

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 14, 2013

9:00 AM

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

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

1.A. Reverend Sheila Zellers - Motivated by Love Ministries

Pg. 1 - 1

2. AGENDA AND MINUTES

2.A. Approval of today's consent agenda as amended (Ex Parte Disclosure provided by Commission members for consent agenda.)

2.B. Approval of today's summary agenda as amended (Ex Parte Disclosure provided by Commission members for summary agenda.)

2.C. Approval of today's regular agenda as amended.

2.D. April 2, 2013 - BCC/2014 Beach Renourishment Peer Review/Affordable Housing Inventory Report Workshop

2.E. April 9, 2013 - BCC/Regular Meeting

3. SERVICE AWARDS

4. PROCLAMATIONS

4.A. Proclamation designating May 2013 as Physicians Led Action Network (PLAN) Month in Collier County in recognition of its 10th anniversary and contribution of \$18 million in donated specialty medical care to Collier County's uninsured. To be accepted by Bill Kuzbyt, Psy.D., JD, PLAN Board Chairman; Michelle Jay, PLAN Program Manager; Joan Colfer, MD, MPH, Collier County Department of Health; and Margaret Eadington, Executive Director, Collier County Medical Society. Sponsored by Commissioner Coyle.

Pg. 2 - 3

4.B. Proclamation designating May 19-25, 2013 as Water Reuse Week in Collier County. To be accepted by G. George Yilmaz, Ph.D, P.E., P.H., Public Utilities Administrator; Beth Johnssen, Wastewater Department Director; Danette Kinaszczuk, Reuse Manager, Wastewater Department; Lisa Koehler, Big Cypress Basin Administrator, South Florida Water Management District. Sponsored by Commissioner Coyle.

Pg. 4 - 5

4.C. Proclamation designating May 18-25, 2013 as Safe Boating Week in Collier County. To be accepted by Robert A. Abubato, Flotilla Commander, U.S. Coast Guard Auxiliary, Flotilla 93. Sponsored by Commissioner Coyle.

Pg. 6 - 7

4.D. Proclamation designating May 2013 as Drowning Prevention Month in Collier County. To be accepted by Dr. Todd Vedder, Chairman, Safe and Healthy Children's Coalition of Collier County and Paula DiGrigoli, Executive Director, Safe and Healthy Children's Coalition of Collier County. Sponsored by Commissioner Fiala.

Pg. 8 - 9

4.E. Proclamation recognizing Alma Cambridge as a Woman of Distinction for her positive community influence and role in establishing the Bethel African Methodist Episcopal Church. To be accepted by Dr. Rozalyne Wright, Bethel African Methodist Episcopal Church. Sponsored by Commissioner Henning.

Pg. 10 - 11

4.F. Proclamation designating May 2013 as Drug Court Month in Collier County. To be accepted by the Honorable Janeice T. Martin, Collier County Judge. Sponsored by Commissioner Hiller. Pg. 12 - 13

4.G. Proclamation designating May 19-25, 2013 as Emergency Medical Services Week in Collier County. To be accepted by Walter Kopka, Chief, EMS. Sponsored by Commissioner Henning. Pg. 14 - 15

5. PRESENTATIONS

5.A. Presentation of the PHOENIX AWARD to recognize those EMS Paramedics, EMT's, Firefighters, Sheriff's Deputies and Police Officers, who through their skills and knowledge, have successfully brought back to life individuals who have died. Pg. 16 - 18

5.B. Presentation of the Collier County Business of the Month for May 2013 to MiraMare Ristorante at Venetian Village. To be accepted by Sal Sinzieri, Owner and Freddy Velez, General Manager. Pg. 19 - 21

5.C. Recommendation to recognize Glenn Rager, Instrumentation and Electrical Technician, Wastewater Department/Power Systems, as the Employee of the Month for April 2013. Pg. 22 - 24

6. PUBLIC PETITIONS

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

10.A. Appointment of members to the Collier County Coastal Advisory Committee. Pg. 25 - 40

10.B. Appointment of members to the Bayshore/Gateway Triangle Local Redevelopment Agency. Pg. 41 - 62

10.C. Appointment of member to the Radio Road Beautification Advisory Committee. Pg. 63 - 71

10.D. Appointment of members to the Public Transit Ad Hoc Advisory Board. Pg. 72 - 96

10.E. Recommendation to direct the County Attorney to issue the attached Notice of Default to KPK Management, Inc., assignee of Global Manufacturing Technologies, Inc., relating to a Sublease dated August 15, 1999, of the Immokalee Airport Pg. 97 - 174

Incubator Building, setting forth that if certain lease violations are not rectified within 30 days of the Notice, that the Airport Authority will terminate the Sublease and, if necessary, pursue its legal remedies, and to grant the Airport Executive Director the authority to work with the County Attorney to terminate the Sublease and pursue legal action, including eviction proceedings, if the defaults are not cured. (Commissioner Henning)

