

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 11, 2022

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 Pastor Ed Brandt of Lely Presbyterian 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. October 26, 2021 - BCC Meeting Minutes

2.C. December 14, 2021 - BCC Meeting Minutes

2.D. Recommendation that the Board authorize the new Chairs for both the Board of County Commissioners and the Community Redevelopment Agency to execute all documents approved at both this meeting and those documents which were previously approved but are pending signature, and to appoint its members to the Community Redevelopment Agency, the Tourist Development Board, the Community and Economic Development Board, the Affordable Housing Advisory Committee, the Public Safety Coordinating Council, and the Southwest Florida Regional Planning Council.

3. AWARDS AND RECOGNITIONS

3.A. EMPLOYEE

3.B. ADVISORY BOARD MEMBERS

3.C. RETIREES

3.D. EMPLOYEE OF THE MONTH

3.D.1. Recommendation to recognize Jonathan Bartos, in the Public Utilities Department, Solid & Hazardous Waste Management Division as the December 2021 Employee of the Month. (All Districts)

4. PROCLAMATIONS

4.A. Proclamation designating January 17, 2022, as a day to remember and celebrate Dr. Martin Luther King Jr.'s dream. To be accepted by Vincent Keeys, President, Jeris Smith, Chairperson, and other representatives of the Collier County Branch of the NAACP.

4.B. Proclamation designating January 2022 as Human Trafficking Awareness Month in Collier County. To be accepted by Linda Oberhaus, Chief Executive Officer, The Shelter for Abused Women and Children.

4.C. Proclamation designating January 2022 as Florida Panther Month in Collier County. To be accepted by Ricky Pires, Director, Florida Gulf Coast University "Wings of Hope" Program.

- 4.D. Proclamation recognizing the 50th Anniversary of the Naples Concert Band. The proclamation will be presented by Commissioner Penny Taylor on January 16, 2022, to the Naples Concert Band at its performance at the Cambier Park Bandshell.
5. PRESENTATIONS
 - 5.A. Presentation of the Collier County Business of the Month for January 2022 to Prestige Insurance Consultants, Inc. The award will be accepted by Shannon Morgan and Sonia Rocca, Agency Owners. 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
9. ADVERTISED PUBLIC HEARINGS
10. BOARD OF COUNTY COMMISSIONERS
11. COUNTY MANAGER'S REPORT
 - 11.A. Recommendation to award Request for Professional Services (RPS) No. 21-7881 "Design Services for Old Lely Utility Improvements" in the total amount of \$15,908,833 to Johnson Engineering, Inc. with authorization to issue an initial purchase order for Task 1 and Reimbursables in the amount of \$5,152,020, to be followed by future purchase order modifications for subsequent Tasks 2 and 3, both encompassed in the total contract amount, subject to and dictated by Board-approved funding under Project 60224 (Funds 412, 414 and 327); and authorize the necessary budget amendment.(Trinity Scott, Deputy Department Head, Growth Management Department) (District 1)
 - 11.B. Recommendation to accept the status report for Collier County Local Government Infrastructure Sales Surtax Projects, acknowledge the planned move of the Domestic Animal Services (DAS) facility to County Site 305, and authorize completion of design for Sheriff's Forensics/Evidence Building to include expanding the size of the Sheriff's facility to accommodate a move of CCSO Criminal Investigations Division from 2373 East Horseshoe Drive to the GOBP campus. (Ed Finn, Interim Facilities Management Director) (All Districts)
 - 11.C. Recommendation to accept Staff's update on Collier County boat ramp park use and Commercial Vessel Launch Permit sales. (Melissa Hennig, Regional Manager, Parks and Recreation Division) (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 approve the release of a code enforcement lien with an accrued value of \$66,100 for payment of \$1,550 in the code enforcement action titled Board of County Commissioners v. Rafael Barrios Montero, Tomas B. Avila Reyes, and Ricardo Abril, relating to property located at 1281 25th St SW, Collier County, Florida. (District 5)**
- 16.A.2. Recommendation to authorize the Clerk of Courts to release a Performance Bond in the amount of \$155,062 which was posted as a guaranty for Excavation Permit Number PL20200001219 for work associated with Ventana Pointe. (District 5)**
- 16.A.3. Recommendation to approve a Resolution for final acceptance of the private roadway and drainage improvements for the final plat of Golf Club of the Everglades Phase 1, Application Number PL20140001653, and authorize the release of the maintenance security in the amount of \$699,615.37. (District 5)**
- 16.A.4. Recommendation to approve final acceptance of the sewer utility facilities for Springs at Hammock Cove Phase 3, PL20190002127, and authorize the County Manager, or his designee, to release the Utilities Performance Security (UPS) and Final Obligation Bond in the total amount of \$7,898.12 to the Project Engineer or the Developer's designated agent. (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 sewer utility facilities for the 7-Eleven #38985 Greenway, PL20210001822. (District 1)**
- 16.A.6. Recommendation to approve final acceptance of the potable water facilities, and accept the conveyance of the potable water facilities for The Pointe at Founders Square, PL20210001958. (District 5)**

