

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

July 25, 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 Reverend Gleb McFatter, St. Demetrius Orthodox Church. (25959)

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. June 27, 2023, Board Meeting Minutes (26140)

3. AWARDS AND RECOGNITIONS

3.A. EMPLOYEE

3.A.1. 20 YEAR ATTENDEES

3.A.1.a. 20 Years - Patricia MacNicol, Utilities Finance Operations (26025)

3.A.2. 25 YEAR ATTENDEES

3.A.2.a. 25 Years - Robert Von Holle, Wastewater (26024)

3.A.3. 30 YEAR ATTENDEES

3.A.4. 35 YEAR ATTENDEES

3.A.4.a. 35 Years - Tania Delgado, Transportation Engineering (26023)

3.B. ADVISORY BOARD MEMBERS

3.C. RETIREES

3.D. EMPLOYEE OF THE MONTH

4. PROCLAMATIONS

5. PRESENTATIONS

5.A. Recommendation to hear a presentation from Robert Lucius, Ph.D., Executive Director of the CREW Land & Water Trust. (Sponsored by Commissioner McDaniel) (26170)

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**
 - 10.A. Recommendation to waive the reconsideration requirements for Item 11E, from the April 25, 2023 meeting of the Board of County Commissioners, and consider approving an Agreement for Sale and Purchase with WISC Investment Company, LLC, for 0.39 acres under the Conservation Collier Land Acquisition Program, at a cost not to exceed \$432,600, based on the commitment by the City of Marco Island to fund \$10,000 of the acquisition. (Sponsored by Commissioner LoCastro) *(All Districts) (26169)*
11. **COUNTY MANAGER'S REPORT**
 - 11.A. *** This item to be heard at 9:30 AM. *** Recommendation to approve a Mediated Settlement Agreement with Manhattan Construction (Florida), Inc., concerning Agreement No. 17-7108, as amended, pertaining to the construction of the Paradise Coast Sports Park, and to authorize the Chairman to sign the attached Mediated Settlement Agreement. (Ed Finn, Deputy County Manager) *(District 3, District 5) (26017)*
 - 11.B. Recommendation to hear a presentation regarding FY 2024 budget development compliance. (Christopher Johnson, Director - Corporate Financial and Management Services) *(All Districts) (26167)*
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.** Recommendation to direct staff to advertise an Ordinance adding a non-voting member of the Affordable Housing Advisory Committee (AHAC) to the Development Services Advisory Committee (DSAC). *(All Districts) (25946)*
- 16.A.2.** Recommendation to approve final acceptance and accept the conveyance of the potable water and sewer utility facilities for Esplanade at Hacienda Lakes Phase 3, PL20190000415, and authorize the County Manager, or 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) (25785)*
- 16.A.3.** Recommendation to approve final acceptance of the potable water utility facilities for Galleria Shoppes at Vanderbilt Building 900 (Phase 2B), PL20230008573. *(District 2) (25793)*
- 16.A.4.** Recommendation to approve final acceptance of the potable water and sewer utility facilities and accept the conveyance of the potable water and sewer facilities for Terreno at Valencia Golf and Country Club Phase 1B-1 and 1B-2, PL20230005122. *(District 5) (25901)*
- 16.A.5.** Recommendation to authorize the Clerk of Courts to release a Performance Bond in the amount of \$205,800 which was posted as a development guaranty for an Early Work Authorization (EWA) for work associated with Esplanade by the Islands – Phase 3, PL20220007192. *(District 1) (25862)*
- 16.A.6.** Recommendation to authorize the Clerk of Courts to release a Performance Bond in the amount of \$25,000 which was posted as a guarantee for Excavation Permit Number PL20220004553 for work associated with Naples Grande Country Club 18-Hole Golf Course - Lake #4 Modifications. *(District 4) (25865)*
- 16.A.7.** Recommendation to approve an Agreement for the Purchase of two (2) parcels totaling 6.95 acres from Silvia M. Arias, under the Conservation Collier Land Acquisition Program, at a cost not to exceed \$118,600. *(District 5) (25924)*
- 16.A.8.** Recommendation to approve an Agreement for Purchase with 1) Maurice J. Vaz and Alinda Vaz; 2) Andrea Repola Braffman and Mary Hayes-Macaluso; and 3) Richard Franklin Berman, Trustee of The Richard Franklin Berman Revocable Trust of 2012, under the Conservation Collier Land Acquisition Program, at a cost not to exceed \$131,542. *(District 5) (25902)*
- 16.A.9.** Recommendation for the Board of County Commissioners to authorize a Budget Amendment in the amount of \$91,437.50 within the Conservation Collier Maintenance Fund (1062) for the Railhead Scrub Preserve gopher tortoise habitat enhancement project. *(All Districts) (25673)*

