



## NOTICE OF MEETING AND AGENDA

Posted  
January 12, 2024

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

Mayor: Teresa Heitmann  
Vice Mayor: Terry Hutchison  
City Council Members:  
Ted Blankenship, Ray Christman,  
Paul Perry, Beth Petrunoff  
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.**

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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.

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**City Council Regular Meeting**  
**Thursday, January 18, 2024**  
**8:30 AM**

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

1. **CALL TO ORDER AND ROLL CALL**
2. **INVOCATION AND PLEDGE OF ALLEGIANCE**
3. **SET AGENDA**
4. **ANNOUNCEMENTS AND PRESENTATIONS**
  - 4.A. Proclamation for Human Trafficking Prevention Month

- 4.B. 2024 State of Florida Legislative Session Update.  
(Jay Boodheshwar, City Manager)  
[Agenda Memorandum](#)  
[Legislative Tracking Report 1-11-24](#)

## 5. PUBLIC COMMENTS

### APPROVAL OF CONSENT AGENDA

## 6. MINUTES

- 6.A. Approval of Various City Council Meeting Minutes.  
(Patricia Rambosk, City Clerk)  
[Agenda Memorandum](#)  
[November 1, 2023, Regular Meeting Minutes](#)  
[November 13, 2023, Workshop Meeting Minutes](#)  
[November 15, 2023, Regular Meeting Minutes](#)  
[December 4, 2023, Special Meeting Minutes](#)

## 7. RESOLUTIONS

- 7.A. A Resolution for the Purpose of Determining Outdoor Dining Petition 23-OD20, Authorizing a Change in Ownership and a Change in Restaurant Name, for Lavender Cafe & Bistro, on Property Owned By My Naples Sunshine LLC, Killer Cooke LLC, and Queeny Bee LLC, Located at 300 9th Street North, More Fully Described Herein; and Providing an Effective Date.  
(Erica Martin, Director of Planning)  
[Agenda Memorandum](#)  
[Resolution](#)  
[Application](#)  
[Disclosure of Interest Form - Property Owner](#)  
[Disclosure of Interest Form - Business Owner](#)  
[Deed](#)  
[Legal Description](#)  
[Aerial Image](#)  
[Lavendar Cafe & Bistro Life Safety Plan](#)  
[Afsona Approved Life Safety Plan](#)  
[Afsona Resolution 2022-14847](#)  
[Credentials - Staff](#)  
[Public Notice Mailing Addresses](#)  
[Affidavit of Sign Posting](#)
- 7.B. A Resolution Approving An Addendum To Contractor Agreement Between The City Of Naples And Environmental Systems Research Institute, Inc. (ESRI) Containing Additional Standard Provisions To Be In Compliance With Florida Statutes; Authorizing The City Manager To Execute The Addendum To Contractor Agreement; And Providing An Effective Date.  
(Andrew Hunter, Director of Information Technology)  
[Agenda Memorandum](#)  
[Resolution](#)

## [SGEA & New Addendum - City of Naples - Esri Signed & Witnessed](#)

- 7.C. A Resolution Approving a Contractor's Agreement Between the City of Naples and Hannula Landscaping and Irrigation Inc. in the Amount of \$124,337.40 for the Cove Lane Median and Irrigation Renovation Project (ITB24-002); Authorizing the City Manager to Execute the Contract's Agreement; and Providing an Effective Date.  
(Chad Merritt, Director of Parks, Recreation & Facilities)

[Agenda Memorandum](#)

[Resolution](#)

[Contractor's Agreement - Unsigned](#)

[Analysis of Bid](#)

[Schedule of Values](#)

[Certificate of Insurance](#)

[E-Verify](#)

[Declaration of Intent to Award](#)

- 7.D. A Resolution for the Purpose of Scheduling the Public Hearings for the Consideration of an Ordinance (Rezone Petition 23-R3) Rezoning Approximately 13.72 Acres of Property from M, Medical to PS, Public Service, Pursuant to Section 46-32 of the Land Development Code on Property Owned by Naples Community Hospital, Inc. and Located at 350 7th Street North as Part of the Regular City Council Meetings Before 5:00 PM; and Providing an Effective Date.  
(Erica Martin, Director of Planning)

[Agenda Memorandum](#)

[Resolution](#)

- 7.E. A Resolution for the Purpose of Approving a Statewide Mutual Aid Agreement between the City of Naples and the State of Florida Division of Emergency Management; Authorizing the Mayor to Execute the Agreement; and Providing an Effective Date.

