

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

February 14, 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 Rex Child - First Presbyterian Church, Naples**
- 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. January 10, 2023, 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**
 - 4.A. Proclamation designating February 18, 2023, as Naples Lions Club Day in Collier County. To be accepted by Austin Raabe, President of the Naples Lions Club, and other distinguished guests.**
 - 4.B. Proclamation designating February 19 - 25, 2023, as Engineers Week in Collier County. To be accepted by Kevin Dowty, Past President, Florida Engineering Society Calusa Chapter, and other distinguished guests.**
- 5. PRESENTATIONS**
 - 5.A. Presentation of the Collier County Business of the Month, for February 2023, to New Horizons of Southwest Florida (SWFL). The award will be accepted by Dr. Linda M. Cunning, Executive Director. Also attending are Michael Dalby, CEO, and Bethany Sawyer, Vice President of Membership and Investors, the Greater Naples Chamber of Commerce.**
 - 5.B. ARTIST OF THE MONTH**
- 6. PUBLIC PETITIONS**

7. PUBLIC COMMENTS ON GENERAL TOPICS NOT ON THE CURRENT OR FUTURE AGENDA

8. BOARD OF ZONING APPEALS

9. ADVERTISED PUBLIC HEARINGS

9.A. * This item to be heard at 10:00 AM. *** This item requires ex parte disclosure be provided by the Commission members. Should a hearing be held on this item, all participants are required to be sworn in. Recommendation to approve an ordinance of the Board of County Commissioners of Collier County, Florida, amending Ordinance Number 2004-41, as amended, the Collier County Land Development Code, which established 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 an Estates (E) Zoning District within the Corridor Management Overlay District (CMO) to a Community Facilities Planned Unit Development (CFPUD) within the Corridor Management Overlay District (CMO) for a project to be known as Collier County Behavioral Health Center Community Facilities Planned Unit Development to allow a 64,000 square foot maximum group care facility with up to 102 patient beds on property located on the north side of Golden Gate Parkway and 1/2 mile west of Santa Barbara Boulevard, in Section 29, Township 49 South, Range 26 East, Collier County, Florida, consisting of 5.15+/- acres; and by providing an effective date. (Companion item to 9B) [PL20220002221] (District 2)**

9.B. * This item to be heard at 10:00 AM. *** An Ordinance of the Board of County Commissioners of Collier County, Florida, amending Ordinance No. 89-05, as amended, the Collier County Growth Management Plan for the unincorporated area of Collier County, Florida, specifically amending the Urban Golden Gate Estates Sub-Element of the Golden Gate Area Master Plan Element to allow Planned Unit Development Rezoning and certain preservation requirements in the Golden Gate Parkway Institutional Subdistrict, an aggregate of 16.3± acres located on the north side of Golden Gate Parkway approximately ½ mile west of Santa Barbara Boulevard in Section 29, Township 49 South, Range 26 East, Collier County, Florida; and furthermore, directing transmittal of the adopted amendment to the Florida Department of Economic Opportunity; providing for severability; and providing for an effective date. (Companion item to 9A) [PL20220002807] (District 2)**

9.C. Recommendation that the Board consider enacting an Ordinance banning the establishment or location of medical marijuana treatment center dispensing facilities within unincorporated Collier County. (All Districts)

10. BOARD OF COUNTY COMMISSIONERS

10.A. * This item to be heard at 9:30 AM. *** Recommendation that the Board consider reimbursing the COVID-19 Extra Mile Migrant Farmworker Community Grant, Project (33772) and direct staff to find an alternative funding source. (Sponsored by Commissioner Hall) (This is a companion item to 11A) (All Districts)**

- 10.B. Recommendation to direct staff to prepare, undergo the public process, and bring to the Board a proposed amendment to the Land Development Code to allow guesthouses in the Urban Golden Gate Estates to be rented to anyone. (Sponsored by Commissioner McDaniel) (District 2, District 3, District 4)**
- 10.C. Recommendation that the Board consider waiving the requirement of payment of future Impact Fees by Rural Neighborhoods, Inc., the Developer of the Golden Gate Golf Course Affordable Housing Project, with the Impact Fee Trust Fund being made whole by General Funds or another County fund source. (Sponsored by Commissioner Saunders) (District 3)**
- 10.D. Recommendation to direct staff to bring back an amendment to the Golden Gate Golf Course Mixed Use Planned Unit Development, Ordinance No. 2022-13, to reduce the setbacks and greenway to allow for the construction of a State Veterans' Nursing Home. (Sponsored by Commissioner Saunders) (District 3)**
- 10.E. Recommendation that the Board clarify that the County will be solely responsible for any costs associated with soil testing and any arsenic remediation of the Golden Gate Golf Course. (Sponsored by Commissioner Saunders) (District 3)**
- 10.F. Recommendation to direct staff to, at the appropriate time, reduce the leased area of the Golden Gate Golf Course to correspond with the actual area used by Rural Neighborhoods, Inc., the Golden Gate Golf Course Housing Project Developer, and CC BSG Naples, LLC ("BigShots"), the Golden Gate Golf Course golf entertainment complex Developer. (Sponsored by Commissioner Saunders) (District 3)**

