

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

February 13, 2024

9:00 AM

Commissioner Chris Hall, District 2; – Chair
Commissioner Burt Saunders, District 3; – Vice Chair
Commissioner Rick LoCastro, District 1
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. Pastor John Huffman, The Harvest Recovery Ministry. (27724)

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. January 9, 2024, BCC Minutes (27917)

2.C. January 23, 2024, BCC Minutes (27942)

3. AWARDS AND RECOGNITIONS

3.A. EMPLOYEE

3.B. ADVISORY BOARD MEMBERS

3.C. RETIREES

3.D. EMPLOYEE OF THE MONTH

4. PROCLAMATIONS

4.A. Proclamation designating February 18 - 24, 2024, as Engineers Week in Collier County. To be accepted by Kevin Dowty and other distinguished guests. (27862)

5. PRESENTATIONS

5.A. ARTIST OF THE MONTH

5.B. Presentation of the Collier County Business of the Month for February 2024 to Marco Office Supply. The award will be accepted by Philip Penzo, Founder & Owner, and other distinguished guests. Also present is Heather Gage, Membership Event Coordinator, the Greater Naples Chamber of Commerce. (27804)

5.C. *** This item to be heard at 9:30 AM *** Update by the Pelican Bay Foundation, Inc., on Pickleball at Pelican Bay Community Park. (27921)

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

10. BOARD OF COUNTY COMMISSIONERS

10.A. *** This item to be heard at 10 AM *** That the Board discuss whether to continue using fluoride in the public potable water supply distributed by the County's Public Utilities Division's Water Department. *(All Districts) (27655)*

10.B. Commissioner McDaniel's request for reconsideration of a Motion by Commissioner LoCastro to consider the McDowell Housing Partners - Ekos on Collier application for Workforce Housing Land Acquisition Surtax Funding, made during discussion of item 11B at the January 23, 2024, BCC meeting. *(All Districts) (27930)*

10.C. Recommendation to receive an update on the development of the State of Florida's application to the United States Department of Veterans Affairs - State Home Construction Grant Program to secure federal construction matching funds for a State Veterans' Nursing Home in Collier County. *(All Districts) (27936)*

11. COUNTY MANAGER'S REPORT

11.A. Recommendation to approve the selection committee's ranking related to Invitation to Negotiate ("ITN") # 24-8223, "Golf and Entertainment Complex at the Former Golden Gate Golf Course" and authorize staff to begin contract negotiations with the top-ranked firm, The Gate Golf Club, Inc., so that a proposed agreement can be brought back for the Board's consideration at a future meeting. (Ed Finn, Deputy County Manager) *(District 3) (27932)*

11.B. Recommendation to direct the County Manager or designee to proceed with securing the services of one or more consultants to assist in the development of a transition and acquisition plan for a replacement or enhanced 800MHz radio system. (Michael Choate, Executive Director of Public Safety) *(All Districts) (27941)*

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 direct staff to advertise and bring back an Ordinance amending the Collier County Code of Laws and Ordinances to update temporary emergency housing and floodplain development regulations. *(All Districts) (27486)*
- 16.A.2.** Recommendation that the Board of County Commissioners, as Ex-Officio Governing Board of the Collier County Water-Sewer District, approve final acceptance of the potable water and sewer utility facilities and accept the conveyance of a portion of the potable water facilities for Lots 6 & 7 of White Lake Corporate Square, PL20230010494. *(District 3) (27628)*
- 16.A.3.** This item requires that Commission members provide ex-parte disclosure. Should a hearing be held on this item, all participants are required to be sworn in. Recommendation to approve for recording the final plat of Macedonia (Application Number PL20220006832), approval of the standard form Construction and Maintenance Agreement, and approval of the performance security in the amount of \$204,175.95. *(District 2) (27680)*
- 16.A.4.** Recommendation to adopt a Resolution scheduling a public hearing to consider vacating the 10-foot-wide public road right-of-way easement over the westerly 10 feet of Tract A-1, as described in Official Record Book 1476, Page 242, of the Public Records of Collier County, Florida, located approximately 2,000 feet south of Immokalee Road (CR-846) and 1,000 feet west of Richards Street in Section 25, Township 48 South, Range 26 East, Collier County, Florida. (PL20230007642) *(District 3) (27789)*

16.B. TRANSPORTATION MANAGEMENT DEPARTMENT (CONSENT)

