



City of Naples

City Council Chamber
735 Eighth Street South
Naples, Florida 34102

City Council Regular Meeting – September 3, 2025 – 8:30 a.m.

It is noted for the record that all: 1) documentation electronically appended hereto is also contained in the file for this meeting with the City Clerk's Office; 2) experts who testified during quasi-judicial hearings were accepted as qualified to do so in their respective fields of expertise; 3) added items are referenced in red as "ADDED ITEM"; and 4) added attachments are referenced in red as "ADDED ATTACHMENT".

1) CALL TO ORDER AND ROLL CALL

City Council Members Present

Teresa Heitmann, Mayor
Terry Hutchison, Vice Mayor

Berne Barton
Ray Christman
Bill Kramer
Linda Penniman
Beth Petrunoff

Staff Present:

Gary Young, City Manager
Sean Phillips, Master Police Officer
Michael O'Reilly, Police Lieutenant
Ciro Dominguez, Police Chief
Erica Martin, Planning Director
Bruce Selfon, Assistant City Manager
Phillip Pennington, Fire Chief

Robert Middleton, Public Works Director
Monique Barnhart-Tiberio, Communications
Manager and Public Information Officer
Chad Merritt, Parks, Rec. & Facilities Director
Natalie Hardman, Natural Resources Manager
Steve Beckman, Building Services Director
Jessica Hernandez, Deputy City Clerk

Others Present:

Joseph Darwin
Radostin Nikolov
Lizie Froloff
Carol Myles
Patrick O'Connor
Daniel Kowal
Lynn Wiggins

Chris Rozansky
Josh Hildebrand
Greg Corning
Kevin Dowdy
Nicole Baker
Zach Lombardo
Josi Teeters

2) INVOCATION AND PLEDGE OF ALLEGIANCE

Pastor Joseph Darwin, Faith Bible Church, gave an invocation. Council Member Christman subsequently led in the Pledge of Allegiance.

3) SET AGENDA (add or remove items)

City Manager Gary Young announced that Item 12.A, a resolution approving a valet license agreement between the City of Naples and the Old Naples Hotel, was continued to the September 24th Regular City Council meeting, at the request of the applicant.

City Manager Young stated that Item 13.H, a discussion related to clarifying the process for City Council's review of the Airport Utilization Plan and site plan approval for the C4 Airport Commercial District, would be moved to follow Item 4.D, a presentation regarding the Airport Authority budget, to accommodate Airport representatives in attendance.

City Manager Young noted that a redlined and strikethrough draft of the Site Plan and Utilization Plan was emailed, printed, distributed, and provided to the City Clerk for inclusion in the agenda.

He also announced that Agenda Item 13.E included an executive session on labor relations and collective bargaining strategy scheduled for 12:30 p.m.

Council Member Petrunoff requested removing Item 7.J., a resolution approving an interlocal agreement to create a countywide Tactical Medic Program, from the Consent Agenda for a separate discussion and vote.

Mayor Heitmann requested removing Item 8.A., consideration of the new Special Event Application, from the Consent Agenda for a separate discussion and vote.

MOTION by Hutchison to APPROVE THE AGENDA subject to the following changes: 1) continuing Item 12.A to the September 24th Regular City Council meeting, 2) removing Items 7.J and 8.A from the Consent Agenda for a separate discussion and vote, and 3) reschedule Item 13.H to be heard immediately following Item 4.D; seconded by Petrunoff and unanimously carried, all members present and voting (Barton-yes, Christman-yes, Hutchison-yes, Kramer-yes, Penniman-yes, Petrunoff-yes, Heitmann-yes).

4) ANNOUNCEMENTS AND PRESENTATIONS

4.A) Proclamation for The Daughters of the American Revolution (DAR) Constitution Week.

Mayor Heitmann read a proclamation designating the week of September 17 to 23, 2025, as Constitution Week, recognizing the 238th anniversary of the drafting of the United States Constitution. She noted the importance of reaffirming the ideals of the Framers and protecting the freedoms guaranteed by the Constitution. The proclamation was presented to members of the Big Cypress Chapter of The Daughters of the American Revolution.

[Proclamation \(ADDED ATTACHMENT / Staff\)](#) 

4.B) Do the Right Thing.

Master Police Officer Sean Phillips recognized the Do The Right Thing (DTRT) Sponsor of the Month, Radostin Nikolov from Valet Pros, who was recognized for providing DTRT award recipients gold memberships for VIP parking at his locations and donating round-trip limousine service for award recipients' families.

Master Officer Phillips then recognized that month's DTRT award recipients: Naples High School student Lizie Froloff was honored for founding Lizie's Trees for Needs, a nonprofit that provides Christmas trees to families in need. Carol Myles, a student at the Community School of Naples, was recognized for starting Smiles for Miles, a program supporting special needs students through lunch companionship, crafts, puzzles, and fundraising events. Both students received a City of Naples trophy, backpack, and a letter of recognition from Senator Rick Scott.

Patrick O'Connor, DTRT Chairman of the Board, noted that this is the 13th year of the Do the Right Thing program, during which more than 250 young people have been recognized. He commended both recipients for demonstrating kindness, compassion, and community service.

4.C) Update from Commissioner Kowal.

Daniel Kowal, Collier County Commissioner, District 4, utilized an electronic presentation to provide updates on various County projects. He began by sharing information related to the four properties located at the Davis, U.S. 41 Triangle, noting that; 1) the Ellington site has no active application; 2) the Ascent received a temporary certificate of occupancy with some units occupied while the restaurant awaits approval; 3) the Aurora condos are under construction for a late 2026 completion; and 4) the U-Haul commercial property is relocating with no new plans yet for Lot 3. Commissioner Kowal confirmed the Planned Unit Development (PUD) has no affordable housing requirement and reviewed the planned unit mix, noting that some parcels remain undeveloped.

Commissioner Kowal stated the J.W. Marriott project, located south of the Davis, U.S. 41 Triangle, has been revised to proceed as a by-right hotel under C-4 zoning. He also noted that stormwater permits are secured, Florida Department of Transportation (FDOT) access permits remain under review, and no construction date has been set.

Commissioner Kowal summarized recent Land Development Code updates, including adding an 80 to 100 percent Area Median Income “moderate” bonus tier, linking density and parking incentives to transit access, and rejecting by-right commercial-to-residential conversions. He noted that the Live Local Act now applies to PUDs, allowing qualifying projects by right subject to site-plan and building-code review.

Commissioner Kowal spoke about the Clam Pass dredging permit, which is scheduled to be renewed in 2026 and said he is working with the City Manager to include a City representative and nearby residents in future discussions. He said proactive stormwater pipe maintenance had reduced flooding and highlighted upcoming City–County partnership projects in older neighborhoods.

In response to Council Member Penniman, Commissioner Kowal clarified that Class 3 e-bikes are prohibited on sidewalks, except when an adult is riding there to accompany a minor, and must otherwise use bike lanes where available.

In response to Mayor Heitmann, Commissioner Kowal explained that a Davis Boulevard marina redevelopment follows the old marina footprint, requires only a balcony overhang variance, and otherwise complies with code.

In response to Council Member Petrunoff, Commissioner Kowal said the County is expanding the Linwood stormwater lake to add capacity. In addition, he said Davis, U.S. 41 Triangle projects handle retention on site before pumping to the lake.

In response to Vice Mayor Hutchison, Commissioner Kowal cautioned that reducing or eliminating property taxes could jeopardize essential services, particularly Sheriff funding, and could allow the State to redistribute other revenues, such as sales or tourism tax dollars, to less wealthy counties. He further noted that a proposed one-penny increase to the bed tax will appear on the November ballot, with most of the revenue earmarked for tourism-related projects and the remainder for tourism promotion.

Finally, Commissioner Kowal outlined plans to transition daily police, fire, and EMS communications to a more redundant Motorola radio system, with the Harris system retained for schools and non-essential users.

[Presentation \(ADDED ATTACHMENT/Staff\)](#) 

4.D) City of Naples Airport Authority Fiscal Year 2026 Draft Operating and Capital Expenditures Budget Presentation.

Lynn Wiggins, Assistant Director of Finance and Administration at the Naples Airport Authority (NAA), utilized an electronic presentation to explain that the NAA is user-funded, takes no local tax dollars, and typically receives \$2 to \$3 million annually in state/federal aviation grants. She noted that the Fiscal Year 2026 (FY26) revenue forecast was based on projections of a one percent decline in fuel gallons due to economic uncertainty and a seven percent increase in fuel prices, continued seasonal pricing, and a FY26 rollout of a landing-fee program due to grant uncertainty. She announced that hangar, building, and land rents will be rising by eight percent.

