



NOTICE OF MEETING AND AGENDA (SUPPLEMENT 1)

**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 Regular Meeting
Wednesday, September 20, 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. INVOCATION AND PLEDGE OF ALLEGIANCE**
- 3. SET AGENDA (add or remove items)**
- 4. ANNOUNCEMENTS AND PRESENTATIONS**
 - 4.A. Centennial Fun Fact.

4.B. Swearing in of the Naples Youth Council.

5. PUBLIC COMMENTS

APPROVAL OF CONSENT AGENDA

6. MINUTES

6.A. Approval of the September 5, 2023 Special Meeting Minutes and the August 16, 2023 Regular Meeting minutes.

[Agenda Memorandum](#)

[August 16, 2023 Regular Meeting minutes](#)

[September 5, 2023 Special Meeting minutes](#)

7. RESOLUTIONS

7.A. A Resolution Determining Nonconformity Petition 23-N1, Pursuant to Section 46-35(A)(5) of the Land Development Code, to Grant an Extension of Time to Reestablish Nonconforming Structures Located in the R1-15, Residence District on Property Owned by Edward B. Morrow, Jr. and Julia M. Morrow, Located at 18 6th Avenue South; and Providing an Effective Date.

(Erica Martin, Director of Planning)

[Agenda Memorandum](#)

[Resolution](#)

[Extension Request - 18 6th Avenue South](#)

7.B. A Resolution Determining Nonconformity Petition 23-N3 Pursuant to Section 46-35(A)(5) of the Land Development Code, to Grant an Extension of Time to Reestablish a Nonconforming Structure Located in the R1-10A, Residence District on Property Owned by Mark N. and Michelle A. DiMaio, Located at 3888 Crayton Road; and Providing an Effective Date.

(Erica Martin, Director of Planning)

[Agenda Memorandum](#)

[Resolution](#)

[Extension Request - 3888 Crayton Road](#)

7.C. A Resolution Determining Nonconformity Petition 23-N4 Pursuant to Section 46-35(A)(5) of the Land Development Code, to Grant an Extension of Time to Reestablish a Nonconforming Structure Located in the R1-10, Residence District on Property Owned by The 450 Palm Circle West Realty Trust, Located at 450 Palm Circle West; and Providing an Effective Date.

(Erica Martin, Director of Planning)

[Agenda Memorandum](#)

[Resolution](#)

[Extension Request - 450 Palm Circle West](#)

7.D. A Resolution Approving the 2023-2024 Tourist Development Tax Grant Agreement Between Collier County and the City of Naples Category "A" City of Naples Projects, for City of Naples Beach and Pier Maintenance; Authorizing the Mayor to Execute the Agreement; and Providing an Effective Date.

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

[Agenda Memorandum](#)
[Resolution](#)
[23-24 Grant Agreement](#)

- 7.E. A Resolution for the Purpose of Awarding a Three-Year Contract, with an Option of Two One-Year Renewals, to Tree Scaping of Naples, Inc., in the Amount of \$85,000 for the Removal and Stump Grinding of Trees and Palms within City Right-of-Way, Medians, and Parks; Authorizing the City Manager to Execute the Contract; and Providing an Effective Date.
(Chad Merritt, Director of Parks, Recreation & Facilities)
[Agenda Memorandum](#)
[Resolution](#)
[Contractor's Services Agreement](#)
- 7.F. A Resolution for the Purpose of Approving a Contractor's Services Agreement for a Three-year Period, with an Option of Two One-Year Renewals, to Tree Scaping of Naples, Inc., in the Amount of \$380,600 for Time Specific Palm Pruning within City Rights-of-Way, Medians, and Parks; Authorizing the City Manager to Execute the Contractor's Services Agreement; and Providing an Effective Date.
(Chad Merritt, Director of Parks, Recreation & Facilities)
[Agenda Memorandum](#)
[Resolution](#)
[Contractor's Services Agreement](#)
- 7.G. A Resolution 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; and Providing an Effective Date.
(Bob Middleton, Director of Public Works)
[Agenda Memorandum](#)
[Resolution](#)
[Executed Standard Agreement 22PLN77](#)
[Resolution 2022-14906](#)
[22PLN77 Amendment 1](#)
- 7.H. A Resolution for the Purpose of Approving an Extension (Year 6) Amendment of Professional Consultant's Services Agreement with Johns Eastern Company, Inc. for the Period October 1, 2023 through September 30, 2024, with One Available Extension.
(Lori McCullers, Deputy Director of Human Resources)
[Agenda Memorandum](#)
[Resolution](#)
[2018 Agreement - Third Party Claims Administrator](#)
[First Amendment to Agreement](#)
[Letter for Extension](#)
[Second Amendment to Agreement](#)
- 7.I. A Resolution 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) for the period October 1, 2023

