

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

January 28, 2014

9:00 AM

Tom Henning - BCC Chairman; BCC Commissioner, District 3

Tim Nance - BCC Vice-Chairman, District 5

Donna Fiala - BCC Commissioner, District 1; CRAB Chairman

Georgia Hiller - BCC Commissioner, District 2

Fred W. Coyle - BCC Commissioner, District 4; CRAB Vice-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 Facilities Management Department.

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

1. **INVOCATION AND PLEDGE OF ALLEGIANCE**
 - 1.A. **Reverend Dawson Taylor - Naples United Church of Christ** Pg. 1 - 1
2. **AGENDA AND MINUTES**
 - 2.A. **Approval of today's regular, consent and summary agenda as amended (Ex Parte Disclosure provided by Commission members for consent and summary agenda.)**
 - 2.B. **December 3, 2013 - BCC/Economic Development for Rural Areas in the County/Sports Marketing and Event Promotion Workshop**
3. **SERVICE AWARDS**
4. **PROCLAMATIONS**
 - 4.A. **Proclamation recognizing the 50th Anniversary of Del's 24 Hour Food Store. To be accepted by Del Ackerman. Sponsored by Commissioner Fiala.** Pg. 2 - 3
 - 4.B. **Proclamation designating February 13, 2014 as Macedonia Missionary Baptist Church Day in honor of its 85th Anniversary. To be accepted by Reverend Lonnie E. Mills, Betty Adkins, Irene Williams, Sylvester Cotton, Tangie Burns and Voncile Whitaker. Sponsored by the Board of County Commissioners.** Pg. 4 - 5
 - 4.C. **Proclamation recognizing Building Homes for Heroes for its generous donation of a mortgage free home to Army Sergeant Brent Hernandez in honor of his service to our nation. To be accepted by Kim Valdyke, Sgt. Brent Hernandez and Kathi Kilburn. Sponsored by Commissioner Hiller.** Pg. 6 - 7
 - 4.D. **Proclamation recognizing the Big Cypress Basin Office of the South Florida Water Management District and County staff for their outstanding teamwork and cooperation to reduce flooding for Collier County residents during the summer of 2013. To be accepted by Rick Barber, Chairman, Big Cypress Basin Board; Lisa Koehler, Administrator, Big Cypress Basin; Chris Doherty, Field Station Supervisor, Big Cypress Basin; Nick Casalanguida, Administrator, Growth Management Division; Gerald Kurtz, Surface Water and Environmental Planning; John Vliet, Director, Road Maintenance; and Travis Gossard, Superintendent, Road Maintenance. Sponsored by Commissioner Nance.** Pg. 8 - 9
5. **PRESENTATIONS**
 - 5.A. **Recommendation to recognize Corey Ford, Technical Support Professional, Sr., as the Employee of the Year for 2013.** Pg. 10 - 12
6. **PUBLIC PETITIONS**
7. **PUBLIC COMMENTS ON GENERAL TOPICS NOT ON THE CURRENT OR FUTURE AGENDA**

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

8. BOARD OF ZONING APPEALS

Item 8 to be heard no sooner than 1:30 pm unless otherwise noted.

9. ADVERTISED PUBLIC HEARINGS

Item 9 to be heard no sooner than 1:30 pm unless otherwise noted.

- 9.A. Recommendation to approve an Ordinance amending Ordinance Number 97-70, the Pelican Lake Planned Unit Development, to allow on a recreational vehicle lot an accessory structure with up to 350 square feet of area for cooking, laundry, storage or recreational activities. The subject property is located on the east side of Collier Boulevard (SR-951) in Section 15, Township 51 South, Range 26 East, Collier County, Florida, consisting of 101.3+/- acres. (Petition number PUDA-PL20130000476)** Pg. 13 - 70

10. BOARD OF COUNTY COMMISSIONERS

- 10.A. Appointment of members to the La Peninsula MSBU Advisory Board.** Pg. 71 - 110
- 10.B. Appointment of member to the Collier County Code Enforcement Board.** Pg. 111 - 120