- 10.F. Recommendation to direct the County Attorney to bring back to the Board for its future consideration an ordinance abolishing the Environmental Advisory Council, together with an ordinance amending the Collier County Planning Commission Ordinance to (1) absorb the responsibilities of the EAC; and (2) change the membership composition of the Collier County Planning Commission from 9 members to 7, with a single member from each Commission District, plus two at-large members. (Commissioner Henning)** Pg. 175 - 177
- 10.G. Recommendation that the Board of County Commissioners clarify its intent/direction with respect to the role of the PSA in the evaluation of applicants for the position of Medical Director/Deputy Medical Director. It was neither the intent, nor the direction of the Board of County Commissioners to have county staff, nor the PSA, develop ranking criteria and score the applicants. In fact, according to Ed Morton of the Blue Ribbon Committee, the Blue Ribbon Committee did not envision the PSA being the selection committee for the position of Medical Director/Deputy Medical Director; the PSA would be conflicted in such a role. The Board of County Commissioners requested that the PSA provide a list of the top ten candidates, unranked, along with the applications of all other candidates. Had the Board of County Commissioners wanted rankings based on scored criteria, the commissioners would have defined the criteria and the weighting. This was intentionally avoided to ensure fairness in the process, since criteria and weightings could be skewed so as to benefit or prejudice a particular candidate. Given that there are five applicants that have submitted for the position of Medical Director/Deputy Medical Director, the PSA should be given the opportunity to meet the applicants and then forward the list of all five candidates, unranked, to the Board of County Commissioners along with PSA comments/observations (taken as a whole) that would allow the Commissioners to make a well informed final decision. (Commissioner Hiller)** Pg. 178 - 209
- 10.H. Recommendation that the Board of County Commissioners consider the creation of a countywide Office of the Medical Director (“OMD”) to provide outstanding clinical oversight to all of Collier County’s emergency care providers, so that collectively these providers can deliver compassionate and professional services at the highest standard of emergency response and patient clinical care. The OMD would consist of the Medical Director, Deputy Medical Director, Associate Medical Directors (representing the ALS service providers and BLS Transport providers from organizations throughout the county), an Executive Director, and an Assistant Executive Director. (Only the positions of the Medical Director and Deputy Medical Director would be county funded.) The OMD would consist of 5 divisions: 1. Clinical Practice of Medicine/Medical Protocol Coordination - to include for example, protocol development, controlled substance management, equipment review, quality assurance. 2. Performance Measure/Research - to include for example, the development of performance bench marks, provide an annual report, and develop an information web page. 3. Emergency Preparedness - to include for example,** Pg. 210 - 213

Infectious Diseases, Immunizations, SWAT, HAZMAT, and EOC liaison. 4. Continuing Education Development and Coordination - for both ALS and BLS providers. 5. Strategic Initiative Coordination - to include for example, the AED program, injury prevention, Code Save-A-Heart, and Stroke Alert. These divisions would be staffed by representatives from the EMS provider agencies. The OMD would be advised/reviewed by the Public Safety Authority and the EMS council. Such a coordinated, professional and comprehensive approach to EMS management will lead to the highest level of emergency services that the residents and visitors of Collier County can expect. That the Board of County Commissioners put forth the above recommendation for review and input from the PSA to be brought back for adoption at the second meeting of the Board of County Commissioners in September, 2013. (Commissioner Hiller)

10.I. Recommendation that the Board of County Commissioners direct the 'Medical Director Subcommittee' of the PSA investigate claims of actual and potential failed calls as they relate to protocols and training promulgated under the current county Medical Director. A full investigation is required to be conducted given the PSA's obligation to provide a quality assurance process and a duty to investigate problems as they arise and recommend solutions promptly. There are three matters that require such investigation:

Pg. 214 - 222

1. In January, 2013 the county's Medical Director released updated protocols as final without allowing for review. The consequence was that protocols were released as official which contained life threatening standards. For example - a protocol was released with respect to pediatric rescue breathing which was incorrect, and, if administered by an EMS provider as prescribed would result in the death of the child. Protocols should not be released as official until validated by the appropriate agencies/boards. Medical accuracy is mandatory.

2. A young man passed away, allegedly because EMS failed to timely arrive at the scene. EMS claimed that no emergency tone was heard. There are complaints that the county's 800 Mega Hertz communications system is failing to set off the appropriate tones which are used to alert emergency vehicles of an incoming call. These failures are being reported as happening daily and may have contributed towards the death of one resident, and is threatening the lives of all. This matter must be immediately investigated and addressed.

3. A letter received from Physician's Regional Hospital, dated May 6, 2013 explains that the county's medical director was working "extremely closely with NCH to promulgate protocols seemingly effectuated by the threat of loss of market share to NCH." In an email dated December 20, 2012, the county's medical director advocated against certain stroke protocols because these protocols would "divert 40% of the patients currently going to NCH." The medical director was in effect seemingly making decisions about which protocols were to be adopted based on how NCH's market share would be affected if stroke patients were transported to Physician Regional's new Comprehensive Stroke Center (the only such accredited stroke center in SW Florida) rather than to NCH. Protocols must be developed on what is in the best interest of the patient, not in any way based on the market share a hospital might lose. It appears that only 12-15% of the county's stroke victims are being transported to Physicians Regional notwithstanding the current protocol. There are two recent stroke related deaths where the patients were transported to

NCH rather than the Physician's Regional stroke center begging the question as to whether these patients might have survived if transported to the stroke center. What has transpired is of the utmost seriousness. A full study into how many patients are being transported by county EMS to one hospital over another hospital is needed. Further, the timeliness and basis on which protocols are being established needs to be fully investigated. Lastly, the training of providers as to directions on where patients shall be transported under which conditions needs to be investigated. The development of protocols and training of the EMS providers are the responsibility of the county's medical director. (Commissioner Hiller)