Assistant Director Wiggins stated that operating expenses are built using zero-based budgeting, meaning each department justifies its needs for the coming fiscal year rather than rolling prior budgets forward. She noted that no new positions are included, and professional fees are budgeted for planned studies and services. She said professional fees will cover new flight procedures, a resiliency study, and initiation of a Part 161 Noise and Access Study.

Assistant Director Wiggins summarized the FY26 budget, noting an estimated \$3.7 million in operating income and \$11.8 million in non-operating revenue, including \$9 million in Hurricane Ian insurance proceeds for an airfield lighting vault. She reported \$45 million in capital needs, with \$28.5 million (63 percent) allocated to airfield projects, and emphasized that no new development projects are planned, with the focus on maintaining existing runway facilities.

Assistant Director Wiggins reported that reserves are expected to total \$67 million at the end of FY25, but will decrease to \$40.4 million by the end of FY26 after funding capital projects. Of that amount, she said \$17 million will be kept as operating reserves, leaving \$23.4 million available for future capital needs.

In response to Vice Mayor Hutchison, Assistant Director Wiggins confirmed that the budget includes no plans for new or redeveloped hangars and no projects are intended to increase flight activity. She clarified that work on the executive hangars is limited to skylight and lighting maintenance.

In response to Council Member Christman, Assistant Director Wiggins clarified that as of September 30, 2025, the Airport expects \$67 million in unrestricted cash and investments, consisting of short-term and long-term financial instruments such as money market funds and Treasury bills.

Assistant Director Wiggins noted the Airport's policy of keeping six months of operating reserves, about \$17 million, with the remaining \$50 million in longer-term holdings. By FY26 year-end, she said reserves are projected to fall to \$40.4 million, leaving \$23.4 million available for capital projects after setting aside the operating reserve.

Assistant Director Wiggins said \$3.5 million for the North Road Terminal will fund car rental and parking improvements, while \$250,000 is earmarked for Executive Hangar Four skylight and lighting replacements. She confirmed there are no new or redeveloped hangars planned.

Council Member Petrunoff noted that the Airport generates no tax revenue for the City, pays only one dollar per year under a 1969 lease, and that the "compatibility" language once included as an offset for noise and pollution had disappeared from Airport documents. She asked if that could be added back into the mission. In response, NAA Executive Director Chris Rozansky said the reference was in the Strategic Plan, not the budget, and explained that the NAA Board had directed staff in 2021 to make "quality of life" measures more tangible and measurable. He noted that quality of life is viewed differently by passengers and residents affected by aircraft noise. He added that the updated Strategic Plan now incorporates statements from the City's Vision and Comprehensive Plan and that the final version will go to the NAA Board in September.

City Manager Young asked whether revenue from the sale of Hangar Four, the former Hertz hangar, would be restricted, and Executive Director Rozansky replied that proceeds would go into the capital reserve for airport projects. Executive Director Rozansky also noted the property could take a year to market and is not projected in the budget.

Vice Mayor Hutchison asked about future activity, and Executive Director Rozansky said options include continuing short-term leasing or offering a 30-year land lease, adding that the facility remains desirable, and he added that there are no plans to expand the former Hertz hangar, nor is there space to do so.

Council Member Kramer asked whether the City Council has direct oversight of the Airport budget. City Attorney Matthew McConnell explained that the budget is presented to the City Council as a courtesy and for public information, but the Airport Authority reports to its own board. Council Member Kramer added that the City originally leased the airport for one dollar per year because it was losing money operating it, and noted it has since become a financial success. In response to Mayor Heitmann, Executive Director Rozansky noted a \$2 million stormwater master plan update with year-long water-quality monitoring and ongoing resiliency work.

Mayor Heitmann asked when the runways were last repaved. Executive Director Rozansky said the crosswind runway was rehabilitated in 2014 and the other in 2010 and 2011, with both nearing rehabilitation within five years. He noted this will require significant capital investment, and while grant funding is considered, the decision rests with the NAA. He explained that a \$9 million grant application for apron rehabilitation failed due to a split Airport Authority vote, preventing submission to Federal Aviation Administration (FAA) and the State. He said landing fees are being considered to offset future funding gaps, depending on the Authority's direction. He noted

operating reserves currently cover six months, though Mayor Heitmann suggested one year would be more prudent. He added that over \$100 million in capital improvements are planned in the next five years, mostly for maintenance, with more than half eligible for grants, though uncertainty remains. He said other revenue options, such as hangar leases and parking fees at the North Road Terminal, are also under review.

Executive Director Rozansky reported that planned fuel farm work includes new piping, pumps, and elevated electrical panels for resiliency. He noted Naples is the first East Coast airport with a steady supply of Sustainable Aviation Fuel (SAF), largely purchased by NetJets and now comprise 20 percent of jet fuel sales. He added that the SAF is stored in a new 40,000-gallon tank within the 200,000-gallon facility.

Executive Director Rozansky noted that while Naples was the only U.S. airport to successfully restrict aircraft use 20 years ago, current law prevents limiting older Stage 3 jets, which now account for less than 10 percent of the fleet. He said a Part 161 Study and joint lobbying for updated federal noise policy are the only paths forward, and the NAA is also reviewing a possible extension of Runway 14/32.

Council Member Penniman asked what level of funding the City should expect if it partnered with the Airport Authority on lobbying efforts. In response, Executive Director Rozansky estimated roughly \$500,000 is included in the legal budget for such work, though it would likely require multiple years of effort.

Council Member Penniman asked about alternative revenue sources beyond grants. Executive Director Rozansky said options include leveraging airport land, tenant contributions, parking, and possible redevelopment of small parcels for non-aeronautical use, though limited lease terms make that challenging.

Council Member Christman added historical context, noting the airport cost the City about \$200,000 annually in the 1960s, equivalent to nearly \$2 million today, prompting creation of an independent airport authority to stabilize finances.

Vice Mayor Hutchison asked what matters the NAA is required to present to the City Council versus those provided voluntarily. In response, Executive Director Rozansky said the NAA provides its annual budget presentation as a courtesy, but projects requiring zoning, permitting, or Utilization Plan approvals must go through the City under its codes. Vice Mayor Hutchison emphasized that while the City Council may not have direct authority over the Airport's budget, it is appropriate for the City Council and the community to discuss expenditures and their impacts. In response, Executive Director Rozansky noted that the NAA welcomes the opportunity to present its budget annually, calling it a healthy process of good governance.

Council Member Barton commended the NAA's resiliency efforts, noting the Airport's critical role after Hurricane Ian, and urged continued stormwater improvements. Executive Director Rozansky reported that Tiger Dams (water filled barricades) had been purchased for storm protection and that innovative lighting upgrades were prompting the FAA to revise national design standards.

Council Member Petrunoff raised concerns about chronic curfew violations by Naples Air Center and Rexair Flight School, and asked whether incentives could encourage compliance. In response, Executive Director Rozansky cautioned that financial incentives could raise legal issues but agreed to re-examine options. He added that outreach to violators is underway and invited Council Members to participate in tenant meetings. Council Member Petrunoff indicated that she would attend the meeting.

[Naples Airport Authority Agenda Memorandum](#) 
[City of Naples Airport Authority Operating and Capital Budget Fiscal Year 2026 - August Draft](#)
[Copy](#) 
[Presentation](#) 

Recess: 10:42 a.m. to 11:00 a.m. It is noted for the record that the same Council Members were present when the meeting reconvened.

13.H) Discussion Item related to Clarifying the Process of City Council's Review of the Airport Utilization Plan and Site Plan Approval Process for the C4 Airport Commercial District by Implementing Resolution 2025-15651 Pursuant to its Section 6, Administration.

City Manager Gary Young explained that review of the Airport Utilization Plan and site plan approval process for the C4 Airport Commercial District revealed inconsistencies between the City Code and Comprehensive Plan. In May 2025, he said the City Council adopted a resolution directing staff, the City Attorney, and the City Manager to align the Code with the Comprehensive Plan and to establish a more defined Utilization Plan. He noted that staff, led by Assistant City Manager Bruce Selfon and Planning Director Erica Martin, worked with the Naples Airport Authority (NAA) to draft revisions, which were circulated to Council with FAA (Federal Aviation Administration) required concessions.

City Manager Young emphasized that the goal is to create a clearer Utilization Plan for City Council adoption while maintaining City Council review of individual site plans. He noted that definitions were standardized with FAA and state terminology, though some disputes remain, such as “substantial compliance.” The draft, he said, requires projects to be clearly identified, with scale drawings, geospatial data, and narrative descriptions. He added that the NAA agreed to the criteria, and the review period was shortened from 120 to 90 days. City Attorney Matthew McConnell stated the draft will ultimately become a Land Development Code amendment requiring Planning Advisory Board (PAB) review and recommended allowing the NAA to comment before PAB consideration. Mayor Heitmann suggested directing NAA to provide feedback before the draft advances.

