

**NOTICE OF MEETING AND AGENDA**



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

**Mayor: Teresa Heitmann  
Vice Mayor: Terry Hutchison  
City Council Members:  
Berne Barton, Ray Christman,  
William Kramer, Linda Penniman, Beth Petrunoff  
Interim City Attorney: Ralf Brookes • 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  
Wednesday, April 17, 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 (add or remove items)**
- 4. ANNOUNCEMENTS AND PRESENTATIONS**
  - 4.A. Do The Right Thing.

- 4.B. Proclamation in Support of Awareness Month for Sexual Assault.
- 4.C. Proclamation in Support of National Therapy Animal Day.
- 4.D. Design Review Board Annual Presentation.  
(Erica Martin, Director of Planning)  
[Agenda Memorandum](#)

## 5. PUBLIC COMMENTS

### APPROVAL OF CONSENT AGENDA

## 6. MINUTES

- 6.A. Approval of the April 3, 2024, Regular Meeting Minutes.  
(Patricia Rambosk, City Clerk)  
[Agenda Memorandum](#)  
[April 3, 2024 Regular Meeting Minutes](#)

## 7. RESOLUTIONS

- 7.A. City Council 6 Month Review of Resolution 2023-15156, A Resolution Granting Approval of Amplified Indoor Live Entertainment With No More Than Two Entertainers Playing Guitar or a DJ Every Friday From 3:00 P.M. to 10:00 P.M. Inside the Hotel Lobby Lounge, for the Hyatt House Naples on Property Owned by Naples 5th Avenue Hotel, LLC, and Located at 1345 5th Avenue South.  
(Erica Martin, Director of Planning)  
[Agenda Memorandum](#)  
[2023-15156 Resolution](#)  
[Attachment A -Life Safety Plan Prepared by Finrock Design, Inc. Dated June 14, 2023](#)  
[Department Correspondence](#)
- 7.B. A Resolution for the Purpose of Approving a Contract by Purchase Order Between the City of Naples and Weatherproofing Technologies, Inc. in the Amount of \$120,950.63 for the River Park Community Center Roof Restoration Project (Capital Improvement Project 24G24); Utilizing an Omnia Contract (CPN Contract #R230404-317112); Authorizing the City Manager to Execute the Contract by Purchase Order; and Providing an Effective Date.  
(Chad Merritt, Director of Parks, Recreation & Facilities)  
[Agenda Memorandum](#)  
[Resolution](#)  
[River Park Community Center Roof Project - Contract](#)  
[River Park Community Center Roof Project - Proposal](#)  
[River Park Community Center Roof Project - Omnia Contract #R230404](#)  
[River Park Community Center Roof Project - Certificate of Insurance](#)
- 7.C. A Resolution Approving a First Amendment to the 2023-2024 Tourist Development Tax Grant Agreement Between Collier County and the City of Naples, Category "A" City of Naples Projects, for Additional Funds for City of Naples Beach Cleaning and Maintenance Staff Salaries and Operating Costs, Additional Funds for

Maintenance at Lowdermilk Park, and Additional Funds for the Naples Pier Repair and Maintenance; Authorizing the Mayor to Execute the First Amendment; and Providing an Effective Date.

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

[Agenda Memorandum](#)

[Resolution](#)

[Tourist Develop Tax Grant FY23-24 - First Amendment](#)

[Tourist Development Tax Grant FY23-24 - Original Agreement](#)

[Resolution 2023-15185](#)

- 7.D. A Resolution to Approve a Local Agency Program (LAP) Agreement with the Florida Department of Transportation (FDOT) to Secure up to \$179,065 in Grant Funding for the City of Naples to Purchase Bicycle Detection Equipment; Authorizing the City Manager to Execute the Agreement; and Providing an Effective Date.

(Bob Middleton, Director of Public Works)

[Agenda Memorandum](#)

[Resolution](#)

[LAP Agreement](#)

- 7.E. A Resolution for the Purpose of Approving Amendment No. 11 to the Professional Services Agreement with Graef-USA Inc, f/k/a Erickson Consulting Engineers, Inc. for the Naples Beach Stormwater Outfall Project, Providing for an Increase of the Project cost in the Amount of \$85,000 in Fiscal Year 2023-24, in Accordance with the Consultant's Competitive Negotiation Act: Authorizing the City Manager to Execute Amendment No. 11; and Providing an Effective Date.

(Bob Middleton, Director of Public Works)

[Agenda Memorandum](#)

[Resolution](#)

[Amendment 11](#)

[Amendment 10 - Time Extension](#)

## **8. OTHER**

### **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 Determining Temporary Use Petition 24-TU7 to Allow for the Temporary Operation of On-Site Food, Beverage, Lavatory, and Storage Trailers During Reconstruction of the Port Royal Club, Pursuant to Section 46-39 of the City of Naples Code of Ordinances, on Property Located at 2900 Gordon Drive, Subject to the Conditions Set Forth Herein; and Providing an Effective Date.

