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
City Attorney: Matthew McConnell • City Clerk: Patricia Rambosk
City Manager: Gary Young

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 will be heard during Item 5 and during specific agenda items. Another opportunity for public comments will be provided 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
Thursday, February 20, 2025
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. Proclamation for the dedicated Marker within Cambier Park from the Big Cypress Chapter of the National Society Daughters of the American Revolution.

(Teresa Heitmann, Mayor)

5. PUBLIC COMMENTS

APPROVAL OF CONSENT AGENDA

6. MINUTES

6.A. Approval of the January 13, 2025 Workshop Meeting Minutes and the January 15, 2025 Regular Meeting Minutes.
(Patricia Rambosk, City Clerk)
Agenda Memorandum
January 13, 2025 Workshop Meeting Minutes
January 15, 2025 Regular Meeting Minutes

7. RESOLUTIONS

7.A. A Resolution Approving the Design Review Handbook Developed by the Design Review Board; and Providing an Effective Date.
(Erica Martin, Director of Planning)
Agenda Memorandum
Resolution
Design Review Handbook 2.0 - Proposed - Redline
Design Review Handbook 2.0 - Proposed - Clean
120924 CC Minutes
Design Review Handbook - Current
Staff Memorandum to Planning Advisory Board
Handbook - Executive Summary

7.B. A Resolution Accepting a Donation from the Gary Sinise Foundation to Acquire a High-Water Rescue Vehicle, Valued at $89,000, for use in the Naples Police Department for Severe Weather Conditions, Including Hurricanes and Heavy Thunderstorms, Consistent with the Policies and Procedures in Resolution 15-13730; and Providing an Effective Date.
(Ciro Dominguez, Police Chief)
Agenda Memorandum
Resolution
Sinise Foundation Email
NPD Grant Request to Gary Sinise Foundation - High Water Rescue Vehicle
Resolution 15-13730 Naples Donation Policy

7.C. A Resolution Approving a Second Amendment to the Agreement with Contractor's Services Agreement between the City of Naples and Charlotte County Bio-Recycling, LLC, Extending the Term of the Agreement for an Additional One-Year Period Beginning October 1, 2024, and Ending September 30, 2025, for the Hauling and Disposal of Dewatered Biosolids Generated at the Wastewater Treatment Plant; Authorizing the City Manager to Execute the Second Amendment to the Contractor's Services Agreement; and Proving an Effective Date.
(Bob Middleton, Director of Public Works)
Agenda Memorandum
Resolution

2nd Amendment

8. OTHER - None.

END OF CONSENT AGENDA

9. PUBLIC HEARINGS - None.

REGULAR AGENDA

10. BOARDS AND COMMITTEES

10.A. Consider Appointing Two Members to the Community Redevelopment Agency Advisory Board and One Member to the Design Review Board.
(Patricia Rambosk, City Clerk)
Agenda Memorandum
CRAAB - Keith Choff Application
CRAAB - Liset Zelaya Application
CRAAB Code
DRB - Irma Sefa application
DRB Code

11. ITEMS PULLED FROM CONSENT AGENDA (If Needed)

12. LAND USE MATTERS

12.A. A Resolution Relating to a Subdivision Replat; Approving and Accepting the Preliminary and Final (Record) Replat for 1000 Block 5th Avenue Replat, a Replat of a Portion of Block 15, Tier 11, Replat of Naples Seaboard and Gulf Railway Company Subdivision, Recorded in Plat Book 1, Page 59, Collier County Public Records, Together With Two Ten Foot Strips of Land Lying Adjacent to and Westerly of Lots 13 and 14 of Said Block 15, Located at 1010, 1050, and 1074 5th Avenue South, 1014 6th Avenue South, and 590 11th Street South, Containing Approximately 2.571 Acres and Owned by 5th Avenue South Holdings, LP, a Delaware Limited Liability Company, More Fully Described Herein; Requiring Recording; Approving Subdivision Petition 24-Sd2; and Providing an Effective Date.
(Erica Martin, Director of Planning)
Agenda Memorandum
Resolution
Application - 1000 Block
Exhibit A to Subdivision Application
Exhibit B to Subdivision Application
Disclosure of Interest
Deeds
Survey
Existing Plat - 1000 Block
Proposed Replat - 1000 Block
Opinion of Title - Subdivision Replat - 1000 Block
Settlement Agreement
Petitioner's Credentials