(Phillip Pennington, Fire Chief)

[Agenda Memorandum](#)

[Resolution](#)

[State Mutual Aid Agreement](#)

- 7.F. A Resolution for the Purpose of Approving a Task Order with Water Science Associates, Inc. for \$257,500 to Provide Hydrogeological Services to Evaluate the City's Wellfields for Level of Service Reliability and Potential Improvements; Authorizing the City Manager to Execute the Task Order; and Providing an Effective Date.

(Bob Middleton, Director of Public Works)

[Agenda Memorandum](#)

[Resolution](#)

[Water Science Associates Task Order](#)

## **8. OTHER - None**

## **END OF CONSENT AGENDA**

## **9. PUBLIC HEARINGS**

- 9.A. A Resolution Vacating a 9-foot Wide Strip of Land Being a Portion of That Certain Utility and Drainage Easement Reserved for the City in Connection with the Vacation of a Portion of Right-of-Way for Gordon Drive Under Resolution 84-4413, Located Within Lots 16 and 17, Beach Estates, Known as 3850 Gordon Drive, More Fully Described Herein; and Providing an Effective Date.

(Bob Middleton, Director of Public Works)

[Agenda Memorandum](#)

[Resolution](#)

[Vacation Application](#)

[Exhibit A](#)

[Exhibit B](#)

[Exhibit C](#)

[Exhibit D](#)

[Exhibit E](#)

[Deed](#)

[Memorandum of lease](#)

[Disclosure of Interest](#)

[Aerial](#)

[Survey Excerpt](#)

[Survey](#)

[Sketch and Description](#)

[Cover Letter](#)

[Building Record with Survey](#)

[Petitioner's Presentation](#)

- 9.B. 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, as Shown in Plat Book 3, Page 85 of the Public Records of Collier County, Florida, Lying Adjacent to 5182 Sand Dollar Lane, More Fully Described Herein; Directing the City Clerk to Record this Resolution; and Providing an Effective Date.

(Bob Middleton, Director of Public Works)

[Agenda Memorandum](#)

[Resolution](#)

[Vacation Application](#)

[Letters of No Objection](#)

[Sketch & Description](#)

[Building Plans](#)

[New Home Drainage Plan](#)

[Photos](#)

[Utility Map](#)

[2006 Survey](#)

## **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-OD18, Establishing Outdoor Dining on Public Property Consisting of 2 Tables and 8

Chairs; and Outdoor Dining on Private Property Consisting of 21 Tables and 42 Chairs for Pizzeria G, a Restaurant Operated by Nicole and Rob Guercio and Owned by Ingram Building Partnership Merged Into Ingram Building Company, LLC, A Florida Limited Liability Company and Located at 720 5th Avenue South, More Fully Described Herein; and Providing an Effective Date.

(Erica Martin, Director of Planning)

[Agenda Memorandum](#)

[Resolution](#)

[Life Safety Plan](#)

[Application](#)

[Disclosure of Interest- Business owner](#)

[Disclosure of Interest- Property owner](#)

[Deed](#)

[Survey](#)

[Credentials - Petitioner](#)

[Credentials - Staff](#)

[Public Notice Mailing Addresses](#)

[Affidavit of Sign Posting](#)

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

(Erica Martin, Director of Planning)

[Agenda Memorandum](#)

[Resolution](#)

[Life Safety Plan](#)

[Application](#)

[Disclosure of Interest](#)

[Disclosure of Interest - Business Owner](#)

[Credentials - Staff](#)

[Affidavit of Sign Posting](#)

- 11.C. A Resolution for the Purpose of Determining Outdoor Dining Petition 23-OD21, Establishing Outdoor Dining on Private Property Consisting of 6 Tables, 34 Chairs, 8 Barstools and 3 Umbrellas for the Syren Oyster & Cocktail Bar, a Restaurant Operated by Syren Hospitality, LLC, A Florida Limited Liability Company and Located at 909 10th Street South, Suite 106 on Property Owned by Bay House Campus, LLC, a Florida Limited Liability Company, More Fully Described Herein; and Providing an Effective Date.

