

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 09, 2021

9:00 AM

Commissioner Penny Taylor, District 4 – Chair – CRAB Co-Chair
Commissioner William L. McDaniel, Jr., District 5; - Vice Chair - CRAB Co-Chair
Commissioner Rick LoCastro, District 1
Commissioner Andy Solis, District 2
Commissioner Burt Saunders, District 3

NOTICE: All persons wishing to speak on Agenda items must register prior to presentation of the Agenda item to be addressed. All registered speakers will receive up to three (3) minutes unless the time is adjusted by the chairman.

Requests to petition the Board on subjects which are not on this agenda must be submitted in writing with explanation to the County Manager at least 13 days prior to the date of the meeting and will be heard under "Public Petitions." Public petitions are limited to the presenter, with a maximum time of ten minutes.

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

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

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

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

- 1. INVOCATION AND PLEDGE OF ALLEGIANCE**
 - 1.A. Invocation by Father Tom Thoeni of St. Paul's Episcopal Church**
- 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 12, 2021 BCC Meeting Minutes**
- 3. AWARDS AND RECOGNITIONS**
 - 3.A. EMPLOYEE**
 - 3.B. ADVISORY BOARD MEMBERS**
 - 3.C. RETIREES**
 - 3.D. EMPLOYEE OF THE MONTH**
- 4. PROCLAMATIONS**
- 5. PRESENTATIONS**
- 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 all participants be sworn in and ex-parte disclosure be provided by Commission members. Recommendation not to approve an Ordinance amending Ordinance No. 03-40, as amended, the Heritage Bay Planned Unit Development, to amend Section 2.5.A of the PUD document, to clarify the ability of the property owners associations to place and operate access control facilities such as gates and control arms on private roads including but not limited to Limestone Trail, and providing for an effective date. The property is located on the northeast corner of Immokalee Road and Collier Boulevard (CR 951) in Sections 13, 14, 23 and 24, Township 48 South, Range 26 East, Collier County, Florida, consisting of approximately 2,562± acres. [PL2020000191] (District 3)**
- 10. BOARD OF COUNTY COMMISSIONERS**
 - 10.A. Recommendation to appoint a member to the Animal Services Advisory Board. (All Districts)**

- 10.B. *****This item has been continued from the January 26, 2021 BCC meeting.***
Recommendation to appoint four members to Conservation Collier Land
Acquisition Advisory Committee. (All Districts)**

11. COUNTY MANAGER'S REPORT

- 11.A. **Recommendation to award Agreement No. 20-7722 in the total amount of \$28,738,890 to The Haskell Company for "Design Build Services for NCWRF Headworks," with authorization to issue an initial purchase order for FY 2021 in the amount of \$20,000,000, followed by a future purchase order modification for FY 2022 in the amount of \$8,738,890 subject to Board approval and as dictated by Board-approved funding, in support of the NCWRF New Headworks Project No. 70149, and to authorize the necessary budget amendments. (Tom Chmelik, Engineering and Project Management Division Director) (All Districts)**
- 11.B. **Recommendation to approve the East of CR951 Bridge Reevaluation Study, direct staff to design and construct the five (5) recommended bridges and continue public engagement with the impacted residents through the design and construction process. (Lorraine Lantz, Principal Planner; Capital Project Planning) (District 5)**
- 11.C. **Recommendation to accept an update on Board-directed Collier CARES community assistance programs and approve allocation of funding available in the General Fund through reimbursements of public safety expenses from the Coronavirus Relief Fund. (Sean Callahan, Executive Director, Corporate Business Operations) (All Districts)**
- 11.D. *****This item to be heard no sooner than 1:00 p.m.*** Recommendation to accept a presentation on the Big Cypress Basin (BCB) Boundary Delineation study conducted by the South Florida Water Management District (District) and recently submitted to the Governor and legislative leadership as directed in the 2020 General Appropriations Act. (John Mullins, Government Affairs Manager, County Manager's Office) (All Districts)**
- 11.E. **Recommendation to provide additional staff direction regarding the County Manager recruitment process. (Amy Lyberg, Human Resources Division Director) (All Districts)**

12. COUNTY ATTORNEY'S REPORT

- 12.A. **Report on the status of the Seed to Table mask dispute. (All Districts)**

