



City of Naples

City Council Chamber
735 Eighth Street South
Naples, Florida 34102

City Council Regular Meeting – February 18, 2026 – 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; and 3) 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

Ray Christman
Beth Petrunoff
Berne Barton
Bill Kramer
Linda Penniman

Staff Present:

Gary Young, City Manager
Erica Martin, Planning Director
Kimberly Nudi, Senior Zoning Plans Reviewer

Matthew McConnell, City Attorney
Patricia Rambosk, City Clerk
Phillip Pennington, Fire Chief
Jessica Hernandez, Deputy City Clerk

Others Present:

Ted Blankenship, Council Member Elect
John Krol, Council Member Elect
Scott Schultz, Council Member Elect
Mark Mincy
Laura Hansen Reynolds
Paul Koches
Donald O'Hare
Craig Sutherland
Lori Sutherland
Julie Kalustian

Jeffrey Hurcomb
Robert Kalustain
Julia Sander
Neil Stober
William Strauss
Patricia Strauss
Judy Freiberg
Clay Brooker
Mark McLean
Janet Ferry
Joe Migliara

2) INVOCATION AND PLEDGE OF ALLEGIANCE

Pastor Mark Mincy, Orangetree Bible Church, and Vice Mayor Hutchison each gave an invocation. Council Member Christman subsequently led in the Pledge of Allegiance.

3) ELECTION MATTERS

3.A) Recognition of Outgoing Council Members.

City Manager Gary Young recognized and thanked Council Members Petrunoff and Christman and Vice Mayor Hutchison for their years of service to the City. He then presented the outgoing Council Members with a clock after which each provided remarks of gratitude and best wishes for incoming Council Members. City Attorney Matthew McConnell expressed appreciation and offered kind words to the outgoing Council Members.

[Farewell Statement provided by Council Member Petrunoff \(Staff/Added Attachment\)](#) 

3.B) Canvassing Board Certification.

City Clerk Patricia Rambosk recognized and thanked Judge Christine Greider for serving on the Canvassing Board, the City Clerk's staff involved in administering the election, the Collier County Supervisor of Elections and staff for their assistance in conducting that year's election. She also recognized the efforts of the City's Communication Division for amplifying messaging efforts to promote voter turnout. She then read the Certificate of the City of Naples Canvassing Board into the record, certifying the results of the Election.

[Official Certificate of City of Naples Canvassing Board \(Staff/Added Attachment\)](#) 

3.C) Declaration of Winners and Swearing-in of Council Members.

City Clerk Patricia Rambosk administered the Oath of Office to Council Members-Elect Ted Blankenship, John Krol and Scott Schultz.

4) BRIEF RECESS

Reception: 9:27 a.m. to 10:10 a.m. to prepare the dais for the incoming Mayor and Council Members.

5) ROLL CALL

Following the aforementioned recess, Roll Call was taken with the following Council Members present: Mayor Teresa Heitmann and Council Members Berne Barton, Bill Kramer, Linda Penniman, Ted Blankenship, John Krol and Scott Schultz.

6) SET AGENDA (add or remove items)

City Manager Gary Young advised that a supplement had been published for Item 8.A. City Attorney Matthew McConnell announced two Executive Sessions were scheduled, the first at 12:30 p.m., and the second session to follow immediately thereafter. Council Member Kramer requested that Item 8.A be moved to the end of the agenda out of respect for petitioners present for land use items. The following motion was proffered.

MOTION by Penniman to SET AGENDA, subject to moving Item 8.A to the end of the agenda and renumbering it as Item 17.G; seconded by Kramer and unanimously carried, all members present and voting (Barton-yes, Blankenship-yea, Kramer-yes, Krol-yes, Penniman-yes, Schultz-yes, Heitmann-yes).

7) ELECTIONS AND APPOINTMENTS

7.A) Election of Vice Mayor, Appointment of Community Redevelopment Agency (CRA) Chair and Vice Chair; and Appointment of City Council Members to Various Boards and Committees.

City Clerk Patricia Rambosk reviewed the agenda memorandum which outlined the Rules of Procedure for the election of Vice Mayor.

Mayor Heitmann nominated Council Member Penniman.

Council Member Barton nominated Council Member Kramer

Council Member Krol nominated Council Member Blankenship.

City Clerk Patricia Rambosk then distributed ballots to City Council Members. After the ballots were tabulated, Council Member Blankenship received the most votes, and the following motions were proffered.

MOTION by Penniman to CERTIFY THE BALLOT electing Blankenship as Vice Mayor; seconded by Kramer and unanimously carried, all members present and voting (Blankenship-yes, Barton-yes, Kramer-yes, Krol-yes, Penniman-yes, Schultz-yes, Heitmann-yes).

Clerk Tracking 2026-00014 MOTION by Kramer to ELECT Blankenship as Vice Mayor for a two-year term commencing February 18, 2026; seconded by Barton and unanimously carried, all members present and voting (Schultz-yes, Penniman-yes, Blankenship-yes, Barton-yes, Kramer-yes, Krol-yes, Heitmann-yes).

City Clerk Rambosk subsequently administered the Oath of Office to Vice Mayor Blankenship. Mayor Heitmann asked for nominations for the Community Redevelopment Agency (CRA) Chair and Vice Chair.

Council Member Barton nominated Council Member Penniman as Chair of the CRA.

Vice Mayor Blankenship nominated Council Member Schultz.

City Clerk Patricia Rambosk then distributed ballots to City Council Members. After the ballots were tabulated, Council Member Penniman received the most votes, and the following motions were proffered.

MOTION by Blankenship to CERTIFY THE BALLOT appointing Penniman as Chair of the Community Redevelopment Agency; seconded by Kramer and unanimously carried, all members present and voting (Blankenship-yes, Krol-yes, Barton-yes, Kramer-yes, Schultz-yes, Penniman-yes, Heitmann-yes).

Clerk Tracking 2026-00015 MOTION by Kramer to APPOINT Penniman as Chair of the Community Redevelopment Agency for a two-year term commencing February 18, 2026; seconded by Barton and unanimously carried, all members present and voting (Penniman-yes, Schultz-yes, Krol-yes, Barton-yes, Blankenship-yes, Kramer-yes, Heitmann-yes).

Vice Mayor Blankenship nominated Council Member Schultz as Vice Chair of the CRA.

Council Member Penniman nominated Council Member Kramer.

City Clerk Patricia Rambosk distributed ballots to City Council Members. After the ballots were tabulated, Council Member Schultz received the most votes and the following motions were proffered.

