

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 09, 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 Chair. 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 Chair. 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 Chair. 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 Chair. Speakers will be limited to three minutes, and no additional minutes may be ceded to the speaker. At the Chair'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 Pastor Heath Jarvis - Faith Life Naples (27801)

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. March 12, 2024, BCC Minutes (28443)

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 April 14 - 19, 2024, as National Public Safety Telecommunicators Week. To be accepted by Sheriff Kevin Rambosk, Colonel Jim Bloom, Chief Greg Smith, Captain Chris Gonzalez, Manager Amy Tuff, and several 911 telecommunicators. (28311)

4.B. Proclamation designating April 2024 as National Child Abuse Prevention Month in Collier County. To be accepted by Linda Goldfield, Chief Executive Officer for Youth Haven of SWFL. (28313)

5. PRESENTATIONS

5.A. ARTIST OF THE MONTH

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 has been continued from the March 12, 2024, BCC Meeting.*** This item requires ex-parte disclosure be provided by the Commission members. Should a hearing be held on this item, all participants are required to be sworn in. Recommendation to approve a rezoning ordinance for the NBC RV Mixed-Use Planned Unit Development, a portion of which remains in the Rural Fringe Mixed Use District-Receiving Lands Zoning Overlay, to allow up to 356,000 square feet of commercial and industrial uses and 75 Travel-Trailer-Recreational Vehicle campground units on property located 450± feet northeast of the intersection of Basik Drive and Tamiami Trail East, 5 miles east of Collier Boulevard in Section 18, Township 51 South, Range 27 East, Collier County, Florida, consisting of 34± acres; and by providing an effective date. (Companion to Item 9A) *(District 1) (28344)*
- 9.B.** *** This item has been continued from the March 12, 2024, BCC Meeting.*** Recommendation to approve an ordinance amending the Future Land Use Element and Future Land Use Map and map series of the Growth Management Plan to create the East Tamiami Trail Mixed Use Subdistrict, to allow up to 356,000 square feet of gross floor area of heavy commercial and industrial uses, and up to 75 travel trailer-recreational vehicle campground units. The subject property is located 450± feet northeast of the intersection of Basik Drive and Tamiami Trail East, 5 miles east of Collier Boulevard, in section 18, township 51 south, range 27 east, Collier County, Florida, consisting of 33.523± acres. (Companion to Item 9B) *(District 1) (28347)*

10. BOARD OF COUNTY COMMISSIONERS

11. COUNTY MANAGER'S REPORT

- 11.A.** Recommendation to have the Board of County Commissioners review and approve Staff's administrative application process for projects intending to utilize the allowances per Florida Statute 125.01055(7)(a), the Live Local Act. (Mike Bozi - Planning & Zoning Director) *(All Districts) (28194)*
- 11.B.** Recommendation to approve a Naming Rights Agreement with the David Lawrence Mental Health Center, Inc., relative to the Collier County Behavioral Health Center to generate donations to be restricted specifically for use within the Behavioral Health Center. (Ed Finn - Deputy County Manager) *(District 3) (28342)*
- 11.C.** Recommendation to consider alternatives for the Communication Tower site at Max A. Hasse Jr. Community Park and direct the County Manager or designee to either: 1) take no action allowing the existing lease to expire on May 20, 2024, pursuant to Crown Castle's termination notice, and authorize the County Manager or designee to proceed with competitive selection of a wireless communication tower tenant at Max Hasse Community Park or; 2) update Ground Lease terms with Crown Castle Towers 06-2 LLC, a subsidiary of Crown Castle USA, and return to the Board for approval of the updated Ground Lease at a future meeting. (Ed Finn, Deputy County Manager) *(District 3) (28458)*

12. COUNTY ATTORNEY'S REPORT

13. OTHER CONSTITUTIONAL OFFICERS

- 13.A.** Presentation of the Annual Comprehensive Financial Report for the fiscal year ended September 30, 2023, and authorization to file the related State of Florida Annual Local Government Financial Report with the Department of Financial Services. (Derek M. Johnssen, Clerk of Court's Office Director of Finance and Accounting) *(All Districts) (28463)*

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.B.1. UPDATE ON DONATED AIR PURIFIERS

15.B.2. CYBER SECURITY UPDATE

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 a Resolution for final acceptance of the private roadway and drainage improvements and acceptance of the plat dedications for the final plat of Anthem Parkway Phase Four, Application Number PL20200002048, and authorize the release of the maintenance securities in the amount of \$76,642.30. *(District 5) (28234)*
- 16.A.2.** Recommendation to approve final acceptance of the potable water and sewer utility facilities and accept the conveyance of a portion of the potable water and sewer facilities and appurtenant utility easement for Altis Santa Barbara, PL20230009204. *(District 1) (28230)*
- 16.A.3.** Recommendation to approve final acceptance of the potable water and sewer utility facilities and accept the conveyance of a portion of the potable water, all the sewer facilities, and the appurtenant utility easement for Fairgrove Coach Homes, PL20230009259. *(District 2) (28231)*