- 16.B.1.** Recommendation to award Request for Proposal (“RFP”) No. 23-8149, “Laboratory Services,” to Advanced Environmental Laboratories, Inc., Pace Analytical Service, LLC, and Eurofins Environment Testing Southeast, LLC, as set forth herein, and authorize the Chairman to sign the attached Agreements. *(All Districts) (27507)*
- 16.B.2.** Recommendation to award Request for Professional Services (“RPS”) No. 23-8108, “Design Services for Collier Area Transit Operations and Maintenance Facility,” to Jacobs Engineering Group, Inc., in the amount of \$1,735,063.00, and authorize the Chairman to sign the attached Agreement. *(District 1) (27626)*
- 16.B.3.** Recommendation to approve an Agreement and adopt a Resolution that authorize the exchange of 1.51 acres of land on the south side of Painted Leaf Lane for 1.69 acres of adjoining land to be assembled with abutting County-owned land, for future right of way, drainage, utility and/or other public uses. Estimated fiscal impact: \$28,000 revenue. *(District 3) (27641)*

- 16.B.4.** Recommendation to adopt a resolution approving and authorizing the Chairman to execute the Public Transit Grant Agreement (PTGA) 439255-1-94-22 with the Florida Department of Transportation to accept Federal Transit Administration Section 5339 Rural Area Bus and Bus Facilities Program in the amount of \$575,000 for the purchase of a replacement bus and authorize the necessary Budget Amendments. *(District 5) (27675)*
- 16.B.5.** Recommendation to approve an after-the-fact payment to Preferred Materials, Inc., in the amount of \$12,354.60, for additional irrigation materials used in the “Radio Road at Devonshire Boulevard and Countryside Drive Intersection Improvements” project under Agreement 21-7842 “Roadway Contractors” and deem the expenditure has a valid public purpose. (Project No. 60016) *(District 4) (27661)*
- 16.B.6.** Recommendation to 1) approve an after-the-fact payment for materials and services in the amount of \$30,655.04 under Work Directives 1, 2, and 3 for “Country Club Of Naples (CCON) Wetland Outfalls” project under Agreement No. 20-7800, “Underground Contractor Services” with Douglas N. Higgins, Inc., utilizing a draw from the owner’s allowance; 2) approve an after-the-fact donation of leftover materials at an estimated cost of \$130 to the Country Club of Naples; 3) ratify payment for Pay Application 1 that extended 11 days past final completion for cleanup requested by the Country Club of Naples; and 4) deem that these expenditures/donation have a valid public purpose. *(All Districts) (27699)*
- 16.B.7.** Recommendation to award Request for Professional Services (“RPS”) No. 22-8015, “Professional Services for Nearshore Biological Monitoring,” to CSA Ocean Sciences Inc., and authorize the Chairman to sign the attached agreement. *(All Districts) (27522)*

16.C. PUBLIC UTILITIES DEPARTMENT (CONSENT)

- 16.C.1.** Recommendation that the Board of County Commissioners, ex-officio the Governing Board of the Collier County Water-Sewer District, award Invitation to Bid (“ITB”) No. 23-8198, “Golden Gate Force Main,” to Metro Equipment Service, Inc., in the amount of \$2,665,000, approve Owner’s Allowance of \$250,000, and authorize the Chairman to sign the attached Agreement. (Project 70243) *(District 3) (27828)*
- 16.C.2.** Recommendation to authorize Budget Amendments in the amount of \$116,691.40 from the Water User Fee Capital fund 4012, Project No. 71010, and the amount of \$225,296.60 from the Wastewater User Fee Capital fund 4014, Project No. 70278 to fund the design of FDOT’s I-75 / Pine Ridge Road IQ and Water Main Relocation project (Project No. 70289). *(District 2, District 3, District 4) (27831)*
- 16.C.3.** Recommendation to award Invitation to Bid (“ITB”) No. 23-8178, “North County Water Reclamation Facility Electrical Service #1 Upgrade Project” to Eau Gallie Electric, Inc., in the amount of \$3,852,000, approve Owner’s Allowance of \$350,000, and authorize the Chairman to sign the attached agreement. (Project Number 70278) *(District 2) (27822)*

16.D. PUBLIC SERVICES DEPARTMENT (CONSENT)