Planning Department Credentials
Public Notice Mailing Addresses
1000 Block - Sign Posting Affidavit & Photos
Petitioner's Presentation

12.B. A Resolution Determining Outdoor Dining Petition 24-OD10 to Establish Outdoor Dining on Private Property Including a Total of Ten (10) Tables and Thirty-Five (35) Seats for the Restaurant Known as Soluna Restaurant and Bar on Property Owned by Kevin Stoneburner and Located at 403 Bayfront Place.
(Erica Martin, Director of Planning)
Agenda Memorandum
Resolution
Application
Disclosure of Interest - Property Owner
Disclosure of Interest - Business Owner
Warranty Deed
Lease Document
Aerial
Site Plan
Architectural Plans
Soluna - Heaters
Soluna - Cover Letter
Soluna - Temporary Permit
Soluna - Outdoor Dining Photo
Bayfront Outdoor Dining Plans - 2021
Bayfront - Outdoor Dining Locations - 2021
Bayfront Parking Exhibit - 2021
Bayfront - PD - 2021
OD Parking Allocation - Bayfront PD - 2021
Credentials - Staff
Affidavit of Sign Posting
Petitioner's Presentation

12.C. A Resolution for the Purpose of Determining Live Entertainment Petition 24-LE5 to Establish Amplified Live Entertainment with No More Than Three Entertainers Playing Indoors with the Doors and Windows Closed, from 4 P.M. to 8 P.M. on Thursday, and 4 P.M. to 9 P.M. on Friday and Saturday, for the Restaurant Known as Soluna Restaurant and Bar on Property Owned by Kevin Stoneburner, and Located at 403 Bayfront Place.
(Erica Martin, Director of Planning)
Agenda Memorandum
Resolution
Application
Disclosure of Interest - Property Owner
Disclosure of Interest - Business
Warranty Deed
Lease Document
Aerial
Site Plan
Architectural Plans

Petitioner - Cover Letter
Resolution 2004-10346 - Previous LE Approval
Resolution 2017-13903 - Previous LE Approval
Bayfront - PD - 2021
Credentials - Staff
Affidavit of Sign Posting
Petitioner's Presentation

12.D. A Resolution Determining Outdoor Dining Petition 25-OD2 Establishing Outdoor Dining to Include Twenty-Four Tables and Forty-Eight Chairs for the Restaurant Known as Ce Soir on Private Property Owned by Bayfront, INC , and Located at 492 Bayfront Place More Fully Described Herein; and Providing an Effective Date.
(Erica Martin, Director of Planning)
Agenda Memorandum
Resolution
Application
Disclosure of Interest - Property Owner
Disclosure of Interest - Business Owner
Architectural Plans
Bayfront Planned Development - Ordinance No. 2021-148585
Bayfront - Outdoor Dining Locations
Bayfront Outdoor Dining Plans - 2021
Credentials - Petitioner
Credentials - Staff
Public Notice Mailing Addresses
Affidavit of Sign Posting

12.E. A Resolution Determining Outdoor Dining Petition 25-OD4 Establishing Outdoor Dining to Include Eight Table and Sixteen Chairs for the Restaurant Known as Bonta Bakery on Private Property Owned by Fifth Avenue South LLC, and Located at 824 5th Avenue South More Fully Described Herein; and Providing an Effective Date.
(Erica Martin, Director of Planning)
Agenda Memorandum
Resolution
Application
Disclosure of Interest - Business Owner
Architectural Plans
Credentials - Staff
Credentials - Petitioner
Public Notice Mailing Addresses
Affidavit of Sign Posting
Petitioner's Presentation

12.F. A Resolution Determining Live Entertainment Petition 24-LE2 Pursuant to Section 56-125 of the Code of Ordinances, City of Naples, for Proposed Live Entertainment at the London Club Dining Room at the Claw Bar Restaurant Owned by Resort Hospitality Partners, LLC, Consisting of Indoor Amplified Entertainment with One Jazz Duo or Trio Band Nightly, Performing No Later Than 10:00 PM Seven Days a Week, Located at 221 9th Street South, Said Property Being More Fully Described

Herein; and Providing an Effective Date.
(Erica Martin, Director of Planning)
Agenda Memorandum
Resolution
Application
Disclosure of Interest- Property Owner
Warranty Deed
Architectural Plans
Life Safety Plan
Credentials- Staff
Public Notice Mailing Addresses
Affidavit of Sign Posting