Council Member Christman sought confirmation that the City Council approval will apply to both the Utilization Plan and individual site plans. City Manager Young confirmed this was the intent, with criteria identifying which site plans require Council review. Council Member Christman emphasized the need for NAA support and asked that the ordinance also account for Senate Bill 250 and Senate Bill 180. City Attorney McConnell cautioned that legal risks remain but said the City's ownership and NAA's tenant role strengthen its position if both bodies collaborate.

Assistant City Manager Selfon explained that while the Comprehensive Plan requires site plan review, it does not specify the process. The Utilization Plan, he added, serves as a bridge, reviewed by staff and the City Manager before going to Council, while site plans continue through the PAB and then to the City Council to avoid duplicative review. He noted the Utilization Plan is mentioned in the Code but not defined, and the amendments will correct that. Vice Mayor Hutchison and Council Member Kramer commended the clearer definitions, stressing the importance of accuracy with the first Utilization Plan under the new framework.

City Attorney McConnell clarified that the Airport Master Plan is an FAA/FDOT document and the Airport Layout Plan is an FAA document, while the Utilization Plan is a City document. City Manager Young and Planning Director Martin added that inconsistent use of “Master Plan,” “Master Development Plan,” and “Utilization Plan” has caused confusion, and the revisions will remove outdated terms and clearly define each. Planning Director Martin explained that the Utilization Plan functions as the zoning map for the Airport, distinct from the FAA Master Plan, which is presented to Council but not subject to approval. She added that a 2021 draft update was withdrawn pending noise study results, leaving the last approved Master Plan date to be verified.

Vice Mayor Hutchison noted the draft language should not imply Council approval of FAA documents, only confirmation from the NAA that its Utilization Plan is consistent with them. City Attorney McConnell added that the Code's reference to an “Overall Master Development Plan” has been interpreted as the Utilization Plan, and the revisions will limit terms to Airport Layout Plan, Airport Master Plan, and Airport Utilization Plan. Planning Director Martin confirmed that “Master Development Plan” will be eliminated to ensure consistent terminology.

City Manager Young explained that Site Plan petitions will continue through the PAB before reaching the City Council, while the Airport Utilization Plan will not. He noted that restriping is exempt from review, but runway or taxiway extensions still require full City Council approval.

City Manager Young reviewed clarifications to Section 46-33(c)(3) which confirms no permit may be issued until the City Council approves the site plan. He noted that Subsection (h) removes duplicative design language. He added that language was also updated to require applicants to state the “expected” impacts of projects, add a “reasonableness test” so minor projects under 1,000 square feet need not return to the City Council, and ensure consistency with the Comprehensive Plan.

Vice Mayor Hutchison asked about expected impacts. Planning Director Martin explained applicants must provide this information, which staff reviews, before forwarding to the City Council. Assistant City Manager Selfon added the intent is to show how facilities are used, such as for flight schools or air taxi operations, without dictating outcomes.

Council Member Christman supported the revisions and requested further discussion after draft ordinances are circulated. Council Member Barton stressed that the City Council must retain final approval for major projects in the C4 Airport Commercial District. Council Member Petrunoff raised concern about the vague term “substantial compliance.” City Attorney McConnell agreed the wording may need refinement.

City Manager Young confirmed that ordinances will return in a workshop, with input from the PAB and the NAA, and assured the City Council that all significant projects, including property sales, will remain subject to Council review.

[Agenda Memorandum](#)

[Working Draft - Site Plan](#)

[Working Draft - Utilization Plan](#)

[Resolution 2025-15651](#)

[Redline Version Working Draft - Site Plan \(Staff-Added Attachment\)](#)

[Redline Version Working Draft - Utilization Plan \(Staff-Added Attachment\)](#)

5) PUBLIC COMMENTS

None.

APPROVAL OF CONSENT AGENDA

MOTION by Christmann to APPROVE THE CONSENT AGENDA subject to removing Items 7.J and 8.A from the Consent Agenda for a separate discussion and vote; seconded by Hutchison and unanimously carried, all members present and voting (Barton-yes, Christman-yes, Hutchison-yes, Kramer-yes, Penniman-yes, Petrunoff-yes, Heitmann-yes).

6) MINUTES

None.

7) RESOLUTIONS

- 7.A) RESOLUTION 2025-15677** A Resolution Approving a Settlement in the Case of Macesich, Kathy V. City of Naples, Case No. 2024-CA-000262, Pending in the Twentieth Judicial Circuit Court in and For Collier County, Florida; Authorizing the City Manager to Execute all Necessary Documents; Providing for Scrivener’s Errors; and Providing an Effective Date.

Title of Resolution not read.

[Agenda Memorandum](#)

[Resolution](#)

[General Release](#)

- 7.B) RESOLUTION 2025-15678** A Resolution Selecting Pye-Barker Fire & Safety, LLC., D/B/A Naples Fire Protection, a South Carolina Limited Liability Company Authorized to Do Business in the State of Florida in Response to BID 25-025 and Approving a

Contractor's Services Agreement Between the City of Naples and Pye-Barker Fire & Safety, LLC., D/B/A Naples Fire Protection, to Monitor, Maintain and Inspect the City's Fire Sprinkler Systems in City Owned Facilities, and Provide Quarterly, Annual, and Five-Year Inspections, and make Repairs as Required, in the Annual Amount of \$175,000 for a Three-Year Period, with the Option of Two Additional One-Year Renewals; Authorizing the City Manager to Execute the Contractor's Services Agreement; Providing for Scrivener's Errors; and Providing an Effective Date.

Title of Resolution not read.

[Agenda Memorandum](#)

[Resolution](#)

[Contractor's Services Agreement \(Unsigned\)](#)

[RFP 25-025 Bid Tab](#)

[RFP 20-025 Bid Analysis](#)

[RFP 25-025 Evaluation Committee Meeting Minutes](#)

7.C) **RESOLUTION 2025-15679** A Resolution Selecting Tru Spec Mechanical, Inc., a Florida Corporation in Response to Bid 25-019 and Approving a Contractor's Services Agreement Between the City of Naples and Tru Spec Mechanical, Inc. for the Construction of Raw Water Production Well No. 426, in the Amount of \$2,177,402.54; Approving a City-Controlled Contingency in the Amount of \$150,000; Authorizing the City Manager to Execute the Contractor's Services Agreement; and Providing an Effective Date.

Title of Resolution not read.

[Agenda Memorandum](#)

[Resolution](#)

[Analysis of Bid - ITB 25-019](#)

[Contractor's Services Agreement - ITB 25-019 - Tru Spec Mechanical, Inc.](#)

7.D) **RESOLUTION 2025-15680** A Resolution Approving Task Order No. 25-05-20-33-22K15 Between the City of Naples and LJA Engineering, Inc., a Texas Corporation, Authorized to do Business in the State of Florida, to Provide Construction Engineering and Inspection Services Required for the Construction of Raw Water Production Well No. 426, in the Amount of \$313,267.35, in Accordance with the Consultants' Competitive Negotiation Act; Authorizing the City Manager to Execute the Task Order; and Providing an Effective Date.

Title of Resolution not read.

[Agenda Memorandum](#)

[Resolution](#)

[Task Order No. 25-05-20-33-22K15 - LJA Engineering Inc.](#)

7.E) **RESOLUTION 2025-15681** A Resolution Amending the Fiscal Year 2024-25 Budget Adopted by Resolution 2024-15463 for Additional Funding Required to Replace the Fuel System, Operated by the Equipment Services Division, Located at 370 Riverside Circle; Providing Supplemental Appropriations to the 001 General Fund, 110 Building Fund, 190 Streets Fund, 420 Water/Sewer Fund, 430 Beach Fund, 450 Solid Waste Fund, 470 Stormwater Fund, 520 Technology Service Fund, and 530 Equipment Services Fund for Funding the Respective Proportional Shares; and Providing an Effective Date.

Title of Resolution not read.

[Agenda Memorandum](#)

[Resolution](#)

7.F) **RESOLUTION 2025-15682** A Resolution Selecting Don Wood, Inc., a Florida Corporation in Response to Bid 25-020 and Approving a Contractor's Services Agreement Between the City of Naples and Don Wood, Inc., for the Replacement of the Fuel System Operated by the Equipment Services Division and Located at 370

Riverside Circle, in the Amount of \$2,398,893; Approving a City-Controlled Contingency in the Amount of \$120,000; Authorizing the City Manager to Execute the Contractor's Services Agreement; and Providing an Effective Date.