MOTION by Blankenship to CERTIFY THE BALLOT appointing Schultz as Vice Chair of the Community Redevelopment Agency; seconded by Kramer and unanimously carried, all members present and voting (Krol-yes, Schultz-yes, Blankenship-yes, Barton-yes, Kramer-yes, Penniman-yes, Heitmann-yes)

Clerk Tracking 2026-00016 MOTION by Kramer to APPOINT Schultz as Vice Chair of the Community Redevelopment Agency for a two-year term commencing February 18, 2026; seconded by Blankenship and unanimously carried, all members present and voting (Barton-yes, Penniman-yes, Blankenship-yes, Krol-yes, Kramer-yes, Schultz-yes, Heitmann-yes).

City Clerk Rambosk clarified the difference between the vacant positions and the expiring appointments and the voting process. The following motions were then proffered.

Clerk Tracking 2026-00017 MOTION by Krol to APPOINT Krol to the Airport Noise Compatibility Committee for a two-year term commencing February 18, 2026; seconded by Barton and unanimously carried, all members present and voting (Barton-yes, Blankenship-yes, Kramer-yes, Krol-yes, Penniman-yes, Schultz-yes, Heitmann-yes).

Clerk Tracking 2026-00018 MOTION by Kramer to APPOINT Blankenship to the Auditor Selection Committee; seconded by Barton and unanimously carried, all members present and voting (Barton-yes, Blankenship-yes, Kramer-yes, Krol-yes, Penniman-yes, Schultz-yes, Heitmann-yes).

Clerk Tracking 2026-00019 MOTION by Kramer to **APPOINT** Barton to the Collier County Metropolitan Planning Organization for a two-year term commencing February 18, 2026; seconded by Barton and unanimously carried, all members present and voting (Barton-yes, Blankenship-yes, Kramer-yes, Krol-yes, Penniman-yes, Schultz-yes, Heitmann-yes).

Clerk Tracking 2026-00020 MOTION by Kramer to **APPOINT** Schultz to the Collier County Metropolitan Planning Organization for a two-year term commencing February 18, 2026; seconded by Blankenship and unanimously carried, all members present and voting (Barton-yes, Blankenship-yes, Kramer-yes, Krol-yes, Penniman-yes, Schultz-yes, Heitmann-yes).

Clerk Tracking 2026-00021 MOTION by Blankenship to **APPOINT** Krol to the Naples Art Association Board of Directors to serve as the liaison; seconded by Barton and unanimously carried, all members present and voting (Barton-yes, Blankenship-yes, Kramer-yes, Krol-yes, Penniman-yes, Schultz-yes, Heitmann-yes).

Clerk Tracking 2026-00022 MOTION by Blankenship to **APPOINT** Krol to the Naples Players Board of Directors to serve as the liaison; seconded by Kramer and unanimously carried, all members present and voting (Barton-yes, Blankenship-yes, Kramer-yes, Krol-yes, Penniman-yes, Schultz-yes, Heitmann-yes).

Clerk Tracking 2026-00023 MOTION by Penniman to **DESIGNATE** Blankenship as the Voting Representative on the Southwest Florida League of Cities; seconded by Krol and unanimously carried, all members present and voting (Barton-yes, Blankenship-yes, Kramer-yes, Krol-yes, Penniman-yes, Schultz-yes, Heitmann-yes).

Clerk Tracking 2026-00024 MOTION by Kramer to **APPOINT** Schultz to the Southwest Florida Regional Planning Council for a two-year term commencing February 18, 2026; seconded by Barton and unanimously carried, all members present and voting (Barton-yes, Blankenship-yes, Kramer-yes, Krol-yes, Penniman-yes, Schultz-yes, Heitmann-yes).

Clerk Tracking 2026-00025 MOTION by Blankenship to **APPOINT** Kramer to the Board of Trustees of the Firefighters' Retirement Trust Fund for a two-year term commencing February 18, 2026; seconded by Krol and unanimously carried, all members present and voting (Barton-yes, Blankenship-yes, Kramer-yes, Krol-yes, Penniman-yes, Schultz-yes, Heitmann-yes).

Clerk Tracking 2026-00026 MOTION by Barton to **APPOINT** Krol to the Board of Trustees of the General Retirement Pension System; seconded by Kramer and unanimously carried, all members present and voting (Barton-yes, Blankenship-yes, Kramer-yes, Krol-yes, Penniman-yes, Schultz-yes, Heitmann-yes).

[Agenda Memorandum](#)  [Sec. 2.4 - Presiding Officer; Mayor; Vice Mayor](#) 

[Rules of Procedure Res. 2023-15153](#) 

[Fla. Stat. 163.356 \(3\)\(c\) Community Redevelopment Agency](#) 

[Auditor Selection Committee Res. 2026-15802](#) 

[2026-0218 Council Appointments for Boards and Committees](#) 

[Final Ballots for Vice Mayor \(Staff/Added Attachment\)](#) 

[Final Ballots for Chair of CRA \(Staff/Added Attachment\)](#) 

[Final Ballots for Vice Chair of CRA \(Staff/Added Attachment\)](#) 

9) PUBLIC COMMENTS

Laura Hanson Reynolds proposed that the City of Naples pursue a referendum to amend the City Charter to move municipal elections from the current February schedule to coincide with November General Elections, similar to the City of Marco Island. She explained that aligning the election with the November cycle would eliminate municipal election costs paid to the Supervisor of Elections and increase voter participation due to significantly higher turnout during general elections. The change would require a one-time adjustment to terms to transition the election timeline. She suggested placing the referendum question on the upcoming ballot to allow voters to consider the proposed change. **Paul Koches**, representing the Swan Lake Flood Protection group, thanked the outgoing Council Members and welcomed the newly elected Council Members. He expressed appreciation for City staff, including City Manager Gary Young and City Attorney Matthew McConnell, for their service, professionalism, and integrity. The following individuals ceded their time to **Craig Sutherland**, who addressed the City Council on behalf of residents of Pettit Square: Lori Sutherland; Julie Kalustian; Robert Kalustian; Julia Sander; Neil Tober; William Strauss; and Patricia Strauss. He described Pettit Square as a mixed-use residential property and stated that a gymnasium had been constructed within the building. He expressed concern that the Planning Department approved a high-volume, open-assembly gym offering large group classes seven days a week with amplified sound in a building not designed for such use. He stated that residents requested meetings with City staff beginning in December 2025, but the Planning Department's decision was made prior to a scheduled meeting with the City Manager and department heads. Mr. Sutherland stated that residents were directed to submit concerns through Code Enforcement and the Police Department and expressed concern that planning objections were reduced to complaint-based enforcement. He questioned whether the Planning Department had authority to approve a non-listed use without requiring a conditional use petition, Planning Advisory Board review, public notice, and City Council approval. In response, Mayor Heitmann asked City Attorney Matthew McConnell whether an administrative approval decision could be appealed. City Attorney McConnell stated that he could not provide legal advice to residents and would need to determine whether City procedures allow third-party administrative appeals by individuals who are neither the applicant nor the City. Mayor Heitmann stated that any further discussion could be addressed under Correspondence and Communications. **Judy Freiberg** was not present when called.

