

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 28, 2014

9:00 AM

Commissioner Tom Henning, District 3 - BCC Chair
Commissioner Tim Nance, District 5 - BCC Vice-Chair; TDC Chair
Commissioner Donna Fiala, District 1 - CRAB Chair
Commissioner Georgia Hiller, District 2 - Community & Economic Development Chair
Commissioner Fred W. Coyle, District 4 - CRAB Vice-Chair

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. **Pastor Jim Thomas - East Naples United Methodist Church** **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 agenda.)**
 - 2.B. **September 23, 2014 - BCC/Regular Meeting**
 - 2.C. **October 7, 2014 - BCC/Bicycle Safety Workshop**
3. **SERVICE AWARDS**
4. **PROCLAMATIONS**
 - 4.A. **Proclamation recognizing the Red Sox Foundation and the Home Base Program and its mission to heal the invisible wounds of war for post service members, 9/11 veterans, and their families. To be accepted by General (Ret) Frederick M. Franks, Jr. Sponsored by Commissioner Hiller.** **Pg. 2 - 3**
 - 4.B. **Proclamation declaring November 15, 2014 as Florida Panther Festival Day. To be accepted by Tom Trotta, Friends of the Florida Panther Refuge and Brad Cornell, Audubon Society. Sponsored by Commissioner Nance.** **Pg. 4 - 5**
 - 4.C. **Proclamation designating November 9-15, 2014 as Perioperative Nurse Week. To be accepted by Linda L Savage, Florida Council of Perioperative Registered Nurses (FCORN) and President of Shellcoast Association of Perioperative Registered Nurses; Harriet Garman, member of Board of Directors and Education Chair of FCORN. Sponsored by Commissioner Henning.** **Pg. 6 - 7**
 - 4.D. **Proclamation designating November 15-23, 2014 as Hunger and Homelessness Awareness Week. To be accepted by Angela Fisher, Executive Director, Collier County Hunger and Homeless Coalition. Sponsored by the Board of County Commissioners.** **Pg. 8 - 9**
 - 4.E. **Proclamation designating October 2014 as the 40th Anniversary of the Big Cypress National Preserve. To be accepted by Pedro Ramos, Big Cypress National Preserve Superintendent. Sponsored by Commissioner Nance.** **Pg. 10 - 11**
5. **PRESENTATIONS**
 - 5.A. **Recommendation to recognize Becky Erickson, Accounting Technician, Facilities Management, as the Employee of the Month for September 2014.** **Pg. 12 - 14**
 - 5.B. **Presentation to the Board regarding Collier County's readiness position regarding the Ebola threat. Presented by Dan Summers, Bureau of Emergency Services.** **Pg. 15 - 15**

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 consider an ordinance amending Ordinance number 04-41, as amended, the Collier County Land Development Code, which includes the comprehensive land regulations for the unincorporated area of Collier County, Florida, by providing for: Section One, Recitals; Section Two, Findings of Fact; Section Three, Adoption of Amendments to the Land Development Code, more specifically amending the following: Chapter 1 - General Provisions, including Section 1.08.02 Definitions; Chapter Two - Zoning Districts and Uses, including Section 2.03.01 Agricultural Districts, more specifically (1) to amend the permitted uses in the Agricultural and Estate districts to allow hogs to be kept for show by children enrolled in a 4-H development program, and (2) to amend the accessory uses in the Estate District to allow off-site retail sale of fruits, vegetables, and nursery plants grown on site; Chapter Four - Site Design and Development Standards, including Section 4.02.07 Standards for Keeping Animals; Chapter Five - Supplemental Standards, including Section 5.04.05 Temporary Events, Section 5.05.05 Automobile Service Stations, more specifically, to allow automobile service stations with more than 8 fuel pumps within 300 feet of residential property to seek approval as part of a planned unit development or conditional use; Section Four, Conflict and Severability; Section Five, Inclusion in the Collier County Land Development Code; and Section Six, Effective Date. Pg. 16 - 94
- 9.B. *This item to be heard at 1:30 p.m.* 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. Standard Pacific of Florida GP, Inc. requests an appeal to the Board of County Commissioners of a final decision by the Collier County Planning Commission to deny Petition BDE-PL20130001765 for a 32-foot boat dock extension over the maximum 20-foot limit allowed by Section 5.03.06 of the Land Development Code for a total protrusion of 52 feet to accommodate a 42 slip multi-family docking facility for the benefit of a 19.06 ± acre project to be known as Haldeman's Landing in Sections 11 and 14, Township 50 South, Range 25 East, Collier County, Florida [Petition ADA-PL20140001454] (*Companion to Petition ST-PL0000896 Haldeman's Landing Special Treatment Permit*). Pg. 95 - 229
- 9.C. Recommendation to deny the single petition within the 2013 Cycle 3 Growth Management Plan Amendment for transmittal to the Florida Department of Economic Opportunity for review and Comments response of the Vincentian Mixed Use Subdistrict, Transmittal Hearing. Pg. 230 - 268