Title of Resolution not read.

[Agenda Memorandum](#)

[Resolution](#)

[Analysis of Bid - ITB 25-020](#)

[Contractor's Services Agreement - ITB 25-020 - Don Wood, Inc.](#)

- 7.G) **RESOLUTION 2025-15683** A Resolution Approving a First Amendment to Task Order No. 25-01-13-02-23s04 Between the City of Naples and Weston & Sampson Engineers, Inc., a Massachusetts Corporation Authorized to do Business in the State of Florida to Provide Construction Administration and Observation Services Required for the Replacement of the Fuel System Operated by the Equipment Services Division and Located at 370 Riverside Circle, in the Amount of \$61,134.85, in Accordance with the Consultants' Competitive Negotiation Act; Authorizing the City Manager to Execute the Task Order; and Providing an Effective Date.

Title of Resolution not read.

[Agenda Memorandum](#)

[Resolution](#)

[First Amendment to Task Order 25-01-13-02-23S04 - Weston & Sampson Engineers, Inc.](#)

- 7.H) **RESOLUTION 2025-15684** A Resolution Approving Renewal of the City's Property, Liability, and Workers' Compensation Insurance Program for a One-Year Period Beginning October 1, 2025, and Ending September 30, 2026; Providing for the Payment Of Premiums; Authorizing the City Manager to Issue Purchase Orders; Providing for Scrivener's Errors; and Providing an Effective Date.

Title of Resolution not read.

[Agenda Memorandum](#)

[Resolution](#)

[Premium Comparison](#)

[Proposal](#)

- 7.I) **RESOLUTION 2025-15685** A Resolution Selecting Sunshine Paint Contractors, Inc in Response to Bid 25-022 And Approving a Contractor's Services Agreement Between the City of Naples and Sunshine Paint Contractors, Inc., to Paint the 4th Avenue South Public Parking Garage in the Amount of \$99,800; Approving a City-Controlled Contingency in the Amount Of \$10,000; Authorizing the City Manager to Execute the Contractor's Services Agreement; and Providing an Effective Date.

Title of Resolution not read.

[Agenda Memorandum](#)

[Resolution](#)

[Contractor's Services Agreement](#)

[ITB 25-022 Bid Tab](#)

[ITB 25-022 Bid Analysis](#)

[ITB 25-022 Department Letter of Opinion](#)

[ITB 25-022 Project Specifications](#)

8) **OTHER**

- 8.B) Consideration of the Repeat Special Event Applications Enumerated Below:
1. Naples Boat Show – Naples City Dock
 2. City of Naples Halloween Event – Fleischmann Park
 3. Real Producers Awards Gala – Elite Jets
 4. 48th Christmas Tree Lighting Third Street South
 5. North Pole on Third – 3rd Street South
 6. Gobble Gobble Thanksgiving Day 5K – Venetian Village
 7. Pet Parade and Pet Fest – 3rd Street South
 8. LPE Family Movie Night – Lake Park Elementary

9. Neighborhood Bash-Party at the Clinic – Neighborhood Health Clinic
10. Veterans Day Ceremony – Cambier Park Veterans Memorial 11. Jingled Elves Short Dance – Sugden Plaza and Venetian Village 12. Barron Collier Holiday Party – Jet 1 Hangar 13. Jetport Reception – McCabe Hangar 14. Pet Lovers Gala – Elite Jets Hangar

Title of Resolution not read.

[Agenda Memorandum](#)

[Naples Boat Show 1.22.2026](#)

[City of Naples Halloween Event 10.25.2025](#)

[Real Producers Awards Gala 11.14.2025](#)

[48th Christmas Tree Lighting Third Street South 11.24.2025](#)

[North Pole on Third 11.25.2025](#)

[Gobble Gobble Thanksgiving Day 5K 11.27.2025](#)

[Pet Parade & Pet Fest 1.18.2026](#)

[LPE Family Movie Night 11.7.2025](#)

[Neighborhood Bash - Party at the Clinic 11.7.2025](#)

[Veterans Day Ceremony 11.11.2025](#)

[Jingled Elves Short Dance 12.10.2025](#)

[Barron Collier Holiday Party 12.12.2025](#)

[Jetport Reception 2.6.2026](#)

[Pet Lovers Gala 2.20.2026](#)

[Parade Photos \(ADDED ATTACHMENT/Staff\)](#)

END OF CONSENT AGENDA

9) PUBLIC HEARINGS

None.

REGULAR AGENDA

10) ITEMS PULLED FROM CONSENT AGENDA (If Needed)

- 7.J) **RESOLUTION 2025-15686** A Resolution for the Purpose of Approving an Interlocal Agreement Combining Efforts to Enhance Emergency Service within Collier County Through an Inter-Agency Tactical Medic Program to Provide Support for Law Enforcement Between the City of Naples, a Municipal Corporation (“Naples”), the Board of County Commissioners, Collier County, Florida, a Political Subdivision of the State of Florida (“County”), the North Collier Fire Control and Rescue District, an Independent Special District of the State Of Florida Operating Pursuant to Chapter 2015-191, Laws of Florida (“North Collier”), City of Marco Island, a Municipal Corporation (“Marco Island”), Greater Naples Fire Rescue District, an Independent Fire Control and Rescue District Operating Pursuant to Chapter 2014-240, Laws of Florida, as Amended (“Greater Naples”), Immokalee Fire Control District an Independent Fire Control and Rescue District Operating Pursuant to Chapter 2000-393, Laws of Florida, as Amended (“Immokalee”), and the Collier County Sheriff’s Office, an Independent Constitutional Officer of the State of Florida (“Sheriff”) (The Partnering Agencies, the County, and the Sheriff Are Known Collectively as the “Parties” and Each A “Party”); Authorizing the Mayor to Execute the Interlocal Agreement; Providing for Scrivener’s Errors; and Providing an Effective Date.

City Attorney Matthew McConnell read the title of the Resolution to approve an Interlocal Agreement to enhance emergency service within Collier County through an interagency tactical medical program supporting law enforcement.

Council Member Petrunoff asked for clarification on the definition of “physician” in the agreement, noting that Florida Statutes provides a broad definition and expressing a preference for an emergency room physician to oversee training and services. In response, Fire Chief Phillip

Pennington, confirmed that the physician currently serving in this role is a board-certified emergency medicine doctor with fellowship training.

MOTION by Petrunoff to APPROVE RESOLUTION 2025-15686; seconded by Hutchison and unanimously carried, all members present and voting (Barton-yes, Christman-yes, Hutchison-yes, Kramer-yes, Penniman-yes, Petrunoff-yes, Heitmann-yes).

[Agenda Memorandum](#)

[Resolution](#)

[Tactical Medic Program Interlocal Agreement](#)

8.A) Consideration of the New Special Event Application Below: 1. City of Naples Halloween Hustle 5K – Baker Park 2. Operation Return to Base Walk Run Ruck 3. Port Royal Last Call Before the Fall 4. Walk 4 Life 5. Wednesday Live Music on the Beach 6. A Night In Paris Fundraising Gala 7. Homers for Heroes 8. Hyatt House Bongos and Singer Performance

Parks, Recreation and Facilities Director Chad Merritt presented new special event applications. He explained the distinction between new events and repeat events and noted that most proposed events would be contained within parks or private property, minimizing traffic impacts.

Vice Mayor Hutchison expressed concern regarding the number of events held within the City, emphasizing the need to be cautious about continually adding new events. In response, Director Merritt explained that staff is required to process all event applications that meet the criteria outlined in the Council-approved manual. He noted that staff cannot decline applications, and it is the role of the City Council to determine whether to approve or deny new special events. He added that categorizing events as “new” versus “repeat” provides the City Council the opportunity to decide at that stage whether a new event should be added. He then addressed concerns regarding potential impacts on traffic, particularly around Baker Park, and the importance of coordinating with venues such as the Gulfshore Playhouse. Council Members also discussed the benefit of containing events within parks rather than closing roads, and the possibility of encouraging the use of school campuses for certain activities to reduce pressure on City parks.

Police Chief Ciro Dominguez and Lieutenant Michael O'Reilly explained how the Police Department evaluates event security needs, noting that closed or restricted-access venues such as airport hangars typically require less police presence compared to open-air locations like Cambier Park.

MOTION by Christman to APPROVE ITEM 8.A; seconded by Hutchison and unanimously carried, all members present and voting (Barton-yes, Christman-yes, Hutchison-yes, Kramer-yes, Penniman-yes, Petrunoff-yes, Heitmann-yes).