APPROVAL OF CONSENT AGENDA

MOTION by Penniman to APPROVE THE CONSENT AGENDA; seconded by Krol and unanimously carried, all members present and voting (Barton-yes, Blankenship-yes, Kramer-yes, Krol-yes, Penniman-yes, Schultz-yes, Heitmann-yes).

10) MINUTES

10.A) Approval of the January 20, 2026 Joint City Council and Planning Advisory Board Workshop Meeting Minutes.

[Agenda Memorandum](#)  [January 20, 2026 Joint Council and PAB Workshop Minutes](#) 

11) RESOLUTIONS

11.B) **RESOLUTION 2026-15806** - A Resolution Approving a Second Amendment to Contractor's Services Agreement Between the City of Naples And Verve Cloud, Inc., A Texas Corporation Authorized to do Business in the State of Florida, Formerly Known as T3 Communications, Inc., a Florida Corporation, for the Purpose of Authorizing Continued Services from Verve Cloud, Inc., a Texas Corporation Authorized to do Business in the State of Florida,, as a Provider of Internet Services to the City of Naples, Extending the Previous Agreement for the Fifth and Final

Extension Year Ending on September 30, 2026, in the Not-To-Exceed Yearly Amount of \$130,319.78; and Providing an Effective Date.

Title of the Resolution not read.

[Agenda Memorandum](#)  [Resolution](#)  [Second Amendment](#) 
[Contractors Service Agreement 2021-00124](#) 

11.C) **RESOLUTION 2026-15807** - A Resolution Approving the Fourth Amendment to the Professional Services Consultant's Agreement among the City of Naples Community Development Agency (CRA), the City of Naples and Pape-Dawson Consulting Engineers, LLC, a Texas Limited Liability Company, Formerly Known as Q. Grady Minor and Associates, LLC, a Florida Limited Liability Company, for the Purpose of Consenting to an Assignment of the Agreement with Q. Grady Minor and Associates, LLC, a Florida Limited Liability Company, for the 1st Avenue South, 12th Street South, and 10th Street North Streetscape Design Project; Including Additional Standardized Contract Terms Required by the City; Authorizing the City Manager to Execute the Fourth Amendment to the Professional Services Consultant's Agreement; and Providing an Effective Date

Title of the Resolution not read.

[Agenda Memorandum](#)  [Resolution](#)  [Fourth Amendment](#) 

11.D) **RESOLUTION 2026-15808** - A Resolution Approving a First Amendment to the Professional Services Consultant's Agreement Between the City of Naples and Pape-Dawson Consulting Engineers, LLC, a Texas Limited Liability Company, Formerly Known as Q. Grady Minor And Associates, LLC, a Florida Limited Liability Company, for the Purpose of Consenting to an Assignment of the Agreement to Pape-Dawson Consulting Engineers, LLC, a Texas-Based Company; Including Additional Standardized Contract Terms required by the City; Authorizing the City Manager to Execute the First Amendment to the Professional Services Consultant's Agreement; and Providing an Effective Date.

Title of the Resolution not read.

[Agenda Memorandum](#)  [Resolution](#)  [First Amendment](#) 

11.E) **RESOLUTION 2026-15809** - A Resolution Approving the Fourth Amendment to the Professional Services Consultant's Agreement Between The City of Naples and Pape-Dawson Consulting Engineers, LLC, A Texas Limited Liability Company, Formerly Known As Q. Grady Minor And Associates, LLC, a Florida Limited Liability Company, for The Purpose of Consenting to An Assignment Of The Agreement With Q. Grady Minor And Associates, LLC, a Florida Limited Liability Company, for Engineering Design Services for the West Goodlette Phase 2 Naples Bay Red Tide Septic to Sewer Project; Including Additional Standardized Contract Terms Required by the City; Authorizing the City Manager to Execute the Fourth Amendment to the Professional Services Consultant's Agreement; Providing for Scrivener's Errors; and Providing an Effective Date.

Title of the Resolution not read.

[Agenda Memorandum](#)  [Resolution](#)  [Fourth Amendment](#) 

11.F) **RESOLUTION 2026-15810** - A Resolution Waiving the Competitive Bidding Process for the Purchase of Goods and Services During Fiscal Year 2025-26 as Provided in Section 2-666(10) of the Code of Ordinances, City of Naples; Authorizing the City Manager to Execute Purchase Orders With Baez Consulting, LLC, a Florida Limited Liability Company, During Fiscal Year 2026 in an Amount Not-to-exceed \$150,000 for Technology Consulting Services; and Providing an Effective Date.

[Agenda Memorandum](#)  [Resolution](#)  [Agreement - Baez Consulting](#) 

11.G) **RESOLUTION 2026-15811** - A Resolution Authorizing the Increase of Cost for Irrigation Supplies with Buccieri Corporation of SW Florida, LLC. DBA Pump & Irrigation Supply Company During Fiscal Year 2025-26 in the Amount Not-To-Exceed \$100,000; Authorizing the City Manager to Execute Purchase Orders therefore; and Providing an Effective Date.

Title of the Resolution not read.

[Agenda Memorandum](#) [Resolution](#) [Agreement 2025-00063](#)

- 11.H) **RESOLUTION 2026-15812** - A Resolution Approving an Agreement for State Financial Assistance Between the Florida Department of Law Enforcement and the City of Naples Accepting Award Funds in the Amount of \$100,000 for the Naples License Plate Reader (LPR) Cameras Replacements/Upgrades Project; Authorizing the Mayor To Execute the Agreement; and Providing an Effective Date.

[Agenda Memorandum](#) [Resolution](#) [PW020 - FDLE- City of Naples - Agreement](#)

- 11.I) **Resolution 2026-15813** - A Resolution Approving a First Amendment to Task Order No. 26-01-60-02-531010 between the City of Naples and Stantec Consulting Services, Inc., a New York Corporation, to Provide Professional Consulting Services for Preparing a Financial Feasibility Analysis and Report in Support of the City's Water, Sewer, and Stormwater Utility Bond Issuance Related to the Stormwater Beach Outfall Project in the Amount of \$90,964.97; Authorizing the City Manager to Execute the Task Order; And Providing an Effective Date.

Title of the Resolution not read.

[Agenda Memorandum](#) [Resolution](#) [Proposal](#) [Agreement](#)

12) **OTHER**

- 12.A) Consideration of the following New Special Event Application: 1) IE Wedding Event – Four Seasons.

[Agenda Memorandum](#) [IE Wedding Event 4.17.2026](#)

END OF CONSENT AGENDA

13) **PUBLIC HEARINGS**

None.

REGULAR AGENDA

14) **ITEMS PULLED FROM CONSENT AGENDA**

None.