11. COUNTY MANAGER'S REPORT

- 11.A. Recommendation to consider candidates who have applied to the position of Chief Hearing Examiner. (Len Golden Price, Administrative Services Division Administrator) Pg. 223 - 414
- 11.B. *This item to be heard at 11:00 a.m.* Recommendation to reject all bids received for Invitation to Bid (ITB) 13-6076 Collier County Beach Renourishment Project; re-solicit the project with target volumes per beach segment; reduced bid acceptance/validity timeframe; approve the project price submittal form and bidding approach; approve a sand placement renourishment approach and make a finding that this project promotes tourism. (Bill Lorenz, Natural Resources Director) Pg. 415 - 442
- 11.C. *Companion to Item 14B1 and to be heard immediately following 14B1.* Recommendation to approve a resolution authorizing the Collier County Community Redevelopment Agency (CRA) to enter into a \$7,557,900 Term Loan Agreement with Fifth Third Bank - the Series 2013 Taxable Note; approve the actions taken by the CRA with respect to its approval of the Loan Agreement; and authorize all necessary budget amendments. (Mark Isackson, Corporate Finance and Management Services Director) Pg. 443 - 473
- 11.D. *This item to be heard at 3:00 p.m.* Recommendation to review the history and public benefit associated with the proposed Whippoorwill Lane and Marbella Lakes Drive connection project, consider current comments from the public and after consideration, provide direction to the County Manager prior to soliciting an invitation to bid for this project. (Nick Casalanguida, Growth Management Administrator) Pg. 474 - 612

12. COUNTY ATTORNEY'S REPORT

13. OTHER CONSTITUTIONAL OFFICERS

14. AIRPORT AUTHORITY AND/OR COMMUNITY REDEVELOPMENT AGENCY

14.A. AIRPORT

- 14.A.1. Recommendation to accept the proposal for Request for Proposal (RFP) 13-6083 Airport Management Consultant from Unison Consulting Inc. and direct Pg. 613 - 727

the County Manager to negotiate a contract to be brought back to the Board for approval.

14.B. COMMUNITY REDEVELOPMENT AGENCY

- 14.B.1. *This item to be heard at 1:00 p.m.* Recommendation that the Community Redevelopment Agency (CRA) approves a resolution containing the form of a Bayshore Gateway Triangle CRA restructuring Loan Agreement with Fifth Third Bank - the Series 2013 Taxable Note - in the amount of \$7,557,900; authorize the CRA Chairman to sign the authorizing resolution; and authorize all necessary budget amendments. Pursuant to Notice required under Section 163.346, Florida Statutes.** Pg. 728 - 765

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 DIVISION

- 16.A.1. Recommendation to approve final acceptance of the water and sewer utility facilities for Summit Place in Naples, Phase II AR 11444 and to authorize the County Manager, or his designee, to release the Final Obligation Bond in the amount of \$4,000 to the Project Engineer or the Developer's designated agent.** Pg. 766 - 774
- 16.A.2. Recommendation to approve final acceptance of the sewer utility facility for Summit Place in Naples, Phase III AR 10053 and to authorize the County Manager, or his designee, to release the Final Obligation Bond in the amount of \$4,000 to the Project Engineer or the Developer's designated agent.** Pg. 775 - 782
- 16.A.3. Recommendation to approve an Easement Purchase Agreement as part of the US-41 / Collier Boulevard Intersection Improvement project. (County Project No. 60116). Fiscal Impact: \$2,994** Pg. 783 - 799
- 16.A.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 to hold a public hearing to consider vacating a portion of a 12.5-foot wide Drainage Easement, being a part of Lot 39, Block KK, Quail West Phase III, Unit 7, Plat Book 46, pages 89 through 102 of the Public Records of Collier County, Florida, also being a part of Section 8, Township 48 South, Range 26 East, Collier County, Florida. Application No. VAC-PL20130000515.** Pg. 800 - 808

- 16.A.5. **Recommendation to award Bid #13-6066 "Signal Communications Fiber Optic Network Extension" for construction of a fiber optic network extension to Traffic Control Devices, Inc., in the amount of \$597,559 (Project #33208).** Pg. 809 - 1097
- 16.A.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 a request from the Empowerment Alliance of Southwest Florida to grant preliminary acceptance of the subdivision improvements within Hatchers Preserve subdivision and allow the installation of the required landscape buffer to occur concurrently with Certificates of Occupancy for each individual lot.** Pg. 1098 - 1105
- 16.A.7. **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 cash bond in the amount of \$6,312.60 which had been posted as security for clearing associated with the Saturnia Lakes subdivision (AR-2071).** Pg. 1106 - 1109
- 16.A.8. **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 Cordoba at Lely Resort, Lots 5 - 13, Lots 18 - 26 Replat, Application Number FP-PL20120002957.** Pg. 1110 - 1115
- 16.A.9. **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 extensions for completion of subdivision improvements associated with the Moorgate Point subdivision (AR-7618) and Classics Plantation Estates, Phase Three subdivision (AR-7433) pursuant to Section 10.02.05 B.11 of the Collier County Land Development Code.** Pg. 1116 - 1121
- 16.A.10. **Recommendation to increase the collective annual limit for multiple contracts resulting from RFP No. 12-5892, "Fixed Term Landscape Architectural Services."** Pg. 1122 - 1124
- 16.A.11. **Recommendation to approve an Interlocal Agreement between Collier County, the City of Marco Island, and the Hideaway Beach District for Collier County to provide \$350,000 in Tourist Development Category "A" Funding representing Collier County's proportionate share for three erosion control structures and future maintenance costs as part of the 2013 Hideaway Beach Renourishment and erosion control project and authorize the Chairwoman to sign the Agreement.** Pg. 1125 - 1133
- 16.A.12. **Recommendation to award Bid No. 13-6023 to Stultz Construction, Inc. in the amount of \$205,585 for the construction contract of the Tigertail Beach New Restroom Facility Project No. 90093, make a finding that this project promotes tourism, and authorize the Chairwoman to execute the standard contract after County Attorney approval.** Pg. 1134 - 1203