11. COUNTY MANAGER'S REPORT

- 11.A. Recommendation to consider options for improved EMS response times throughout Collier County. (Chief Walter Kopka, EMS)** Pg. 121 - 129
- 11.B. Recommendation to approve a Memorandum of Understanding (MOU) with North Naples Fire Control and Rescue District (NNFD) that identifies a plan to develop an integrated building plan review and inspection platform that better serves our citizens and mutual customers. (Nick Casalanguida, Growth Management Administrator)** Pg. 130 - 222
- 11.C. Recommendation to approve the draft letter, directed by the Board, requesting that the City of Marco Island initiates a plan to repair Goodland Road (CR 92A). (Nick Casalanguida, Growth Management Administrator)** Pg. 223 - 231
- 11.D. Recommendation to reject an offer received from Asset Recovery XVIII, LLC for the sale of 305 acres immediately adjacent to the Collier County Landfill. (Toni Mott, Real Property Manager)** Pg. 232 - 257
- 11.E. Recommendation to approve the Purchasing Manual; authorize the use of a County Attorney approved standard purchase order delegated to the County Manager and executed by the Purchasing Director for the general procurement of goods and services; and, delegate the signature authority to the County Manager and executed by the Purchasing Director for County Attorney approved non-standard vendor agreements for goods and services up to \$50,000 and approved annual cooperative contracts [Section 18B] which are reported and approved per Section Seven of the Purchasing Ordinance. (Len Price, Administrative Services Administrator)** Pg. 258 - 309

11.F. Recommendation to approve the ranked lists of firms for Request for Proposal (RFP) 13-6164, Professional Services: Architect and Engineering and direct staff to bring negotiated contracts with the top ranked firms identified on the attached discipline sheets to the Board for subsequent approval. (Len Price, Administrative Services Administrator) Pg. 310 - 376

12. COUNTY ATTORNEY'S REPORT

12.A. Recommendation to direct the County Attorney to accept the jury award and Final Judgments in the eminent domain case styled Collier County v. RTG, LLC, et al., Case No. 10-CA-00259, for the taking of Parcels 116FEE, 116TCE1, 116TCE2, and 116TCE3 for the intersection improvements at US 951 (Collier Blvd.) and US 41 (Project No. 60116). Fiscal Impact: \$5,524,050. Pg. 377 - 404

13. OTHER CONSTITUTIONAL OFFICERS

14. AIRPORT AUTHORITY AND/OR COMMUNITY REDEVELOPMENT AGENCY

14.A. AIRPORT

14.B. COMMUNITY REDEVELOPMENT AGENCY

15. STAFF AND COMMISSION GENERAL COMMUNICATIONS

15.A. Current BCC Workshop Schedule Pg. 405 - 406

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 authorize the Clerk of Courts to release a Letter of Credit in the amount of \$52,710 which was posted as a development guaranty for work associated with Sabal Bay Commercial Plat - Phase 4, AR-13453. Pg. 407- 411

16.A.2. Recommendation to approve a release of lien in the amount of \$280,224.79 for payment of \$1,074.79, in the Code Enforcement Action entitled Board of County Commissioners vs. Innovation Construction & Development, LLC, Code Enforcement Board Case No. CEB 2004-75, relating to property located at 219 2nd Street South, Immokalee, Collier County, Florida. Pg. 412 - 416