[Agenda Memorandum](#)

[City of Naples Halloween Hustle 5K - 10.10.2025](#)

[Operation Return To Base Walk Run Ruck 10.4.2025](#)

[Port Royal Last Call Before The Fall 10.25.2025](#)

[Walk 4 Life 11.1.2025](#)

[Wednesday Live Music on Beach 11.4.2025](#)

[A Night in Paris Fundraising Gala 11.8.2025](#)

[Homers for Heroes 11.11.2025](#)

[Hyatt House Bongos and Singer Performance 12.4.2025](#)

13.E) Executive Session – Labor Relations and Collective Bargaining Strategy (12:30pm Time Certain).

Mayor Heitmann announced an Executive Session to discuss the City's labor relations and compensation strategies with collective bargaining units, pursuant to Section 447.605(1), Florida Statutes.

[Agenda Memorandum](#)

11) LAND USE MATTERS

None.

12) OLD BUSINESS

12.A) A Resolution Approving a Valet Licensing Agreement Between the City of Naples and Old Naples Hotel; Approving Right-of-Way Permit Application PRRW2502489 with Standard Permit Conditions and the Right-of-Way Operational Plan for the Old Naples Hotel to Allow Valet Services at the Old Naples Hotel Located at 200 Broad Avenue South; Authorizing the Mayor to Execute the Valet License Agreement; and Providing an Effective Date.

City Attorney McConnell read the title of a Resolution approving a valet licensing agreement between the City of Naples and Old Naples Hotel, along with the associated right-of-way permit and operational plan. City Manager Gary Young noted that the applicant requested the item be continued until September 24.

MOTION by Petrunoff to CONTINUE ITEM 12.A; seconded by Barton and unanimously carried, all members present and voting (Christman-yes, Barton-yes, Kramer-yes, Petrunoff-yes, Penniman-yes, Hutchison-yes, Heitmann-yes).

Following the vote, City Attorney McConnell clarified for the record that the Resolution itself had not been included in the meeting materials, but would be available for the September 24 meeting.

[Agenda Memorandum](#)

[ROW Application](#)

[ROW PLANS](#)

[Resolution 2018-14149](#)

[Hotel Operations Response Letter](#)

[Approved Valet Parking Plan](#)

[Turn Lane Plans](#)

[Ocean Properties Certificate of Insurance](#)

[Special Conditions for Valet at Old Naples Hotel](#)

[2018 Parking Needs Analysis \(Old Naples Hotel\)](#)

12.B) Approval of the City-Wide Pavement Management Plan by Johnson Engineering and Consensus of Annual Review of the Priority List.

Public Works Director Robert Middleton presented the final Pavement Management Plan, reminding the City Council that Johnson Engineering was contracted in June 2024 and initial findings were presented in April 2025. He explained that the assessment covered 113 miles of City streets, with 0.23 miles rated poor, 10.17 miles fair, 68.9 miles satisfactory, and 33.8 miles good. The Plan, he stated, establishes a 25-year maintenance strategy with a \$1 million annual funding target to be reviewed each year with the budget.

Engineer Josh Hildebrand of Johnson Engineering reviewed the methodology and results, noting that 309 segments were evaluated using the Pavement Condition Index, which resulted in an overall “satisfactory” rating. He reported that the five-year resurfacing program was developed, and the 2025 work came in under budget, allowing two 2026 projects and a stormwater project on 2nd Street to advance. Over the next five years, he said approximately 29 lane miles will be resurfaced at a cost of \$5.5 million.

Council Member Petrunoff questioned whether flood-impacted streets were represented and whether outside funds could offset costs. Engineer Hildebrand confirmed all streets were assessed and that isolated repairs are managed separately, while Public Works Director Middleton agreed that County or TDC funding could expand the program.

Council Member Christman expressed concern about higher speed limits on collector roads and suggested reconsidering the 2007 policy. Council Member Penniman inquired about pavement durability, and staff explained that thicker overlays are now used to extend roadway life.

Mayor Heitmann emphasized coordinating paving with underground utility work, ensuring contractors repair damage, and reviewing alley paving policies. City Manager Gary Young confirmed that \$1.2–\$1.5 million from telecommunications tax revenue is committed to paving

and recommended increasing annual funding closer to \$2 million, suggesting an interim step of adding \$500,000 in the upcoming budget. Council Member Christman supported long-term funding between \$1.5 and \$2 million annually to reflect the community's priority for maintaining quality streets.

Consensus reached to set the Pavement Management Plan budget at \$1.5 million plus alley improvements, then reevaluate the annual budget at a future date.

Council Member Penniman stated that future planning must also address rising costs, potential road-raising projects, particularly along Gulf Shore Boulevard, and infrastructure upgrades on key routes such as 10th Street North.

[Agenda Memorandum](#)

[City of Naples Pavement Management Report](#)

[Pavement Management Plan Presentation](#)

12.C) A Resolution for the Purpose of Approving a First Amendment to the Contractor Services Agreement Between the City of Naples and Energy Resources, Inc., a Missouri Corporation Authorized to do Business in the State of Florida, Increasing the Cost of the Lake Restoration and Improvement Project for North Lake and South Lake (Lakes 8 and 9) in the Amount of \$290,580.00 for a Total of \$2,987,129.62; Authorizing the City Manager to Execute the First Amendment to the Contractor Services Agreement; and Providing an Effective Date.

City Attorney Matthew McConnell read the Resolution title. Public Works Director Robert Middleton presented an overview of the North and South Lake Restoration Project (Lakes 8 and 9). He reported that unexpected hauling and disposal costs increased the project by \$290,580, bringing the total to \$2,987,129.62. He explained that the three-lake system, North Lake, South Lake, and Alligator Lake, improves stormwater quality and that the project, designed by WSP USA Environment and Infrastructure, was permitted to remove 17,279 cubic yards of organic material and replace aging outfall structures.

Director Middleton stated dredging began in late 2024, with South Lake completed at 12,107 cubic yards and North Lake nearing completion. He said the contractor faced added costs when the original disposal site withdrew, requiring a farther site charging \$150 per load instead of \$100. He reminded the City Council that a \$3 million legislative grant covers most project costs.

WSP Senior Engineer Greg Corning emphasized that the project's goal is water quality improvement, not flood control. Testing confirmed high nitrogen and phosphorus levels, validating dredging. He explained that geotextile bags and hydraulic cyclone separators ensure efficient removal of organics with minimal sediment return, and polymers are used carefully to avoid fish die-off.

In response to questions, Engineer Corning confirmed dredging will finish in September, followed by planting lateral shelves and installing new water-control structures. He clarified that sand-to-organics ratios varied from estimates, raising truckloads and costs, and noted that he is the engineer of record certifying compliance with permit requirements. He confirmed South Lake met targets and North Lake is on track.

Vice Mayor Hutchison stressed maximizing nutrient reduction at that time to avoid costly remobilization and recommended stronger future contracts to address disposal site changes. Engineer Corning agreed, suggesting conservative estimates in future projects to reduce change orders.

MOTION by Hutchison to APPROVE RESOLUTION 2025-15688; seconded by Kramer and unanimously carried, all members present and voting (Hutchison-yes, Penniman-yes, Christman-yes, Barton-yes, Kramer-yes, Petrunoff-yes, Heitmann-yes).

[Agenda Memorandum](#)

[Resolution](#)

[2024-15395 Energy Resources, Inc.](#)

[1st Amendment](#)

12.D) Review and Approval of Legislative Priorities and Appropriation Requests for the 2026 Florida State Legislative Session.

City Manager Gary Young introduced Monique Barnhart-Tiberio, Communications Manager and Public Information Officer, who presented the finalized legislative priorities and appropriation requests as directed by the City Council at its August 20, 2025 meeting. She noted the inclusion of a budget-at-a-glance document and highlighted updates: protecting home rule, preserving ad valorem taxing authority, stormwater management and water quality regulations, Community Redevelopment Agency areas, and, reflecting Senate Bill 180 (SB 180), restrictions on land use regulations.

City Manager Young explained that stormwater remained the top priority, but he left the well project in the request package because it is fully designed and “shovel ready,” ensuring the City has at least one construction-ready project.

Council Member Christman recommended rewriting the section related to SB 180 to avoid the word “moratorium,” which can provoke resistance from legislators. Instead, he suggested positive language emphasizing resiliency, sustainability, and sound land use planning. Council Member Kramer agreed, noting that prior references to moratoriums had fueled past restrictive bills. He commended Manager Barnhart-Tiberio’s efforts and emphasized the need for additional staff support in her department.

Vice Mayor Hutchison asked about the timeline if ad valorem tax proposals go poorly in the Legislature. Manager Barnhart-Tiberio reported that the City’s lobbyist, Lisa Hurley, advised early engagement and that State Representative Yvette Benarroch welcomes conversations with Council Members. Mayor Heitman announced that the Collier legislative delegation will meet on September 15, and Representative Benarroch will also meet with her and City Manager Young at that time. She suggested that Council Members also arrange meetings with Representative Benarroch.

