

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 09, 2023

9:00 AM

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

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

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

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

Any person who decides to appeal a decision of this Board will need a record of the proceeding pertaining thereto, and therefore may need to ensure that a verbatim record of the proceedings is made, which record includes the testimony and evidence upon which the appeal is to be based.

Collier County Ordinance No. 2003-53 as amended by ordinance 2004-05 and 2007-24, requires that all lobbyists shall, before engaging in any lobbying activities (including but not limited to, addressing the Board of County Commissioners), register with the Clerk to the Board at the Board Minutes and Records Department.

If you are a person with a disability who needs any accommodation in order to participate in this proceeding, you are entitled, at no cost to you, the provision of certain assistance. Please contact the Collier County Facilities Management Division located at 3335 East Tamiami Trail, Suite 1, Naples, Florida, 34112-5356, (239) 252-8380; assisted listening devices for the hearing impaired are available in the Facilities Management Division.

Lunch Recess scheduled for 12:00 Noon to 1:00 P.M

- 1. INVOCATION AND PLEDGE OF ALLEGIANCE**
 - 1.A. Invocation by Reverend Kirt Anderson, Naples Community Church** (25267)
- 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 11, 2023, BCC Meeting Minutes** (25420)
- 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. Celebrating the Collier County Centennial.** (25352)
 - 4.B. Centennial recognition of the Collier County business and tourism community.** (25354)
 - 4.C. Centennial recognition of County Commissioners and County Managers who have served Collier County.** (25358)
- 5. PRESENTATIONS**
 - 5.A. Celebrating 100 Years of Collier County and Its Many Communities.** (25359)
- 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 adopt a Resolution updating the policies relating to code enforcement liens, direct staff to revisit its procedures for prosecuting code enforcement cases, and direct staff to discuss and reinforce with the Code Enforcement Board and Special Magistrate the parameters for the imposition of fines for code violations. (Sponsored by Commissioner LoCastro) (25365)**

11. COUNTY MANAGER'S REPORT

- 11.A. *** This item to be heard immediately following 5A. *** Recommendation to approve the County Manager's implementation of one additional personal leave day for all County employees under the direction of the Board including the County Manager's Agency, County Attorney's Office, and BCC Office staff to be used May 10, 2023, through May 9, 2024, in honor of Collier County's Centennial Celebration. (Amy Patterson, County Manager) (25410)**
- 11.B. *** This item to be heard at 1 PM. *** Recommendation to accept the after-action report for the 2023 Florida legislative session and provide guidance as preliminary planning begins for the next legislative cycle. (John Mullins, Communications, Government & Public Affairs Director) (25121)**

12. COUNTY ATTORNEY'S REPORT

13. OTHER CONSTITUTIONAL OFFICERS

- 13.A. *** This item to be heard at 11 AM. *** Presentation of the Annual Comprehensive Financial Report for the fiscal year ended September 30, 2022 and authorization to file the related State of Florida Annual Local Government Financial Report with the Department of Financial Services. (Derek Johnssen, Clerk's Office Director of Finance and Accounting) (25399)**

14. AIRPORT AUTHORITY AND/OR COMMUNITY REDEVELOPMENT AGENCY

14.A. AIRPORT

14.B. COMMUNITY REDEVELOPMENT AGENCY

15. STAFF AND COMMISSION GENERAL COMMUNICATIONS

15.A. PUBLIC COMMENTS ON GENERAL TOPICS NOT ON THE CURRENT OR FUTURE AGENDA BY INDIVIDUALS NOT ALREADY HEARD DURING PREVIOUS PUBLIC COMMENTS IN THIS MEETING

15.B. STAFF PROJECT UPDATES

15.C. STAFF AND COMMISSION GENERAL COMMUNICATIONS

16. CONSENT AGENDA

All matters listed under this item are considered to be routine and action will be taken by one motion without separate discussion of each item. If discussion is desired by a member of the Board, that item(s) will be removed from the Consent Agenda and considered separately.