- 16.A.13. 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 to set a public hearing to consider vacating a 20-foot wide Lake Maintenance Easement (L.M.E.), being a part of Tract E of Fiddlers Creek Phase 5, Aviamar Unit One, Plat Book 45, pages 34 through 39 of the Public Records of Collier County, Florida, also being a part of Section 13, Township 51 South, Range 26 East, Collier County, Florida. Application No. VAC-PL20130000583. Pg. 1204 - 1218
- 16.A.14. Recommendation to authorize a budget amendment to recognize revenue for projects within the Transportation Supported Gas Tax Fund (313) in the amount of \$214,455.98. Pg. 1219 - 1221
- 16.A.15. Recommendation to approve the release of lien in the amount of \$77,410.86 for payment of \$7,060.86, in the Code Enforcement Action entitled Board of County Commissioners vs. Terry Hernandez and Brian K. Fults, Code Enforcement Case Number CELU20110009421, relating to property located at 2700 47th Terrace SW, Collier County, Florida. Pg. 1222 - 1225
- 16.A.16. 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 Torino Replat, Application Number FP-PL20130000083. Pg. 1226 - 1231
- 16.A.17. Recommendation to provide an after-the-fact approval of Change Order No. 3 to WO 45-141808, authorize the expenditure of Tourist Development Category "A" tax funds for a Peer Review of the Collier County Beaches volume design by Atkins North American, Inc. under Contract No. 09-5262-CZ for a lump sum amount of \$12,472, make a finding that this item promotes tourism, and authorize the County Manager or his designee to execute the Work Order. Pg. 1232 - 1240
- 16.A.18. Recommendation to approve the release of lien in the amount of \$467,330.40 for payment of \$1,030.40, in the Code Enforcement Action entitled Board of County Commissioners vs. Curtis D. Blocker & Curtis Blocker, Jr., Code Enforcement Case Number 2002120732, relating to property located at 2900 Bradley Drive, Collier County, Florida. Pg. 1241 - 1245
- 16.A.19. Recommendation to approve the release of lien in the amount of \$87,868.25 for payment of \$1,418.25, in the Code Enforcement Action entitled Board of County Commissioners vs. Curtis D. Blocker & Curtis Blocker, Jr., Code Enforcement Case Number 2003091169, relating to property located at 423 Taylor Road, Collier County, Florida. Pg. 1246 - 1249
- 16.A.20. 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 extensions for completion of subdivision improvements associated with Orange Blossom Ranch Phase 1A (AR-7186) and Orange Blossom Ranch Phase 1B (AR-7431) Pg. 1250 - 1257

pursuant to Section 10.02.05 B.11 of the Collier County Land Development Code.

- 16.A.21. 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 Esplanade Golf and Country Club of Naples, (Application Number PL20120001261) approval of the standard form Construction and Maintenance Agreement and approval of the amount of the performance security. Pg. 1258 - 1336
- 16.A.22. Recommendation to ratify and approve a stipulated Final Judgment as to Parcel 103FEE and 103TCE as part of the US-41 / Collier Boulevard Intersection Improvement project (Project No. 60116) Fiscal Impact: \$7,447.50. Pg. 1337 - 1348
- 16.A.23. Recommendation to ratify and approve a stipulated Final Judgment as to the interest of 7-Eleven, Inc., in Parcels 105FEE1, 105FEE2, 105FEE3, 105TCE1, 105TCE2, 105TCE3, 105TCE4, 107FEE, 107TCE1, 107TCE2 and 109FEE as part of the US-41 / Collier Boulevard Intersection Improvement project (Project No. 60116) Fiscal Impact: \$5,205.50. Pg. 1349 - 1356
- 16.A.24. Recommendation to ratify and approve a stipulated Final Judgment as to the interest of Carrabba's Italian Grill, LLC, in Parcel 113FEE and Parcel 113TCE as part of the US-41 / Collier Boulevard Intersection Improvement project (Project No. 60116) Fiscal Impact: \$5,214. Pg. 1357 - 1365
- 16.A.25. Recommendation to ratify and approve a stipulated Final Judgment as to the interest of Regions Bank in Parcel 113FEE and Parcel 113TCE as part of the US-41 / Collier Boulevard Intersection Improvement project (Project No. 60116) Fiscal Impact: \$5,214. Pg. 1366 - 1374
- 16.A.26. Recommendation to ratify and approve a stipulated Final Judgment as to Parcels 109FEE, 109SWE1, 109SWE2 and 109TCE as part of the US-41 / Collier Boulevard Intersection Improvement project (Project No. 60116) Fiscal Impact: \$8,907.50. Pg. 1375 - 1394
- 16.A.27. Recommendation to ratify and approve two Stipulated Final Judgments as to Parcel 102FEE, et al, as part of the US-41 / Collier Boulevard Intersection Improvement project (Project No. 60116) Fiscal Impact: \$198.50 Pg. 1395 - 1421
- 16.A.28. Recommendation to approve award of Bid No. 12-5985 Fiber Optic Installation, Repair and Maintenance to primary contractor, Aztec Communications, Inc., and secondary contractor, SPE Utility Contractors, Inc., for an annual estimated expenditure of \$450,000, and authorize the Chairwoman to execute contracts to each. Pg. 1422 - 1452
- 16.A.29. Recommendation to recognize revenue from a multi-year Joint Participation Agreement between the Florida Department of Transportation and the Collier Metropolitan Planning Organization for Pg. 1453 - 1480

