

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

October 11, 2011

9:00 AM

Fred W. Coyle - BCC Chairman; Commissioner, District 4
Jim Coletta - BCC Vice-Chairman; Commissioner, District 5; CRAB Chairman
Donna Fiala - BCC Commissioner, District 1; CRAB Vice-Chairman
Georgia Hiller - BCC Commissioner, District 2
Tom Henning - BCC Commissioner, District 3

NOTICE: All persons wishing to speak on Agenda items must register prior to speaking. Speakers must register with the Executive Manager to the BCC *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.

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.

Requests to address 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.

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 Department 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 County Commissioners' Office.

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

1. INVOCATION AND PLEDGE OF ALLEGIANCE

- A. Reverend Richard Rogers - Unity of Naples**

2. AGENDA AND MINUTES

- A. Approval of today's regular, consent and summary agenda as amended (Ex Parte Disclosure provided by Commission members for consent and summary agenda.)**
- B. September 8, 2011 - BCC/Budget Hearing**
- C. September 13, 2011 - BCC/Regular Meeting**
- D. September 14, 2011 - BCC/Regular Meeting Carryover**
- E. September 23, 2011 - BCC/EDC Workshop**

3. SERVICE AWARDS

4. PROCLAMATIONS

- A. Proclamation designating October 20, 2011 as Commuter Services Day. To be accepted by Jan Parham, Florida Department of Transportation Commuter Services Project Manager and Christine Diaz, Commuter Services Director. Sponsored by Commissioner Coyle. Pg. 1 - 2**
- B. Proclamation designating October 17, 2011 through October 23, 2011 as Fire Fighter Appreciation Week. To be accepted by Ashley Bodisch, Tony Palermo and Kevin Schoch. Sponsored by Commissioner Coyle. Pg. 3 - 4**
- C. Proclamation designating October as Domestic Violence Awareness Month. To be accepted by Linda Oberhaus, Executive Director, The Shelter for Abused Women. Sponsored by Commissioner Coyle. Pg. 5 - 6**

5. PRESENTATIONS

- A. Presentation of the Collier County Business of the Month for October 2011 to Preferred Travel of Naples. Accepting the award is Wilma Boyd, CEO & President. Pg. 7 - 7**
- B. Presentation of the PHOENIX AWARD to recognize those EMS Paramedics, EMTs, Firefighters, Sheriff's Deputies and Police Officers, who through their skills and knowledge, have successfully brought back to life individuals who had died. Pg. 8 - 10**
- C. Recommendation to recognize Dayne Atkinson, Project Manager, Public Utilities Planning and Project Management, as the Employee of the Month for September 2011. Pg. 11 - 13**
- D. The Board of County Commissioners wishes to show their appreciation to Mr. Robert P. Murray for his 8 years of dedicated service as a member of the Collier County Planning Commission, as a representative for District 1. Pg. 14 - 14**

6. PUBLIC PETITIONS

7. BOARD OF ZONING APPEALS

Item 7 to be heard no sooner than 1:00 pm unless otherwise noted.

8. ADVERTISED PUBLIC HEARINGS

Item 8 to be heard no sooner than 1:00 pm unless otherwise noted.