16.A. GROWTH MANAGEMENT DEPARTMENT (CONSENT)

- 16.A.1. Recommendation to approve final acceptance of the potable water and sewer utility facilities and accept the conveyance of a portion of the potable water and sewer utility facilities and appurtenant utility easement for Stor-All at Tree Farm, PL20220005737. (24492)**
- 16.A.2. Recommendation to approve final acceptance of the potable water utility facilities and accept the conveyance of a portion of the potable water utility facilities and appurtenant utility easement for The Willough at Naples – Fire Line, PL20220000571. (25084)**
- 16.A.3. 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 final plat of Esplanade by the Islands - Phase 3 (Application Number PL20220005192) approval of the standard form Construction and Maintenance Agreement and approval of the performance security in the amount of \$5,341,619.06. (25063)**
- 16.A.4. 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 Dorado at Fiddler’s Creek - Replat, Application Number PL20210003318. (25086)**
- 16.A.5. Recommendation to approve Amendment No. 1 to the Interlocal Agreement with the School District of Collier County, related to Agreement No. 20-7708, Design-Build Veterans Memorial Boulevard Extension, Phase I (County Project Number 60198), for \$17,752.35. (25346)**
- 16.A.6. Recommendation to award Invitation to Bid (“ITB”) No. 22-8045 “Fiber Optics Installation, Repair, and Maintenance”, to Intelligent Infrastructure Solutions, LLC, as the Primary vendor, and Aztek Communications of South Florida, Inc., as the Secondary vendor, and authorize the Chairman to sign the attached agreements. (25113)**
- 16.A.7. Recommendation to authorize the Clerk of Courts to release a Letter of Credit in the amount of \$24,580 which was posted as a guarantee for work associated with the construction of a small section of the driveway to the adjacent property located to the east of Marquesa Plaza at Baldrige PUD, PL20120001665, and PL20180002247. (25055)**
- 16.A.8. Recommendation to authorize the Clerk of Courts to release a Performance Bond in the amount of \$539,200 which was posted as a guarantee for Excavation Permit Number PL20200000810 for work associated with Tamarindo. (25046)**

- 16.A.9. Recommendation to authorize the Clerk of Courts to release a Performance Bond in the amount of \$29,600 which was posted as a development guarantee for an Early Work Authorization (EWA) for work associated with Winchester PPL, PL20220001541. (25056)**
- 16.A.10. Recommendation to waive liquidated damages in the amount of \$508,690.00 against Pavement Maintenance, LLC, for contract No. 21-7887, Randall Boulevard at Everglades Boulevard Intersection Improvements, arising from the delayed acquisition of traffic signal equipment, and approve/ratify the after-the-fact payment of the final payment application in the amount of \$258,592.43, subject to the contractor providing all required backup documentation prerequisite to processing payment. (Project Number 60242). (25219)**
- 16.A.11. Recommendation to approve a work order with APTIM Environmental & Infrastructure, Inc. to provide professional engineering services for 2024-2025 Local Government Funding Request under Contract No. 18-7432-CZ for time and material not to exceed \$26,052.00, authorize the Chairman to execute the work order, and make a finding that this item promotes tourism (Fund 195, Project No. 90065). (25143)**
- 16.A.12. Recommendation to authorize the necessary budget amendments to reallocate funds from Stormwater Bond Fund 327 reserves to Golden Gate and Gordon River Stormwater Improvements projects in the total amount of \$4,000,000 (25277)**
- 16.A.13. Recommendation to approve the payment of \$1,650 to the River Oaks Homeowners' Association ("HOA") for five years of unpaid assessments for Lot 44, Block A of Palm River Estates, Unit No. 7, according to the Plat thereof recorded in Plat Book 12, pages 28 through 30, Public Records of Collier County, Florida (25200)**
- 16.A.14. Recommendation to adopt a resolution authorizing the acquisition by gift or purchase of drainage easements necessary for the construction of stormwater management improvements required for the West Goodlette-Frank Road Area Stormwater Improvement Project (Phase 2), Project No. 60142; and authorize the necessary budget amendment. (Estimated fiscal impact: \$930,000. The source of funding is the stormwater fund 325.) (24547)**
- 16.A.15. Recommendation to approve and execute a Local Agency Program (LAP) Construction Agreement with the Florida Department of Transportation (FDOT) reimbursing the County up to \$1,407,595 (\$607,595 - FDOT Safe Routes to School) and (\$800,000 - Collier County MPO Urbanized Area (SU Funds)) for the construction of a 6-foot sidewalk at Eden Park on the south side of Carson Road from Westclox Drive to Carson Lakes Circle; execute a Resolution memorializing the Board's action; and authorize the necessary budget amendment (Project 33622), FPN 441480-1-58-01. (25203)**

