

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

August 22, 2023

9:00 AM

Commissioner Rick LoCastro, District 1; – Chair
Commissioner Chris Hall, District 2; – Vice Chair
Commissioner Burt Saunders, District 3
Commissioner Dan Kowal, District 4; – CRAB Co-Chair
Commissioner William L. McDaniel, Jr., District 5; – CRAB Co-Chair

NOTICE: All persons wishing to speak on Agenda items must register prior to presentation of the Agenda item to be addressed. All registered speakers will receive up to three minutes unless the time is adjusted by the chairman. Additional minutes may be ceded to an in-person speaker by other registered speakers who must be present at the time the speaker is heard. No public speakers will be heard for Proclamations, Presentations and Public Petitions. Speakers on Presentations are limited to 10 minutes, unless extended by the chairman. All persons wishing to speak on a Consent Item must register prior to the Board's Approval of the day's Consent Agenda, which is heard at the beginning of the meeting following the Pledge of Allegiance.

Anyone wishing to address the Board on Public Petition must submit the request in writing to the County Manager at least 13 days prior to the date of the meeting. The request shall provide detailed information as to the nature of the Petition. The Public Petition may not involve a matter on a future Board agenda, and must concern a matter in which the Board can take action. Public petitions are limited to a single presenter, with a maximum time of ten minutes, unless extended by the chairman. Should the petition be granted, the item will be placed on a future agenda for a public hearing.

Anyone wishing to address the Board on general topics not on this agenda or a future agenda must register to speak prior to the Public Comment portion of the agenda being called by the chairman. Speakers will be limited to three minutes, and no additional minutes may be ceded to the speaker. At the chairman's discretion, the number of public speakers may be limited to 5 for that meeting.

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

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

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

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

1. INVOCATION AND PLEDGE OF ALLEGIANCE

1.A. Invocation by Pastor Heath Jarvis, Faith Life Worship Center. (26247)

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. July 25, 2023, Board Meeting Minutes (26318)

3. AWARDS AND RECOGNITIONS

3.A. EMPLOYEE

3.B. ADVISORY BOARD MEMBERS

3.C. RETIREES

3.D. EMPLOYEE OF THE MONTH

4. PROCLAMATIONS

4.A. Proclamation designating September 2023 as Hunger Action Month in Collier County. To be accepted by Stuart Haniff, Chief Development Officer, Harry Chapin Food Bank of Southwest Florida. (26285)

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 to be heard at 10:30 AM. *** Recommendation to consider an Ordinance establishing Collier County as a Bill of Rights Sanctuary County. (All Districts) (26217)

- 9.B.** *** This Item has been further continued to the September 12, 2023, BCC Agenda. ***
Recommendation that the Board adopts an Ordinance creating the unpaved private road emergency repair municipal service taxing unit by authorizing a levy of not to exceed one (1.0) mil of ad valorem taxes per year. (This item was continued from the February 28, 2023, March 28, 2023, and June 27, 2023, Board of County Commissioners meetings)
(All Districts) (26399)

10. BOARD OF COUNTY COMMISSIONERS

11. COUNTY MANAGER'S REPORT

- 11.A.** *** This item to be heard at 9:30 AM. *** Recommendation to approve an Economic Development Agreement for a proposed advanced manufacturing and processing facility for the US headquarters of Dialum Glass within the Town of Ave Maria Innovation Zone in the amount of \$1,500,000. (Amy Patterson, County Manager) (All Districts) (26412)
- 11.B.** *** This item to be heard at 9:45 AM. *** Recommendation to approve a negotiated Management Agreement with the Pelican Bay Foundation, Inc., for the management of racquet sport activities, the maintenance, and capital improvements to enhance the services provided at Pelican Bay Community Park, worth an estimated \$6,000,000, and authorize the Chair to sign the attached agreement. (Dan Rodriguez, Deputy County Manager) (District 2) (26379)
- 11.C.** Recommendation to award Invitation to Bid (“ITB”) No. 23-8106, “Solana Road Stormwater Improvements” to Quality Enterprises USA, Inc., in the amount of \$5,258,920.70, authorize the necessary Budget Amendments, and authorize the Chairman to sign the attached Agreement. (Project No. 60102) (Beth Johnssen, Capital Project Planning, Impact Fees & Program Management Director) (District 4) (26194)
- 11.D.** Recommendation to accept the award and authorize Chairman to execute Grant Agreement No. 23CO2 between the Florida Department of Environmental Protection and Collier County for dune replanting efforts associated with damages from Hurricanes Ian and Nicole in the amount of \$5,000,000. (Beth Johnssen, Capital Project Planning, Impact Fees & Program Management Director) (All Districts) (26081)

