

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

March 28, 2023

9:00 AM

Commissioner Rick LoCastro, District 1; – Chair
Commissioner Chris Hall, District 2; – Vice Chair
Commissioner Burt Saunders, District 3
Commissioner Dan Kowal, District 4; – CRAB Co-Chair
Commissioner William L. McDaniel, Jr., District 5; – CRAB Co-Chair

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 minutes unless the time is adjusted by the chairman. Additional minutes may be ceded to an in-person speaker by other registered speakers who must be present at the time the speaker is heard. No public speakers will be heard for Proclamations, Presentations and Public Petitions. Speakers on Presentations are limited to 10 minutes, unless extended by the chairman. All persons wishing to speak on a Consent Item must register prior to the Board's Approval of the day's Consent Agenda, which is heard at the beginning of the meeting following the Pledge of Allegiance.

Anyone wishing to address the Board on Public Petition must submit the request in writing to the County Manager at least 13 days prior to the date of the meeting. The request shall provide detailed information as to the nature of the Petition. The Public Petition may not involve a matter on a future Board agenda, and must concern a matter in which the Board can take action. Public petitions are limited to a single presenter, with a maximum time of ten minutes, unless extended by the chairman. Should the petition be granted, the item will be placed on a future agenda for a public hearing.

Anyone wishing to address the Board on general topics not on this agenda or a future agenda must register to speak prior to the Public Comment portion of the agenda being called by the chairman. Speakers will be limited to three minutes, and no additional minutes may be ceded to the speaker. At the chairman's discretion, the number of public speakers may be limited to 5 for that meeting.

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, 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. February 28, 2023, BCC Meeting Minutes**
 - 2.C. February 21, 2023, BCC Workshop Meeting Minutes**
- 3. AWARDS AND RECOGNITIONS**
 - 3.A. EMPLOYEE**
 - 3.A.1. 20 YEAR ATTENDEES**
 - 3.A.1.a. 20 Years - Irene Johnson - Library - Program Coordinator**
 - 3.A.1.b. 20 Years - Dennis Linguidi - Information Technology - Network Administrator II**
 - 3.A.1.c. 20 Years - Corey Ford - Public Utilities Engineering & Project Management - Applications Analyst II**
 - 3.A.2. 25 YEAR ATTENDEES**
 - 3.A.2.a. 25 Years - John Kennedy, Facilities Management - Tradesworker - Structural/General III**
 - 3.A.2.b. 25 Years - Jeanne Marcella - Transportation Management Services - Administrative Support Specialist II**
 - 3.A.3. 30 YEAR ATTENDEES**
 - 3.A.4. 35 YEAR ATTENDEES**
 - 3.B. ADVISORY BOARD MEMBERS**
 - 3.C. RETIREES**
 - 3.D. EMPLOYEE OF THE MONTH**

4. PROCLAMATIONS

- 4.A. Proclamation designating April 2023 as Child Abuse Prevention Month in Collier County. To be accepted by Linda Goldfield, CEO, Youth Haven.**
- 4.B. Proclamation designating April 16 - 23, 2023, as Pickleball Week in Collier County. To be accepted by Terri Graham and Chris Evon, co-founders of Minto US OPEN Pickleball Championships.**
- 4.C. Proclamation designating March 26 - April 1, 2023, as the 40th Anniversary of Know Your County Government Week in Collier County. To be accepted by Tish Roland, Collier County University Extension/4-H Youth Development, Mikie Stroh, Collier County Public Schools, Diane Moore, League of Women Voters, and participating youth from Collier County Public Schools.**

