

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 25, 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 Rabbi Ammos Chorny of Beth Tikvah Synagogue**
- 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.)**
- 3. AWARDS AND RECOGNITIONS**
 - 3.A. EMPLOYEE**
 - 3.A.1. 20 YEAR ATTENDEES**
 - 3.A.1.a. 20 Years - Concetta Disarro - Emergency Services Division - EMS Battalion Chief II**
 - 3.A.2. 25 YEAR ATTENDEES**
 - 3.A.2.a. 25 Years - David Chalick - Library - Branch Library Manager**
 - 3.A.2.b. 25 Years - Dana Alger - Solid and Hazardous Waste Management - Recycling Coordinator**
 - 3.A.2.c. 25 Years - Mary Jo Brock - County Managers Office - Management Analyst I**
 - 3.A.3. 30 YEAR ATTENDEES**
 - 3.A.4. 35 YEAR ATTENDEES**
 - 3.B. ADVISORY BOARD MEMBERS**
 - 3.C. RETIREES**
 - 3.D. EMPLOYEE OF THE MONTH**
- 4. PROCLAMATIONS**
 - 4.A. Proclamation designating May 4, 2023, as National Day of Prayer. To be accepted by Pastor Grant Thigpen, Pastor Jesse Barrett, and other leaders of the faith community.**

- 4.B. Proclamation designating April 30, 2023, as National Therapy Animal Day. To be accepted by Susan Abreu and her therapy dog, "Nanny."
- 4.C. Proclamation designating May 2023 as National Safe Boating Week. To be accepted by Richard Hurd, Flotilla Staff Officer-Public Affairs, Partner Visitation, US Coast Guard Auxiliary, Marco Island, Florida.
- 4.D. Proclamation designating May 7 - 13, 2023, as National Correctional Officers Week. To be accepted by Sheriff Kevin Rambosk, Colonel Jim Bloom, Chief Mark Middlebrook, Captain Keith Harmon, Captain DaReece Canady, Director Katina Bouza, and other correctional officers and Naples Jail Center staff.
- 4.E. Proclamation designating May 2023 as Military Appreciation Month in Collier County. To be accepted by Major Jessica R. Sterns, US Air Force (VFW Post 7721), Lee-Ann Forsythe, US Marine Corps (American Gold Star Mothers), US Army Officer Candidate Alicia Starova (Collier County Veterans Council), Tyler King, US Air Force (Parental Alienation Southwest Florida Support Group), and Laura Vieth, US Marine Corps (AVOW-Coffee with Veterans).
- 4.F. Proclamation designating May 2023 as National Bike Month. To be accepted by Skip Riffle, President and Founder, Bikes for Tykes, Inc., and Olema Edwards, Director, Parks and Recreation Division.
- 4.G. Proclamation designating May 2023 as National Foster Care Awareness Month. To be accepted by Rick Jacobs, Executive Director, 4KIDS Southwest Florida.
- 4.H. Proclamation designating April 2023 as National Fair Housing Month. To be accepted by Angela Edison, Director of Housing, Collier County Housing Authority.
- 5. PRESENTATIONS
 - 5.A. Recommendation to accept an update on the Paradise Coast Sports Complex from Sports Facilities Management, LLC.
- 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 requires that all participants be sworn in and ex parte disclosure be provided by Commission members. Recommendation to approve an Ordinance rezoning a portion of Justin's Village to increase density, by amending Ordinance Number 04-41, as amended, the Collier County Land Development Code, which includes the comprehensive zoning regulations for the unincorporated area of Collier County, Florida, by amending the appropriate Zoning Atlas Map or maps by changing the zoning classification of the herein described real property from Residential Multi-Family-6 (RMF-6) zoning district with a Gateway Triangle Zoning Overlay-Residential Subdistrict (GTZO-R) to a Residential Multi-Family-12 (RMF-12) zoning district with a Gateway Triangle Zoning Overlay-Residential Subdistrict (GTZO-R), to allow up to 28 total multi-family dwelling units with an affordable housing agreement on 2.33± acres of property located south of Lots 6 and 18, Breeze of Calusa Subdivision, on Justin's Way, approximately 500 feet south of Calusa Avenue, in Section 11, Township 50 South, Range 25 East, Collier County, Florida; and by providing an effective date. [PL20220003739] (Mike Bosi, Planning and Zoning Division Director)

10. BOARD OF COUNTY COMMISSIONERS

- 10.A. Recommendation to approve a Sixth Amendment to the Long-Term Lease and Operating Agreement for the Golf and Entertainment Complex (the "Lease") with CC BSG Naples, LLC ("BigShots") to Extend the Financing Contingency Period to June 30, 2023.

