5000 and 0.125 respectively.									
Item 12.D RESOLUTION - For the purpose of approving a professional services agreement for the provision of annual professional real estate services required by the City of Naples.	MOTION by McCabe to CONTINUE to a future date; seconded by Blankenship and unanimously carried.	yes	yes	yes	yes	yes	yes	yes	7-0	
Item 12.G ANY ACTION NEEDED - as a result of the Litigation Executive Session - 275 Gulf Shore Boulevard IIc v. City of Naples, case no. 2022-ca-001705, 20th Judicial Circuit.	MOTION by Hutchison to CONTINUE to the June 21, 2023 Regular Meeting; seconded by McCabe and carried.	yes	yes	absent	yes	yes	yes	yes	6-0	
END OF AGENDA							•			
JUNE 21, 2023 - REGULAR MEETING							_			
Ham 2. Cat Arranda		Heitmann	McCabe	Blankenship		Hutchison	Perry	Petrunoff	Passed 7-0	Failed
Item 3 - Set Agenda.	MOTION by Christman to SET THE AGENDA, seconded by Hutchison and unanimously carried.	yes	yes	yes	yes	yes	yes	yes	7-0	
CONSENT AGENDA ITEMS										
Item 7.A RESOLUTION 2023-15122 - for the purpose of declaring that City Council shall not be "in session" from 8:00 a.m. June 22, 2023 to 8:30 a.m. August 14, 2023.	MOTION by Christman to APPROVE the Consent Agenda removing Item 6.A from the Consent	yes	yes	yes	yes	yes	yes	yes	7-0	

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AGENDA ITEM	MOTION				1	VOTES							
Item 7.B RESOLUTION 2023-15123 - For the purpose of increasing the maximum expenditure for additional expenditures related to recovery from hurricane Ian and future natural disasters.	Agenda and communing that item until a later date; seconded by McCabe and unanimously carried.												
Item 7.C RESOLUTION 2023-15124 - For the purpose of awarding contracts for purchasing replacement equipment, office furniture, and repair services required for the public works department.													
Item 7.D RESOLUTION 2023-15125 - For the purpose of approving contractor service agreements with Bonness, Inc. for the City's annual repair and maintenance of street pavement and right-of-way infrastructure.													
Item 7.E RESOLUTION 2023-15126 - For the purpose of approving an extension amendment of professional consultant's services agreement for financial investment advisory services with Public Trust Advisors, LLC.													
Item 8.A CLERK TRACKING 2023-00121 - Recommendation to approve second amendment to the interlocal agreement between collier county and the City of Naples governing use of City of Naples beach parking facilities and park and recreation programs.													
END OF CONSENT AGENDA ITEMS										_			
Item 11.A RESOLUTION 2023-15128 - relating to a minor subdivision for the combination of two single family lots to create one single family residence owned by Mihas Palm Circle, LLC.	MOTION by McCabe to CONSIDER Items 11.A and 9.A separately; seconded by Petrunoff and carried.	yes	yes	no	no	yes	no	yes	4-3				
	MOTION by Christman to APPROVE RESOLUTION 2023-15128 subject to the following: 1) the execution and recording in the Public Records of Collier County, Florida, the Declaration of Covenants and Deed Restrictions; and 2) the installation of a permeable driveway; seconded by Perry and carried.	no	no	yes	yes	yes	yes	no	4-3				
Item 9.A RESOLUTION 2023-15127 - for the purpose of vacating a portion of a drainage easement lying within 659 and 677 Palm Circle East, and acceptance of the new 10-foot wide drainage easement and 20-foot wide drainage and access easement with conditions.	MOTION by McCabe to APPROVE RESOLUTION 2023-15127; seconded by Blankenship and unanimously carried.	yes	yes	yes	yes	yes	yes	yes	7-0				
Item 11.B ORDINANCE 2023-15129 - second reading of an ordinance for the purpose of determining a small scale comprehensive plan amendment of the property located at 163 12th Avenue South, and owned by Naples Historical Society, Inc.	MOTION by McCabe to ADOPT ORDINANCE 2023-15129; seconded by Petrunoff and unanimously carried.	yes	yes	yes	yes	yes	yes	yes	7-0				
Item 11.C ORDINANCE 2023-15130 - second reading of an ordinance for the purpose of rezoning the property owned by Naples Historical Society, Inc. located at 163 12th Avenue South.	MOTION by McCabe to ADOPT ORDINANCE 2023-15130; seconded by Petrunoff and unanimously carried.	yes	yes	yes	yes	yes	yes	yes	7-0				
Item 11.D RESOLUTION 2023-15131 - to allow for a minimum lot width of 100 feet where code requires a minimum lot width of 150 feet in the PS-Public Service district, for property owned by Naples Historical Society, Inc.	MOTION by McCabe to APPROVE RESOLUTION 2023-15131 based on meeting the variance criteria set forth in Section 46-37 of the City of Naples Code of Ordinances; seconded by Petrunoff and unanimously carried.	yes	yes	yes	yes	yes	yes	yes	7-0				
Item 11.E RESOLUTION 2023-15132 - to allow the existing single-family residence to be used as Smith Exhibit Hall on property owned by Naples Historical Society, Inc.	MOTION by McCabe to APPROVE RESOLUTION 2023-15132 subject to the conditions outlined by staff; seconded by Petrunoff and unanimously carried.	yes	yes	yes	yes	yes	yes	yes	7-0				

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AGENDA ITEM	MOTION				v	OTES				
Item 11.F RESOLUTION 2023-15133 - for the purpose of determining waiver of distance to allow a restaurant to obtain an alcoholic beverage license within 400 feet of an established school, for Bahama Breeze Restaurant located at 2088 9th Street North.	MOTION by Chrisman to APPROVE RESOLUTION 2023-1513; seconded by Hutchison and carried.	yes	yes	no	yes	yes	yes	yes	6-1	
Item 11.G RESOLUTION 2023-15134 - for the purpose of determining outdoor dining petition for Bahama Breeze Restaurant located 2088 9th Street North.	MOTION by Christman to APPROVE RESOLUTION 2023-15134; seconded by Hutchison and unanimously carried.	yes	yes	yes	yes	yes	yes	yes	7-0	
Item 11.H RESOLUTION 2023-15135 - for the purpose of determining live entertainment for Bahama Breeze Restaurant located at 2088 9th Street North.	MOTION by Christman to APPROVE RESOLUTION 2023-15135 subject to amending the hours of live entertainment as follows: Mondays through Thursdays from 4:00 p.m. until 9:00 p.m., Fridays from 4:00 p.m. until 11 p.m., Saturdays from 11:00 a.m. until 11:00 p.m., and Sundays 11:00 a.m. until 9:00 p.m.; seconded by Perry and failed.	no	no	yes	yes	no	yes	no		3-4
	MOTION by Petrunoff to APPROVE RESOLUTION 2023-15135 as drafted; seconded by Hutchison and carried.	yes	no	no	no	yes	yes	yes	4-3	
Item 11.I DENIED RESOLUTION - relating to a conditional use to allow required parking within 600 feet of a lot to accomplish shared parking on property owned by Hygate Properties, LLC, and located at 1795, 1801-1841 9th Street North.	MOTION by McCabe to DENY PETITION 23- CU1; seconded by Christman and carried.	yes	yes	yes	yes	yes	no	yes	6-1	
Item 11.J DENIED RESOLUTION - for the purpose of determining outdoor dining on private property on property owned by Hygate Properties, LLC, and located at 1823-1841 9th Street North.	MOTION by McCabe to DENY PETITION 23- OD2; seconded by Petrunoff and unanimously carried.	yes	yes	yes	yes	yes	yes	yes	7-0	
Item 11.K CONTINUED - A RESOLUTION - relating to a conditional use to allow a private, unlit, recreational pickleball court on property owned by Douglas J. Traina and Mimi Groom and located at 777 Gulf Shore Boulevard North.	MOTION by McCabe to GRANT the petitioner's request to continue Item 11.K indefinitely; seconded by Hutchison and unanimously carried.	yes	yes	yes	yes	yes	yes	yes	7-0	
Item 11.L DENIED - A RESOLUTION - relating to a variance to allow for new pool equipment to encroach into the required rear yard setback for property owned by Bella Baia Condominium Association, Inc., and located at 1810 Gulf Shore Boulevard North.	MOTION by Hutchison to DENY PETITION 23-V1 based on the petitioner's failure to meet Threshold Criteria 5 and 7 as set forth in Section 46-37 of the City of Naples Code of Ordinances; seconded by McCabe and unanimously carried.	yes	yes	yes	yes	yes	yes	yes	7-0	
Item 11.M DENIED - A RESOLUTION - for the purpose of determining outdoor dining petition for the Olde Naples building located at 284 Broad Avenue South and 1148 3rd Street South.	MOTION by Hutchison to DENY PETITION 23- OD3 based on the petitioner's failure to meet the parking requirements set forth in Section 56- 126(d)(2)f of the City of Naples Code of Ordinances; seconded by Christman and carried.	yes	yes	no	yes	yes	yes	yes	6-1	
Item 13.A RESOLUTION 2023-15143 - for the purpose of approving a Construction Manager at Risk contract between the City and Kiewit Infrastructure South Co. and for 12 percent of the Guaranteed Maximum Price for construction of the beach restoration and water quality improvements project.	MOTION by Christman to APPROVE RESOLUTION 2023-15143; seconded by Hutchison and unanimously carried.	yes	yes	yes	yes	yes	yes	yes	7-0	
Item 11.N RESOLUTION 2023-15141 - for the purpose of determining outdoor dining petition on property owned by the Moorings Country Club, Inc., located at 2500 Crayton Road.	MOTION by Petrunoff to APPROVE RESOLUTION 2023-15141; seconded by	yes	yes	yes	yes	yes	yes	yes	7-0	

Hutchison and unanimously carried.

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AGENDA ITEM	MOTION				v	OTES				
Item 11.0 RESOLUTION 2023-15142 - for the purpose of determining outdoor dining on property owned by Michael G. Elden and Marie C. Elden and located at 210 9th Street North.	MOTION by Blankenship to APPROVE RESOLUTION 2023-15142; seconded by Petrunoff and unanimously carried.	yes	yes	yes	yes	yes	yes	yes	7-0	
Item 12.A CLERK TRACKING 2023-00122 AND 2023-00123 - appoint members to the Planning Advisory Board.	MOTION by McCabe to CERTIFY THE BALLOT appointing Andrew Mair as a Regular Member to the Planning Advisory Board for a three-year term commencing May 1, 2023 and expiring April 30, 2026; seconded by Petrunoff and unanimously carried.	yes	yes	yes	yes	yes	yes	yes	7-0	
	MOTION by Hutchison to APPOINT John Crees as an Alternate Member to the Planning Advisory Board for a three-year term commencing May 1, 2023, and expiring April 30,2026; seconded by Petrunoff and carried.	yes	yes	no	no	yes	no	yes	4-3	
Item 12.B CLERK TRACKING 2023-00118 - appoint Code Enformcement Board Attorney.	MOTION by McCabe to CERTIFY THE BALLOT appointing Matthew McConnell (Dickman Law Firm) to serve as the Code Enforcement Board Attorney; seconded by Hutchison and unanimously carried.	yes	yes	yes	yes	yes	yes	yes	7-0	
	MOTION by Blankenship to AUTHORIZE the City Attorney to draft an agreement with Matthew McConnell (Dickman Law Firm), based upon the same rate and the same terms and conditions as the previous Code Enforcement Board Attorney, and authorize the City Manager to sign that agreement; seconded by Petrunoff and unanimously carried.	yes	yes	yes	yes	yes	yes	yes	7-0	
Item 13.B RESOLUTION 2023-15144 - approving, ratifying and confirming the Memorandum of Understanding between the City of Naples and the American Federation of State, County, and Municipal Employees, Council no. 79, Local No. 2017 bargaining unit.	MOTION by McCabe to APPROVE RESOLUTION 2023-15144; seconded by Blankenship and unanimously carried.	yes	yes	yes	yes	yes	yes	yes	7-0	
Item 11.P CONTINUED - RESOLUTION - for the purpose of determining outdoor dining for Ridgway Bar and Grill front porch and garden seating and Tony's Off 3rd courtyard seating located at 1300 3rd Street South.	MOTION by McCabe to GRANT the petitioner's request to continue Item 11.P until the August 16, 2023 City Council Regular Meeting; seconded by Hutchison and unanimously carried.	yes	yes	yes	yes	yes	yes	yes	7-0	
Item 11.Q CONTINUED - A RESOLUTION - to establish amplified indoor live entertainment for the Hyatt House Naples on property located at 1345 5th Avenue South.	MOTION by McCabe to GRANT the petitioner's request to continue Item 11.Q until the August 16, 2023 City Council Regular Meeting; seconded by Hutchison and unanimously carried.	yes	yes	yes	yes	yes	yes	yes	7-0	
Item 11.R CONTINUED - A RESOLUTION - determining live entertainment for the business known as Ciao Bella Shop located at 779-785 5th Avenue South.	MOTION by McCabe to GRANT the petitioner's request to continue Item 11.R until a date uncertain; seconded by Petrunoff and unanimously carried.	yes	yes	yes	yes	yes	yes	yes	7-0	
END OF AGENDA										

