

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

May 11, 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. Reverend Beverly Duncan, Member of the Naples United Church of Christ**
- 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 13, 2021 BCC Meeting 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 of the Collier County Business of the Month for May 2021 to Vernon Litigation Group.**
- 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. Recommendation to appoint two Commissioners as regular members, and three Commissioners as alternate members, for a one-year period on the Value Adjustment Board. (All Districts)**
- 11. COUNTY MANAGER'S REPORT**
 - 11.A. Recommendation that the Board of County Commissioners endorse and approve the County Manager's new senior leadership corporate organizational structure, staffing complement, approach, and responsibilities to take effect immediately, and approve all necessary budget amendments. (Mark Isackson, County Manager) (All Districts)**

- 11.B. ***** This Item to be heard no sooner than 1:00 p.m. *** Recommendation to accept the after-action report for the 2021 Florida legislative session and provide guidance as preliminary planning begins for the next legislative cycle. (John Mullins, County Manager's Office & Lisa Hurley, Smith, Bryan & Myers) (All Districts)**
- 11.C. **Recommendation to approve the award of Invitation to Bid ("ITB") No. 21-7849-ST, "Bridge Replacement-Bridge Package A-2 Bridges-Immokalee Road," to Thomas Marine Construction, Inc. in the amount of \$4,423,258.99, authorize the Chair to sign the attached agreement related to Project 66066 – "Eleven Bridge Replacements east of SR 29", and approve all necessary budget amendments. (Presenter, Marlene Messam, Principal Project Manager, Transportation Engineering) (District 5)**
- 11.D. **Recommendation to approve the award of Invitation to Bid ("ITB") No. 21-7850-ST, "Bridge Package B – 4 Bridges – Immokalee and County Line Roads," to Zep Construction, Inc., in the amount of \$9,285,476.43, and authorize the Chair to sign the attached agreement pertaining to Project 66066, "Eleven Bridge Replacements east of SR 29," and approve all necessary budget amendments. (Marlene Messam, Principal Project Manager, Transportation Engineering) (District 5)**
- 11.E. **Recommendation to approve the award of Invitation to Bid ("ITB") No. 21-7851-ST, "Bridge Replacement -Bridge Package C – 4 Bridges – Oil Well Rd," to Zep Construction, Inc., in the amount of \$12,992,442.90 and authorize the Chair to sign the attached agreement pertaining to Project 66066, "Eleven Bridge Replacements east of SR 29," and approve all necessary budget amendment. (Marlene Messam, Principal Project Manager, Transportation Engineering) (District 5)**
- 11.F. **Recommendation to approve the fall truck haul beach renourishment project for the Vanderbilt Beach and Naples Beach scheduled for November 2021 with an estimated cost of \$7,302,924.50 and make a finding that this item promotes tourism (Projects 90066 and 90068) and authorize all necessary budget amendments. (This is a companion to agenda item 11G) (Andrew Miller, Principal Project Manager, Coastal Zone Management) (All Districts)**
- 11.G. **Recommendation to award an agreement to Coastal Protection Engineering, LLC for Request for Professional Services ("RPS") No. 21-7828, "Design, Engineering and Permitting Services for Beach Re-Nourishment Projects," in the amount of \$524,595.50 (Projects 90066, 90068 & 50126), authorize any necessary budget amendments, and make a finding that these expenditures promote tourism. (This item is companion to Item 11F) (Andrew Miller, Principal Project Manager, Coastal Zone Management) (All Districts)**
- 11.H. **Recommendation to award Invitation to Bid ("ITB") No. 21-7827 "Beach Compatible Sand Supply" for beach re-nourishment to Stewart Materials, LLC, and make a finding that this project and expenditure promotes tourism and authorize all necessary budget amendments. (Andrew Miller, Principal Project Manager, Coastal Zone Management) (All Districts)**

