

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 09, 2012

9:00 AM

Fred W. Coyle - BCC Chairman; Commissioner, District 4
Jim Coletta - BCC Vice-Chairman; Commissioner, District 5; CRAB Vice-Chairman
Donna Fiala - BCC Commissioner, District 1; CRAB 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. **Father Tim Navin - San Marco Catholic Church** Pg. 1 - 1
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 11-12, 2012 BCC/Regular Meeting**
3. **SERVICE AWARDS**
4. **PROCLAMATIONS**
 - A. **Proclamation recognizing October 2012 as Fire Fighter Appreciation Month for the fundraising efforts for Muscular Dystrophy Association #516. To be accepted by Becky Goodlet, MDA Representative and representatives from fire stations in Collier County. Sponsored by the Board of County Commissioners.** Pg. 2 - 3
 - B. **Proclamation recognizing October 2012 as Blindness Awareness Month in Collier County. To be accepted by Kathleen Peck and David Weigel of Lighthouse of Collier, Inc. Sponsored by the Board of County Commissioners.** Pg. 4 - 5
 - C. **Proclamation designating October 2012 as Domestic Violence Awareness Month in Collier County. To be accepted by Linda Oberhaus, Executive Director, the Shelter for Abused Women & Children. Sponsored by Commissioner Coyle.** Pg. 6 - 7
5. **PRESENTATIONS**
 - A. **Presentation of Distinguished Budget Presentation Award for Fiscal Year 2012 from the Government Finance Officers Association (GFOA) presented to the Office of Management and Budget. To be accepted by Mark Isackson, Director, Corporate Financial and Management Services.** Pg. 8 - 11
 - B. **Presentation recognizing the valiant lifesaving efforts of two off-duty firefighters from the City of Marco Island Fire Rescue Department: Engineer Paramedic Dustin Beatty and Engineer Paramedic Al Munoz. (Commissioner Donna Fiala)** Pg. 12 - 12
 - C. **Presentation of the Collier County Business of the Month for October 2012 to Naples Airport Authority. To be accepted by Cormac Giblin, Chair; Sheila Dugan, Deputy Executive Director; and Ted Soliday, Executive Director.** Pg. 13 - 13
6. **PUBLIC PETITIONS**
 - A. **Public Petition request from Liz Pfunder requesting reimbursement for damages related to a sewer backup.** Pg. 14 - 17
 - B. **Public Petition request from Tim Hancock requesting that the Board establish a separate Growth Management Plan Adoption Cycle for Petition CP-2012-2 (Princess** Pg. 18 - 21

Park PUD, Airport-Pulling Road).

7. PUBLIC COMMENTS ON GENERAL TOPICS

8. BOARD OF ZONING APPEALS

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

9. ADVERTISED PUBLIC HEARINGS

Item 9 to be heard no sooner than 1:00 pm unless otherwise noted.

10. BOARD OF COUNTY COMMISSIONERS

- A. To obtain the Board of County Commissioners approval for naming the Lely Area Stormwater Improvement Project, currently identified as the LASIP Mitigation Park, as "Serenity Walk Park." Commissioner Fiala Pg. 22 - 23
- B. Appointment of members to the Historical/Archaeological Preservation Board. Pg. 24 - 38
- C. Press Release dated September 28, 2012 for Advisory Board vacancies. Pg. 39 - 44

11. COUNTY MANAGER'S REPORT

- A. Recommendation to approve and adopt a Resolution approving the Pay and Classification Plans for the Board of County Commissioners and County Attorney effective October 1, 2012, and providing for a Cost of Living Adjustment of 2.0% effective on October 6, 2012, the first day of the first pay period in FY13. (Len Price, Administrative Services Administrator) Pg. 45 - 68
- B. Recommendation to adopt resolutions authorizing the condemnation of the land and easements necessary for the construction of capital improvements at the intersection of US 41 and Collier Boulevard. (Project No. 60116.) Estimated fiscal impact: \$13,500,000. (Jay Ahmad, Transportation Engineering Director.) Pg. 69 - 355
- 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 to approve a resolution finding petition Number ST-PL2012168 for a special treatment development permit to dredge and fill on state-owned property in the vicinity of Wiggins Pass consistent with the Agricultural and Conservation Special Treatment Overlays (A-ST and CON-ST) and issue the permit. The project is located in Sections 17, 18 and 20, Township 48 South, Range 25 East, Collier County, Florida. (Stephen Lenberger, Growth Management Division Senior Environmental Specialist) Pg. 356 - 409
- D. Recommendation to award Bid Number 12-5915, "South County Water Reclamation Facility (SCWRF) Odor Control Facilities Upgrades," to Mitchell & Stark Construction Company, Inc., in the amount of \$1,378,681 for SCWRF Compliance Assurance Project Number 70089. (Tom Chmelik, Planning and Project Management Director) Pg. 410 - 521