Vice Mayor Hutchison addressed the issue of moratoriums. He explained that although the City Council is discouraged from adopting local moratoriums, the State often imposes its own limits on cities through preemption. In effect, he said, these State restrictions act as moratoriums on local decision-making.

Mayor Heitmann further requested that Lobbyist Hurley continue to monitor legislation in Tallahassee, keep Council informed of developments affecting Naples, and follow up on prior requests for clarification of terms in SB 250 and SB 180.

Manager Barnhart-Tiberio confirmed she would incorporate Council Member Christman’s suggested revision to the land-use restrictions language, removing reference to moratoriums and reframing it positively. The City Council reached consensus to approve the revised document for immediate submission to the Legislative Delegation.

Consensus reached to approve the revised Legislative Priorities and Appropriation Requests document.

[Agenda Memorandum](#)

[2026 Legislative Priorities, Appropriation Requests, and Budget at a Glance Packet](#)

13 NEW BUSINESS

13.F) Announcement of an Executive Session in reference to *Lamonda, Joseph v. City of Naples*, Case No. 2024-CA-001301, 20th Judicial Circuit, in and for Collier County, Florida.

City Attorney Matthew McConnell read the public notice of a request to schedule an Executive Session on September 24, 2025, at approximately 12:30 p.m. for the purpose of providing advice and discussing settlement negotiations and litigation expenditures related to *Lamonda Joseph v. City of Naples*, Case No. 2024-CA-001301.

He noted those attending the Executive Session would include Mayor Teresa Heitmann, Council Members Terry Hutchison, Ray Christman, Beth Petrunoff, Bill Kramer, Linda Penniman, Berne Barton, City Manager Gary Young, City Attorney Matthew McConnell, Attorney Jeffrey Hurcomb, and a representative from Dines Court Reporting.

[Agenda Memorandum](#)

[Public Notice](#)

13.A) Consideration and Discussion of the new Special Event Application for Grow Church Worship Night at Cambier Park and the Repeat Special Event Application for the City of Naples Christmas Parade in Downtown Naples.

Parks, Recreation and Facilities Director Chad Merritt introduced the application for Grow Church Worship Night scheduled for January 30, 2026, at Cambier Park, noting the application estimated an attendance of 1,000. He explained setup and takedown logistics and confirmed the event would include amplified sound, but no alcohol.

Police Lieutenant Michael O'Reilly, outlined significant safety concerns with large scale events at Cambier Park, citing the Homeland Security preliminary risk assessment that rated the park's vulnerabilities at 94 out of 100. He explained the need for vehicle incursion barriers or full road closures, which would require substantial resources and responsibility from the event organizer.

Grow Church Executive Director Josi Teeters explained that typical attendance is closer to 300, that the higher estimate was intended to avoid underreporting, and that the church was willing to provide barricades, security, and other measures to ensure safety.

Council Members discussed event saturation at Cambier Park, the need to reduce future events at the venue, and the security and logistical challenges presented by the application. Council Members expressed appreciation for Grow Church's mission but emphasized their responsibility to prioritize safety and manage community expectations regarding special events.

MOTION by Petrunoff to DENY the Special Event application for the Worship Night at Cambier Park; seconded by Hutchison and carried 5-2, all members present and voting (Christman-yes, Petrunoff-yes, Barton-yes, Kramer-no, Hutchison-yes, Penniman-yes, Heitmann-no).

Director Merritt presented the repeat special event application for the City of Naples Christmas Parade scheduled for December 9, 2025, from 6:30 p.m. to 9:30 p.m. He estimated the attendance at approximately 20,000, with public parking garages and downtown parking areas to be utilized. Director Merritt stated that staff recommends moving the event permanently to the second Tuesday of December to coordinate the parade with the Fifth Avenue Christmas tree lighting. He further recommended relocating the parade broadcast from the front of City Hall to Sugden Plaza, which would allow television and streaming audiences to better experience the Fifth Avenue atmosphere and avoid parade bottlenecks that previously occurred at City Hall when floats paused for interviews.

Director Merritt discussed ongoing safety concerns involving parade floats, candy distribution, and children entering the roadway. He noted that staff has discouraged participants from throwing candy from floats and has instead required walkers to distribute candy directly to attendees. However, compliance has been inconsistent, and the situation has created hazards. He outlined two potential options: eliminating candy distribution altogether, or implementing barricades along the parade route to improve safety while allowing candy to continue.

Police Lieutenant Michael O'Reilly shared photographs to illustrate past safety concerns.

Council Members acknowledged the importance of tradition and public enjoyment of candy distribution but recognized the safety concerns. Council Members expressed support for the use of barricades and emphasized the importance of controlling crowd movement along 5th Avenue to prevent accidents. Director Merritt explained that barricades would also address issues of children and patrons stepping into the roadway during the parade.

Director Merritt additionally recommended establishing a maximum number of parade entries to prevent excessive length. He explained that the parade has grown each year, reaching 124 entries last year and lasting nearly three hours. He suggested capping the number of participants at approximately 80. Council Member Christman agreed that a cap was necessary but recommended a more realistic limit of approximately 100 entries to avoid excluding long-standing participants.

The City Council also considered street sweeping and cleanup timing, with concerns shared about sweepers operating too closely behind parade attendees. Director Merritt recommended that cleanup should begin later in the evening, after crowds have dispersed, to ensure public safety.

MOTION by Christman to APPROVE the Repeat Special Event application for the Christmas Parade in Downtown Naples, including the change of date to the second Tuesday of December, relocation of the broadcast to Sugden Plaza, installation of barricades along the parade route, and staff management of participant limits, while allowing candy distribution to continue; seconded by Hutchison and unanimously carried, all members present and voting (Penniman-yes, Hutchison-yes, Petrunoff-yes, Barton-yes, Christman-yes, Kramer-yes, Heitmann-yes).

[Agenda Memorandum](#)

[Grow Church Worship Night at Cambier Park 1.30.2025](#)

[City of Naples Christmas Parade 12.9.2025](#)

13.B) RESOLUTION 2025-15690 A Resolution Determining Petition PRMR2400887 to Approve Filling of a Lake on Private Property Located at 655 3rd Street North Owned by Donald & Phillis Campbell; and Providing an Effective Date.

City Attorney Matthew McConnell read the title of the Resolution. This being a quasi-judicial proceeding, Notary Public Jessica Hernandez administered an oath to those intending to offer testimony; all responded in the affirmative. Council Members then made the following ex parte disclosures: Penniman / had not had contact; Barton / had visited the site, and had communications with the petitioner; Christman had walked by the site, but had no contact; Kramer / was familiar with the site and had spoken with staff; Petrunoff and Hutchison / were familiar with the site, but had no contact; and Heitmann / was familiar with the site, had visited the site, and had spoken with staff about the petition.

Project Manager Kevin Dowdy, Bowman Consulting Group, presented a petition on behalf of property owner Mr. Campbell for lake-bank restoration at 655 3rd Street North, a single-family residence situated by Alligator Lake.

Project Manager Dowdy explained that repeated hurricanes and strong seasonal winds have caused significant erosion along the lake bank, threatening the stability of the pool deck and home. He then utilized an electronic presentation to show that the escarpment has advanced beyond safe slope standards, with portions of the fence sinking into the water. He stated that the proposed project involves stabilizing the shoreline with riprap placed at a 4:1 slope to fortify the bank without encroaching into the lake basin. He added that turbidity barriers will be used during construction to control runoff and noted that similar riprap stabilization has been completed successfully on adjacent properties.

Contractor Nicole Baker of Seabreeze Erosion Solutions stated the application process began in February 2024, noting delays in the review phase.

Natural Resources Manager Natalie Hardman overviewed the staff report, noting that staff conducted a site visit and confirmed the steep slope. She stated the project meets City Code requirements, involves minimal fill, will not negatively impact neighboring properties and that staff expressed no objection to the project.

Council Member Kramer asked about the extended timeline. Natural Resources Manager Hardman explained that incomplete submittals delayed staff review, but once coordinated directly with Project Manager Dowdy, the process moved forward smoothly.

Project Manager Dowdy clarified that the riprap would extend roughly 20 feet wide along the 65 to 70-foot property line, with about two feet below and three feet above the shoreline.

In response to Council Member Christman, Natural Resources Manager Hardman confirmed that the project will benefit both the property owner and the lake without adverse effects on neighbors.

Public Comment: None.

MOTION by Christman to APPROVE RESOLUTION 2025-15690; seconded by Petrunoff and unanimously carried, all members present and voting (Petrunoff-yes, Hutchison-yes, Christman-yes, Barton-yes, Kramer-yes, Penniman-yes, Heitmann-yes).