2023 City Council	ACTION REPORT
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AGENDA ITEM	MOTION	VOTES								
JULY 11, 2023 - SPECIAL MEETING										
		Heitmann	McCabe	Blankenship	Christman	Hutchison	Perry	Petrunoff	Passed	Failed
Item 2.A - CONSIDERATION of the repeat special event application for Cars on 5th to be held February 3, 2024.	Acting on behalf of City Council pursuant to Section 2.4 of the City of Naples Charter, Section 2-57 of the Code of Ordinances and Resolution 2023-15122, Mayor Heitmann approved the Cars on 5th Repeat Special events application for February 3, 2024 and noted that this approval would be brought forth to City Council to be ratified after summer recess.									
Item 3.A - RESOLUTION for the purpose of waiving competitive bids for the purchase of a live fire and confined space USAR training facility.	Acting on behalf of City Council pursuant to Section 2.4 of the City of Naples Charter, Section 2-57 of the Code of Ordinances and Resolution 2023-15122, Mayor Heitmann approved Resolution 2023-15145.									
END OF AGENDA				•	•					
AUGUST 14, 2023 - SPECIAL MEETING					-					
		Heitmann	McCabe	Blankenship	Christman	Hutchison	Perry	Petrunoff	Passed	Failed
Item 3 - Set Agenda.	MOTION by McCabe to SET THE AGENDA, seconded by Perry and unanimously carried.	yes	yes	yes	yes	yes	yes	yes	7-0	
AUGUST 16, 2023 - SPECIAL MEETING								•		
 Item 7.A. RESOLUTION - For the purpose of approving contractor's services agreements for the supply and installation of city decorative street signs. Item 7.B. RESOLUTION - For the purpose of adopting an Annual Special Assessment roll for The Fifth Avenue South Business Improvement District for Fiscal Year 2023-24. Item 7.C. RESOLUTION - for the Purpose of Approving the Fiscal Year 2023-24 Non-Ad Valorem Assessment Roll for the Aqualane Shores Utility Line Extension Assessment Area. Item 7.D. RESOLUTION - A Resolution for the Purpose of Approving the Fiscal Year 2023-24 Non-Ad Valorem Assessment Roll for the Bembury Assessment Area. Item 7.E. RESOLUTION - A Resolution for the Purpose of Approving the Fiscal Year 2023-24 Non-Ad Valorem Assessment Roll for the Gulf Acres/Rosemary Heights Assessment Area. Item 7.F. RESOLUTION - A Resolution for the Purpose of Approving the Fiscal Year 2023-24 Non-Ad Valorem Assessment Roll for the Seagate Undergrounding Assessment Area. Item 7.G. RESOLUTION - A Resolution for the Purpose of Approving the Fiscal Year 2023-24 Non-Ad Valorem Assessment Roll for the Curlew Canal Assessment Area. Item 7.G. RESOLUTION - A Resolution for the Purpose of Approving the Fiscal Year 2023-24 Non-Ad Valorem Assessment Roll for the Curlew Canal Assessment Area. Item 7.G. RESOLUTION - A Resolution Authorizing the City Manager to Issue Purchase Orders for Payment to Cigna Health and Life Insurance Company. Item 7.J. RESOLUTION - A Resolution Amending Resolution 2022-14954 for the Purpose of Increasing the Annual Maximum Expenditure Limits for Outside Contracts with ACF Standby Systems, LLC. Item 8.A. REQUEST - for Approval of \$1,000 Donation by City to Collier County Veterans Council, Inc. 	MOTION by McCabe to APPROVE THE SET AGENDA subject to removing the June 7, 2023 City Council Regular Meeting Minutes (under Item 6.A) and Item 7.H for a separate discussion and vote; seconded by Christman and unanimously carried.	yes	yes	yes	yes	yes	yes	yes	7-0	

2023 City Council ACTION REPORT	
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AGENDA ITEM	MOTION				١	OTES				
Item 8.B. CONSIDERATION - of the Repeat Special Event Applications Enumerated Below: 1. Outdoor Jazz Concerts – Cambier Park 2. Big Band Concerts – Naples Big Band, Inc - Cambier Park 3. Dixieland Concerts – Naples Jazz Society – Cambier Park Item 8.C NOTICE AND RADIFICATION - of Direction, Action, and Decisions by the Mayor While City Council Was "Out of Session" from June 22, 2023 (8:30 a.m.) to August 14, 2023 (8:30 a.m.).										
END OF CONSENT AGENDA ITEMS					-					
Item 6.A. APPROVAL of various City Council Meeting Minutes.	MOTION by McCabe to SEND the June 7, 2023 City Council Meeting Minutes back to the City Clerk to correct and bring back to City Council for approval; seconded by Petrunoff and unanimously carried, seconded by Christman and unanimously carried.	yes	yes	yes	yes	yes	yes	yes	7-0	
Item 7.H. RESOLUTION - A Resolution for the Purpose of Amending the Rules of Procedure for City Council meetings, as Last Amended by Resolution 2023-15059, to Modify Rules Related to Meeting Decorum, Remote Participation by City Council Members, and Public Comment.	MOTION by Christman to APPROVE RESOLUTION 2023-15153 subject to the following changes: 1) deleting "Resolution 2017- 13970 and pursuant to" and "absence from the area, unavoidable scheduling conflict" under Section 5(d); and 2) replacing the word chair to presiding officer wherever referenced under Section 6; and DIRECT the City Manager and City Attorney to work with each advisory board and committee to update their procedures to be consistent with City Council's Rules of Procedure where appropriate but to have these changes take effect immediately; seconded by Perry and unanimously carried.	yes	yes	yes	yes	yes	yes	yes	7-0	
Item 11.A. A RESOLUTION - for the Purpose of Determining Live Entertainment on Property Owned by Palmetto Hospitality of Naples Located at 455 12th Street South.	MOTION by McCabe to CONTINUE ITEM 11.A until a future date uncertain; seconded by Hutchison and unanimously carried.	yes	yes	yes	yes	yes	yes	yes	7-0	
Item 11.B. A RESOLUTION - for the Purpose of Determining Outdoor Dining for the AC Marriott Hotel Located at 455 12th Street South.	MOTION by McCabe to CONTINUE ITEM 11.B until a future date uncertain; seconded by Hutchison and unanimously carried.	yes	yes	yes	yes	yes	yes	yes	7-0	
Item 11.C. A RESOLUTION - for the Purpose of Determining Live Entertainment for The Hyatt House Naples Located at 1345 5th Avenue South.	MOTION by Blankenship to APPROVE RESOLUTION 2023-15156 subject to the five conditions outlined by staff; seconded by Hutchison and unanimously carried.	yes	yes	yes	yes	yes	yes	yes	7-0	
Item 11.D. A Resolution - for the Purpose of Determining Outdoor Dining Petition at Ridgway Bar and Grill Located at 1300 3rd Street South, 280 13th Avenue South, and 240 13th Avenue South.	MOTION by Petrunoff to APPROVE RESOLUTION 2023-15157; seconded by Christman and unanimously carried.	yes	yes	yes	yes	yes	yes	yes	7-0	
Item 11.E. A RESOLUTION - for the Purpose of Determining Outdoor Dining for Unidos Restaurant Located at One 9th Street North.	MOTION by Blankenship to CONTINUE ITEM 11.E until the September 20, 2023 City Council Regular Meeting; seconded by Hutchison and unanimously carried.	yes	yes	yes	yes	yes	yes	yes	7-0	

2023 City	Council	ACTION	REPORT
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AGENDA ITEM	MOTION				\	OTES				
Item 11.F. A RESOLUTION - for the Purpose of Determining Outdoor Dining for a Restaurant Known as Casa Neri Located at 382 5th Avenue South.	MOTION by McCabe to APPROVE RESOLUTION 2023-15159; seconded by Blankenship and unanimously carried.	yes	yes	yes	yes	yes	yes	yes	7-0	
Item 13.A. REVIEW AND APPROVAL - of the 2024 Legislative Priorities and Appropriation Requests for the City of Naples.	MOTION by Christman to APPROVE the Legislative Priorities as revised that day; seconded by Blankenship and unanimously carried.	yes	yes	yes	yes	yes	yes	yes	7-0	
Item 13.B. A RESOLUTION - for the Purpose of Authorizing the City Manager to Execute an Engagement Letter with Addendum, with Greenberg Traurig, LLP.	MOTION by Petrunoff to APPROVE RESOLUTION 2023-15160; seconded by Perry and unanimously carried.	yes	yes	yes	yes	yes	yes	yes	7-0	
Item 13.C ANNOUNCEMENT - of an Executive Session Related to a U.S. Equal Employment Opportunity Commission Charge Filed in Troy Law v. City of Naples.	MOTION by Petrunoff to APPROVE the request to schedule an Executive related to a U.S. Equal Employment Opportunity Commission Charge Filed in Troy Law v. City of Naples, EEOC Charge 510-2021-06830, U.S. Equal Employment Opportunity Commission, Miami District Office, at the September 5, 2023 City Council Special Meeting at 12:30 p.m.; seconded by Christman and unanimously carried.	yes	yes	yes	yes	yes	yes	yes	7-0	
Item 14.A FIRST READING - of an Ordinance to Amend the Code of Ordinances to Provide for the Pass-through of costs to Applicants and Property Owners, which may be Incurred by the City.	MOTION by Petrunoff to TABLE Item 14.A and SCHEDULE a Workshop discussion at a later date; seconded by Christman and unanimously carried.	yes	yes	yes	yes	yes	yes	yes	7-0	
Item 12.A UPDATE - Naples Pier 30 Percent Design Plans Update.	MOTION by Blankenship to APPROVE Option Two at the 80 percent design and to provide answers to the questions asked that day when the 90 percent design is presented; seconded by Petrunoff and carried.	yes	no	yes	yes	yes	yes	yes	6-1	
12.B DISCUSSION - Related to Implementation of Section 14, SB 250.	MOTION by Perry to INSTRUCT the City Manager and City Attorney to follow Interpretation One included in the Agenda Memorandum; seconded by Christman and FAILED.	no	no	yes	yes	no	yes	no		3-4
	MOTION by Hutchison to INSTRUCT the City Manager to come back to Council at a Time Certain on a future agenda to outline the ways in which the City proposes to identify and verify property damage as it applies to Senate Bill 250. Furthermore, to INSTRUCT the City Manager and City Attorney to identify current ordinances which are applicable to Senate Bill 250 and which are considered void ab initio and provide Council with alternative ordinances and procedures which would be applied to the land development process; seconded by Petrunoff and FAILED.	yes	no	no	no	yes	no	yes		3-4

AGENDA ITEM	MOTION				N 1	/OTES				
12.C DISCUSSION - Continued Discussion Regarding Below-Ground Parking.	MOTION by McCabe to MAINTAIN the laws that the City currently has in place but to suspend the enforcement thereof and to either file a lawsuit against the State or ask it to explain Senate Bill 250 in its entirely and the implications and intent in which it was done because it is unclear; seconded by Hutchison and carried. DISCUSSION Only	yes	yes	no	no	yes	no	yes	4-3	
END OF AGENDA			1		1					
EPTEMBER 5, 2023 - SPECIAL MEETING										
		Heitmann	McCabe	Blankenship	Christman	Hutchison	Perry	Petrunoff	Passed	Faile
Item 3 - Set Agenda.	MOTION by Christman to SET THE AGENDA subject to removing Items 7.C and 10.A from the agenda and rescheduling them on a future agenda; seconded by Hutchison and unanimously carried.	yes	yes	yes	yes	yes	yes	yes	7-0	
Item 7.B UPDATE - on 1st Avenue Parking Garage Real Estate Transaction.	MOTION by Blankenship to APPROVE Amendment Four to the Amended and Restated Public Parking Garage Agreement; seconded by Petrunoff and unanimously carried.	yes	yes	yes	yes	yes	yes	yes	7-0	
	MOTION by Petrunoff to PROCEED with the transaction based on the information provided by the City Manager regarding the need for soil boring testing; seconded by Christman and unanimously carried	yes	yes	yes	yes	yes	yes	yes	7-0	
Item 7.C RESOLUTION 2023-15162 - Relating to the Annual Fee for Outdoor Dining on Public Property.	No action taken - continued.									
Item 8.A EXECUTIVE SESSION - Regarding Troy Law v. City of Naples.	No action announced.									
Item 7.D DISCUSSION AND DIRECTION - Discussion and Direction on Status of City Council Priorities	No action taken									
Item 8.B REVIEW AND DISCUSSION - of Article V, Division 4, Sections 2-471 to 2-478 - Design Review Board.	No action taken.									
8.C REVIEW AND DISCUSSION - Related to a Proposed Porte Cochere for the Naples Beach Club Hotel.	CONSENSUS reached to send the request to the Planning Advisory Board (PAB) for its recommendation before bringing it to City Council for approval, and finally to Design Review Board (DRB) for Final Design Approval.									
8.D REVIEW AND DISCUSSION - Regarding the Selection of a City Attorney due to the Resignation Letter received by the City Council from the Vose Law Firm	No action taken.									
Item 9.A FIRST READING - of an Ordinance Amending the Aesthetic Design Standards, for Permitting of Construction and Maintenance in the Public Rights-of-Way, Public Sidewalks and Ways, Public Utility Easements, and Other Public Property.	MOTION by McCabe to APPROVE ITEM 9.A AT FIRST READING; seconded by Petrunoff and unanimously carried.	yes	yes	yes	yes	yes	yes	yes	7-0	