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. PUBLIC COMMENTS ON GENERAL TOPICS NOT ON THE CURRENT OR FUTURE AGENDA BY INDIVIDUALS NOT ALREADY HEARD DURING PREVIOUS PUBLIC COMMENTS IN THIS MEETING

15.B. STAFF PROJECT UPDATES

15.C. STAFF AND COMMISSION GENERAL COMMUNICATIONS

16. CONSENT AGENDA

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

16.A. GROWTH MANAGEMENT DEPARTMENT (CONSENT)

- 16.A.1.** 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 Esplanade by the Islands – Giardino Drive, Application Number PL20230008089, approval of the standard form Construction and Maintenance Agreement, and approval of the performance security in the amount of \$2,226,936.80. *(District 1) (26013)*
- 16.A.2.** 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 Mussorie Village at Fiddler’s Creek, Application Number PL20140000591 (FP) and Application Number PL20140000367 (ICP), and, and authorize the release of the maintenance security in the amount of \$15,147.09. *(District 1) (26143)*
- 16.A.3.** 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 Marquesa Isles of Naples, Application Number PL20160002811, and authorize the release of the maintenance security in the amount of \$197,105.10. *(District 1) (26145)*
- 16.A.4.** Recommendation to approve final acceptance of the potable water and sewer utility facilities for The Quarry Beach Club, PL20230007383. *(District 3) (26151)*
- 16.A.5.** Recommendation to approve final acceptance of the potable water utility facilities and accept the conveyance of the water facilities for The Club at Mediterra Improvements – Golf Learning, PL20220005573. *(District 2) (26152)*
- 16.A.6.** Recommendation to approve and authorize the Chairman execute Amendment No. 1 to renew and extend the Pepper Ranch Preserve Volunteer Camp Host Agreement for one additional year. *(All Districts) (26085)*
- 16.A.7.** Recommendation to approve an Agreement for Sale and Purchase with 1) William Joseph Scalley, Jr. and Martha L. Scalley, 2) Patricia E. McGinnis and Stanley E. Magner, 3) Maricel Aleu Fontela, and 4) Delsina Trigoura and Amy Trigoura under the Conservation Collier Land Acquisition Program, at a cost not to exceed \$146,815. *(District 5) (26019)*
- 16.A.8.** Recommendation to approve the Conservation Collier Panther Walk Preserve Multi-Parcel Project Final Management Plan update under the Conservation Collier Program. *(All Districts) (26144)*

16.B. TRANSPORTATION MANAGEMENT DEPARTMENT (CONSENT)

