

COLLIER COUNTY
Board of County Commissioners
Community Redevelopment Agency Board (CRAB)
Airport Authority



AGENDA

Board of County Commission Chambers
Collier County Government Center
3299 Tamiami Trail East, 3rd Floor
Naples, FL 34112

April 27, 2021

9:00 AM

Commissioner Penny Taylor, District 4 – Chair – CRAB Co-Chair
Commissioner William L. McDaniel, Jr., District 5; - Vice Chair - CRAB Co-Chair
Commissioner Rick LoCastro, District 1
Commissioner Andy Solis, District 2
Commissioner Burt Saunders, District 3

NOTICE: All persons wishing to speak on Agenda items must register prior to presentation of the Agenda item to be addressed. All registered speakers will receive up to three (3) minutes unless the time is adjusted by the chairman.

Requests to petition the Board on subjects which are not on this agenda must be submitted in writing with explanation to the County Manager at least 13 days prior to the date of the meeting and will be heard under "Public Petitions." Public petitions are limited to the presenter, with a maximum time of ten minutes.

Any person who decides to appeal a decision of this Board will need a record of the proceeding pertaining thereto, and therefore may need to ensure that a verbatim record of the proceedings is made, which record includes the testimony and evidence upon which the appeal is to be based.

Collier County Ordinance No. 2003-53 as amended by ordinance 2004-05 and 2007-24, requires that all lobbyists shall, before engaging in any lobbying activities (including but not limited to, addressing the Board of County Commissioners), register with the Clerk to the Board at the Board Minutes and Records Department.

If you are a person with a disability who needs any accommodation in order to participate in this proceeding, you are entitled, at no cost to you, the provision of certain assistance. Please contact the Collier County Facilities Management Division located at 3335 East Tamiami Trail, Suite 1, Naples, Florida, 34112-5356, (239) 252-8380; assisted listening devices for the hearing impaired are available in the Facilities Management Division.

Lunch Recess scheduled for 12:00 Noon to 1:00 P.M

- 1. INVOCATION AND PLEDGE OF ALLEGIANCE**
 - 1.A. Invocation by Reverend Edward Gleason of Trinity By The Cove Episcopal Church**
- 2. AGENDA AND MINUTES**
 - 2.A. APPROVAL OF TODAY'S REGULAR, CONSENT AND SUMMARY AGENDA AS AMENDED (EX PARTE DISCLOSURE PROVIDED BY COMMISSION MEMBERS FOR CONSENT AGENDA.)**
 - 2.B. April 6, 2021 BCC/CRA Workshop Minutes**
- 3. AWARDS AND RECOGNITIONS**
 - 3.A. EMPLOYEE**
 - 3.B. ADVISORY BOARD MEMBERS**
 - 3.C. RETIREES**
 - 3.D. EMPLOYEE OF THE MONTH**
- 4. PROCLAMATIONS**
- 5. PRESENTATIONS**
 - 5.A. Presentation to recognize the Procurement Services Division for receiving the Accreditation for Quality Public Procurement Certification from The Institute for Public Procurement. The award will be accepted by Sandra Herrera (Division Director).**
 - 5.B. Recommendation to accept the COVID-19 Status Report. (All Districts)**
- 6. PUBLIC PETITIONS**
 - 6.A. Public Petition request from Mr. John Harlem regarding use of artificial turf.**
- 7. PUBLIC COMMENTS ON GENERAL TOPICS NOT ON THE CURRENT OR FUTURE AGENDA**
- 8. BOARD OF ZONING APPEALS**

- 8.A. This item requires that ex parte disclosure be provided by Commission members. Should a hearing be held on this item, all participants are required to be sworn in. Recommendation to approve a Resolution of the Board of Zoning Appeals of Collier County, Florida providing for the establishment of a conditional use to allow a communications tower on lands zoned Rural Agricultural (A) within the Mobile Home Overlay (MHO) and designated Rural Fringe Mixed Use-Sending Lands within the Natural Resource Protection Area Overlay and North Belle Meade Overlay in the Collier County Growth Management Plan pursuant to Sections 2.01.03.G.4.a and 2.03.08.A.4.a(3)(a) of the Collier County Land Development Code on .95± acres of a 5.0+/- acre tract located on the east side of the north-south extension of Benton Road, in Section 25, Township 49 South, Range 27 East, Collier County, Florida. [PL20180002327] (District 5)**