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AGENDA ITEM	MOTION				١	OTES				
	MOTION by McCabe to AUTHORIZE Attorney Resnick to further investigate ways to strengthen the City's Code of Ordinances as well as incorporating the three regulation proposals; seconded by Hutchison and unanimously approved.	yes	yes	yes	yes	yes	yes	yes	7-0	
Item 10.A - SECOND READING 2023-15163 - of an Ordinance Amending Regulations for Outdoor Dining on Public Propert.	No action taken.									
END OF AGENDA										
SEPTEMBER 5, 2023 - SPECIAL BUDGET MEETING		-		-				-		
		Heitmann	McCabe	Blankenship	Christman	Hutchison	Perry	Petrunoff	Passed	Failed
Item 5.A RESOLUTION 2023-15164- Determining and Fixing the 2023 Tax Levy and Tentative Millage Rate.	MOTION by Perry to APPROVE RESOLUTION 2023-15164; seconded by McCabe and carried.	yes	yes	no	yes	no	yes	yes	5-2	
Item 5.B RESOLUTION 2023-15165 - Adopt the tentative budget for the City exclusive of dependent taxing districts for FY 2023-24.	MOTION by McCabe to APPROVE RESOLUTION 2023-15165; seconded by Perry and carried.	yes	yes	no	yes	yes	yes	yes	6-1	
Item 5.C RESOLUTION 2023-15166 - Determine and fix the 2023 tax levy and tentative millage rate for East Naples Bay.	MOTION by McCabe to APPROVE RESOLUTION 2023-15166; seconded by Perry and unanimously carried.	yes	yes	yes	yes	no	yes	yes	7-0	
Item 5.D RESOLUTION 2023-15167 - Determine and fix the 2023 tax levy and tentative millage rate for Moorings Bay.	MOTION by McCabe to APPROVE RESOLUTION 2023-15167; seconded by Perry and unanimously carried.	yes	yes	yes	yes	yes	yes	yes	7-0	
Item 5.E RESOLUTION 2023-15168 - Adopt the tentative budget for the East Naples Bay Special Taxing District.	MOTION by McCabe to APPROVE RESOLUTION 2023-15168; seconded by Perry and unanimously carried.	yes	yes	yes	yes	yes	yes	yes	7-0	
Item 5.F RESOLUTION 2023-15169 - Adopt the tentative budget for the Moorings Bay Special Taxing District.	MOTION by McCabe to APPROVE RESOLUTION 2023-15169; seconded by Perry and unanimously carried.	yes	yes	yes	yes	yes	yes	yes	7-0	
END OF AGENDA										
September 7, 2023 - REGULAR MEETING		Heitmenn	MaCaba	Diankanakin	Christman	Untehioon	Damme	Detrumoff	Desert	Falled
Ham 2. Cat Aganda	MOTION by Christman to SET THE AGENDA;	Heitmann	McCabe	Blankenship	Christman	Hutchison	Perry	Petrunoff	Passed 7-0	Failed
Item 3 - Set Agenda.	Agenda, and adding Item 13.E seconded by Perry and unanimously carried.	yes	yes	yes	yes	yes	yes	yes	7-0	
CONSENT AGENDA ITEMS										_
Item 6.A. APPROVAL - of the June 7, 2023, Regular Meeting Minutes and the August 14, 2023, Workshop Meeting Minutes. Item 7.A. RESOLUTION 2023-15170 - for the Purpose of Awarding Annual Service Agreements to Herc Rentals Inc., Synergy Rents LLC, and United Rentals North America, Inc., Item 7.B RESOLUTION 2023-15171 - for the Purpose of Accepting and Approving the Ranking of the Top Three Firms in Order of Preference. Item 7.C RESOLUTION 2023-15172 - for the Purpose of Approving a Non-Recurring Standard	MOTION by Blankenship to APPROVE the Consent Agenda, continuing the August 16, 2023 minutes under Item 6.A, and removing Item 7.F for separate discussion and vote; seconded by Christman and unanimously carried.	yes	yes	yes	yes	yes	yes	yes	7-0	
Grant Agreement.										

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AGENDA ITEM	MOTION	VOTES									
Item 7.D RESOLUTION 2023-15173 - for the Purpose of Approving a Non-Recurring Standard Grant Agreement with the State of Florida Department of Environmental Protection (HA010) and the City of Naples. Item 7.E RESOLUTION 2023-15174 - Waiving the Competitive Bidding Process and Accepting a New Three-year Agreement with ESRI, Inc Item 8.A CONSIDERATION - of the Repeat Special Event Applications. Item 8.B CLERK TRACKING 2023-00141 - ACCEPTANCE of a donation and installation of a "Revolutionary War Patriots" Marker in Cambier Park by the Daughters of the American Revolution.											
END OF CONSENT AGENDA ITEMS	· · · · · · · · · · · · · · · · · · ·		1			-				-	
Item 7.F RESOLUTION 2023-15175 - Approving the Renewal of Property, Liability and Workers' Compensation Insurance	MOTION by Blankenship to APPROVE RESOLUTION 2023-15175; seconded by Petrunoff and unanimously carried.	yes	yes	yes	yes	yes	yes	yes	7-0		
Item 12.A RESOLUTION 2023-15176 - 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 \$100,000.00 Through Fiscal Year 2025-2026.	MOTION by Perry to ACCEPT added Exhibits A through D; seconded by Christman and unanimously carried.	yes	yes	yes	yes	yes	yes	yes	7-0		
	MOTION by Blankenship to APPROVE RESOLUTION 2023-15176; seconded by Hutchison and unanimously carried. Staff is directed to return to Council after meetings with CBRE, Inc. representatives with the scope of work for individual projects.	yes	yes	yes	yes	yes	yes	yes	7-0		
Item 12.B UPDATE AND DIRECTION - Regarding Proposed Underground Utility Projects in Aqualane Shores, Port Royal, and Royal Harbor.	MOTION by Blankenship to AUTHORIZE the City Manager to move forward with the RFQ process, return to Council with a methodology for paying for the consultant, and secure a written commitment from each homeowner association to fully cover all non-assessment costs incurred in the event no assessment is imposed; seconded by Christman and carried 5-2 (McCabe and Heitmann dissenting).	no	no	yes	yes	yes	yes	yes	5-2		
Item 13.A RESOLUTION 2023-15177 - for the Purpose of Amending the Contract with Zambelli Fireworks Manufacturing Company.	MOTION by McCabe to APPROVE RESOLUTION 2023-15177; seconded by Hutchison and unanimously carried. Consensus to proceed with December 31, 2023 fireworks.	yes	yes	yes	yes	yes	yes	yes	7-0		
Item 13.B ANNOUNCEMENT - of an Executive Session for the Purpose of Advice and Discussion of Settlement Negotiations Related to Litigation in Donna Burns v. City of Naples.	ANNOUNCEMENT of Executive Session on September 20, 2023 at 12:30 p.m.										
Item 13.C RESOLUTION 2023-15178 - for the Purpose of Amending Appendix "A", Fees and Charges Schedule of the Code of Ordinances to Reflect Fee Market Research Adjustments Effective October 1, 2023, for the Cambier Park Tennis Fees and Waterways (City Dock).	MOTION by McCabe to APPROVE RESOLUTION 2023-15178; seconded by Hutchison and carried 6-1 (Petrunoff dissenting)	yes	yes	yes	yes	yes	yes	no	6-1		

and Parks.

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AGENDA ITEM	MOTION				١	OTES				
Item 13.D PERMIT FEES CLERK TRACKING 2023-00142 - for Hurricane Ian Repairs Started or Completed Without Permits.	MOTION by Christman to immediately change the policy as follows: charge normal permit fees as the penalty amount for those who started work without obtaining necessary permits for Hurricane lan repairs; not issue refunds for those who had already paid twice the normal penalty fee; and continue to waive the permit fees for Hurricane lan-related repairs until September 28, 2024; seconded by Hutchison and unanimously carried.		yes	yes	yes	yes	yes	yes	7-0	
Item 13.E (ADDED ITEM) - ANNOUNCEMENT of an executive session for the purpose of advice and discussion of settlement negotations related to litigation in Horseshoe Motor Developers, LLC v. City of Naples.	ANNOUNCEMENT of Executive Session on September 18, 2023 at 12:30 p.m.									
Item 14.A FIRST READING - of an Ordinance Amending Special Event Permit Regulations.	MOTION by Blankenship to APPROVE at First Reading; seconded by Perry and unanimously carried.	yes	yes	yes	yes	yes	yes	yes	7-0	
Item 14.B FIRST READING - of an Ordinance For Establishing Milestone Inspections of Condominiums and Cooperative Buildings 3 Stories and Higher.	MOTION by McCabe to APPROVE at First Reading; seconded by Blankenship and unanimously carried.	yes	yes	yes	yes	yes	yes	yes	7-0	
END OF AGENDA										
September 20, 2023 - REGULAR MEETING			N O I		0 1 1 1		_			
Kenn 2. Cot Arounda	MOTION by Demarks OFT the Arrende subject to	Heitmann	McCabe	Blankenship		Hutchison	Perry	Petrunoff	Passed	Failed
Item 3 - Set Agenda.	MOTION by Perry to SET the Agenda subject to removing Item 7.M from the Consent Agenda for a separate discussion and vote and adding Item 13.C to discuss comments regarding the NAA letter; seconded by Christman and unanimously carried.	yes	yes	yes	yes	yes	yes	yes	7-0	
CONSENT AGENDA ITEMS								-		
Item 6.A Minutes - Approval of the September 5, 2023 Special Meeting Minutes and the August 16, 2023 Regular Meeting minutes. Item 7.A RESOLUTION 2023-15182 Petition 23-N1to Grant an Extension of Time to Reestablish	MOTION by Christman to APPROVE the Consent Agenda; seconded by Perry and unanimously carried.	yes	yes	yes	yes	yes	yes	yes	7-0	

Nonconforming Structures located at 18 6th Avenue South. Item 7.B RESOLUTION 2023-15183 Petition 23-N3 to Grant an Extension of Time to Reestablish a Nonconforming Structure Located at 3888 Crayton Road. Item 7.C RESOLUTION 2023-15184 Petition 23-N4 to Grant an Extension of Time to Reestablish a Nonconforming Structure Located at 450 Palm Circle West. Item 7.D RESOLUTION 2023-15185 - Approving the 2023-2024 Tourist Development Tax Grant Agreement Between Collier County and the City of Naples. Item 7.E RESOLUTION 2023-15186 - for the Purpose of Awarding a Three-Year Contract in the Amount of \$85,000 for the Removal and Stump Grinding of Trees and Palms within City Right-of-Way, Medians, and Parks. Item 7.F RESOLUTION 2023-15187 - for the Purpose of Approving a Contractor's Services Agreement to Tree Scaping of Naples, Inc., for Palm Pruning within City Rights-of-Way, Medians,