11. COUNTY MANAGER'S REPORT

- 11.A. *** This item to be heard at 9:30 AM. *** Report to the Board of County Commissioners (Board) relative to the information and services being provided to the public through the COVID-19 Extra Mile Migrant Farmworker Community grant. (Maggie Lopez, Community and Human Services Interim Director) (Companion item to item 10A) (All Districts)**
- 11.B. Recommendation to award Invitation to Bid ("ITB") No. 22-8020-ST, "Bridge Replacement - Bridge Package D - 1 Bridge - Immokalee Road" project, to Thomas Marine Construction, Inc., in the amount of \$3,132,005.95, and authorize the Chairman to sign the attached agreement related to Project 66066 - "Eleven Bridge Replacements east of SR 29". (Jay Ahmad, Director, Transportation Engineering) (District 5)**
- 11.C. Recommendation to approve Agreement No. 21-7862, "Professional Design and Related Services for Airport Road Widening," to Kisinger Campo & Associates, Corp. in the amount of \$1,900,000, and authorize the Chairman to sign the attached Agreement (Project Number 60190). (Jay Ahmad, Director, Transportation Engineering) (District 2)**

- 11.D. Recommendation to approve a one-time expenditure of Tourist Development Tax Fund 195 funding in the amount of \$921,400 for 85,000 cubic yards of dredged sand itemized in Change Orders #1 and Change Order #2 to the City of Marco Island's contract with Ahtna Marine & Construction for the 2022 Tigertail Lagoon / Sand Dollar Island Ecosystem Restoration Project, authorize the Chair to execute a Tourist Development Tax Funding agreement, authorize the necessary budget amendment and make a finding that this expenditure promotes tourism. (Andrew Miller, P.E., Manager, Coastal Zone Management) (All Districts)**
- 12. COUNTY ATTORNEY'S REPORT**
- 13. OTHER CONSTITUTIONAL OFFICERS**
 - 13.A. Recommendation to appoint two Commissioners as regular members, three Commissioners as alternate members, and ratification of appointed citizen member and alternate citizen member for a one-year period on the Value Adjustment Board. (All Districts)**
- 14. AIRPORT AUTHORITY AND/OR COMMUNITY REDEVELOPMENT AGENCY**
 - 14.A. AIRPORT**
 - 14.B. COMMUNITY REDEVELOPMENT AGENCY**
- 15. STAFF AND COMMISSION GENERAL COMMUNICATIONS**
 - 15.A. PUBLIC COMMENTS ON GENERAL TOPICS NOT ON THE CURRENT OR FUTURE AGENDA BY INDIVIDUALS NOT ALREADY HEARD DURING PREVIOUS PUBLIC COMMENTS IN THIS MEETING**
 - 15.B. STAFF PROJECT UPDATES**
 - 15.B.1. Staff Updates by Dan Rodriguez, topics include: Domestic Animal Services; Caxambas Boat Ramp and Commercial Permits Boat Ramps (All Districts)**
 - 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 administrative Change Order No. 3 to Agreement 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., to design the relocation of existing utilities, and increase the budget in the amount of \$96,412. (Project Number 60199) (District 2)**