9. ADVERTISED PUBLIC HEARINGS

- 9.A. Recommendation to approve an Ordinance of the Board of County Commissioners amending Ordinance 89-05, as amended, specifically amending the Rural Golden Gate Estates (RGGE) Sub-Element of the Golden Gate Area Master Plan (GGAMP) and GGAMP Future Land Use Map and RGGE Map Series, specifically to establish the Immokalee Road - Estates Commercial Subdistrict to allow uses permitted by right and by conditional use in the Commercial Intermediate zoning district (C-3), and select uses in the General Commercial (C-4) zoning district, at a maximum intensity of 200,000 square feet of gross floor area and furthermore directing transmittal of the adopted amendment to the Florida Department of Economic Opportunity. The subject property, comprising approximately 19.13 acres and located on the west side of Immokalee Road, approximately one-half mile north of Randall Boulevard, in Section 22, Township 48 South, Range 27 East. (Adoption Hearing) (Companion to zoning petition CPUD- PL20200000546, BCHD I Commercial Planned Unit Development – Agenda Item # 9.B.) (District 5)**
- 9.B. This item requires that all participants be sworn in and ex parte disclosure be provided by Commission members. Recommendation to approve an Ordinance amending Ordinance No. 2004-41, as amended, the Collier County Land Development Code, which established the comprehensive zoning regulations for the unincorporated area of Collier County, Florida by amending the appropriate zoning atlas map or maps by changing the zoning classification of the herein described real property from an Estates (E) zoning district to a Commercial Planned Unit Development (CPUD) zoning district to allow up to 200,000 square feet of commercial uses for a project to be known as BCHD I CPUD on property located approximately one-half mile north of Randall Boulevard on the west side of Immokalee Road in Section 22, Township 48 South, Range 27 East, Collier County, Florida consisting of 19.13± acres; and by providing an effective date. (This is a Companion item to Agenda Item 9.A) (District 5)**

10. BOARD OF COUNTY COMMISSIONERS

11. COUNTY MANAGER'S REPORT

- 11.A. *****This item to be heard no sooner than 10:45 a.m.*** Recommendation to accept a presentation from the U.S. Army Corps of Engineers on the status of the County Coastal Storm Risk Management Feasibility Study; authorize the County Manager, or his designee, to sign a non-binding letter in support of the Recommended Plan identified in the Collier County Storm Risk Management Final Report; authorize the Director of Corporate Financial & Management Services, or his designee, to sign a non-binding letter of Financial Self Certification of Financial Capability for Agreements, and authorize both letters to be provided to the Department of the Army, U.S. Army Corps of Engineers. (Amy Patterson, Capital Projects Division Director) (All Districts)**
- 11.B. **Recommendation to accept an update on COVID-19 related relief funding and ongoing community assistance programs, and to authorize the County Manager or designee to execute any funding agreements necessary for the American Rescue Plan Act Coronavirus State and Local Fiscal Recovery Fund. (Sean Callahan, Executive Director, Corporate Business Operations) (All Districts)**
- 11.C. **Recommendation to authorize staff to negotiate a land lease and operator agreement with BigShots Golf, a division of ClubCorp USA, Inc., for the construction and operation of a public golf course and entertainment complex at the former Golden Gate Golf Course property for subsequent consideration by the Board. (Geoff Willig, County Manager's Office) (All Districts)**
12. **COUNTY ATTORNEY'S REPORT**
13. **OTHER CONSTITUTIONAL OFFICERS**
14. **AIRPORT AUTHORITY AND/OR COMMUNITY REDEVELOPMENT AGENCY**
- 14.A. **AIRPORT**
- 14.B. **COMMUNITY REDEVELOPMENT AGENCY**
15. **STAFF AND COMMISSION GENERAL COMMUNICATIONS**
16. **CONSENT AGENDA**

All matters listed under this item are considered to be routine and action will be taken by one motion without separate discussion of each item. If discussion is desired by a member of the Board, that item(s) will be removed from the Consent Agenda and considered separately.

16.A. GROWTH MANAGEMENT DEPARTMENT

- 16.A.1. **Recommendation to approve a Resolution for final acceptance of the private roadway and drainage improvements for the final plat of Chatham Woods, Application Number PL20150002912, and authorize the release of the maintenance security. (District 2)**