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

16. CONSENT AGENDA

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

16.A. GROWTH MANAGEMENT DEPARTMENT

- 16.A.1. Recommendation to approve a Resolution for final acceptance of the private roadway and drainage improvements for the final plat of Coral Harbor, Phase I, Application Number PL20160001134, and authorize the release of the maintenance security. (District 1)**
- 16.A.2. Recommendation to approve a Resolution for final acceptance of the private roadway and drainage improvements for the final plat of Coral Harbor, Phase II, Application Number PL20160001577, and authorize the release of the maintenance security. (District 1)**
- 16.A.3. Recommendation to approve a Resolution for final acceptance of the private roadway and drainage improvements for the final plat of Naples Reserve, Phase I, Application Number PL20120002540, and authorize the release of the maintenance security. (District 1)**
- 16.A.4. Recommendation to approve a Resolution for final acceptance of the private roadway and drainage improvements for the final plat of Naples Reserve, Phase II, Application Number PL20130002124, and authorize the release of the maintenance security. (District 1)**
- 16.A.5. Recommendation to approve a Resolution for final acceptance of the private roadway and drainage improvements for the final plat of Naples Reserve Circle, Application Number PL20160000038, and authorize the release of the maintenance security. (District 1)**
- 16.A.6. Recommendation to approve a Resolution for final acceptance of the private roadway and drainage improvements for the final plat of Savannah at Naples Reserve – Replat, Application Number PL20190000578, and authorize the release of the maintenance security. (District 1)**
- 16.A.7. Recommendation to approve a Resolution for final acceptance of the private roadway and drainage improvements for the final plat of Residences at Mercato, Application Number PL20140001634, and authorize the release of the maintenance security. (District 2)**
- 16.A.8. Recommendation to authorize the Clerk of Courts to release a Performance Bond in the amount of \$110,560 which was posted as a guaranty for Excavation Permit Number 60.148 for work associated with Vanderbilt Reserve, PL20160002709. (District 3)**
- 16.A.9. Recommendation to approve an Agreement for the purchase of land (Parcel 234FEE) required for the Vanderbilt Beach Road Extension (Project No. 60168). (District 5)**

- 16.A.10. Recommendation to approve an Agreement for the purchase of land (Parcel 209FEE) required for the Vanderbilt Beach Road Extension (Project No. 60168). (District 5)**
- 16.A.11. Recommendation to approve an agreement for the acquisition of three fee simple right-of-way parcels (Parcels 101FEE1, 101FEE2 and 101FEE3) and a temporary driveway restoration easement (Parcel 101TDRE) required for the construction of roadway and related improvements to Triangle Boulevard and Price Street. (Triangle Boulevard Project No. 60215.) (District 1)**
- 16.A.12. Recommendation to approve an Agreement for the purchase of right-of-way (Parcel 1180RDUE) required for the Vanderbilt Beach Road Extension (Project No. 60168). (All Districts)**
- 16.A.13. Recommendation to award Request for Proposal (“RFP”) No. 20-7778, “Right-of-Way Acquisition Services,” to Florida Acquisition & Appraisal, Inc., and award attached Agreement No. 20-7778. (All Districts)**
- 16.A.14. Recommendation to approve and authorize the Chairman to sign a Collier County Landscape Maintenance Agreement (“Agreement”) between Collier County and Manatee Cove of Naples Homeowners Association, Inc., for landscape and irrigation improvements within the Manatee Road public right-of-way. (District 1)**
- 16.A.15. Recommendation to approve and authorize the Chairman to sign a Collier County Landscape Maintenance Agreement (“Agreement”) between Collier County and Founders Square Umbrella Association, Inc., for landscape and irrigation improvements within the intersection of Collier Boulevard and Immokalee Road public right-of-way. (District 3, District 5)**
- 16.A.16. Recommendation to approve an Agreement for the purchase of land (Parcel 117FEE) and an easement (Parcel 117TDRE) required for the Vanderbilt Beach Road Extension Project (Project No. 60168). (District 5)**
- 16.A.17. Recommendation to approve and authorize Chairman to execute a Work Order under Contract 18-7432-CZ to provide engineering services for Collier Creek Final Permitting, Design, and Construction Services for time and material not to exceed \$179,837.97 to APTIM Environmental & Infrastructure, LLC., and make a finding that this expenditure promotes tourism. (All Districts)**