fixed route transit planning activities that includes Federal pass-through 49 USC § 5303 funding and to authorize necessary budget amendments for grant revenue in the amount of \$109,344 and a local match in the amount of \$12,150.

- 16.A.30. Recommendation to approve a Work Order with Humiston & Moore for Doctors Pass Maintenance Dredging engineering and construction support services for a not to exceed time and material amount of \$36,910, make a finding that this item promotes tourism, authorize the County Manager or his designee to execute the Work Order, and approve necessary budget amendments. Pg. 1481 - 1495
- 16.A.31. Recommendation to reinstate the Limerock Road Conversion Program (LRCP) in FY 2013 in the amount of \$276,500, and approve all necessary budget amendments. Pg. 1496 - 1501
- 16.A.32. Recommendation to approve and authorize the County Attorney's Office to retain consulting and expert witness services for Eminent Domain Litigation for the US-41/Collier Boulevard Intersection Improvement Project (Project No. 60116) in compliance with Section VII H of the Purchasing Policy. The estimated fiscal impact is approximately \$150,000 for three consulting firms. Pg. 1502 - 1506

16.B. COMMUNITY REDEVELOPMENT AGENCY

- 16.B.1. Recommendation that the Collier County Board of County Commissioners (BCC), as the Community Redevelopment Agency (CRA), approve an amendment to the previously approved Disaster Recovery Initiative (DRI) grant agreement between the BCC and the CRA. Pg. 1507 - 1512

16.C. PUBLIC UTILITIES DIVISION

- 16.C.1. Recommendation to approve a standard process for applicants seeking to convert from an individually metered potable water system to a master metered potable water system, at no cost to the Collier County Water-Sewer District. Pg. 1513 - 1538
- 16.C.2. Recommendation to authorize the purchase of a new Case 580N Backhoe from Trekker Tractor LLC, in the amount of \$65,050.07, utilizing the Florida Sheriffs Association State Contract #12-10-0905. Pg. 1539 - 2612
- 16.C.3. Recommendation to award Bid Number 13-6025 for purchase of cyber lock security access control components for public utilities facilities to E.A. Waetjen, Incorporated in an estimated annual amount of \$100,000. Pg. 2613 - 2647
- 16.C.4. Recommendation to approve and execute the document necessary to convey water infrastructure located at the Collier County Landfill, 3730 White Lake Blvd., Naples Florida, to the Collier County Water-Sewer District. Pg. 2648 - 2657

- 16.C.5. Recommendation to approve a Resolution authorizing an Appendix (Amendment Number 1) to an approved Utility Work by Highway Contractor Agreement with the Florida Department of Transportation. Pg. 2658 - 2675
- 16.C.6. Recommendation to approve a work order under Request For Quotation 08-5011-81 in the amount of \$494,886 to Mitchell & Stark Construction Co., Inc., to replace the aerators on Oxidation Ditch No. 3 under North County Water Reclamation Facility Technical Support Project Number 73968. Pg. 2676 - 2690
- 16.C.7. Recommendation to approve payment in the amount of \$21,647.81 to Higgins Construction, Inc., for repairs to the North County Water Reclamation Facility, Project Number 73968. Pg. 2691 - 2700
- 16.C.8. Recommendation to approve a work order for \$590,318.25 to Kyle Construction under Request for Quotation 08-5011-78 for Underground Utility Contracting Services for the Wastewater Pump Station 158.00 Rehabilitation Project, Project Numbers 70046 and 70051. Pg. 2701 - 2714
- 16.C.9. Recommendation to approve a Mediated Settlement Agreement prior to trial in the lawsuit entitled Collier County v. John Reynolds & Sons, Inc., et al., Case No. 10-6658-CA, filed in the Twentieth Judicial Circuit in and for Collier County, Florida (Consolidated with Case No. 10-6670-CA), which settlement includes payment to the Board of County Commissioners, as Ex-Officio the Governing Board of the Collier County Water Sewer District, in the total amount of \$4,500,000 paid by John Reynolds & Sons, Inc., Ferguson Enterprises, Inc., Hazen and Sawyer, P.C./Hole Montes, Inc. and Greeley and Hansen, LLC, an Addendum No. 1 to the Mediated Settlement Agreement, and to authorize the Chairwoman to execute the Mediated Settlement Agreement and Addendum No. 1. Pg. 2715 - 2731

