

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 08, 2022

9:00 AM

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

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

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

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

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

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

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

1. **INVOCATION AND PLEDGE OF ALLEGIANCE**
 - 1.A. **Reverend Kirt Anderson of Naples Community 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 11, 2022 - BCC Meeting Minutes**
3. **AWARDS AND RECOGNITIONS**
 - 3.A. **EMPLOYEE**
 - 3.B. **ADVISORY BOARD MEMBERS**
 - 3.C. **RETIREES**
 - 3.D. **EMPLOYEE OF THE MONTH**
4. **PROCLAMATIONS**
5. **PRESENTATIONS**
 - 5.A. **Presentation of the Collier County Business of the Month for February 2022 to PBS Contractors. The award will be accepted by Russell Budd, Owner, and Tim Dupre, President & CEO. Also present is Bethany Sawyer, Vice President of Membership, The Greater Naples Chamber of Commerce.**
6. **PUBLIC PETITIONS**
7. **PUBLIC COMMENTS ON GENERAL TOPICS NOT ON THE CURRENT OR FUTURE AGENDA**
8. **BOARD OF ZONING APPEALS**
 - 8.A. ***** This item has been continued from the April 27, 2021 and January 25, 2022 BCC Meetings. *** 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 a Resolution of the Board of Zoning Appeals of Collier County, Florida providing for the establishment of a conditional use to allow a communications tower on lands zoned Rural Agricultural (A) within the Mobile Home Overlay (MHO) and designated Rural Fringe Mixed Use-Sending Lands within the Natural Resource Protection Area Overlay and North Belle Meade Overlay in the Collier County Growth Management Plan pursuant to Sections 2.01.03.G.4.a and 2.03.08.A.4.a(3)(a) of the Collier County Land Development Code on .95± acres of a 5.0+/- acre tract located on the east side of the north-south extension of Benton Road, in Section 25, Township 49 South, Range 27 East, Collier County, Florida. [PL20180002327] (District 5)**

9. ADVERTISED PUBLIC HEARINGS

- 9.A. *** This item has been continued from the January 25, 2022 BCC Meeting and is being further continued to the February 22, 2022 BCC Meeting. This item is the first of two hearings. *** Recommendation to approve an Ordinance amending Ordinance number 04-41, as amended, the Collier County Land Development Code, to change the name of the Bayshore Mixed Use Overlay District to the Bayshore Zoning Overlay District and the name of the Gateway Triangle Mixed Use District to the Gateway Triangle Zoning Overlay District, to rename the Bayshore Gateway Triangle Redevelopment Area to the Bayshore Gateway Triangle Community Redevelopment Area; to add prohibited uses, add appearance standards for outdoor display and storage, add a boundary map for the Bayshore Zoning Overlay District and for the Gateway Triangle Zoning Overlay District, add architectural standards for single family homes, and change other development standards. [PL20210001222] (This Item is a companion item to Items 9B and 11A) (District 4)**
- 9.B. *** This item has been continued from the January 25, 2022 BCC Meeting and is being further continued to the February 22, 2022 BCC Meeting. *** Recommendation to adopt Ordinance, as amended, the Collier County Growth Management Plan for the unincorporated area of Collier County, Florida, relating to the density bonus pool within the Bayshore/Gateway Triangle Redevelopment Overlay and specifically amending the Bayshore/Gateway Triangle Redevelopment Overlay of the Future Land Use Element, to change requirements for the use of the density bonus pool; directing transmittal of the adopted amendment to the Florida Department of Economic Opportunity; providing for severability; and providing for an effective date. (This Item is a companion item to Items 9A and 11A) (Adoption Hearing). (District 4)**

10. BOARD OF COUNTY COMMISSIONERS

- 10.A. Request that the Board discuss whether to limit outdoor concerts to certain venues, including the Sports Park and the County Fairgrounds. (Sponsored By Commissioner Taylor) (All Districts)**