through September 30, 2024, with One Available Extension
(Lori McCullers, Deputy Director of Human Resources)
[Agenda Memorandum](#)
[Resolution](#)
[Attachment "A" - Offer of Extension Years 6 and 7](#)
[First Amendment to Agreement](#)
[2018 Agreement - Property and Casualty Insurance Brokerage Services](#)
[2021 Agreement for Renewal - Property and Casualty Insurance Brokerage Services](#)

- 7.J. A Resolution Approving Amendment No. 1 to Standard Grant Agreement LPA0344 Between the State of Florida Department of Environmental Protection and the City of Naples Accepting an Additional \$1.5 Million Funding for the Naples Stormwater Lake Restoration improvements Project for a Total Amount of \$3 Million; and Providing an Effective Date.
(Bob Middleton, Director of Public Works)
[Agenda Memorandum](#)
[Resolution](#)
[LPA0344 Agreement Lakes](#)
[Resolution 2023-15017](#)
[LPA0344 Amendment 1](#)
- 7.K. A Resolution for the Purpose of Amending The Fiscal Year (FY) 2022-23 Budget Adopted By Resolution 2022-14943 to Appropriate Funds From the Fund Balance of the Building Fund to Establish a Restricted Reserve Capital Building Account for the Purpose of Constructing a Building Specifically for the Use of Enforcing the Florida Building Code; and Providing an Effective Date.
(Stephen Beckman, Director of Building Services)
[Agenda Memorandum](#)
[Resolution](#)
[Florida Statute 553.80](#)
- 7.L. A Resolution for the Purpose of Approving a Second Amendment to the Contractor's Services Agreement with A Personal Touch Lawn Services, Inc. to Provide for an Additional One-Year Extension to the Agreement for Landscape Maintenance Services Within City Beach Accesses, Rights-of-Way, Medians, and Parks in the Amount of \$1,249,875.20; Authorizing the City Manager to Execute the Second Amendment to the Contractor's Services Agreement; and Providing an Effective Date. (SUPPLEMENT 1/ADDED ITEM)
(Chad Merritt, Director of Parks, Recreation & Facilities)
[Agenda Memorandum \(SUPPLEMENT 1/ADDED ATTACHMENT\)](#)
[Resolution \(SUPPLEMENT 1/ADDED ATTACHMENT\)](#)
[Letter and Pricing \(SUPPLEMENT 1/ADDED ATTACHMENT\)](#)
[Agreement \(SUPPLEMENT 1/ADDED ATTACHMENT\)](#)
[First Amendment to Agreement \(SUPPLEMENT 1/ADDED ATTACHMENT\)](#)
[Second Amendment to Agreement \(SUPPLEMENT 1/ADDED ATTACHMENT\)](#)
- 7.M. A Resolution 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, Collier County Case No. 12-ca-2607a and

Related Appeals and Administrative Claims; and Authorizing the City Manager to Execute the Agreement and Addendum; and providing an Effective Date. (SUPPLEMENT 1/ADDED ITEM)

[Agenda Memorandum \(SUPPLEMENT 1/ADDED ATTACHMENT\)](#)

[Resolution \(SUPPLEMENT 1/ADDED ATTACHMENT\)](#)

[Agreement for Legal Services \(SUPPLEMENT 1/ADDED ATTACHMENT\)](#)

[Addendum to Agreement for Legal Services \(SUPPLEMENT 1/ADDED ATTACHMENT\)](#)

[Petition For Writ of Certiorari \(SUPPLEMENT 1/ADDED ATTACHMENT\)](#)

[FLUEDRA Olde Naples Building \(SUPPLEMENT 1/ADDED ATTACHMENT\)](#)

