

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 10, 2022

9:00 AM

Commissioner William L. McDaniel, Jr., District 5; – Chair – CRAB Co-Chair
Commissioner Rick LoCastro, District 1; – Vice Chair
Commissioner Andy Solis, District 2
Commissioner Burt Saunders, District 3
Commissioner Penny Taylor, District 4; – 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 (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, Retired United Church of Christ Minister**
- 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.A.1. April 12, 2022 BCC Meeting Minutes**
- 3. AWARDS AND RECOGNITIONS**
 - 3.A. EMPLOYEE**
 - 3.B. ADVISORY BOARD MEMBERS**
 - 3.C. RETIREES**
 - 3.D. EMPLOYEE OF THE MONTH**
 - 3.D.1. Recommendation to recognize Brandon Blanco, in the Community & Human Services Division, as the April 2022 Employee of the Month. (All Districts)**
- 4. PROCLAMATIONS**
 - 4.A. Proclamation designating May 11 - 17, 2022, as National Police Week. To be accepted by Sheriff Kevin Rambosk, Undersheriff Jim Bloom, Chief of Law Enforcement Chris Roberts, Chief Stephanie Spell, Chief Greg Smith, and Chief Mark Middlebrook.**
 - 4.B. Proclamation designating May 15 - 21, 2022, as Emergency Medical Services Week in Collier County. To be accepted by Chief Tabatha Butcher and emergency medical technicians and paramedics from Collier County EMS.**
 - 4.C. Proclamation designating May 2022 as Drowning Prevention Month in Collier County. To be accepted by Paula DiGrigoli, NCH Administrative Director, Women & Children Services of Collier County, Coral Vargas, NCH Safe and Healthy Children's Coalition Coordinator, Sydney Fahrenbruch, Collier CARES Coordinator, Sam Hernandez, Aquatics Senior Program Leader, Collier County Parks and Recreation, Kimberly Kossler, Administrator & Health Officer, FDOH Collier County, Terri Ballo, Florida Drowning Prevention Foundation, and Stewie the Duck.**
 - 4.D. Proclamation designating May 21 - 27, 2022, as National Safe Boating Week. To be accepted by representatives of Flotilla 95, Joseph Riccio, Flotilla Commander, Lee Konecke, Immediate Past Flotilla Commander, and Ajit Chikarmane, Flotilla Staff Officer.**

- 4.E. Proclamation designating May 2022 as Motorcycle Safety Awareness Month in Collier County. To be accepted by Lynn and Fred Corr, Denise Russo, Laura Jo Smith, Jennie McCallion, Jerry Mason, Norm Hansen, Tammy Hansen, Barb Grassel, Ron Strobel, and Rusty Crans.
- 4.F. Proclamation designating May 2022 as National Drug Court Month. To be accepted by Honorable Janeice T. Martin and Drug Court participants.
- 4.G. Proclamation designating May 6 - 12, 2022, as National Nurses Week. To be accepted by Linda F. Hill, LPN, Barbara Belkoff, and Patricia Pruss, RN.
- 5. PRESENTATIONS
 - 5.A. Presentation of the Collier County Business of the Month for May 2022 to CyberSecure IT Solutions. The award will be accepted by Christian Wartchow, Owner. Also present is Bethany Sawyer, Vice President of Membership, The Greater Naples Chamber of Commerce.
- 6. PUBLIC PETITIONS
 - 6.A. Public Petition request from Lisa Seymour regarding commercial launch permits.
- 7. PUBLIC COMMENTS ON GENERAL TOPICS NOT ON THE CURRENT OR FUTURE AGENDA
- 8. BOARD OF ZONING APPEALS
- 9. ADVERTISED PUBLIC HEARINGS
 - 9.A. Conduct a public hearing to consider revisions to the Collier County Community Redevelopment Plan and adoption of a resolution approving the amendment. (Debrah Forester, CRA Director) (This item is a companion to Item 14B1) (All Districts)
 - 9.B. Recommendation to enact an Ordinance to establish a Fair Notice to Tenant Ordinance relating to landlords providing fair notice of rent increases over five percent (5%) to tenants with leases of one year or longer. (Kristi Sonntag, Community and Human Services Director & Jeffrey Klatzkow, County Attorney) (All Districts)
- 10. BOARD OF COUNTY COMMISSIONERS
 - 10.A. Recommendation that the Board of County Commissioners accept an update related to the advocacy efforts of Quiet Florida to address excessive vehicular noise on public roadways, predominately from modified exhaust systems. (Sponsored by Commissioner Saunders) (All Districts)
 - 10.B. Recommendation to direct staff to advertise and bring back a Land Development Code amendment to allow medical marijuana dispensaries in the same zoning districts as pharmacies. (Sponsored by Commissioner McDaniel) (All Districts)