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AGENDA ITEM	MOTION VOTES										
Item 7.G RESOLUTION 2023-15188 - for the Purpose of Approving Amendment No. 1 to Standard Grant Agreement 22PLN77 Between the Florida Department of Environmental Protection and the City of Naples for the Climate Adaptation and Mitigation Plan. Item 7.H RESOLUTION 2023-15189 - for the Purpose of Approving an Extension (Year 6) Amendment of Professional Consultant's Services Agreement with Johns Eastern Company, Inc. Item 7.I RESOLUTION 2023-15190 - for the Purpose of Approving an Extension (Year 6) Amendment of Professional Consultant's Services Agreement with Risk Management Associates, Inc. dba Public Risk Insurance Agency (PRIA).											
Item 7.J RESOLUTION 2023-15191 - Approving Amendment No. 1 to Standard Grant Agreement LPA0344 Between the State of Florida Department of Environmental Protection and the City of Naples. Item 7.K RESOLUTION 2023-151902 - for the Purpose of Amending The Fiscal Year (FY) 2022- 23 Budget Adopted By Resolution 2022-14943 establish a restricted reserve capital building account to construct a building specifically for the use of enforcing the FI. Building Code.											
Item 7.L RESOLUTION 2023-15193 - for the Purpose of Approving a Second Amendment to the Contractor's Services Agreement with A Personal Touch Lawn Services, Inc. END OF CONSENT AGENDA ITEMS											
Item 7.M RESOLUTION 2023-15194 - for the Purpose of Approving an Agreement for Legal Services with the Law Office of Jursinski & Murphy PLLC regarding Neapolitan Enterprises, LLC v. City of Naples & Olde Naples, LLC (Removed from Consent Agenda).	MOTION by Christman to APPROVE RESOLUTION 2023-15194; seconded by Hutchison and unanimously caried.	yes	7-0								
Item 11.A CONTINUED - for the Purpose of Determining Outdoor Dining at 837 5th Avenue South on Property Owned by 5th Ave South Investments, LLC.	MOTION by Christman to CONTINUE Item 11.A until the October 18, 2023 City Council Regular Meeting; seconded by Hutchison and unanimously carried.	yes	7-0								
Item 11.B RESOLUTION 2023-15195 - to Establish a Rooftop Restaurant on Property Owned by 5th Avenue South Investments, LLC and Located at 837 5th Avenue South.	MOTION by Christman to APPROVE RESOLUTION 2023-15195; seconded by Hutchison and carried 6-1.	yes	no	yes	yes	yes	yes	yes	6-1		
Item 11.C RESOLUTION 2023-15196 - Determining Fifth Avenue South Parking Allocation for the Purpose of Allocating Twenty-Four (24) Public Parking Spaces for the Development of a Rooftop Restaurant for Property Owned by 5th Avenue South Investments, LLC,, and Located at 837 5th Avenue South.	MOTION by Christman to APPROVE RESOLUTION 2023-15196; seconded by Hutchison subject to and unanimously carried.	yes	7-0								
Item 11.D RESOLUTION 2023-151967 - for the Purpose of Determining Outdoor Dining Petition 23-OD10 to Establish Outdoor Dining on Private Property for Prime Social a Rooftop Restaurant on Property Owned by 5th Avenue South Located at 837 5th Avenue South.	MOTION by Christman to APPROVE RESOLUTION 2023-15197; seconded by Hutchison and unanimously carried	yes	7-0								
Item 11.E CONTINUED - A Resolution for the Purpose of Determining Petition 22-V2, Relating to a Variance from Section 58-206 of the City of Naples Code of Ordinances to Allow for a New Screen Enclosure to Encroach into the Required Rear and Side Yards for Property Owned by Donald W. Dipietro Trust, and Located at 3750 Fountainhead Lane.	MOTION by Blankenship to CONTINUE Item 11.E until the October 18, 2023 City Council Regular Meeting; seconded by Hutchison and unanimously carried.	yes	7-0								
Item 11.F RESOLUTION 2023-15199 - Relating to a Subdivision Replat for 10th Avenue South Residences, A Zero Lot Line Subdivision on Property Located at 960 9th Street South and 825, 845, 855, 875 10th Avenue South.	MOTION by Hutchison to APPROVE Resolution 2023-15199; seconded by Perry and carried.	yes	no	yes	yes	yes	yes	yes	6-1		
Item 11.G RESOLUTION 2023-15200 - for the Purpose of Determining Outdoor Dining at Keewaydin's, on Property Located on Sugden Plaza and Adjacent to 711 5th Avenue South.	MOTION by Blankenship to APPROVE Resolution 2023-15200; seconded by McCabe	yes	7-0								

and unanimously carried.

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AGENDA ITEM	MOTION				١	/OTES				
Item 11.H RESOLUTION 2023-15201 - for the Purpose of Determining Live Entertainment for Keewaydin's Located at 711 5th Avenue South.	MOTION by McCabe to APPROVE Resolution 2023-15201 subject to the following changes: 1) correct the title to say trust; 2) limit live entertainment to up to two entertainers from 11:30 a.m. 9 p.m. Monday through Sunday for indoor and outdoor live entertainment; and 3) add a reference to Exhibit A in Section 1; seconded by Blankenship and unanimously carried.	yes	yes	yes	yes	yes	yes	yes	7-0	
Item 11.I RESOLUTION 2023-15202 - for the Purpose of Determining Petition 22-SP7, Relating to a Site Plan for the Expansion and Renovation of the Existing One-Story Clubhouse and Modifications to the Existing Pool Deck on Property Located at 1800 Tamiami Trail East.	MOTION by McCabe to APPROVE Resolution 2023-15202; seconded by Perry and unanimously carried.	yes	yes	yes	yes	yes	yes	yes	7-0	
Item 11.J CONTINUED - for the Purpose of Determining Outdoor Dining for Pazzo! Cucina Italiana Located at 853 5th Avenue South.	MOTION by Blankenship to CONTINUE Item 11.J until the October 18, 2023 City Council Regular Meeting; seconded by Perry and unanimously carried.	yes	yes	yes	yes	yes	yes	yes	7-0	
Item 11.K CONTINUED - for the Purpose of Determining Live Entertainment for Pazzo! Cucina Italiana Located at 853 5th Avenue South.	MOTION by Blankenship to CONTINUE Item 11.K until the October 18, 2023 City Council Regular Meeting; seconded by Perry and unanimously carried.	yes	yes	yes	yes	yes	yes	yes	7-0	
Item 11.L RESOLUTION 2023-15205 - for the Purpose of Determining Outdoor Dining for a Restaurant Known as Unidos Restaurant Located at One 9th Street North.	MOTION by Hutchison to APPROVE Resolution 2023-15205; seconded by Petrunoff and unanimously carried.	yes	yes	yes	yes	yes	yes	yes	7-0	
Item 12.A CLERK TRACKING 2023-00143 - Appoint Two Members to the Carver Finance Board of Directors and One Alternate Member to the Design Review Board (Appointment of Design Review Board Member was continued).	MOTION by McCabe to APPROVE Clerk Tracking 2023-00143 reappointing Lodge McKee to the Carver Finance Board of Directors for the balance of a three-year term commencing September 20, 2023 and expiring September 19, 2026; seconded by Hutchison and unanimoulsy carried.	yes	yes	yes	yes	yes	yes	yes	7-0	
Item 12.B DISCLOSURE and DIRECTION - Regarding Underground Parking Opinion.	MOTION by Hutchison to DIRECT the City Manager and City Attorney to begin the process of developing thorough Code regarding underground parking garages and suggest that until such time, we PAUSE administrative approvals related to underground and below- grade parking garages; seconded by Heitmann and carried.	yes	yes	yes	no	yes	no	yes	5-2	
Item 13.A EXECUTIVE SESSION - Regarding Donna Burns v. City of Naples	No action announced.									
Item 13.B EXECUTIVE SESSION - Regarding 275 Gulf Shore Boulevard LLC v. City of Naples.	No action announced.									
Item 13.C NAA LETTER.	No action announced.									4
Item 15.A ORDINANCE 2023-165179 - Second Reading of Mandatory Inspection of Aging Condominium and Cooperative Buildings Ordinance.	MOTION by McCabe to ADOPT Ordinance 2023- 15179; seconded by Hutchison and unanimously carried.	yes	yes	yes	yes	yes	yes	yes	7-0	

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AGENDA ITEM	MOTION				\ \	/OTES				
Item 15.B ORDINANCE 2023-165180 - Second Reading of an Ordinance Amending the Aesthetic Design Standards, for Permitting of Construction and Maintenance in the Public Rights- of-Way, Public Sidewalks and Ways, Public Utility Easements, and Other Public Property.	MOTION by McCabe to ADOPT Ordinance 2023- 15180; seconded by Hutchison and unanimously carried.	yes	yes	yes	yes	yes	yes	yes	7-0	
Item 15.C ORDINANCE 2023-165181 - Second Reading of an Ordinance Amending Special Event Permit Regulations.	MOTION by McCabe to ADOPT Ordinance 2023- 15181; seconded by Hutchison and unanimously carried.	yes	yes	yes	yes	yes	yes	yes	7-0	
END OF AGENDA		•					•			
September 20, 2023 - SPECIAL MEETING										
		Heitmann	McCabe	Blankenship	Christman	Hutchison	Perry	Petrunoff	Passed	Failed
Item 5.A RESOLUTION 2023-15206 - Determining and Fixing the 2023 Tax Levy and Final Millage Rate for the City of Naples.	2023 Tax levy and Operating Millage Rate for the City of Naples, Florida is adopted at 1.1700mills as set forth in Resolution 2023-15206; carried.	yes	yes	no	yes	no	yes	yes	5-2	
Item 5.B RESOLUTION 2023-15207 - Adopting the Final Budget for the City of Naples.	The Final Budget of the City of Naples for Fiscal Year 2023-24 is adopted as set forth in Resolution 2023-15207; unanimously carried.	yes	yes	no	yes	yes	yes	yes	6-1	
Item 5.C RESOLUTION 2023-15208 - Determining and Fixing the 2023 Tax Levy and Final Millage Rate for the East Naples Bay Special Taxing District.	The 2023 tax levy and millage rate for the East Naples Bay Special Taxing District is adopted at 0.5000 mills as set forth in Resolution 2023- 15208; unanimously carried.	yes	yes	yes	yes	yes	yes	yes	7-0	
Item 5.D RESOLUTION 2023-15209 - Determining and Fixing the 2023 Tax Levy and Final Millage Rate for the Moorings Bay Special Taxing District.	The 2023 tax levy and millage rate for the Moorings Bay Special Taxing District is adopted at 0.0125mills as set forth in Resolution 2023- 15209: unanimously carried.	yes	yes	yes	yes	yes	yes	yes	7-0	
Item 5.E RESOLUTION 2023-15210 - Adopting the Final Budget for the East Naples Bay Special Taxing District.	The Final Budget of the East Naples Bay Special Taxing District is adopted as set forth in Resolution 2023-15210; unanimously carried.	yes	yes	yes	yes	yes	yes	yes	7-0	
Item 5.F RESOLUTION 2023-15211 - Adopting the Final Budget for the Moorings Bay Special Taxing District.	The Final Budget of the Moorings Bay Special Taxing District is adopted as set forth in Resolution 2023-15211; unanimously carried.	yes	yes	yes	yes	yes	yes	yes	7-0	
END OF AGENDA	•	•		•		•	•			
October 4, 2023 - REGULAR MEETING										
		Heitmann	McCabe	Blankenship	Christman	Hutchison	Perry	Petrunoff	Passed	Failed
Item 3 - Set Agenda.	MOTION by Blankenship to SET THE AGENDA with the changes as outlined; seconded by Petrunoff and unanimously carried.	yes	yes	yes	yes	yes	yes	yes	7-0	
CONSENT AGENDA ITEMS										
Item 6.A - APPROVAL - of the September 7, 2023 Regular Meeting Minutes and the September 20, 2023 Special (Budget) Meeting Minutes. Item 7.A - RESOLUTION 2023-15112 - A Resolution Approving an Agreement with the Collier Community Foundation for the Purpose of Establishing a Designated Pass-Through Fund for the Naples Pier Project.	MOTION by Blankenship to APPROVE THE CONSENT AGENDA; seconded by Hutchison and unanimously carried.	yes	yes	yes	yes	yes	yes	yes	7-0	