- 16.A.7. Recommendation to approve a Resolution for final acceptance of the private roadway and drainage improvements, and acceptance of the plat dedications, for the final plat of Legacy Estates, Application Number PL20140002627 and Application Number PL20140001803, and, and authorize the release of the maintenance security in the amount of \$53,700.85. (District 2)**
- 16.A.8. 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 minor final plat of Altis Santa Barbara, Application Number PL20210001774. (District 3)**
- 16.A.9. 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 Cambridge Park at Orange Blossom (Application Number PL20210000167) approval of the standard form Construction and Maintenance Agreement and approval of the performance security in the amount of \$644,292.28. (District 2)**
- 16.A.10. Recommendation to approve an extension for completion of required subdivision improvements associated with Esplanade Golf and Country Club of Naples Phase 2 (PL20120002897) subdivision pursuant to Section 10.02.05 C.2 of the Collier County Land Development Code (LDC). (District 3)**
- 16.A.11. Recommendation to approve an extension for completion of required subdivision improvements associated with Esplanade Golf and Country Club of Naples Blocks E and G2 (PL20140002187) subdivision pursuant to Section 10.02.05 C.2 of the Collier County Land Development Code (LDC). (District 3)**
- 16.A.12. Recommendation to provide a waiver of the optional local public hearing pursuant to Section 190.046(1)(d)3., Florida Statutes, on the Boundary Amendment Petition submitted by Fiddler's Creek Community Development District #1 to the Florida Land and Water Adjudicatory Commission. (District 1)**
- 16.A.13. Recommendation to recognize carry forward funding for the Collier Metropolitan Planning Organization ("MPO") in the amount of \$1,746.24, earned from the FY 2020/21 Transportation Disadvantaged Planning Grant, and to approve all related necessary budget amendments. (All Districts)**
- 16.A.14. Recommendation to recognize and accept revenue for Collier Area Transit bus shelters in the amount of \$73,844 and to approve all necessary budget amendments. (District 1)**

- 16.A.15. Recommendation to approve Memorandum of Agreement (MOA) FM# 449463-1-93-01, between the Florida Department of Transportation (FDOT) and Collier County, where FDOT will provide the County with connected vehicle equipment and software for monitoring traffic conditions and providing messages to the traveling public at 19 intersections on State Roads within Collier County. FDOT has included this project in its Five-Year Work Program, described as 'Collier County Connected Traveler Information System' in the amount not to exceed \$496,000, and execute a Resolution memorializing the Board's action. (All Districts)
- 16.A.16. Recommendation to approve and authorize the Chairman to sign a Use Agreement between the Department of Environmental Protection – Division of State Lands and Collier County in relation to ITB No. 21-7935 “Wiggins Pass and Doctors Pass Dredge 2021-2022” allowing the placement of dredged sand onto Delnor Wiggins State Park beach, per the State’s request (Project No. 80288). (All Districts)
- 16.A.17. Recommendation to authorize the necessary budget amendments to reallocate funds, in the amount of \$8,535,606, within the Growth Management Department Stormwater Bond Fund (327). (District 5)
- 16.A.18. Recommendation to approve the final ranking for Request for Professional Services (“RPS”) No. 21-7862, and begin negotiations with Kimley-Horn and Associates, Inc., to perform professional engineering services for the Airport Road Widening Project from Vanderbilt Beach Road (CR862) to Immokalee Road (CR846), County Project Number 60190, so that a proposed agreement can be brought back for the Board's consideration. (District 2)
- 16.A.19. Recommendation to hear a Land Development Code Amendment at two regularly scheduled daytime hearings and waive the nighttime hearing requirement. (All Districts)

16.B. COMMUNITY REDEVELOPMENT AGENCY

16.C. PUBLIC UTILITIES DEPARTMENT

- 16.C.1. Recommendation to approve an Agreement for Sale and Purchase with Carol A. Dessing, for 1.14 acres under the Conservation Collier Land Acquisition Program at a cost not to exceed \$19,500. (Conservation Collier Trust Fund 172) (District 5)
- 16.C.2. Recommendation to approve the attached Settlement Agreement and Release with Douglas N. Higgins, Inc. and authorize Staff to issue a purchase order in the amount of \$83,350.00 in satisfaction of all claims on the Creekside Force Main Extension Phase 1 project, Wastewater User Capital Fund (414), Project No. 70044. (District 2)

