

**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, 3<sup>rd</sup> Floor  
Naples FL 34112

**January 10, 2012**

**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 Charles McCracken - Naples Alliance Church**
  
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. **Public declaration of form 8B, Memorandum of Voting Conflict for County, Municipal and Other Local Public Officers, in reference to Item 8A on the Agenda of December 13, 2011, filed by Commissioner Tom Henning.** Pg. 1 - 3
  - C. **December 13-14, 2011 - BCC/Regular Meeting**
  
3. **SERVICE AWARDS**
  
4. **PROCLAMATIONS**
  - A. **Proclamation recognizing the contributions made by Myra Janco Daniels to the cultural life of the citizens of Collier County and naming January 2012 as Myra Janco Daniels Month. To be accepted by Myra Janco Daniels. Sponsored by the Board of County Commissioners.** Pg. 4 - 5
  - B. **Proclamation recognizing the Remodelers Council of the Collier Building Industry Association for their efforts to rehabilitate the home of Janice Bronstein to make it wheelchair accessible and increase her in-home mobility. To be accepted by Kathy Curatolo, Tom Wegwert, Chris Alley and Brian Conell. Sponsored by Commissioner Coyle.** Pg. 6 - 7
  - C. **Proclamation recognizing Chabad of Naples for its growth, contributions and success in Collier County. To be accepted by Rabbi Fishel Zaklos. Sponsored by the Board of County Commissioners.** Pg. 8 - 9
  - D. **Proclamation designating February 11, 2012 as Baby Basics Day in Collier County. To be accepted by Dick and Jean Ann Lynch and Reg and Sandra Buxton. Sponsored by Commissioner Coletta.** Pg. 10 - 11
  
5. **PRESENTATIONS**
  - A. **Presentation of the Collier County Business of the Month for January 2012 to Naples Botanical Garden. Accepting the award are Brian Holley, Shannon Palmer and Chris Brighton.** Pg. 12 - 12
  - B. **Recommendation to recognize Sheree Mediavilla, Administrative Assistant, Public Utilities Operations Department, as the Employee of the Year for 2011.** Pg. 13 - 15
  - C. **Selection of Chairman and Vice-Chairman**

**6. PUBLIC PETITIONS**

- A. Public Petition request from John H. Marker regarding flooding on 18th Street Northeast. Pg. 16 - 18**

**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 requires that ex parte disclosure be provided by Commission members. Pg. 19 - 508**  
**Should a hearing be held on this item, all participants are required to be sworn in.**  
**PUDZ-2003-AR-3608: Orangetree PUD -- An Ordinance amending Ordinance**  
**Numbers 2005-42 and 2004-73, the Orangetree PUD, to add 1,050 residential units**  
**for a total of 3,150 residential units; to add 100,000 square feet of office use and add**  
**172,000 square feet of retail use to the existing 60,000 square feet of retail for a total**  
**of 332,000 square feet of commercial development; to revise the development**  
**standards including building height and setbacks and to add allowable residential,**  
**commercial uses and mixed uses, and to eliminate the environmental commitments,**  
**for property located in parts of Sections 11, 12, 13, 14, 22 through 27, Township 48**  
**South, Range 27 East, Collier County, Florida consisting of 2,138.76 acres; and by**  
**providing an effective date.**

**9. BOARD OF COUNTY COMMISSIONERS**

- A. Appointment of member to the Consumer Advisory Board. Pg. 509 - 520**
- B. Appointment of alternate member to the Value Adjustment Board. Pg. 521 - 528**
- C. Recommendation to oppose the U.S. Postal Service plan to consolidate or close the Ft. Myers Processing and Distribution Center which would have a \$40 million economic impact on the five counties served, including Collier County. (Commissioner Henning) Pg. 529 - 536**
- D. Recommendation to approve a resolution acknowledging the Board of County Commissioners' support of Senate Bill 192 pertaining to amending the procedures for merger and dissolution of two or more independent special districts. (Commissioner Henning) Pg. 537 - 572**

**10. COUNTY MANAGER'S REPORT**

- A. Recommendation to reject an offer to waive all fines and all County operational costs on a Code Enforcement Action entitled Board of County Commissioners vs. Sergio G. and Patricia Salinas, Code Enforcement Special Magistrate Case No. CESD-2010-0004913 and Case No. CESD-2010-0004916, relating to property located at 2756 47th Street SW, Collier County, Florida. (Diane Flagg, Director, Code Enforcement, Growth Management Division/Planning and Regulation) Pg. 573 - 584**