15) **LAND USE MATTERS**

- 15.A) **RESOLUTION 2026-15814** - A Resolution Pursuant To Section 56-125 Of The Code Of Ordinances Determining The Six-Month Review Of Live Entertainment Petition 25-LE5 Approved By City Council Resolution 2025-15665 For Amplified Indoor Live Entertainment For Caffe Milano Restaurant On The Property Owned By Fifth Avenue South LLC, And Located At 800 5th Avenue South, More Fully Described Herein: Providing Findings And Conditions; 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: Krol / was familiar with the site and had been by the site many times; Barton and Kramer / were familiar with the site and had communications with staff; Schultz / was familiar with the site; and Penniman, Blankenship and Heitmann / were familiar with the site but had not had contact.

Kim Nudi, Senior Zoning Plans Reviewer, reported on the six-month review of Live Entertainment Petition 25-125 for Caffe Milano, located at 805 5th Avenue South. She noted that the City Council approved Resolution 2025-15665 on August 20, 2025, authorizing limited indoor live entertainment subject to conditions. In accordance with Section 56-125(e)(7) of the City of Naples Code of Ordinances, she said notices were mailed to property owners within 1,000 feet, and no correspondence or complaints were received. She added that the Police, Fire, and Code Enforcement Departments reported no violations or issues, and staff recommended confirmation of the approval pursuant to Section 56-125.

Planning Director Erica Martin added that, under the current Code, a six-month “review” of live entertainment approvals is required to be processed as a full petition item. She stated that staff had discussed amending this process with the City Council and plans to bring a proposed Code amendment to the April workshop that would allow six-month reviews with no violations or issues to be handled on the Consent Agenda or as an informational update rather than a fully noticed agenda item.

In response to Vice Mayor Blankenship, Planning Director Martin confirmed that while the six-month review focuses on complaints or violations, the Fire Department conducts routine inspections of buildings for life safety compliance and would note any issues related to approved life safety plans. No complaints or violations were reported, she said.

Public Comment: None.

RESOLUTION 2026-15814 MOTION by Barton to APPROVE RESOLUTION 2026-15814; seconded by Kramer and unanimously carried, all members present and voting (Schultz-yes, Penniman-yes, Blankenship-yes, Barton-yes, Kramer-yes, Krol-yes, Heitmann-yes).

[Agenda Memorandum](#)  [Resolution](#)  [Resolutions 2025-15665](#) 
[Application](#)  [Credentials - Staff](#)  [Public Notice Mailing Addresses](#) 
[Affidavit of Sign Posting](#) 

15.B) RESOLUTION 2026-15815 - A Resolution Pursuant To Section 56-125 Of The Code Of Ordinances Determining The Six Month Review Of Live Entertainment Petition 25-LE6 Approved By City Council Resolution 2025-15666 For Amplified Indoor And Outdoor Live Entertainment For The Restaurant Known As BICE On The Property Owned By M-P Realty, LLC, And Located At 300 5th Avenue South, More Fully Described Herein: Providing Findings And Conditions; 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: Krol / was familiar with the site and location of the site but had not spoken to staff; Barton and Kramer / were familiar with the site and had spoken with staff; Schultz / was familiar with the property; and Penniman, Blankenship and Heitmann / were familiar with the site but had not had contact.

Kim Nudi, Senior Zoning Plans Reviewer, presented the six-month review for Live Entertainment Petition 25-LE6 for the restaurant known as BICE, located at 305 5th Avenue South. She stated that the City Council approved Resolution 2025-15666 on August 20, 2025, authorizing limited indoor live entertainment subject to conditions. In accordance with Section 56-1255(e)(7) of the Code of Ordinances, she said notice was provided to 647 properties within 1,000 feet, and no correspondence or complaints were received. She added that the Police Department, Fire Department, and Code Compliance reported no violations or issues, and staff recommended confirmation of the approval.

Public Comment: None.

RESOLUTION 2026-15815 MOTION by Krol to APPROVE RESOLUTION 2026-15815; seconded by Penniman and unanimously carried, all members present and voting (Penniman-yes, Kramer-yes, Schultz-yes, Blankenship-yes, Barton-yes, Krol-yes, Heitmann-yes).

[Agenda Memorandum](#)  [Resolution](#)  [Resolution 2025-15666](#) 
[Resolution 2010-12811](#)  [Application](#)  [Credentials - Staff](#) 
[Public Notice Mailing Addresses](#)  [Affidavit of Sign Posting](#) 

15.C) CONTINUED - to the March 18, 2026 City Council Meeting. A Resolution Determining Live Entertainment Petition 26-LE3 Establishing Amplified Outdoor Live

Entertainment 7 Days Per Week in Multiple Locations on Private Property Pursuant to Section 56-125 of the Code of Ordinances, for the Naples Beach Club Owned by Naples Beach Club Land Trust Trustee, LLC, a Delaware Limited Liability Company, Naples Beach Club Owner, LLC, a Delaware Limited Liability Company, and Naples Beach Club Phase II and III Land Trust Trustee, LLC, a Delaware Limited Liability Company, and Located at 801, 802, 811, 891, 896, and 898 Gulf Shore Boulevard North, More Fully Described Herein; Providing for Scrivener's Errors; Providing Findings and Conditions; and Providing an Effective Date.

City Attorney Matthew McConnell read the title of the Resolution. Planning Director Erica Martin requested a motion to continue the item. City Attorney McConnell advised that re-noticing would be appropriate to satisfy due process requirements. Accordingly, Planning Director Martin suggested that the item be rescheduled to the April 1, 2026 City Council Regular Meeting.

Clay Brooker, Attorney at Cheffy Passidomo, requested clarification that both the indoor and outdoor live entertainment petitions would be continued to the April 1, 2026 City Council Regular Meeting. Mayor Heitmann confirmed that both portions would be continued, noting that the next item on that day's agenda would have addressed the indoor portion. City Manager Young stated that City staff had been working with the Naples Beach Club since December, 2025 to address entertainment opportunities while ensuring compliance with all life safety requirements, and that his intent was to continue working cooperatively with the applicant.

MOTION by Kramer to CONTINUE Item 15.C until the April 1, 2026 City Council Regular Meeting; seconded by Barton and unanimously carried, all members present and voting (Krol-yes, Kramer-yes, Schultz-yes, Penniman-yes, Blankenship-yes, Barton-yes, Heitmann-yes).

Continuance Memorandum

15.D) CONTINUED - Continued to the March 18, 2026 City Council Meeting. A Resolution Determining Live Entertainment Petition 26-LE4 Establishing Amplified Indoor Live Entertainment 7 Days Per Week in Multiple Locations on Private Property Pursuant to Section 56-125 of the Code of Ordinances, for the Naples Beach Club Owned by Naples Beach Club Land Trust Trustee, LLC, a Delaware Limited Liability Company, Naples Beach Club Owner, LLC, a Delaware Limited Liability Company, and Naples Beach Club Phase II and III Land Trust Trustee, LLC, a Delaware Limited Liability Company, and Located at 801, 802, 811, 891, 896, and 898 Gulf Shore Boulevard North, More Fully Described Herein; Providing for Scrivener's Errors; Providing Findings and Conditions; and Providing an Effective Date.