- 16.A.16.** Recommendation to approve a Florida Department of Transportation (FDOT) Beautification Grant for \$100,000 for median irrigation and landscaping improvements on Davis Boulevard (State Road 84) from Santa Barbara Boulevard to Firano Drive; approve a Joint Participation Agreement between the FDOT and Collier County in the amount of \$865,000 for median irrigation and landscaping improvements on Davis Boulevard (State Road 84) from Santa Barbara Boulevard to Collier Boulevard; authorize the Chairman to execute the Agreements; authorize the Chairman to execute the Resolutions memorializing the Board's action; and authorize the necessary budget amendments. (Companion to item 16.A.17) (25101)
- 16.A.17.** Recommendation to approve and execute a Landscape Maintenance and Installation Agreement between the State of Florida Department of Transportation (FDOT) and Collier County for median irrigation and landscaping improvements on Davis Boulevard (State Road 84) from Santa Barbara Boulevard to Collier Boulevard, authorize the Chairman to sign a Resolution memorializing the Board's action and allow project activity. (Companion to item 16.A.16) (25136)
- 16.A.18.** Recommendation to approve an Economic Development Agreement with PFPI OZ, LLC, (Pikus) for the proposed project "CENTRO" for reimbursement of up to \$788,878.56 in actual expenditures for sanitary sewer, drainage, impact fees, and building permits for constructing a mixed-use development headquarters in the Golden Gate City Economic Development Zone (GGEDZ) finding that this applicant is a target business qualifying for the incentives set forth in the GGEDZ Ordinance. (25261)
- 16.A.19.** Recommendation to approve an agreement for the purchase of permanent and temporary easements (composite Parcels 177DE and 177DAE, Parcel 177TCE1, Parcel 177TCE2, and Parcel 177ROE) required for the construction of stormwater management improvements for the Big Cypress Golf and Country Club Estates/Country Club of Naples Areas Project, the Upper Gordon River Channel Improvements Project, and the Solana Road Stormwater Improvements Project, and authorize the Board to delegate authority to the County Manager to approve and execute a Work Order in an amount not to exceed \$850,000 to expedite construction activity, subject to being ratified by the Board at its next regular meeting. Estimated Fiscal Impact: \$878,500. (Project No. 60102) (25416)

16.B. COMMUNITY REDEVELOPMENT AGENCY (CONSENT)

- 16.B.1.** Recommendation to approve Change Order No. 1 to Agreement No. 21-7845, Bayshore Drive Redevelopment Project, with Stantec Consulting Services, Inc., to add an additional 90 days to the agreement. (P.O No. 4500218097) (25374)

16.C. PUBLIC UTILITIES DEPARTMENT (CONSENT)

- 16.C.1.** Recommendation that the Board of County Commissioners, as ex-officio the Governing Board of the Collier County Water-Sewer District, approve a Work Order under a Request for Quotation (“RFQ”) for Agreement No. 20-7800 for “Modifications to NRO Well #11” to Douglas N. Higgins, Inc., in the amount of \$588,380, approve staff opening a Purchase Order to commence services, and authorize the Chairman to sign the attached Work Order. (Project No. 70085). (25254)
- 16.C.2.** Recommendation to ratify and approve Change Order No. 1, providing for a 150-day time extension and \$9,887.37 draw on owner’s allowance under Request for Quotation No. 19-7622-302.25 with US Water Services Corporation under agreement 19-7622, for the Pump Station 302.25 Rehabilitation project, and authorize the Chairman to sign the attached Change Order. (Project No. 70145) (25342)
- 16.C.3.** Recommendation to approve Change Order No. 3, allocating a portion of the Owner’s Allowance to cover the costs for Work Directives Nos. 1 and 2 in the amount of \$9,226.49 under Agreement No. 20-7800, for the “Orange Tree Wastewater Treatment Plant Driveway Relocation project,” with Quality Enterprises, USA, Inc., ratify the work completed under Work Directives No. 1 and 2, and authorize the Chairman to sign the attached change order. (25248)
- 16.C.4.** Recommendation to approve the selection committee’s ranking and authorize staff to begin contract negotiations with Harvard Jolly, Inc., related to Request for Professional Services No. 22-8033 for “Design Services for Hardening and Expansion of the Collier Senior Center Building,” so staff can bring a proposed agreement back for the Board’s consideration at a future meeting. (Project 50219) (25367)
- 16.C.5.** Recommendation to authorize a budget amendment for the Water Division in the amount of \$279,500 to redistribute existing Division funds to cover the costs associated with the increased purchase of bulk water to fund continued operations in the Water Division Budget through the end of Fiscal Year 2023. (25272)