10. BOARD OF COUNTY COMMISSIONERS

- 10.A. Recommendation to accept information on the record contrary to information presented under Agenda Item 10.B to present factual information available by public record regarding the Clerk of Courts contract for banking services with First Florida Integrity Bank as adopted under Agenda Item 13.A. at the September 23, 2014 Board meeting. (Commissioner Henning) Pg. 269 - 300**
- 10.B. Recommendation that the Board of County Commissioners direct staff to prepare an extension to the bank services agreement with 5/3 Bank to allow the county to re-solicit the county's bank services contract under the Board of County Commissioners, and to recognize that the bank services contract with First Florida Integrity is void since it was procured illegally. 5/3 Bank notified the County Manager ahead of the 9/23/14 Board meeting that it agreed to a month-month extension which information was placed on the record by Commissioner Hiller at the 9/23/14 Board meeting. Contrary to the County Attorney's statement, no extenuating circumstances existed to justify waiving the County's Purchasing ordinance and procurement irregularities committed by the Clerk of Courts in his solicitation of the banking services contract. Further, that the public record reflects that the Clerk of Courts allowed First Florida Integrity Bank to modify its solicitation response after all bank responses were a matter of public record and the candidate banks had been interviewed, so as to make First Florida Integrity Bank the lowest net cost bank, a fact known to and ignored by the County Attorney. No other bank was allowed to modify its' response. That additionally, First Florida Integrity Bank provided a non-conforming response in that it did not have a trust company, a requirement to custody the county's securities; and instead, First Florida Integrity Bank intended to custody the county securities with a broker-dealer; that no custody agreement with the third party custodial provider was submitted as required by the solicitation; that the County Attorney had not even considered this material deficiency in his review of the First Florida Integrity Bank contract presented by the Clerk and approved by the Board on 9/23/14. That all these facts were known by Commissioners Henning, Nance and Fiala before their vote in favor of First Florida Integrity Bank on 9/23/14 since the evidence was in the back up material provided by the Clerk, as attachments to his agenda items. For these and other reasons already noted on the public record, 5/3 Bank, Wells Fargo and Sun Trust, which competed against First Florida Integrity Bank, have been irreparably harmed by the sham procurement of banking services by the Board of County Commissioners and the Clerk of Courts. (Commissioner Hiller) Pg. 301 - 354**