(Erica Martin, Director of Planning)

[Agenda Memorandum](#)

[Resolution](#)

[Life Safety Plan](#)

[Application](#)

[Disclosure of Interest- Property owner](#)

[Disclosure of Interest - Business Owner](#)

[Table and Umbrellas Choice](#)

[Public Notice Mailing Addresses](#)  
[Credentials - Staff](#)  
[Affidavit of Sign Posting](#)

11.D. First Reading of an Ordinance Considering a Rezone of the Property located at 350 7th Street North.

An Ordinance for the Purpose of Determining Rezone Petition 23-R3 to Rezone Approximately 13.72 Acres from the "M", Medical District, to the "PS", Public Service District, Pursuant to Section 46-32 of the Code of Ordinances of the City of Naples, For a Portion of the Property Located at 350 7th Street North, Owned by Naples Community Hospital, Inc.; More Fully Described Herein, and Providing an Effective Date. **(Time Certain 1:30pm)**

(Erica Martin, Director of Planning)

[Agenda Memorandum](#)

[Ordinance](#)

[Staff Report](#)

[Paul Hiltz Letter to Mayor City Council 01-05-2024](#)

[Richard Grant Letter to City Attorney - 1-5-24](#)

[Richard Grant Letter to City Council January 9, 2024](#)

[City Council Garage & Signage Comments PAB](#)

[Updated sG2 Report NHI Planning](#)

[Access Valet Circulation and Traffic Study](#)

[10-20-21 Opinion - Proposed Community Hospital District - Height limit](#)

[Planning Advisory Board Letter 23-11-28](#)

[A-1 Heat Map NCH 2023-11-15](#)

[A-2 Sg2 Marker Analysis PAB 2023-12-13](#)

[A-3 Arch & Design Elements NHSVI](#)

[A-4 - Proposed NHSVI Plans](#)

[A-C-1 - 2023-11-27 Vehicular Circulation Study - Attachment C-1 certified](#)

[A-C-2 Parking Need and Demand 11-28-2023 rjm](#)

[A-C-2 Main Campus Parking](#)

[A-C-3 - 2023-11-27 NCH Heart Institute Valet Parking Plan - Attachment C-3 certified](#)

[C-4 2023-11-21 Signage Attachment](#)

[C-5 - Lot Coverage C-5](#)

[C-5 - Lot Coverage Calculations rev 3](#)

[C-12 - 2023-11-27 NCH Heart Institute TIS - Attachment C-12 certified](#)

[D-2 - Letter-Attachment D-2](#)

[Application](#)

[Summary of Facts](#)

[Disclosure of Interest](#)

[Deeds](#)

[Location Map](#)

[Boundary Survey](#)

[Original Submittal - Site Plans](#)

[Original Submittal - Traffic Impact Statement](#)

[Ordinance No 22-14933](#)

[Planning Department Credentials](#)

[Petitioner's Credentials](#)

Public Notice Mailing Addresses

Correspondence

Additional Correspondence 11-2-2023

Petitioner's Presentation - 11-8-2023 PAB Meeting

Affidavit of Sign Posting & Photos for 12-13-2023 PAB

Correspondence Received After 11-8-2023 PAB Meeting

Correspondence Received by City Manager's Office

Correspondence Received After 12-6-2023 Publication of PAB Agenda

Correspondence Received After 12-11-2023 PAB Supplement Publication

Petitioners Presentation - Landscaping - NCH Heart 21-200 Planting Rendered  
2023-11-30 - PAB Meeting

Petitioners Presentation - CC Meeting 1.18.24

2023-1213 PABR Minutes

- 11.E. A Resolution for the Purpose of Determining Conditional Use Petition 23-CU7, Relating to a Conditional Use for the Naples Community Hospital Pursuant to Section 46-34 and Section 58-833 of the Code of Ordinances of the City of Naples for the Development of a Community Hospital to be Known as the Naples Community Hospital Heart, Vascular, and Stroke Institute, in the "PS", Public Service District, on Property Owned by Naples Community Hospital, Inc. and Located at 350 7th Street North; More Fully Described Herein; and Providing an Effective Date.