- A. *This item has been continued from the September 27, 2011 BCC meeting.* 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. PUDZ-2007-AR-12292: Cope Reserve RPUD -- An ordinance amending Ordinance Number 2004-41, the Collier County Land Development Code, which includes 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 the Estates (E) Zoning District to the Residential Planned Unit Development (RPUD) Zoning District for a project to be known as the Cope Reserve RPUD. The project proposes a total of 43 single-family detached dwelling units in Section 8, Township 50 South, Range 26 East, Collier County, Florida, consisting of 14.3± acres; and by providing an effective date. Pg. 15 - 133
- B. *This item has been continued from the September 27, 2011 BCC meeting.* Recommendation to Approve Growth Management Plan Amendment Petition CP-2006-11, David Torres, for Hacienda Lakes of Naples, LLC (Adoption Hearing) (Companion to Petitions PUDZ-2006-AR-10146 and DRI-2006-AR-10147). Pg. 134 - 163
- C. *This item has been continued from the September 27, 2011 BCC meeting.* 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. DRI-2006-AR-10147: Hacienda Lakes DRI -- A Resolution of the Board of County Commissioners of Collier County, Florida approving a Development Order for Hacienda Lakes, a Development of Regional Impact located in Sections 11 through 14 and 23 through 25, Township 50 South, Range 26 East, and Sections 19 and 30, Township 50 South, Range 27 East, Collier County, Florida which will allow up to 1,760 residential dwelling units including conversions to recreational vehicle park and senior housing for independent living, assisted living and nursing care, 327,500 square feet of retail use, 70,000 square feet of professional and medical office including a conversion of retail use to professional and medical office, a 135-room hotel including a conversion to business park, 140,000 square feet of business park or educational facility, a public school, and continuation of existing "Junior Deputy" passive recreation and existing "swamp buggy" attraction; providing for Findings of Fact; providing for Conclusions of Law; and providing an effective date (Companion to Petitions PUDZ-2006-AR-10146 and CP-2006-11). Pg. 164 - 245
- D. *This item has been continued from the September 27, 2011 BCC Meeting.* This item Pg. 246 - 353

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. PUDZ-2006-AR-10146: Hacienda Lakes MPUD -- 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 Collier County, Florida by amending the appropriate zoning atlas map or maps by changing the zoning classification of the herein described real property from the Agricultural (A), Agricultural-Special Treatment Overlay (A-ST) and PUD zoning district (Swamp Buggy Days PUD) to the Mixed Use Planned Unit Development (MPUD) zoning district for a project known as the Hacienda Lakes MPUD that will allow a maximum of 327,500 square feet of gross retail commercial floor area; 70,000 gross square feet of professional and medical office space including a conversion of retail use to professional and medical office; 135 hotel rooms including a conversion to business park; 140,000 gross square feet of business park or education facility; a public school; continuation of existing "swamp buggy" attraction and "Junior Deputy" passive recreation; and a maximum of 1,760 residential dwelling units including conversions to recreational vehicle park and senior housing for independent living, assisted living and nursing care. The subject property, consisting of 2,262 +/- acres is located on the east side of Collier Boulevard (C.R. 951) at the intersection of Collier Boulevard and Rattlesnake-Hammock Road and north and south of Sabal Palm Road in Sections 11, 12, 13, 14, 23, 24 and 25, Township 50 South, Range 26 East, and Sections 19 and 30, Township 50 South, Range 27 East, Collier County, Florida; providing for repeal of Ordinance Number 84-26, for swamp buggy grounds; and by providing an effective date (Companion to Petitions DRI-2006-AR-10147 and CP-2006-11).

9. BOARD OF COUNTY COMMISSIONERS

- A. Appointment of member to the Bayshore/Gateway Triangle Local Redevelopment Advisory Board. Pg. 354 - 362**
- B. Appointment of members to the Historical/Archaeological Preservation Board. Pg. 363 - 376**
- C. Appointment of member to the Airport Authority Advisory Board. Pg. 377 - 389**
- D. Request that the Chairman of the Board of County Commissioners formally request that the Clerk of the Courts assist in training County staff on the proper submission of invoices. - Commissioner Tom Henning. Pg. 390 - 391**
- E. Advisory Board Vacancies. Pg. 392 - 396**

10. COUNTY MANAGER'S REPORT

- A. Recommendation that the Board of County Commissioners (BCC) review the presentation of the Phase II Master Mobility Plan update and acknowledge that the current Public Involvement Plan (PIP) is open and transparent. (Nick Casalanguida, Deputy Administrator - Growth Management Division) Pg. 397 - 433**
- B. Recommendation to adopt a resolution supplementing and amending Resolution No. 2008-353 authorizing the condemnation of land and easements necessary for the Pg. 434 - 489**

construction of roadway, drainage and utility improvements required for the expansion of Collier Boulevard from four lanes to six lanes from Green Boulevard to Golden Gate Boulevard, including portions east on White Boulevard and west on Pine Ridge Road (Project No. 68056). Estimated fiscal impact: \$4.3 million. (Jay Ahmad, Transportation Engineering Director)