City Attorney Matthew McConnell read the title of the Resolution. Planning Director Erica Martin noted that the item is the indoor entertainment request for the Naples Beach Club and requested a continuation to the April 1, 2026 City Council Meeting.

MOTION by Kramer to CONTINUE Item 15.D until the April 1, 2026 City Council Regular Meeting; seconded by Barton and unanimously carried, all members present and voting (Kramer-yes, Blankenship-yes, Krol-yes, Barton-yes, Schultz-yes, Penniman-yes, Heitmann-yes).

Continuance Memorandum

15.E) CONTINUED - Continued to the March 18, 2026, City Council Meeting. A Resolution Determining Outdoor Dining Petition 26-OD1 Establishing Outdoor Dining on Private Property to Include Four (4) Tables and Sixteen (16) Chairs for the Restaurant Known as Rosati's Pizza on Property Owned by OCD, LLC, and Located at 818 Neapolitan Way, More Fully Described Herein; Providing Findings and Conditions; Providing for Scrivener's Errors; and Providing an Effective Date.

City Attorney Matthew McConnell read the title of the Resolution. Planning Director Erica Martin stated that this was the first continuation of the item and that the request to continue was made by staff. She explained that staff was unable to obtain all required documents to present a complete item and needed additional time to work with the petitioner.

MOTION by Kramer to CONTINUE Item 15.E until the March 18, 2026 City Council Regular Meeting; seconded by Barton and unanimously carried, all

members present and voting (Kramer-yes, Blankenship-yes, Krol-yes, Barton-yes, Schultz-yes, Penniman-yes, Heitmann-yes).

Continuance Memorandum

15.F) RESOLUTION 2026-15816 - A Resolution Determining Live Entertainment Petition 25-LE7, Pursuant to Section 56-125 of the Code of Ordinances, to Allow for Amplified Indoor (With Doors and Windows Closed) Live Entertainment Thursday and Friday from 5:00 p.m. to 12:00 a.m., Saturday from 10:00 a.m. to 3:00 p.m. and from 5:00 p.m. to 12:00 a.m., Sunday from 10:00 a.m. to 3:00 p.m. and from 5:00 p.m. to 11:30 p.m. for the Restaurant Known as Prime Social Reserve (Previously Approved as Prime Social) in the Fifth Avenue South Special Overlay District on the Property Owned by 5th Ave South Investments, LLC, a Florida Limited Liability Company, and Located at 837 5th Avenue South, More Fully Described Herein; Providing for Scrivener's Errors; Providing Findings and Conditions; 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: Schultz, Penniman, Krol, and Heitmann / were familiar with the property but had not had contact; Blankenship / was familiar with the property from past discussions and tours, had brief discussions with residents and City staff, and met with the petitioner's representative; Kramer / was familiar with the property, had visited the site, had responded to the petitioner by email that no additional site visit was needed, and had discussed the matter with staff; and Barton / was familiar with the site, had conversations with staff, and disclosed that he is a member of the restaurant's VIP Access program. In response to City Attorney McConnell, Council Member Barton affirmed that he could be impartial in his decision making and that his vote would not result in any special private gain or loss to himself or any member of his immediate family.

Clay Brooker, Attorney at Cheffy Passidomo, stated that he represented Prime Social Naples, LLC, the applicant for indoor live entertainment at Prime Social Reserve, a rooftop restaurant located at 837 5th Avenue South. Utilizing an electronic presentation, he offered a timeline, noting that rooftop restaurants were permitted on 5th Avenue South following a 2021 amendment to the Fifth Avenue South Special Overlay Zoning District, subject to location, separation from residential zoning, height limits, and City Council approval through the conditional use process. He stated that Prime Social received conditional use approval in September 2023, including indoor and outdoor dining, along with a City-approved parking garage allocation that satisfied parking requirements for both areas. He stated that subsequent design refinements required approval of a reduced outdoor dining area, which the City Council approved in September 2025.

Attorney Brooker noted that Prime Social opened in November 2025 and has been successful, but patrons have requested live entertainment similar to other 5th Avenue South restaurants. He explained that the current application requests indoor live entertainment only and does not seek approval for outdoor entertainment. He stated that the proposal complies with all standard Code conditions, including closed doors and windows during performances, compliance with the noise ordinance, and permitted hours. He described the two small proposed indoor performance locations, limited to one performer at a time, with performances Thursday through Saturday until midnight and Sundays until 11:30 p.m., and requested approval for indoor entertainment on New Year's Eve until 1:00 a.m.

Attorney Brooker then utilized an electronic presentation that included photographs of the restaurant interior and the outdoor dining area, including the sliding glass doors that will be closed when indoor entertainment is ongoing.

Mark McLean, Architect with MHK Architecture, continued the electronic presentation by showing the site plan's two designated entertainment areas and stated that the plans have been reviewed and approved by the Fire Department. He confirmed that the proposed live entertainment would not interfere with required life safety paths.

In response to Council Member Penniman's questions regarding interior acoustics and noise attenuation, Architect McLean explained that while the ceiling materials were not acoustic tiles, the combination of finishes, furnishings, and layout provided effective sound attenuation, and that entertainment areas were positioned away from outdoor dining doors.

Council Member Schultz asked how the parking allocation fee of approximately \$42,000 per space was established. Planning Director Martin explained that the fee was set by a City Council Resolution based on garage construction costs and adjusted annually by the Consumer Price Index (CPI), and that parking allocations are administrative and not assigned to specific spaces.

Planning Director Martin clarified that live entertainment does not increase occupancy or generate additional parking demand and is distinct from special events, which require separate approval.

Vice Mayor Blankenship questioned how live entertainment could be offered without increasing parking demand. Attorney Brooker responded that the entertainment is intended solely as an amenity for existing patrons and does not alter approved capacity.

Planning Director Martin reviewed the staff report, stating that the request was for indoor live entertainment only at Prime Social Reserve. She said notices were mailed to 406 property owners within 1,000 feet and that no correspondence was received. She outlined staff-recommended conditions, including closed doors and windows during performances, limited days and hours, one performer at a time in one of two indoor locations, prohibition of drums except steel drums, routine sound checks, centralized control of amplification equipment, and approval for New Year's Eve performances until 1:00 a.m. She noted that staff found the request consistent with the Code and recommended approval subject to conditions.

Council Member Kramer asked for confirmation that parking for the restaurant had already been addressed based on maximum occupancy and that live entertainment would not increase parking demand. Planning Director Martin confirmed that parking was satisfied at the time of restaurant approval and noted that the applicant voluntarily allocated additional parking spaces for outdoor dining.