- B. *This item continued from the December 13, 2011 BCC Meeting.* Recommendation to review the procurement of services from Suncoast Moving & Storage, Inc. for moving the County Property Appraiser's offices in July 2010 and make a determination regarding the request for final payment in the amount of \$6,556.50. (Len Price, Administrative Services Administrator) Pg. 585 - 606

11. COUNTY ATTORNEY'S REPORT

12. OTHER CONSTITUTIONAL OFFICERS

13. AIRPORT AUTHORITY AND/OR COMMUNITY REDEVELOPMENT AGENCY

A. AIRPORT

1. Recommendation that the Board of County Commissioners, acting as the Airport Authority, adopts the attached Airport Ground Vehicle Access Plan for the Immokalee Regional Airport. Pg. 607 - 652
2. Recommendation that the Board of County Commissioners, acting as the Airport Authority, adopts the attached Resolution approving the proposed rate schedules for the Everglades Airpark, Immokalee Regional Airport and Marco Island Executive Airport for 2012. Pg. 653 - 668

B. COMMUNITY REDEVELOPMENT AGENCY

1. Recommendation to approve and authorize the Community Redevelopment Agency Chairman to sign a Grant Agreement and associated forms between Fifth Third Bank Enterprise Investment Fund and the Bayshore Gateway Triangle Community Redevelopment Agency (CRA) to accept a grant award in the amount of \$25,000; and authorize a budget amendment for grant revenues in the amount of \$25,000 to be applied towards the CRA FY-2012 TIF grant program. Pg. 669 - 677

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. 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 authorize the Clerk of Courts to release a security which was posted as a development guaranty for work associated with Pg. 678 - 681

**Excavation Permit No. 59.835 – Livingston Lakes Commercial Excavation.**

- 2. Recommendation to approve final acceptance of the water utility facility for Foxfire Entrance Revisions, Kings Way and Davis Boulevard and to authorize the County Manager, or his designee, to release any Utilities Performance Security to the Project Engineer or the Developer’s designated agent.** Pg. 682 - 687
- 3. Recommendation to approve final acceptance of the sewer utility facility for Waldorf Plaza (fka – Boca Bargoons), 4424 Tamiami Trail West, and to authorize the County Manager, or his designee, to release any Utilities Performance Security to the Project Engineer or the Developer’s designated agent.** Pg. 688 - 693
- 4. Recommendation to approve final acceptance of the water and sewer utility facilities for Fiddler’s Creek, Phase 3, Unit 4 and to authorize the County Manager, or his designee, to release any Utilities Performance Security to the Project Engineer or the Developer’s designated agent.** Pg. 694 - 700
- 5. Recommendation to approve final acceptance of the water utility facility for Landscaper’s Choice, 218 Sable Palm Road, and to authorize the County Manager, or his designee, to release any Utilities Performance Security to the Project Engineer or the Developer’s designated agent.** Pg. 701 - 706
- 6. 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 Regal Acres Phase One, approval of the standard form Construction and Maintenance Agreement and approval of the amount of the performance security.** Pg. 707 - 717
- 7. Recommendation to approve an Easement Agreement with The Country Club of Naples and an Easement Agreement with Royal Poinciana Golf Club for the conveyance to Collier County of two Drainage, Access and Maintenance Easements necessary to complete maintenance work within the Gordon River Extension to prevent upstream flooding. Fiscal Impact: \$46,164.50. Project No. 60117.** Pg. 718 - 818
- 8. Recommendation to approve Change Order No. 2 to Contract # 10-5206, with Atkins North America, Inc., for Design Services for Collier Area Transit Transfer Station, in the amount of \$99,900 for redesign and post design services, and to extend the contract by six hundred seventy seven (677) days to account for the inclusion of construction and the completion schedule; and to authorize the Chairman to execute the change order.** Pg. 819 - 830
- 9. Recommendation to consider approving a request for a one-year extension of the required time frame for job creation for ValueCentric, LLC, an approved participant in the Job Creation Investment Program and the Advanced Broadband Infrastructure Investment Program, due to unforeseen delays experienced by a key customer and challenges in identifying qualified software development candidates.** Pg. 831 - 864