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AGENDA ITEM	MOTION				v	OTES					
Item 7.B RESOLUTION 2023-15213 - A Resolution for the Purpose of Approving a Task Order to											
Johnson Engineering, Inc. for Professional Engineering Services for Design and Consulting											
Services of the Traffic Signal Improvements at the Intersection of Harbour Drive and Crayton											
Road; and approving a First Amendment											
Item 7.C RESOLUTION 2023-15214 - A Resolution for the Purpose of Awarding a Task Order to											
Trebilcock Consulting Solutions, P.A. for Professional Engineering Services for Design and											
Consulting Services of the Traffic Signal Improvements at the intersection of Mooring Line Drive											
and Crayton Road; and Amending the Existing CCNA Agreement.											
Item 7.D RESOLUTION 2023-15215 - A REsolution Approving a Contractor's Agreement											
Between the City of Naples and Grady Minor for Architectural and Engineering Services to Design											
Plans and Providing Bidding Services for the Repair of 27 Public Beach Accesses Damaged by											
Hurricane lan.											
Item 7.E RESOLUTION 2023-15216 - A Resolution Approving a Contractor's Agreement for the											
River Park Community Center Flooring and Ceiling Replacement Project Between the City of											
Naples and Steve Schmitt Custom Carpentry.											
Item 7.F RESOLUTION 2023-15217 - A Resolution for the Purpose of Approving Purchase Order											
Agreements for the Utilization of Outside Contracts for the Purchase of Goods and Services											
Between the City of Naples and Multiple Vendors.											
Item 7.G RESOLUTION 2023-15218 - A Resolution Approving a First Amendment to Services											
Agreement with Crystal Coatings, Inc. for the Purpose of Consenting to an Assignment of the											
Agreement to											
÷											
Item 7.H RESOLUTION 2023-15219- Approving a Special Events Manual and Providing for											
approval of special events by Resolution.											
Item 8.A REPEAT SPECIAL EVENTS - Consideration of the Repeat Special Event Applications:											
1) Cancer Alliance Fundraiser - Baker Park; 2) Halloween Party - 1040 13th St. N; 3)											
Neighborhood Bash - 88 12th St. N; 4) Hyatt House Event - Hyatt House Hotel; 5) Lake Park											
Elementary Family Fun Night - 1295 14th Avenue N.; 6) Christmas on 3rd - 3rd St S Courtyards;											
7) Tuba Christmas 2023 - 5th Ave S, Sugden Plaza; 8) Nash to Naples - Cambier Park; 9)											
Health and Wellness Festival/Market - Baker Park; 10) Naples Boat Show - Naples City Dock;											
11) Swamp Buggy Parade - US 41 from GG to 3rd Ave S; 12) Pets on Third Pet Parade &											
Petfest - 3rd Street South & Neapolitan Parking Lot; 13) Festival Under the Stars - Cambier											
Park; and 14) Fine Art Show – Bayfront.											
Item 8.B CLEK TRACKING 2023-00148 - Changing a Regular Member Appointment on the											
Design Review Board to an Alternate Member Appointment, and Directing the City Clerk to											
Continue Advertising for the Architect Regular Member Position.											
END OF CONSENT AGENDA ITEMS											
Item 7.I REMOVED - Resolution Determining Nonconformity Petition 23-N5 to Grant an Extension	Removed from the Agenda.										
of Time to Reestablish Nonconforming Structures.											
Item 11.A RESOLUTION 2023-15221- for the Purpose of Determining Live Entertainment for the		yes	yes	yes	yes	yes	yes	no	6-1		
AC Marriott Hotel.											
Item 11.B RESOLUTION - for the Purpose of Determining Outdoor Dining for The AC Mariott	MOTION by Christman to APPROVE	yes	yes	yes	yes	yes	yes	yes	7-0		
Hotel, including 46 tables and 204 seats, in three distinct locations, owned by Palmetto Hospitality	RESOLUTION 2023-15222 with the condition										
of Naples, LLC and located at 455 12th Street South.	that the Life Safety Plan be changed to depict an										
	eight-foot-wide via and that it must be reviewed										
	and approved by the Fire and Planning										
	Departments; seconded by Hutchison and										
	unanimously carried.										

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AGENDA ITEM	MOTION		١	VOTES				
Item 12.A REVIEW AND DISCUSSION - Review and Discussion of Article V, Division 4, Sections 2-471 to 2-478 - Design Review Board.	Discussion only.							
Item 13.A CONSIDERATION - of the Repeat Special Event Applications 1. Stone Crab Fest – Naples Tin City. 2. Gobble Gobble Four-Miler.	MOTION by Heitmann to WAIVE the fee for the Stone Crab Fest for this year only, and DIRECT staff to bring forward a recommendation as to whether City Council should continue to waive the fee in the future; seconded by Christman and failed.	yes	no	no	yes	absent	yes	
	MOTION by McCabe to WAIVE the fee for the Stone Crab Fest for that year and to not waive the fees for future Stone Crab Fest Events; seconded by Christman and carried.	yes	yes	no	yes	absent	yes	
	MOTION by Heitmann to APPROVE the Gobble Gobble Four Miler Race; seconded by Blankenship and carried.	yes	no	yes	yes	absent	yes	}
Item 13.B - Announcement of Executive Session - Announcement of Executive Session - Dye	MOTION by Blankenship to APPROVE the	yes	yes	yes	yes	absent	yes	2

	MOTION by McCabe to WAIVE the fee for the Stone Crab Fest for that year and to not waive the fees for future Stone Crab Fest Events; seconded by Christman and carried.	yes	yes	no	yes	absent	yes	no	4-2	
	MOTION by Heitmann to APPROVE the Gobble Gobble Four Miler Race; seconded by Blankenship and carried.	yes	no	yes	yes	absent	yes	yes	5-1	
Item 13.B - Announcement of Executive Session - Announcement of Executive Session - Dye v. City of Naples.	MOTION by Blankenship to APPROVE the request to schedule an Executive Session related to Dye v. City of Naples, Case No. 2022-CA- 001689, at the October 12, 2023 City Council Regular Meeting at 3:00 p.m.; seconded by Christman and carried.	yes	yes	yes	yes	absent	yes	yes	6-0	
Item 13.C APPROVAL of 2024 Meetng Calendar - Approval of 2024 City Council and CRA Meetings and Workshops.	Consensus reached to make the following changes to the proposed 2024 City Council / CRA Meeting Schedule: 1) move the January 17th City Council Regular Meeting to January 18th; 2) move the February 21st City Council Regular Meeting to February 22nd; 3) add a City Council Regular Meeting on March 4th; 4) move the April 11th CRA Meeting to April 4th; 5) move the June 13th CRA Meeting to August 23rd; 7) move the October 10th CRA Meeting to November 4th; 8) move the December 16th City Council Workshop Meeting to December 9th; and 9) move the December 18th City Council Regular Meeting to December 12th.	yes	yes	yes	yes	absent	yes	yes	6-0	
	MOTION by Blankenship to APPROVE the 2024 City Council / CRA Meeting Schedule, subject to the changes outlined by City Manager Boodheshwar; seconded by Petrunoff and carried.	yes	yes	yes	absent	yes	yes	yes	6-0	
Item 14.A FIRST READING - First Reading of an Ordinance Amending Sections of the Public Art Advisory Committee, Community Services Advisory Board, Public Art, and the Design Review Board to dissolve the Public Art Advisory Committee.	MOTION by Perry to APPROVE ITEM 14.A AT FIRST READING; seconded by Blankenship and carried.	yes	yes	yes	yes	absent	yes	yes	6-0	
Item 17 Correspondece and Communication.	Consensus reached to schedule a discussion regarding the use of the Quantum Growth chemical on Ficus trees in the Seagate community.									

3-3

no

**The information contained have in it.

Item 6.D - Discussion Related to a Proposed Porte Cochere for the Naples Beach Club Hotel.

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AGENDA ITEM	MOTION	VOTES								
END OF AGENDA		•								
October 12, 2023 - SPECIAL MEETING										
		Heitmann	McCabe	Blankenship	Christman	Hutchison	Perry	Petrunoff		
Item 3 - Set Agenda.	MOTION by McCabe to SET THE AGENDA subject to considering Item 7.C immediately following Item 5; seconded by Christman and unanimously carried.	yes	yes	yes	yes	yes	yes	yes		
ITEM 7.C. RESOLUTION 202315223- for the Purpose of Approving an Amendment to the Construction Manager at Risk (CMAR) Contract Between the City of Naples Community Redevelopment Agency ("CRA"), the City of Naples, and Kaufman Lynn Construction, Inc. for Construction of the 1st Avenue South Public Parking Garage.	MOTION by Perry to APPROVE RESOLUTION 2023-15223; seconded by McCabe and unanimously carried.	yes	yes	yes	yes	yes	yes	yes		
Item 6.A. RANK AND SELECT 2023-00151- an Interim City Attorney for the City of Naples.	MOTION by Petrunoff to RETAIN Attorney Ralf Brookes as primary interim City Attorney; seconded by Christman and carried.	yes	no	yes	yes	yes	yes	yes		
	MOTION by Petrunoff to RETAIN Attorney James Stokes as the secondary Interim City Attorney; seconded by Christman and carried.	no	no	yes	yes	yes	yes	yes		
Item 7.A. EXECUTIVE SESSION - Brian Dye v. City of Naples.	No action									
Item 7.B. ANY ACTION NEEDED - as a Result of the Executive Session - Brian Dye v. City of Naples.	No action taken									
END OF AGENDA	•									
October 16, 2023 - SPECIAL MEETING										
		Heitmann	McCabe	Blankenship	Christman	Hutchison	Perry	Petrunoff		
Item 3 - Set Agenda.	MOTION by Christman to SET THE AGENDA with the inclusion of the additional materials related to item 6.E; seconded by Hutchison and carried 6-1.	yes	no	yes	yes	yes	yes	yes		
item 6.A - Presentation on Water, Sewer, and Reclaimed Water Rate Study Update.	Presentation only.									
Item 6.B - Update and Discussion of 7th Avenue North Traffic Calming Project.	Consensus reached to re-evaluate the traffic calming device placement and reduce the number of devices in advance of returning with an update up a November Council meeting; and to complete a future warrant study to consider replacement of the traffic circles with stop signs.	yes	yes	yes	yes	yes	yes	yes		
Item 6.C - Continued Discussion and Direction on Redesign and Permitting of East Lake.	MOTION by McCabe to APPROVE the proposal for design and permitting services for East Lake with an expedited schedule to the extent reasonably possible; seconded by Blankenship and unanimously carried.	yes	yes	yes	yes	yes	yes	yes		

Discussion only.

Failed

Failed

Passed

7-0

7-0

6-1

6-1

Passed

6-1

7-0

7-0

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2023 City	Council	ACTION	REPORT
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	prambosk@naplesgov	.com						
**The information contained herein is used only as a	working paper preliminary to preparation of r	meeting m	inutes and s	should not be	relied upon	as the offic	cial record.	**
AGENDA ITEM	MOTION				١	OTES		
Item 6.E - Resolutions 2023-15225 and 2023-15226 to Approve Engagement Agreements for Interim City Attorney.	MOTION by Christman to APPROVE RESOLUTIONS 2023-15225 AND 2023-15226, the agreements with Attorney Brookes and Attorney Stokes effective October 17, 2023 with the understanding they will be working with the Vose firm until October 27, 2023 and with the City Manager returning to Council with a more detailed delineation of the responsibilities divided between the two attorneys; seconded by Hutchison and carried.	yes	no	yes	yes	yes	yes	У
Item 6.F - Update and Direction on The 90% Design for the Naples Pier.	MOTION by Blankenship to APPROVE OPTION A (the roofline pulled back on both onshore structures to reduce the roofline); seconded by	yes	yes	yes	yes	yes	yes)

	A (the roofline pulled back on both onshore	-	-		-		-	-		
	structures to reduce the roofline); seconded by									
	Hutchison and unanimously carried.									
Item 7.A - Presentation and Discussion to Determine Interest in Providing Utility Easements	Consensus for the City Manager to follow up and	yes	7-0							
in Lowdermilk Park to Telcosub to Install an International Fiber Optic Communications Cable	provide additional information at a future meeting.	-	-	-	-		-	-		

END OF AGENDA October 18, 2023 - REGULAR MEETING										
		Heitmann	McCabe	Blankenship	Christman	Hutchison	Perry	Petrunoff	Passed	Failed
Item 3 - Set Agenda.	MOTION by Perry to SET THE AGENDA subject	yes	yes	yes	yes	yes	yes	yes	7-0	
	to adding Item 4.D and continuing Item 6.A until a									
	later date; seconded by Petrunoff and									
	unanimously carried.									
Item 4.D (ADDED ITEM) Interview Andrew Cribbs for the Carver Finance Board and Mike Faucett	Interviews conducted.									
for the Code Enforcement Board.										
CONSENT AGENDA ITEMS				<u>.</u>						
Item 7.A RESOLUTION 2023-15227 - A Resoluition to Accept a Linear Public Park Easement	Motion by McCabe to APPROVE THE CONSENT	yes	yes	yes	yes	yes	yes	yes	7-0	
from Palmetto Hospitality of Naples	AGENDA; seconded by Blankenship and	-	-		-	-	-			
Item 7.B RESOLUTION 2023-15228 - A Resoluition to Accept a Utility Easement from Palmetto	unanimously carried.								7-0	
Hospitality of Naples										
Item 7.C RESOLUTION 2023-15229 - A Resoluition to Accept a Utility Easement from WSR									7-0	
Naples Square Commercial LLC										
Item 7.D RESOLUTION 2023-15230 - A Resoluition to Amend the Fiscal Year 23-24 Budget to									7-0	
Appropriate Funds from Law Enforcement Related Items.										
Item 7.E RESOLUTION 2023-15231 - A Resoluition to Approve a First Amendment to the									7-0	
Professional Services Agreement with Wood Environment and Infrastrucutre Solutions Inc.										
Item 7.F RESOLUTION 2023-15232 - A Resoluition to Approve a Second Amendment to									7-0	
Professional Services Agreement with WSP USA Environment and Infrastructure.										
Item 8.A RESOLUTION 2023-15233 - A Resolution to Amend the Table of Contracts in Section 1									7-0	1
of Resolution 2023-15217.										
END OF CONSENT AGENDA ITEMS		1		1	1	1 1		1		
Item 6.A CONTINUED - Approval of the September 5, 2023 Special Meeting Minutes.	Continued (See Item 3 above).									