- 16.A.2. 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 amended final plat of Pelican Lake R.V. Resort – Unit Four Replat, (Application Number PL20220006347) approval of the standard form Construction and Maintenance Agreement and approval of the performance security in the amount of \$25,932.50. (District 1)**
- 16.A.3. Recommendation to request the Clerk of the Circuit Court add a notation to the original recorded plat of Skysail Phase One. (District 5)**
- 16.A.4. Recommendation to authorize the County Manager, or designee, to release the Utilities Performance Security (UPS) in the amount of \$28,475.36 to the Project Engineer or Developer’s designated agent for work associated with Whitaker Woods, PL 20210002607. (District 1)**
- 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 and appurtenant utility easement for Naples Classical Academy, PL20210001891. (District 3)**
- 16.A.6. Recommendation to approve final acceptance of the potable water and sewer facilities and accept the conveyance of the potable water and sewer facilities for Cambridge Park at Orange Blossom, PL20220005183. (District 2)**
- 16.A.7. Recommendation to approve final acceptance of the potable water and sewer facilities and accept the conveyance of the potable water and sewer facilities for Greyhawk at Golf Club of the Everglades, PL20220003178. (District 3)**
- 16.A.8. Recommendation to approve final acceptance of the potable water utility facilities and accept the conveyance of a portion of the potable water facilities and appurtenant utility easement for Bentley Village (Water Only) – Bentley Care Center, PL20220005738. (District 2)**
- 16.A.9. Recommendation to approve an FY22/23 Federal Transit Administration Section 5311 Public Transportation Grant Agreement for formula grants for rural areas in the amount of \$2,264,610 to provide transit service to the rural area of Collier County; approve a resolution authorizing the Chair to sign the agreement and certifications and all necessary Budget Amendments. (Collier Area Transit Grant Fund 424) (All Districts)**

- 16.A.10. Recommendation to approve the submittal of grant amendments and any necessary grant revisions to Federal Transit Administration (FTA) 49 USC § Section 5307 FY17, Section 5307 FY21 and Section 5339 FY19 Grant Awards to change the Program Scope from the rehabilitation of the Transit Operations and Maintenance Facility to construction of a new facility on the existing 8300 Radio Road location, reallocate the grant funds, and authorize the execution of the amendments in the amount of \$588,841 through FTA’s Transit Award Management System (“TrAMS”). (All Districts)**
- 16.A.11. Recommendation to accept the February 2023 Project Update for Upper Gordon River Amil Gate Weir Replacement Design (Project No. 61202). (All Districts)**
- 16.A.12. Recommendation to accept the February 2023 Project Update for Stormwater Supervisory Control and Data Acquisition Automation Master Plan (Project No. 50160). (All Districts)**
- 16.A.13. Recommendation to accept the February 2023 Project Update for Poinciana Village Stormwater Management Improvements (Project 50200). (All Districts)**

16.B. COMMUNITY REDEVELOPMENT AGENCY (CONSENT)

16.C. PUBLIC UTILITIES DEPARTMENT (CONSENT)

- 16.C.1. Recommendation to approve a District Office Lease Amendment with Congressman Mario Diaz-Balart for continued use of County-owned office space. (District 3)**
- 16.C.2. Recommendation to authorize expenditures under sole-source waivers for purchase of specialized proprietary equipment and services from Hydro International and Huber Technology, Inc., needed to establish, repair, and maintain operations at wastewater treatment facilities in order to meet demand and maintain compliance. (All Districts)**
- 16.C.3. Recommendation to award Request for Proposal (“RFP”) No. 22-8010, “Printing and Mailing Services for Utility Billing,” to InfoSend, Inc., and authorize the Chairman to sign the attached agreement. (All Districts)**
- 16.C.4. Recommendation to approve the termination of the Federal Emergency Management Agency Hazard Mitigation Grant Program Sub-Recipient Agreement H0774 with the Florida Division of Emergency Management in the amount of \$262,418, and approve all necessary budget amendments. (Project No. 33801) (District 5)**
- 16.C.5. Recommendation to approve a \$543,965 Work Order for a Request for Quotation (“RFQ”) for Agreement No. 20-7800 to Kyle Construction, Inc.; authorize the Chairman to sign the work order to complete the Trail Boulevard Water Main Replacement Phase 4 project (Project No. 70181) and approve the necessary budget amendment. (District 2)**