11. COUNTY MANAGER'S REPORT

- 11.A. Recommendation to ratify the County Manager's awarding of Invitation to Bid ("ITB") No. 23-8111, "Collier 2023 Emergency Berm Truck Haul and Construction, Reach A" to Phillips & Jordan, Inc., in the amount of \$6,723,041.50, "Collier 2023 Emergency Berm Truck Haul and Construction, Reach B" to Earth Tech Enterprises Inc., in the amount of \$8,422,934.50, authorize the Chairman to sign the attached the Agreements, approve the attached budget amendments, and make a finding that this item promotes tourism (Hurricane Ian, Project 50280) (Andrew Miller, P.E., Manager, Coastal Zone Management).
- 11.B. *** This item to be heard no sooner than 2:30 PM. *** Recommendation to approve First Amendment to Developer Agreement with Rural Neighborhoods, Inc., to develop Housing at the former Golden Gate Golf Course. (Companion to Items 11C & 11D) (Cormac Giblin, Economic Development and Housing Division Director)
- 11.C. *** This item to be heard no sooner than 2:30 PM. *** Recommendation to approve Collier County Standard Form Long-Term Ground Lease with Rural Neighborhoods, Inc., to develop Housing at the former Golden Gate Golf Course and authorize necessary budget amendments. (Companion to items 11B & 11D) (Cormac Giblin, Economic Development and Housing Division Director)

11.D. * This item to be heard no sooner than 2:30 PM. *** Recommendation to approve and authorize the Chairman to sign a State Housing Initiative Partnership Sponsor Agreement between Collier County and Renaissance Hall at Old Course, LLC in the amount of \$1,500,000 for new construction of rental housing units at the Golden Gate Golf Course, and authorize the County Manager or designee to execute any and all SHIP-related restrictions for this property in accordance with this agreement and project. (Companion to Items 11B & 11C) (Kristi Sonntag, Community and Human Services Division Director)**

12. COUNTY ATTORNEY'S REPORT

12.A. Recommendation to approve and authorize the Chairman to execute a Mediated Settlement Agreement with La Minnesota Riviera, LLC, and the Riviera Golf Estates Homeowners Association, Inc., for settlement of a Bert Harris Claim filed pursuant to Florida Statutes §70.001, related to application of the County's Golf Course Conversion Ordinance on the Riviera Golf Course.

13. OTHER CONSTITUTIONAL OFFICERS

14. AIRPORT AUTHORITY AND/OR COMMUNITY REDEVELOPMENT AGENCY

14.A. AIRPORT

14.B. COMMUNITY REDEVELOPMENT AGENCY

15. STAFF AND COMMISSION GENERAL COMMUNICATIONS

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

15.B. STAFF PROJECT UPDATES

15.C. STAFF AND COMMISSION GENERAL COMMUNICATIONS

16. CONSENT AGENDA

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

16.A. GROWTH MANAGEMENT DEPARTMENT (CONSENT)

16.A.1. Recommendation to approve final acceptance of the sewer utility facilities and accept the conveyance of a portion of the sewer facilities for Bayshore Food and Wine Venue, PL20220008943.