16.B. TRANSPORTATION MANAGEMENT DEPARTMENT (CONSENT)

- 16.B.1.** Recommendation to approve a one-time acquisition of proprietary software and upgraded components for the Activu Video Wall situated in the Collier County Traffic Management Center in the amount of \$78,830.01 from Activu Corporation, as an exemption from the competitive process, and to authorize staff to open a standard Board approved purchase order in that amount. (Project 60172). *(All Districts) (25276)*
- 16.B.2.** Recommendation to authorize the after-the-fact payment in the amount of \$10,355.50 to Vulcan, Inc., for replacement of Emergency location identification R-Monument markers which were damaged or lost during Hurricane Ian and make a finding that this expenditure promotes tourism (Fund 1105, Project No. 50280). *(All Districts) (25847)*
- 16.B.3.** Recommendation to approve and authorize the Chairman to execute Amendment No. 1 to Agreement No. 20CO1 with the Florida Department of Environmental Protection Bureau of Beaches and Coastal Systems Beach Management Funding Assistance Program and make a finding that this item promotes tourism. *(All Districts) (25895)*
- 16.B.4.** Recommendation to approve and authorize the Chairman to execute the submittal of the Local Government Funding Request (LGFR) Beach Project Applications to the Florida Department of Environmental Protection (FDEP) for Fiscal Year 2024/2025. *(All Districts) (25994)*
- 16.B.5.** Recommendation to ratify administratively approved Change Order No. 1 adding 105 days for inspection services Task 1-2 and 72 days for inspection services Task 3-5 under Agreement No. 21-7880, “CEI Services for Golden Gate Parkway over Santa Barbara Canal Bridge Replacement,” with Hardesty & Hanover Construction Services, LLC, and authorize the Chairman to sign the attached Change Order. (Project Number 66066.16). *(District 3) (25970)*
- 16.B.6.** Recommendation to approve administratively approved Change Order No. 1 under Agreement No. 21-7900, “Design Services for Stormwater Improvements for the BCG & CC/CCN Areas,” with Hole Montes, Inc., authorize the Chairman to sign the attached Change Order, and approve the after-the-fact payment of invoices totaling \$13,015. *(District 2, District 4) (25997)*
- 16.B.7.** Recommendation to award Work Order for a Request for Quotation (“RFQ”) under Agreement No. 20-7800, “Goodland Drive Culvert Replacement,” to Quality Enterprises USA, Inc., in the amount of \$842,418.35, authorize the Chairman to sign the attached Work Order, and authorize the necessary Budget Amendments. (Project Number 50238) *(District 1) (25999)*

16.C. PUBLIC UTILITIES DEPARTMENT (CONSENT)

- 16.C.1.** Recommendation to approve a Second Amendment to Agreement No. 18-7424, “Hazardous Materials Management,” with US Ecology Tampa, Inc., to exercise the final renewal term, incorporate a revised fee schedule, and authorize the Chairman to sign the attached amendment. *(All Districts) (25864)*

- 16.C.2.** Recommendation to approve the First Amendment to Agreement No. 22-8000, “Quicklime Supply for Collier County,” with Lhoist North America of Alabama, LLC, (“Lhoist”) to increase the fee schedule prices (Exhibit B of Agreement). *(District 3) (26011)*
- 16.C.3.** Recommendation to authorize a Budget Amendment in the amount of \$881,250 to maintain compliance and continue funding daily operations within the Water/Sewer Operating budget (Fund 4008). *(All Districts) (26027)*