11. COUNTY MANAGER'S REPORT

- 11.A. Recommendation to approve and authorize the Chairman to execute Contract No. 14-6343 -Tropical Storm (TS) Debbie Naples Beach Renourishment (Sand Supply and Delivery) to supply and deliver approximately 78,678 tons of beach quality sand as authorized by the Federal Emergency Management Agency (FEMA) PW 0679- Naples Beach Renourishment project to Phillips and Jordan, Inc. for \$1,823,635.56 (Project 195-90038), authorize staff to withhold Notice-to-Proceed issuance until the FEMA PW revision has been issued, authorize all required budget amendments, and make a finding that this item promotes tourism. (Gary McAlpin, Growth Management Division Coastal Zone Manager) Pg. 355 - 430
- 11.B. Recommendation to award Invitation to Bid (ITB) 14-6352 - Naples Beach Renourishment (Sand Placement) to Earth Tech Enterprises, Inc., in the amount of \$748,861.20 to place, grade and transport approximately 78,678 tons of beach quality sand as authorized by the Federal Emergency Management Agency (FEMA) PW 0679-Naples Beach Renourishment to repair damages as a result of Tropical Storm Debby (Project 195-90038), authorize staff to withhold Notice-to-Proceed (NTP) issuance until the FEMA PW revision has been issued, authorize all required budget amendments, authorize the Chairman to execute the Agreement, and make a finding that this item promotes tourism. (Gary McAlpin, Growth Management Division Coastal Zone Manager) Pg. 431 - 544
- 11.C. Recommendation to review and approve the proposed Collier County 2015 State Legislative Priorities. (Debbie Wight, Legislative Affairs Coordinator) Pg. 545 - 550
- 11.D. Recommendation to award Bid Number 14-6316, "Modifications to Clarifier 1 and Bleach Piping System at the South County Water Reclamation Facility," to Cardinal Contractors, Inc., in the amount of \$1,961,000 for Project Number 73969. (George Yilmaz, Public Utilities Administrator) Pg. 551 - 557
- 11.E. Recommendation to award Bid Number 14-6330, "Master Pump Station 109 Improvements," to Douglas N. Higgins, Inc., in the amount of \$1,596,937 under Master Pump Station Technical Support Project Number 70050. (George Yilmaz, Public Utilities Administrator) Pg. 558 - 565
- 11.F. Recommendation to approve an award for Invitation to Bid #14-6320 "Vanderbilt Beach MSTU Utility Underground Conversion Phase II and III, Excavation/Boring, Conduit Installation, and Concrete Pad Placement" to Danella Utility Company in the amount of \$2,637,081. (Harry Sells, Public Transit and Neighborhood Enhancement Department Project Manager) Pg. 566 - 812

- 11.G. *This item to be heard immediately following Item 9B.* 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 approving a Special Treatment Development Permit to allow construction of a 42-slip docking facility on submerged lands adjacent to property owned by Standard Pacific of Florida with a zoning designation of RMF-6(3) and a Special Treatment Overlay located in Sections 11 and 14, Township 50 South, Range 25 East, Collier County, Florida [Petition ST-PL20140000896] (*Companion to Petition ADA-PL20140001454; ST-PL20140000896 shall be heard after ADA-PL20140001454 and shall not be heard if the companion item is denied*). (Summer Araque, Principal Environmental Specialist) Pg. 813 - 879

12. COUNTY ATTORNEY'S REPORT

13. OTHER CONSTITUTIONAL OFFICERS

14. AIRPORT AUTHORITY AND/OR COMMUNITY REDEVELOPMENT AGENCY

14.A. AIRPORT

14.B. COMMUNITY REDEVELOPMENT AGENCY

- 14.B.1. Recommendation that the Community Redevelopment Agency (CRA) review and accept an offer to purchase CRA owned property in the Gateway mini-triangle by Fortino Construction & Development, LLC and Assignee for construction of a mixed-use development project comprising residential, hotel and rooftop restaurant and retail uses; authorize the CRA Chairman to execute all documents necessary to facilitate the sale and authorize staff to deposit the funds received from the sale into the appropriate account. Pg. 880 - 914

15. STAFF AND COMMISSION GENERAL COMMUNICATIONS

- 15.A. Current BCC Workshop Schedule. Pg. 915 - 916

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 Fairgrove at Talis Park PL20120001256 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. 917 - 930