16.D. PUBLIC SERVICES DEPARTMENT (CONSENT)

- 16.D.1.** *** This Item continued from the April 25, 2023, BCC Meeting. ***
Recommendation to authorize a Budget Amendment in the amount of \$100,000 to transfer funding within the County-Wide Capital Fund (301) to continue funding eBook collections to meet patron demand for digital resources and materials for Collier County Public Libraries. (25369)
- 16.D.2.** Recommendation to adopt the attached Resolution superseding Resolution Nos. 2021-263, 2018-135, 2018-44, 2016-245, and 2008-26, and all other resolutions establishing license and fee policies, to approve the sale and proposed rate schedule for fuel at County-owned Marinas, and authorize the necessary Budget Amendments. (25389)

- 16.D.3. Recommendation to accept the State Housing Initiative Partnership Hurricane Housing Recovery Program award in the amount of \$957,820 to assist eligible Collier County households whose primary residence sustained damage as a result of Hurricane Ian, authorize the necessary Budget Amendment, and authorize two (2) Full-Time Equivalent grant-funded positions to support program administration. (SHIP Grant Fund 791) (25094)**
- 16.D.4. Recommendation to approve and authorize the Chairman to execute a Landlord Payment Agreement allowing the Community and Human Services (CHS) Division to administer the Rapid Re-Housing and Homelessness Prevention Program through the Emergency Solutions and Rapid Unsheltered Survivor Housing Grants Program. (25195)**
- 16.D.5. Recommendation to approve an “After-the-Fact” amendment with the Area Agency on Aging for Southwest Florida, Inc., regarding American Rescue Plan Act funding under the Home-Based Community Services-Enhanced Home Care for the Elderly grant program for the Collier County Services for Seniors Program to amend the term of the contract, update Table 2 Delivery Schedule and 3 Payment Schedule and assign the CSFA Number. (Human Service Grant Fund 707) (25201)**

16.E. CORPORATE BUSINESS OPERATIONS (CONSENT)

- 16.E.1. Recommendation to approve and authorize an Access and Confidentiality Agreement between Collier County and NCH Healthcare System, Inc., to allow EMS to obtain access to patient outcomes from Naples Community Hospital utilizing the EpicCare Link Software System. (25264)**
- 16.E.2. Recommendation to approve the administrative report prepared by the Procurement Services Division for disposal of property that is no longer viable, was traded in, or damaged beyond repair during Hurricane Ian, and the removal of the property from the County’s capital asset records. (25260)**
- 16.E.3. Recommendation to authorize expenditures under a sole-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 services from Menzi USA Sales, Inc., necessary to maintain County-owned Menzi Muck Walking Excavators. (25376)**

16.F. COUNTY MANAGER OPERATIONS (CONSENT)

- 16.F.1. Recommendation to approve and authorize the Chairman to sign a Mutual Release providing for final payment to Sports Fields, Inc., in the amount of \$28,465.12 for actual substantiated services it rendered under Agreement No. 18-7404 concerning Collier County Sports Complex Marketing and Support for the Paradise Coast Sports Complex. (25362)**