- 16.D.1.** Recommendation to approve Services for Seniors, after-the-fact Standard Contract with the Area Agency on Aging for Southwest Florida, Inc., in the amount of \$1,429,000, and authorize the associated Budget Amendments, for FY24 Older American Act Title III in the amount of (\$12,222.23). (Human Service Grant Fund 1837) *(All Districts) (27570)*
- 16.D.2.** Recommendation to accept and ratify fee waivers granted by the Division Director of Domestic Animal Services for the period of October 1, 2023, through December 31, 2023, in the amount of \$756.00, in accordance with the procedures set forth in Resolution No. 2018-106. *(All Districts) (27651)*
- 16.D.3.** Recommendation to approve the administrative report of “after-the-fact” purchases for the Domestic Animal Services Division for the payment of \$90,542.74 for associated invoices that have not been paid. *(All Districts) (27669)*
- 16.D.4.** Recommendation to approve a First Amendment to the Pelican Bay Community Park Management Agreement with Pelican Bay Foundation, Inc., to clarify the percentage of public access to the courts and extend time for County staff approval of capital improvement plans. *(District 2) (27898)*
- 16.D.5.** Recommendation to approve and authorize the Chairman to execute the Designation Agreement (OGT-DA0109) with the State of Florida Department of Environmental Protection, Division of Recreational Parks, Office of Greenways and Trails to establish the Paradise Coast Blueway Paddling Trail. *(District 1, District 2) (27712)*

16.E. CORPORATE BUSINESS OPERATIONS (CONSENT)

- 16.E.1.** Recommendation to approve modifications to the 2024 Fiscal Year Pay & Classification Plan which consist of one new classification added from October 1, 2023, through December 31, 2023. *(All Districts) (27679)*
- 16.E.2.** Recommendation to ratify Property, Casualty, Workers’ Compensation and Subrogation claim files settled and/or closed by the Risk Management Division Director pursuant to Resolution No. 04-15 for the first quarter of FY 24. *(All Districts) (27753)*
- 16.E.3.** Recommendation to approve an Assumption Agreement assigning all rights, duties, benefits, and obligations to Bowman Gulf Coast LLC, d/b/a Hole Montes, a Bowman Company, concerning Agreement Nos. 14-6345, 18-7432-CE, 18-7432-SM, 18-7432-UP, 20-7802, 20-7806, and 21-7900. *(All Districts) (27824)*
- 16.E.4.** Recommendation to approve the administrative report for various County Divisions after-the-fact purchases requiring Board approval in accordance with Procurement Ordinance 2017-08, and the Procurement Manual, and to approve the payment of \$2,358.60 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) (27841)*

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 Fiscal Year 2023-24 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) (27833)*
- 16.F.2.** Recommendation to approve the Collective Bargaining Agreement between Collier County and the Collier EMS/Fire District 27 Bargaining unit, Southwest Florida Professional Firefighters and Paramedics, Local 1826, International Association of Firefighters, Incorporated. *(All Districts) (27858)*
- 16.F.3.** Recommendation to approve Agreement No. 24-010-NS “Fleet Management Software Upgrade, Annual Support & Maintenance” and authorize expenditures under a sole-source waiver for a period of five years, in an amount not to exceed \$235,000 for FY24 and not to exceed \$60,000 for annual maintenance fees and support per Fiscal Year from FY25 through FY28, to obtain Fleet management system services from TT Faster LLC, necessary to maintain County-owned equipment. *(All Districts) (27837)*
- 16.F.4.** Recommendation to award Invitation to Negotiate (“ITN”) 23-8177 - “Gasoline and Diesel Fuel Multi-Agency Cooperative Purchase” to Palmdale Oil Company, LLC, and authorize the Chairman to sign the attached Agreement. *(All Districts) (27814)*
- 16.F.5.** Recommendation to award Fixed Fee Professional Service Agreement to Digitech Computer, LLC, under Request for Proposal (RFP) 23-8098 EMS Billing Services and authorize the Chairman to sign the attached agreement. *(All Districts) (27621)*
- 16.F.6.** Recommendation to approve Change Order No. 2, adding 425 days to the Professional Services Agreement 21-7884 with Matern Professional Engineering, Inc., for the New Chiller Plant Building K. (Project No. 50214) *(District 4) (27816)*
- 16.F.7.** Recommendation to approve a Subordination, Non-Disturbance, and Attornment Agreement in reference to the property located at 1429 Don Street, Unit D, Naples, Florida currently leased by Collier County from 23-81 LNT, LLC for warehouse storage space used by Facilities Management. *(District 4) (27740)*
- 16.F.8.** Recommendation to approve an after-the-fact payment in the total amount of \$8,295.31 to Metro Aviation, Inc., for the purchases of helicopter medical interior equipment and parts for the backup County air ambulance helicopter, which were not properly authorized, as required by the Procurement Ordinance and deem that the purchases had a valid public purpose. *(All Districts) (27667)*

