

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

January 26, 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. Rabbi Amos Chorny, 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.B. ADVISORY BOARD MEMBERS**
 - 3.C. RETIREES**
 - 3.D. EMPLOYEE OF THE MONTH**
- 4. PROCLAMATIONS**
- 5. PRESENTATIONS**
 - 5.A. Recommendation to accept the COVID-19 Status Report. (All Districts)**
- 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 has been continued from the January 12, 2021, BCC meeting.*** This item requires all participants be sworn in and ex parte disclosure be provided by Commission members. Recommendation to approve an Ordinance 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 an additional 102.49+ acres of land from the Rural Agricultural (A), Rural Agricultural with Special Treatment Overlay (A-ST), Residential Single Family (RSF-3), and Residential Single Family with Special Treatment Overlay (RSF-3-ST) Districts to the Sabal Bay Mixed Use Planned Unit Development (MPUD) District; and to amend the PUD Document and Master Plan to add 102.49+ acres designated as Tract R9 for residential development; to add 230 dwelling units for a total of 2,229 dwelling units in the MPUD; to revise the master plan and conceptual water management plan; and to add a master site plan for the R9 Tract. The subject property is located south of Thomasson Drive, south and west of U.S. 41, north and west of the Wentworth PUD, and east of the Naples Bay Intracoastal Waterway in Section 23, 24, 25, 26 and 36, Township 50 South, Range 25 East, and Section 19, Township 50 South, Range 26 East, Collier County, Florida, consisting of 2,518.98± acres; and providing an effective date. [PL20190002305] (District 4)**

10. BOARD OF COUNTY COMMISSIONERS

- 10.A. **Recommendation to appoint five regular members and two alternate members to the Infrastructure Surtax Citizen Oversight Committee. (All Districts)**
- 10.B. **Reconsideration request by Commissioner Taylor regarding Item 11C from the January 12, 2021 BCC Meeting titled: Recommendation to establish a Board policy position regarding the potential expansion of the Big Cypress Basin (BCB) boundary within the South Florida Water Management District (District) based upon the recent filing of Senate Bill 406 for consideration by the Florida Legislature. (All Districts)**
- 10.C. **Recommendation to approve amendments to the Collier County Arts & Culture Strategic Plan and approve one Full Time Equivalent (FTE) position to manage the implementation of the plan. (Commissioner Taylor) (All Districts)**
- 10.D. **Recommendation to provide additional staff direction regarding the County Manager recruitment process. (Commissioner McDaniel) (All Districts)**

11. COUNTY MANAGER'S REPORT

- 11.A. **Recommendation to award an Agreement pertaining to Invitation to Bid ("ITB") No. 20-7790, "Caxambas Pass Park Community Center," to Fort Construction Group of Naples, Inc., in the amount of \$1,375,401, and authorize the Chair to sign the attached Agreement, and approve any necessary budget amendments. (Damon Grant, Facilities Management Division Director) (All Districts)**

- 11.B. Recommendation to award an Agreement pertaining to Invitation to Bid (“ITB”) No. 20-7809-ST, Naples Regional (Central) Library Refurbishment Project, to Cosugas LLC, in the amount of \$1,560,000 and authorize the Chair to sign the attached agreement (Project No.50163) (This is a Surtax Project) (John McCormick, P.E., Principal Facilities Engineer, Facilities Management Division) (District 1)
- 11.C. Recommendation to select a site to locate the Collier County Mental Health Facility and authorize staff to move forward with a Request for Proposals to design the facility. (Sean Callahan, Executive Director, Corporate Business Operations) (All Districts)
- 11.D. Recommendation to award Invitation to Bid (“ITB”) No. 21-7834, “Freedom Park Bypass Ditch Project,” to Thomas Marine Construction, Inc., for a total contract amount of \$1,450,960.39, authorize the necessary budget amendments and authorize the Chair to sign the attached Agreement. (Project No. 60102) (Gerry Kurtz, Principal Project Manager) (District 4)
- 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
 - 15.A. Future Workshop Schedule (All Districts)
- 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 final acceptance of the potable water utility facilities for Milano Lakes - Phase II, PL20180001733, and authorize the County Manager, or his designee, to release the Utilities Performance Security (UPS) and Final Obligation Bond in the total amount of \$11,194 to the Project Engineer or the Developer’s designated agent. (District 1)
- 16.A.2. Recommendation to approve final acceptance of the potable water utility facilities for Milano Lakes Apartments Phase III, PL20180002475, and authorize the County Manager, or his designee, to release the Utilities Performance Security (UPS) and Final Obligation Bond in the total amount of \$15,946.80 to the Project Engineer or the Developer’s designated agent. (District 1)