- 16.A.2. Recommendation to approve final acceptance and accept the conveyance of the potable water and sewer utility facilities for Winding Cypress Phase 3B, PL20190002096 and authorize the County Manager, or his designee, to release the Final Obligation Bond in the total amount of \$4,000 to the Project Engineer or the Developer's designated agent. (District 1)**
- 16.A.3. Recommendation to approve final acceptance and accept the conveyance of the potable water and sewer utility facilities for Crane Point and Bimini Isle Utilities Conveyance, PL20190002294 and authorize the County Manager, or his designee, to release the Final Obligation Bond in the total amount of \$4,000 to the Project Engineer or the Developer's designated agent. (District 1)**
- 16.A.4. Recommendation to approve an Agreement for the purchase of a road right-of-way, drainage, and utility easement (Parcel 322RDUE) required for the Vanderbilt Beach Road Extension. [Project No. 60168] (District 5)**
- 16.A.5. Recommendation to approve an Agreement for the purchase of land (Parcel 1107FEE) required for construction of the Vanderbilt Beach Road Extension. [Project No. 60168]. (All Districts)**
- 16.A.6. Recommendation to approve the release of a code enforcement lien, with an accrued value of \$962,377.79 for payment of \$1,877.79 in the code enforcement action titled, Board of County Commissioners v. Domenic P. Tosto, aka Domenic Tosto, Tr., and Joanne M. Tosto Tr., of the Fam. Liv. Tr., relating to property located at Folio No. 01199120006, Collier County, Florida. (District 1)**
- 16.A.7. Recommendation to authorize the Clerk of Courts to release a Performance Bond in the amount of \$30,700 which was posted as a guaranty for Excavation Permit Number PL20190002704 for work associated with Esplanade Golf & Country Club of Naples – Hatcher Property. (District 3)**
- 16.A.8. Recommendation to approve the selection committee's ranking of Request for Professional Services ("RPS") No. 20-7821, "Design and Permitting for Comprehensive Watershed Improvement Project," and authorize staff to begin contract negotiations with the top ranked firm, Taylor Engineering, Inc., so that staff can bring a proposed agreement back for the Board's consideration at a subsequent meeting. (District 1, District 5)**
- 16.A.9. Recommendation to approve the selection committee's ranking for Request for Professional Services ("RPS" No.20-7818), "Upper Gordon River Improvements," and authorize staff to begin contract negotiations with the top-ranked firm, Johnson Engineering, Inc., so that staff can bring a proposed agreement back for the Board's consideration at a subsequent meeting. (District 4)**

- 16.A.10. Recommendation to approve a Local Match Agreement with the Naples Pathways Coalition to reimburse the Coalition up to \$60,000 for the Paradise Coast Trail Feasibility Study and authorize the Chair to execute the Agreement. (All Districts)**

16.B. COMMUNITY REDEVELOPMENT AGENCY

- 16.B.1. Recommendation to approve a Landscaping License Agreement with Moorhead Manor Mobile Home Park Homeowners Association to provide irrigation, landscaping and maintenance within the designated area on the property located at 4260 Bayshore Drive, Naples Florida, 34112 within the Bayshore Beautification MSTU boundary and authorize the chairman to sign the agreement and authorize payment. (District 4)**

16.C. PUBLIC UTILITIES DEPARTMENT

- 16.C.1. Recommendation to adopt a resolution authorizing the cancellation of 2021 taxes upon a fee-simple interest in land Collier County acquired by Warranty Deed for Conservation Collier and without monetary compensation. (All Districts)**
- 16.C.2. Recommendation to approve the Easement Agreement with DIAJEFF LLC, a Delaware limited liability company, and ALISAN LLC, a Delaware limited liability company, each as to an undivided one-half interest, at a cost not to exceed \$1,800 for the acquisition of a Utility Easement for proposed wastewater infrastructure improvements. [Project No. 70141] (All Districts)**
- 16.C.3. Recommendation to award Request for Proposal No. 20-7803, "Fuel Storage Tank Systems Testing and Services," to Primary and Secondary Contractors, and authorize the Chair to sign the attached agreements. (All Districts)**
- 16.C.4. Recommendation to authorize a budget amendment in the amount of \$700,000 reallocating funds from within existing Water-Sewer operating budgets to fund emergency response and repairs within the Public Utilities Department's Wastewater Division. (District 1, District 4)**
- 16.C.5. Recommendation to approve to the award of Invitation to Bid No. 21-7855, "Orange Tree Wastewater Plant Walkway Improvements," to Atlantic Concrete & Mechanical, Inc., in the amount of \$126,063, authorize the Chair to sign the attached construction services agreement. [Project No. 70173] (District 5)**

16.D. PUBLIC SERVICES DEPARTMENT

- 16.D.1. Recommendation to authorize a Budget Amendment to recognize interest earned for the period October 2020 through December 2020 on advanced library funding received from the Florida Department of State to support library services and equipment for the use of Collier County residents. (All Districts)**