yes

yes

6-1

7-0

2023 City Council ACTION REPORT	

**The information contained herein is used only as a w	orking paper preliminary to preparation of r	neeting mi	inutes and s	hould not be	e relied upon	as the offic	cial record.	**		
AGENDA ITEM	MOTION				<u>۷</u>	OTES				
Item 11.A DENIED - Petition 22-V2 to Allow for a New Sceen Enclosure to Encroach into the Required Rear and Side Yards for Property at 3750 Fountainhead Lane.	Motion by Perry to DENY PETITION 22-V2 based on its failure to meet threshold criteria 1, 2, 5, 6, and 7, and additional criteria 1, 2, and 3; seconded by Blankenship and carried 6-1.	no	yes	yes	yes	yes	yes	yes	6-1	
Item 11.B RESOLUTION 2023-15235 - Consider Outdoor Dining Petition 23-OD11 on Public Property for Chops City Grill at 837 5th Ave South.	MOTION by McCabe to APPROVE RESOLUTION 2023-15235 subject to adding the condition all elements of outdoor dining, including tables, chairs, and accessories, must be stored inside when not in use; seconded by Perry and unanimously carried.	yes	yes	yes	yes	yes	yes	yes	7-0	
Item 11.C RESOLUTION 2023-15236 - Consider Outdoor Dining Petition 23-OD13 Establishing Outdoor Dining on Public Property for Pazzo! Cucina Italiana at 853 5th Avenue South.	MOTION by McCabe to APPROVE RESOLUTION 2023-15236; seconded by Blankenship and unanimously carried.	yes	yes	yes	yes	yes	yes	yes	7-0	
Item 11.D RESOLUTION 2023-15237 -Consider Live Entertainment Petition 23-LE6 Establishing Amplified Indoor Live Entertainment at Pazzo! Cucina Italiana at 853 5th Ave South.	MOTION by McCabe to APPROVE RESOLUTION 2023-15237 subject to the following changes:1) the hours of operation of amplified indoor live entertainment will be from to 4 p.m. to 9 p.m. Sunday through Sunday; and 2) there will be a maximum number of two entertainers; seconded by Blankenship and unanimously carried.	yes	yes	yes	yes	yes	yes	yes	7-0	
Item 11.E RESOLUTION 2023-15238 - Consider Outdoor Dining Petition 23-OD16 Establishing Outdoor Dining on Public Property at Café Marquise at 630 5th Ave South.	MOTION by Petrunoff to APPROVE RESOLUTION 2023-15238; seconded by McCabe and unanimously carried.	yes	yes	yes	yes	yes	yes	yes	7-0	
Item 11.F RESOLUTION 2023-15239 - Consider Outdoor Dining Petition 23-OD14 on Private Property for Warren Restaurant on Property Owned by 10th St Collective and Located at 111 10th Street South.	MOTION by McCabe to APPROVE RESOLUTION 2023-15239; seconded by Hutchison and unianimously carried.	yes	yes	yes	yes	yes	yes	yes	7-0	
Item 11.G RESOLUTION 2023-15240 - Consider On-street Parking Allocation Petition 23- PDWN1 in the D Downtown to allocate 2 On-street Spaces for Property Owned by 10th Street Collective at 111 10th Street South.	MOTION by McCabe to APPROVE RESOLUTION 2023-15240; seconded by Christman and unianimously carried.	yes	yes	yes	yes	yes	yes	yes	7-0	
Item 11.H RESOLUTION 2023-15241 - Consider Petition 23-PIL1 for Payment In-lieu-of parking in the D Downtown for 25 spaces for property owned by The Neighborhood Health Clinic at 88 12th St North.	Consensus reached to waive off-site improvements with the addition of the pathology laboratory.									

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AGENDA ITEM	MOTION				V	OTES			
	MOTION by Blankenship to APPROVE RESOLUTION 2023-15241 subject to adding the following condition: "The City Council hereby exercises its discretion to waive the payment in-lieu-of parking fee under Code Section 58-920 in this extraordinary circumstance because of the unique mission and the historical and proposed operations of the Naples Neighborhood Health Clinic Inc. that serves the community health care	yes	no	yes	yes	yes	yes	yes	6-1
	needs of the uninsured working poor that typically do not drive to the Naples Neighborhood Health Clinic and therefore do not create parking demand that cannot be accommodated within the parking spaces provided and proposed onsite. If the Naples Neighborhood Health Clinic ownership, use, or mission changes from serving the health care needs of the uninsured working poor pursuant to Florida Statutes Chapter 768 in our community, the City reserves the right to revisit the waiver of the aforementioned parking fees. The City Council authorizes City staff to deplete by 25 spaces the on-street right-of-way parking north of Central Avenue parking pool created by Code Section 58-916. This approval shall not establish precedent for any future applications."; seconded by Christman and								
tem 11.I DENIED - Consider Petition 23-V2 Relating to a Variance to Allow a Pool Deck to Exceed the Maximum Elevation Allowed in the Required Side Yard for Property Owned by Nancy 3. Carlson Revocable Trust at 2575 Lantern Lane.	carried 6-1. MOTION by McCabe to DENY PETITION 23-V2 based on its failure to meet Threshold criteria 1, 2,5, 6, and 7, does not meet additional criteria 1, 2, and 3, and that special criteria 4 and 5 do not apply; seconded by Hutchison carried 4-3.	no	yes	yes	no	yes	yes	no	4-3
tem 11.J CONTINUED - Consider Conditional Use Petition 23-CU3 Pursuant to Section 46-34 of he Code and Ordinance 2017-13978 Section III of the Park Shore Plaza PD for Installation of 1 ATM/VAT Tube Drive-thru Canopy for the Fifth Third Bank on Property Owned by Brixmor Park Shore at 4395 9th Street North.	MOTION by Perry to GRANT the request for a continuance until the December 18, 2023 City Council Regular Meeting; seconded by Christman and carried.	yes	no	yes	yes	no	yes	no	4-3
tem 11.K RESOLUTION 2023-15244 - Consider Outdoor Dining Petition 23-OD15 for a Revised ife Safety Plan and Change in Seating Layout on Property Owned by GolfHunt at 560 9th Street South.	MOTION by Perry to APPROVE RESOLUTION 2023-15244; seconded by Hutchison and unanimously carried.	yes	yes	yes	yes	yes	yes	yes	7-0
tme 12.A CLERK TRACKING 2023-00156, 2023-00157, 2023-00158, 2023-00159, 2023-00160, AND 2023-00161 - Appoint One Member to the Carver Finance Board of Directors, Three Members to the Citizens Police Review Board, and Three Members to the Code Enforcement Board.	MOTION by Perry to CONTINUE the appointment of one Member to the Carver Finance Board of Directors until a later date; seconded by Perry and unanimously carried.	yes	yes	yes	yes	yes	yes	yes	7-0

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AGENDA ITEM	MOTION				v	OTES				
	MOTION by McCabe to APPOINT Timothy Moffitt, Debbie Groover, and Joy Spivak for three- year terms on the Citizens' Police Review Board; seconded by Hutchison and unanimously carried.	yes	yes	yes	yes	yes	yes	yes	7-0	
	MOTION by McCabe to APPOINT Mike Faucett, John Krol, and Nicholas Spahr for three-year terms on the Code Enforcement Board; seconded by Hutchison and unanimously carried.	yes	yes	yes	yes	yes	yes	yes	7-0	
Item 13.A DISCUSSION AND DIRECTION - Consider Approval of a Right-of-Way Permit to Install a Monumental Mailbox at 1675 Gordon Drive.	No action taken.									
Item 14.A FIRST READING - First Reading of an Ordinance amending the minimum lot size in the PS Public Service District.	MOTION by Blankenship to APPROVE ITEM 14.A AT FIRST READING; seconded by Hutchison and unanimously carried.	yes	yes	yes	yes	yes	yes	yes	7-0	
Item 15.A ORDINANCE 2023-15224 - Second Reading of an Ordinance Amending Sections of the Public Art Advisory Committee, Community Services Advisory Board, Public Art, and the Design Review Board.	MOTION by McCabe to ADOPT ORDINANCE 2023-15224; seconded by Blankenship and unanimously carried.	yes	yes	yes	yes	yes	yes	yes	7-0	
END OF AGENDA										
October 30, 2023 - SPECIAL MEETING										
		Heitmann	McCabe	Blankenship		Hutchison	Perry	Petrunoff	Passed	Failed
Item 3 - Set Agenda.	MOTION by Perry to APPROVE adding Item 7.D; seconded by Petrunoff and carried 6-1.	yes	no	yes	yes	yes	yes	yes	6-1	
Item 6.A REVIEW AND DISCUSSION - of Article V, Division 4, Sections 2-471 to 2-478 - Design Review Board.	Consensus reached to strike Sec. 58-1134 (5) Adjacent preexisting setbacks in the 5th Ave. South Special Overlay District and replace it with the requirement that adjustments to a setback would be make through the variance process.									
Item 6.B FOURTH AMENDMENT - CLERK TRACKING 2023-00166 - to Interlocal Agreement Between Collier County and the City of Naples, Governing the Use of City of Naples Beach Parking Facilities and Parks and Recreation Programs.	MOTION by Christman to APPROVE CLERK TRACKING 2023-00166; seconded by Perry and carried.	yes	no	yes	yes	no	yes	no	4-3	
Item 7.A DISCUSSION - for the Purpose of Obtaining Direction on the Updated Interlocal Agreement Between the Collier County Public Schools and the City of Naples Related to the Use of Seagate Park, Naples High School Tennis Courts, and a Request to Use Fleischmann Park's Sand Volleyball Courts.	Discussion only.									
Item 7.B CONSIDERATION (FAILED)- Request to Waive Facility Rental Fees at Fleischmann Park for The Gulf Coast Veterans & Friends.	MOTION by Hutchison to WAIVE the facility rental fees; seconded by Heitmann and failed.	yes	no	no	no	yes	no	no		2-5
Item 7.C ANNOUNCEMENT - of an Executive Session Related to Neapolitan Enterprises, LLC vs. The City of Naples, Olde Naples Building LLC and Broad Avenue LLC.	Announcement made.									
Item 7.D - (ADDED ITEM) Request for approval to Reconsider a Motion for Denial of Petition 23- V2 which was heard at the October 18, 2023 Regular Meeting.	MOTION by Blankenship to RECONSIDER vote to deny Petition 23-V2; seconded by Christman and carried.	yes	no	yes	yes	no	no	yes	4-3	
Item 9. Communications from the Mayor, City Council, and Staff.	Consensus reached to schedule a half hour presentation regarding the 2023 Collier County Community Assessment at a future City Council									