- 16.F.9.** Recommendation to 1) waive the single quote procurement threshold of \$3,000 per vendor per fiscal year for this transaction, 2) approve an after-the-fact payment in the total amount of \$3,871.95 to Eptura, Inc., for purchases that were not properly authorized as required by the Procurement Ordinance of the annual EventBoard software subscription for 13 licenses, which help facilitate conference room scheduling throughout County locations, and 3) deem that the purchases had a valid public purpose. *(All Districts) (27723)*

16.G. AIRPORT AUTHORITY (CONSENT)

16.H. BOARD OF COUNTY COMMISSIONERS (CONSENT)

16.I. MISCELLANEOUS CORRESPONDENCE (CONSENT)

- 16.I.1.** Miscellaneous Correspondence February 13, 2024 *(All Districts) (27916)*

16.J. OTHER CONSTITUTIONAL OFFICERS (CONSENT)

- 16.J.1.** Recommendation to approve the use of \$2,000 from the Confiscated Trust Funds to support the Florida FBI National Academy Associates, Inc. *(All Districts) (27769)*
- 16.J.2.** Report to the Board regarding the investment of County funds as of the quarter ended December 31, 2023. *(All Districts) (27913)*
- 16.J.3.** 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 in the amount of \$73,629,560.92 were drawn for the periods between January 11, 2024 and January 31, 2024 pursuant to Florida Statute 136.06. *(All Districts) (27937)*
- 16.J.4.** Request that the Board approve and determine valid public purpose for invoices payable and purchasing card transactions as of February 7, 2024. *(All Districts) (27938)*

16.K. COUNTY ATTORNEY (CONSENT)

- 16.K.1.** Recommendation to appoint a member to the Building Board of Adjustments & Appeals. *(All Districts) (27730)*
- 16.K.2.** Recommendation to appoint a member to the Collier County Citizen Corps. *(All Districts) (27784)*
- 16.K.3.** Recommendation to appoint one member to the Forest Lakes Roadway & Drainage Advisory Committee. *(District 4) (27729)*
- 16.K.4.** Recommendation to appoint a member to the Pelican Bay Services Division Board. *(District 2) (27741)*
- 16.K.5.** Recommendation to appoint three members to the Infrastructure Surtax Citizen Oversight Committee. *(All Districts) (27787)*

- 16.K.6.** Request by the Collier County Industrial Development Authority for approval of a resolution authorizing the Authority to issue revenue bonds to be used to finance the construction of the proposed NCH Heart, Stroke, and Vascular Institute, the proposed NCH/HSS Orthopedic Center, and other capital projects. *(All Districts) (27861)*
- 16.K.7.** Recommendation to approve a Stipulated Final Judgment in the amount of \$140,800 plus \$32,066 in statutory attorney fees, apportionment fees, expert fees and costs for the taking of Parcels 1125FEE and 1127FEE required for the Vanderbilt Beach Road Extension Project No. 60168. *(All Districts) (26991)*

16.L. COMMUNITY REDEVELOPMENT AGENCY (CONSENT)

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 an Ordinance amending Ordinance No. 2021-11, as ratified and confirmed by Ordinance No. 2021-44, which established the Hyde Park Community Development District 1, in order to expand and contract the external boundaries of the District resulting in a net expansion of 63.02± acres from 368.9± acres to 431.96± acres. *(District 5) (27674)*
- 17.B.** This item requires that Commission members provide ex-parte disclosure. Should a hearing be held on this item, all participants are required to be sworn in. Recommendation to approve Petition VAC-PL20230013038 to disclaim, renounce, and vacate the County and the Public Interest in the 12-foot Fire Wagon and Drainage Easement located along the southerly border of Lot 20, Lake Kelly Unit 2, as recorded in Plat Book 3, Page 93, of the Public Records of Collier County, Florida, in Section 14, Township 50 South, Range 25 East, Collier County, Florida and to accept Petitioner's grant of a 12-foot drainage and access easement to replace the vacated drainage easement. *(District 4) (27684)*

18. ADJOURN

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