(Erica Martin, Director of Planning)

Agenda Memorandum

Resolution

City Council Garage & Signage Comments

Access Valet Circulation and Traffic Study

Architecture & Design Elements

Proposed NHSVI Plans

Vehicular Circulation Study

NCH Heart Institute Valet Parking Plan

Lot Coverage

Lot Coverage Calculations

NCH Heart Institute Traffic Impact Statement

Signage Plan

Site Plans

Traffic Impact Study

Staff Report

Richard Grant Letter to City Attorney - 1-5-24

Richard Grant Letter to City Council January 9, 2024

Updated sG2 Report

Planning Advisory Board Letter 23-11-28

A-1 Heat Map NCH 2023-11-15

A-2 Sg2 Marker Analysis PAB 2023-12-13

A-C-2 Parking Need and Demand 11-28-2023 rjm

A-C-2 Main Campus Parking

Grant Letter to PAB 11-28-2023

Conditional Use Application

Summary of Facts

Disclosure of Interest

Deeds  
Location Map  
Boundary Survey  
Petitioner's Credentials  
Planning Department Credentials  
Public Notice Mailing Addresses  
Correspondence  
Additional Correspondence 11-2-2023  
Petitioner's Presentation - 11-8-2023 PAB Meeting  
Affidavit of Sign Posting & Photos - 12-13-2023 PAB Meeting  
Correspondence Received After 11-8-2023 PAB Meeting  
Correspondence Received by City Manager's Office  
Correspondence Received After 12-6-2023 Publication of PAB Agenda  
Correspondence Received After 12-11-2023 PAB Supplement Publication  
Petitioners Presentation - Landscaping - NCH Heart 21-200 Planting Rendered  
2023-11-30 - PAB  
Petitioners Presentation - PAB 12-13 NHSVI Final (PP) - PAB  
Petitioners Presentation - CC Meeting 1.18.24  
2023-1213 PABR Minutes

- 11.F. A Resolution for the Purpose of Determining Site Plan Petition 23-SP10 for the Naples Community Hospital to Develop a Heart, Vascular, and Stroke Institute, Pursuant to Section 46-33 and Section 58-842 of the Code of Ordinances of the City of Naples, for Property Owned by Naples Community Hospital, Inc. and Located at 350 7th Street North, More Fully Described Herein; and Providing an Effective Date.

(Erica Martin, Director of Planning)

Agenda Memorandum

Resolution

City Council Garage & Signage Comments

Access Valet Circulation and Traffic Study

Architecture & Design Elements

Proposed NHSVI Plans

Vehicular Circulation Study

NCH Heart Institute Valet Parking Plan

Lot Coverage

Lot Coverage Calculations

NCH Heart Institute Traffic Impact Statement

Signage Plan

Site Development Plans

Architectural Plans

Landscape Plans

Lighting Plan

Traffic Impact Study

23-SP10 Sufficiency Letter

Staff Report

Agent Letter of Authorization

Paul Hiltz - Mayor City Council Letter 01052024

Richard Grant Letter to City Council January 9, 2024

Richard Grant Letter to City Attorney - 1-5-24



Site Plan Application  
Disclosure of Interest  
Warranty Deed  
Site Location Map  
Petitioner's Credentials  
Boundary Survey  
Engineer's Report  
Planning Department Credentials  
Public Notice Mailing Addresses  
Correspondence  
Additional Correspondence 11-2-2023  
Petitioner's Presentation - 11-8-2023 PAB Meeting  
Affidavit of Sign Posting & Photos for 12-13-2023 PAB  
Correspondence Received After 11-8-2023 PAB Meeting  
Correspondence Received After 12-6-2023 Publication of PAB Agenda  
Correspondence Received by City Manager's Office  
Correspondence Received After 12-11-2023 PAB Supplement Publication  
Petitioners Presentation - Landscaping - NCH Heart 21-200 Planting Rendered  
2023-11-30  
Petitioners Presentation - PAB 12-13-2023  
Petitioners Presentation - CC Meeting 1.18.24  
2023-1213 PABR Minutes