16.D. PUBLIC SERVICES DIVISION

- 16.D.1. Recommendation to approve releases of lien of Collier County impact fees, Collier County Immokalee Residential impact fees and Collier County State Housing Initiatives Partnership (SHIP) impact fees for owner occupied affordable housing dwelling units that have been repaid in full. Pg. 2732 - 2774
- 16.D.2. Recommendation to approve one (1) satisfaction of mortgage for State Housing Initiatives Partnership Program (SHIP) in accordance with the Board's Short Sale Policy, accepting \$2,295 to satisfy a \$38,250 mortgage. Pg. 2775 - 2784
- 16.D.3. Recommendation to approve three (3) mortgage satisfactions for the State Housing Initiatives Partnership (SHIP) loan in the combined amount of \$50,444.50. Pg. 2785 - 2803
- 16.D.4. Recommendation to approve two (2) Agreements with the District School Board of Collier County for transportation services for county recreation program participants at an estimated annual cost of \$40,000. Pg. 2804 - 2812

- 16.D.5. Recommendation to approve an after-the-fact grant application for a 3 year FY2013-2014 U.S. Department of Health and Human Services Substance Abuse and Mental Health Services Administration (SAMHSA) grant for expansion of Drug Court programs (Fiscal Impact \$835,370 over 3 years). Pg. 2813 - 2935
- 16.D.6. Recommendation to award Invitation to Bid (ITB) #13-6028 "Lely Golf Estates MSTU Roadway Grounds Maintenance" to Florida Land Maintenance, Inc. d/b/a Commercial Land Maintenance Inc. and authorize the Chairwoman to sign the County Attorney approved contract. Pg. 2936 - 2957
- 16.D.7. Recommendation to request authorization to advertise and bring back an Ordinance amending Collier County Ordinance No. 96-84, as amended (The Radio Road Beautification Municipal Service Taxing Unit), to incorporate provisions to facilitate improvements to the Rich King Memorial Greenway within the MSTU boundaries. Pg. 2958 - 2963
- 16.D.8. Recommendation to adopt by Resolution, an amendment to the State Housing Initiative Partnership (SHIP) program 2010-11, 2011-12,-2012-13 Local Housing Assistance Plan (LHAP) and approve funding allocation in the amount of \$150,000 for an owner occupied rehabilitation program, and approve all necessary budget amendments. Pg. 2964 - 3014
- 16.D.9. Recommendation to approve an after-the-fact amendment between Collier County and the Area Agency on Aging for Southwest Florida, Inc. d/b/a Senior Choices of Southwest Florida to amend the effective date of the unit rate increase per meal served in the Nutritional Services Incentive Program (NSIP) for FY 2012/2013. Pg. 3015 - 3019
- 16.D.10. Recommendation to approve nine (9) substantial amendments amending previous Annual Action Plans for the purpose of recognizing and reprogramming unspent U.S. Department of Housing and Urban Development (HUD) Community Development Block Grant (CDBG) and HOME Partnership Investment (HOME) funds in the aggregate amount of \$2,771,188.90 and approve any necessary budget amendments. This item is a companion to Item 16D11. Pg. 3020 - 3049
- 16.D.11. Recommendation to approve eight (8) Subrecipient Agreements for the Community Development Block Grant (CDBG) projects previously approved for U.S. Department of Housing and Urban Development (HUD) funding in Amended Action Plans between FY2004-2005 and FY2012-2013 approved by the Board on May 14, 2013. This item is a companion to Item 16D10. Pg. 3050 - 3280
- 16.D.12. Recommendation to approve Change Order #5 in the amount of \$26,991.55 and time extension to Contract #12-5878 Radio Road East MSTU Landscape & Irrigation Project for Hannula Landscape and Irrigation, Inc. and approve budget amendments. Pg. 3281 - 3296
- 16.D.13. Recommendation to approve an after-the-fact amendment between Collier County and the Area Agency on Aging for Southwest Florida, Inc. d/b/a Pg. 3297 - 3305

Senior Choices of Southwest Florida (Senior Choices) and budget amendment that reflects a decrease of grant funding in the amount of \$1,689 in the Nutritional Services Incentive Program (NSIP) for FY 2012/2013.