- 16.C.3. Recommendation to approve an Agreement for Sale and Purchase with Mercedes Cabrera, a married woman, for 9.16 acres under the Conservation Collier Land Acquisition Program at a cost not to exceed \$115,650. (Conservation Collier Trust Fund 172) (District 5)**
- 16.C.4. Recommendation to approve a Third Amendment to Agreement No. 18-7429 for Security Services with Universal Protection Service, LLC to extend the current term of service, make ministerial revisions to performance criteria, and to adjust the fee schedule for the renewal term of the Agreement (\$148,360, Fund Number 001-122255.) (All Districts)**

16.D. PUBLIC SERVICES DEPARTMENT

- 16.D.1. Recommendation to approve an Exemption from the Competitive Process as set forth in the Procurement Ordinance for subscription to Flipster, NoveList Plus, and NoveList Select, proprietary software offered through EBSCO, for Library patron use in an amount not to exceed \$150,000 per fiscal year, as budgeted within General Fund (001). (All Districts)**
- 16.D.2. Recommendation to accept two (2) library grant donations, one from the Hsi-Yang Wu Memorial Fund through the Branch County Community Foundation in the amount of \$500, and one from the Kirsch McLaughlin Trust through the Fidelity Charitable Grant Program in the amount of \$100, for the general support of the Collier County Public Library. (Public Services Grant Fund 709) (All Districts)**
- 16.D.3. Recommendation to approve and authorize the chairperson to sign three (3) mortgage satisfactions for the State Housing Initiatives Partnership loan program in the amount of \$63,000 and approve the associated Budget Amendments to appropriate repayment amounts totaling \$63,000 within SHIP Grant Fund (791). (All Districts)**
- 16.D.4. Recommendation to approve and authorize the Chairperson to sign three Emergency Solutions Grant Agreements with Collier County: 1) NAMI Collier County, Inc., (increases award by \$200,000), 2) The Shelter for Abused Women & Children, Inc., (no funding change), and 3) the Hunger & Homeless Coalition, Inc., (decreases award by \$200,000), for the administration of CARES related services with a net \$0 impact. (Grant Fund 705) (All Districts)**
- 16.D.5. Recommendation to award Request for Proposal (RFP) #18-7470S, Services for Seniors, to Hemo Medika Care LLC d/b/a Harmonia The Club, Sunshine Health Care Services, LLC d/b/a A Better Solution of Sarasota, Home Health Care Resources, Corp. and authorize the Chair to sign the attached agreements. (Estimated Annual Fiscal Impact \$2,934,443, Human Services Grant Fund 707) (All Districts)**

- 16.D.6. To approve and authorize the Chairman to sign four (4) Emergency Solutions Grants subrecipient agreements; two (2) Collier County Hunger & Homeless Coalition in the amount of \$2,536.62 and \$30,462, NAMI Collier County in the amount of \$26,970, Youth Haven, Inc. in the amount of \$71,000 and one (1) HOME Investment Partnerships subrecipient agreement for Collier County Housing Authority in the amount of \$424,993. (Housing Grant Fund 705). (All Districts)**

16.E. ADMINISTRATIVE SERVICES

- 16.E.1. Recommendation to approve and authorize the Chair to sign a Memorandum of Understanding with Southwest Florida Professional Firefighters, Local 1826, outlining the payment of Premium Pay for all Collier County EMS employees, not to exceed the funding amount of \$408,000 as approved within the American Rescue Plan Act Coronavirus State and Local Fiscal Recovery Fund as approved by the United States Treasury and previously authorized by the Board of County Commissioners. (Housing Grant Fund 705) (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.E.3. 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.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 approve a report covering budget amendments impacting reserves and moving funds in an amount up to and including \$25,000 and \$50,000, respectively. (All Districts)**
- 16.F.2. Recommendation to adopt a resolution approving amendments (appropriating grants, donations, contributions or insurance proceeds) to the FY21-22 Adopted Budget. (All Districts)**

16.G. AIRPORT AUTHORITY

- 16.G.1. Recommendation to approve and authorize the Chairman to execute the attached Resolution authorizing the County Manager's execution of the Federal Aviation Administration (FAA) Airport Rescue Grant Agreements in the amount of \$59,000 for the Marco Island Executive Airport (MKY) and \$32,000 for the Immokalee Regional Airport (IMM) for eligible operating expenses and authorize all necessary budget amendments. (Projects 33793 and 33792) (District 1, District 5)**