- 10.C. Recommendation that the Board of County Commissioners accept an update regarding the County Manager recruitment and provide staff with additional direction on the interview process. (Sponsored by Commissioner McDaniel) (All Districts)
- 10.D. Recommendation that the Board of County Commissioners appoint an Acting County Manager, effective at 5 p.m., on Friday, May 13, 2022, to serve until the current County Manager selection process concludes and a new County Manager is seated. (Sponsored by Commissioner McDaniel) (All Districts)
- 11. COUNTY MANAGER'S REPORT
 - 11.A. Recommendation to award Invitation to Bid ("ITB") No. 22-7945, "Phase 2 Pelican Bay Sidewalk Improvements," to Quality Enterprises USA, Inc., in the amount of \$6,761,475.50, authorize the Chair to sign the attached Construction Services Agreement, and authorize the necessary budget amendment. (Neil Dorrill, Pelican Bay Services Division Administrator) (District 2)
- 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
 - 14.B.1. Recommendation that the Board of County Commissioners, acting as the Community Redevelopment Agency Board (CRA), approve a Resolution recommending approval to the Board of County Commissioners an amendment to the Collier County Community Redevelopment Area Plan. (This item is a companion to Item 9A) (All Districts)
 - 14.B.2. Recommendation that the Board of County Commissioners, acting as the Community Redevelopment Agency Board (CRA), authorize staff to obtain an appraisal, negotiate a Purchase Agreement with Catholic Charities Diocese of Venice, Inc. and take all actions required by Section 163.380(3)(a), Florida Statutes to convey 1.96 acres of CRA owned property in the Immokalee Community Redevelopment Area based on an unsolicited proposal. (District 5)
- 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 authorize the Clerk of Courts to release a Performance Bond in the amount of \$134,060 which was posted as a development guaranty for an Early Work Authorization (EWA) (PL20210003120) for work associated with Shadowwood – Plat One. (District 1)**
- 16.A.2. Recommendation to recognize and appropriate revenue within Road Construction fund (313), Project 60172, in the amount of \$60,865 for fiscal year 2022, and authorize all necessary budget amendments. (All Districts)**
- 16.A.3. Recommendation to approve Amendment No. 1 to Florida Fish and Wildlife Conservation Commission (FWC) Grant Agreement No. 21222 under the Bulk Derelict Vessel Removal Program, extending the expiration date to July 29, 2022 (Project 33771). (All Districts)**
- 16.A.4. Recommendation to approve and execute a Local Agency Program Agreement with the Florida Department of Transportation, reimbursing the County up to \$467,424 for the construction of bike lane and shoulder improvements along 111th Avenue North from the Bluebill Avenue Bridge to 7th Street North, and authorize the necessary budget amendment (Project 33620), FPN 441846-1-58-01. (District 2)**
- 16.A.5. Recommendation to approve and execute two corrected Beautification Grants (Nos. G2179 and G2178) and a corrected Local Agency Program Agreement (FPN 446323-1-58-01) with the Florida Department of Transportation to remedy scrivener's errors. (District 1, District 4, District 5)**
- 16.A.6. Recommendation to approve an increase in the purchase order for Carlton Fields, P.A. to pay final expenses resulting from the dispute resolution process that culminated in the Board approved settlement between WPM-Southern, LLC, the City of Naples, Florida, Q. Grady Minor & Associates, P.A., and Collier County. (Fiscal Impact \$17,000). (All Districts)**

16.B. COMMUNITY REDEVELOPMENT AGENCY

- 16.B.1. *** This item continued from the April 26, 2022, BCC Meeting. *** Recommendation that the Board of County Commissioners, acting as the Community Redevelopment Agency Board, suspend the Bayshore Gateway Triangle Community Redevelopment Area Commercial Building Improvement Grant program and decline the application submitted by G&C Shadow, LLC, in the amount of \$30,000 for the property located within the Bayshore Gateway Triangle Community Redevelopment Area at 3400 Tamiami Trail East. (District 4)**

16.C. PUBLIC UTILITIES DEPARTMENT

- 16.C.1. Recommendation to approve the termination and release of a temporary construction easement acquired for the water facilities construction in the case entitled COLLIER COUNTY v. AMERISITE LLC. (District 5)**