- 16.A.2. Recommendation to approve final acceptance of the potable water and sewer facilities for Edge 75 by Watermark – Phase 1, PL20210000049, accept the conveyance of a portion of the potable water and sewer facilities and appurtenant utility easement, and authorize the County Manager, or designee, to release the Utilities Performance Security (UPS) and Final Obligation Bond in the total amount of \$32,107.76 to the Project Engineer or the Developer’s designated agent.**
- 16.A.3. Recommendation to approve final acceptance of the potable water and sewer facilities for Edge 75 by Watermark – Phase 2, PL20210000986, accept the conveyance of a portion of the potable water and sewer facilities and appurtenant utility easement, and authorize the County Manager, or designee, to release the Utilities Performance Security (UPS) and Final Obligation Bond in the total amount of \$33,180.82 to the Project Engineer or the Developer’s designated agent.**
- 16.A.4. Recommendation to approve final acceptance and accept the conveyance of the potable water and sewer utility facilities for Esplanade by the Islands - Phase 1C, PL20200000680, and authorize the County Manager, or designee, to release the Final Obligation Bond in the total amount of \$4,000 to the Project Engineer or the Developer’s designated agent.**
- 16.A.5. 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 for Valley Stream Self Storage, PL20220001872.**
- 16.A.6. 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 Maple Ridge Phase 5B, Second Replat, Application Number PL20180000568, and authorize the release of the maintenance securities in the amount of \$454,837.97.**
- 16.A.7. Recommendation to approve a Resolution for final acceptance of the private roadway and drainage improvements, acceptance of the plat dedications, for the final plat of Silverwood at Ave Maria (Phase 1), Application Number PL20170002303, and authorize the release of the maintenance securities in the amount of \$661,265.90.**
- 16.A.8. 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 Tree Farm, Application Number PL20180003592, and authorize the release of the maintenance security in the amount of \$184,220.85.**
- 16.A.9. Recommendation to award Invitation to Bid (“ITB”) No. 23-8077, “Aquatic Vegetation Maintenance,” to DeAngelo Contracting Services LLC, as the primary vendor, and Superior Landscaping & Lawn Service Inc., as the secondary vendor, and authorize the Chairman to sign the attached agreements. (Estimated annual spend \$350,000 Stormwater Utility Fund 103).**

- 16.A.10. Recommendation to award Invitation to Bid ("ITB") No. 23-8069, "Tree and Palm Maintenance," to Tree Scaping of Naples Inc., as the primary vendor, and Superior Landscaping & Lawn Service Inc., as the secondary vendor, and authorize the Chairman to sign the attached agreements.**
- 16.A.11. Recommendation to approve an Economic Development Agreement with AZT Technology, LLC, in the sum of \$40,272.80 for infrastructure expenditure for a Florida Power and Light transformer and feeder conduits, equipment feeds and grounding for a precision metal component manufacturing facility in the Interchange Activity Center No. 9 Innovation Zone, and authorize for reimbursement of these expenditures.**
- 16.A.12. Recommendation to approve an Agreement for the purchase of a sidewalk, slope, and utility easement (Parcel 513SWUE) required for construction of improvements for the Logan Boulevard at Vanderbilt Beach Road Intersection (Project No. 60252).**
- 16.A.13. Recommendation to authorize a budget amendment to recognize revenue and transfer funding for projects within the Transportation Supported Gas Tax Fund (313) and Transportation & CDES Capital Fund (310) in the amount of \$122,648.76. (Projects 60085, 60088, 69331, 69333, 69338, and 69339)**
- 16.A.14. Recommendation to award Fixed Fee Professional Service Agreements to Stewart Title Company, American Government Services Corporation, and Guaranteed Florida Title, Escrow & Abstract, Inc., (f/k/a Title Partners of South Florida, Inc.) under Request for Proposal ("RFP") No. 22-7997, "Real Estate Title & Closing Services," and authorize the Chairman to sign the attached agreements.**
- 16.A.15. Recommendation to approve the selection committee's ranking and authorize staff to begin contract negotiations with Kimley-Horn and Associates, Inc., related to Request for Professional Services ("RPS") No. 22-8053 for "Design Services for Vanderbilt Beach Road Extension Phase II," so that staff can bring a proposed agreement back for the Board's consideration at a future meeting.**
- 16.A.16. Recommendation to approve the commencement of services under Agreement No. 21-7842, "Roadway Contractors," to authorize construction of the Radio Road at Devonshire Boulevard and Countryside Drive Intersection Improvements in the amount of \$773,114.25, and to authorize any necessary budget amendments. (Project 60016.47)**