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AGENDA ITEM	MOTION				v	OTES				
November 1, 2023 - REGULAR MEETING										
		Heitmann	McCabe	Blankenship	Christman	Hutchison	Perrv	Petrunoff	Passed	Failed
Item 3 - Set Agenda.	MOTION by Blankenship to SET THE AGENDA subject to adding Item 4.C and considering Item 13.A immediately after Item 11.A; seconded by Hutchison and unanimously carried.	yes	yes	yes	yes	yes	yes	yes	7-0	
CONSENT AGENDA ITEMS	·			•					•	
Item 6.A - MINUTES - Approval of the September 5, 2023, Special Meeting Minutes.		yes	yes	yes	yes	yes	yes	yes	7-0	
Item 7.A RESOLUTION 2023-15245 - A Resolution for the Purpose of Approving a Three-year Contractor's Services Agreement, with an Option of Two One-Year Renewals, Between the City of Naples and Earth Tech Environmental LLC. Item 7.B RESOLUTION 2023-15246 - A Resolution for the Purpose of Amending the Fiscal Year (FY) 2023-24 Budget Adopted by Resolution 2023-14943. Item 7.C RESOLUTION 2023-15247 - A Resolution Accepting a Five-Foot-Wide Easement for Access, Ingress and Egress Over and Across the Property Owned by TAG 331, LLC Item 7.D RESOLUTION 2023-15248 - A Resolution for the Purpose of Approving a Contract by Purchase Order to Ten-8 Equipment, Inc. Item 7.E RESOLUTION 2023-15249 - A Resolution For the Purpose of Approving an the Annual										
Item 7.2 RESOLUTION 2023-13249 - A Resolution For the Purpose of Approving all the Alinual Professional Real Estate Services Item 8.A SPECIAL EVENTS - Consideration of the Repeat Special Event Applications Enumerated Below: 1) Annual Fleet Review & Commissioning Ceremony - Naples Yacht Club; 2) Holiday Stroll - Naples Design District; and 3) the 8th Annual Red Gala - Naples Airport. END OF CONSENT AGENDA ITEMS										
Item 11.A RESOLUTION 2023-15250 - Consider a Resolution Determining Outdoor Dining Petition	MOTION by McCabe to APPROVE RESOLUTION	ves	ves	ves	ves	ves	ves	ves	7-0	
23-OD17, Approving 15 Tables, 64 Chairs, and 12 New Planters, for Le Colonial.	2023-15250; seconded by Petrunoff and unanimously carried.	yes	yes	yes	yes	yes	yes	yes	7-0	
Item 12.A UPDATE ONLY - on the 1st Avenue South Public Parking Garage Project.	Update only.									
Item 13.A RESOLUTION 2023-15251 - Consider a Resolution Authorizing a Temporary Use Pursuant to Section 46-39(b)(3), Natural Disaster Recovery, of the City of Naples Code of Ordinances, for the Port Royal Club.	MOTION by McCabe to APPROVE RESOLUTION 2023-15251; seconded by Petrunoff and unanimously carried.	yes	yes	yes	yes	yes	yes	yes	7-0	
Item 13.B RESOLUTION 2023-15252 - Consider a Resolution Approving an LED Lighting Agreement with Florida Power & Light Company (FPL) for the Conversion of Existing Light Emitting Diode (LED) Lighting Fixtures Throughout Residential Areas of the City.	MOTION by Petrunoff to APPROVE RESOLUTION 2023-15252 subject to the condition that a shielding test be conducted and that additional light shields may be requested by the City; seconded by McCabe and unanimously carried.	yes	yes	yes	yes	yes	yes	yes	7-0	
Item 13.C SPECIAL EVENTS - Consideration of the New Special Event Applications Enumerated Below: 1) UAC Gala – Naples Airport; 2) Pet Lovers Dance Party – Naples Airport; and 3)YogaCAN – Baker Park.	MOTION by Blankenship to APPROVE ITEM 13.C, seconded by Perry and unanimously carried.	yes	yes	yes	yes	yes	yes	yes	7-0	
Item 15.A ORDINANCE 2023-15253 - Second Reading of an Ordinance Amending the Minimum Lot Size in the PS Public Service District.	MOTION by McCabe to ADOPT ORDINANCE 2023- 15253; seconded by Blankenship and unanimously carried.	yes	yes	yes	yes	yes	yes	yes	7-0	
END OF AGENDA										

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AGENDA ITEM	MOTION				v	OTES				
November 15, 2023 - REGULAR MEETING										
		Heitmann	McCabe	Blankenship	Christman	Hutchison	Perry	Petrunoff	Passed	Failed
Item 3 - Set Agenda	MOTION by Christman to SET THE AGENDA subject to contuning Items 4.B and 4.D until a later date and withdrawing Item 13.E; seconded by Petrunoff and unanimously carried.	yes	yes	yes	yes	yes	yes	yes	7-0	
CONSENT AGENDA ITEMS			1							1
Item 6.A MINUTES - of Various City Council Meeting Minutes. Item 7.A RESOLUTION 2023-15254 - A Resolution approving a Contractor's Agreement for the River Park Community Center Flooring and Ceiling Replacement Project. END OF CONSENT AGENDA ITEMS	MOTION by Perry to APPROVE the Consent Agenda; seconded by Hutchison and unanimously carried.	yes	yes	yes	yes	yes	yes	yes	7-0	
Item 11.A CONTINUED - Consider a Resolution Determining Outdoor Dining Establishing Outdoor Dining on Public Property Located at 720 5th Avenue South.	MOTION by McCabe to CONTINUE Item 11.A until the December 18, 2023, City Council Regular Meeting; seconded by Petrunoff and unanimously carried.	yes	yes	yes	yes	yes	yes	yes	7-0	
Item 11.B RESOLUTION 2023-15255 - A Resolution Considering Petition 23-N2 for the approval of the Vertical and Horizontal Expansion of a Nonconforming Guest House Located at 158 6th Avenue South.	MOTION by Blankenship to APPROVE RESOLUTION 2023-15255; seconded by Perry and unanimously carried.	yes	yes	yes	yes	yes	yes	yes	7-0	
Item 11.C FIRST READING - First Reading of an Ordinance Considering a Small-Scale Comprehensive Plan Amendment for the Property Located at 500 Gulf Shore Boulevard North.	MOTION by McCabe to APPROVE ITEM 11.C AT FIRST READING; seconded by Hutchison and unanimously carried.	yes	yes	yes	yes	yes	yes	yes	7-0	
Item 11.D FIRST READING - First Reading of an Ordinance Considering a Rezone of the Property Located at 500 Gulf Shore Boulevard North.	MOTION by McCabe to APPROVE ITEM 11.D AT FIRST READING; seconded by Hutchison and unanimously carried.	yes	yes	yes	yes	yes	yes	yes	7-0	
Item 11.E DISCUSSION ONLY - A Resolution to Allow the Installation of Public Utilities Consisting of a Generator to provide Back-up Power to the 3rd Avenue North Pump Station on Property Located At 500 Gulf Shore Boulevard North.	Discussion only.									
Item 12.A CLERK TRACKING 2023-00176, 2023-00177, 2023-00178, 2023-00179, and 2023- 00180 - Appoint One (or Two) Members to the East Naples Bay Citizens Advisory Committee and Three Members to the Moorings Bay Citizens Advisory Committee.	MOTION by Blankenship to APPOINT Forrest Milkowski as a regular member to the East Naples Bay Citizens' Advisory Committee for the balance of a three-year term commencing November 15, 2023, and expiring May 3, 2025; seconded by Perry and unanimously carried.	yes	yes	yes	yes	yes	yes	yes	7-0	
	MOTION by Blankenship to APPOINT Richard Shanahan as an alternate member to the East Naples Bay Citizens' Advisory Committee for the balance of a three-year term commencing November 15, 2023, and expiring March 21, 2026; seconded by Perry and unanimously carried.	yes	yes	yes	yes	yes	yes	yes	7-0	
	MOTION Blankenship to CERTIFY THE BALLOT; seconded by Petrunoff and unanimously carried.	yes	yes	yes	yes	yes	yes	yes	7-0	

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AGENDA ITEM	MOTION				V	OTES				
	MOTION BY Blankenship to APPOINT Roy Williams as a regular member to the Moorings Bay Citizens' Advisory Committee for a three-year term commencing November 18 2023, and expiring November 17, 2026; seconded by Petrunoff and unanimously carried.	yes	yes	yes	yes	yes	yes	yes	7-0	
	MOTION by Blankenship to APPOINT George Kartsimas and Jeffrey Carrier as regular members to the Moorings Bay Citizens' Advisory Committee for three-year terms commencing December 16 2023, and expiring December 15, 2026; ; seconded by Petrunoff and unanimously carried.	yes	yes	yes	yes	yes	yes	yes	7-0	
Item 12.B DISCUSSION AND DIRECTION - Regarding 7th Avenue North Traffic Calming Project.	The majority of City Council reached a consensus to direct staff to explore Option B with consideration given to moving the most eastern speed table further away from the median strip, address the bushes located on the 7th Avenue North roundabout, and conducting a traffic study to consider replacing that roundabout with a four- way stop.	yes	no	yes	yes	yes	yes	yes	6-1	
Item 12.C CONTINUED - Consider A Resolution Waiving the Competitive Bid Process; Accepting a Proposal From Park Assist/TKH Security for Parking Guidance Technology Systems for the 8th Street South, 4th and 6th Avenue South Parking Garages, in an Amount Not-to exceed \$130,643.00.	MOTION by McCabe to Continue Item 12.C until a later date; seconded by Blankenship and unanimously carried.	yes	yes	yes	yes	yes	yes	yes	7-0	
Item 12.D DISCUSSION ONLY - COMPOSITION of Design Review Board.	MOTION by McCabe to REAPPOINT Douglas Hoy as a regular member to the Design Review Board; seconded by Perry and unanimously carried.	yes	yes	yes	yes	yes	yes	yes	7-0	
Item 12. ACTION (IF NEEDED) FROM EXECUTIVE SESSION ON 11/13/2023 - Executive Session regarding Neapolitan Enterprises, LLC vs. The City of Naples, Olde Naples Building LLC and Broad Avenue LLC.	No action taken.									
Item 13.A WITHDRAWN - Announcement of Executive Session - Dye vs. The City of Naples.	Withdrawn (See Item 3).									
END OF AGENDA										
December 4, 2023 - SPECIAL MEETING										
		Heitmann	McCabe	Blankenship		Hutchison	Perry	Petrunoff	Passed	Failed
Item 3 - Set Agenda	MOTION by Christman to SET THE AGENDA removing Item 7.A from the Consent Agenda; seconded by Petrunoff and unanimously carried.	yes	yes	yes	yes	yes	yes	yes	7-0	
CONSENT AGENDA ITEMS (None due to removal of Item 7.A.)										
Item 7.A RESOLUTION 2023-15258 - A Resolution Approving a Contractor's Agreement by Purchase Order for the Replacement of the Chiller at Naples City Hall.	MOTION by Perry to APPROVE RESOLUTION 2023-15258; seconded by McCabe and unanimously carried.	yes	yes	yes	yes	yes	yes	yes	7-0	

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AGENDA ITEM	MOTION				v	OTES				
Item 12. A DISCUSSION - Short-term Airport Noise Mitigation Measures.	Consensus reached for designated City officials to continue meeting with Naples Airport Authority (NAA) staff monthly and provide a written summary of these meetings with a joint meeting with the NAA planned for this spring.									
Item 13.A UPDATE - Community Rating System (CRS) Cycle Review.	Review and discussion only.									
Item 13.B SPECIAL EVENTS - Consideration of a Repeat Special Event Application from Naples Pride to Host Naples Pride Fest at Cambier Park.	MOTION by Christman to APPROVE; seconded by Perry and unanimously carried.	yes	yes	yes	yes	yes	yes	yes	7-0	
Item 13.C DISCUSSION AND DIRECTION - Discussion Regarding the Search and Selection Process for City Attorney.	Majority direction for staff to: perform the search process, begin updating the recruitment brochure (draft to be presented in mid-January), provide prior city attorney contracts for review, and explore how paralegals might assist the legal dept. Final selection to be made after the March 19, 2024 election.									
Item 13.D PERFORMANCE REVIEW - Performance Review of the City Clerk.	MOTION by McCabe to APPROVE an increase in the same amounts as previously approved for all non-bargaining employees over the past 3 years (13% total) retroactive to October 1, 2023; seconded by Hutchison and unanimously carried.	yes	yes	yes	yes	yes	yes	yes	7-0	
END OF AGENDA		l						11		
December 6. 2023 - REGULAR MEETING										
		Heitmann	McCabe	Blankenship	Christman	Hutchison	Perry	Petrunoff	Passed	Failed
	MOTION by McCabe to SET THE AGENDA subject to adding Item 4.B, continuing Item 9.A until January 18, 2023, and removing Event Applications 4 and 5 From Item 8.B on the Consent Agenda for a separate discussion; seconded by Perry and unanimously carried.	-	yes	yes	yes	yes	yes	yes	7-0	
CONSENT AGENDA ITEMS						1		1		
Item 6.A MINUTES - Approval of Various City Council Meeting Minutes Item 7.A RESOLUTION 2023-15259 - Consider a Resolution Awarding a Contract for the Installation of 62 Wapro Stormwater Backflow Preventers Item 7.B RESOLUTION 2023-15260 - Consider a Resolution Approving an Interlocal Agreement with Collier County for a Joint Stormwater and Water Utility Project within the Big Cypress Golf and Country Club Estates Community.										