- C. Recommendation to approve the renewal of the Group Dental Insurance program through Cigna Dental Plan, Inc. with no increase in the rates or change in terms for a one year period effective January 1, 2012 in the amount of \$1,730,521. (Jeff Walker, Risk Management Director) Pg. 490 - 517
- D. This item is a reconsideration of Item 16A17 approved by the BCC at the September 13, 2011 meeting. Recommendation for Board approval of Hole Montes, Inc., as the design professional short-list for RFP #11-5724 and to enter into negotiations between Collier County and Hole Montes Inc., for "Construction Engineer, Landscape Inspection and Site Restoration Services for Vanderbilt Beach MSTU: FPL Underground Conversion Project - Phase 1, 2, 3" pursuant to RFP #11-5724. (Michelle Arnold, Alternative Transportation Modes Director) Pg. 518 - 530

11. COUNTY ATTORNEY'S REPORT

12. OTHER CONSTITUTIONAL OFFICERS

13. AIRPORT AUTHORITY AND/OR COMMUNITY REDEVELOPMENT AGENCY

14. PUBLIC COMMENTS ON GENERAL TOPICS

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.

A. GROWTH MANAGEMENT DIVISION

- 1. Recommendation to approve and authorize the Chairman to sign the "Contract Bond Dual Obligee Rider" required to satisfy the terms of the Memorandum of Agreement for Interim Median Opening located at Davis Boulevard and Joy Rose Place. Pg. 531 - 545
- 2. Recommendation to adopt a Resolution amending the Collier County Administrative Code Fee Schedule of development-related review and processing fees relating to replacement of hot water heaters in multi-family dwelling units as provided for in The Code of Laws and Ordinances, Section 2-11. Pg. 546 - 590

B. COMMUNITY REDEVELOPMENT AGENCY

1. **Recommendation for the Community Redevelopment Agency (CRA) to approve and execute an extension of Site Improvement Grant Agreement between the CRA and The Richard and Michele Jarvis Family Trust due to certain permitting delays. (2741 Riverview Drive, fiscal impact: None)** Pg. 591 - 603
2. **Recommendation for the Community Redevelopment Agency (CRA) to approve and execute an extension of Commercial Building Improvement Grant Agreement between the CRA and Maddox & Partners, LLC due to certain permitting delays. (2891 Bayview Drive, fiscal impact: None)** Pg. 604 - 612

C. PUBLIC UTILITIES DIVISION

1. **Recommendation to approve selection committee rankings and to enter into negotiations for a contract for Request for Proposal No. 11-5708, "Construction Engineering and Inspection Services for Master Pumping Station 312 Rehabilitation" Project Number 72549, with Q. Grady Minor.** Pg. 613 - 617
2. **Recommendation to approve Amendment No. 3 to South Florida Water Management District Agreement No. OT061098 providing a one-year extension until September 30, 2012, to continue monitoring of ground water in Collier County in fiscal year 2012 (estimated annual revenue \$116,000).** Pg. 618 - 666
3. **Recommendation to approve a waiver of formal competition and approve contract number 11-5698 with N. Harris Computer Corporation for Department of Utility Billing Services Integrated Software System in an annual amount not to exceed \$140,000.** Pg. 667 - 719

D. PUBLIC SERVICES DIVISION

1. **Recommendation to approve and authorize the Chairman to sign a grant agreement accepting the Continuum of Care Shelter Plus Care grant award from the U.S. Department of Housing and Urban Development (HUD) totaling \$81,840 and approve budget amendments to recognize funding associated with this award. This grant will provide rent vouchers to the Collier County Housing Authority for clients receiving services from David Lawrence.** Pg. 720 - 743
2. **Recommendation to waive the formal RFP process and purchase Sierra Integrated Library System upgrade from Innovative Interfaces Inc., (III) the current vendor for the Library's automation system. Fiscal Impact (Grant funds totaling \$74,725)** Pg. 744 - 754