5. PRESENTATIONS

6. PUBLIC PETITIONS

7. PUBLIC COMMENTS ON GENERAL TOPICS NOT ON THE CURRENT OR FUTURE AGENDA

8. BOARD OF ZONING APPEALS

9. ADVERTISED PUBLIC HEARINGS

- 9.A. ***This item continued from the February 28, 2023 BCC meeting***
Recommendation that the Board adopts an Ordinance creating the unpaved private road emergency repair municipal service taxing unit by authorizing a levy of not to exceed one (1.0) mil of ad valorem taxes per year. (All Districts)**
- 9.B. *** This Item continued from the June 28, 2022, and July 12, 2022, BCC Meetings.
*** A Resolution of the Board of County Commissioners proposing County-initiated amendments to the Collier County Growth Management Plan, Ordinance 89-05, as amended, to address housing initiatives to allow affordable housing by right in certain commercial zoning districts with a sunset date; to increase density for affordable housing; to establish a Strategic Opportunity Sites Subdistrict; and to increase density for affordable housing projects along Collier Area Transit routes; specifically amending the Future Land Use Element and Future Land Use Map; Golden Gate City Sub-Element of Golden Gate Area Master Plan Element and Future Land Use Map; the Immokalee Area Master Plan Element and Future Land Use Map; and adding a policy to the Transportation Element pertaining to affordable housing along transit routes; and furthermore directing transmittal of these amendments to the Florida Department of Economic Opportunity.
[PL20210000660] (All Districts)**

10. BOARD OF COUNTY COMMISSIONERS

- 10.A. Recommendation to direct the County Attorney to advertise and bring back for a public hearing an Ordinance establishing the Collier County Health Freedom Bill of Rights, and to adopt the Collier County Health Freedom Resolution. (Sponsored by Commissioner Hall) (All Districts)**

10.B. Recommendation to nominate and appoint up to eight members to the County Government Productivity Committee. (All Districts)

11. COUNTY MANAGER'S REPORT

- 11.A. Recommendation to award Construction Invitation to Bid (“ITB”) No. 23-8058, “Golden Gate City Transmission Water Main Improvements - Phase 1A - Golf Course” to Accurate Drilling Systems, Inc., in the amount of \$4,008,590, and authorize the Chairman to sign the attached Agreement. (Project 70253) (Companion to Items 11B and 11C) (Matt McLean, Public Utilities Engineering Division Director) (District 3)**
- 11.B. Recommendation that the Board of County Commissioners, ex-officio of the Collier County Water-Sewer District, award Request for Professional Services (“RPS”) No. 22-8042 for “CEI Services for Golden Gate City Transmission Water Main Improvements,” to AIM Engineering and Surveying, Inc., in the amount of \$1,817,423.25, and authorize the Chairman to sign the attached agreement. (Project 70253) (Companion to Items 11A and 11C) (Matt McLean, Public Utilities Engineering Division Director) (District 3)**
- 11.C. Recommendation to authorize budget amendments to reallocate \$15,000,000 funding within CWS Bond #2 Proceeds Fund (419) and to reallocate \$1,173,628 debt service funding between the CWS Operating Fund (408), Water Impact Fee Fund (411) and Wastewater Impact Fee Capital Fund (413). (Companion to Items 11A and 11B) (Matt McLean, Public Utilities Engineering Division Director) (All Districts)**
- 11.D. Recommendation to approve the purchase of Property, Boiler & Machinery, Terrorism, and Watercraft Hull insurance as outlined in the Executive Summary and authorize the County Manager or designee to complete any applications or other documents necessary to bind coverage and services for a one-year period effective April 1, 2023. Additionally, approval to purchase a thirty (30) days coverage extension is requested in the event it is required for the purposes of avoiding a gap in coverage and to better negotiate the terms and conditions of the renewal. (Michael K. Quigley, Division Director, Risk Management) (All Districts)**
- 11.E. Recommendation to accept and approve an Amended and Restated Disposal Capacity Agreement with Okeechobee Landfill, Inc., a Florida Corporation, for a term of five years, beginning July 1, 2023, with one five (5) year renewal option, providing for the transfer and disposal of biosolids, and to reserve airspace for storm generated debris from a natural disaster. (Kari Ann Hodgson, P.E., Director, Solid & Hazardous Waste Management Division) (All Districts)**
- 11.F. Recommendation to adopt a policy for the use of the Workforce Housing Land Acquisition portion of the voter-approved Local Government Infrastructure One-Cent Sales Surtax. (Cormac Giblin, Interim Director, Economic Development and Housing Division) (All Districts)**
- 11.G. Recommendation to adopt the 2023 Strategic Plan with the inclusion of minor changes based upon direction received at the Board Workshop on February 21, 2023 and provide direction on Board and County Manager's Office priority initiatives. (Ed Finn, Deputy County Manager) (All Districts)**