- 16.A.18. Recommendation to approve and authorize the Chairman to execute Agreement No. 21CO1 with the Florida Department of Environmental Protection (FDEP) Bureau of Beaches and Coastal Systems Beach Management Funding Assistance Program for funding reimbursement and support for Collier County Beach Renourishment and Inlet Management Projects for the period ranging from January 1, 2019 through December 31, 2023 in an amount not to exceed \$5,888,065 for the Vanderbilt, Park Shore and Naples beaches and make a finding that this item promotes tourism. (All Districts)**
- 16.A.19. Recommendation to approve and authorize the Chairman to execute Amendment No. 1 to Agreement 20CO2 with the Florida Department of Environmental Protection Bureau of Beaches and Coastal Systems Beach Management Funding Assistance Program to provide additional State reimbursement funding in the amount of \$697,395 for the completed South Marco Island Beach Nourishment Project and make a finding that this item promotes tourism. (All Districts)**
- 16.A.20. Recommendation to approve and authorize the Chairman to execute Amendment No. 1 to Agreement 20CO3 with the Florida Department of Environmental Protection Bureau of Beaches and Coastal Systems Beach Management Funding Assistance Program to provide additional State reimbursement funding in the amount of \$847,070 for the completed Wiggins Pass Dredging and Inlet Management Project and make a finding that this item promotes tourism. (All Districts)**

16.B. COMMUNITY REDEVELOPMENT AGENCY

16.C. PUBLIC UTILITIES DEPARTMENT

- 16.C.1. Recommendation to approve the attached Right of Entry which will provide Naples Botanical Garden with temporary legal access onto certain County-owned park lands to plant trees funded by the Community Foundation of Collier County (\$300,000 for Collier County and \$50,000 for Immokalee). (All Districts)**
- 16.C.2. Recommendation to approve a \$280,070 work order under a Request for Quotation ("RFQ") for Agreement No. 14-6213 to Quality Enterprises USA, Inc., for the South Reverse Osmosis (SRO) Wellfield Wells 19-20 Electrical Improvements (Project No. 70069). (All Districts)**
- 16.C.3. Recommendation to award Agreements in relation to Invitation to Bid ("ITB") No. 20-7750, "Instrument Calibration, Repair and Replacement Services" to Benro Enterprises, Inc., d/b/a Rocha Controls; Gossamer Bay, Inc., d/b/a Universal Controls Instrument Service Company; and TriNova, Inc. (All Districts)**

16.D. PUBLIC SERVICES DEPARTMENT

- 16.D.1. Recommendation to approve two (2) mortgage satisfactions for the State Housing Initiatives Partnership (SHIP) loan program and HOME Investment Partnership Program (HOME) and authorize the associated Budget Amendments. (All Districts)**
- 16.D.2. Recommendation to approve an FY20/21 Federal Transit Administration Section 5311 Public Transportation Grant Agreement for formula grants for rural areas in the amount of \$1,163,652 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. (All Districts)**
- 16.D.3. Recommendation of an "After-the fact" approval of an amendment and attestation statement with the Area Agency on Aging for Southwest Florida, Inc., under the Older American Act grant program to revise funding for the Services for Seniors program, revise Attachment IX – Budget and Rate Summary, and authorize necessary budget amendments (All Districts)**

16.E. ADMINISTRATIVE SERVICES DEPARTMENT

- 16.E.1. Recommendation to approve the administrative reports prepared by the Procurement Services Division for change orders and other contractual modifications requiring Board approval. (All Districts)**
- 16.E.2. Recommendation to approve the administrative report prepared by the Procurement Services Division for disposal of property and notification of revenue disbursement. (All Districts)**

16.F. COUNTY MANAGER OPERATIONS

- 16.F.1. Recommendation to adopt a resolution approving amendments (appropriating grants, donations, contributions or insurance proceeds) to the FY20-21 Adopted Budget. (All Districts)**
- 16.F.2. Recommendation to authorize the necessary budget amendments to reallocate Pelican Bay Services Division project funds to support the design and construction of the new Pelican Bay Services Maintenance Facility. (District 2)**
- 16.F.3. Recommendation to approve the use of Tourist Development Tax Promotion Funds in an amount not to exceed \$7,500 to support the Naples BMX State Race at the Golden Gate Community Park BMX Track and make a finding that this expenditure promotes tourism. (All Districts)**
- 16.F.4. Recommendation to approve the selection committee's ranking for Request for Professional Services ("RPS") No. 20-7817, "CEI Services for Pelican Bay Sidewalk Improvements," and authorize staff to begin contract negotiations with the top-ranked firm, Johnson Engineering Inc., so that staff can bring a proposed agreement back for the Board's consideration at a subsequent meeting. (District 2)**

