

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

May 12, 2020

9:00 AM

Commissioner Burt Saunders, District 3 – Chair
Commissioner Andy Solis, District 2 – Vice-Chair
Commissioner Donna Fiala, District 1; CRAB Co-Chair
Commissioner Penny Taylor, District 4
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 (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**
- 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**
- 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 that the Board foregoes its annual summer break and instead conducts regular meetings to deal with the expected backlog of items, including land use matters. (Commissioner McDaniel) (All Districts)**
- 11. COUNTY MANAGER'S REPORT**
 - 11.A. ***This item to be heard immediately following Item 2A*** Recommendation to consider the District School Board of Collier County request to place an item on the August 18, 2020 election ballot for a tax neutral funding shift of capital budget funds to operating budget. (Geoff Willig, Senior Operations Analyst County Manager's Office) (All Districts)**
 - 11.B. ***This item to be heard immediately following Item 11A*** Recommendation to approve and authorize the Chairman to sign an Agreement with the Florida Gulf Coast University School of Entrepreneurship for programmatic support to the Collier County Accelerator project, in the annual amount of \$377,651.29 and authorize the necessary budget amendments. (Sean Callahan, Executive Director, Corporate Business Operations) (All Districts)**

- 11.C. **Recommendation to accept the findings of the two independent appraisals and provide direction on the potential acquisition of the 967 +/- acres located three miles east of Collier Boulevard and directly north of Alligator Alley known as the HHH Ranch owned by Francis and Mary Hussey, et al. (Nick Casalanguida, Deputy County Manager) (All Districts)**
- 11.D. **Recommendation to approve an Agreement for Sale and Purchase with SD Corp of Naples, Inc., a Florida corporation and Cypress Landings II of Naples, LLC, a Florida limited liability company, for approximately 37.16 acres under the Conservation Collier Land Acquisition Program, at a cost not to exceed \$1,595,000. (Steve Carnell, Department Head, Public Services Department) (All Districts)**
- 11.E. **Recommendation to accept the COVID -19 Status Report and provide further direction as appropriate. (Steve Carnell, Public Services Department Head) (All Districts)**
- 11.F. **Recommendation to approve an Emergency/Executive Order allowing for the placement of additional outdoor seating at restaurants within zoning districts where eating establishments are permitted uses and, also to allow for additional outdoor seating for restaurants located within certain Planned Unit Developments where outdoor seating is not currently allowed. (Jamie French, Deputy Growth Management Department Head) (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**
 - 14.B.1. **Recommendation that the Board of County Commissioners, acting as the Community Redevelopment Agency Board, approve an Agreement for Sale and Purchase to acquire Del's Corner consisting of three contiguous properties located on the southeast corner of Bayshore Drive and Thomasson Drive, recognize and appropriate Bayshore CRA Fund (187) carry forward, establish budget for the Triangle Property sale, and authorize necessary budget amendments. (Debrah Forester, Director, Community Redevelopment Agency) (District 4)**
- 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 and authorize the Chairman to sign a Collier County Landscape Maintenance Agreement (“Agreement”) between Collier County and LB Naples Grande, LLC, for landscape and irrigation improvements within the Golden Gate Parkway public right-of-way. (District 4)**
- 16.A.2. Recommendation to accept a multi-way stop warrant study and approve the removal of a two-way stop control at the intersection of Manatee Road and Roost Road, for a cost of approximately \$400 (Cost Center 163630). (District 1)**
- 16.A.3. Recommendation to approve an agreement for the purchase of land (Parcel 102FEE) required for the Triangle Blvd/Price Street Project (Project 60215). (District 1)**

16.B. COMMUNITY REDEVELOPMENT AGENCY

16.C. PUBLIC UTILITIES DEPARTMENT

- 16.C.1. Recommendation to accept a Quit Claim Deed from Dixie Sky Corp for approximately 13.56 acres of lands for right-of-way purposes, with no responsibility for maintenance. (District 1)**
- 16.C.2. Recommendation to award Agreements for Invitation for Qualification ("IFQ") No. 19-7624, “Marine Contracting Services,” for county-wide general contractor services to Quality Enterprises USA, Inc., Kelly Brothers, Inc., Marine Contracting Group, Inc., TSI Disaster Recovery, LLC. (All Districts)**
- 16.C.3. Recommendation to approve the documents necessary to terminate a portion of an existing Collier County Utility Easement to Watermark at Naples FL, LLC, a Delaware limited liability company, associated with the development at Edge 75 at Watermark. (District 3)**
- 16.C.4. Recommendation to approve a Termination of Easement to release a portion of the 1984 recorded Utility Easement with Florida Power & Light Company and to approve a new Underground Easement (Business) to Florida Power & Light Company to memorialize the location of the existing electrical services. (All Districts)**
- 16.C.5. Recommendation to authorize budget amendments for the Facilities Management Division in the amount of \$2,100,000 to fund two (2) Infrastructure Sales Surtax Projects under the HVAC, Roofing, and Capital Equipment Replacement at Sheriff’s and County Facilities category. (Projects 50184 and 50185) (District 3, All Districts)**
- 16.C.6. Recommendation to authorize a Budget Amendment for the Facilities Management Division in the amount of \$200,000 to cover costs associated with COVID-19. (All Districts)**