- 11.H. Recommendation to approve an Agreement for Sale and Purchase with: (1) Brian Blocker; (2) Maximo Guerra and Sigrid Guerra; (3) Andrew J. Ruben and Nancy L. Ruben, Trustees of the Andrew J. Ruben and Nancy L. Ruben Revocable Trust, dated July 30, 2021; (4) Tamera Sparkman, formerly known as Tamera Gibson-Demello; and (5) Paul Michael Zani and Ashley Christina Zani under the Conservation Collier Land Acquisition Program, at a cost not to exceed \$371,300 and accept a Project Status Update. (Ed Finn, Deputy County Manager) (District 5)**
- 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**
 - 15.A. PUBLIC COMMENTS ON GENERAL TOPICS NOT ON THE CURRENT OR FUTURE AGENDA BY INDIVIDUALS NOT ALREADY HEARD DURING PREVIOUS PUBLIC COMMENTS IN THIS MEETING**
 - 15.B. STAFF PROJECT UPDATES**
 - 15.C. 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 (CONSENT)**
 - 16.A.1. Recommendation to approve final acceptance and accept the conveyance of the potable water and sewer utility facilities for Ardena, PL20210000845, and authorize the County Manager, or 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 2)**
 - 16.A.2. Recommendation to approve final acceptance and accept the conveyance of the potable water and sewer utility facilities for Azure at Hacienda Lakes - Phase 3, PL20200002390, and authorize the County Manager, or 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 of the potable water and sewer facilities, and accept the conveyance of the potable water and sewer facilities for Soluna, PL20220006195. (District 3)**

- 16.A.4. Recommendation to approve final acceptance of the potable water utility facilities and accept the conveyance of the water facilities for Terreno at Valencia Golf and Country Club Phase 1A-1 (Water Only), PL20220008880. (District 5)**
- 16.A.5. Recommendation to approve a Resolution for final acceptance of the private roadway and drainage improvements, and acceptance of the plat dedications, for the final plat of Esplanade Golf and Country Club of Naples Benvenuto Court, Application Number PL20150002533 (FP) and Application Number PL20150002208 (SDP), and authorize the release of the maintenance security in the amount of \$289,141.69. (District 3)**
- 16.A.6. Recommendation to approve a Resolution for final acceptance of the private roadway and drainage improvements, and acceptance of the plat dedications, for the final plat of Price Street Plaza, Application Number PL20170001084 (FP) and Application Number PL20150000343 (SDP), and authorize the release of the maintenance security in the amount of \$105,488.61. (District 1)**
- 16.A.7. Recommendation to approve an agreement for the purchase of Parcel 101FEE required for construction of the Veterans Memorial Boulevard Extension (Phase 2), Project 60198. Estimated Fiscal Impact: \$3,411,575. The source of funding is impact fees and/or gas taxes. (District 2)**
- 16.A.8. Recommendation to approve the selection committee’s ranking and authorize staff to begin contract negotiations with the top four ranked firms related to Request for Professional Services (“RPS”) No. 22-8054, “CEI Continuing Services Agreement for Transportation Engineering,” so that proposed agreements may be brought back for the Board’s consideration at a future meeting. (All Districts)**
- 16.A.9. Recommendation to adopt a Resolution to hold a public hearing to consider vacating two unimproved 30-foot-wide public rights-of-way, described as Avenue “B” and First Street, according to the Col-Lee-Co Terrace Subdivision Plat, as recorded in Plat Book 1, page 32 of the Public Records of Collier County, Florida. The subject property is located on the south side of U.S. 41 between Fredrick Street and Palm Street in Section 11, Township 50 South, Range 25 East, Collier County, Florida. (Petition VAC-PL20220000374) (District 4)**
- 16.A.10. Recommendation to approve the expenditure of Tourist Development Tax funding in the amount of \$300,000 for a Purchase Order to Crowder-Gulf Joint Venture, Inc. to provide removal of marine debris and other biological debris on the beaches and waterways of Collier County due to red tide, approve all necessary budget amendments, and make a finding that this item promotes tourism. (Project No. 90077) (All Districts)**

16.A.11. Recommendation to approve the Collier Area Transit Title VI Program Update ensuring equal access to any person without regard to race, color, or national origin and authorize its submittal to Federal Transit Administration (FTA). (All Districts)

16.B. COMMUNITY REDEVELOPMENT AGENCY (CONSENT)

16.B.1. Recommendation that the Collier County Community Redevelopment Agency and the Board of County Commissioners review and accept the 2022 Annual Reports for the two community redevelopment component areas: Bayshore Gateway Triangle and Immokalee, and publish the reports on the appropriate websites. (All Districts)

