



NOTICE OF MEETING AND AGENDA

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

Mayor: Teresa Heitmann
Vice Mayor: Michael McCabe
City Council Members:
Ted Blankenship, Ray Christman,
Terry Hutchison, Paul Perry, Beth Petrunoff
City Attorney: Nancy Stuparich • City Clerk: Patricia Rambosk
City Manager: Jay Boodheshwar

One or more other elected or appointed officials may be in attendance at this meeting.

Welcome to today's City Council Meeting. If you wish to address the Council regarding an item listed on this agenda, please complete a registration form at the rear of the room and place it in the Speaker Request Box located on the Council dais prior to consideration of that item. Public comments about items on the agenda will be heard during Item 5 or during specific agenda items. Public comments about issues not on the agenda will be heard at the end of the meeting. We ask that speakers limit their comments to 3 minutes and that large groups name a spokesperson whenever possible. Thank you for your interest and participation in City government.

Pledge of Civility

It is the desire of the City of Naples to encourage the open exchange of ideas, fair discussion of the issues, and the participation of all persons in government, therefore, we pledge to be respectful of each other even when we disagree, to direct all comments to the issues, and to avoid personal attacks during all City meetings and workshops.

City Council Special Meeting
Tuesday, September 5, 2023
8:30 AM

All proposed ordinances and information on other items listed below, which have been provided in advance of this meeting, may be inspected in the office of the City Clerk, Room B, City Hall, or on the City of Naples home page <https://www.naplesgov.com/> or call the City Clerk's Office, 213-1015. All written, audio-visual, and other materials presented to the City Council in conjunction with deliberations during this meeting will become property of the City of Naples and will be retained by the City Clerk

1. **CALL TO ORDER AND ROLL CALL**
2. **PLEDGE OF ALLEGIANCE**
3. **SET AGENDA (add or remove items)**
4. **ANNOUNCEMENTS AND PRESENTATIONS**
 - 4.A. Centennial Fun Fact.

- 4.B. Naples Airport Authority FY2024 Budget Overview.
[Memorandum from Ken Warriner, NAA Senior Director of Finance and Administration](#)
[City of Naples Airport Authority Operating and Capital Budget for Fiscal Year 2024 Presentation](#)

5. PUBLIC COMMENTS

REGULAR AGENDA

6. ITEMS PULLED FROM CONSENT AGENDA

7. OLD BUSINESS

- 7.A. Discussion and Direction Regarding East Lake.
(Bob Middleton, Director of Public Works)
[Agenda Memorandum](#)
[East Lake Presentation](#)
- 7.B. Update on 1st Avenue Parking Garage Real Estate Transaction.
(Nancy Stuparich, City Attorney)
[Agenda Memorandum](#)
[Amendment 4 to Amended and Restated Public Parking Garage Agreement](#)
[Parking garage agreement - Final Executed](#)
[First Amendment to Amended and Restated Public Parking Garage Agreement](#)
[Second Amendment to Amended and Restated Public Parking Garage Agreement](#)
[Third Amendment to Amended and Restated Public Parking Garage Agreement](#)
- 7.C. A Resolution Relating to the Annual Fee for Outdoor Dining on Public Property; Amending Appendix "A", Fees and Charges Schedule, Chapter 56, Supplemental Standards, Section 56-126, Outdoor Dining Permit, Code of Ordinances, City of Naples; and Providing an Effective Date.
(Erica Martin, Director of Planning)
[Agenda Memorandum](#)
[Resolution](#)
[Ordinance 2001-9211 - Establishing Outdoor Dining Regulations](#)
[Appendix A - Fees and Charges Schedule - Full Code Section Redline](#)

8. NEW BUSINESS

- 8.A. Executive Session Regarding Troy Law v. City of Naples, EEOC Charge 510-2021-06830, U.S. Equal Employment Opportunity Commission, Miami District Office (**Time Certain 12:30 p.m.**)
(Nancy Stuparich, City Attorney)
[Agenda Memorandum](#)
[Public Notice](#)
- 8.B. Discussion and Direction Related to a Proposed Porte Cochere for the Naples Beach Club Hotel, Located at 851 Gulf Shore Boulevard North.
(Jay Boodheshwar, City Manager)
[Agenda Memorandum](#)