- 16.D.2. Recommendation to approve the submittal of an FY20/21 grant application for the Federal Highway Administration Flexible Funding in the amount of \$500,000 for the purchase of a 40 ft. fixed-route bus through the Federal Transit Award Management System. (All Districts)**
- 16.D.3. Recommendation to approve and authorize the Chair to sign a subrecipient agreement between Collier County and Collier Health Services, Inc., in the amount of \$1,170,800.39 to support COVID testing and case management services utilizing Community Development Block Grant funding previously approved by the Board. (All Districts)**
- 16.D.4. Recommendation to authorize a Budget Amendment to recognize interest earned on the Coronavirus Aid Relief for the period July 2020 through November 2020 on advanced funding received from the Florida Department of Emergency Management to support programmatic expenses under the CARES program. (All Districts)**
- 16.D.5. Recommendation to approve a Budget Amendment to fully fund the restoration of the 1909 Haskell & Barker Caboose at the Naples Depot Museum. (District 4)**
- 16.D.6. Recommendation to approve and authorize the Chair to sign an Agreement with David Lawrence Mental Health Center in the amount of \$450,000 to operate a drug court program utilizing funds from the Department of Justice, Office of Justice Programs Adult Drug Court Discretionary Program. (All Districts)**
- 16.D.7. Recommendation to award Request for Proposal No. 20-7788, Paratransit Demand Response Software, to Ecolane USA, Inc., in the amount of \$322,962.98 funded with Federal Transit Administration (FTA) Section 5339 and Section 5307 Grants, and authorize the Chair to sign the attached agreement. (All Districts)**

16.E. ADMINISTRATIVE SERVICES DEPARTMENT

- 16.E.1. Recommendation to approve modifications to the 2021 Fiscal Year Pay and Classification Plan which consist of the removal of three obsolete classifications and two reclassification's made from January 1, 2021 through March 31, 2021. (All Districts)**
- 16.E.2. Recommendation to approve the administrative report prepared by the Procurement Services Division for disposal of property and notification of revenue disbursement. (All Districts)**
- 16.E.3. Recommendation to approve the administrative reports prepared by the Procurement Services Division for change orders and other contractual modifications requiring Board approval. (All Districts)**
- 16.E.4. Recommendation to approve the Collective Bargaining Agreement between Collier County and the Collier EMS/Fire Bargaining Unit, Southwest Florida Professional Firefighters and Paramedics, Local 1826, International Association of Firefighters, Incorporated. (All Districts)**

16.F. COUNTY MANAGER OPERATIONS

- 16.F.1. Recommendation to approve a Satisfaction and Release of Lien for New Hope Ministries, Inc., due to the impact fees being paid in full in accordance with the Charitable Organization Impact Fee Deferral Program, as set forth by Section 74-203(i) of the Collier County Code of Laws and Ordinances. (District 2)**
- 16.F.2. Recommendation to approve a transfer of Transportation Impact Fee credits in the amount of \$650,576.01, held by Parklands Associates I, LLLP, arising out of an Amended and Restated Developer Agreement dated May 10, 2016, recorded in Official Records Book 5274, Page 411 of the Public Records of Collier County. (District 3, District 5)**
- 16.F.3. Recommendation to adopt a resolution approving amendments (appropriating grants, donations, contributions or insurance proceeds) to the FY20-21 Adopted Budget. (All Districts)**
- 16.F.4. Recommendation to approve clarifications to the Collier Community Assistance Program to assist sole proprietors under the Small Business/Not for Profit Loan Repayment program. (All Districts)**

16.G. AIRPORT AUTHORITY

16.H. BOARD OF COUNTY COMMISSIONERS

- 16.H.1. Proclamation congratulating Collier County residents Ms. Katie Larsen, Ms. Skye Allen and Ms. Olivia Veliz and extending best wishes to them for successful outcomes at the 2021 Miss Florida USA® and Miss Florida Teen USA® competition on July 18, 2021 in Orlando, Florida.**
- 16.H.2. Proclamation designating May 6, 2021 as National Day of Prayer in Collier County. The proclamation will be mailed to Susan Thigpen, New Hope Ministries.**
- 16.H.3. Proclamation designating May 2021 as National Foster Care Month in Collier County. The proclamation will be mailed to Laura Lafakis, Youth Haven of Naples.**
- 16.H.4. Proclamation designating May 2021 as Military Appreciation Month in Collier County. To be presented and accepted by Commissioner LoCastro on behalf of Members of the Military.**

16.I. MISCELLANEOUS CORRESPONDENCE

- 16.I.1. Miscellaneous Correspondence (All Districts)**

16.J. OTHER CONSTITUTIONAL OFFICERS

- 16.J.1. Recommendation to approve the use of \$500 from the Confiscated Trust Funds to support the Florida Missing Children's Day Foundation. (All Districts)**