- 16.C.2. Recommendation for approval to terminate for convenience Agreement No. 18-7471, “Purchase and Installation of Floor Covering,” with Wayne Wiles Floorcoverings, Inc., and Tampa Contract Floors, Inc. (All Districts)**
- 16.C.3. Recommendation to approve the selection committee’s final ranking and authorize staff to begin contract negotiations with the top-ranked firm, Chris-Tel Company of Southwest Florida Inc., d/b/a Chris -Tel Construction, related to Request for Proposal (“RFP”) No. 22-7951 for Courthouse “Construction Manager at Risk for Multi-Project Execution.” (District 4)**
- 16.C.4. Recommendation to award Request for Proposal (“RFP”) # 21-7883-ST “Construction Manager at Risk (CMAR)” to O-A-K/Florida, Inc. dba Owen-Ames-Kimball Company, for pre-construction services for the Main Campus Upgrades (MCU) in the amount of \$70,595, and a fee of five percent (5%) of the to be determined Guaranteed Maximum Price (“GMP”) for construction services. Fund (318), Projects 50214 and 50189. (District 4)**
- 16.C.5. Recommendation to approve Amendment No. 17 to the Agreement with Collier County District School Board for the Driver Education Program extending the existing Driver’s Education funding collected under the Dori Slosberg Driver Education Ordinance for an additional year. (All Districts)**
- 16.C.6. Recommendation to authorize the County Manager, or his designee take whatever action is necessary to convey the 6.38 acre “lake expansion parcel” (Tract RL-2) located abutting the County’s Sports Complex and Special Events Center (n/k/a as the “Paradise Coast Sports Complex”) to the City Gate Community Development District, as allowed by the Board approved Contribution Agreement. (District 1)**

16.D. PUBLIC SERVICES DEPARTMENT

- 16.D.1. Recommendation to approve and authorize the Chairman to sign two (2) Subrecipient Agreements between Collier County and NAMI Collier County, Inc., in the amount of \$500,000 each to assist in obtaining suitable housing and funding under Emergency Rental Assistance Programs 1 and 2. (Grant Fund 705) (All Districts)**
- 16.D.2. Recommendation to approve and authorize the Chairman to sign two (2) mortgage satisfactions for the State Housing Initiatives Partnership loan program in the amount of \$30,000 and approve the associated Budget Amendment to appropriate repayment amount totaling \$30,000. (SHIP Grant Fund 791) (All Districts)**

- 16.D.3. Recommendation to approve an “After-the-Fact” first amendment and attestation statement with the Area Agency on Aging for Southwest Florida, Inc., and to transfer funds from the Older American Act Program IIIB Transportation Services to IIIB Services and from IIIE Services to title IIIES Supplemental Services. (Human Service Grant Fund 707) (All Districts)**
- 16.D.4. Recommendation to accept and appropriate a donation of \$175 from the Myles Standish Colony Society of Mayflower Descendants to support the Collier County Public Library’s Genealogy Program and authorize the necessary Budget Amendment. (Library Grants and Projects (Donations) Fund 129) (All Districts)**
- 16.D.5. Recommendation to approve the “After-the-Fact” submittal of a Grant Application for Year 2 of the Centers for Disease Control Community Health Workers for COVID-19 Response for Resilient Communities program, in the amount of \$421,744. (Housing Grant Fund 705) (All Districts)**
- 16.D.6. Recommendation to approve expenditures on exemptions to the formal competitive process for up to \$500,000 for off-site veterinary medical services. (All Districts)**
- 16.D.7. Recommendation to authorize six (6) Full-Time Equivalent (FTE) time-limited positions in the Public Service Department, Community & Human Services Division, due to expanded grant housing assistance programs and Affordable Housing initiatives. (Fund 116, 123 & 705) (All Districts)**
- 16.D.8. Recommendation to authorize a Budget Amendment in the amount of \$582,273 to recognize the increase in revenue generated by the new Parks and Recreation fee structure and to increase General Fund (001) Beach and Water revenues to fund parks ongoing maintenance and operating costs. (All Districts)**

16.E. ADMINISTRATIVE SERVICES

- 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 FY 22. (All Districts)**
- 16.E.2. Recommendation to approve the administrative report prepared by the Procurement Services Division for disposal of property and notification of revenue disbursement. (All Districts)**
- 16.E.3. Recommendation to approve the administrative reports prepared by the Procurement Services Division for change orders and other contractual modifications requiring Board approval. (All Districts)**

16.F. COUNTY MANAGER OPERATIONS

16.F.1. Recommendation to adopt a resolution approving amendments (appropriating grants, donations, contributions or insurance proceeds) to the FY21-22 Adopted Budget. (All Districts)

16.F.2. Recommendation that the Board of County Commissioners approve the County Manager's early departure from full-time service to the Board and agency as well as the Manager's desire to remain on the payroll utilizing contractual leave to his planned July 1 retirement. (All Districts)

16.G. AIRPORT AUTHORITY

16.G.1. * This item continued from the April 26, 2022, BCC Meeting. *** 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 Collier Mosquito Control District for the construction of hangars at the Immokalee Regional Airport (District 5)**

16.H. BOARD OF COUNTY COMMISSIONERS

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 14, 2022 and April 27, 2022 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 4, 2022. (All Districts)