- 11.I. **Recommendation to approve a Work Order to Q. Grady Minor & Associates, P.A., under professional services Agreement Number 15-6450, for the 98th, 99th, 105th and 106th Avenues Public Utility Renewal Project (Project Numbers 60139 and 70120) in the amount of \$1,405,660, authorize the Chair to sign the attached Work Order, and authorize the necessary budget amendments. (Tom Chmelik, Public Utilities Engineering and Project Management Division Director) (District 2)**
- 11.J. ***** This item was continued from the April 27, 2021 BCC meeting. *** 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)**
12. **COUNTY ATTORNEY'S REPORT**
13. **OTHER CONSTITUTIONAL OFFICERS**
- 13.A. ***** This Item to be heard at 10:00 a.m. *** Presentation of the Comprehensive Annual Financial Report for the fiscal year ended September 30, 2020 and authorization to file the related State of Florida Annual Local Government Financial Report with the Department of Financial Services. (All Districts)**
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 final acceptance and accept the conveyance of the potable water and sewer utility facilities for Esplanade Golf & Country Club of Naples – Phase 5, Parcel I, PL20190000442 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 3)**
- 16.A.2. **Recommendation to approve final acceptance of the potable water and sewer facilities for Bradford Square, PL20150001521, accept the conveyance of a portion of the potable water and sewer facilities, and authorize the County Manager, or his designee, to release the Utilities Performance Security (UPS) and Final Obligation Bond in the total amount of \$34,922.18 to the Project Engineer or the Developer's designated agent. (District 2)**

- 16.A.3. Recommendation to approve final acceptance and accept the conveyance of the potable water and sewer utility facilities for Estilo Acres (aka Sapphire Cove), PL20190001136 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 final acceptance and accept the conveyance of the potable water and sewer utility facilities for Esplanade at Hacienda Lakes Phases 4B1 & 4B2, PL20190001708 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.5. Recommendation to approve final acceptance and accept the conveyance of the potable water facilities for Ferrari of Naples (OFFSITE) - Phase 1, PL20200000218 and authorize the County Manager, or his designee, to release the Utilities Performance Security (UPS) and Final Obligation Bond in the total amount of \$15,504.70 to the Project Engineer or the Developer's designated agent. (District 2)**
- 16.A.6. Recommendation to approve final acceptance of the sewer utility facilities for Heritage Bay Golf & Country Club - Clubhouse Expansion Phase 2, PL20210000539. (District 3)**
- 16.A.7. Recommendation to approve final acceptance of the potable water and sewer utility facilities for Big Cypress Market Place Phase 3, PL20210000302. (District 1)**
- 16.A.8. 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 for recording the minor final plat of City Gate Commerce Park Phase Three Replat No. 5, Application Number PL20210000402. (District 5)**
- 16.A.9. Recommendation to hear Land Development Code Amendments at two regularly scheduled daytime hearings and waive the nighttime hearing requirement. (District 1, District 3)**
- 16.A.10. Recommendation to authorize the Clerk of Courts to release a Performance Bond in the amount of \$81,736.39 which was posted as a guaranty for Excavation Permit Number PL20190002445 for work associated with Allura. (District 2)**
- 16.A.11. Recommendation to authorize expenditures through an exemption from the competitive process for Florida International University for sampling, analysis and assessment of sediment and water quality. (All Districts)**

- 16.A.12. Recommendation to approve an Agreement for the purchase of land (Parcel 330FEE) and easements (Parcels 330TDRE1 & 330TDRE2) required for the Vanderbilt Beach Road Extension (Project No. 60168). (District 5)**
- 16.A.13. Recommendation to approve Change Order No. 1 to Contract Number 19-7494, "Design and Related Services for Vanderbilt Beach Road Widening from east of U.S. 41 to east of Goodlette- Frank Road," with Jacobs Engineering Group Inc. (Project Number 60199), to increase the budget in the amount of \$256,296, to extend the length of the design contract by 90 days. (District 2)**
- 16.A.14. Recommendation to authorize a budget amendment, in the amount of \$186,475, within Stormwater Operating Fund 103, Stormwater Maintenance Cost Center 172929 to acquire mowing equipment. (All Districts)**
- 16.A.15. Recommendation to direct staff to advertise an amendment to Section 130-3 of the Collier County Code of Laws and Ordinances, relating to prohibiting the operation of trucks and other commercial vehicles with a rated load-carrying capacity in excess of five (5) tons from through movements on designated public roads and streets in Collier County. (All Districts)**
- 16.A.16. Recommendation to approve a work order with APTIM Environmental & Infrastructure, Inc., to provide professional engineering services for Doctors and Wiggins Pass Dredging under Contract No. 18-7432-CZ for time and material not to exceed \$114,188.48, authorize the necessary budget amendment, authorize the Chairman to execute the work order, and make a finding that this item promotes tourism. (All Districts)**
- 16.A.17. Recommendation to approve the selection committee's ranking for Request for Professional Services (RPS) No. 21-7847, "Goodlette-Frank Road Ditch Improvements Design Services," and authorize staff to begin contract negotiations with the top-ranked firm, Water Resources Management Associates, Inc., so that staff can bring a proposed agreement back for the Board's consideration at a subsequent meeting. (District 4)**