[Agenda Memorandum](#) 

[Resolution](#) 

[Application](#) 

[Application Supplement Page 3](#) 

[Survey](#) 

[Engineer Site Plan](#) 

[Presentation](#) 

13.C) RESOLUTION 2025-15691 A Resolution Determining Petition PRMR2407155 to Approve Filling of a Lake on Private Property Located at 809 Wedge Drive, Owned by LT Project Management Inc; and Providing Effective Date.

City Attorney Matthew McConnell read the title of the Resolution to approve Petition PRMR2407155, a request to fill a portion of a stormwater pond on private property located at 809 Wedge Drive, owned by Light Project Management, Inc. This being a quasi-judicial proceeding, Notary Public Jessica Hernandez administered an oath to those intending to offer testimony; all responded in the affirmative. Council Members then made the following ex parte disclosures: Penniman / was familiar with the site, attempted to meet with the petitioner, Mr. Lombardo, but was unsuccessful; Barton / had visited the site, and had spoken with the petitioner; Christman / had no contact, had been contacted by Mr. Lombardo, but had been unable to meet; Kramer / had met with the petitioner and the petitioner's agent; Petrunoff and Hutchison / were familiar with the site, but had not had contact; and Heitmann / had visited the site.

Attorney Zach Lombardo, Woodward, Pires & Lombardo, representing the petitioner, presented the request for lake bank stabilization. Attorney Lombardo utilized an electronic presentation to show that the shoreline along the Moorings Golf Course pond had eroded significantly and required stabilization. He stated that fill and riprap would be installed to restore a stable slope, with littoral plantings added as required by staff. The Moorings Golf Course submitted a letter of no objection and granted a construction easement for the work.

Natural Resources Manager Natalie Hardman overviewed the staff report, noting that the project met Code requirements and she had no objections, though the review process required coordination with the City Attorney's office and the golf course to resolve property ownership and permitting concerns. She noted that while the project would slightly reduce pond capacity, added littoral plantings would improve water quality and offset impacts.

Mayor Heitmann asked for clarification as to whether the body of water in question should be referred to as a "lake" or a "stormwater pond." Public Works Director Robert Middleton clarified for the record that it is a stormwater pond located on the Moorings Golf Course which also receives water from the City's stormwater system. He added that, while the Code refers to the process as a "lakefill permit," the pond functions as a stormwater facility.

Attorney Lombardo explained that the project required filling a portion of the stormwater pond to restore a stable slope. He added that approximately 1,100 to 1,200 square feet of fill would be added, extending about 13 feet from the existing top of the bank and approximately seven to eight feet beyond the property line at the widest point.

In response to Council Member Barton, Attorney Lombardo noted that while a seawall approach would have involved less fill, staff directed the applicant to pursue the slope-and-planting method to comply with City standards. He emphasized that the intent was to re-establish the slope as it previously existed and to protect the property from continued erosion.

Public Comments: None.

MOTION by Kramer to APPROVE RESOLUTION 2025-15691; seconded by Hutchison and unanimously carried, all members present and voting (Barton-yes, Penniman-yes, Christman-yes, Petrunoff-yes, Kramer-yes, Hutchison-yes, Heitmann-yes).

[Agenda Memorandum](#)

[Resolution](#)

[Application 809 Wedge Drive](#)

[Site Plan](#)

[Landscape Plan](#)

[Survey](#)

[Construction Easement](#)

[Letter of No Objection \(LONO\) From Moorings Country Club](#)

[Presentation](#)

Recess: 4:28 p.m. to 4:44 p.m. It is noted for the record that the same Council Members were present when the meeting reconvened.

12.E) RESOLUTION 2025-15689 A Resolution of the City Council of Naples, Florida, Authorizing Participation in a Lawsuit Seeking, Among Other Things, to Declare that Senate Bill 180's Imposition of a Blanket Statewide Prohibition on the Exercise of Home Rule Authority Over Land Use and Zoning Regulations, is Unconstitutional and Should be Enjoined, Retaining Weiss Serota Helfman Cole + Bierman, PL to Prosecute the Lawsuit; Authorizing the City Manager to Execute the Necessary Documents; Providing for Scrivener's Errors; and Providing for an Effective Date.

City Attorney Matthew McConnell read the title of the Resolution authorizing the City of Naples to participate in a multi-jurisdiction lawsuit challenging Senate Bill 180, which imposes statewide preemption of municipal authority over land use and zoning.

City Attorney McConnell explained that ten local governments had formally committed to the lawsuit, which satisfied the minimum requirement for filing. He stated that the case was expected to be filed in mid-September with costs to the City consisting of flat fees of \$10,000 for initial participation, \$5,000 for an appeal, and \$5,000 if the matter reached the Florida Supreme Court.

Council Member Christman stated that litigation should be a last resort and that joining the lawsuit at that time would be premature. He emphasized the importance of first working with the Florida Legislature and the City's legislative delegation to amend the bill, particularly Sections 18 and 28, and suggested preparing specific proposals for the planned September 15th meeting with the legislative delegation. Council Member Kramer agreed, stating that he could not support joining a lawsuit he had not reviewed and reiterating that State legislators had expressed willingness to work with the City directly. Vice Mayor Hutchison expressed concern that the State increasingly preempts home rule without consulting municipalities. He questioned the strategy of joining litigation before the City Council had an opportunity to review the complaint but stated that municipalities must defend against further erosion of authority. Council Member Barton noted that the State's actions were egregious but believed it was preferable to pursue legislative remedies before resorting to litigation. He added that the City should be prepared to litigate if legislative

efforts failed. Council Member Petrunoff supported joining the lawsuit and stated that municipal authority had been increasingly eroded, citing prior unresolved issues with Senate Bill 250. She warned that only jurisdictions named in the litigation might ultimately benefit from relief. Council Member Petrunoff expressed concern that the City had been unable to get answers to questions raised more than two years prior and stated that joining the lawsuit might be the only way to be successful. City Attorney McConnell cautioned that he could not guarantee the City would be able to join the lawsuit later, as it would likely be filed before the next City Council meeting. He noted that while he felt there was a good chance additional plaintiffs could be added, he did not want the City Council relying on his assurance as a certainty.

Council Member Petrunoff questioned whether the Florida League of Cities was effectively representing municipalities. City Attorney McConnell assured Council Members that the League was actively engaged, often working behind the scenes to remove harmful legislative language before adoption.

Mayor Heitmann also supported joining the lawsuit, stating that state preemptions significantly impaired the City's ability to govern and implement resiliency measures in the Comprehensive Plan. She characterized Senate Bill 180 as an egregious attack on home rule, and stated that despite repeated requests, legislators had failed to address local concerns on prior preemptions, and that the City must act to defend its authority. Council Member Penniman said she was uncertain about the best course of action but voiced support for Mayor Heitmann's remarks.

Council Member Christman stated that while Senate Bill 180 represents an unprecedented expansion of state preemption, the State has enacted more than 150 similar measures since 2010. He questioned the legal basis for overturning it, cautioning that litigation would be uncertain, lengthy, and risk harming the City's relationships in Tallahassee. He concluded that pursuing legislative solutions may be the more effective path.

MOTION by Hutchison to APPROVE RESOLUTION 2025-15689; seconded by Petrunoff and carried 4-3, all members present and voting (Hutchison-yes, Penniman-yes, Christman-no, Barton-no, Kramer-no, Petrunoff-yes, Heitmann-yes).

[Agenda Memorandum](#) 

[Resolution](#) 

13.D) Consideration and Approval of the 2026 Workshop and Meeting Schedule for the City Council and Community Redevelopment Agency (CRA).

City Manager Gary Young presented the proposed 2026 City Council and CRA meeting schedule. He explained that February, an election month, would allow only one meeting before the February 18 swearing-in of new Council Members, and recommended back-to-back organizational, regular, and land use meetings to create a functional and celebratory schedule. He noted January posed scheduling challenges due to Martin Luther King Jr. Day and suggested back-to-back meetings as an option. He further advised no CRA meeting was proposed for December 2026 to avoid overlapping agendas, though one could be scheduled if needed.

Council Member Kramer suggested moving the June 25 CRA meeting to June 18 to precede summer recess. Council Member Christman recommended canceling the January 29 CRA meeting, moving it to March, shifting the April meeting to May, and eliminating the June meeting, leaving March, May, August, and October. He noted that the 60 percent design approval for the 10th Street and 1st Avenue South Infrastructure Project may require a special meeting. City Manager Young confirmed the adjustments would be incorporated, and Council discussed reducing meetings later in the year to avoid overlapping schedules.