E. ADMINISTRATIVE SERVICES DIVISION

1. **Recommendation to approve a renewal of Agreement #11-5649 with CS STARS, Inc. for the lease of Risk Management Information Systems software services in the amount of \$112,069 annually.** Pg. 755 - 812
2. ***This item continued from the September 27, 2011 BCC Meeting.*** Recommendation to approve a Revenue Commitment Contract with Naples News Media Group to receive discounted pricing on advertising. Pg. 813 - 824

3. **Recommendation to accept reports and ratify staff-approved change orders and changes to work orders.** Pg. 825 - 869
4. **Recommendation to approve a City of Naples Airport Authority Leasehold Agreement Land Lease North Quadrant Land Fill Site with the City of Naples Airport Authority for the continued occupancy of the Naples Recycling Center property at a first year annual rent of \$42,260.88.** Pg. 870 - 926
5. **Recommendation to authorize conveyance of a Grant of Utility Easement to FPL Fibernet, LLC, for the installation of underground fiber optic cable to the existing communications towers at the Golden Gate Public Safety Complex, Veterans Park, and East Naples Park.** Pg. 927 - 938
6. **Recommendation to authorize routine and customary budget amendments appropriating \$5,373,872.55 of FY 2011 carry forward for approved open purchase orders into Fiscal Year 2012 for operating funds.** Pg. 939 - 947
7. **Recommendation to accept a deed of conveyance of 62.63 acres +/- of canals and small reservoir within the Orangetree PUD providing for future access to a park site, additional surface water management area for the planned county public utility site and operation and maintenance of the area's stormwater management outfall system, and to approve a Maintenance Agreement.** Pg. 948 - 980

F. COUNTY MANAGER OPERATIONS

1. **Recommendation to adopt a resolution authorizing removal of 4,974 ambulance service accounts and their respective account receivable balances which total \$6,954,193.53 from the General Ledger of Collier County Fund 490 (Emergency Medical Services). Although the amount has been recognized and recorded as Bad Debt Expense in the General Ledger, it cannot be removed without Board adoption of an authorizing resolution.** Pg. 981 - 985
2. *This item continued from the September 27, 2011 BCC Meeting.* Pg. 986 - 1044
Recommendation to approve the Fiscal Year 2012 Strategic Plan for the Naples Marco Island, Everglades Convention & Visitors Bureau (CVB).
3. **Recommendation to adopt a resolution approving amendments (appropriating grants, donations, contributions or insurance proceeds) to the Fiscal Year 2011-12 Adopted Budget.** Pg. 1045 - 1047

G. AIRPORT AUTHORITY

1. **Recommendation that the Board of County Commissioners, acting as the Airport Authority, authorize a refund to Mr. Jack Ascraft in the amount of \$795 for parking fees at the Marco Island Executive Airport.** Pg. 1048 - 1054
2. **Recommendation to approve utilizing \$202,800 from Immokalee Airport Development Fund 497 to purchase 3.38 wetland credits from Southwest Florida Wetlands JV (dba Panther Island Mitigation Bank) required for the next** Pg. 1055 - 1077

phase of development at the Immokalee Regional Airport, and associated Budget Amendments.

H. BOARD OF COUNTY COMMISSIONERS

1. **Commissioner Coletta requests Board approval for reimbursement regarding attendance at a function serving a Valid Public Purpose. Will be attending the Campaign For Leadership 2011 event at Naples Botanical Garden, Naples, FL on November 4 and 5, 2011. \$75 to be paid from Commissioner Coletta's travel budget.** Pg. 1078 - 1083
2. **Commissioner Coletta requests Board approval for reimbursement regarding attendance at a function serving a Valid Public Purpose. Attended the 28th Annual Excellence in Industry Awards Luncheon at the Naples Hilton, Naples, FL on September 15, 2011. \$16 to be paid from Commissioner Coletta's travel budget.** Pg. 1084 - 1088
3. **Commissioner Henning requests Board approval for reimbursement regarding attendance at a function serving a Valid Public Purpose. Will be attending the 2011 Distinguished Public Service Awards on October 12, 2011 at Naples Hilton Hotel, 5111 Tamiami Trail North, Naples, FL. \$20 to be paid from Commissioner Henning's travel budget.** Pg. 1089 - 1091
4. **Commissioner Hiller requests Board approval for reimbursement to attend function serving a valid public purpose.** Pg. 1092 - 1094