13. OLD BUSINESS

13.A. A Resolution of the City of Naples, Florida, Approving a Policy Containing Procedures and Expectations for Administrative Approval of Affordable Housing Developed Under Section 166.0451 of the Florida Statutes, CS/SB328 "Live Local Act;" Providing for Scrivener's Error; and for an Effective Date.
(Erica Martin, Director of Planning)
Agenda Memorandum
Resolution
Summary Points - Florida CS-CS-SB 328 Affordable Housing
City of Naples Affordable Housing Regulations - Code of Ordinances Section 56-82
CS-CS-SB 328 Text
Map Depicting the Percentage of the City Zoned Commercial or Industrial
O'Berski Email - Live Local Projects
Live Local Act - Action Items

14. NEW BUSINESS

14.A. A Resolution Approving a Professional Services Consultant's Agreement Between Johnson Engineering, Inc. and the City of Naples for Professional Services to Complete the Update of the City of Naples Comprehensive Plan in the Amount of $423,250.54; Authorizing the City Manager to Execute the Professional Services Consultant's Agreement; and Providing an Effective Date **(10:00am Time Certain).**
(Erica Martin, Director of Planning)
Agenda Memorandum
Resolution
RFP 25-006 Comp Plan Agreement
Johnson Engineering Inc. Handout - City of Naples Comprehensive Plan Amendment
Johnson Engineering's Response to RFP 25-006 Comprehensive Plan Amendment
Johnson Engineering's Presentation

14.B. Executive Session - SCHNEIDER, NICK vs. CITY OF NAPLES, OFFICE OF THE JUDGES OF COMPENSATION CLAIMS; OJCC Case No. 20-016665FJC **(12:30pm Time Certain).**

(Matthew McConnell, City Attorney)
Agenda Memorandum
Public Notice

ORDINANCES

15. FIRST READING ORDINANCES

15.A. First Reading of an Ordinance Amending Regulations for Outdoor Dining on Public Property.

An Ordinance Amending Regulations for Outdoor Dining on Public Property and Requiring an Annual Fee; Amending Subsections (a), (d)(1), (d)(2)d, j and k of Section 56-126, Outdoor Dining, of Article IV, Standards Applicable to Commercial Districts, of Chapter 56, Supplemental Standards; Amending Subsection (c)(4) of 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 for Codification; Conflicts; Severability; Correction of Scrivener's Error; Construction; Publication; and an Effective Date.
(Erica Martin, Director of Planning)
Agenda Memorandum
Ordinance
PAB Staff Report
Proposed Fee Amendment - 2023 Agenda Memorandum
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

16. SECOND READING ORDINANCES

16.A. Second Reading of an Ordinance for the Purpose of Amending City of Naples Ethics Code related to Sections 2-973 "Ethics Training," and 2-975 adding new Section 2-975(l) entitled "Prohibited Communications.

An Ordinance Amending the City of Naples Ethics Code; Amending Subsections (B)(2) and (3) of Section 2-973, Ethics Training of The City of Naples Ethics Code for the Purpose of Providing Training on the State of Florida Public Records Act and Sunshine Law for Appointed Members of Boards and Committees of the City of Naples; Creating a New Subsection (L), Prohibited Communications, to Section 2-975, Conflicts of Interest of the City of Naples Ethics Code to Provide for Prohibited Communications Among Certain Board and Committee Members and the City Council; Providing for Codification, Conflicts, Severability, Correction of Scrivener's Error, Construction, Publication; and an Effective Date.
(Matthew McConnell, City Attorney)
Agenda Memorandum
Ordinance
Naples Business Impact Estimate

16.B. Second Reading of an An Ordinance Deleting Chapter 4, Advertising, Which Includes Article I. In General, and Article II, Handbills, of the Code of Ordinances, City of Naples.

An Ordinance Deleting Chapter 4, Advertising, Which Includes Article I. In General, and Article II, Handbills, of the Code of Ordinances, City of Naples, as There Are No Code Provisions in Article I and Permit Applications for Distribution of Handbills Are Now Included in Article II Peddlers and Solicitors of Chapter 10 of the Code of Ordinances, City of Naples; Providing for Codification, Conflicts, Severability, Correction of Scrivener's Error, Construction, Publication, and an Effective Date.
Agenda Memorandum
Ordinance
Ordinance 2022-14816
Naples Business Impact Estimate

17. PUBLIC COMMENTS

18. COMMUNICATIONS FROM MAYOR, CITY COUNCIL, AND STAFF

19. 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.