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AGENDA ITEM	MOTION				V	OTES			
Classical Academy 5). 5th Avenue BID Evening on 5th Valentines – 5th Avenue, Park St 6).	MOTION by McCabe to APPROVE THE CONSENT AGENDA; seconded by Hutchison and unanimously carried.	yes	yes	yes	yes	yes	yes	yes	7-0
 Item 8.B SPECIAL EVENTS - Approval of New Special Event Applications (Event Applications 4 and 5 Removed from the Consent Agenda). 1) Jet 1 Gala – Naples Airport 2) Naples Jet Center Holiday Party – Naples Airport 3) House Party Event Daane-1100 10th Ave N 4) Hyatt House Cocktail DJ – Hyatt House Hotel 5) Hyatt House Steel Drum – Hyatt House Hotel 6) Heart for Education Gala – Naples Jet Center 7) Bar Mitzvah – Naples Jet Center 									
END OF CONSENT AGENDA ITEMS					•				· · · · · · · · · · · · · · · · · · ·
Item 8.B SPECIAL EVENTS - Approval of New Special Event Applications 4 and 5 (Removed from Item 8.B on the Consent Agenda	MOTION by McCabe to APPROVE Event Applications 4 and 5; seconded by Hutchison and unanimously carried.	yes	yes	yes	yes	yes	yes	yes	7-0
Item 9.A CONTINUED- - Consider a Resolution Vacating a 9-foot Wide Strip of Land Being a Portion of a Dedicated Utility and Drainage Easement Located Within Lots 16 and 17, Reserving Utility and Drainage Easements for the City, Located at 3850 Gordon Drive.	MOTION by McCabe to CONTINUE Item 9.A until the December 18, 2023 City Council Regular Meeting; seconded by Hutchison and unanimously carried.	yes	yes	yes	yes	yes	yes	yes	7-0
Item 9.B CONTINUED - Consider a Resolution Vacating the Westerly 5-Foot Wide Strip of Land Being a Portion of a Dedicated Utility Easement Located within Lot 4, Seagate Unit 1, Lying Adjacent to 5182 Sand Dollar Lane.	MOTION by Perry to CONTINUE Item 9.B until the December 18, 2023 City Council Regular Meeting; seconded by Christman and carried 4-3.	yes	no	yes	yes	no	yes	no	4-3
Item 9.C DENIED - A Resolution Vacating the Northerly 15-Foot Wide Strip of Land Being a Portion of a Dedicated Utility Easement Located at 201 8th Street South Within Lot 18, Block 18, Tier 9 of the Naples.	MOTION by Hutchison to DENY Item 9.C; seconded by McCabe and carried 4-3.	yes	yes	no	no	yes	no	yes	4-3
Item 11.A DENIED - A Resolution to Allow a Pool Deck to Exceed the Maximum Elevation Allowed in the Required Side Yard, for Property Located at 2575 Lantern Lane.	MOTION by Christman to APPROVE Item 11.A; seconded by Blankenship and FAILED 3-4.	yes	no	yes	yes	no	no	no	3-4
Item 11.B ORDINANCE 2023-15265 - of an Ordinance Considering a Small-Scale Comprehensive Plan Amendment for the Property Located at 500 Gulf Shore Boulevard North.	MOTION by McCabe to ADOPT ORDINANCE 2023-15265; seconded by Hutchison and unanimously carried.	yes	yes	yes	yes	yes	yes	Yes	7-0
Item 11.C ORDINANCE 2023-15266 - of an Ordinance Considering a Rezone of the Property Located at 500 Gulf Shore Boulevard North.	MOTION by McCabe to ADOPT ORDINANCE 2023-15266; seconded by Hutchison and unanimously carried.	yes	yes	yes	yes	yes	yes	Yes	7-0
Item 11.D RESOLUTION 2023-15367 - for the Purpose of Determining Petition 23-CU6, Relating to a Conditional Use Pursuant to Consisting of a Generator to provide Back-up Power to the 3rd Avenue North Pump Station on Property Located At 500 Gulf Shore Boulevard North.	MOTION by McCabe to APPROVE RESOLUTION 2023-15367; seconded by Hutchison and unanimously carried.	yes	yes	yes	yes	yes	yes	Yes	7-0
Item 12. A DISCUSSION - Related to a Proposed Porte Cochere for the Naples Beach Club Hotel.	Discussion only.								
Item 14.A FIRST READING - First Reading of an Ordinance to Update the Effective FEMA Flood Insurance Rate Maps (FIRMs) and Flood Insurance Study (FIS) Report.	MOTION by Blankenship to APPROVE ITEM 14.A AT FIRST READING; seconded by McCabe and unanimously carried.	yes	yes	yes	yes	yes	yes	yes	7-0

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AGENDA ITEM	MOTION				V	OTES					
END OF AGENDA											
December 18, 2023 - REGULAR MEETING											
		Heitmann	McCabe	Blankenship	Christman	Hutchison	Perry	Petrunoff			
Item 3 - Set Agenda	MOTION by Petrunoff to SET THE AGENDA removing Items 7.B and 7.D from the Consent Agenda; seconded by McCabe and unanimously carried.	yes	yes	yes	yes	yes	yes	yes			
CONSENT AGENDA ITEMS			1		1	I					
Item 6.A MINUTES APPROVAL - of October 18 City Council Meeting Minutes. Item 7.C RESOLUTION 2023-15270 - Approve a standard grant agreement LPA0590 with the FI. Dept. of Environmental Protection accepting \$2.4 million funding for the stormwater outfall check valve installation project. Item 7.E RESOLUTION 2023-15272 - Approve task order No. 1 with Humiston and Moore Engineers to provide seall design, permitting and construction oversight for 5 beach ends as part of Hurricane lan recovery. (amount - \$205,143.75) Item 7.F RESOLUTION 2023-15273 - Approve a first amendment to agreement with Naples Fire Protection Inf to consent to assignment of the agreement to Item 7.G RESOLUTION 2023-15274 - Declare the Council shall not be in session from 8 am 12/19/23 to 8:30 a.m. 1/11/24. Item 8.A APPROVAL - Approval of the Park Shore Fund Public Art Designed by Raymond Lutgert. Item 8.B ACKNOWLEDGE CLERK TRACKING 2023-00188- the Selection of John Heinze on the Board of Trustees of the Firefighters' Retirement Trust Fund. Item 8.C CONSIDERATION - of the Repeat Special Event Applications Enumerated Below: 1) Private Party – 40 32nd Ave 2) Private Party – 40 32nd Ave 3) MLK Day Parade and Celebration	MOTION by McCabe to APPROVE THE CONSENT AGENDA removing Items 7.A, 7.B, and 7.D; seconded by Hutchison and unanimously carried.	yes	yes	yes	yes	yes	yes	Yes			

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END OF CONSENT AGENDA ITEMS										
Item 7.A RESOLUTION 2023-15268 - Amend Appendix A Fees and Charges schedule to add a	MOTION by Christman to APPROVE	no	yes	yes	yes	no	yes	yes	5-2	
fee for restricted charters to drop off/pick up 6 passengers maximum per day at the City Dock for	RESOLUTION 2023-15268 to increase the fees								(I I	
those restricted charters approved for landside use at the Dock.	as proposed but maintaining the maximum								(
	number of passengers stipulated by the Code;								(I I	
	seconded by Perry and carried 5-2 (Hutchison								(I I	
	and Heitmann dissenting).									
Item 7.B RESOLUTION 2023-15269 - Approve Amendment No. 1 to standard grant agreement	MOTION by Petrunoff to APPROVE	yes	7-0							
LPAO343 with the FI. Dept. of Environmental Protection accepting an additional \$10 million for the	RESOLUTION 2023-15269; seconded by								(
Gulf of Mexico stormwater outfall removal and water quality project for total funding of \$15 million.	McCabe and unanimously carried.								(

Failed

Passed

7-0

7-0

Office of the City Clerk Patricia L. Rambosk, MMC, City Clerk Phone: 239-213-1015 prambosk@naplesgov.com

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AGENDA ITEM	MOTION				V	OTES				
Item 7.D RESOLUTION 2023-15271 - Approve the Third Amendment to Professional Services Agreement with WSP USA Environment and Infrastructure, Inc. for Additional Inflow Sampling at Four Lakes within the Moorings Bay Watershed Increasing the Compensation from \$177,700 to \$267.272.	MOTION by McCabe to APPROVE RESOLUTION 2023-15271; seconded by Hutchison and carried 6-1 (Blankenship dissenting)	yes	yes	no	yes	yes	yes	yes	6-1	
Item 11.A RESOLUTION 2023-15275 - Approve conditional use petition 23-CU3 pursuant to Sec. 46-34 and Ord. 2017-13978 of the Park Shore PD for installation of 1 ATM/VAT tube drive-thru canopy for Fifth Third Bank on 4395 9th St North.	MOTION by Hutchison to APPROVE RESOLUTION 2023-15275 WITH AMENDMENTS; seconded by Perry and carried 6-1 (McCabe dissenting)	yes	no	yes	yes	yes	yes	yes	6-1	
Item 11.B RESOLUTION 2023-15276 - Approve petition 23-CU2 for a conditional use pursuant to Sec. 58-533(6) to allow an existing flower shop to sell alcoholic beverages as a cocktail lounge and an associated conditional use for a parking needs analysis with the C! Retail district.	MOTION by McCabe to APPROVE RESOLUTION 2023-15276 ommitting Condition 2 in Section 2; seconded by Petrunoff and carried 6-1 (Christman dissenting).	yes	yes	yes	no	yes	yes	yes	6-1	
Item 11.C RESOLUTION 2023-15277 - Approve petition 23-V3 for a variance pursuant to Sec. 46- 37 and Sec. 56-91(b)(2), 58-142 and 58-147 to allow an existing guesthouse to remain in place without a principal residence on site for a perod of time not to exceed 5 years before eithr getting a building permit for a new principal residence or demolishing existing guest house at 1900 GSBS.	MOTION by Hutchison to APPROVE RESOLUTION 2023-15277 WITH AMENDMENTS; seconded by McCabe and unanimously carried.	yes	yes	yes	yes	yes	yes	yes	7-0	
Item 12.A CONSIDERATION CLERK TRACKING 2023-00189 - to Fund the East Naples Bay Dredging and Rock Removal Project by an Interfund Loan in the amount of \$1,136,222.	MOTION by Blankenship to APPROVE the project through a new interfund loan of \$1.1 million with a 10-year term at a current market rate determined consistent with methodology of a tax exempt rate; seconded by Hutchison and unanimously carried.	yes	yes	yes	yes	yes	yes	yes	7-0	
Item 12.B RESOLUTION 2023-15278 - Amend the FY 2023-24 budget adopted by Res. 2023- 15210 for \$1,136,222 to provide a supplemental appropriation to continue construction services and applicable construction engineering and inspection services required for the E. naples Bay Dredging and rock removal project.	MOTION by Hutchison to APPROVE RESOLUTION 2023-15278; seconded by Blankenship and carried 6-1 (McCabe dissenting)	yes	no	yes	yes	yes	yes	yes	6-1	
Item 12.C RESOLUTION 2023-15279 - Approve a second amendment to the professional services agreement with Stantec Consulting Svs for additional CEI and construction manangement services required for the E. Naples Bay dredging and rock removal project of \$277,072 inc. an extension for an additional 28 weeks to complete the project.	MOTION by Hutchison to APPROVE RESOLUTION 2023-15279; seconded by Blankenship and carried 6-1 (McCabe dissenting)	yes	no	yes	yes	yes	yes	yes	6-1	
Item 12.D RESOLUTION 2023-15280 - Approve a second amendment to the agreement with Quality Enterprises USA Inc. (RFP 21-036) for additional construction services required for the E. Naples Bay dredging and rock removal project for \$859,150 incl an extension for an additional 28 weeks to complete the project.	MOTION by Hutchison To APPROVE RESOLUTION 2023-15280; seconded by Blankenship and carried 6-1 (McCabe dissenting)	yes	no	yes	yes	yes	yes	yes	6-1	
Item 12.E RESOLUTION 2023-15281 - Authorize the city manager to execute a second addendum with Greenberg Traurig LLp for specialized aviation legal services.	MOTION by McCabe to APPROVE RESOLUTION 2023-15281; seconded by Hutchison and carried 4-3 (Perry, Blankenship, and Christman dissenting).	yes	yes	no	no	yes	no	yes	4-3	
Item 13.A DISCUSSION -Regarding Upcoming City Council Vacancy. Item 13.B ANNOUNCEMENT - of an Executive Session for the Purpose of Advice and Discussion of Settlement Negotiations or Strategy Related to Litigation Expenditures in 5th Avenue South Holdings, LP v. City of Naples	Discussion only. Announcement made.									

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AGENDA ITEM	MOTION				١	VOTES					
Item 15.A - Adopt ordinance to amend Chapter 16 Construction Rehabilitation and property maintenance regulations to update the date of the flood insurance study and rate maps.	MOTION by Petrunoff to APPROVE AT FIRST READING with the 2019 maps and direct staff to draft a resolution that allows residents to adopt the higher elevation map at their option; seconded by McCabe and unanimously carried.	yes	yes	yes	yes	yes	yes	yes			

7-0