10. Recommendation to approve an economic development agency report required by Section 125.045, Florida Statutes and authorize the County Manager or designee to submit a copy of the report to the Office of Economic and Demographic Research (EDR). Pg. 865 - 899
11. Recommendation to accept the FY11-12 Federal Transit Administration (FTA) Section 5310 Grant award in the amount of \$262,050, authorize the necessary budget amendments and approve the purchase of three (3) paratransit vehicles utilizing those funds. Pg. 900 - 910
- B. COMMUNITY REDEVELOPMENT AGENCY**
1. Recommendation for the Community Redevelopment Agency (CRA) to approve and execute an extension of Commercial Building Improvement Grant 05/2011 Agreement between the Bayshore/Gateway Triangle CRA and BE Home Realty, LLC due to certain permitting and site development plan change requirements. (1712 Commercial Drive, Fiscal Impact: None) Pg. 911 - 928
2. Recommendation for the Community Redevelopment Agency (CRA) to approve and execute a Commercial Building Improvement Grant Agreement between the CRA and a Grant Applicant within the Bayshore Gateway Triangle area. (2595 Tamiami Trail East, Fiscal Impact \$3,603) Pg. 929 - 959
- C. PUBLIC UTILITIES DIVISION**
1. Recommendation to a) approve a Utility Work by Highway Contractor Agreement with the Florida Department of Transportation; b) approve a Florida Department of Transportation standard form resolution authorizing the Chairman of the Board of County Commissioners to execute the agreement; and, c) approve a Memorandum of Agreement with the Florida Department of Transportation and Florida Department of Financial Services, Division of Treasury to establish an interest bearing escrow account. Pg. 960 - 977
2. Recommendation to approve budget amendments associated with Hazard Mitigation Grant Program agreement number 11HM-3E-09-21-01-026 with the State of Florida, Division of Emergency Management, totaling \$360,945, to apply toward the costs associated with the installation of 1,430 linear feet of six-inch High Density Polyethylene leachate pipe at the Collier County Landfill. Pg. 978 - 983
- D. PUBLIC SERVICES DIVISION**
1. Recommendation to authorize the Chairman to sign a Subrecipient Agreement for a Department of Housing and Urban Development (HUD) funded Continuum of Care Grant (CoC) Shelter Plus Care (S+C) grant that was accepted by the Board on October 11, 2011. Pg. 984 - 1021
2. Recommendation to approve and authorize the Chairman to sign certifications required by the State of Florida, Department of Children and Families (DCF) in order to be eligible to accept the awarded 2012 Challenge Grant funding. Pg. 1022 - 1195

3. **Recommendation to approve a budget amendment in the amount of \$18,080 to recognize revenue and its appropriate expenditures from the collection of co-payments and contributions from the Housing, Human and Veteran Services, Services for Seniors program.** Pg. 1196 - 1198
4. **Recommendation to approve and authorize the Chairman to sign an amendment to the Subrecipient agreement for Catholic Charities to recognize Board approved changes in the HPRP Administrative Plan.** Pg. 1199 - 1228
5. **Recommendation to accept funding from the Collier County 4-H Clubs Foundation Inc. in the amount of \$45,000 for the 4-H Outreach Program managed by the Collier County University of Florida/IFAS Extension Department, \$3,000 in anticipated revenue from private contributions of 4H outreach participants, and to approve a budget amendment in the amount of \$48,000.** Pg. 1229 - 1231

**E. ADMINISTRATIVE SERVICES DIVISION**

1. **Recommendation to approve a License Agreement with SpectraSite Communications, LLC, for communications tower space needed for the County's SafePoint Location System, a component of the County's 800 MHz public safety radio network, at a first year's rent cost of \$7,800.** Pg. 1232 - 1254
2. **Recommendation to approve an Antenna Site Agreement and an Addendum to Antenna Site Agreement with SBA Towers II, LLC, for communications tower space needed for the County's SafePoint Location System, a component of the County's 800 MHz public safety radio network, at a first year's rent cost of \$7,800.** Pg. 1255 - 1269
3. **Recommendation to approve selection of firms under RFP 12-5809 – Engineering Design for Renovation/Replacement of HVAC Systems in J-1 Section of Collier County Naples Jail Center - and direct staff to bring a negotiated contract to the Board for subsequent approval.** Pg. 1270 - 1273
4. **Recommendation to approve and authorize the Chairman to sign the Assumption Agreement from Tectrans, Inc. to Keolis Transit America, Inc. for Management Contract for the Collier Area Transit (CAT) Fixed Route and Paratransit Program.** Pg. 1274 - 1409
5. **Recommendation to approve Amendment #1 to Contract #11-5666 “Barefoot Beach Concessionaire Agreement” with Day-Star Unlimited, Inc. d/b/a Cabana Dan's and authorize the Chairman to sign the amendment.** Pg. 1410 - 1429
6. **Recommendation to accept reports and ratify staff-approved change orders and changes to work orders.** Pg. 1430 - 1448
7. **Recommendation to approve and ratify the addition of the classification of Business Development Coordinator to the 2012 Fiscal Year Pay and Classification Plan.** Pg. 1449 - 1455