[Motion To Enforce \(SUPPLEMENT 1/ADDED ATTACHMENT\)](#)

8. OTHER - None

END OF CONSENT AGENDA

9. PUBLIC HEARINGS - None

REGULAR AGENDA

10. ITEMS PULLED FROM CONSENT AGENDA (If Needed)

11. LAND USE MATTERS

11.A. A Resolution for the Purpose of Determining Outdoor Dining Petition 23-OD11, Establishing Outdoor Dining on Public Property Consisting of 7 Tables, 18 Chairs, 6 Umbrellas, and 2 Heaters; and Outdoor Dining on Private Property Consisting of 5 Tables, 20 Chairs, and 2 Heaters for Chops City Grill, a Restaurant Operated by Phelan Chops Naples #133, LLC, a Florida Limited Liability Company and Located at 837 5th Avenue South on Property Owned by 5th Ave South Investments, LLC, a Florida Limited Liability Company, More Fully Described Herein; and Providing an Effective Date.

(Erica Martin, Director of Planning)

[Continuance Memorandum](#)

[Petitioners Request for Continuance](#)

11.B. A Resolution for the Purpose of Determining Petition 23-CU4, Relating to a Conditional Use Pursuant to Section 46-34 and Section 58-1134(c)(2) of the Code of Ordinances to Establish a Rooftop Restaurant on Property Owned by 5th Avenue South Investments, LLC and Located at 837 5th Avenue South, More Fully Described Herein; and Providing an Effective Date.

(Erica Martin, Director of Planning)

[Agenda Memorandum](#)

[Resolution](#)

[Zoning Exhibit prepared by Peninsula Engineering, dated 10-11-2022](#)

[Traffic Impact Statement prepared by Trebilcock Consulting Solutions, dated 6-7-2023](#)

[Site and Grading Plan prepared by Peninsula Engineering, dated 6-16-2023](#)

[Operational Plan prepared by Cameron Mitchell Restaurants, dated 6-23-2023](#)

[Architectural plans prepared by Design Collective, revised 6-15-2023](#)

[Staff Report](#)

Application
Deed
Disclosure of Interest - Petitioner
Disclosure of Interest - Property Owner
Aerial
Survey
Credentials - Petitioner
Credentials - Staff
Public Notice Mailing Addresses
Affidavit of Sign Posting - PAB
Affidavit of Sign Posting - Council
Correspondence Received Through 9-12-23
Petitioner's Presentation - Overview
Petitioner's Presentation - Architectural and Civil
Petitioner's Presentation - Traffic Impact Statement

- 11.C. A Resolution Determining Fifth Avenue South Parking Allocation Petition 23-PKAL1 for the Purpose of Allocating Twenty-Four (24) Public Parking Spaces Pursuant to Section 58-1134(d)(2) for the Development of a Rooftop Restaurant for Property Owned by 5th Avenue South Investments, LLC, A Florida Limited Liability Company, and Located at 837 5th Avenue South, More Fully Described Herein; and Providing an Effective Date.

(Erica Martin, Director of Planning)

Agenda Memorandum

Resolution

Staff Memorandum

Deed

Disclosure of Interest - Property Owner

Disclosure of Interest - Petitioner

Aerial

Survey

Traffic Impact Statement

Credentials - Petitioner

Credentials - Staff

Application

Public Notice Mailing Addresses

Affidavit of Sign Posting - CRAAB

Affidavit of Sign Posting - Council

Correspondence received Through 9-12-23

Petitioner's Presentation - Overview

Petitioner's Presentation - Architectural and Civil

Petitioner's Presentation - Traffic Impact Statement

- 11.D. A Resolution for the Purpose of Determining Outdoor Dining Petition 23-OD10 to Establish Outdoor Dining on Private Property Including a Total of 21 Tables and 94 Seats for Prime Social a Rooftop Restaurant Operated by Prime Social, LLC, a Florida Limited Liability Company on Property Owned by 5th Avenue South Investments, LLC, A Florida Limited Liability Company and Located at 837 5th Avenue South, More Fully Described Herein; and Providing an Effective Date.
(Erica Martin, Director of Planning)