(Erica Martin, Director of Planning)

[Agenda Memorandum](#)

[Resolution](#)  
[Resolution 2023-15251](#)  
[Application for Temporary Use with Summary of Facts](#)  
[Disclosure of Interest](#)  
[Deed](#)  
[Aerial](#)  
[Plans](#)  
[Credentials - Petitioner](#)  
[Credentials - Planning Department](#)  
[Public Notice Mailing Addresses](#)  
[Sign Posting Affidavit](#)  
[Petitioner's Presentation](#)

- 11.B. A Resolution for the Purpose of Determining Conditional Use Petition 24-CU1 Pursuant to Section 46-34 and Section 58-563 of The Code of Ordinances, for Four Transient Lodging Units to be Located on the Second and Third Floors of a Mixed-Use Development, and Waiving the Requirement for a Loading Space Pursuant to Section 58-1134(h) of the Code of Ordinances of The City of Naples, Florida, for the Property Owned by AG Naples, LLC, a Florida Limited Liability Company, and Located at 472 5th Avenue South, More Fully Described Herein; and Providing an Effective Date.

(Erica Martin, Director of Planning)

[Agenda Memorandum](#)

[Resolution](#)

[Boundary Survey prepared by Dagostino Geospatial, Inc](#)

[Site Plan prepared by Davidson Engineering](#)

[Architecture Plans prepared by MHK Architecture](#)

[Landscape Plans prepared by Architectural Land Design, Inc](#)

[Traffic Impact Statement prepared by Trebilcock Consulting Solutions, PA](#)

[Vehicle Tracking Plan prepared by Davidson Engineering](#)

[Transient Lodging Operational Plan](#)

[Restrictive Covenant - Transient Lodging - AG Naples LLC](#)

[Staff Report](#)

[Application](#)

[Disclosure of Interest](#)

[Deed](#)

[Aerial](#)

[Credentials - Petitioners](#)

[Credentials - Staff](#)

[Affidavit of Sign Posting](#)

[Public Notice Mailing Addresses](#)

[Petitioner's Presentation](#)

[MHK Presentation](#)

- 11.C. A Resolution Determining Fifth Avenue South Parking Allocation Petition 24-PKAL1 for the Purpose of Allocating Eight (8) Public Parking Spaces Pursuant to Section 58-1134(d)(2) for the Development of a Mixed-Use Development With a Restaurant and Four (4) Transient Lodging Units for Property Owned By AG Naples, LLC, a Florida Limited Liability Company, and Located at 472 5<sup>th</sup> Avenue South, More Fully Described Herein; and Providing an Effective Date.

(Erica Martin, Director of Planning)  
Agenda Memorandum  
Resolution  
CRAAB Memorandum  
Application  
Aerial  
Disclosure of Interest  
Deed  
6th and 8th Garage Current Parking Allocation  
Survey  
Master Site Plan  
Architecture Plans  
Landscape Plans  
Traffic Impact Statement  
Vehicle Tracking  
Credentials - Petitioners  
Credentials - Staff  
Public Notice Mailing Addresses  
Affidavit of Sign Posting  
Petitioner's Presentation

## 12. OLD BUSINESS

12.A. Appoint Members to the Community Services Advisory Board, the Design Review Board, and the Planning Advisory Board.

(Patricia Rambosk, City Clerk)

Agenda Memorandum  
CSAB - Cassie Barone application  
CSAB - Christina Muracco application  
CSAB - Joseph Murray application  
CSAB - Laura Oscher application  
CSAB - Brian Smith application  
CSAB code  
DRB - Chae duPont application  
DRB code  
PAB - Daniel Barone application  
PAB - John Crees application  
PAB - Bill Kapler application  
PAB - Sally Petersen application  
PAB code

## 13. NEW BUSINESS

13.A. A Resolution For The Purpose Of Adopting A Fee For Article X “The Milestone Inspection Reports Review Process”; Amending Appendix A – Fees And Charges Schedule 16-58 Miscellaneous; And Providing An Effective Date. **[Will be considered after approval of Item 15.A]**

(Stephen Beckman, Director of Building Services)

Agenda Memorandum  
Resolution

[2023-15179 Ordinance](#)  
[Senate Bill 4-D](#)  
[Senate Bill 154](#)

- 13.B. Executive Session - 5th Avenue South Holdings, LP v. City of Naples, Case No. 23-CA-3329, 20th Judicial Circuit, in and for Collier County, Florida. **(Time Certain 12:30 PM)**  
(Ralf Brookes, Interim City Attorney)  
[Agenda Memorandum](#)  
[Public Notice](#)
- 13.C. Any Action Needed Following the Executive Session - 5th Avenue South Holdings, LP v. City of Naples, Case No. 23-CA-3329, 20th Judicial Circuit, in and for Collier County, Florida.  
(Ralf Brookes, Interim City Attorney)

## **ORDINANCES**

### **14. FIRST READING ORDINANCES - None**

### **15. SECOND READING ORDINANCES**

- 15.A. Second Reading Of An Ordinance Of The City Of Naples, Florida, For The Purpose Of Establishing An Administrative Fee For Milestone Inspection Reports By Creating A New Section 16-344, Milestone Inspection Report Fees, In Chapter 16 "Construction, Rehabilitation And Property Maintenance Regulations" Of Article X "Mandatory Inspection Of Aging Condominium And Cooperative Buildings Ordinance"; Providing For Conflict, Severability, And Codification; And Providing An Effective Date.  
(Stephen Beckman, Director of Building Services)  
[Agenda Memorandum](#)  
[Second Reading Milestone Fee Ordinance](#)  
[2023-15179 Ordinance](#)  
[Senate Bill 4-D](#)  
[Senate Bill 154](#)  
[Business Impact Estimate - Milestone Fee](#)

### **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.