- 16.F.2. Recommendation to approve a Second Amendment to Vacant Land Contract between Collier County and David Lawrence Mental Health Center, Inc., that extends the approval period one year - due to an unexpected delay in finalizing the rezoning of the underlying property - the time to obtain the necessary site development plans. (25381)**
- 16.F.3. Recommendation to approve administrative Change Order No. 8 providing for a 99-day time extension with zero financial impact under Agreement No. 16-6622 with Q Grady Minor and Associates, P.A., for the engineering and design services associated with the construction of Big Corkscrew Island Regional Park due to delays experienced by the general contractor's material availability and manpower shortages, and authorize the Chairman to sign the attached change order. (Project No. 80039) (25066)**
- 16.F.4. Recommendation to approve Change Order No. 4 in the amount of \$48,317.76, under Construction Agreement No. 21-7899 with Haskins, Inc., for the Hamilton Avenue Improvements project that memorializes additional repair work initiated during the Hurricane Ian state of emergency, which the Board previously authorized payment for at its March 28, 2023, meeting. (Project No. 50171.1.3) (25166)**
- 16.F.5. Recommendation to approve a First Amendment for Sale and Purchase Agreement with: (1) Henrietta Arnay, (2) Charles E. Bailey, (3) Lois Behnke, (4) D & J Investors, (5) David Joyce for properties on the Cycle 10 Approved Acquisition list for the Conservation Collier Land Acquisition Program. (25360)**
- 16.F.6. Recommendation to adopt a Resolution approving amendments (appropriating grants, donations, contributions, or insurance proceeds) to the Fiscal Year 2022-23 Adopted Budget. (The budget amendments in the attached Resolution have been reviewed and approved by the Board of County Commissioners via separate Executive Summaries.) (25370)**
- 16.G. AIRPORT AUTHORITY (CONSENT)**
- 16.H. BOARD OF COUNTY COMMISSIONERS (CONSENT)**
- 16.I. MISCELLANEOUS CORRESPONDENCE (CONSENT)**
- 16.I.1. May 9, 2023, Miscellaneous Correspondence (25419)**
- 16.J. OTHER CONSTITUTIONAL OFFICERS (CONSENT)**
- 16.J.1. Report to the Board regarding the investment of County funds as of the quarter ended March 31, 2023. (25398)**
- 16.J.2. 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 13, 2023, and April 26, 2023, pursuant to Florida Statute 136.06. (25418)**

- 16.J.3. Request that the Board approve and determine valid public purpose for invoices payable and purchasing card transactions as of May 03, 2023. (25421)**
- 16.J.4. Recommendation to approve First Amendment for Professional Services Agreement No. 21-7936, “Professional Services for SAP S/4 HANA Implementation” with Phoenix Business, Inc., d/b/a Phoenix Business Consulting for tasks related to SAP Success Factors Employee Central and Workforce Time Management in the amount of \$1,768,251.00 (Project Number 50017). (25411)**

16.K. COUNTY ATTORNEY (CONSENT)

- 16.K.1. Recommendation to approve a Stipulated Final Judgment in the total amount of \$125,000 plus \$15,048 in statutory attorney fees for the taking of Parcels 274RDUE and 274TDRE required for the Vanderbilt Beach Road Extension Project No. 60168. (24843)**
- 16.K.2. Recommendation to approve the litigation settlement between Collier County and Kendall Perrine LLC and recommendation to approve the acceptance of \$12,000 from Kendall Perrine LLC in exchange for a release of lien with a value of \$97,309.70, in the code enforcement action entitled Board of County Commissioners v. Kendall Perrine LLC of Collier County, Case No. CES20210012676. (25363)**

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 ex parte disclosure to be provided by the Commission members. Recommendation to approve an ordinance rezoning a Residential Single-Family-3 (RSF-3) lot to Residential Multi-Family-6 (RMF-6) in Golden Gate City to allow up to 2 multifamily dwelling units on 0.29± acres of property located at 5196 23rd Ct SW, Naples, Florida, on Lot 1, Block 198, Golden Gate Unit 6, in Section 21, Township 49 South, Range 26 East, Collier County, Florida. [PL20210001906] (24704)**
- 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 Petition VAC-PL20220003566, to disclaim, renounce, and vacate the County and the public interest in the 10-foot public utility easement located along the border between Lots 1 & 2 and Lots 3, 4, & 5, Block 11, of Bonita Shores, Unit No. 2, as recorded in Plat Book 3, Page 43, of the Public Records of Collier County, Florida, located in the southwest quadrant of 6th Street and Vanderbilt Drive, in Section 5, Township 48 South, Range 25 East, Collier County, Florida. (25139)**

18. ADJOURN

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