16.H. BOARD OF COUNTY COMMISSIONERS

16.I. MISCELLANEOUS CORRESPONDENCE

- 16.I.1. January 11, 2022 Miscellaneous Correspondence (All Districts)**

16.J. OTHER CONSTITUTIONAL OFFICERS

- 16.J.1. Recommendation to appoint Commissioner McDaniel and Commissioner Saunders to the Collier County Canvassing Board for the 2022 Election Cycle. (All Districts)**
- 16.J.2. Recommendation that the Board of County Commissioners authorize the County Attorney's Office to participate and represent the Collier County Canvassing Board during the 2022 Election Cycle. (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 December 16, 2021 and December 29, 2021 pursuant to Florida Statute 136.06. (All Districts)**
- 16.J.4. Board ratification of the purchasing card transactions and invoices payable approved and determined to have a valid public purpose by the County Manager during the Board's scheduled recess. (All Districts)**
- 16.J.5. Board ratification and recording 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 2, 2021 and December 15, 2021 pursuant to Florida Statute 136.06 that were approved by the County Manager during the Board's scheduled recess. (All Districts)**
- 16.J.6. Request that the Board approve and determine valid public purpose for invoices payable and purchasing card transactions as of January 5, 2022. (All Districts)**

16.K. COUNTY ATTORNEY

- 16.K.1. *** This item has been continued from the December 14, 2021 BCC Meeting Agenda. *** Recommendation to reappoint four members to the Development Services Advisory Committee. (All Districts)**
- 16.K.2. Recommendation to appoint a member to the Animal Service Advisory Board. (All Districts)**
- 16.K.3. Recommendation to approve a Stipulated Final Judgment in the amount of \$225,000 plus \$40,330 in statutory attorney, experts' fees, costs and statutory supplemental attorneys' fees if necessary (not to exceed \$7,000) for the taking of Parcel 1257RDUE/TCE, required for the Vanderbilt Beach Road Extension Project No. 60168. (All Districts)**

- 16.K.4. Recommendation to approve a Stipulated Final Judgment in the amount of \$371,000 plus \$35,680 in statutory attorney and experts' fees and costs for the taking of Parcel 1109POND required for the Vanderbilt Beach Road Extension Project No. 60168. (All Districts)**
- 16.K.5. Recommendation to approve a Stipulated Final Judgment in the amount of \$156,000 plus \$31,574 in statutory attorney and experts' fees and costs for the taking of Parcel 218FEE required for the Vanderbilt Beach Road Extension Project No. 60168. (All Districts)**
- 16.K.6. Recommendation to approve a Stipulated Final Judgment in the total amount of \$110,000 plus \$21,767.50 in statutory attorney and experts' fees and costs for the taking of Parcel 220FEE, required for the Vanderbilt Beach Road Extension Project, Project No., 60168, and delegate authority to the County Manager or his designee to process payment of additional statutory attorney's fees for supplemental proceedings, if any, as authorized by Ch. 73, Fla. Stat. (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 adopt an Ordinance establishing pedestrian safety regulations in unincorporated Collier County, and to repeal portions of Ordinance 87-60, as amended. (All Districts)**

- 17.B. Zoning Petition - PL20200002317, Ave Maria SRAA. 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 amending the town of Ave Maria Stewardship Receiving Area (SRA) to revise the SRA town plan and master plan in accordance with Section 4.08.07.F.4 of the Land Development Code, and specifically to: reconfigure a portion of Town Center 2A and the Neighborhood General Context Zone near the intersection of Pope John Paul Boulevard and Camp Keais Road; to add a new multifamily dwelling unit rental housing type consisting of single family detached, single family attached or townhouses located on a single parcel called a Cottage Court as a permitted use in the Neighborhood General Context Zone and Town Centers 2 and 3; to add civic use, open space and parks as a permitted use in Town Center 1; to add development standards for the Cottage Court dwelling unit type limited to a 10 foot external project setback and a maximum height of 2 ½ stories; to add an access point near the southwest corner of the SRA boundary to serve the existing golf maintenance facility only; to remove the root barrier requirement in Neighborhood General Context Zone to be consistent with the LDC; and modify the numerical spacing of the grid system for the University District to correct a labeling error. The subject property is located north of Oil Well Road and west of Camp Keais Road in Sections 31 through 33, Township 47 South, Range 29 East and Sections 4 through 9 and 16 through 18, Township 48 South, Range 29 East in Collier County, Florida. (District 5)**
- 17.C. Recommendation to adopt a resolution approving amendments (appropriating carry forward, transfers and supplemental revenue) to the FY21-22 Adopted Budget. (All Districts)**
- 17.D. Recommendation to adopt an amendment to Ordinance 93-81, as amended, known as the “Parks and Recreation Advisory Board Ordinance,” to add an alternate member to the Board. (All Districts)**

18. ADJOURN

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