- 16.C.6. Recommendation to approve an administrative Change Order No. 4 for Agreement No. 18-7277 with Stantec Consulting Services, Inc., to deduct \$34,515.58 from the Public Utilities Department Complex Design Project (Project No. 70167). (All Districts)**
- 16.C.7. Recommendation to accept a project update on the Collier County Sports Complex and approve administrative Change Order No. 14 to Collier County Sport Complex Phase 2.1 and 2.2A Agreement No. 17-7198 with Manhattan Construction (Florida), Inc., for a time extension of 45 days (Project 50156) (District 3, District 5)**
- 16.C.8. Recommendation to accept an Access Easement necessary for the installation of a park bench and pavers by the Vanderbilt Beach MSTU (hereinafter “MSTU”) honoring Charles Arthur for his service to the MSTU. The estimated cost not to exceed \$4,050. (Fiscal Impact: \$4,050, Vanderbilt Beach MSTU Fund 143) (District 2)**
- 16.C.9. Recommendation to approve the selection committee’s ranking and authorize staff to begin contract negotiations with Carollo Engineers, Inc., related to Request for Professional Services (“RPS”) No. 22-8052 for engineering reliability project “Design Services for SCRWTP Improvements and Expansion,” so staff can bring a proposed agreement back for the Board’s consideration at a future meeting. (Project No. 70283) (District 3)**

16.D. PUBLIC SERVICES DEPARTMENT (CONSENT)

- 16.D.1. Recommendation to approve Services for Seniors, “After-the-Fact” Standard Contract and with the Area Agency on Aging for Southwest Florida, Inc. in the Amount of \$1,440,000 and authorize the associated Budget Amendments, for FY23 Older American Act Title III in the amount of (\$931,930.41). (Human Service Grant Fund 707) (All Districts)**
- 16.D.2. Recommendation to approve an “After-the-Fact” contract Amendment between the Area Agency on Aging for Southwest Florida, Inc. and Collier County Services for Seniors to decrease the contract amount by \$7,000 for the Emergency Home Energy Assistance Program-American Recovery Plan and supporting documentation with revision to Budget Summary. (Human Services Grant Fund 707) (All Districts)**
- 16.D.3. Recommendation to approve and authorize the Chairman to sign the Third Amendment to the U.S. Housing and Urban Development Emergency Solutions Grants Program subrecipient agreement between Youth Haven, Inc., and Collier County Board of County Commissioners. (Housing Grant Fund 705) (All Districts)**
- 16.D.4. Recommendation to approve and authorize the County Manager or designee to provide written consent for SHIP borrower, Residential Options of Florida, Inc., to restructure and transfer beneficial interest. (All Districts)**

- 16.D.5. Recommendation to the Chairman to sign the Community Resource Network Agency Partnership Agreement for Homeless Management Information Services between The Collier County Hunger & Homeless Coalition, Inc., and Collier County. (All Districts)**
- 16.D.6. Recommendation to approve First Amendment to Agreement No. 22-7966, “Baseball and Softball Officials” with Collier Recreation Baseball/Softball Umpire Association, Inc. (District 2)**
- 16.D.7. Recommendation to approve an increase of expenditures on exemptions to the formal competitive process up to a maximum of \$850,000, in total, for off-site veterinary medical services through FY2025. (All Districts)**
- 16.D.8. Recommendation to accept a donation from the Friends of Marco Island Flotilla 9-5, Inc., in support of the United States Coast Guard Auxiliary; and to allow the renovation of Caxambas Park by moving the existing flagpole within the park to a new location outside of the Coast Guard Building, accepting the donation of new flagpole ropes and install appropriate lighting for the display of the American Flag. (District 1)**

16.E. ADMINISTRATIVE SERVICES (CONSENT)

- 16.E.1. Recommendation for the Board to accept the County Manager’s procedure for County contracts (and other contractual documents) with a value greater than \$4 million, to be placed on the regular agenda for approval. (All Districts)**
- 16.E.2. Recommendation to approve the administrative report prepared by the Procurement Services Division for contractual modifications requiring Board approval. (All Districts)**
- 16.E.3. Recommendation to approve Non-Standard Agreement #23-008-NS “Participation Agreement” with Cooperative Services of Florida, Inc., for the purchase of medications and supplies for use by the Emergency Medical Services Division. (All Districts)**
- 16.E.4. Recommendation to approve/ratify the administrative report prepared by the Procurement Services Division for unaccounted capital assets and their removal from the County’s capital asset records. (All Districts)**
- 16.E.5. Recommendation to accept the report for the sale of 91 items and disbursement of funds in the amount of \$525,365.00 associated with the County surplus auction held on December 10, 2022. (All Districts)**
- 16.E.6. 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 first quarter of FY 23. (All Districts)**

16.F. COUNTY MANAGER OPERATIONS (CONSENT)