Agenda Memorandum
Resolution
Life Safety Plans prepared by Designed Collective, revised 6-15-2023
Application
Deed
Disclosure of Interest - Petitioner
Disclosure of Interest - Property Owner
Survey
Operational Plan prepared by Cameron Mitchell Restaurants, dated 6-23-2023
Credentials - Petitioner
Credentials - Staff
Public Notice Mailing Addresses
Affidavit of Sign Posting
Correspondence Received Through 9-12-23
Petitioner's Presentation - Overview
Petitioner's Presentation - Architectural and Civil
Petitioner's Presentation - Traffic Impact Statement

- 11.E. A Resolution for the Purpose of Determining Petition 22-V2, Pursuant to Section 46-37 of the City of Naples Code of Ordinances, 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, More Fully Described Herein; and Providing an Effective Date.
(Erica Martin, Director of Planning)

Agenda Memorandum
Resolution
Site Plan
PAB Staff Report
Application
Disclosure of Interest- Property owner
Right-of-Way Permit 153724
Credentials - Petitioner
Credentials - Staff
Public Notice Mailing Addresses
Affidavit of Sign Posting
Correspondence - Davis
Petitioner's Presentation

- 11.F. A Resolution Relating to a Subdivision Replat; Determining Petition 23-SD1 for Preliminary and Final (Record) Plat Acceptance Approval, Pursuant to Section 54-7, Zero Lot Line Subdivisions, of the Code of Ordinances, for 10th Avenue South Residences, A Zero Lot Line Subdivision on Property Containing Approximately 1.15 Acres Owned By FL-7, Inc./ Spiros Zorbalas, And Located at 960 9th Street South and 825, 845, 855, 875 10th Avenue South, More Fully Described Herein; and Providing an Effective Date.
(Erica Martin, Director of Planning)

Agenda Memorandum
Resolution
Exhibit A

Final (Record) Plat
Staff Report
Application
Disclosure of Interest- Property owner
Warranty Deed
Attorneys Opinion of Title Plat of 10th Avenue S. Residences
Declaration of Covenants and Deed Restrictions
Existing Survey
Credentials - Staff
Affidavit of Sign Posting
Public Notice Mailing Addresses
Correspondence
Affidavit of Sign Posting
Petitioner's Presentation

- 11.G. A Resolution for the Purpose of Determining Outdoor Dining Petition 23-OD12, for Outdoor Dining to Include 17 Tables, 60 Chairs, 18 Bar Stools, and 5 New Outdoor Heaters at Keewaydin's, on Property Owned by the City Of Naples Located on Sugden Plaza and Adjacent to 711 5th Avenue South, More Fully Described Herein; and Providing an Effective Date.

(Erica Martin, Director of Planning)

[Agenda Memorandum](#)

[Resolution](#)

[Life Safety Plan prepared by MHK Architecture, dated July 17, 2023](#)

[Application](#)

[Disclosure of Interest - Building Owner](#)

[Disclosure of Interest Form - Business Owner](#)

[Warranty Deed](#)

[Legal Description](#)

[Building Footprint](#)

[Resolution 2013-13384 & Approved Lease Agreement, dated December 4, 2013](#)

[Resolution 2013-13386 \(Yabba's\)](#)

[Lobbyist Registration Form](#)

[Public Notice Mailing Addresses](#)

[Affidavit of Sign Posting](#)

[Petitioner's Presentation](#)

- 11.H. A Resolution for the Purpose of Determining Live Entertainment Petition 23-LE5 to Establish Amplified Live Entertainment with No More Than Five Entertainers Playing Indoors with Doors and Windows Open from 5:00 P.M. To 10:00 P.M. Monday through Sunday, and from 5:00 P.M. to 12:00 A.M. Thursday through Saturday with Doors and Windows Closed, for Keewaydin's on Property Owned by Larry A. Wynn, Jerry M. Wynn, and Timothy D. Wynn, Trustee of the Don Q. Wynn and Annie Merle Wynn Irrevocable Trust U/A/D/ 8/23/93, and Located at 711 5th Avenue South; and Providing an Effective Date.