- 16.A.2. Recommendation to approve final acceptance of the water and sewer utility facilities for Brightling at Talis Park, PL20120002875, 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. 931 - 941
- 16.A.3. Recommendation to approve final acceptance of the privately owned utility facility for Naples/Marco Island KOA Kampground, PL#20130000303, and authorize the County Manager, or his designee, to release a Utility Performance Security (UPS) and Final Obligation Bond in the total amount of \$9,125.80 to the Project Engineer or the Developer's designated agent. Pg. 942 - 949
- 16.A.4. Recommendation to approve final acceptance of the sewer utility facility for Naples/Marco Island KOA Kampground PL20120000060 and to authorize the County Manager, or his designee, to release the Utilities Performance Security (UPS) and Final Obligation Bond in the total amount of \$4,600 to the Project Engineer or the Developer's designated agent. Pg. 950 - 958
- 16.A.5. Recommendation to approve final acceptance of the water and sewer utility facilities for Italia, PL#20130002058. Pg. 959 - 965
- 16.A.6. Recommendation to authorize the Clerk of Courts to release Irrevocable Standby Letter of Credit No. 5195512157667 in the amount of \$25,000 which was posted as a guaranty for Excavation Permit Number 60.043, (PL20110002185) for work associated with The Conservancy of Southwest Florida. Pg. 966 - 969
- 16.A.7. Recommendation to authorize the Clerk of Courts to release a Performance Bond in the amount of \$63,420 which was posted as a development guaranty for work associated with Maple Ridge at Ave Maria Phase 2, Early Work Authorization (EWA) PL20130002336. Pg. 970 - 975
- 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 Cambria, (Application Number PL20120000792) approval of the standard form Construction and Maintenance Agreement and approval of the amount of the performance security. Pg. 976 - 989
- 16.A.9. Recommendation to approve one (1) Adopt-A-Road Program Agreement name change for the road segment of Capri Boulevard, from the Capri Water Tower to the end of Capri Boulevard, for the volunteer group Capri Realty and cancel the existing agreement with Christopher Realty for the same road segment with two (2) recognition signs at a total cost of \$60. Pg. 990 - 997
- 16.A.10. Recommendation to cancel the Adopt-a-Road Agreement with sponsor T. G. I. Friday's and to allow the roadway segment of Golden Gate Parkway from Airport Road to Livingston Road to become available for adoption as part of the Adopt-a-Road Program. Pg. 998 - 1001

- 16.A.11. Recommendation to approve an easement agreement for the purchase of a road right-of-way, drainage and utility easement (Parcel 268RDUE) required for the expansion of Golden Gate Boulevard from east of Wilson Boulevard to 20th Street East. (Project No. 60040.) Estimated Fiscal Impact: \$12,987. Pg. 1002 - 1071
- 16.A.12. Recommendation to approve an easement agreement for the purchase of a Road Right-of-Way, Drainage and Utility Easement (Parcel 255RDUE) required for the expansion of Golden Gate Boulevard from east of Wilson Boulevard to 20th Street East. Project No. 60040 (Fiscal Impact: \$3,100). Pg. 1062 - 1072
- 16.A.13. Recommendation to approve an easement agreement for the purchase of two Road Right-of-Way, Drainage and Utility Easements (Parcels 197RDUE and 226RDUE) required for the expansion of Golden Gate Boulevard from east of Wilson Boulevard to 20th Street East. Project No. 60040 (Fiscal Impact: Approximately \$9,125). Pg. 1073 - 1087
- 16.A.14. Recommendation to approve an easement agreement for the purchase of a Road Right-of-Way, Drainage and Utility Easement (Parcel 173RDUE) required for the expansion of Golden Gate Boulevard from east of Wilson Boulevard to 20th Street East. Project No. 60040 (Fiscal Impact: Approximately \$2,600). Pg. 1088 - 1098
- 16.A.15. Recommendation to approve an easement agreement for the purchase of a Road Right-of-Way, Drainage and Utility Easement (Parcel 257RDUE) required for the expansion of Golden Gate Boulevard from east of Wilson Boulevard to 20th Street East. Project No. 60040 (Fiscal Impact: \$3,600). Pg. 1099 - 1109
- 16.A.16. Recommendation to approve and authorize the Chairman to sign an Interlocal Agreement between the City of Naples and Collier County for Utility work in the estimated amount of \$176,255.77, and reserve \$44,475.71 as a utility allowance, for a total of \$220,731.48; as an integral part of the Collier Boulevard Roadway (Green Boulevard to Golden Gate Boulevard) improvements, Project No. 68056. Pg. 1110 - 1130
- 16.A.17. Recommendation to award Bid #14-6299 to Stage Door II, Inc. for the "Immokalee Sidewalk Improvements" project for construction of sidewalk improvements on Second Avenue North, North Second Street, and Escambia Street in the amount of \$306,920.25 (Project #33329) and recognize and approve a Local Agency Program (LAP) Agreement schedule change. Pg. 1131 - 1157
- 16.A.18. Recommendation to approve a \$546,837 Work Order under Request For Quotation 14-6213-7 to Douglas N. Higgins, Inc., to construct the stormwater improvements in Golden Gate City (20th Ct. SW, 46th Terr. SW & 48th St. SW), Project No. 51029. Pg. 1158 - 1175