16.K. COUNTY ATTORNEY

16.K.1. Recommendation to reappoint three members to the Bayshore/Gateway Triangle Local Redevelopment Advisory Board. (District 4)

16.K.2. Recommendation to approve a Stipulated Final Judgment in the total amount of \$133,000 plus \$47,703 in statutory attorney and experts' fees and costs, for the taking of Parcel 1101FEE required for the Vanderbilt Beach Road Extension Project No. 60168. (All Districts)

16.K.3. Recommendation to approve a Stipulated Final Judgment in the total amount of \$117,000 plus \$38,722 in statutory attorney and experts' fees and costs, for the taking of Parcel 1103FEE required for the Vanderbilt Beach Road Extension Project No. 60168. (All Districts)

- 16.K.4. Recommendation to approve an Interlocal Agreement with the Collier County Tax Collector for retention of an administrative cost of 2% of the Tourist Development Taxes collected. (All Districts)
- 16.K.5. Recommendation to approve a Stipulated Final Judgment in the total amount of \$1,500,000 plus \$246,075 in statutory attorney and experts' fees and costs, for the taking of Parcels 113POND, 113TDRE, 129FEE1, 129FEE2 and 327FEE, required for the Vanderbilt Beach Road Extension Project No. 60168. (All Districts)
- 16.K.6. Recommendation to approve a Stipulated Final Judgment in the amount of \$125,500 plus \$45,939 in statutory attorney and experts' fees and costs for the taking of Parcel 1214FEE plus an amount not to exceed \$5,000 for statutory supplemental attorneys' fees, required for the Vanderbilt Beach Road Extension Project No. 60168. (All Districts)
- 16.K.7. Recommendation to approve a Stipulated Final Judgment in the amount of \$805,000 plus \$122,330 in statutory attorney and experts' fees and costs for the taking of Parcel 138FEE required for the Vanderbilt Beach Road Extension Project No. 60168. (All Districts)
- 16.K.8. Recommendation to approve and authorize the Chair to execute a Settlement Agreement in the lawsuit styled John C. Schiller, III v. Collier County Board of Commissioners, (Case No. 19-CA-3155), now pending in the Circuit Court of the Twentieth Judicial Circuit in and for Collier County, Florida, for the sum of \$20,000. (All Districts)

17. SUMMARY AGENDA

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

- 17.A. An Ordinance of the Board of County Commissioners of Collier County, Florida, proposing Evaluation and Appraisal Review (EAR) based amendments to Ordinance 89-05, as amended, the Collier County Growth Management Plan of the unincorporated area of Collier County, Florida, specifically amending the Conservation and Coastal Management Element to address sea level rise, and update nomenclature, and furthermore, directing transmittal of the adopted amendment to the Florida Department of Economic Opportunity; providing for severability; and providing for an effective date. [PL20210001271]. (All Districts)

- 17.B. This item requires that ex parte disclosure be provided by Commission members. Should a hearing be held on this item, all participants are required to be sworn in. Recommendation to approve an Ordinance of the Board of County Commissioners of Collier County, Florida amending Ordinance No. 2009-65, as amended, the Siena Lakes CCRC Commercial Planned Unit Development (CPUD) by increasing the maximum square feet from 878,889 to 886,794 to allow the remaining 33,127 square feet of development on the tract west of Siena Lakes Drive based on a maximum floor area ratio of 0.58 over the entire 35.10 acre site, rather than a floor area ratio of 0.45 on the western 5.85 acres and a floor area ratio of 0.60 on the eastern 29.24 acres; by revising the Master Plans and development commitments, and providing an effective date. The subject property, consisting of 35.10± acres, is located on the north side of Orange Blossom Drive and Airport-Pulling Road in Section 1, Township 49 South, Range 25 East, Collier County, Florida. (PL202100000893) (District 2)
- 17.C. Recommendation to approve an Ordinance of the Board of County Commissioners of Collier County, Florida, that Simplifies Replatting Golden Gate Estates Tracts by Amending Ordinance Number 04-41, as amended, the Collier County Land Development Code, Which Includes the Comprehensive Land Regulations for the Unincorporated Area of Collier County, Florida, to Create Site Design Standards and Waive Subdivision Improvements for the Subdividing of Golden Gate Estates Tracts, by Providing for: Section One, Recitals; Section Two, Findings Of Fact; Section Three, Adoption of Amendments to the Land Development Code, More Specifically Amending the Following: Chapter Four – Site Design and Development Standards, Including Section 4.03.06 – Golden Gate Estates Lot Divisions; and Appendix B – Typical Street Sections and Right-Of-Way Design Standards; Section Four, Conflict and Severability; Section Five, Inclusion in the Collier County Land Development Code; and Section Six, Effective Date. [PL20210001560] (All Districts)

18. ADJOURN

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