## **12. OLD BUSINESS**

- 12.A. Appoint Members to the Firefighters' Retirement Trust Fund, the Police Officers' Retirement Trust Fund, the Collier County Contractor's Licensing Board, and the Community Redevelopment Agency Advisory Board.  
(Patricia Rambosk, City Clerk)  
[Agenda Memorandum](#)  
[Fire Pension - Howard Weiss Application](#)  
[Fire Pension Code](#)  
[Police Pension - John Pluta Application](#)  
[Police Pension Code](#)  
[Contractor's Licensing - Robert Meister Application](#)  
[Contractor's Licensing Board Code](#)  
[CRAAB - Natalia Hester Application](#)  
[CRAAB - Mark Komanecky Application](#)  
[CRAAB - Anthony Matonti Application](#)  
[CRAAB - Patrick Ruff Application](#)  
[CRAAB - Mary Waller Application](#)  
[CRAAB Code](#)

## **13. NEW BUSINESS**

- 13.A. Executive Session Concerning Settlement Negotiations or Strategy Related to Litigation Styled, 5<sup>th</sup> Avenue South Holdings LP v. City of Naples, 20<sup>th</sup> Judicial Circuit, Case No. 23-CA-3329. **(Time Certain 12:30pm)**  
(Ralf Brookes, Interim City Attorney)  
[Agenda Memorandum](#)

## Public Notice

13.B. Council Actions after if Necessary Executive Session re: Pending Litigation: 5th Avenue South Holdings LP v. City of Naples, 20th Judicial Circuit, Case No. 23-CA-3329. **(Heard Immediately following the Executive Session)**  
(Ralf Brookes, Interim City Attorney)

13.C. Council Actions if Necessary after Executive Session re: Pending Litigation:

Harry Zea, RHC LLC, Hold On! LLC, 1355 Marlin Drive LLC, 1660 Dolphin Court LLC, 1501 Bluefin Court LLC, Pinnacle Asset Trust LLC, Bay Club of Naples I LLC, Bay Club of Naples II LLC, The Nautilus Naples, LLC., v. City of Naples, U.S. Middle District of Florida, Case No. 2:22-cv-00690

The Viceroy Naples, LLC v. City of Naples, 20th Judicial Circuit Collier County, Case No. 2023-AP-10

Legacy Management and Investment Group LLC d/b/a The Dock at Crayton Cove v. The Nautilus Naples, LLC and The City of Naples, 20th Judicial Circuit Collier County, Case No. 2023-CA-002547

**(Heard Immediately following the Executive Session, Previously Heard at the City Council Workshop on January 16, 2024)**

(Ralf Brookes, Interim City Attorney)

13.D. Announcement of a Litigation Executive Session on February 7, 2024 For The Purpose of Advice And Discussion of Settlement Negotiations Associated With Litigation Styled Eliana Papadakis v. City of Naples and Mowrey Elevator Co., Inc., Case No. 22-CA-001697, 20th Judicial Circuit, in and for Collier County, Florida.  
(Ralf Brookes, Interim City Attorney)

[Agenda Memorandum](#)

[Public Notice](#)

13.E. Announcement of a Litigation Executive Session on March 4, 2024 For The Purpose of Advice And Discussion of Settlement Negotiations Associated With Litigation Styled Eliana Papadakis v. City of Naples and Mowrey Elevator Co., Inc., Case No. 22-CA-001697, 20th Judicial Circuit, in and for Collier County, Florida.  
(Ralf Brookes, Interim City Attorney)

[Agenda Memorandum](#)

[Public Notice](#)

## ORDINANCES

14. **FIRST READING ORDINANCES - None**

15. **SECOND READING ORDINANCES - None**

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.