16.C. PUBLIC UTILITIES DEPARTMENT (CONSENT)

16.C.1. Recommendation to award Invitation to Bid (“ITB”) No. 22-8088, “Collier County Sheriff’s Special Operations Building Flooring Replacement” project, to Wayne Wiles Floorcoverings, Inc., in the amount of \$104,900, authorize the Chairman to sign the attached agreement. (District 4)

16.C.2. Recommendation to approve a First Amendment to Agreement No. 14-6188 with Tetra Tech, Inc., for “FEMA Acceptable Monitoring for Disaster Generated Debris,” to exercise the last renewal term through July 7, 2024, to adjust the fee schedule rates effective as of October 4, 2022, through July 7, 2024, and authorize the Chairman to sign the attached amendment. (All Districts)

16.C.3. To award Invitation to Bid (“ITB”) No. 22-8034, “Fire Safety Systems Repair, Maintenance & Replacement,” to Dynafire, LLC, as the primary vendor, and National Security Fire Alarm Systems, LLC, as the secondary vendor, and authorize the Chairman to sign the attached agreements. (All Districts)

16.C.4. Recommendation to approve Change Order No. 15 to Collier County Sport Complex Phase 2.1 and 2.2A under the Sixth Amendment to Agreement No. 17-7198 with Manhattan Construction (Florida), Inc., resulting in a net reduction in the amount of \$142,028.01. (District 3, District 5)

16.C.5. Recommendation to 1) approve the attached Agreement and Access and Utility Easement to allow VB BTS, II, LLC, access to its proposed communications tower through Palm Springs Neighborhood Park and authorize the Chairman to execute same on behalf of the Board of County Commissioners; 2) Direct the County Manager or her designee, to record the Access and Utility Easement in the Public Records of Collier County, Florida; and 3) Direct staff to ensure that all proposed improvements discussed herein are part of and incorporated within the SDP (PL20210000655). (District 1)

- 16.C.6. Recommendation to approve the First Amendment to Agreement No. 15-6365 with Ceres Environmental Services, Inc. for “FEMA Acceptable Debris Removal for Disaster Generated Debris,” to adjust the fee schedule rates. (All Districts)**

16.D. PUBLIC SERVICES DEPARTMENT (CONSENT)

- 16.D.1. Recommendation to accept an award from the Florida Department of State Division of Historical Resources in the amount of \$256,436 for restoration of the historic cottages at Mar-Good Harbor Park in Goodland with a required one-to-one match and ten (10) year restrictive covenants, authorize the Chairman to sign the attached agreement and authorize the necessary Budget Amendments. (Public Service Grant Fund 709 and Public Service Match Fund 710) (All Districts)**
- 16.D.2. Recommendation to approve and authorize the Chairman to sign two (2) First Amendments to the U.S. Housing and Urban Development Emergency Solutions Grants Program subrecipient agreements between the Collier County Board of County Commissioners, The Shelter for Abused Women & Children, Inc., and Youth Haven, Inc., to modify the period of performance. (Housing Grant Fund 705) (All Districts)**
- 16.D.3. Recommendation to approve and authorize the Chairman to sign the First Amendment to the subrecipient agreement between Collier County and Project HELP, Inc., utilizing U.S. Housing and Urban Development Community Development Block Grant Program funding in the amount of \$59,000. (Housing Grant Fund 705) (All Districts)**
- 16.D.4. Recommendation to approve an “After-the-Fact” agreement with the Area Agency on Aging for Southwest Florida, Inc., American Rescue Plan Act funding under the Home-Based Community Services-Enhanced Home Care for the Elderly grant program for the Collier County Services for Seniors Program and authorize the necessary Budget Amendment in the amount of \$334,665.56. (Human Service Grant Fund 707) (All Districts)**
- 16.D.5. Recommendation to authorize the Chairman to sign a mortgage satisfaction as a result of Collier Housing Alternatives, Inc., meeting the 20-year loan term and full repayment and approve a Budget Amendment to recognize \$34,333.99 in program income for the State Housing Initiatives Partnership Program Fiscal Year 2022-2023 (SHIP Grant Fund 791). (All Districts)**
- 16.D.6. Recommendation to approve the Conservation Collier Rattlesnake Hammock Preserve Final Management Plan under the Conservation Collier Program. (All Districts)**

16.E. ADMINISTRATIVE SERVICES (CONSENT)