16.B. COMMUNITY REDEVELOPMENT AGENCY

16.C. PUBLIC UTILITIES DEPARTMENT

- 16.C.1. Recommendation to approve a Construction Easement Agreement, and Temporary Construction Easement with Beachwalk Residents Association, Inc., for the purpose of constructing a wall around an existing wastewater pump station, at a cost of \$100. (District 2)**

- 16.C.2. Recommendation to extend and execute the proposed Seventh Amendment to the Landfill Operating Agreement renewing the Disposal Capacity Agreement with Okeechobee Landfill, Inc., a Florida Corporation (a subsidiary of Waste Management Inc., of Florida) as is, for a term of one year ending July 1, 2022, with (2) one year renewal options providing the transfer and disposal of biosolids, and to reserve airspace for storm generated debris from a natural disaster. (All Districts)**

16.D. PUBLIC SERVICES DEPARTMENT

- 16.D.1. Recommendation to terminate Agreement No. 18-7300, "Services for Seniors Program," with Golden Care Home Health, Inc., authorize and direct the County Manager or his designee to sign and forward the attached termination letter to the vendor. (All Districts)**
- 16.D.2. Recommendation to approve an "After-the-Fact" amendment and an attestation statement with the Area Agency on Aging for Southwest Florida, Inc., for the Emergency Home Energy Assistance Program to decrease funding in the amount of \$14,920 and authorize the supporting Budget Amendment. (All Districts)**
- 16.D.3. Recommendation to approve a loan agreement with the University of Pennsylvania Museum of Archaeology and Anthropology allowing the Collier County Museums and the Marco Island Historical Society to borrow sixteen (16) artifacts from the 1896 Pepper-Hearst Archaeological Expedition for display at the Marco Island Historical Museum. (District 1)**
- 16.D.4. Recommendation to approve and authorize the Chairperson to sign the Florida Department of Emergency Management Hazard Mitigation Grant No. H0390 agreement modification to decrease funding in the amount of \$249,204 for one (1) generator at North Collier Regional Park, with a twenty-five percent (25%) match obligation decrease in the amount of \$83,038 and authorize all necessary Budget Amendments. (All Districts)**
- 16.D.5. Recommendation to accept the annual Retired and Senior Volunteer Program grant award from the Corporation for National and Community Service in the amount of \$75,000 and authorize the necessary Budget Amendment. (All Districts)**

16.E. ADMINISTRATIVE SERVICES DEPARTMENT

- 16.E.1. Recommendation to ratify Property, Casualty, Workers' Compensation, and Subrogation claim files settled and/or closed by the Risk Management Division Director pursuant to Resolution 2004-15 for the second quarter of Fiscal Year 2021 (All Districts)**
- 16.E.2. 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.3. Recommendation to approve the administrative report prepared by the Procurement Services Division for disposal of property and notification of revenue disbursement. (All Districts)**

16.F. COUNTY MANAGER OPERATIONS

- 16.F.1. Recommendation to adopt a resolution approving amendments (appropriating grants, donations, contributions or insurance proceeds) to the FY20-21 Adopted Budget. (All Districts)**
- 16.F.2. Recommendation to approve a report covering budget amendments impacting reserves and moving funds in an amount up to and including \$25,000 and \$50,000, respectively. (All Districts)**
- 16.F.3. Recommendation to award Request for Professional Services (“RPS”) No. 20-7817, “CEI Services for Pelican Bay Sidewalk Improvements,” to Johnson Engineering Inc. in the amount of \$772,971, and to approve the attached Agreement. (District 2)**
- 16.F.4. Recommendation to approve the award of Invitation to Bid (“ITB”) No. 21-7869, “Pelican Bay Sidewalk Replacement - Phase 1,” to Coastal Concrete Products, Inc. d/b/a Coastal Site Development, in the amount of \$649,263.75, and authorize the Chair to sign the attached construction services Agreement. (District 2)**
- 16.F.5. Recommendation to recognize Lisa Nuccio, Public Services Department, Library Division as the April 2021 Employee of the Month. (All Districts)**
- 16.F.6. Recommendation that the Board of County Commissioners terminate a lease with Kraft Office Center, LLC, and send notice to the Landlord. (All Districts)**