- 16.A.17. Recommendation to the purchase a Mack MD6 cab and chassis truck upfitted with a truck mounted Traffix Device, Scorpion II TL-3 Attenuator and a Mobile Traffic Advisory/Directional Signal Board utilizing two Florida Sheriffs Association (“FSA”) Cooperative Agreements from Nextran Truck Center under FSA22-VEH20.0 “Heavy Trucks & Buses” (cab and chassis truck) and from Striping Service and Supply, Inc., under FSA20-EQU 18.0, “Heavy Equipment.”**
- 16.A.18. Recommendation the Board of County Commissioners approve an access easement and temporary construction easement for the construction of an eight-foot concrete noise wall on two County-owned properties to abate noise from Veteran’s Memorial Boulevard in accordance with the 2006 Settlement Agreement for the Sandalwood PUD.**
- 16.A.19. Recommendation to approve and authorize the Chairman to sign a Small County Outreach Program (SCOP) State-Funded Grant Agreement with the Florida Department of Transportation (FDOT) to receive reimbursement up to \$818,622 to construct paved shoulders on Immokalee Road (CR 846) from east of Main Street (SR 29) to east of Tradeport Parkway (FPN 449668-1-54-01, Project 60253); to execute a Resolution memorializing the Board’s action; and authorize all necessary budget amendments.**
- 16.A.20. Recommendation to approve the attached Amendment No. Four 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., allowing for an extension of Amendment No. Three to address staffing shortages through and including the current April 30, 2024 termination date of the Agreement, and authorizing the Chairman to sign the attached amendment.**
- 16.A.21. Recommendation to approve and authorize the Chairman to sign a Supplemental Agreement to the Local Agency Program (LAP) Agreement with the Florida Department of Transportation (FDOT) to increase (\$125,000) the grant award from \$467,424 to \$592,424 for the construction of bike lane and shoulder improvements along 111th Avenue North from the Bluebill Avenue Bridge to 7th Street North; to adopt the accompanying resolution formally approving and authorizing its chairman to execute same on behalf of the Board; (Project 33620), FPN 441846-1-58-01.**
- 16.A.22. Recommendation to approve and authorize the Chairman to execute a Local Agency Program (LAP) Construction Agreement with the Florida Department of Transportation (FDOT) reimbursing the County up to \$983,670 for the construction of 5-foot bike lanes on Green Blvd from Santa Barbara Blvd to Sunshine Blvd; execute a Resolution memorializing the Board’s action; and authorize the necessary budget amendments (Project 33849), FPN 438093-2-58-01.**

16.B. COMMUNITY REDEVELOPMENT AGENCY (CONSENT)

16.C. PUBLIC UTILITIES DEPARTMENT (CONSENT)

- 16.C.1. Recommendation to approve an Agreement for Sale and Purchase with: (1) Jose F. Castillo and Jorge F. Castillo; (2) Odalys Quevedo; (3) Michael L. Toro and Patricia M. Toro, as Trustees of the Michael and Patricia Toro Revocable Joint Trust Agreement, dated April 20, 2017; and (4) Frederick P. Trofatter, Jr. and Heather B. Trofatter under the Conservation Collier Land Acquisition Program, at a cost not to exceed \$175,905.**
- 16.C.2. Recommendation to approve administrative Change Order No. 8 providing for a 90-day time extension and a \$111,552.00 increase to the contract amount under Agreement No. 18-7469 with WSP USA Environment & Infrastructure Inc., for the Big Corkscrew Island Regional Park. (Project No. 80039.1.3)**
- 16.C.3. Recommendation to approve proposal No. 10795, under Agreement No. 19-7592 Building Automation Energy Management Services, from Juice Technologies, Inc., d/b/a Plug Smart, and authorize the issuance of a purchase order in the amount of \$397,226.27 to replace the proprietary N2 Johnson Controls BMS with new BACnet Reliable Controls at the Collier County Emergency Service Center. (Project No. 52162)**
- 16.C.4. Recommendation to accept a project update to NCWRF Pretreatment Facility Project No. 70149 currently in design with AECOM Technical Services, Inc., under Agreement No. 20-7722-NS.**
- 16.C.5. Recommendation to approve the Second Amendment to Agreement No. 15-6365 for “FEMA Acceptable Debris Removal for Disaster Generated Debris” with AshBritt, Inc., d/b/a AshBritt Environmental, to increase the fee schedule rates 7%, effective on the renewal date of January 12, 2023, and authorize the Chairman to sign the amendment.**
- 16.C.6. *** This item continued from the March 28, 2023, BCC Meeting. *** Recommendation to 1) approve the attached Agreement and Access and Utility Easement to allow VB BTS, II, LLC, access to its proposed communications tower through Palm Springs Neighborhood Park and authorize the Chairman to execute same on behalf of the Board of County Commissioners; 2) Direct the County Manager or her designee, to record the Access and Utility Easement in the Public Records of Collier County, Florida; and 3) Direct staff to ensure that all proposed improvements discussed herein are part of and incorporated within the SDP (PL20210000655).**
- 16.C.7. *** This Item continued from the December 10, 2022 BCC Meeting. *** Recommendation to approve an Agreement for Sale and Purchase with WISC Investment Company, LLC, for 0.39 acres under the Conservation Collier Land Acquisition Program, at a cost not to exceed \$432,600.**