(Erica Martin, Director of Planning)

[Agenda Memorandum](#)

[Resolution](#)

[Life Safety Plan prepared by MHK Architecture, dated August 14, 2023](#)

[Application](#)

[Disclosure of Interest - Property Owner](#)
[Disclosure of Interest -Business Owner](#)
[Warranty Deed](#)
[Legal Description](#)
[Lobbyist Registration Form](#)
[Public Notice Mailing Addresses](#)
[Affidavit of Sign Posting](#)
[Petitioner's Presentation](#)

- 11.I. A Resolution 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 Owned by Knightsbridge Partners of Naples LLC, and Located at 1800 Tamiami Trail East, More Fully Described Herein; and Providing an Effective Date.

(Erica Martin, Director of Planning)

[Agenda Memorandum](#)

[Resolution](#)

[Sufficiency Letter 22-SP7 dated June 1, 2023.](#)

[Narrative of Changes and New Site Plan Review Criteria prepared by Davidson Engineering, Inc., undated](#)

[Survey prepared by BBS Surveyors, Inc., signed April 1, 2022](#)

[Architectural Plans prepared by Stofft Cooney Architects, dated March 14, 2023](#)

[Civil Engineering plans prepared by Davidson Engineering, Inc., dated March 20, 2023](#)

[Landscape Plans prepared by Architectural Land Design, Inc., signed March 23, 2023](#)

[Traffic Impact Statement prepared by Trebilcock Consulting Solutions, PA, dated January 18, 2023](#)

[PAB Report](#)

[Application](#)

[Disclosure of Interest & Warranty Deed](#)

[FDOT Email Correspondence](#)

[Supplemental Stormwater Calcs & TIS](#)

[Credentials - Petitioners](#)

[Credentials - Staff](#)

[Public Notice Mailing Addresses](#)

[Affidavit of Sign Posting](#)

[Correspondence](#)

[Presentation](#)

- 11.J. A Resolution for the Purpose of Determining Outdoor Dining Petition 23-OD13 Establishing Outdoor Dining on Public Property Consisting of Nine (9) Tables, 32 Chairs, Three (3) Umbrellas, and Four (4) Heaters; And Outdoor Dining on Private Property Consisting of One (1) Floor Mounted Menu Board for Pazzo! Cucina Italiana, A Restaurant Operated by 853 5th Avenue South #135, LLC, a Florida Limited Liability Company and Located at 853 5th Avenue South on Property Owned by Michael and Joy Holland Living Trust, Dated the 12th Day of July 2021, More Fully Described Herein; and Providing an Effective Date.

(Erica Martin, Director of Planning)

[Agenda Memorandum](#)

Resolution
Life Safety Plan prepared by MHK Architecture, dated July 17, 2023
Application
Disclosure of Interest - Property Owner
Disclosure of Interest - Business Owner
Deed
Resolution 1996-7872
2009 Outdoor Dining Permit
Credentials - Staff
Public Notice Mailing Addresses
Affidavit of Sign Posting
Petitioner's Presentation
ROW 2010-40

- 11.K. A Resolution for the Purpose of Determining Live Entertainment Petition 23-LE6 Establishing Amplified Indoor Live Entertainment with up to Three Entertainers Sunday through Thursday from 5:00 P.M. to 11:30 P.M. and Friday through Saturday from 5:00 P.M. to 12:00 A.M. for Pazzo! Cucina Italiana, a Restaurant Operated by 853 5th Avenue South #135, LLC, a Florida Limited Liability Company and Located at 853 5th Avenue South on Property Owned by Michael and Joy Holland Living Trust, Dated the 12th Day of July 2021, More Fully Described Herein; and Providing an Effective Date.

(Erica Martin, Director of Planning)

[Agenda Memorandum](#)

[Resolution](#)

[Life Safety Plan prepared by MHK Architecture, dated July 17, 2023](#)

[Application](#)

[Disclosure of Interest - Property Owner](#)

[Disclosure of Interest - Business Owner](#)

[Deed](#)

[Resolution 2020-14560](#)

[Resolution 2003-10232](#)

[Credentials - Staff](#)

[Public Notice Mailing Addresses](#)

[Affidavit of Sign Posting](#)

[Petitioner's Presentation](#)

- 11.L. A Resolution for the Purpose of Determining Outdoor Dining Petition 23-OD9, Establishing Outdoor Dining to Include 12 Tables, 24 Chairs, and 6 Bar Stools for a Restaurant Known as Unidos Restaurant on Private Property Owned by One South Main Street, LLC/Gorfi Properties, Inc., and Located at One 9th Street North, More Fully Described Herein; and Providing an Effective Date.