16.G. AIRPORT AUTHORITY

- 16.G.1. Recommendation that the Board of County Commissioners, acting as the Airport Authority, award Invitation to Negotiate No. 19-7664, “Immokalee Regional Airport Hangar/Commercial Aeronautical Development,” and authorize its Chairman to sign the attached Collier County Airport Authority Leasehold Agreement for Hangar Construction with Global Flight Training Solutions, Inc., for the construction of hangars at the Immokalee Regional Airport. (District 5)**

16.H. BOARD OF COUNTY COMMISSIONERS

- 16.H.1. Proclamation designating May 2021, as Drowning Prevention Month in Collier County. The proclamation will be mailed to Paula DiGrigoli, Executive Director, NCH Safe & Healthy Children's Coalition of Collier County.**

- 16.H.2. Proclamation designating May 22 - 28, 2021, as National Safe Boating Week in Collier County. The proclamation will be mailed to Keith Wohltman, United States Coast Guard Auxiliary, Flotilla 95, Marco Island, Florida.**
- 16.H.3. Proclamation designating May 2021, as Trauma Awareness Month in Collier County. The proclamation will be mailed to Lauren Ware, Community Programs Coordinator, Lee Memorial Health System, Ft. Myers, Florida.**
- 16.H.4. Proclamation designating May 16 - 22, 2021, as Emergency Medical Services Week in Collier County. The proclamation will be delivered to Tabatha Butcher, Chief, Collier County Emergency Medical Services.**
- 16.H.5. Proclamation designating May 16 - 22, 2021, as Water Reuse Week in Collier County. The proclamation will be delivered to Dr. George Yilmaz, Public Utilities Department Head.**

16.I. MISCELLANEOUS CORRESPONDENCE

16.J. OTHER CONSTITUTIONAL OFFICERS

- 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 April 15, 2021 and April 28, 2021 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 May 5, 2021. (All Districts)**

16.K. COUNTY ATTORNEY

- 16.K.1. Recommendation to approve and authorize the Chair to execute a Settlement Agreement in the lawsuit styled Margaret Heller v. Collier County Board of Commissioners, (Case No. 20-CA-3608), now pending in the Circuit Court of the Twentieth Judicial Circuit in and for Collier County, Florida, for the sum of \$22,500. (All Districts)**
- 16.K.2. *** This item was continued from the April 27, 2021 BCC meeting. *** 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.3. Recommendation to approve a Stipulated Final Judgment in the total amount of \$50,993.00 including statutory attorneys' fees and costs, for the taking of Parcel 187FEE, required for the Vanderbilt Beach Road Extension Project, Project No., 60168. (Fiscal Impact: \$51,163.00, which includes the statutory \$170 Clerk's fee) (All Districts)**

- 16.K.4. Recommendation to approve a Stipulated Order of Taking in the total amount of \$600,000.00 for the taking of Parcel 138FEE, required for the Vanderbilt Beach Road Extension Project, Project No., 60168. (Fiscal Impact: \$600,170.00, which includes the statutory \$170 Clerk's fee) (All Districts)**
- 16.K.5. Recommendation to approve a Stipulated Final Judgment in the total amount of \$110,000.00 plus statutory attorney's fees and costs of \$24,727.00, and \$170 Clerk's Fee for the taking of Parcel 1226FEE, required for the Vanderbilt Beach Road Extension Project, Project No., 60168. (All Districts)**
- 16.K.6. Recommendation to reappoint two members to the Coastal Advisory Committee. (All Districts)**
- 16.K.7. Recommendation to appoint a member to the Historic/Archaeological Preservation 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.

18. ADJOURN

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