- 16.A.3. Recommendation to approve final acceptance and accept the conveyance of the potable water and sewer utility facilities for Esplanade at Hacienda Lakes Phase 4A, PL20190000416 and authorize the County Manager, or his designee, to release the Final Obligation Bond in the total amount of \$4,000 to the Project Engineer or the Developer's designated agent. (District 1)**
- 16.A.4. Recommendation to approve final acceptance of the potable water and sewer facilities for ALDI Grocery Store at Tamiami Crossing, PL20190000880, accept the conveyance of a portion of the potable water facilities, and authorize the County Manager, or his designee, to release the Utilities Performance Security (UPS) and Final Obligation Bond in the total amount of \$7,136.44 to the Project Engineer or the Developer's designated agent. (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 sewer utility facilities for the Midgard Naples Boat & Self-Storage Facility, PL20200000503. (District 1)**
- 16.A.6. 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 Isles of Collier Preserve Phase 15 (Application Number PL20200001712) approval of the standard form Construction and Maintenance Agreement and approval of the amount of the performance security. (District 1)**
- 16.A.7. 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 National Golf and Country Club at Ave Maria, Phase 2, (Application Number PL20200001505) approval of the standard form Construction and Maintenance Agreement and approval of the amount of the performance security. (District 5)**
- 16.A.8. Recommendation to authorize the Clerk of Courts to release a Performance Bond in the amount of \$25,000 which was posted as a guaranty for Excavation Permit Number PL20180001468 for work associated with Briarwood Apartments Multi-Family Development. (District 4)**
- 16.A.9. Recommendation to approve an agreement for the purchase of a road right-of-way, drainage and utility easement (Parcel 113RDUE) and a temporary construction easement (Parcel 113TCE) required for construction of roadway and related improvements for the Whippoorwill Lane and Marbella Lakes Drive Connection (Project No. 60219). (District 4)**

- 16.A.10. Recommendation to extend, and provide for automatic renewals thereafter, an Interlocal Agreement with the North Collier Fire Control and Rescue District (“NCFD”) for Fire Plans Review and Inspection Services, and to provide NCFD with office space for its Fire Plans Review staff in the Growth Management Division (“GMD”) building. (All Districts)**
- 16.A.11. Recommendation to approve the release of a code enforcement lien with an accrued value of \$10,230.13 for payment of \$575.13 in the Code Enforcement action titled, Board of County Commissioners v. Antonio Ferreira and Theresa Ferreira, relating to property located at 5124 24th Ave SW, Naples, Florida. (District 3)**
- 16.A.12. Recommendation to approve time extension contract amendments for Agreement 4600004128 for the Griffin Road Stormwater Improvement Project (60196), Agreement 4600004125 Freedom Park Stormwater Channel Improvement Project (60102), and Agreement 4600003762 for the West Goodlette-Frank Road Area Joint Stormwater-Sewer Project (60142) between the South Florida Water Management District and Collier County. (District 2, District 4)**
- 16.A.13. Recommendation to approve Modification to Subgrant Agreement No. H0393 with the Florida Division of Emergency Management to extend the agreement to July 31, 2022, for the Goodlette Frank Road Drainage Ditch. (Project No. 60102) (District 4)**

16.B. COMMUNITY REDEVELOPMENT AGENCY

- 16.B.1. Recommendation that the Board of County Commissioners (“Board”), approve an enlargement of the informal competition amount beyond the \$50,000 threshold as provided in Procurement Ordinance No. 2013-69, as amended, to a Purchase Order originally issued to Lykins Signtek & Development Specialties, Inc., and approve the assignment of the Purchase Order to the new entity, Project Combo, Inc., d/b/a Lykins Signtek Development Specialties, LLC to allow the completion of the ongoing Immokalee welcome signage project located in the Immokalee Community Redevelopment Area. The total Purchase Order amount for these services will be \$54,814. (All Districts)**

16.C. PUBLIC UTILITIES DEPARTMENT

- 16.C.1. Recommendation to award an Agreement for Request for Proposal (“RFP”) No. 20-7792, “Financial Consulting Services,” to Raftelis Financial Consultants, Inc. (All Districts)**
- 16.C.2. Recommendation to award Invitation to Bid No. 20-7810, North County Water Reclamation Facility Return Mixed Liquor Pump System Improvements, to Quality Enterprises USA, Inc., in the amount of \$885,393.91, and authorize the Chairman to sign the attached agreement (Project No. 70148). (District 2, District 3, District 5)**