11. COUNTY MANAGER'S REPORT

- 11.A. *** This item has been continued from the January 25, 2022 BCC Meeting and is being further continued to the February 22, 2022 BCC Meeting. *** Recommendation to direct staff to advertise and bring back for a public hearing at the February 22, 2022 Board Meeting, an ordinance of Collier County, Florida, amending Ordinance No. 2003-37, as amended, including Ordinance No. 2003-58, by amending Section 110-30 of the Collier County Code of Laws and Ordinances to exclude the Bayshore Gateway Triangle Community Redevelopment Area from the prohibition of enclosing swales in public rights-of-way; providing for inclusion into the Code of Laws and Ordinances; providing for conflict and severability; providing an effective date. [PL20210001222] (This Item is a companion item to Items 9A and 9B) (Eric Johnson, LDC Manager) (District 4)**

- 11.B. Recommendation to award Request for Proposal (“RFP”) No. 20-7811, “Immokalee Area Improvements - TIGER Grant,” to Quality Enterprises USA, Inc., for a total not to exceed amount of \$22,869,280.20, and authorize the Chairman to sign the attached agreement. (Project 33563) (Trinity Scott, Growth Management Deputy Department Head) (District 5)
- 11.C. Recommendation that the Board of County Commissioners endorse and approve the County Manager’s new senior leadership nominees, further organizational changes, staffing complements, approach, and responsibilities, to take effect immediately, and approve all necessary budget amendments. (Mark Isackson, County Manager) (All Districts)
- 11.D. Recommendation to discuss and provide direction to staff regarding the Board’s preferred strategy for recruiting a County Manager. (AmyLyberg, Human Resources Division Director) (All Districts)
- 12. COUNTY ATTORNEY'S REPORT
- 13. OTHER CONSTITUTIONAL OFFICERS
- 14. AIRPORT AUTHORITY AND/OR COMMUNITY REDEVELOPMENT AGENCY
 - 14.A. AIRPORT
 - 14.B. COMMUNITY REDEVELOPMENT AGENCY
- 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 provide after-the-fact approval for Amendment 2 to the Transportation Investments Generating Economic Recovery (TIGER) IX - Immokalee Complete Streets Grant Agreement with the U.S. Department of Transportation/Federal Highway Administration Grant Award #693JJ32040007 in the amount of \$8,339,989, and authorize the necessary budget amendments. (Stormwater Bond Fund 327, Growth Management Fund 310, Growth Management Grant Match Fund 712) (District 5)
- 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 final plat of Maple Ridge at Ave Maria Phase 7B, (Application Number PL20210001851) approval of the standard form Construction and Maintenance Agreement and approval of the performance security in the amount of \$6,170,322.92. (District 5)

- 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 amended final plat of Ranch at Orange Blossom, Phase 5A, (Application Number PL20210000781) approval of the standard form Construction and Maintenance Agreement and approval of the performance security in the total amount of \$1,225,419.25. (District 5)
- 16.A.4.** Recommendation to approve a Resolution for final acceptance of the private roadway and drainage improvements for the final plat of Isles of Collier Preserve Phase 6, Application Number PL20150000492, and authorize the release of the maintenance security in the amount of \$753,370.53. (District 4)
- 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 all sewer utility facilities for the Heritage Bay Government Center - Phase One, PL20210002893. (District 3)
- 16.A.6.** Recommendation to approve granting two Quit Claim Deeds to remedy incorrect and unapproved recordings in the public records and to accept the conveyance of a road right of way, drainage and utility easement (Parcel 487RDUE) required for the future widening of Everglades Boulevard. Estimated Fiscal Impact: \$200. The primary funding source is impact fees with the secondary funding source being gas taxes. (All Districts)
- 16.A.7.** Recommendation to approve the design and installation of speed tables on Pompei Lane, at a cost not to exceed \$40,000 (Project 60240). (District 4)
- 16.A.8.** Recommendation to approve the selection committee's ranking and authorize staff to enter into contract negotiations with Johnson Engineering, Inc., related to Request for Professional Services ("RPS") No. 21-7930, "CEI Services for Immokalee Road at Randall Boulevard Intersection Improvements," for an estimated amount of \$650,000 (Infrastructure Sales Surtax) and to bring a proposed agreement back for the Board's consideration at a future meeting. (District 5)
- 16.A.9.** Recommendation to approve and execute an Interlocal Agreement between Collier County and the City of Naples concerning Landscape Maintenance for certain County medians within or adjacent to the city limits of the City of Naples at no cost to the County, authorize the Chairman to sign and execute the Agreement. (All Districts)
- 16.A.10.** Recommendation to approve a Developer Agreement (DA) between Bryan W. Paul Family Limited Liability Partnership (Developer) and Collier County to provide public access to the Big Corkscrew Regional Park from Oil Well Road through Orange Blossom Ranch Planned Unit Development (PUD). (Projects 80039, 70194) (District 5)