12. COUNTY ATTORNEY'S REPORT

13. OTHER CONSTITUTIONAL OFFICERS

- A. *This item to be heard at 10:00 a.m. This item continued from the September 25, 2012 BCC Meeting.* Recommendation to discuss Item 11E from the Board's September 11, 2012 agenda regarding "Wastewater Basin Program" contracts. Pg. 522 - 523

14. AIRPORT AUTHORITY AND/OR COMMUNITY REDEVELOPMENT AGENCY

- A. AIRPORT
- B. COMMUNITY REDEVELOPMENT AGENCY

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 award a construction contract to Better Roads, Inc., for Bid No. 12-5937, Industrial Boulevard (Radio Road to Mercantile Ave) Roadway Improvements Project No. 60188.4 funded by the Naples Production Park MSTU, in the amount of \$473,312.96 plus a ten (10) percent contingency of \$47,331.30 totaling \$520,644.26. Pg. 524 - 688
2. Recommendation to approve Agreement No. 4600002607 with the South Florida Water Management District in the amount of \$240,000 for the continued collection of surface water quality samples in Collier County. Pg. 689 - 714
3. Recommendation to approve the Vanderbilt and Naples Beach Emergency Beach Renourishment Resolution, make a finding that these beaches are critically eroded and TDC funds can be used for renourishment, allow an expedited competitive process to renourish these beaches, authorize the County Manager or his designee to approve the contract but not issue the Notice-to-Proceed until contract ratification by the Board, authorize the expenditure of up to \$650,000 Category A Tourist Development Funds, and approve all necessary budget amendments. Pg. 715 - 721
4. 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 adopt a Resolution authorizing a public hearing to consider vacating a portion of the southerly 5 feet of an existing 10-foot utility easement located in Lot 1, Block I, Gulf Acres, as recorded in Plat Book 1, Page 111, of the Public Records of Collier County, Florida. - Application No. VAC-PL20120001426. Pg. 722 - 728

B. COMMUNITY REDEVELOPMENT AGENCY

C. PUBLIC UTILITIES DIVISION

- 1. Recommendation to award Bid No. 12-5909, "Collier County Landfill Household Hazardous Waste Facility," to Compass Construction, Inc., in the amount of \$833,777 for construction of the Household Hazardous Waste Facility at the Collier County Landfill, Project Number 59005. Pg. 729 - 837**

D. PUBLIC SERVICES DIVISION

- 1. Recommendation to approve and authorize the Chairman to sign an Interlocal Agreement with Everglades City in order to provide funding assistance in the amount of \$5,000 to Everglades City for improvements to the McLeod Community Park. Pg. 838 - 842**
- 2. Recommendation to approve four agreements to allow participation in alternative intergovernmental transfer programs (IGT): Two between the County and Agency for Health Care Administration (AHCA), and one each between the County and Physicians Regional Medical Center and Naples Community Hospital. The County's total financial commitment is \$2,097,484 which is currently budgeted. Pg. 843 - 862**
- 3. Recommendation to approve an agreement in the amount of \$225,759 with the Agency for Health Care Administration and an agreement with Collier Health Services (CHS) to participate in the Medicaid Low Income Pool Program. Participation in this program will generate \$308,329 in Federal matching funds that will provide additional health services for the citizens of Collier County. Pg. 863 - 875**
- 4. Recommendation to authorize the Chairman to sign Memorandums of Understanding with The Southwest Florida Workforce Development Board, Inc. for the delivery of the 21st Century Community Learning Centers swimming skills and drowning prevention programs "Miracle Plus 1 and Miracle Plus 2 program." Pg. 876 - 893**
- 5. Recommendation to authorize the necessary budget amendments for the U.S. Department of Housing and Urban Development (HUD) Fiscal Year 2012-2013 budget as approved in the HUD Action Plan for entitlement funds and authorize the Chair to sign the standard HUD Agreement forms upon arrival. The receipt of funds is for the Community Development Block Grant (CDBG), HOME Investment Partnerships (HOME) and Emergency Shelter Grant (ESG) for continuation of services. Project start dates and timely use of federal funds is dependent on this acknowledgement of funding. Pg. 894 - 903**
- 6. Recommendation to approve Invitation to Bid (ITB) 12-5918 "Boat Ramp Repair" for the Port of the Islands Marina Project #80215 to CB Construction Services Corp. and to authorize the Chairman to execute the attached contract and authorize the necessary budget amendment in the amount of \$98,747. Pg. 904 - 1083**