- 16.E.1. Recommendation to approve an Assumption Agreement assigning all rights, duties, and benefits and obligations to Weatherproofing Technologies, Inc., under Agreement #18-7403, "Indoor Air Quality Testing" and authorize the Chairman to sign the attached Agreement." (All Districts)**
- 16.E.2. Recommendation to approve an Assumption Agreement assigning all rights, duties, and benefits and obligations to Carolina Filters Inc., under Agreement #22-7974, "Cartridge Filters for Water Treatment Plants" and authorize the Chairman to sign the attached Agreement. (All Districts)**
- 16.E.3. Recommendation to authorize necessary budget amendment for the executed Memorandum of Understanding (MOU) between Collier County Emergency Medical Service (EMS) and Community & Human Services Division for the Public Health Infrastructure project in the amount of \$1,700,000.00, for the purchase of equipment and delivery costs of up to four new ambulances and four light body trucks under the American Rescue Plan Act, Local Fiscal Recovery Fund, and authorize the County Manager or designee to sign a Letter of Intent for a non-binding reservation the purchase of equipment, products, or services under this MOU for ARP21-23, replacing Subrecipient Agreement ARP21-19. (All Districts)**
- 16.E.4. Recommendation to approve the sale and disposal of surplus assets per Resolution 2013-095 via public auction on April 22, 2023; approve the addition of surplus items received subsequent to the approval of this Agenda Item for sale in the auction; and authorize the Procurement Director, as designee for County Manager, to sign for the transfer of vehicle titles. (All Districts)**
- 16.E.5. Recommendation to approve the administrative report prepared by the Procurement Services Division for various County Division's After-the-Fact purchases requiring Board approval in accordance with Procurement Ordinance 2017-08 and the Procurement Manual, as well as, to approve the payment of \$59,120.62 in expenditures that have been incurred that were out of compliance with the contracts or procurement requirements for associated invoices that have not been paid. (All Districts)**
- 16.E.6. Recommendation to approve the administrative report prepared by the Procurement Services Division for disposal of property that is no longer viable and then removal from the County's capital asset records. (All Districts)**

16.F. COUNTY MANAGER OPERATIONS (CONSENT)

16.F.1. Recommendation to adopt a Resolution approving amendments (appropriating grants, donations, contributions, or insurance proceeds) to the FY22-23 Adopted Budget. (The budget amendments in the attached Resolution have been reviewed and approved by the Board of County Commissioners via separate Executive Summaries.) (All Districts)

16.F.2. Recommendation to 1) Accept the findings of the Board’s Emergency Medical Authority; 2) Accept the findings of the Director of the Bureau of Emergency Services; 3) Grants the Certificate of Public Convenience and Necessity to MedTrek Medical Transport, Inc.; 4) Authorizes the Chairman to execute the Permit and Certificate; and 5) Approve a Budget Amendment to recognize and appropriate the \$250 application fee. (All Districts)

16.G. AIRPORT AUTHORITY (CONSENT)

16.H. BOARD OF COUNTY COMMISSIONERS (CONSENT)

16.H.1. Recommendation to adopt a Resolution establishing an East of 951 Ad Hoc Advisory Committee. (District 3, District 5)

16.I. MISCELLANEOUS CORRESPONDENCE (CONSENT)

16.J. OTHER CONSTITUTIONAL OFFICERS (CONSENT)

16.J.1. 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 March 2, 2023 and March 15, 2023 pursuant to Florida Statute 136.06. (All Districts)

16.J.2. Request that the Board approve and determine valid public purpose for invoices payable and purchasing card transactions as of March 22, 2023. (All Districts)

16.K. COUNTY ATTORNEY (CONSENT)

16.K.1. Recommendation to approve and authorize the Chairman to execute a Settlement Agreement with Naples Golf Development, LLC, for settlement of a Bert Harris Claim filed pursuant to Florida Statutes §70.001, related to application of the County’s Golf Course Conversion Ordinance on the Links of Naples Golf Course. (All Districts)

16.K.2. Recommendation to appoint two members to the Forest Lakes Roadway & Drainage Advisory Committee. (District 4)

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 adopt a resolution approving amendments (appropriating carry forward, transfers, and supplemental revenue) to the FY22-23 Adopted Budget. (The budget amendments in the attached Resolution have been reviewed and approved by the Board of County Commissioners via separate Executive Summaries.) (All Districts)

18. ADJOURN

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