- 16.C.3. Recommendation to approve the final ranking of design-build firms and authorize staff to commence negotiations with the top-ranked team, which consists of Quality Enterprises USA, Inc., Q. Grady Minor & Associates, P.A., and Pelican Engineering Associates, Inc., for Request for Professional Services (“RPS”) No. 20-7760, Design-Build Pump Station Emergency Power Resiliency. (All Districts)**

16.D. PUBLIC SERVICES DEPARTMENT

- 16.D.1. Recommendation to repeal and replace Resolution No. 87-200 to update and modernize the Collections Management Policy for the Museum Division. (All Districts)**
- 16.D.2. Recommendation to direct the County Attorney to advertise and bring back for adoption at a later meeting, an Ordinance creating the Palm River Sidewalk Municipal Service Taxing Unit (MSTU) to install sidewalks in the Palm River Estates community. (District 2)**
- 16.D.3. Recommendation to approve the third extension of the Interim Management Plan for the Conservation Collier Camp Keais Strand Parcels. (District 5)**
- 16.D.4. Recommendation to approve the Conservation Collier McIlvane Marsh Interim Management Plan 2-year extension under the Conservation Collier Program. (District 1)**
- 16.D.5. Recommendation to approve the Conservation Collier Red Maple Swamp Preserve Interim Management Plan 2-year extension under the Conservation Collier Program. (All Districts)**
- 16.D.6. Recommendation to approve the Conservation Collier Wet Woods Preserve Management Plan 10-year update under the Conservation Collier Program. (District 2)**
- 16.D.7. Recommendation to accept a U.S. Department of Treasury Emergency Rental Assistance Grant award (award amounts not yet announced) and approve an after-the-fact execution of the award terms as a condition of funding acceptance, authorize two temporary full-time staff and allow the County Manager or his designee to sign any additional documents upon arrival; and authorize the necessary Budget Amendment. The funding will provide rental and utility assistance to Collier County residents. (All Districts)**
- 16.D.8. Recommendation to authorize the use of South Florida Water Management District settlement funds to offset the annual \$100 Off-Road Vehicle riding permit fee assessed by the Big Cypress National Preserve by fifty percent (50%) for Collier County residents to provide riding opportunities at the Preserve and to sunset Resolution No. 2012-110 as amended, which established the Collier County ATV Park Ad Hoc Committee, and approve any necessary budget amendments. (District 1, District 5)**

16.E. ADMINISTRATIVE SERVICES DEPARTMENT

- 16.E.1. Recommendation to approve modifications to the 2021 Fiscal Year Pay & Classification Plan which consist of three reclassifications made from October 1, 2020 through December 31, 2020. (All Districts)**
- 16.E.2. Recommendation to accept Staff's report for the sale of 76 items and disbursement of funds in the total amount of \$475,250 associated with the County surplus auction held on December 11 and 12, 2020. (All Districts)**
- 16.E.3. Recommendation to approve a Letter of Engagement with the law firm of Mullin Coughlin for the purpose of providing legal advice, assistance, and response to potential data security incidents as required by the County's Cyber Insurance carrier, AXA XL Catlin Insurance Company. (All Districts)**
- 16.E.4. Recommendation to award RFP No. 20-7814 Collection Agency Services to RTR Financial Services, Inc., for Countywide collection of unpaid accounts. (All Districts)**
- 16.E.5. Recommendation to approve and authorize the Chairman to sign a final Settlement Agreement between Collier County and Underwriters at Lloyd's of London, et. al. to close all remaining open claims arising from Hurricane Irma in the amount of \$1,477,306.38. (All Districts)**
- 16.E.6. 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 recognize Steve Athey, Property Maintenance Inspector, Growth Management Department, as the 2020 Employee of the Year. (All Districts)**
- 16.F.2. Recommendation to recognize Brittney Mahon, Human Resources Manager, Administrative Services Department, as the 2020 Supervisor of the Year. (All Districts)**
- 16.F.3. Recommendation to adopt a resolution approving amendments (appropriating grants, donations, contributions or insurance proceeds) to the FY20-21 Adopted Budget. (All Districts)**