7. **Recommendation to approve a Resolution and provide after the fact approval for the submittal of Shirley Conroy Rural Area Capital Equipment Support Grant in the amount of \$70,000 to the Florida Commission for Transportation Disadvantaged for the procurement and installation of a Call Center Software Telephone System and Certification Module for the paratransit system and authorize the Chairman of the Board to sign the grant and all applicable documents.** Pg. 1084 - 1099

8. **Recommendation to approve the Collier County University Extension Department's request for funding from the Collier County 4-H Association in the amount of \$71,350, approve subsequent acceptance of requested funds, authorize the Chairman to sign a Memorandum of Understanding with Collier County 4-H Association to fund 4-H Outreach Coordinators and the enhancement of outreach activities managed by the Collier County University of Florida /IFAS Extension Department, and authorize the subsequent Budget Amendment.** Pg. 1100 - 1104

9. **Recommendation to approve Amendment 2 to Contract No. 11-5753, Electronic Fareboxes for the Collier Area Transit (CAT) Intelligent Transportation Systems (ITS) Program, and approve the Software License Agreement between Fare Logistics Corporation and Collier County.** Pg. 1105 - 1175

10. **Recommendation to approve and execute the attached Multi-year Joint Participation Agreement (JPA) with the Florida Department of Transportation (FDOT) through Federal Pass-through 49 U.S.C. § 5311 funding under Contract Number AQR01 providing public transportation services in Collier County's non-urbanized areas in the amount of \$272,797 as well as a FY 2012/2013 local match in the amount of \$272,797, and approve the necessary budget amendments.** Pg. 1176 - 1200

11. **Recommendation to approve the submittal of a grant application for the 2012/2013 Congestion Management System/Intelligent Transportation Stakeholders (CMS/ITS) Box Funding in the amount of \$276,000 through the Federal Transit Administration (FTA) Transportation Electronic Award Management (TEAM) System.** Pg. 1201 - 1233

12. **Recommendation to approve a contract amendment between Collier County Board of County Commissioners and Area Agency on Aging for Southwest Florida, Inc. which reflects additional grant funding for senior meals of \$27,262 and county match of \$3,029.11 in the aggregate amount of \$30,291.11 for the FY12 Older Americans Act Program Title III, and authorize necessary budget amendments.** Pg. 1234 - 1244

13. *This item continued from the September 25, 2012 BCC Meeting.* Pg. 1245 - 1253
Recommendation to approve and authorize the Chairman to execute a Resolution repealing Resolution No. 2009-296 and a Resolution establishing a revised Collier County Public Library Fees and Fines Schedule.

E. ADMINISTRATIVE SERVICES DIVISION

1. **Recommendation to approve and authorize the acceptance of a Volunteer Fire Assistance Grant Award in the amount of \$2,112 to purchase Class A Foam for the Ochopee Fire Control District and authorize all necessary budget amendments (local match \$1,056).** Pg. 1254 - 1258
2. **Recommendation to authorize sole source purchasing of equipment and services for the 800 MHz Public Safety Radio System.** Pg. 1259 - 1318
3. **Recommendation to authorize routine and customary budget amendments appropriating approximately \$3,085,820.51 of Fiscal Year 2012 carry forward for approved open purchase orders into Fiscal Year 2013 for operating budget funds. This is a Companion to Item 17B.** Pg. 1319 - 1325
4. **Recommendation to retroactively (effective September 26, 2012) request a waiver of competition to authorize fuel purchases and payments under the State of Florida contract (405-000-10-1) to Mansfield Oil Company LLC to fill County owned fixed fuel tanks at the Fleet Management Operation; to add "tank wagon" services to Contract 10-5581 Motor Oils and Lubricant with Combs Oil; and authorize purchases and payments to Mansfield Oil Company LLC for County owned fixed fuel tanks at the Fleet Management Operation and to Combs Oil for "tank wagon" services.** Pg. 1326 - 1442

F. COUNTY MANAGER OPERATIONS

1. **Recommendation to adopt a resolution approving amendments (appropriating grants, donations, contributions or insurance proceeds) to the Fiscal Year 2012-13 Adopted Budget.** Pg. 1443 - 1445