- 16.A.3. 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 Maple Ridge at Ave Maria Phase 2, (Application Number PPL-PL20130001594) approval of the standard form Construction and Maintenance Agreement and approval of the amount of the performance security. Pg. 417 - 434**
- 16.A.4. Recommendation to approve the transfer of the Goodland Isles, Inc. Utility Franchise to the Coon Key Pass Fishing Village Condominium Association, Inc., a Florida non-profit corporation, in accordance with Ordinance 96-06, as amended, "Section 1-19. Application for Transfer of Franchise Certification, Facilities or Control, (E) Transfer to Homeowners' Association." Pg. 435 - 446**
- 16.B. COMMUNITY REDEVELOPMENT AGENCY**
- 16.C. PUBLIC UTILITIES DIVISION**
- 16.D. PUBLIC SERVICES DIVISION**
- 16.D.1. Recommendation to approve the Student School Year Agreement with the District School Board of Collier County for transportation services for County recreation program participants at an estimated annual cost of \$5,000. Pg. 447 - 453**
- 16.D.2. Recommendation to approve the selection committee rankings, and to authorize entering into contract negotiations for Request for Proposal No. 13-6178 For CEI Services for Vanderbilt Beautification MSTU. Pg. 454 - 495**
- 16.D.3. Recommendation to approve an annual Maintenance Agreement with Innovative Interfaces, Inc. for Sierra software for library system operations support, request that the Board waive the formal competitive threshold pursuant to Ord. No. 13-69, Section 9(B)(2), and authorize the Chairman to sign the County Attorney approved agreement. Pg. 496 - 502**
- 16.D.4. Recommendation to approve the submittal of a grant application for the 2013/2014 Federal Highway Administration (FHWA) Flexible Funds for the construction of improvements to the Collier Area Transit Administration, Operations & Maintenance facility in the amount of \$1,186,348 through the Federal Transit Administration (FTA) Transportation Electronic Award Management (TEAM) System. Pg. 503 - 515**
- 16.D.5. Recommendation to approve a Resolution superseding Resolution No. 2013-28 establishing New Bike Locker Rental Fees, Policies and Procedures at the Collier Area Transit Intermodal Transfer Facility located at the Government Center. Pg. 516 - 526**
- 16.D.6. Recommendation to execute the attached Supplemental Agreement to the Joint Participation Agreement (JPA) between the Florida Department of Transportation (FDOT) and Collier County to amend the Disadvantaged Business Enterprise language for Contract AQQ16. Pg. 527 - 536**

- 16.D.7. Recommendation to execute the attached Supplemental Agreement to the Joint Participation Agreement (JPA) between the Florida Department of Transportation (FDOT) and Collier County to amend the Disadvantaged Business Enterprise language for Contract AQQ85. Pg. 537 - 546
- 16.D.8. Recommendation to execute the attached Supplemental Agreement to the Joint Participation Agreement (JPA) between the Florida Department of Transportation (FDOT) and Collier County to amend the Disadvantaged Business Enterprise language for Contract AQR01. Pg. 547 - 556
- 16.D.9. Recommendation to amend the State/Federal Subordination Loan Policy to allow future subordination requests to include impact fee deferral liens. Pg. 557 -561
- 16.D.10. Recommendation to approve an Amended and Restated Access Easement Agreement with Headwaters Development Limited Liability Limited Partnership, LLLP to provide for developer improvements to an access roadway over County property associated with the Gordon River Greenway Project and authorize a budget amendment recognizing revenue in the amount of \$140,365.20; Project No. 80065.1 Pg. 562 - 571
- 16.D.11. Recommendation to approve a budget amendment in the amount of \$87,000 from Tourist Development Council (TDC) Park Beach Facilities Fund (183) reserves to make piling repairs to the Clam Pass Boardwalk drawbridge, and make a finding that this project supports tourism. Pg. 572 - 575
- 16.D.12. Recommendation to approve a subrecipient agreement implementing the FY2013-2014 Annual Action Plan by utilizing U.S. Housing and Urban Development (HUD) Community Development Block Grant (CDBG) funds for Habitat for Humanity - Faith Landing Infrastructure Project (Fiscal Impact \$500,000). Pg. 576 - 610
- 16.D.13. Recommendation to approve and execute the documents necessary to convey an easement to Lee County Electric Cooperative, Inc. on County property at Tigertail Beach; Project No. 90093. Pg. 611 -618
- 16.D.14. Recommendation to approve Third Amendment to Agreement with the Collier County Housing Authority, Inc. (CCHA) for a Tenant Based Rental Assistance Project to extend the project completion date . Pg. 619 - 625
- 16.E. ADMINISTRATIVE SERVICES DIVISION
- 16.E.1. Recommendation to approve a Second Amendment to Parking License Agreement with Vanderbilt Real Estate Holdings, LP, for temporary parking for beach maintenance equipment. Pg. 626 -636
- 16.E.2. Recommendation to approve additions, deletions, and reclassifications to the 2014 Fiscal Year Pay and Classification Plan made from October 1, 2013 through December 31, 2013. Pg. 637 - 641