- 16.B.1.** Recommendation to approve an Agreement for the purchase of a drainage easement (Parcel 154DE) required for the West Goodlette-Frank Road Area Stormwater Improvement Project Phase 2 (Project 60142). Estimated Fiscal Impact: \$24,500. (This item is a companion to Item 16.B.2) *(District 4) (26155)*
- 16.B.2.** Recommendation to approve an Agreement for the purchase of a drainage easement (Parcel 144DE) required for the West Goodlette-Frank Road Area Stormwater Improvement Project Phase 2 (Project No. 60142). Estimated Fiscal Impact: \$13,750. (This item is a companion to Item 16.B.1) *(District 4) (26163)*
- 16.B.3.** Recommendation to award Invitation to Bid (“ITB”) No. 23-8099, “Veterans Memorial Boulevard Phase I - Proposed Noise Barrier Wall,” to Coastal Concrete Products, LLC, in the amount of \$1,941,993.75, and authorize the Chairman to sign the attached Agreement. *(District 2) (25559)*
- 16.B.4.** Recommendation to approve and authorize the Chairman to execute an Agreement for the purchase of a Road Right of Way, Drainage, and Utility Easement (Parcel 515RDUE) required for the Everglades Boulevard North and 43rd Avenue Northeast Intersection Improvements Project (Project No. 60256). Estimated Fiscal Impact: \$33,421.46. *(District 5) (25983)*
- 16.B.5.** Recommendation to appropriate an additional \$2,667 to the Collier Metropolitan Planning Organization’s annual operating budget for FY 23/24 and authorize the necessary budget amendment. *(All Districts) (26059)*
- 16.B.6.** Recommendation to approve an amendment to an Easement Agreement between the County and Vanderbilt Community Association Inc., that provided for the acquisition of Parcels 111RDUE1, 111RDUE2, 111TCE, 111TDRE, and 101TCE, required for construction of roadway and related improvements to Vanderbilt Beach Road (Project No. 60168). Estimated Fiscal Impact: None. *(District 3) (26052)*
- 16.B.7.** Recommendation to approve and authorize the Chairman to sign an addendum to Grant Agreement No. RT015 between the County and the Florida Department of Environmental Protection (FDEP) for Biological Debris Removal associated with Red Tide within Collier County to allow the existing agreement to remain active and to approve an Inter-local Agreement for Biological Debris Removal between the County and the City of Naples. *(All Districts) (26322)*
- 16.B.8.** Recommendation to approve an updated Collier Area Transit (CAT) Transit Asset Management (TAM) Plan and Public Transportation Agency Safety Plan (PTASP) to reflect and identify the new Public Transit & Neighborhood Enhancement (PTNE) Division Director, Brian Wells, as the Accountable Executive, to ensure compliance with 49 C.F.R. Parts 625 and 673. *(All Districts) (26363)*

16.C. PUBLIC UTILITIES DEPARTMENT (CONSENT)

16.D. PUBLIC SERVICES DEPARTMENT (CONSENT)

- 16.D.1.** Recommendation to approve and authorize the Chairman to sign a Memorandum of Understanding (MOU) between Collier County and the Collier County Hunger and Homeless Coalition, Inc., to allow staff to participate in the Continuum of Care weekly client meeting. (Housing Grant Fund 1835) *(All Districts) (26225)*
- 16.D.2.** Recommendation to approve and authorize the Chairman to sign four (4) Emergency Solutions Grants CV Agreement amendments between Collier County and (1) NAMI Collier County, Inc., (ES20-05), (2 & 3) The Shelter for Abused Women & Children, Inc., for ES20-04 and ES22-01, and (4) Collier County Hunger & Homeless Coalition, Inc., (ES21-02) in response to additional HUD guidance published in the Community Planning and Development (CPD) Monitoring Handbook (6509.2): CARES ACT (ESG-CV). *(All Districts) (26193)*

16.E. CORPORATE BUSINESS OPERATIONS (CONSENT)

- 16.E.1.** Recommendation for the Board of County Commissioners to ratify agreements and authorize necessary Budget Amendment for the executed Memorandum of Understanding (MOU) between Collier County Emergency Medical Service (EMS) for the Public Health Infrastructure to decrease ARP21-06 (Public Health and Safety Operations and Response program) by the amount of \$1,000,000 and to increase ARP21-23 (Collier Public Health Infrastructure program) in the amount of \$1,000,000 within the Emergency Medical Services Grant Fund (4053) for the purchase of equipment and delivery costs of up to four new ambulances and four light body trucks under the American Rescue Plan Act, Local Fiscal Recovery Fund. *(All Districts) (26304)*

16.F. COUNTY MANAGER OPERATIONS (CONSENT)

- 16.F.1.** Recommendation to adopt a Resolution approving amendments (appropriating grants, donations, contributions, or insurance proceeds) to the Fiscal Year 2022-23 Adopted Budget. (The Budget Amendments in the attached Resolution have been reviewed and approved by the Board of County Commissioners via separate Executive Summaries.) *(All Districts) (26274)*
- 16.F.2.** Recommendation to approve the proposed Collier County State Appropriations Project Requests to be part of the Board's State and Federal Legislative and Administrative Priorities for 2024. *(All Districts) (26316)*
- 16.F.3.** Recommendation to award Invitation to Bid ("ITB") No. 23-8061R, "HVAC Maintenance and Remedial Repairs," to B & I Contractors, Inc., and authorize the Chairman to sign the attached agreement. *(All Districts) (26006)*
- 16.F.4.** Recommendation to award Request for Quotes ("RFQ") for the "Growth Management Community Development Department Front and Walkway Canopy" project, under Agreement No. 19-7525, the Annual Agreement for General Contractors, to EBL Partners, LLC., and authorize the issuance of a numbered purchase order in the amount of \$449,570.87. *(District 4) (26080)*