[Agenda Memorandum](#) 

[Proposed 2026 City Council and CRA Meeting Schedule](#) 

13.G) RESOLUTION 2025-15692 A Resolution of the City Council of the City of Naples, Florida, Designating the Planning Department as the Administrative Authority for Receiving, Reviewing, and Processing Plat and Replat Submittals; Designating the City Manager as the Administrative Official Authorized to Approve, Conditionally

Approve, or Deny such Submittals Pursuant to Section 177.071, Florida Statutes; Authorizing the City Manager to Delegate Review and Processing Duties to Appropriate Staff within the Planning Department, including the City Engineer or other Relevant Departments; Providing for Scrivener's Errors; Providing for Conflicts, Severability, and an Effective Date.

City Attorney McConnell read the title of the Resolution designating the Planning Department as the administrative authority for receiving, reviewing, processing plat and replat submittals, and designating the City Manager as the administrative official authorized to approve, conditionally approve, or deny such submittals pursuant to Section 177.071, Florida Statutes. He explained that the Resolution was necessary following the passage of Senate Bill 784, which became effective on July 1, 2024, and preempted local governments from holding public hearings on plats and replats.

Planning Director Erica Martin clarified that under the City's existing Code, there were minor and major subdivisions. She explained that minor subdivisions, such as restoring lots to their originally platted state, did not currently come before the City Council, while major subdivisions required review by the Planning Advisory Board and the City Council. She noted that under the new legislation, none of these matters would come before the City Council and would instead be handled administratively.

In response to Vice Mayor Hutchison, Planning Director Martin explained that major subdivision examples previously reviewed by the City Council included Naples Square, the Naples Beach Hotel redevelopment, and M Development projects. She emphasized that while the City Council would no longer review plats, other approval processes such as rezonings, conditional uses, and site plans would still require City Council action. Platting remained important, she said, because it creates buildable parcels and establishes lot lines from which setbacks are measured.

Vice Mayor Hutchison asked Planning Director Martin whether staff would still need to interpret unclear Code under the new plat and replat process. Planning Director Martin confirmed that interpretation is unavoidable, citing a recent appeal on a flag lot, and noted that Chapter 54 subdivision standards are outdated.

City Attorney McConnell explained that Senate Bill 784 amended Section 177.071, Florida Statutes, to require that plats be processed through administrative review only, eliminating the need for City Council hearings. He recommended adopting the Resolution immediately for pending applications while pursuing Code updates to add standards that could better guide staff.

Mayor Heitmann asked about a citizens review committee. City Attorney McConnell advised such a committee would require public meetings under the Sunshine Law. Planning Director Martin added that all plat applications are circulated to departments such as Engineering, Streets, and Utilities to ensure thorough review.

Council Member Christman clarified that plat and replat applications, which previously underwent staff review and then City Council approval, will now conclude administratively with the Planning Department under the new legislation. He noted that past plats often raised difficult discussions due to deficiencies in the Code, highlighting the need for future updates.

Mayor Heitmann expressed concern that the change places staff in a political position and removes important safeguards for the community. She warned that developers could now acquire large parcels and replat them into smaller lots, which would negatively impact property values and quality of life in established neighborhoods such as Port Royal. She cited side yard setbacks, as well as the placement of generators and equipment, as examples of issues that could create negative impacts. While recognizing staff's commitment to protecting the City's character and taxable values, Mayor Heitmann described the state's action as political and disappointing.

City Attorney McConnell confirmed that this Resolution was a state preemption requirement intended to provide applicants and staff with direction for processing.

MOTION by Barton to APPROVE RESOLUTION 2025-15692; seconded by Christman and carried 4-3, all members present and voting (Penniman-yes, Kramer-yes, Hutchison-no, Christman-yes, Barton-yes, Petrunoff-no, Heitmann-no).

[Agenda Memorandum](#)

[Resolution](#)

ORDINANCES

14) FIRST READING ORDINANCES - None.

15) SECOND READING ORDINANCES

15.A) **ORDINANCE 2025-15693** An Ordinance Related to Floodplain Management; Amending Chapter 16, Construction, Rehabilitation and Property Maintenance Regulations, Adding Paragraph (C)(1)c. To Section 16-112, Florida Building Code Adopted; Amendments; Amending the Definition of Non-conversion Agreement in Section 16-144, Definitions; and Adding Paragraph 4(H) to Section 16-147, Permits, of the Code of Ordinances, City of Naples, for the Purpose of Requiring a Declaration of Land Restriction (Non-conversion Agreement) for Proposed Development, Including Enclosures Below Elevated Buildings, Crawl/underfloor Spaces That Are More Than Five Feet in Height and Attached Garages; Providing for Codification; Conflicts; Severability; Correction of Scrivener's Error; Construction; Publication; and an Effective Date.

City Attorney Matthew McConnell read the title of the Ordinance. Building Services Director Steve Beckman presented the second reading of an Ordinance related to floodplain management, amending Chapter 16 of the City Code. He stated there were no changes from the first reading and recommended approval. Building Services Director Beckman explained that the Ordinance requires a Declaration of Land Restriction, or Non-Conversion Agreement, for enclosures below the minimum base flood elevation. These spaces, such as crawl spaces over five feet in height and attached garages, are limited to parking, storage, or building access, and the restriction is recorded with the deed to ensure future owners are notified.

Public Comments: None

MOTION by Hutchison to APPROVE ORDINANCE 2025-15693; seconded by Barton and unanimously carried, all members present and voting (Kramer-yes, Christman-yes, Petrunoff-yes, Barton-yes, Hutchison-yes, Penniman-yes, Heitmann-yes).

[Agenda Memorandum](#)

[Ordinance](#)

[Business Impact Statement](#)

[Nonconversion Agreement](#)

16) PUBLIC COMMENTS

None.

17) COMMUNICATIONS FROM MAYOR, CITY COUNCIL, AND STAFF

Council Member Christman raised the topic of hurricane preparedness, noting concerns with potential federal budget cuts and organizational changes that could impact forecasting and response. He suggested that a representative from Collier County Emergency Management or FEMA be asked to provide the City Council with updated information. City Manager Gary Young agreed to reach out to Dan Summers, Collier County Emergency Services Director, and others to explore the possibility of scheduling such a briefing.

Council Member Petrunoff thanked Doctor George Yilmaz, Director of Critical Infrastructure, for his work on the 17th Avenue pilot project and his efforts to expand pumping in River Park East, noting residents' appreciation ahead of peak hurricane season. She also commended Mayor Heitmann, City Manager Young, and Assistant City Manager Bruce Selfon, for securing federal attention on pier permitting. City Manager Young reported that FEMA and the Florida Division of Emergency Management confirmed funding obligation is imminent, with final Army Corps of Engineers and Florida Fish and Wildlife reviews still pending. He expressed optimism for

approvals by late September or October and a November 1, 2025 start for pier demolition, with reimbursement expected near \$12 million.

Vice Mayor Hutchison addressed the dredging of North and South Lakes, requesting that staff re-verify calculations to ensure that sufficient material was removed. Council Member Barton agreed, stressing the need for another review before the dredging equipment is removed. Council Member Petrunoff emphasized the importance of confirming that the lakes had been dredged to the promised depth and volume so they could properly function for storm runoff. She cautioned against dismantling and resetting equipment if dredging proved insufficient. Council Member Christman added that most concerns raised had come from a single resident and reminded Council Members that any reevaluation could trigger additional permitting requirements and broader project implications. Council Member Kramer stated that staff had reviewed all correspondence and faced scrutiny from both Council and residents. Thus, he affirmed his trust in the City Manager, staff, and engineers to ensure the outfall project's success.

Consensus reached to direct the City Manager to consult with staff and subject-matter experts to ensure errors were not made in calculations related to dredging of South and North Lakes.

City Manager Young reported that the Florida Department of Transportation (FDOT) had directed the City to remove the 5th Avenue medallion emblem by September 4 unless an appeal was filed. He confirmed that staff had submitted the appeal and would keep Council informed.

City Manager Young reported that presort mail services had been implemented, saving approximately nine to eleven cents per envelope, with the first mailing scheduled for Friday, September 5, 2025.

Mayor Heitmann requested a follow-up regarding the City's dewatering policies, water-quality testing coordination with the County, and updates on East Lake. She also referenced a permit request from the Baker Art School for an upcoming Cambier Park event.

18) ADJOURNMENT

7:08 p.m.

Teresa Lee Heitmann, Mayor

Patricia L. Rambosk, City Clerk

Meeting clerked by

Jessica Hernandez, Deputy City Clerk

Minutes prepared by:
David Horton, Executive Assistant

Minutes Approved: 10/15/2025.