- 16.J.2. To record in the minutes of the Board of County Commissioners, the check number (or other payment method), amount, payee, and purpose for which the referenced disbursements were drawn for the periods between April 1, 2021 and April 14, 2021 pursuant to Florida Statute 136.06. (All Districts)**
- 16.J.3. Request that the Board approve and determine valid public purpose for invoices payable and purchasing card transactions as of April 14, 2021. (All Districts)**

16.K. COUNTY ATTORNEY

- 16.K.1. Recommendation to take no further action with respect to a public petition requesting that Collier County enact an ordinance to protect firearm owners from federal or state government intrusion. (All Districts)**
- 16.K.2. Recommendation to approve a Stipulated Final Judgment in the amount of \$126,650, including statutory attorney's fees for the taking of Parcel 195FEE, required for the Vanderbilt Beach Road Expansion Project, Project No., 60168. (Fiscal Impact: \$126,820, which includes the statutory \$170 Clerk's fee) (All Districts)**
- 16.K.3. Recommendation to approve and authorize the Chair to sign an Amendment to Agreement for Legal Services with the law firm of Hopping Green & Sams, P.A., extending the Agreement for two years, with three additional one-year renewal terms, with no change in current rates. (All Districts)**
- 16.K.4. Recommendation to appoint three members to the Bayshore/Gateway Triangle Local Redevelopment Advisory Board. (All Districts)**
- 16.K.5. Recommendation to appoint two alternate members to the Collier County Code Enforcement Board. (All Districts)**

17. SUMMARY AGENDA

This section is for advertised public hearings and must meet the following criteria: 1) A recommendation for approval from staff; 2) Unanimous recommendation for approval by the Collier County Planning Commission or other authorizing agencies of all members present and voting; 3) No written or oral objections to the item received by staff, the Collier County Planning Commission, other authorizing agencies or the Board, prior to the commencement of the BCC meeting on which the items are scheduled to be heard; and 4) No individuals are registered to speak in opposition to the item. For those items which are quasi-judicial in nature, all participants must be sworn in.

- 17.A. Recommendation to approve an Ordinance of the Board of County Commissioners amending Ordinance 89-05, as amended, specifically amending the Future Land Use Element and Future Land Use Map and Map Series to create the NC Square Mixed-Use Overlay on land in the Agricultural/Rural designation and Rural Fringe Mixed Use District-Receiving Lands to allow up to 44,400 square feet of commercial uses, a 12,000 square foot daycare limited to 250 students, and a minimum of 120 and maximum of 129 affordable housing residential dwelling units and furthermore directing transmittal of the adopted amendment to the Florida Department of Economic Opportunity. The subject property is 24.4± acres and located at the southwest corner of Immokalee Road and Catawba Street approximately 1.6 miles west of Wilson Boulevard in Section 29, Township 49 South, Range 27 East, Collier County, Florida. (Adoption Hearing) (Companion to zoning petition MPUD-PL20180002234, NC Square Mixed Use Planned Unit Development and Affordable Housing Agreement- Agenda Item # 17.B) (District 5)**
- 17.B. This item requires that ex parte disclosure be provided by Commission members. Should a hearing be held on this item, all participants are required to be sworn in. Recommendation to approve an Ordinance amending Ordinance Number 04-41, as amended, the Collier County Land Development Code, which includes the comprehensive zoning regulations for the unincorporated area of Collier County, Florida, by amending the appropriate zoning atlas map or maps by changing the zoning classification of the herein described real property from the Rural Agricultural zoning district within the Mobile Home Overlay and the Rural Fringe Mixed Use District Overlay-Receiving Lands to the Mixed Use Planned Unit Development (MPUD) within the Rural Fringe Mixed Use District Overlay-Receiving Lands for a project known as NC Square MPUD, to allow up to 44,400 square feet of commercial uses, a 12,000 square foot daycare, and a minimum of 120 and a maximum of 129 dwelling units with an affordable housing agreement. The property is located at the southwest corner of Immokalee Road and Catawba Street approximately 1.6 miles west of Wilson Boulevard in Section 29, Township 48 South, Range 27 East, Collier County, Florida, consisting of 24.4± acres; and by providing an effective date. (This is a Companion item to Agenda Item 17.A) (District 5)**
- 17.C. Recommendation to adopt a resolution approving amendments (appropriating carry forward, transfers and supplemental revenue) to the FY20-21 Adopted Budget. (All Districts)**

18. ADJOURN

Inquiries concerning changes to the Board's Agenda should be made to the County Manager's Office at 252-8383.