- 16.A.11. Recommendation to approve the release of a code enforcement lien with an accrued value of \$293,973.75 for payment of \$4,728 in the code enforcement action titled Board of County Commissioners v. Okeechobee GGE Trust, relating to property located at 58 Enchanting Blvd., Collier County, Florida. (District 4)**
- 16.A.12. Recommendation to approve a work order with APTIM Environmental & Infrastructure, LLC, to provide professional engineering services for calculation of debris removed from Collier Creek due to Hurricane Irma under Contract No. 18-7432-CZ for time and material not to exceed \$4,993.00 from Fund 195, authorize the Chairman to execute the work order, and make a finding that this item promotes tourism. (All Districts)**

16.B. COMMUNITY REDEVELOPMENT AGENCY

16.C. PUBLIC UTILITIES DEPARTMENT

16.D. PUBLIC SERVICES DEPARTMENT

- 16.D.1. Recommendation to approve and authorize the chairperson to sign one (1) mortgage satisfaction for the State Housing Initiatives Partnership loan program in the amount of \$1,500 and approve the associated Budget Amendment to appropriate repayment amounts totaling \$1,500. (SHIP Grant Fund 791) (All Districts)**
- 16.D.2. Recommendation to accept a donation of goods from the Friends of the Museum of the Everglades of gift shop inventory valued at \$2,031.75. (Museum Fund 198) (District 5)**
- 16.D.3. Recommendation to approve funding not to exceed \$151,650 to complete the partnership project between the County and the Marco Island Historical Museum to create a lobby exhibit including a historic skiff and other nautical artifacts, approve reimbursement to the Marco Island Historical Society (MIHS), and approve the required budget amendment. (Museum Fund 198) (District 1)**

16.E. ADMINISTRATIVE SERVICES

- 16.E.1. Recommendation to approve an Assumption Agreement assigning all rights, duties and benefits, and obligations to Ferguson Enterprises, LLC d/b/a Sunstate Meter & Supply concerning Agreement #20-040-NS "Large Meters". (All Districts)**
- 16.E.2. Recommendation to approve an Agreement with Gulfside Medical Training Institute to provide EMS department supervised skills training and experience to students enrolled in Emergency Medical Services Technology Programs. (All Districts)**

- 16.E.3. Recommendation to approve an Assumption Agreement assigning all rights, duties and benefits, and obligations to KCI Technologies, Inc. concerning Agreement #18-7432-ST, “Professional Service Library - Structural Engineering Category.” (All Districts)**
- 16.E.4. Recommendation to approve the administrative reports prepared by the Procurement Services Division for change orders and other contractual modifications requiring Board approval. (All Districts)**