16.G. AIRPORT AUTHORITY

16.H. BOARD OF COUNTY COMMISSIONERS

16.I. MISCELLANEOUS CORRESPONDENCE

16.J. OTHER CONSTITUTIONAL OFFICERS

- 16.J.1. Recommendation to authorize execution of the budget amendment for \$450,000 to recognize carryforward for Fund (602) Confiscated Trust Fund into FY2021 budget. (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 December 31, 2020 and January 13, 2021 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 January 20, 2021. (All Districts)

16.K. COUNTY ATTORNEY

- 16.K.1. Recommendation to review and approve the Parks and Recreation Division's request to waive any potential ethics conflict for a member of the Collier County Parks and Recreation Advisory Board based on Ch. 112, Florida Statutes. (All Districts)
- 16.K.2. Recommendation to set the balloting date for the recommendation of members to the Pelican Bay Services Division Board by record title owners of property within Pelican Bay. (District 2)
- 16.K.3. Recommendation to approve a Joint Motion for Stipulated Final Judgment in the amount of \$1,750 for the acquisition of Parcels 103RDUE and 103TCE2, plus \$561.99 for all statutory attorney's fees, expert fees, and costs, plus \$3,000 for all supplemental attorney's fees and costs not provided for, in the lawsuit styled Collier County, Florida v. Golden Land Partners, LLC, et al., Case No. 14-CA-1291 and authorize required budget amendments. (Project No. 60123). (All Districts)
- 16.K.4. Recommendation to reappoint three members to the Collier County Code Enforcement Board. (All Districts)
- 16.K.5. Recommendation to appoint four members to Conservation Collier Land Acquisition Advisory Committee. (All Districts)
- 16.K.6. Recommendation to reappoint two members to the Radio Road Beautification Advisory Committee (District 4)
- 16.K.7. Recommendation to appoint two members to the Golden Gate City Economic Development Zone Advisory Board. (District 3)

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 is being continued to the February 23, 2021 BCC meeting ***
Recommendation to approve an Ordinance 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 Golden Gate Parkway Overlay District (GGPOD) and eliminate the Golden Gate Parkway Professional Office Commercial Overlay (GGPPOCO) and the Golden Gate Downtown Center Commercial Overlay District (GGDCCO), 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; Chapter Two - Zoning Districts and Uses; Chapter 4 - Site Design and Development Standards; Chapter Five - Supplemental Standards; and Chapter 10 - Application, Review, and Decision-Making Procedures; Section Four, Conflict and Severability; Section Five, inclusion in the Collier County Land Development Code; and Section Six, Effective Date. (District 3)
- 17.B. ***This item was continued from the January 12, 2021 BCC meeting. ***
Recommendation to approve a Resolution of the Board of County Commissioners proposing amendment to the Collier County Growth Management Plan, Ordinance 89-05, as amended, specifically amending the Future Land Use Element and map series to create the NC Square Mixed-Use Overlay on land in the Agricultural/Rural Designation and Rural Fringe Mixed Use District-Receiving Lands Overlay to allow up to 44,400 square feet of commercial uses, a 12,000 square foot daycare limited to 250 students, and a maximum of 129 residential dwelling units and furthermore directing transmittal of the amendment to the Florida Department Of Economic Opportunity. The subject property is 24.4± acres and located at the southwest corner of Immokalee Road and Catawba Street approximately 1.6 miles west of Wilson Boulevard in Section 29, Township 49 South, Range 27 East, Collier County, Florida. (Transmittal Hearing) [PL20180002233/CP-2019-1] (District 5)
- 17.C. 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)

- 17.D. This item requires that ex parte disclosure be provided by Board of Zoning Appeals members. Should a hearing be held on this item, all participants are required to be sworn in. Recommendation to approve a Resolution for the establishment of a conditional use to allow a Government Safety Service Facility for fire and emergency medical services within the Estates (E) zoning district with a Wellfield Risk Management Special Treatment Overlay Zone W-4 (ST/W-4), pursuant to Sections 2.03.01.B.1.c.8 and 2.01.03.G.1.e. of the Collier County Land Development Code for a 5.46+/- acre property located at the southwest corner of the intersection of Golden Gate Boulevard and DeSoto Boulevard in Section 9, Township 49 South, Range 28 East, Collier County, Florida. [PL20190002680] (District 5)**
- 17.E. Recommendation to adopt a resolution approving amendments (appropriating carry forward, transfers and supplemental revenue) to the FY20-21 Adopted Budget. (All Districts)**

18. ADJOURN

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