16.D. PUBLIC SERVICES DEPARTMENT (CONSENT)

- 16.D.1.** Recommendation to approve and authorize a Budget Amendment to recognize interest earned, in the amount of \$1,093.91, for the period of October 2022 through December 2022 on advanced library funding received from the Florida Department of State to support library services for the use of Collier County residents. (Public Service Match Fund 1840) *(All Districts) (25872)*
- 16.D.2.** Recommendation to authorize a Budget Amendment in the amount of \$56,694.47 needed within the Community & Human Services Client Assistance Medicaid Billing to provide for Collier County’s increased Medicaid Cost Share Billing required obligation due for July, August, and September 2023 to the Department of Revenue, pursuant to F.S. section 409.915 (0001). *(All Districts) (25938)*
- 16.D.3.** Recommendation to approve an after-the-fact contract Amendment between the Area Agency on Aging for Southwest Florida, Inc., and Collier County Services for Seniors to decrease the Emergency Home Energy Assistance Program FY22 contract amount by \$81,823.89. Approve the FY23 funds award amount of \$100,000, change the contract end date to June 30, 2024, allow for revisions to the Budget Summary, and authorize the supporting Budget Amendment for \$100,000. (Human Services Grant Fund 1837) *(All Districts) (25859)*
- 16.D.4.** Recommendation to approve and authorize the Chairman to sign the First Amendment to the subrecipient agreement between Collier County and Housing Development Corporation of SW Florida, Inc., d/b/a HELP to amend the quarterly performance outcomes. (Housing Grant Fund 1835) *(All Districts) (25884)*
- 16.D.5.** Recommendation for the Board of County Commissioners to approve Amendment Eight to the State and Local Fiscal Recovery Fund Plan, approve a reallocation of funds among projects and revise Key Performance Indicators, and authorize the County Manager or designee to submit the annual performance plan and to execute any sub-award agreements and payment requests necessary to distribute reimbursement for expenses to eligible parties *(All Districts) (25956)*

- 16.D.6.** Recommendation to approve and authorize the Chairman to sign the Third Amendment between Collier County and Collier Health Services, Inc., d/b/a Healthcare Network for the administration of the Community Development Block Grant - CV program with an increase of funding in the amount of \$125,625 to support staff salaries of Community Health Workers. (Grant Fund 1835) *(All Districts) (25965)*
- 16.D.7.** Recommendation to approve and authorize the Chairman to sign a Landlord Payment Agreement between Collier County and Wild Pines Owner LLC, Wild Pines TIC II Owner LLC and Wild Pines TIC III Owner LLC, allowing the Community and Human Services Division (CHS) to administer the Rapid Re-Housing and Homelessness Prevention Program through the Emergency Solutions and Rapid Unsheltered Survivor Housing Grants Program (ESG and ESG RUSH). (Housing Grant Fund 1835 and Housing Match Fund 1836) *(All Districts) (25967)*

16.E. CORPORATE BUSINESS OPERATIONS (CONSENT)

16.F. COUNTY MANAGER OPERATIONS (CONSENT)

- 16.F.1.** Recommendation to ratify the administratively approved Change Order No. 9, adding ninety (90) days under Agreement No. 18-7469, "CEI for Big Corkscrew Island Regional Park" project, with WSP USA Environment & Infrastructure Inc., and authorize the Chairman to sign the attached change order. (Project No. 80039.1.3) (This item a companion to 16F2) *(District 5) (25838)*
- 16.F.2.** Recommendation to ratify administratively approved Change Order No. 9, providing for a 90 day extension under Agreement No. 16-6622, "Big Corkscrew Island Regional Park," with Q. Grady Minor & Associates, P.A., and authorize the Chairman to sign the attached change order. (Project No. 80039) (This item a companion to 16F1) *(District 5) (25992)*
- 16.F.3.** Recommendation to extend the Immokalee Impact Fee Installment Payment Pilot Program, which provides for installment payments of impact fees for new construction located within the Immokalee Community Redevelopment Area, for five years and modify the payment terms to determine if such changes improve program participation. *(District 5) (26162)*
- 16.F.4.** Recommendation to direct the County Attorney to advertise and bring back for a public hearing 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, to be brought to the Board at its next regular meeting. *(All Districts) (25781)*
- 16.F.5.** Recommendation to adopt a Resolution and to approve a License Agreement for Construction Storage for Haskins, Inc., for the Palm River Public Utilities Renewal project, areas 1 & 2, to utilize County-owned property *(District 2) (25955)*