- 16.A.4.** Recommendation to approve a Resolution for the final acceptance of the private roadway and drainage improvements and the plat dedications for the final plat of Esplanade at Hacienda Lakes Phase 3, Application Number PL20170004477, and authorize the release of the maintenance security in the amount of \$278,132.99. *(District 1) (28207)*
- 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 at Hacienda Lakes Phase 4, Application Number PL20180000648, and authorize the release of the maintenance security in the amount of \$363,307.05. *(District 1) (28198)*
- 16.A.6.** Recommendation to approve final acceptance of the potable water and sewer utility facilities for Lake Park Diner at Founders Square, PL20240000750. *(District 3) (28223)*

16.B. TRANSPORTATION MANAGEMENT DEPARTMENT (CONSENT)

- 16.B.1.** Recommendation to approve and authorize the Chairman to execute Grant Agreement No. LPA0494 with the Florida Department of Environmental Protection (FDEP) for Golden Gate City Stormwater Outfalls in the amount of \$2,810,500, execute all necessary forms, and authorize the necessary budget amendments (Fund 1841 Project #51029). *(District 3) (28147)*
- 16.B.2.** Recommendation to approve the selection committee's ranking and authorize staff to begin contract negotiations with Kisinger Campo & Associates, Corp., related to Request for Professional Services ("RPS") No. 23-8164, "Design Services for Goodlette Frank Rd- Vanderbilt Beach Rd to Immokalee Rd," so staff can bring a proposed agreement back for the Board's consideration at a future meeting (Project 60259). *(District 5) (28152)*
- 16.B.3.** Recommendation to approve an Agreement for the purchase of a drainage easement (Parcel 145DE) required for the West Goodlette-Frank Road Area Stormwater Improvement Project Phase 2 (Project No. 60142). Estimated Fiscal Impact: \$22,810. *(District 4) (28161)*
- 16.B.4.** Recommendation to approve an Agreement for the purchase of a drainage easement (Parcel 140DE) required for the West Goodlette-Frank Road Area Stormwater Improvement Project Phase 2 (Project No. 60142). Estimated Fiscal Impact: \$7,990. *(District 4) (28162)*
- 16.B.5.** Recommendation to approve three Resolutions authorizing the Chairman to execute two Section 5311 Public Transit Grant Agreements (FPN 451893-2-94-22 and FPN 454246-1-94-23), and one Section 5339 Public Transit Grant Agreement (FPN 439255-1-94-23) with the Florida Department of Transportation to accept Federal Transit Administration grant funding in the total amount of \$1,398,274 for the purchase of two replacement buses and a support vehicle to support fixed route services in the rural areas, and to authorize the necessary Budget Amendments. *(District 5) (28349)*

- 16.B.6.** Recommendation to approve the attached Budget Amendment and Amendment No. Five to Agreement No. 18-7382 - Professional Services Agreement for Collier Area Transit Fixed Route, Demand Response, and Transit Operations Management Services with MV Transportation, Inc., to incorporate rates, make contract modifications, and exercise the first renewal term. *(All Districts) (28324)*

16.C. PUBLIC UTILITIES DEPARTMENT (CONSENT)

- 16.C.1.** Recommendation to terminate for convenience Agreement No. 22-7957 for “Electrical Component Services” with Swanson’s Electric, Inc. *(All Districts) (28181)*
- 16.C.2.** Recommendation to approve the selection committee’s ranking and authorize staff to begin contract negotiations with the top-ranked firm, Johnson Engineering, Inc., related to Request for Professional Services (“RPS”) No. 23-8193, “Design Services for Transmission Water Main Improvements (Vanderbilt Beach Rd. and Airport Pulling Rd.),” so that staff can bring a proposed agreement back for the Board’s consideration at a future meeting (Projects 70268, 70285 & 70286). *(District 2) (28259)*
- 16.C.3.** Recommendation to award a \$671,400.00 Purchase/Work Order comprised of \$621,400 as a negotiated lump sum payment for the work, together with a \$50,000 allowance to cover unforeseen work, to Douglas N. Higgins, Inc., under Agreement No. 20-7800 Underground Contractor Services, and authorize the Chairman to sign the Purchase/Work Order for NRO Wells 117N and 119N Improvements - Raw Water Main Replacement (Project No. 70085). *(All Districts) (28319)*
- 16.C.4.** Recommendation to award Request for Proposal (RFP) No. 23-8124, “Debris Monitoring and Disaster Planning Services,” to Tetra Tech, Inc., as primary, and Thompson Consulting Services, LLC, as secondary, and authorize the Chairman to execute the attached Agreements. *(All Districts) (27809)*