16.D. PUBLIC SERVICES DEPARTMENT (CONSENT)

- 16.D.1. 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.**
- 16.D.2. Recommendation to approve a Release of Lien in the amount of \$7,051.70 for full payment of an Immokalee Area Residential Impact Fee Deferral approved as part of an impact fee deferral program for properties located within the Immokalee Enterprise Zone.**
- 16.D.3. Recommendation to approve the resurfacing of Twenty (20) additional Pickleball Courts at East Naples Community Park and to make a finding that this expenditure promotes tourism. There is no additional fiscal impact as the original funded amount is sufficient to include resurfacing of the additional courts.**
- 16.D.4. Recommendation to authorize Staff to submit an application to the Florida Fish and Wildlife Conservation Commission's Invasive Plant Management Section to be eligible to receive funding assistance services, worth \$280,000 in FY 2024, for the removal of invasive exotic vegetation within Conservation Collier's North Belle Meade, Winchester Head, and Red Maple Swamp Preserves, and to authorize staff to accept such funding assistance services, if awarded.**
- 16.D.5. Recommendation to accept the Conservation Collier Annual Report, the Public Access and Preserve Amenities Report, and an update on the Program's recent and pending acquisitions.**
- 16.D.6. Recommendation to approve an "After-the-Fact" Amendment 2 with Area Agency on Aging for Southwest Florida, Inc., for the Emergency Home Energy Assistance Program to authorize FY2022 funding for the EHEAP 203.21 Agreement to increase the award amount of \$100,000 with revision to the Budget Summary for FY21 & FY22 and the supporting Budget Amendment. (Human Services Grant Fund 707)**
- 16.D.7. Recommendation to promote economic development in local agriculture via a \$5,000 sponsorship of the Collier County Farm Bureau 2nd Annual AgVenture and Rodeo event organized by the Collier County Farm Bureau. (Economic Development Fund 007)**
- 16.D.8. Recommendation to approve the Conservation Collier HHH Ranch Preserve 2-year Interim Management Plan under the Conservation Collier Program and to name the property North Belle Meade Preserve.**
- 16.D.9. Recommendation to approve the "After-the-Fact" submittal of a grant application for a four-year Bureau of Justice Assistance (BJA) Drug Court Discretionary Grant in the amount of \$1,000,000.**

16.E. ADMINISTRATIVE SERVICES (CONSENT)

- 16.E.1. Recommendation to approve the administrative report prepared by the Procurement Services Division for various County Division's After-the-Fact purchases requiring Board approval in accordance with Procurement Ordinance 2017-08 and the Procurement Manual, as well as, to approve the payment of \$5,404.95 in expenditures that have been incurred that were out of compliance with the contracts or procurement requirements for associated invoices that have not been paid.**
- 16.E.2. Recommendation to authorize one additional Full Time Equivalent (FTE) position in the Collier County Fleet Management Division.**
- 16.E.3. Recommendation to approve Agreement #23-001-NS with United Data Technologies, Inc., for additional professional services pertaining to the installation of the Cisco Phone System upgrade using General Services Administration (“GSA”) contract #GS-35F-538GA (professional services).**

16.F. COUNTY MANAGER OPERATIONS (CONSENT)