- 16.D.14. Recommendation to approve the necessary budget amendment to recognize revenue received from the State Aid to Libraries Grant in the amount of \$208,420. Pg. 3306 - 3310
- 16.D.15. Recommendation to authorize the County Attorney to file a lawsuit on behalf of the Collier County Board of County Commissioners, against Custom Industries of Naples, Inc., in the Circuit Court of the Twentieth Judicial Circuit in and for Collier County, Florida, and pursue all other avenues of collection to recover materials and services paid for in full by Collier County Parks and Recreation, in the amount of \$20,490, plus the costs of litigation. Pg. 3311 - 3314
- 16.E. ADMINISTRATIVE SERVICES DIVISION
- 16.E.1. Recommendation to approve a Memorandum of Understanding between Collier County and Amateur Radio Association of Southwest Florida in support of Emergency Management activities related to natural and manmade hazards emergency response. Pg. 3315 - 3320
- 16.E.2. Recommendation to approve Amendment #1 to a contract with Turbomeca USA for helicopter maintenance support and authorize the Chairwoman to sign the agreement. Pg. 3321 - 3355
- 16.E.3. Recommendation to approve a License Agreement with Naples Seventh-Day Adventist Church for use of parking spaces for the public to access the Rich King Greenway. Pg. 3356 - 3363
- 16.E.4. Recommendation to approve proposed amendments to Ordinance No. 04-52, as amended, Criminal History Record Checks and authorize Staff to advertise the amendments and return to the Board for final approval. Pg. 3364 - 3374
- 16.E.5. Recommendation to approve a Lease and License Agreement with East Naples United Methodist Church, Inc., a Florida Non Profit Corporation, for the continued use of the parking area located in the northern most portion of the Government Center. Pg. 3375 - 3384
- 16.E.6. Recommendation to approve the sole source purchase of 14 replacement ambulance cots from Ferno in the amount of \$67,274 plus shipping and approve a budget amendment. Pg. 3385 - 3390
- 16.E.7. Recommendation to retroactively approve the competitively solicited US Communities contract MA-IS-1340234 with Graybar Electrical. Pg. 3391 - 3628
- 16.E.8. Recommendation to ratify Property, Casualty, Workers' Compensation and Subrogation Claims settled and/or closed by the Risk Management Director Pg. 3629 - 3647

pursuant to Resolution # 2004-15 for the second quarter of FY13.

- 16.E.9. Recommendation to authorize the County Attorney to file a lawsuit on behalf of the Collier County Board of County Commissioners, against the Kirk Family Trust, which contains as its res, 3 Las Brisas Way, Naples, Florida, c/o Allen Kirk, Trustee, and Kathleen Corbett Kirk, Trustee, and the Las Brisas Neighborhood Association, Inc., in the Circuit Court of the Twentieth Judicial Circuit in and for Collier County, Florida, to recover damages to the County's main gravity line, at the location of the property, in the amount of \$37,987.95, plus the costs of suit. Pg. 3658-3661
- 16.E.10. Recommendation to award Bid #13-6088 Surplus Sale of Fare Boxes and Counters. Pg. 3662 - 3671
- 16.E.11. Recommendation to accept reports and ratify staff-approved change orders and changes to work orders. Pg. 3672 - 3699
- 16.E.12. Recommendation to approve and authorize the Chairwoman to sign the Collier County Government Equal Employment Opportunity Plan. Pg. 3700 - 3714
- 16.E.13. Recommendation to approve the award of ITB #13-6058, "Filters for Fleet Vehicles," to Sam Galloway Ford, Inc. as primary vendor, and; Uni-Select USA, Inc., and Sunbelt Automotive, Inc. d/b/a NAPA Auto Parts, as secondary vendors. Pg. 3715 - 3749
- 16.F. COUNTY MANAGER OPERATIONS
- 16.F.1. Recommendation to approve the Collier County 2013 Federal Legislative Agenda and policy priorities. Pg. 3750 - 3765
- 16.F.2. Recommendation to adopt a resolution approving amendments (appropriating grants, donations, contributions or insurance proceeds) to the Fiscal Year 2012-13 Adopted Budget. Pg. 3766 - 3769
- 16.F.3. Recommendation to approve a report covering a budget amendment impacting reserves in an amount up to and including \$16,000 and budget amendment moving funds. Pg. 3770 - 3772
- 16.F.4. Recommendation to determine that the latest public petition submitted by Randall Cohen is a repetitive Public Petition, per County Resolution 2010-87. Pg. 3773 - 3781
- 16.F.5. Recommendation to determine that the latest public petition submitted by Charles Minard is a repetitive Public Petition, per County Resolution 2010-87. Pg. 3782 - 3786
- 16.G. AIRPORT AUTHORITY
- 16.H. BOARD OF COUNTY COMMISSIONERS
- 16.H.1. Proclamation recognizing May 25, 2013 as National Missing Children's Day Pg. 3787 -

in support of the National Center for Missing & Exploited Children's (NCMEC) 3788
Take 25 campaign. Proclamation to be sent to the NCMEC regional office.
Sponsored by the Board of County Commissioners.

16.H.2. Commissioner Fiala requests Board approval for reimbursement regarding Pg. 3789 -
attendance at a function serving a Valid Public Purpose. To attend the 16th 3791
Annual Scripps Howard Foundation National Journalism Awards Dinner on
May 9, 2013. The sum of \$128 to be paid from Commissioner Fiala's travel
budget.

16.H.3. Commissioner Henning requests Board approval for reimbursement Pg. 3792 -
regarding attendance at a function serving a Valid Public Purpose. To 3795
attend/Attended the 11th Annual Tourism Star Awards Luncheon on May 8,
2013. The sum of \$30 to be paid from Commissioner travel budget.

16.I. MISCELLANEOUS CORRESPONDENCE

16.J. OTHER CONSTITUTIONAL OFFICERS

16.J.1. To obtain Board approval for disbursements for the period of April 11, 2013 Pg. 3796 -
through April 17, 2013 and for submission into the official records of the 3809
Board.