Mayor Heitmann asked about the approved Life Safety Plan and the size and location of the proposed indoor entertainment areas. Architect McLean explained that the performance areas measured approximately three feet by five feet, required minimal removal of tables and chairs, and had been approved by the Fire Department, with no interference to life safety paths.

Council Member Krol asked for clarification regarding permitted hours for indoor and outdoor live entertainment and the City's noise regulations. In response, Planning Director Martin reviewed the applicable Code provisions, including allowable hours and New Year's Eve extensions.

Fire Chief Phillip Pennington confirmed that fire safety requirements were satisfied with doors closed during performances.

Vice Mayor Blankenship requested clarification on the history of the rooftop restaurant approvals and whether the establishment was a private club. Planning Director Martin clarified that the restaurant operates under a membership-based reservation model but is considered open to the public under the Code.

Discussion ensued regarding prior approvals related to the rooftop restaurant, parking allocation, and the underlying zoning ordinance. City Attorney McConnell confirmed that prior Ordinances and Resolutions would be included in the meeting record by reference to ensure a complete legislative history.

Council Members discussed revisions to the draft Resolution, including the addition of a ninth condition, the incorporation of prior Resolutions related to parking allocation and rooftop conditional use approvals, and the inclusion of approval for indoor live entertainment on New Year's Eve until 1:00 a.m. Planning Director Martin confirmed these items would be included in the revised Resolution.

Council Member Penniman suggested a future discussion regarding the number of membership-based establishments on 5th Avenue South, which the Mayor indicated could be addressed under Correspondence later in the meeting.

Council Member Krol questioned whether the business name change affected prior approvals. Planning Director Martin explained that the 2023 Conditional Use Approval was tied to the use, not the business name, and that required amendments for outdoor dining and live entertainment had been approved under the name Prime Social Reserve in November 2025.

Public Comment: None.

Attorney Brooker requested approval of the live entertainment petition subject to the listed conditions and acknowledged that activities exceeding the approved scope would require a special event permit. Mayor Heitmann clarified that entertainment offered to existing patrons does not constitute a special event unless approved conditions are modified.

MOTION by Kramer to APPROVE RESOLUTION 2026-15816 subject to the following: 1) adding staff's Condition No. 9; 2) adding New Year's Eve until 1:00 a.m. to Section One and Section Two, Condition No. 1; (3) adding a whereas clause referencing the conditional use approval; seconded by Barton and carried 4-3, all members present and voting (Barton-yes, Blankenship-no, Schultz-yes, Krol-no, Penniman-no, Kramer-yes, Heitmann-yes).

[Agenda Memorandum](#)  [Resolution](#)  [Application](#)  [Deed](#) 
[Disclosure of Interest - Prime Social](#)  [Disclosure - 5th Ave South Investments](#) 
[Life Safety Plan](#)  [Resolution 2023-15196 - 23-PKAL1 Parking Allocation](#) 
[Petitioner's Credentials](#)  [Planning Department Credentials](#) 
[Public Notice Mailing Addresses](#)  [Affidavit of Sign Posting](#) 
[Petitioner's Presentation](#)  [Prime Reserve -- Compiled Restaurant Photos](#) 
[2021-14663 Ordinance \(Staff Added Attachment\)](#) 
[2023-15195 Resolution \(Staff/Added Attachment\)](#) 
[15.F 2023-15196 Resolution \(Staff/Added Attachment\)](#) 

17.B) EXECUTIVE SESSION - Executive Session regarding Riccardo, Theresa v. City of Naples, Case No. 24-CA-002400, 20th Judicial Circuit, in and for Collier County, Florida (12:30 p.m. Time Certain).

City Attorney Matthew McConnell read the public notice of a request for an Executive Session closed to the public for the purpose of seeking advice concerning settlement negotiations or strategy related to litigation expenditures associated with litigation regarding Riccardo, Theresa v. City of Naples, Case No. 24-CA-002400, 20th Judicial Circuit, in and for Collier County, Florida. He noted those attending the Executive Session would include Mayor Heitmann, Vice Mayor Blankenship, Council Members Kramer, Penniman, Barton, Krol, and Schultz, City Manager Gary Young, City Attorney Matthew McConnell, Attorney Jeffrey Hurcomb and a representative from Dines Court Reporting.

[Agenda Memorandum](#)  [Public Notice](#) 

17.C) EXECUTIVE SESSION - Executive Session regarding Oyola, Carmen v. City of Naples, Case No. 24-CA-002335, 20th Judicial Circuit in and for Collier County, Florida. (approximately 1:30 p.m. or immediately following the previous Executive Session scheduled at 12:30 p.m.).

City Attorney Matthew McConnell read the public notice of a request for an Executive Session closed to the public for the purpose of seeking advice concerning settlement negotiations or strategy related to litigation expenditures associated with litigation regarding Oyola, Carmen v. City of Naples, Case No. 24-CA-002335, 20th Judicial Circuit in and for Collier County, Florida. He noted those attending the Executive Session would include Mayor Heitmann, Vice Mayor Blankenship, Council Members Kramer, Penniman, Barton, Krol, and Schultz, City Manager Gary Young, City Attorney Matthew McConnell, Attorney Jeffrey Hurcomb and a representative from Dines Court Reporting.

[Agenda Memorandum](#)  [Public Notice](#) 

Executive Sessions: 12:34 p.m. to 2:02 p.m. It is noted for the record that the same Council Members were present when the meeting reconvened.

After the Executive Sessions, City Attorney McConnell announced that no action was necessary at that time.

16) OLD BUSINESS

None.

17) NEW BUSINESS

17.A) Consideration and Approval of the Amended 2026 City Council Regular, Workshop, and Community Redevelopment Agency (CRA) Meeting Schedule.

City Manager Gary Young presented an amended City Council calendar and reviewed the statutory requirements for Truth in Millage (TRIM) hearings, including advertising, jurisdictional sequencing, and mandatory first and second public hearings. To improve scheduling efficiency in September 2026, he requested a City Council consensus on proposed calendar adjustments related to budget hearings and the Community Redevelopment Agency (CRA) meeting. Council Members agreed to move the Community Redevelopment Agency (CRA) meeting from August 27 to September 8 and set the first budget hearing for September 8 at 5:05 p.m., and schedule the second budget hearing for September 16 following the City Council meeting at 5:05 p.m.

City Manager Young also discussed the possibility of scheduling a joint meeting with the Naples Airport Authority (NAA), identifying potential dates in late March based on existing City Council obligations. He explained the purpose would be to address Charter and Comprehensive Plan requirements for quarterly meetings related to airport budget and development matters, as well as a discussion of a previously introduced airport ordinance.