- 16.F.1. Recommendation to renew the annual Certificate of Public Convenience and Necessity (COPCN) and Permit for a Class 1 (ALS Transport/ALS Rescue) and Class 2 (ALS intra-facility ALS Ambulance Transport) for the Seminole Tribe Fire Rescue Department within the boundaries of the Seminole Tribe in Immokalee; authorize the Chairman to sign the permit and certificate; and recognize and accept the \$250 application fee within Fund 001.**
- 16.F.2. 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.)**
- 16.F.3. Recommendation to approve a Fifth Amendment to the Facilities Management Agreement 21-7898 with Sports Facilities Management, LLC to amend the budget to reflect the increased cost of goods from \$488,928 to \$889,365, increased revenues from \$1,389,743 to \$1,922,474, authorize the Chairman to sign the amendment and authorize all necessary budget amendments.**

16.G. AIRPORT AUTHORITY (CONSENT)

16.H. BOARD OF COUNTY COMMISSIONERS (CONSENT)

16.I. MISCELLANEOUS CORRESPONDENCE (CONSENT)

16.J. OTHER CONSTITUTIONAL OFFICERS (CONSENT)

- 16.J.1. Recommendation to approve a budget amendment recognizing a Florida Department of State, Division of Elections, 2022/2023 Election Security Funds Grant Award in the amount of \$118,610.**

- 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 March 30, 2023 and April 12, 2023 pursuant to Florida Statute 136.06.
- 16.J.3. Request that the Board approve and determine valid public purpose for invoices payable and purchasing card transactions as of April 19, 2023.

16.K. COUNTY ATTORNEY (CONSENT)

- 16.K.1. Recommendation to reappoint two members to the Animal Services Advisory Board.
- 16.K.2. Recommendation to approve a Stipulated Final Judgment in the total amount of \$8,600 plus \$8,513.36 in statutory attorney fees, litigation costs, apportionment attorneys' fees, and experts' fees and costs for the taking of Parcel 1268RDUE required for the Vanderbilt Beach Road Extension Project No. 60168, and an amount not to exceed \$3,000 for additional apportionment costs if needed for the taking of Parcel 1268RDUE required for the Vanderbilt Beach Road Extension Project No. 60168.
- 16.K.3. Recommendation to approve a Stipulated Final Judgment in the total amount of \$10,350 plus \$7,655.92 in statutory attorney fees, litigation costs, apportionment attorneys' fees, and experts' fees and costs for the taking of Parcel 1267RDUE required for the Vanderbilt Beach Road Extension Project No. 60168.
- 16.K.4. Recommendation to authorize the County Attorney to file a lawsuit on behalf of the Collier County Board of County Commissioners against Roy Garcia in the County Court of the Twentieth Judicial Circuit in and for Collier County, Florida, to recover \$5,743.11 in damages incurred by the County for repairs to a foxtail palm, park bench and trash receptacle, plus costs of litigation
- 16.K.5. Recommendation to authorize the County Attorney to file a lawsuit on behalf of the Collier County Board of County Commissioners against Ashley Angelica Hernandez and Marta Rebeca Hernandez Garcia in the County Court of the Twentieth Judicial Circuit in and for Collier County, Florida, to recover damages for the repair of Collier County property totaling \$7,710.14, plus costs of litigation.
- 16.K.6. Recommendation to authorize the County Attorney to file a lawsuit on behalf of the Collier County Board of County Commissioners against Rachel Jimenez Lopez in the County Court of the Twentieth Judicial Circuit in and for Collier County, Florida, to recover damages for the repair of Collier County property totaling \$7,956.38 plus costs of litigation.

- 16.K.7. Recommendation to authorize the County Attorney to file a lawsuit on behalf of the Collier County Board of County Commissioners against Michael Lavery and Mason Tyler Morgan in the County Court of the Twentieth Judicial Circuit in and for Collier County, Florida, to recover damages incurred by the County for the repair to the security gate and fence at the South County Regional Water Treatment Plant located at 3875 City Gate Drive the totaling \$4,400, plus costs of litigation.**