- 16.F.1. Recommendation to adopt a resolution approving amendments (appropriating grants, donations, contributions, or insurance proceeds) 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.) (All Districts)**
- 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. January 24, 2023, Miscellaneous Correspondence (All Districts)**
 - 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 January 12, 2023 and February 1, 2023 pursuant to Florida Statute 136.06. (All Districts)**
 - 16.J.3. Request that the Board approve and determine valid public purpose for invoices payable and purchasing card transactions as of February 8, 2023. (All Districts)**
 - 16.J.4. Recommendation that the Board of County Commissioners approves the FY 2022 SCAAP letter delegating authority to Sheriff Kevin Rambosk to be the official grant applicant and contact person, or his designee, and to receive, expends the payment and make any necessary budget amendments of the FY 2022 of the State Criminal Alien Assistance Program (SCAAP) grant funds. (All Districts)**
 - 16.J.5. Recommendation to approve the use of \$2,000 from the Confiscated Trust Funds to support the Florida FBI National Academy Associates, Inc. (All Districts)**
 - 16.J.6. Recommendation to approve the use of \$1,000 from the Confiscated Trust Funds to support the Florida Agricultural Crimes Intelligence Unit, Inc. (All Districts)**
 - 16.J.7. Report to the Board regarding the investment of County funds as of the quarter ended December 31, 2022. (All Districts)**
- 16.K. COUNTY ATTORNEY (CONSENT)**
 - 16.K.1. Recommendation to reappoint two members to the Bayshore Beautification Advisory Committee. (District 4)**
 - 16.K.2. Recommendation to reappoint a member to the Collier County Code Enforcement Board. (All Districts)**

- 16.K.3. Recommendation to reappoint two members to the Collier County Citizen Corps. (All Districts)
- 16.K.4. Recommendation to appoint two members to the Educational Facilities Authority. (All Districts)
- 16.K.5. Recommendation to approve the Mediated Settlement Agreement and Mutual Release resulting from the pre-suit dispute resolution process in the agreement between the Collier County Board of County Commissioners, as Ex-Officio of the Collier County Water-Sewer District and Florida Design Drilling Corporation and authorize the Chairman to sign the attached agreement. (All Districts)
- 16.K.6. Recommendation to approve a Stipulated Final Judgment in the total amount of \$103,000 plus \$29,006.96 in statutory attorney fees, litigation costs, apportionment attorneys' fees, and experts' fees and costs for the taking of Parcel 1123FEE required for the Vanderbilt Beach Road Extension Project No. 60168, and delegate authority to the County Manager or their designee to process payment of additional statutory attorney's fees for supplemental proceedings not to exceed \$3,000, if any, as authorized by Ch. 73, Fla. Stat. (All Districts)
- 16.K.7. Recommendation to approve a Stipulated Final Judgment in the total amount of \$136,000 plus \$35,090.39 in statutory attorney fees, litigation costs, apportionment attorneys' fees, and experts' fees and costs for the taking of Parcel 1139FEE required for the Vanderbilt Beach Road Extension Project No. 60168, and delegate authority to the County Manager or their designee to process payment of additional statutory attorney's fees for supplemental proceedings not to exceed \$3,000, if any, as authorized by Ch. 73, Fla. Stat. (All Districts)
- 16.K.8. Recommendation to 1) Direct staff to provide written notice of a Bert Harris Claim received in connection with the Riviera Golf Course Conversion application to owners of real property contiguous to the owner's property pursuant to Florida Statutes Section 70.001(4)(a), known as the Bert J. Harris, Jr. Private Property Rights Protection Act; 2) Direct the County Manager to negotiate a settlement of the Bert Harris Claim, which may include a pre-suit mediation conference, and return to the Board for consideration of the settlement; 3) Direct staff to issue a written statement of allowable uses identifying the allowable uses to which the subject property may be put pursuant to Florida Statutes Section 70.001(5)(a); and 4) Direct staff to prepare an LDC amendment of Section 5.05.15, Conversion of Golf Courses, to minimize future litigation in connection with the golf course conversion process. (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. This item requires that all participants be sworn in and ex parte disclosure be provided by Commission members. Recommendation to approve an Ordinance amending Ordinance No. 07-34, as amended, the Kaicasa Residential Planned Unit Development to change the affordable housing income levels from at or below 60% of area median income to up to and including 120% of area median income; and providing an effective date. The subject property, consisting of 100± acres, is located on the north side of State Road 29, just east of Village Oaks Elementary School, and approximately two miles east of the intersection of State Road 29 and County Road 846 in Sections 12 and 13, Township 47 South, Range 27 East, Collier County, Florida. [PL20220003938] (District 5)

18. ADJOURN

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