16.G. AIRPORT AUTHORITY

16.H. BOARD OF COUNTY COMMISSIONERS

- 16.H.1. Proclamation recognizing the accomplishments and continued work of the Collier County Food Policy Council to improve public health and prevent chronic disease through nutritionally sound practices in Collier County. The proclamation will be mailed to the Food Policy Coordinator, Southwest Florida Regional Planning Council.**
- 16.H.2. Proclamation designating February 21 - 27, 2021 as Engineers Week in Collier County. The proclamation will be mailed to the Florida Engineering Society - Calusa Chapter.**
- 16.H.3. Proclamation designating February 9, 2021 as Community School of Naples Day in Collier County. The proclamation will be mailed to the Public Relations Manager, Community School of Naples, 13275 Livingston Road, Naples, Florida 34109.**

16.I. MISCELLANEOUS CORRESPONDENCE

- 16.I.1. Miscellaneous Correspondence (All Districts)**

16.J. OTHER CONSTITUTIONAL OFFICERS

- 16.J.1. Recommendation to approve the FY2020 State Criminal Alien Assistance Program (SCAAP) letter delegating authority to Sheriff Kevin Rambosk to be the official grant applicant and contact person, or his designee, and to receive, expend the payment and make any necessary budget amendments of the FY2020 of the State Criminal Alien Assistance Program (SCAAP) grant funds. (All Districts)**
- 16.J.2. Report to the Board regarding the investment of County funds as of the quarter ended December 31, 2020. (All Districts)**
- 16.J.3. 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 14, 2021 and January 27, 2021 pursuant to Florida Statute 136.06. (All Districts)**
- 16.J.4. Request that the Board approve and determine valid public purpose for invoices payable and purchasing card transactions as of February 3, 2021. (All Districts)**

16.K. COUNTY ATTORNEY

- 16.K.1. Recommendation to appoint two members to the Parks and Recreation Advisory Board. (All Districts)**
- 16.K.2. Recommendation to appoint two members to the Vanderbilt Waterway MSTU Advisory Committee. (District 2)**

- 16.K.3. Recommendation to approve and authorize the Chairman to sign a partial Settlement Agreement in the lawsuit pending as Board of County Commissioners of Collier County, Florida v. Certain Underwriters at Lloyd's of London, et al; Case No. 18-CA-2727 now pending in the 20th Judicial Circuit in Collier County, whereby the County will receive \$200,000 to settle its claims against Insurance and Risk Management Services, Inc. (All Districts)
- 16.K.4. Recommendation to authorize the expenses for Mediation and Arbitration Services relating to the Vanderbilt Beach Road Extension Project No. 60168, now pending in the Twentieth Judicial Circuit Court for Collier County, Florida for three mediators, including Larry Gendzier, Esq., Phillip Greenwald, Esq., and Stephen Tabano, Esq., and to authorize the Transportation Engineering Division to select and work with additional mediators as necessary. (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. Recommendation to approve an Ordinance amending Ordinance number 04-41, as amended, the Collier County Land Development Code, which includes the comprehensive land regulations for the unincorporated area of Collier County, Florida, to allow Communication Towers as a Conditional Use in the Estates (E) Zoning District, to clarify that Cluster Development for Affordable Housing does not require a Conditional Use in the RMF-6 Zoning District and to create Alternative Design Standards for Housing that is Affordable, to modify Setback Requirements for Public Utility Ancillary Systems (PUAS) Enclosures, and to correct Citations and Update Text, 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, Chapter Two – Zoning Districts and Uses; Chapter Four – Site Design And Development Standards; Chapter Five – Supplemental Standards; Chapter Ten – Application, Review, And Decision-Making Procedures, and Appendix A-Standard Performance Security Documents For Required Improvements; Section Four, Conflict And Severability; Section Five, Inclusion in the Collier County Land Development Code; and Section Six, Effective Date. (All Districts)

18. ADJOURN

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