**F. COUNTY MANAGER OPERATIONS**

- 1. Recommendation to approve and adopt the Resolutions adopted by the Board of the Pelican Bay Services Division at a Special Meeting on December 14, 2011, with respect to the 1998 Joint Coastal Permit of the Florida Department of Environmental Protection and the Clam Bay Restoration and Management Plan authorized to be implemented under that Permit. Pg. 1456 - 1466**
- 2. Recommendation to adopt a resolution approving amendments (appropriating grants, donations, contributions or insurance proceeds) to the Fiscal Year 2011-12 Adopted Budget. Pg. 1467 - 1469**
- 3. Recommendation to approve In-Market Meeting Planner Site and Familiarization Guidelines for the Tourism Department to provide payment or reimbursement of expenses related to attracting group meetings to Collier County and authorize payment of covered expenses up to an annual total program cost of \$150,000. Pg. 1470 - 1476**

**G. AIRPORT AUTHORITY**

**H. BOARD OF COUNTY COMMISSIONERS**

- 1. Commissioner Fiala requests Board approval for reimbursement regarding attendance at a function serving a Valid Public Purpose. Attended the ENCA Luncheon on October 20, 2011. The sum of \$18 to be paid from Commissioner Fiala's travel budget. Pg. 1477 - 1479**
- 2. Commissioner Fiala requests Board approval for reimbursement regarding attendance at a function serving a Valid Public Purpose. Attended the Donald Rumsfeld Luncheon on November 9, 2011. The sum of \$125 to be paid from Commissioner Fiala's travel budget. Pg. 1480 - 1483**
- 3. Commissioner Fiala requests Board approval for reimbursement regarding attendance at a function serving a Valid Public Purpose. Attended the SCORE Naples Luncheon on December 5, 2011. The sum of \$22.50 to be paid from Commissioner Fiala's travel budget. Pg. 1484 - 1488**
- 4. Commissioner Fiala requests Board approval for reimbursement regarding attendance at a function serving a Valid Public Purpose. Attended the Women's Network Lunch on December 8, 2011. The sum of \$7.50 to be paid from Commissioner Fiala's travel budget. Pg. 1489 - 1492**
- 5. Commissioner Fiala requests Board approval for reimbursement regarding attendance at a function serving a Valid Public Purpose. Attended the ENCA Luncheon on December 15, 2011. The sum of \$18 to be paid from Commissioner Fiala's travel budget. Pg. 1493 - 1495**
- 6. Commissioner Coletta requests Board approval for reimbursement regarding attendance at a function serving a Valid Public Purpose. Attended the Eastern Collier Chamber of Commerce breakfast at Roma Havana Restaurant, Pg. 1496 - 1498**



Immokalee, FL on December 7, 2011. \$15 to be paid from Commissioner Coletta's travel budget.

7. Commissioner Coletta requests Board approval for reimbursement regarding attendance at a function serving a Valid Public Purpose. Attended the Physician Led Access Network (PLAN) Holiday Open House at Plaza Walk, 2500 Tamiami Trail North, Suite #202, Naples, FL on December 8, 2011. \$5 to be paid from Commissioner Coletta's travel budget. Pg. 1499 - 1502

**I. MISCELLANEOUS CORRESPONDENCE**

1. Miscellaneous correspondence items to file for record with action as directed. Pg. 1503 - 1504
2. Advisory Board minutes to file for record with action as directed. Pg. 1505 - 1506

**J. OTHER CONSTITUTIONAL OFFICERS**

1. To obtain Board approval for disbursements for the period of November 26, 2011 through December 2, 2011 and for submission into the official records of the Board. Pg. 1507 - 1521
2. To obtain Board approval for disbursements for the period of December 3, 2011 through December 9, 2011 and for submission into the official records of the Board. Pg. 1522 - 1536
3. To obtain Board approval for disbursements for the period of December 10, 2011 through December 16, 2011 and for submission into the official records of the Board. Pg. 1537 - 1551
4. To obtain Board approval for disbursements for the period of December 17, 2011 through December 23, 2011 and for submission into the official records of the Board. Pg. 1552 - 1563

**K. COUNTY ATTORNEY**

**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 two Ordinances amending the Code of Laws and Ordinances as it relates to public solicitations of contributions and the issuance of permits for charitable solicitation at road intersections. Pg. 1564 - 1616

**18. ADJOURN**

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