16.F.6. Recommendation to authorize the after-the-fact payment of Work/Purchase Order No. 4500223154 to Earth Tech Environmental, LLC, in the amount of \$6,642.50 in connection with a protected species survey and environmental permitting services provided under Contract No. 18-7432-EV, which were necessary in connection with the ongoing project at the former Golden Gate Golf Course, and to ratify/approve and accept staff's January 30, 2023, email to Earth Tech to serve as the official Notice to Proceed initiating services for the performance of services in the not to exceed quoted amount of \$23,520.00 under that Work/Purchase Order. *(District 3) (25866)*

16.F.7. 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) (26073)*

16.G. AIRPORT AUTHORITY (CONSENT)

16.H. BOARD OF COUNTY COMMISSIONERS (CONSENT)

16.I. MISCELLANEOUS CORRESPONDENCE (CONSENT)

16.I.1. Miscellaneous Correspondence July 25, 2023 *(All Districts) (26139)*

16.J. OTHER CONSTITUTIONAL OFFICERS (CONSENT)

16.J.1. Recommendation to approve and authorize the Chairman to sign an Agreement authorizing the Collier County Sheriff's Office to have Traffic Control Jurisdiction over Private Roads within the Ranch at Orange Blossom subdivision. *(All Districts) (25931)*

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 June 29, 2023 and July 12, 2023 pursuant to Florida Statute 136.06. *(All Districts) (26159)*

16.J.3. Request that the Board approve and determine valid public purpose for invoices payable and purchasing card transactions as of July 19, 2023. *(All Districts) (26165)*

16.K. COUNTY ATTORNEY (CONSENT)

16.K.1. Recommendation to appoint two members to the Black Affairs Advisory Board. *(All Districts) (25765)*

16.K.2. Recommendation to approve and authorize the Chairman to execute a Settlement Agreement which will dismiss with prejudice at no further cost to either party all claims brought by the Conservancy of Southwest Florida, Inc. against Collier County concerning the Board's approval of the Rivergrass Village SRA. *(District 5) (25933)*

- 16.K.3.** Recommendation that the Board 1) accept a Quit Claim Deed from Pelican Marsh Community Development District (PMCDD) assuming ownership and maintenance of two bridges carrying Goodlette Frank Road over the Pelican Marsh community; 2) grant an easement to PMCDD and authorize the Chairman to execute the easement instrument, allowing continued access and maintenance underneath the Goodlette-Frank Road bridge along Pelican Marsh Blvd.; and 3) approve and authorize the Chairman to sign a Collier County Landscape Maintenance Agreement between Collier County and PMCDD, for landscape and irrigation improvements within Goodlette Frank right-of-way at Pelican Marsh. *(District 2) (25932)*

16.L. COMMUNITY REDEVELOPMENT AGENCY (CONSENT)

- 16.L.1.** Recommendation to award Invitation to Bid (“ITB”) No. 23-8084, “Immokalee Municipal Service Taxing Unit (MSTU) Landscape Maintenance” to A&M Property Maintenance LLC, as the primary vendor, and Superior Landscaping & Lawn Service Inc., as the secondary vendor, and authorize the Chairman to sign the attached agreements. *(District 5) (25893)*

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 allowing for publication of certain statutorily required legal advertisements, publications, and notices on the Clerk of the Circuit Court’s public notice website in lieu of newspaper publication. *(All Districts) (26018)*
- 17.B.** Recommendation to adopt a resolution approving amendments (appropriating carry forward, transfers, and supplemental revenue) to the FY22-23 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) (26074)*

18. ADJOURN

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