City Attorney Matthew McConnell advised that the Comprehensive Plan requires quarterly meetings to review airport budget and development matters and noted that such meetings have not occurred consistently. He recommended scheduling the required quarterly meetings to ensure compliance. He also explained that an airport ordinance introduced on first reading in January was continued to allow stakeholder input. He stated that the NAA submitted comments that would be reviewed by its board and that City Council previously directed staff to pursue a joint workshop with the NAA to publicly discuss the ordinance and related concerns. He confirmed that stakeholder comments would be provided to the City Council following NAA review.

Council Member Kramer spoke about the need for alignment among stakeholders and recalled that required quarterly meetings have not occurred consistently. He also stated that the City Council previously requested legal guidance on reopening the airport lease, including potential monetization, and emphasized the importance of receiving that information, noting that a lease extension may be the City's primary leverage under Federal Aviation Administration (FAA) requirements.

City Manager Young noted that the originally suggested March dates may not allow sufficient time for notice and preparation and recommended considering late March or April, with March 30 identified as the most feasible option if the City Council wished to proceed promptly.

Consensus reached to accept the amended Meeting Schedule and to direct staff to coordinate a joint workshop meeting with the Naples Airport

Authority (To be brought back to City Council for final approval at next meeting).

[Agenda Memorandum](#) 

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

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

8) NEW BUSINESS

17.G) *RESOLUTION 2026-15804* – (Previously Numbered Item 8.A) A Resolution Repealing Resolution 2023-15153 and Updating Rules and Procedures for City of Naples City Council Meetings; Providing for Scrivener’s Error; and Providing an Effective Date. (Supplement 1/Revised Title).

Mayor Heitmann noted that Council Members received a supplemental agenda containing a proposed Resolution with updated Rules of Procedure attached as “Exhibit A”. She stated that she had expected the revised Rules of Procedures to reflect the prior practice of allowing each Council Member one five-minute opportunity to speak before returning for additional questions.

City Attorney Matthew McConnell read the title of the Resolution. Council Member Kramer referenced the Expectations section in the document and emphasized that many questions can be addressed through advanced review of the agenda packet or discussions with staff and, if appropriate, petitioners before meetings. He stated that Council Members should avoid surprise situations, respect the time of staff, petitioners, and the public, and ensure that denials are grounded in applicable Code criteria rather than personal preference.

Vice Mayor Blankenship agreed with encouraging advance preparation and added that any material information learned outside the meeting, particularly in land development matters, should be stated during the hearing so it becomes part of the record. City Attorney McConnell advised that communications with petitioners are ex parte and should be disclosed on the record with enough detail to explain what occurred, noting that disclosures may be made at any point before the vote.

Vice Mayor Blankenship suggested providing the Mayor with greater flexibility in managing public comment, particularly when there are a large number of speakers, noting that other jurisdictions reduce individual speaking time when warranted. Mayor Heitmann noted that at a prior meeting, public speaking time was reduced to one minute based on guidance from the Statutes and City Attorney McConnell. She asked whether this flexibility should be expressly included in the Rules of Procedures. City Attorney McConnell agreed, stating that codifying this discretion would provide clarity and consistency, and offered to assist with drafting. He added that the revised Rules of Procedure also clarify that speakers may not transfer or “cede” their speaking time to others without coordinating through the Clerk, addressing confusion that arose at a prior meeting.

In response to Council Member Kramer, City Attorney McConnell confirmed that public comment is required prior to Council action but is not required at workshops, as no formal action is taken and only consensus is given. Council Member Kramer requested that the Rules of Procedures provide the Mayor discretion, consistent with state law, to allow or limit public comment during workshops and to notify the public in advance when public comment would not be taken. He noted this flexibility would help manage agendas when time is limited or when comments are unrelated to the workshop topic.

Council Member Penniman emphasized the importance of public participation but expressed support in allowing the Mayor discretion to maintain efficiency and focus on agenda items. Council Member Krol stated that he supported allowing public comment during workshops, noting it is valuable to the decision-making process and should not be eliminated. In response, Council Member Barton clarified that the intent was not to remove public comment, but to provide the Mayor discretion to manage it, particularly when comments are unrelated to the workshop agenda and risk monopolizing meeting time.

Council Member Schultz asked whether public comment could be limited to City residents. City Attorney McConnell noted that at least one Florida municipality has implemented a similar policy, though cautioned that restricting speakers could raise due process concerns and increase litigation risk. He advised that allowing broader participation is generally the safer approach.

City Attorney McConnell summarized the proposed revisions to the Rules of Procedures, including clarifying that Council Members may meet with petitioners or their representatives, subject to ex parte disclosure requirements. He then requested, and received, the following consensus.

Consensus reached to confirm that the Rules and Procedures include specific criteria for granting and denying quasi-judicial requests, and to direct the City Attorney to revise Page 12, Item xii (Public Participation), to clarify that Council Members may meet with the petitioner, the petitioner's agent, or the applicant.

Consensus reached to direct the City Attorney to revise to include a reminder that such communications may constitute ex parte communications and must be disclosed on the record at the beginning of the hearing.

Consensus reached to direct City Attorney McConnell to expand the language on page 12, Section iii, to provide the Mayor with discretion to manage public comment, including limiting overall or individual speaking time, redirecting comments unrelated to the agenda to the end of the meeting, and exercising such authority as permitted by law.

MOTION by Barton to APPROVE RESOLUTION 2026-15804 subject to the changes outlined by the City Attorney; seconded by Kramer and unanimously carried, all members present and voting (Barton-yes, Blankenship-yes, Kramer-yes, Krol-yes, Penniman-yes, Schultz-yes, Heitmann-yes).

[Agenda Memorandum \(Supplement 1/Added Attachment\)](#) 

[Resolution with Exhibit A \(Supplement 1/Added Attachment\)](#) 

17.D) Announcement of an Executive Session associated with litigation styled Arolas, Rodolfo V. City of Naples, Office of the Judges of Compensation Claims, OJCC Case Numbers 24-006353JAW AND 24-006350JAW

City Attorney Matthew McConnell read the public notice of a request to schedule an Executive Session for the purpose of seeking legal advice regarding settlement negotiations or litigation strategy related to litigation expenditures in Arolas, Rodolfo V. City of Naples, Office of the Judges of Compensation Claims, OJCC Case Numbers 24-006353JAW AND 24-006350JAW on March 4, 2026, at approximately 12:30 p.m. in the City's Conference room on the 2nd Floor of City Hall.

[Agenda Memorandum](#)  [Public Notice](#) 

17.E) Announcement of an Executive Session associated with litigation styled Ureche, Cristina V. City of Naples, Case No. 24-CA-002183 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 for the purpose of seeking legal advice regarding settlement negotiations or litigation strategy related to litigation expenditures in Ureche, Cristina V. City of Naples, Case No. 24-CA-002183, 20th Judicial Circuit, in and for Collier County, Florida. on March 18, 2026, at approximately 12:30 p.m. in the City's Conference room on the 2nd Floor of City Hall.