16.D. PUBLIC SERVICES DEPARTMENT (CONSENT)

- 16.D.1.** *** This Item continued from the March 26, 2024, BCC Meeting. ***
Recommendation to approve and authorize an after-the-fact payment in the amount of \$14,268.87 to Robert Half International, Inc. for temporary staffing services provided to support housing related programs and find these expenditures have a valid public purpose. *(All Districts) (28419)*
- 16.D.2.** Recommendation to approve and authorize the Chairman to sign a subordination agreement with Habitat for Humanity of Collier County, Inc., to subordinate the County’s Home Investment Partnership Act and the Community Development Block Grant mortgages and Declaration of Restrictive Covenants due to lien position order. *(All Districts) (28175)*
- 16.D.3.** Recommendation to approve an after-the-fact grant application for a three-year Department of Labor Veteran’s Employment and Training Service Grant in the amount of \$1,279,413. *(All Districts) (28321)*

- 16.D.4.** Recommendation to approve an after-the-fact submission Request For Proposal to the Area Agency on Aging for Southwest Florida to obtain the Community Care for the Elderly, Alzheimer’s Disease Initiative, Home Care for the Elderly Lead Agency Designation in order to provide case management services, home and community-based services and other required Lead Agency functions of the Community Care for the Elderly program for a total award amount of \$2,285,487.61, including the match requirement of \$124,556. *(All Districts) (28405)*
- 16.D.5.** Recommendation to authorize the Domestic Animal Services Division to participate in the Seniors for Seniors Program provided by For the Love of Cats which pays the adoption costs for seniors to adopt senior cats to increase cat adoptions. *(All Districts) (27505)*
- 16.D.6.** Recommendation that the Board approves authorization to the Domestic Animal Services Division to continue providing the Helping Hearts Heal Program to facilitate medical treatment for animals with heartworms that are in DAS custody or have been recently adopted. *(All Districts) (27523)*

16.E. CORPORATE BUSINESS OPERATIONS (CONSENT)

- 16.E.1.** Recommendation to approve the Second Amendment to Agreement 18-7263 for the County’s Visa Commercial Credit Card with J.P. Morgan Chase Bank N.A. prepared by the Procurement Services Division. *(All Districts) (28359)*

16.F. COUNTY MANAGER OPERATIONS (CONSENT)

- 16.F.1.** Recommendation to authorize expenditures under a single-source waiver for a period of five years, in an amount not to exceed \$100,000 per Fiscal Year, to obtain Original Equipment Manufacturer (“OEM”) parts, and non-OEM parts, freight, and services from Tampa Truck Center LLC, d/b/a Southport Truck Group, that are necessary to maintain County-owned trucks and equipment. *(All Districts) (28363)*
- 16.F.2.** Recommendation to award Request for Proposal (“RFP”) No. 23-8126, “Closed Circuit Television Systems (CCTV) Maintenance, Repair, and Installation Services,” to Diamond Security & Sound, LLC, and authorize the Chairman to sign the attached Agreement. *(All Districts) (28417)*
- 16.F.3.** Recommendation to approve a release of claims required by Sunshine Lubes LLC, d/b/a Valvoline Instant Oil Change, for the corrected repair of County vehicle CC2-705 resulting from a July 12, 2023, oil change service. *(All Districts) (28426)*
- 16.F.4.** Recommendation to authorize a Budget Amendment in the amount of \$467,500 within County Wide Capital Project Fund (3001) to realign project to appropriate fund centers. *(All Districts) (28422)*

- 16.F.5.** 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) (28433)*
- 16.F.6.** Recommendation to authorize the County Manager as designee to execute a Memorandum of Understanding with Volunteer Florida and to accept an award of up to \$250,000 for the repair of damage to the Caxambas Park and Boat Ramp resulting from Hurricane Ian. *(All Districts) (28460)*
- 16.F.7.** Recommendation to approve and authorize the Chairman to sign an Immokalee Impact Fee Installment Payment Plan Agreement with Immokalee Fair Housing Alliance Inc., to allow \$195,160.96 in impact fees to be paid over 30 years as a special assessment for 16 affordable Multi-Family Rental Units within the Immokalee Fair Housing Alliance RPUD Project. *(District 5) (28429)*
- 16.F.8.** Recommendation to recognize and appropriate revenue in the Pelican Bay Capital Fund (3041), transfer funds to Commercial Paper Fund (2023) in the amount of \$81,000, and authorize all necessary Budget Amendments. *(District 2) (28449)*
- 16.F.9.** Recommendation to authorize early reopening of negotiations and amendments to the Collective Bargaining Agreement between Collier County and the Collier EMS/Fire Bargaining Unit, Southwest Florida Professional Firefighters and Paramedics, Local 1826, District - 14, International Association of Firefighters, Incorporated. *(All Districts) (28489)*