[Email Dated August 15, 2023, Regarding Naples Beach Club Hotel Porte Cochere Proposal](#)
[Naples Hotel Porte Cochere Plans](#)

- 8.C. Review and Discussion of Article V, Division 4, Sections 2-471 to 2-478 - Design Review Board.
(Jay Boodheshwar, City Manager)
[Agenda Memorandum](#)
[Code of Ordinances, Article V, Division 4 - Design Review Board](#)
[Resolution 03-10165 - Rules and Regulations for the Design Review Board](#)
- 8.D. Discussion and Direction Regarding the Selection of a City Attorney due to the Resignation Letter received by the City Council from the Vose Law Firm on August 28, 2023. *(There are no attachments related to this item)*
(Teresa Heitmann, Mayor)

ORDINANCES

9. FIRST READING ORDINANCES

- 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.

An Ordinance Relating to Rights-of-Way and Public Property; Amending The Public Right-of-Way Ordinance No. 06-11099 as Amended by Ordinance 2019-14313 and by Ordinance 2022-14976, to Amend Appendix D, 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; Providing for Registration; and Providing a Conflict and Severability Clause, a Repealer Provision, and an Effective Date.

(Nancy Stuparich, City Attorney)

[Agenda Memorandum](#)

[Ordinance - First Reading](#)

[Gary Resnick, Esq - Memorandum regarding Communications Facilities](#)

10. SECOND READING ORDINANCES

- 10.A. Second Reading of an Ordinance Amending Regulations for Outdoor Dining on Public Property.

An Ordinance for the Purpose of Amending Regulations for Outdoor Dining on Public Property; Amending Section 56-126, Outdoor Dining, of Article IV, Standards Applicable to Commercial Districts, of Chapter 56, Supplemental Standards; Amending Section 58-1134, Specific Provisions, of Division 6, 5th Avenue South Special Overlay District, of Article III, Special Overlay Districts, of Chapter 58, Zoning, of the Code of Ordinances of the City of Naples; Providing a Severability Clause; Providing a Repealer Provision; and Providing an Effective Date.

(Erica Martin, Director of Planning)

Agenda Memorandum
Ordinance - Second Reading
23-T13 PAB Staff Report
Other Jurisdictions' Regulations
Sec. 56-126. Outdoor Dining - Full Code Section Redline
Sec. 58-1134. Specific Provisions - Full Code Section Redline
PAB Minutes 4-12-2023 - Item 7E
CC Minutes 6-7-2023 - Item 14D

11. PUBLIC COMMENTS

12. COMMUNICATIONS FROM THE MAYOR, CITY COUNCIL, AND STAFF

13. ADJOURNMENT

NOTICE

FORMAL ACTION MAY BE TAKEN ON ANY ITEM DISCUSSED OR ADDED TO THIS AGENDA. ANY PERSON WHO DECIDES TO APPEAL ANY DECISION MADE BY THE CITY COUNCIL WITH RESPECT TO ANY MATTER CONSIDERED AT THIS MEETING (OR HEARING) WILL NEED A RECORD OF THE PROCEEDINGS AND MAY NEED TO ENSURE THAT A VERBATIM RECORD OF THE PROCEEDING IS MADE, WHICH RECORD INCLUDES THE TESTIMONY AND EVIDENCE UPON WHICH THE APPEAL IS TO BE HEARD. ANY PERSON WITH A DISABILITY REQUIRING AUXILIARY AIDS AND SERVICES FOR THIS MEETING MAY CALL THE CITY CLERK'S OFFICE AT (239) 213-1015 WITH REQUESTS AT LEAST TWO BUSINESS DAYS BEFORE THE MEETING DATE.