16.J.2. To obtain Board approval for disbursements for the period of April 18, 2013 Pg. 3810-
through April 24, 2013 and for submission into the official records of the 3824
Board.

16.J.3. Recommendation that the Board accept the investment status update report Pg. 3825 -
for the quarter ending March 31, 2013. 3829

16.J.4. Recommendation to approve the seventeenth year State Criminal Alien Pg. 3830 -
Assistance Program (SCAAP) letter delegating authority to Sheriff Kevin 3834
Rambosk to be the official grant applicant and contact person, or his
designee, and to receive and expend the payment of the seventeenth year of
State Criminal Alien Assistance Program (SCAAP) grant funds.

16.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.

17.A. Recommendation to consider an Ordinance of the Board of County Commissioners of Pg. 3835 -
Collier County, Florida, an Ordinance amending Ordinance Number 2009-15, The 3908

Heavenly CFPUD, to revise the accessory uses to increase the maximum grade level for a school from third grade to eighth grade; and to replace all references to third grade with eighth grade in the developer commitments for property located in Section 3, Township 49 South, Range 25 East, Collier County, Florida consisting of 15.93± acres; and by providing an effective date.

- 17.B. This item requires that ex parte disclosure be provided by Commission members. Pg. 3909 -
Should a hearing be held on this item, all participants are required to be sworn in. 4192
An Ordinance of the Board of County Commissioners of Collier County, Florida amending Ordinance Number 2007-46, as amended, the Wolf Creek Residential Planned Unit Development, PUDZA-PL20120000650, by increasing the permissible number of dwelling units from 671 to 754; by amending Ordinance Number 2004-41, the Collier County Land Development Code by amending the appropriate zoning atlas map or maps by changing the zoning classification of an additional 5± acres of land from RMF-6(4) Scenic Woods Rezone to the Wolf Creek RPUD and by changing the zoning classification of an additional 16± acres from Palermo Cove PUD to Wolf Creek PUD; by revising the development standards; by adding Exhibit A-1, the amended Master Plan for parcels 1A through 3A; by adding Exhibit "D", Private Road Cross-Section for Parcels 1A through 3A; by adding Table II, Development Standards for Parcels 1A through 3A; and by adding deviations and revising developer commitments. The subject property is located on the north side of Vanderbilt Beach Road (C.R. 862) approximately one-half mile west of Collier Boulevard (C.R. 951) in Section 34, Township 48 South, Range 26 East, Collier County, Florida consisting of 189± acres; providing for repeal of Ordinance Number 2007-03, the Scenic Woods Rezone; and by providing an effective date. (Companion to PUDZA-PL20120000680: Palermo Cove PUD)
- 17.C. This item requires that ex parte disclosure be provided by Commission members. Pg. 4193 -
Should a hearing be held on this item, all participants are required to be sworn in. 4409
An Ordinance of the Board of County Commissioners of Collier County, Florida amending Ordinance Number 04-41, 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 removing approximately 16 acres from the Palermo Cove Residential Planned Unit Development (RPUD); and by changing the zoning classification of the herein described real property from a RPUD zoning district to a RPUD zoning district for a project known as the Palermo Cove RPUD, PUDZA-PL20120000680, by revising project development standards, adding deviations, adopting a new conceptual master plan, revising developer commitments and reducing the permitted number of dwelling units from 564 to 237 on property located north of Wolfe Road and west of Collier Boulevard (C.R. 951) in Section 34, Township 48 South, Range 26 East, Collier County, Florida, consisting of 115± acres; providing for the repeal of Ordinance Numbers 2005-34 and 2006-30, the former Palermo Cove RPUD; and by providing an effective date. (Companion to PUDZA-PL20120000650: Wolf Creek PUD)
- 17.D. Recommendation to approve two proposed Land Development Code amendments to Pg. 4410 -
section 5.05.08. The first is to subsection 5.05.08 C.9 to allow freestanding buildings and buildings located on outparcels within a Planned Unit Development or a 4423
common ownership development to have one secondary façade. Further, to amend subsection 5.05.08 F, to allow buildings within Planned Unit Developments to seek

an architectural deviation through the Architectural Deviations and Alternate Compliance process identified within the Land Development Code.

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| 17.E. Recommendation to repeal and replace the Animal Control Ordinance (Ordinance No. 2008-51, as amended). | Pg. 4424 - 4482 |
| 17.F. Recommendation to adopt an ordinance, to be known as "Collier County Attorney's Ordinance." | Pg. 4483 - 4533 |
| 17.G. Recommendation to adopt an ordinance amending Ordinance No. 2003-53, as amended, the "Collier County Ethics Ordinance." | Pg. 4534 - 4554 |
| 17.H. Recommendation to adopt an ordinance amending Ordinance No. 76-48, as amended, to permit dogs on leashes within designated county parks. | Pg. 4555 - 4561 |
| 17.I. Recommendation to adopt an ordinance amending Ordinance No. 93-72, as amended, the "Collier County Administrator's Ordinance." | Pg. 4562 - 4569 |
| 17.J. Recommendation to approve an ordinance providing for an additional homestead exemption for certain qualifying senior citizens pursuant to passage of Florida Constitutional Amendment 11 on November 6, 2012. | Pg. 4570 - 4578 |

18. ADJOURN

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