- 16.E.3. Recommendation to recognize \$2,739 in revenue due to the on-line auction sale of two 2004 Suzuki outboard motors and approve the necessary budget amendment for the Ochopee Fire Control District for the purpose of replacing fire/rescue equipment. Pg. 642 - 644
- 16.E.4. Recommendation to award Request for Proposal (RFP) 13-6163 Security Services to G4S Secure Solutions, Inc. (USA) for courthouse and government security services and authorize the Chairman to execute a County Attorney approved agreement. Pg. 645 - 704
- 16.F. COUNTY MANAGER OPERATIONS
- 16.G. AIRPORT AUTHORITY
- 16.H. BOARD OF COUNTY COMMISSIONERS
- 16.H.1. Appointment of member to the Parks and Recreation Advisory Board. Pg. 705 - 715
- 16.H.2. Appointment of members to the Pelican Bay Services Division Board. Pg. 716 - 730
- 16.H.3. Request by Commissioner Hiller for Reconsideration of Item 6A from the January 14, 2014 BCC meeting titled: Public Petition request from Jared Grifoni representing the Libertarian Party of Collier County, requesting that the Board of County Commissioners rescind Ordinance 2013-70 which established the La Peninsula Seawall Municipal Service Benefit Unit (MSBU) and rescind Resolution 2013-292 which established a special assessment for funding the seawall improvements. Both Ordinance 2013-70 and Resolution 2013-292 were adopted by the Board of County Commissions on December 10, 2013. Pg. 731 - 746
- 16.H.4. Recommendation to adopt a Resolution removing a member from the Black Affairs Advisory Board and to declare the member's seat to be vacant. Pg. 747 - 762
- 16.H.5. Recommendation to declare the attendance by Commissioner(s) and staff at the Florida Association of Counties Legislative Day Conference, March 26-28, 2014, to be a valid public purpose. Pg. 763 - 765
- 16.H.6. Commissioner Fiala requests Board approval for reimbursement regarding attendance at a function serving a Valid Public Purpose. Will attend the Marco Island Police Foundation Luncheon on February 6, 2014. The sum of \$20 to be paid from Commissioner Fiala's travel budget. Pg. 766 - 768
- 16.H.7. Commissioner Fiala requests Board approval for reimbursement regarding attendance at a function serving a Valid Public Purpose. Attended the Columbiettes Winter Wonderland Dinner Dance on January 25, 2014. The sum of \$40 to be paid from Commissioner Fiala's travel budget. Pg. 769 - 771