G. AIRPORT AUTHORITY

1. **Recommendation to authorize the Chairman to execute the attached Resolution authorizing signature of Joint Participation Agreement No. AQR24 with the Florida Department of Transportation, to accept a grant in the amount of \$35,312 for the design, permitting and bidding of Runway 17-35 pavement restoration at the Marco Island Executive Airport, and to authorize associated budget amendments.** Pg. 1446 - 1487
2. **Recommendation to authorize the Chairman to execute the attached Resolution authorizing execution of Joint Participation Agreement No. AQR22 with the Florida Department of Transportation, to accept a grant in the amount of \$39,642 for the design, permitting and bidding of Runway 9-27 pavement restoration at the Immokalee Regional Airport, and authorize the necessary budget amendments.** Pg. 1488 - 1529
3. **Recommendation to authorize the Chairman to execute the attached Resolution authorizing execution of Supplemental Agreement One to Joint Participation Agreement No. AQ122 with the Florida Department of Transportation to provide additional funds in the amount of \$6,121 for security system upgrades at the Marco Island Executive Airport, and authorize the necessary budget amendments.** Pg. 1530 - 1562

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 Parkinson Association Luncheon on September 12, 2012. The sum of \$11.48 to be paid from Commissioner Fiala's travel budget. Pg. 1563 - 1565**
- 2. Commissioner Coletta requests Board approval for reimbursement regarding attendance at a function serving a Valid Public Purpose. Attended the Immokalee Chamber of Commerce Monthly Breakfast Meeting at Roma Havana Restaurant in Immokalee, FL on May 2, 2012. \$10 to be paid from Commissioner Coletta's travel budget. Pg. 1566 - 1568**
- 3. Commissioner Coletta requests Board approval for reimbursement regarding attendance at a function serving a Valid Public Purpose. Attended the Immokalee Chamber of Commerce Monthly Breakfast meeting at Roma Havana Restaurant in Immokalee, FL on August 1, 2012. \$10 to be paid from Commissioner Coletta's travel budget. Pg. 1569 - 1571**

I. MISCELLANEOUS CORRESPONDENCE

- 1. Miscellaneous correspondence to file with action as directed. Document(s) have been routed to all Commissioners and are available for review in the BCC Office until approval. Pg. 1572 - 1573**
- 2. Advisory Board minutes and agendas to file with action as directed. Document(s) have been routed to all Commissioners and are available for review in the BCC Office until approval. Pg. 1574 - 1576**

J. OTHER CONSTITUTIONAL OFFICERS

- 1. To obtain Board approval for disbursements for the period of September 8, 2012 through September 14, 2012 and for submission into the official records of the Board. Pg. 1577 - 1594**
- 2. To obtain Board approval for disbursements for the period of September 15, 2012 through September 21, 2012 and for submission into the official records of the Board. Pg. 1595 - 1609**
- 3. Tax Collector request for advance commissions in accordance with Florida Statute 192.102 (1) for FY2013. Pg. 1610 - 1611**

K. COUNTY ATTORNEY

- 1. Recommendation to approve the Termination of Interlocal Agreement between the Collier County Community Redevelopment Agency and the Collier County Airport Authority for the Immokalee Business Development Center. Pg. 1612 - 1619**
- 2. Recommendation to adopt a Resolution formally electing the Medicaid Pg. 1620 -**

Settlement Option set forth in Paragraph 3 of the Amended Stipulation Providing for Dismissal of Some Parties and Abatement of Case for Remaining Parties filed in Alachua County, Florida et al v. Elizabeth Dudek, et al; Case No.: 2012-CA-1328, Second Judicial Circuit, Leon County, Florida, as it relates to litigation challenging the constitutionality of Chapter 2012-33, Laws of Florida (HB 5301) and authorize the chairman to sign the Medicaid Payment Plan Agreement with the Agency for Health Care Administration (AHCA). 1671

- 3. Recommendation to adopt a Resolution setting forth its intent to terminate the Employment Agreement with the Executive Manager to the Board of County Commissioners.** Pg. 1672 - 1705

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 approve an amendment to Collier County Ordinance No. 91-107, as amended (The Forest Lakes Roadway and Drainage Municipal Service Taxing Unit), to incorporate provisions to facilitate the construction of roadways and roadway improvements within the MSTU boundaries.** Pg. 1706 - 1720
- B. Recommendation to adopt a resolution approving amendments (appropriating carry forward, transfers and supplemental revenue) to the Fiscal Year 2012-13 Adopted Budget. This is a Companion to Item 16E3.** Pg. 1721 - 1724
- C. This item has been continued to the October 23, 2012 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. Recommendation to approve Petition VAC-PL20120001606, to disclaim, renounce and vacate the County and the Public interest in a portion of State Road No. 29 (a.k.a. Copeland Avenue South) a 200-foot public road right-of-way, being a part of Section 23, Township 53 South, Range 29 East, Collier County Florida being more specifically shown in Exhibit A.**

18. ADJOURN

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