16.F. COUNTY MANAGER OPERATIONS

- 16.F.1. Recommendation to renew a Certificate of Public Convenience and Necessity for a Class 2 ALS non-emergency inter-facility ambulance transports to Just Like Family Concierge Medical Transport Services (D.B.A. Brewster Ambulance Service) to allow post-hospital inter-facility medical ambulance transfer services. (All Districts)**
- 16.F.2. Recommendation to approve proposed modifications to the allowable uses within the Grants Application Guidelines for C-2 Non-County Owned Museums as well as for Category B Marketing and Promotion Grants by adding an additional allowable use that includes funding consideration for an exhibit or activity and related promotion/marketing that will be showcased at an event or location whose primary purpose is the promotion of tourism. (All Districts)**
- 16.F.3. Recommendation to approve a one-time increase to the Tourist Development Tax Grant Applications funding amount for FY’23 Non-County Owned/Operated Museums (formerly Category C-2) in the amount of \$250,000 by reallocating existing Grants Reserves within TDC Non-County Owned Museum Fund (193) in order to encourage support of a FY’23 Hispanic Arts and Cultural festival and make a finding that these expenditures promote tourism. (All Districts)**
- 16.F.4. Recommendation to adopt a resolution approving amendments (appropriating grants, donations, contributions or insurance proceeds) to the FY21-22 Adopted Budget. (All Districts)**
- 16.F.5. Recommendation to approve an amendment to the Facilities Management Agreement with Sports Facilities Management, LLC (“SFM”) to extend the time period that the parties can bring forth a proposed amendment addressing the possible incorporation of facility naming rights for the Paradise Sports Complex as an additional service under the agreement. (All Districts)**
- 16.F.6. Recommendation that the Board approve and authorize its Chair to execute a Ground Lessor Consent and Estoppel required for CC BSG Naples, LLC (“BigShots”) to receive financing necessary to develop and use the former Golden Gate Golf Course pursuant to the Board approved Collier County Standard Form Long Term Lease and Operating Agreement, as amended. (All Districts)**

- 16.F.7. Recommendation to approve the use of parking spaces at the Naples Regional Library and Naples Depot Museum by The Naples Players for use by staff and volunteers. (District 4)**

16.G. AIRPORT AUTHORITY

- 16.G.1. Recommendation to authorize the Chairman to execute the attached Interlocal Agreement between the Board of County Commissioners of Collier County and the City of Naples Airport Authority for emergency and on-call support services as needed. (District 1, District 5)**

16.H. BOARD OF COUNTY COMMISSIONERS

16.I. MISCELLANEOUS CORRESPONDENCE

16.J. OTHER CONSTITUTIONAL OFFICERS

- 16.J.1. To record in the minutes of the Board of County Commissioners, the check number (or other payment method), amount, payee, and purpose for which the referenced disbursements were drawn for the periods between January 13, 2022 and January 26, 2022 pursuant to Florida Statute 136.06. (All Districts)**
- 16.J.2. Request that the Board approve and determine valid public purpose for invoices payable and purchasing card transactions as of February 2, 2022. (All Districts)**

16.K. COUNTY ATTORNEY

- 16.K.1. Recommendation to reappoint a member to the Health Facilities Authority. (All Districts)**
- 16.K.2. Recommendation to appoint two members to the Golden Gate Community Center Advisory Board. (District 3)**
- 16.K.3. Recommendation to reappoint two members to the Conservation Collier Land Acquisition Advisory Committee. (All Districts)**
- 16.K.4. Recommendation to appoint three members to the Collier County Code Enforcement Board. (All Districts)**
- 16.K.5. Recommendation to approve a Stipulated Final Judgment in the amount of \$94,300 with Pro Se Respondent for the taking of Parcel 1174RDUE required for the Vanderbilt Beach Road Extension Project No. 60168. (All Districts)**
- 16.K.6. Request by the Collier County Health Facilities Authority for approval of a resolution authorizing the Authority to issue revenue bonds for healthcare facilities at Moorings Park Grande Lake. (All Districts)**

- 16.K.7. Recommendation to approve a Stipulated Final Judgment in the amount of \$155,000 plus \$42,199 in statutory attorney and experts' fees and costs for the taking of Parcel 1134FEE required for the Vanderbilt Beach Road Extension Project No. 60168. (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.

18. ADJOURN

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