- 16.C.7. Recommendation to approve and execute documents necessary for the conveyance of a Utility Easement for potable water infrastructure on County owned property located at the Collier County Sports Complex and Events Center, 3920 City Gate Blvd N, to the Collier County Water-Sewer District, at a cost not to exceed \$200. (All Districts)**

16.D. PUBLIC SERVICES DEPARTMENT

- 16.D.1. Recommendation to approve and authorize the Chairman to sign the Termination of Agreement letter for the Summer Food Service Program Agreement between the Florida Department of Agriculture and Consumer Services and the Collier County Parks & Recreation Division. (All Districts)**
- 16.D.2. Recommendation to approve “after-the-fact” second amendment and attestation statement with the Area Agency on Aging for Southwest Florida, Inc. (Agency) to transfer funds between the Older American Act (OAA) Program Title III E Services to Title III E Supplemental Services. (All Districts)**
- 16.D.3. Recommendation to approve a resolution approving and authorizing the execution of an amendment to a Joint Participation Agreement between Collier County and the Florida Department of Transportation for the Section 5339 Bus and Bus Facilities Formula Program to revise the total grant award to \$202,400 and remove the twenty percent (20%) State Transportation Development Credit match requirement. (All Districts)**
- 16.D.4. Recommendation to approve the Construction Agreement with the Florida Department of Transportation (FDOT) for Collier Area Transit (CAT) to construct a bus pull-out at bus stop site 367 on FDOT owned Right-of-Ways and approve a Resolution authorizing the Chairman to sign the agreement. (District 5)**
- 16.D.5. Recommendation to approve Collier Area Transit (CAT) Public Transportation Agency Safety Plan (PTASP) in accordance with Final Rule 49 C.F.R. Part 673 requirements. (All Districts)**
- 16.D.6. Recommendation to approve and authorize the chairman to sign five (5) mortgage satisfactions for the State Housing Initiatives Partnership loan program in the amount of \$11,800 and authorize two (2) Budget Amendments. The first for \$11,800 in program income from the mortgage satisfactions, the second in the amount of \$970.43 is an administrative action to recognize budget roll forward from program year 2015-2016 Close Out, Project 33429 to program year 2016-2017, Project 33467. (All Districts)**
- 16.D.7. Recommendation to approve and authorize the chairman to sign one (1) release of lien for full payment of \$8,712.70 (\$6,970.16 plus interest), pursuant to Agreement for Deferral of 100% of Collier County Impact Fee for an Owner-occupied Affordable Housing Dwelling. (All Districts)**

- 16.D.8. Recommendation to approve and authorize the chairman to sign one (1) release of lien for an Affordable Housing Density Bonus unit that is no longer subject to the terms of the agreement and authorize the associated Budget Amendment in the amount of \$5,389. (All Districts)**

16.E. ADMINISTRATIVE SERVICES DEPARTMENT

- 16.E.1. Recommendation to ratify the County Manager’s acceptance of the Public Health and Social Services Emergency Fund payment under Public Law 116-136 “Cares Act Provider Relief Payment” in the amount of \$458,750.17 that was deposited on April 17, 2020 and to authorize any necessary budget amendments. (All Districts)**
- 16.E.2. Recommendation to award Request for Proposal (“RFP”) No. 20-7674, “Biometric Testing,” to Midland Health Testing Services, Inc., in support of the County's health and wellness program. (All Districts)**
- 16.E.3. Recommendation to ratify Property, Casualty, Workers’ Compensation and Subrogation claim files settled and/or closed by the Risk Management Division Director pursuant to Resolution # 2004-15 for the second quarter of FY20. (All Districts)**
- 16.E.4. Recommendation to approve a Resolution to support the Community Foundation of Collier County as a central site for the receipt and distribution of financial donations during times of local crisis or disaster. (All Districts)**
- 16.E.5. Recommendation to approve Modification #1 to Emergency Management Performance Grant (EMPG) Agreement G0042 with the Florida Division of Emergency Management to allow for an extension of 90 days to the period of performance. (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.E.7. Recommendation to accept the report for the sale of items and disbursement of funds associated with the County surplus auction held on April 3 and April 4, 2020. (All Districts)**
- 16.E.8. Recommendation to approve the administrative report prepared by the Procurement Services Division for disposal of property and notification of revenue disbursement. (All Districts)**