17. SUMMARY AGENDA

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

- 17.A. Recommendation to approve an Ordinance of the Board of County Commissioners of Collier County, Florida, amending Ordinance Number 04-41, as amended, the Collier County Land Development Code and Zoning Atlas, which includes the comprehensive land regulations for the unincorporated area of Collier County, Florida, to create the Collier Boulevard/Interstate 75 Innovation Zone Overlay (CBIIZO) zoning district and eliminate the Activity Center #9 Overlay zoning district, and establish uses, boundaries, and design standards, 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 One General Provisions, including Section 1.08.01 Abbreviations; Chapter Two Zoning Districts and Uses, including Section 2.03.07 Overlay Zoning Districts; Chapter Four Site Design and Development Standards, including Section 4.02.23 Same—Development in the Activity Center #9 Zoning District; and Chapter Five Supplemental Standards, including Section 5.05.08 Architectural and Site Design Standards; Section Four, Conflict and Severability; Section Five, Inclusion in the Collier County Land Development Code; and Section Six, Effective Date. [PL20200002400] (Second of two hearings) (This is a companion to Item 17B)**
- 17.B. Recommendation to Adopt PL20190000821 -GMPA- Collier Boulevard/Interstate 75 Innovation Zone Overlay - An Ordinance of the Board of County Commissioners amending Ordinance 89-05, as amended, the Collier County Growth Management Plan, specifically amending the Future Land Use Element and Future Land Use Map and Map Series to add the Collier Boulevard/Interstate 75 Innovation Zone Overlay to attract and retain qualified targeted industry business; to correct a Scrivener's error in the Activity Center #9 inset map; and furthermore directing transmittal of the adopted amendment to the Florida Department of Economic Opportunity. The subject property is located at the intersections of Collier Boulevard and Interstate 75, and Collier Boulevard and Davis Boulevard, in Sections 34, 35 and 36, Township 49 South, Range 26 East, and Sections 2 and 3, Township 50 South, Range 26 East, Collier County, Florida, consisting of 1,236± acres. [PL20190000821] (This is a companion item to 17A)**

- 17.C. Recommendation to adopt a resolution approving amendments (appropriating carry forward, transfers, and supplemental revenue) to the FY22-23 Adopted Budget. (The budget amendments in the attached Resolution have been reviewed and approved by the Board of County Commissioners via separate Executive Summaries.)
- 17.D. This item requires that all participants be sworn in and ex-parte disclosure be provided by Commission members. Recommendation to approve Petition VAC-PL20220000374 to disclaim, renounce and vacate the County and the public interest in two unimproved 30-foot-wide public right-of-ways described as Avenue "B" and First Street, according to the COL-LEE-CO TERRACE subdivision plat, as recorded in Plat Book 1, Page 32, of the Public Records of Collier County, Florida. The subject property is located on the south side of U.S. 41 between Fredrick Street and Palm Street in Section 11, Township 50 South, Range 25 East, Collier County, Florida; and to approve a Developer Agreement with TB East Trail LLC (Developer) and Collier County (County) to provide \$528,431.35 for a stormwater management improvement between Spruce Street and Pine Street.
- 17.E. 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 Future Land Use Element and Future Land Use Map and Map Series to add the US 41 East Overlay to allow certain economic development uses within the Corridor segments; and, allow increased height and density, and certain economic development uses in Regional Centers and Community Centers through incentives, and amending the Transportation Element and maps to expand the South US 41 Transportation Concurrency Exception Area, and furthermore directing transmittal of the proposed amendment to the Florida Department of Economic Opportunity. [PL20230000930]
- 17.F. An Ordinance of the Board of County Commissioners amending Ordinance 89-05, as amended, the Collier County Growth Management Plan of the unincorporated area of Collier County, Florida, relating to the Rural Fringe Mixed Use District Restudy and specifically amending the Future Land Use Element and the Future Land Use Map and map series to require transfer of development rights for comprehensive plan amendments for increased residential density in the Urban Mixed Use District and the Rural Fringe Mixed Use District; amending the Urban Mixed Use District, Urban Residential Fringe Sub-district to remove the density bonus cap on Residential In-Fill and remove the requirement to use transfer of development rights within one mile of the urban boundary; and amending the Rural Fringe Mixed Use District of the Future Land Use Element to change development standards and requirements, increase density on Receiving Lands for affordable housing, add transfer of development rights credits, add uses in Receiving Areas, and add a conditional use for recreation in Sending Lands, and to amend development standards for rural villages; and create the Belle Meade Hydrologic Enhancement Overlay; and to correct the scrivener's error for the Immokalee Road Rural Village Overlay on the Future Land Use Map; and furthermore, directing transmittal of the adopted amendments to the Florida Department of Economic Opportunity and providing for an effective date. [PL20200002234]

18. ADJOURN

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

252-8383.