(Erica Martin, Director of Planning)

[Agenda Memorandum](#)

[Resolution](#)

[Life Safety Plan prepared by BDL Design, dated August 21, 2023](#)

[Application](#)

[Disclosure of Interest- Business owner](#)

[Disclosure of Interest- Property owner](#)

[Parking Plan](#)

Renderings
Tables Chairs and Bar Stool Images
Credentials - Staff
Public Notice Mailing Addresses
Affidavit of Sign Posting

12. OLD BUSINESS

- 12.A. Appoint Two Members to the Carver Finance Board of Directors and One Alternate Member to the Design Review Board
(Patricia Rambosk, City Clerk)
[Agenda Memorandum](#)
[Carver Finance - Andrew Cribbs application](#)
[Carver Finance - Kevin Fitzpatrick application](#)
[Carver Finance - Eric Levy application](#)
[Carver Finance - Lodge McKee application](#)
[Carver resolution 1980-3514](#)
[DRB - Bruce Campbell application](#)
[DRB - Adriane Orion application](#)
[DRB Code](#)
- 12.B. Discussion and Direction Regarding Underground Parking Opinion.
(Nancy Stuparich, City Attorney)
[Underground Parking Opinion from the Vose Law Firm, dated September 12, 2023](#)
[Outline of the History of the City's Charter Amendment, Section 14.1](#)
[Charter Amendment - Height - RDP - Timeline 1999-2015](#)
[Prior Legal Opinions on Height](#)
[Story, Floor & Heights](#)
[FEMA - Below Grade Parking Requirements](#)
[Underground Parking List 6-26-2023](#)
[Revised Underground Parking Opinion from the Vose Law Firm, dated September 12, 2023 \(SUPPLEMENT 1/ADED ATTACHMENT\)](#)

13. NEW BUSINESS

- 13.A. Executive Session Regarding Donna Burns v. City of Naples, Case No. 22-CA-000383, 20th Judicial Circuit, in and for Collier County, Florida. **(12:30pm Time Certain)**
(Nancy Stuparich, City Attorney)
[Agenda Memorandum](#)
[Public Notice](#)
- 13.B. Executive Session Regarding 275 Gulf Shore Boulevard LLC v. City of Naples , Case No. 2022-CA-1705, 20th Judicial Circuit in and for Collier County, Florida
(Nancy Stuparich, City Attorney)
[Agenda Memorandum](#)
[Public Notice](#)

ORDINANCES

14. FIRST READING ORDINANCES - None

15. SECOND READING ORDINANCES

- 15.A. Second Reading of Mandatory Inspection of Aging Condominium and Cooperative Buildings Ordinance.

An Ordinance of The City Council of The City Of Naples, Florida, Amending Chapter 16 “Construction, Rehabilitation and Property Maintenance Regulations” To Create A New Article X “Mandatory Inspection of Aging Condominium and Cooperative Buildings Ordinance” Containing New Sections 16-340 To 16-343, Inspection, Reporting, Repairs, Enforcement and Penalties; Providing for Conflict, Severability, and Codification; and Providing an Effective Date.

(Stephen Beckman, Director of Building Services)

[Agenda Memorandum](#)

[Ordinance - Second Reading](#)

[Senate Bill 4-D](#)

[Senate Bill 154](#)

[Legislative Staff Analysis Inspections](#)

[Chapter Law-2023-203](#)

[Collier County Ordinance - 2022-42](#)

[Ordinance - 062623](#)

[Business Impact Estimate](#)

- 15.B. 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.

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 - Second Attorney](#)

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

[Business Impact Estimate](#)

[Notice to Secretary of State](#)

- 15.C. Second Reading of an Ordinance Amending Special Event Permit Regulations.

An Ordinance for the Purpose of Amending Subsection 46-39(c) for Public or Private Special Event Activities; Providing for Approval of a Special Events Manual by Resolution; Providing for Approval of Special Events by Resolution; Providing for Severability, Conflicts and an Effective Date.

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

[Agenda Memorandum](#)

16. PUBLIC COMMENTS

17. COMMUNICATIONS FROM MAYOR, CITY COUNCIL, AND STAFF

18. ADJOURNMENT

NOTICE

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