- 16.H.8. Commissioner Fiala requests Board approval for reimbursement regarding attendance at a function serving a Valid Public Purpose. Will attend the Naples Lakes Book Club Discussion on February 13, 2014. The sum of \$12 to be paid from Commissioner Fiala's travel budget. Pg. 772 - 774
- 16.H.9. Commissioner Fiala requests Board approval for reimbursement regarding attendance at a function serving a Valid Public Purpose. Will attend the Marco Island Center for The Arts Rhapsody in Black on February 9, 2014. The sum of \$70 to be paid from Commissioner Fiala's travel budget. Pg. 775 - 777
- 16.H.10. Commissioner Fiala requests Board approval for reimbursement regarding attendance at a function serving a Valid Public Purpose. Will attend the Let The Fun Times Roll at Mardi Gras on February 28, 2014. The sum of \$100 to be paid from Commissioner Fiala's travel budget. Pg. 778 - 780
- 16.H.11. Commissioner Fiala requests Board approval for reimbursement regarding attendance at a function serving a Valid Public Purpose. Will attend the Naples Zoo Cocktails & Cockatoo on February 8, 2014. The sum of \$75 to be paid from Commissioner Fiala's travel budget. Pg. 781- 783
- 16.I. MISCELLANEOUS CORRESPONDENCE
- 16.J. OTHER CONSTITUTIONAL OFFICERS
- 16.J.1. To obtain Board approval for disbursements for the period of January 3, 2014 to January 9, 2014 and for submission into the official records of the Board. Pg. 784 - 797
- 16.J.2. To obtain Board approval for disbursements for the period of January 10, 2014 to January 16, 2014 and for submission into the official records of the Board. Pg. 798 - 812
- 16.J.3. Recommendation to approve and authorize the Chairman to sign an Agreement Authorizing the Collier County Sheriff's Office to have Traffic Control Jurisdiction over Private Roads within the Tarpon Bay Subdivision. Pg. 813 - 828
- 16.J.4. Recommendation that the Board accepts the investment update report for the quarter ended December 31, 2013. Pg. 829 - 833
- 16.K. COUNTY ATTORNEY
- 16.K.1. Recommendation to approve an Assumption Agreement substituting the law firm of Baker, Donelson, Bearman, Caldwell & Berkowitz, P.C., for the law firm FEMA Law Associates, PLLC, in the Retention Agreement dated December 11, 2012; and authorize staff to open a Purchase Order in an amount not to exceed \$15,000. Pg. 834- 854
- 16.K.2. Recommendation to approve Amendment to Agreement for Legal Services relating to Retention Agreement Hahn Loeser & Parks, LLP. extending the expiration date to February 9, 2016. There is no new fiscal impact associated with this Amendment. Pg. 855 - 878

16.K.3. Recommendation that the Board of County Commissioners approves and authorizes the Chair to execute the proposed Collier County Emergency Services Medical Director Agreement with Dr. Tober. Pg. 879 - 942

16.K.4. Recommendation that the Board of County Commissioners adopts the attached Resolution confirming the January 14, 2014 appointments of the Chair and Vice-Chair of the Board of County Commissioners, and various other Boards, and repeals Resolution No. 2013-291, which is in part in conflict with such appointments. Pg. 943 - 950

17. SUMMARY AGENDA

This section is for advertised public hearings and must meet the following criteria: 1) A recommendation for approval from staff; 2) Unanimous recommendation for approval by the Collier County Planning Commission or other authorizing agencies of all members present and voting; 3) No written or oral objections to the item received by staff, the Collier County Planning Commission, other authorizing agencies or the Board, prior to the commencement of the BCC meeting on which the items are scheduled to be heard; and 4) No individuals are registered to speak in opposition to the item. For those items which are quasi-judicial in nature, all participants must be sworn in.

- 17.A. This item 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 an Ordinance of the Board of County Commissioners of Collier County, Florida amending Ordinance Number 92-7, the R. Roberts Estate PUD, and amending Ordinance Number 2004-41, as amended, the Collier County Land Development Code which includes the comprehensive zoning regulations for the unincorporated area of Collier County, Florida by amending the appropriate zoning atlas map or maps; by changing the zoning designation of 3.2 acres of land from Residential Single Family-3 (RSF-3) to R. Roberts Estate Mixed Use Planned Unit Development; by increasing the size of Tract A of the PUD by 3 acres, from 5.9 ± acres to 8.9 ± acres; by changing the permitted uses on Tract A from single family residential to up to 50,000 square feet of gross floor area of institutional and professional office uses; by revising Section I, Property Description; by revising Development Standards and Developer Commitments for the PUD located on the south side of Roberts Avenue and north and east of SR-29 in Section 4, Township 47 South, Range 29 East, Collier County Florida consisting of 42 ± acres; and by providing an effective date. (Petition number PUDA-PL20130000052)** Pg. 951 - 1054
- 17.B. Recommendation to adopt a resolution approving amendments (appropriating carry forward, transfers and supplemental revenue) to the Fiscal Year 2013-14 Adopted Budget.** Pg. 1055 - 1057
- 17.C. Recommendation that the Board of County Commissioners accepts the amendments to Ordinance 87-5, Incentives for Job Related Achievement as advertised, adding an award for employees who are retiring under the Florida Retirement System with at least 5 years of County service.** Pg. 1058 - 1066

18. ADJOURN

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