[Agenda Memorandum](#)  [Public Notice](#) 

17.F) Announcement of an Executive Session associated with litigation styled Barnicle, Donna v. City of Naples, Case No. 23-CA-001425, 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 for the purpose of seeking legal advice regarding settlement negotiations or litigation

strategy related to litigation expenditures in *Barnicle, Donna v. City of Naples*, Case No. 23-CA-001425, 20th Judicial Circuit, in and for Collier County, Florida. on March 18, 2026, at approximately 1:30 p.m. or immediately following the previous Executive Session scheduled at 12:30 p.m. in the City's Conference room on the 2nd Floor of City Hall.

[Agenda Memorandum](#)  [Public Notice](#) 

ORDINANCES

18) FIRST READING ORDINANCES

None.

19) SECOND READING ORDINANCES

None.

20) PUBLIC COMMENTS

Janet Ferry stated that the City Council site plan approval for airport projects is clearly required by the Comprehensive Plan, City Code, City Charter, and Airport lease, and that this long-standing process was not followed for the Naples Jet Center project. She urged the City Council to accept the City Attorney's May 2025 legal opinion confirming the violation, avoid adopting a new Ordinance that could weaken existing requirements or increase litigation risk, and instead direct the Naples Airport Authority to comply with current code by submitting updated utilization plans and proper site plan drawings going forward. **Joe Migliara** warned that HB 4005 would weaken City Council authority by shifting appointment power over the Naples Airport Authority from the City to a countywide electorate, diluting municipal control of City-owned property. He argued the bill lacks findings of necessity or mismanagement, raises serious home rule and constitutional concerns, and should be challenged legally rather than negotiated, to avoid setting a precedent of surrendering City authority. Mayor Heitmann asked whether, given the bill's progress, negotiation with the City's attorney or lobbyists should be considered despite the prior Council's position. Mr. Migliara advised against negotiation, reiterating that any compromise would undermine home rule, and recommended waiting until enactment before pursuing a legal challenge to demonstrate the City's resolve in defending its authority.

21) COMMUNICATIONS FROM MAYOR, CITY COUNCIL, AND STAFF

Mayor Heitmann welcomed the newly seated City Council and emphasized Member's commitment to thorough preparation, careful review of staff reports and governing documents, and principled, impartial decision-making. She outlined several priorities requiring City Council attention, including updates to board and committee policies, parking, design review standards, signage and lighting codes, complete streets, micromobility regulations, and inconsistencies in the Land Development Code. She also highlighted the ongoing Comprehensive Plan update, the Parks Master Plan, and the need to efficiently use upcoming workshops before the summer break. She noted that the City typically holds two regular meetings and one workshop per month and that additional meetings could be scheduled if necessary.

City Manager Gary Young provided updates on labor contracts, beach access and seawall repairs, the Naples Pier project, stormwater infrastructure funding, and other capital priorities. He explained the distinction between stormwater infrastructure and broader resiliency needs and emphasized the importance of prioritizing future projects. He also noted the possibility that Collier County may pursue a renewed infrastructure sales tax and suggested City Council consider whether to support such an initiative. Throughout the discussion, he emphasized that staff priorities are driven by City Council direction and encouraged use of upcoming workshops to establish clear priorities.

Council Members discussed several policy and planning topics, including potential alignment of City elections with the November general election to reduce costs, zoning and land use concerns affecting nearby residents, and the need to evaluate whether third-party appeals of administrative approvals are available under the City Code. Council Member Barton asked City Attorney Matthew McConnell to examine whether a third-party appeal process exists for administrative approvals when residents are neither the applicant nor the property owner. City Attorney McConnell responded that he was unaware of any such third-party appeal mechanism under the Code and indicated that the residents' attorney should raise any argument on that issue.

Council Members also discussed ongoing major initiatives, including stormwater improvements, CRA projects, the Naples Pier reconstruction, basin projects, and other infrastructure efforts, noting that many approved projects remain in demanding implementation phases and expressing appreciation for staff's continued work.

Additional City Council discussion focused on neighborhood impacts and quality-of-life issues, including concerns raised by Pettit Square residents, mixed-use zoning conflicts, and the balance between neighborhood protections and legitimate business activity. City Council Members also addressed broader planning and resiliency topics such as coastal resiliency, stormwater management, seawall height policies, generator regulations, flood protection measures, and evaluation of the Swan Lake dredging pilot program before expanding similar efforts elsewhere.

Council Members further discussed potential future coordination with Collier County on regional issues, including avigation easements, aircraft noise mitigation, building height approvals, and transportation initiatives such as micro-transit and underutilized transit routes. Mayor Heitmann noted that aviation-related issues, including airspace and noise overlays, would be appropriate for a future joint City-County meeting and asked the City Clerk to research the former High Hazard Area and Noise Impact Area provisions previously included in the Comprehensive Plan overlay.

Vice Mayor Blankenship also raised the need for clearer guidance and transparency regarding administrative interpretations of the City Code, particularly concerning uses such as private clubs, gyms, and personal service establishments, and suggested clarifying when interpretations should involve City Council review and public notice.

Discussion also addressed the status of the Miracle Mile project. City Manager Young explained that the City Council previously directed staff to develop only preliminary conceptual designs and that no detailed design work has occurred. He recommended returning the item to a workshop for further City Council direction, including whether to proceed with a design request for proposals.

City Attorney McConnell advised that most Charter Amendments require voter approval and suggested that if the City Council is considering changes, such as election timing, they may wish to include them with an upcoming referendum regarding Blue Ribbon Committee salary recommendations. He also noted a potential inconsistency in the Code that could require a special election within 60 days to fill a vacancy, a timeline the Collier County Supervisor of Elections has indicated may not be feasible.

City Attorney McConnell also provided an update on House Bill 4005, noting that it passed the Florida House and remains pending. He reviewed prior City Council direction to retain legal counsel and a lobbyist and reiterated that the City's current position is to oppose the legislation without amendment. He also summarized prior legal analysis regarding Naples Airport Authority site plan approvals and advised that the City Council may wish to revisit the May 19 legal memorandum to determine whether clarification or amendments to the Code are needed.

City Manager Young added that the central issue is clarifying how the Comprehensive Plan, Land Development Code, and Airport Utilization Plans determine when City Council site plan approval is required. He noted that since the legal memorandum was issued, staff has treated all airport site plans as requiring City Council approval to ensure Code compliance. City Attorney McConnell suggested that the City Council review the memorandum and draft ordinance before providing further direction.

Finally, City Manager Young asked for confirmation whether the newly seated City Council wished him to continue serving as City Manager. Council Members expressed unanimous support for his continued service, and he thanked the City Council for its confidence.

22) ADJOURNMENT

4:23 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: 3/18/2026.