16.F. COUNTY MANAGER OPERATIONS

- 16.F.1. Board ratification of items approved by the County Manager pursuant to Resolution 2020-50 declaring a Local State of Emergency in Collier County. (All Districts)**

- 16.F.2. Recommendation to approve a Fourth Amendment to Agreement with GC II, LLC, to extend the closing date from May 15, 2020 to December 1, 2020 for the purchase of 1.75 acres previously approved to provide additional parking at Collier County Sports Complex and Event Center at a cost not to exceed \$401,300, and to authorize the necessary budget amendments. (District 5)**

16.G. AIRPORT AUTHORITY

- 16.G.1. Recommendation to approve the submittal of an Airport Improvement Program (AIP) grant application to the Federal Aviation Administration requesting approximately \$205,065 for the design of the rehabilitation and widening of Runway 15/33 at Everglades Airpark at a total estimated cost of \$227,850. (District 5)**
- 16.G.2. Recommendation to approve the after-the-fact submittal of a Coronavirus Aid, Relief, and Economic Security (CARES) Act grant application to the Federal Aviation Administration (FAA) requesting \$51,000 for eligible operating expenses at the Immokalee Regional Airport, Marco Island Executive Airport, and Everglades Airpark. (District 1, District 5)**

16.H. BOARD OF COUNTY COMMISSIONERS

- 16.H.1. Proclamation designating May 17 - 23, 2020 as Emergency Medical Services Week in Collier County. The proclamation will be delivered to Tabatha Butcher, Chief, Collier County Emergency Medical Services.**
- 16.H.2. Proclamation designating May 2020 as National Bike Month in Collier County. The proclamation will be delivered to Michelle Avola, Development Director, Naples Pathways Coalition.**
- 16.H.3. Proclamation designating May 2020 as Drowning Prevention Month in Collier County. The proclamation will be mailed to Paula DiGrigoli, Executive Director, NCH Safe & Healthy Children's Coalition of Collier County.**

16.I. MISCELLANEOUS CORRESPONDENCE

- 16.I.1. Miscellaneous Correspondence (All Districts)**

16.J. OTHER CONSTITUTIONAL OFFICERS

- 16.J.1. To record in the minutes of the Board of County Commissioners, the check number (or other payment method), amount, payee, and purpose for which the referenced disbursements were drawn for the periods between April 16, 2020 and April 29, 2020 pursuant to Florida Statute 136.06. (All Districts)**
- 16.J.2. Request that the Board approve and determine valid public purpose for invoices payable and purchasing card transactions as of May 6, 2020. (All Districts)**

16.K. COUNTY ATTORNEY

- 16.K.1. Recommendation to appoint a member to the Coastal Advisory Committee. (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. ***This item has been continued from the March 24, 2020 BCC meeting to May 12, 2020 and is further continued to the June 9, 2020 BCC meeting.***
Recommendation to approve by Ordinance petition PL20180002792/CPSS-2019-03, a Growth Management Plan Small Scale Amendment specific to the Urban Commercial District of the Future Land Use Element, to create a new subdistrict, Vanderbilt Beach Commercial Tourist Subdistrict. (Adoption Hearing) (This is a Companion to Agenda Item 17B) (All Districts)**
- 17.B. ***This item has been continued from the March 24, 2020 BCC meeting to May 12, 2020 and is further continued to the June 9, 2020 BCC meeting.*** This item requires ex parte disclosure be provided by the Commission members. Should a hearing be held on this item, all participants are required to be sworn in, An Ordinance of the Board of County Commissioners of Collier County, Florida 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 the herein described real property from a Commercial Intermediate District (C-3) zoning district to a Commercial Planned Unit Development (CPUD) zoning district for the project to be known as Vanderbilt Beach Commercial Tourist Commercial Planned Unit Development, to allow up to 17 hotel and motel units and 7,000 square feet of commercial development on property located on the northeast portion of the intersection of Gulf Shore Drive and South Bay Drive, approximately 400 feet north of Vanderbilt Beach Road, in Section 32, Township 48 South, Range 25 East, consisting of .62± acres; and by providing an effective date. (PL20180002792) (This is a companion to Agenda Item 17A) (All Districts)**

18. ADJOURN

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