16.G. AIRPORT AUTHORITY (CONSENT)

16.H. BOARD OF COUNTY COMMISSIONERS (CONSENT)

- 16.H.1.** Proclamation designating April 2024 as Water Conservation Month in Collier County. To be delivered to Howard Brogdon, Water Director. *(28312)*
- 16.H.2.** Proclamation designating April 20, 2024, as Try Transit Day in Collier County. To be delivered to Brian Wells, Director, PTNE. *(28386)*
- 16.H.3.** Proclamation designating April 2024 as Autism Acceptance Month in Collier County. To be delivered to Stephanie Nordin. *(28421)*

16.I. MISCELLANEOUS CORRESPONDENCE (CONSENT)

16.J. OTHER CONSTITUTIONAL OFFICERS (CONSENT)

- 16.J.1.** Recommendation to approve the use of \$1,000 from the Confiscated Trust Funds to support the Florida Agricultural Crimes Intelligence Unit, Inc. *(All Districts) (28406)*

16.J.2. Recommendation to approve the use of \$1,000 from the Confiscated Trust Funds to support the National Law Enforcement Officers Memorial. *(All Districts) (28448)*

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 \$49,117,816.44 were drawn for the periods between March 14, 2024 and March 27, 2024 pursuant to Florida Statute 136.06. *(All Districts) (28480)*

16.J.4. Request that the Board approve and determine valid public purpose for invoices payable and purchasing card transactions as of April 3, 2024. *(All Districts) (28483)*

16.K. COUNTY ATTORNEY (CONSENT)

16.K.1. Recommendation to reappoint two members to the Immokalee Local Redevelopment Advisory Board. *(District 5) (28420)*

16.K.2. Recommendation to approve and authorize the Chair to execute a Settlement Agreement in the lawsuit styled Carla Davis v. Collier County Board of Commissioners, et. al., (Case No. 23-CA-1105), now pending in the Circuit Court of the Twentieth Judicial Circuit in and for Collier County, Florida, for the sum of \$9,500. *(All Districts) (28413)*

16.K.3. Recommendation to approve and authorize the Chair to execute a Settlement Agreement in the lawsuit styled Aaron Oldfield v. Collier County, (Case No. 22-CA-1851), now pending in the Circuit Court of the Twentieth Judicial Circuit in and for Collier County, Florida, for the sum of \$130,000. *(All Districts) (28416)*

16.K.4. 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 expansions and improvements to the central water, wastewater, and reuse systems that serve the Ave Maria University and Town, and the refunding of the currently outstanding bonds from the Authority's issuance of bonds in 2005 to fund the initial construction of the system. *(District 5) (28430)*

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.** 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-PL20230005194, to disclaim, renounce, and vacate the County and the public interest in a portion of Preserve and Replant Area PA-79 and all of Preserve and Replant Area PA-86 of Vanderbilt Country Club-2, as recorded in Plat Book 32, Pages 42 through 55, of the Public Records of Collier County, Florida, located approximately one-quarter mile east of County Road 951 (Collier Boulevard) and one-half mile north of Vanderbilt Beach Road, in Section 35, Township 48 South, Range 26 East, Collier County, Florida, and to accept Petitioner's grant of a Conservation Easement to replace the vacated Preserve and Replant Areas. *(District 3) (28151)*
- 17.B.** Recommendation to transmit a Resolution of the Board of County Commissioners proposing an amendment to the Collier County Growth Management Plan, Ordinance 89-05, as amended, specifically amending the Potable Water Sub-Element of the Public Facilities Element to amend Policy 1.7 to reference the updated ten-year water supply facilities work plan, and amending the Capital Improvement Element to change the level of service standards for county potable water systems and county sanitary sewer-wastewater treatment systems; furthermore directing transmittal of the amendment to the Florida Department of Commerce. (PL20240000400) *(All Districts) (28318)*
- 17.C.** 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-PL20240000788, to disclaim, renounce, and vacate the County and the public interest in the 30-foot-wide public road right-of-way easements, as described in Official Record Book 70, Page 504, Official Record Book 90, Page 487, Official Record Book 111, Page 129, and Official Record Book 172, Page 596, of the Public Records of Collier County, Florida, located approximately 1,050 feet east of Logan Boulevard and lying south of Immokalee Road (CR-846) in Section 28, Township 48 South, Range 26 East, Collier County, Florida. *(District 3) (28367)*

18. ADJOURN

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