- 16.F.5.** Recommendation to award Invitation to Bid (“ITB”) No. 23-8146, “Bottled Drinking Water, Dispensers, and Cups,” to low bidder D.T. Water, LLC d/b/a Mast Family Culligan, and authorize staff to open a standard County Purchase Order based on the unit prices provided. *(All Districts) (26221)*
- 16.F.6.** Recommendation to terminate Professional Services Agreement No. 20-7749, “Design Services for Domestic Animal Services Facility,” with ADG Architecture, LLC. *(All Districts) (26224)*
- 16.F.7.** Recommendation to approve a report covering budget amendments impacting reserves up to and including \$25,000, and moving funds in an amount up to and including \$50,000. *(All Districts) (26400)*
- 16.F.8.** Recommendation to approve spending up to \$50,000 for appraisal and pre-contract expenses for due diligence and authorize staff to transmit a non-binding Letter of Intent to commence negotiations for the purchase of 2,247 +/- acres of property at Williams Reserve at Lake Trafford located in Immokalee for conservation, parks and recreation, transportation, stormwater management, economic development, and co-location of fire operations with a potential partnership with Immokalee Fire and Rescue District, and authorize necessary budget amendment. *(All Districts) (26403)*

16.G. AIRPORT AUTHORITY (CONSENT)

- 16.G.1.** Recommendation that the Board of County Commissioners, acting as the Collier County Airport Authority, approve and authorize the Chairman to execute a utility easement to Lee County Electric Cooperative, Inc., (LCEC) at the Immokalee Regional Airport to provide electricity to a tenant's aircraft hangars and flight school offices. *(District 5) (26157)*

16.H. BOARD OF COUNTY COMMISSIONERS (CONSENT)

16.I. MISCELLANEOUS CORRESPONDENCE (CONSENT)

16.J. OTHER CONSTITUTIONAL OFFICERS (CONSENT)

- 16.J.1.** Recommendation that the Board of County Commissioners serve as the local coordinating unit of government for the Florida Department of Law Enforcement’s Federal Fiscal Year 2022 Edward Byrne Memorial, Justice Assistance Grant (JAG) Countywide Program and (1) authorize the Chairman to execute the Certification of Participation; (2) designate the Sheriff as the official applicant and the Sheriff’s office staff as grant financial and program managers; (3) authorize the acceptance of the grant if and when awarded; and (4) approve associated Budget Amendments and approve the Collier County Sheriff’s Office to receive and expend the grant funds. *(All Districts) (26372)*
- 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 July 27, 2023 and August 09, 2023 pursuant to Florida Statute 136.06. *(All Districts) (26402)*

- 16.J.3.** Request that the Board approve and determine valid public purpose for invoices payable and purchasing card transactions as of August 16, 2023. *(All Districts) (26406)*

16.K. COUNTY ATTORNEY (CONSENT)

- 16.K.1.** Recommendation to approve and authorize the Chairman to execute a Settlement Agreement in the amount of \$22,500 to settle the lawsuit styled Joseph Frantz v. Collier County Board of County Commissioners, Case No. 2:22-cv-300 now pending in the United States District Court, Middle District of Florida Fort Myers Division. *(All Districts) (26210)*

16.L. COMMUNITY REDEVELOPMENT AGENCY (CONSENT)

- 16.L.1.** Recommendation that the Board of County Commissioners, acting as the Community Redevelopment Agency Board (CRA), approve a six-month extension of the project completion date set forth in the Commercial Building Improvement Grant (CBIG) Agreement between the CRA and Southern Region Development, LLC, for the property located at 2600 Davis Boulevard, Naples, Florida 34112 located within the Bayshore Gateway Triangle Community Redevelopment Area. *(District 4) (26075)*

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 amendment to the "Regulation of Outdoor Burning and Incendiary Devices during Drought Conditions Ordinance" (Ord. 2009-23, as amended) in order to authorize the Chair or, in his or her absence, the Vice-Chair to revoke an existing Burn Ban by Resolution. *(All Districts) (26262)*

18. ADJOURN

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