I. MISCELLANEOUS CORRESPONDENCE

1. **Advisory Board Minutes and Agendas to file for record with action as directed.** Pg. 1095 - 1097

J. OTHER CONSTITUTIONAL OFFICERS

1. **To obtain Board approval for disbursements for the period of September 10, 2011 through September 16, 2011 and for submission into the official records of the Board.** Pg. 1098 - 1111
2. **To obtain Board approval for disbursements for the period of September 17, 2011 through September 23, 2011 and for submission into the official records of the Board.** Pg. 1112 - 1126
3. **Recommendation to approve corrections to the minutes of the Board of County Commissioners meeting held on May 10, 2011, in regard to a speaker named erroneously. The meeting video has been reviewed and the corrections have been verified by the Clerk of the Courts, Minutes and Records Department.** Pg. 1127 - 1133

K. COUNTY ATTORNEY

1. **Approve an Agreed Order Awarding Expert Fees and Costs in connection with the acquisition of Parcels 838A and 838B in the lawsuit styled Collier County,** Pg. 1134 - 1140

Florida v. Nancy L. Johnson Perry, Individually and as Successor Trustee, et al, Case No. 03-2373-CA, Golden Gate Parkway Project #60027 (Fiscal Impact \$27,167.60).

2. Recommendation to approve a settlement agreement in the lawsuit styled *Forbis v. Collier County, et al.* filed in the Twentieth Judicial Court in and for Collier County, Florida, Case No. 05-1618-CA. Pg. 1141 - 1156

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.

- A. Recommendation to adopt an Ordinance amending Chapter 74 of the Collier County Code of Laws and Ordinances (The Collier County Consolidated Impact Fee Ordinance) providing for the incorporation by reference of the impact fee study entitled the "Collier County School Impact Fee Update Study," dated August 22, 2011, in accordance with the recent and localized data requirements of Section 163.31801, Florida Statutes, which is the Florida Impact Fee Act, and providing that the current School Impact Fee rates, which became effective October 8, 2010, and are lower than those rates calculated as part of the update study, remain in effect. Pg. 1157 - 1220
- B. 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. CU-PL2011-0579, Garden Street, a Resolution of the Board of Zoning Appeals of Collier County, Florida providing for the establishment of a Conditional Use to allow an iron and metal collection and transfer station (refuse systems) within an industrial (I) zoning district pursuant to Subsection 2.03.04.A.1.c.16 of the Collier County Land Development Code for property located in Section 36, Township 49 South, Range 25 East, Collier County, Florida. Pg. 1221 - 1361
- C. 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 that the Board approve the withdrawal of the designation of the Stewardship Sending Area known as Half Circle L Ranch Partnership ("HCLRP") SSA #8 and the termination of the Stewardship Sending Area Credit Agreement and the Stewardship Easement Agreement, and the canceling of the Stewardship credits generated by the designation of said Stewardship Sending Area. Pg. 1362 - 1382
- D. Recommendation to adopt an ordinance regulating the public's use of "preserve lands" managed by Conservation Collier and the Collier County Parks and Recreation Department. Pg. 1383 - 1398
- E. Recommendation to adopt an amendment to Ordinance No. 04-12, as amended, relating to ambulance and advanced life support services, for the purpose of Pg. 1399 - 1444

clarifying/updating certain provisions and adding a new classification of Certificate of Public Convenience and Necessity (COPCN) that allows non-transport Advanced Life Support services.

- F. Recommendation to adopt a resolution approving amendments (appropriating carry forward, transfers and supplemental revenue) to the Fiscal Year 2011-12 adopted Budget. Pg. 1445 - 1448**

18. ADJOURN

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