- 16.A.19. **Recommendation to approve South Florida Water Management District (SFWMD) Agreement No. 4600003145 and to authorize any necessary budget amendments to recognize grant funding in the amount of \$1,250,000 and to recognize a grant match in the amount of \$3,750,000 for the construction of the Lely Area Stormwater Improvement Project (LASIP)/County Barn Road Project 33384.** Pg. 1176 - 1201
- 16.A.20. **Recommendation to approve and authorize the Chairman to sign a revised Local Area Program (LAP) Agreement with the Florida Department of Transportation (FDOT) to amend the project's description and responsibilities of the Agreement; and to execute a new Resolution memorializing the Board's action; for the Design, CEI and Construction services to add new Bridges in Golden Gate Estates at 8th Street NE, 16th Street NE and 47th Avenue NE. Project 33340. There is no change to the previously approved FDOT grant funding for this project.** Pg. 1202 - 1227
- 16.A.21. **Recommendation to approve the release of a code enforcement lien with an accrued value of \$20,180.86, for payment of \$9,180.86, in the code enforcement action entitled Board of County Commissioners v. Park East Dev. Ltd., Code Enforcement Board Case No. CESD20120006530, relating to property located at 5100 27th Place SW, Collier County, Florida.** Pg. 1228 - 1235
- 16.A.22. **Recommendation to approve the release of a code enforcement lien with an accrued value of \$44,236.80, for payment of \$1,036.80, in the code enforcement action entitled Board of County Commissioners v. Amerada Hess, Corp., Code Enforcement Board Case No. 2005-38, relating to property located at 6300 Davis Blvd., Collier County, Florida.** Pg. 1236 - 1241
- 16.A.23. **Recommendation to approve the release of a code enforcement lien with an accrued value of \$71,229.36, for payment of \$679.36, in the code enforcement action entitled Board of County Commissioners v. Jennifer Kennedy, Code Enforcement Special Magistrate Case No. CEP20140005517, relating to property located at 3156 55th Terrace SW, Collier County, Florida.** Pg. 1242 - 1247
- 16.A.24. **Recommendation to approve an Adopt-A-Road Program Agreement for the segment of Immokalee Road from Wilson Boulevard to Rock Road, with two (2) recognition signs at a total cost of \$60 with the volunteer group, Golden Gate Traffic School.** Pg. 1248 - 1255
- 16.A.25. **Recommendation to further streamline the building permit process by offering the customer the added convenience of electronically forwarding the Notice of Commencement (NOC) to the Clerk of Courts for recording. A \$5 NOC convenience fee for this optional service is recommended to offset processing costs, pursuant to Section 2-11 of the Collier County Administrative Code.** Pg. 1256 - 1300

16.A.26. Recommendation to adopt a Resolution for the approval of a Locally Funded Agreement between the Florida Department of Transportation (hereinafter FDOT) and Collier County for the painting of traffic signal structures on FDOT's Project FPID #429120-1-52-01 and to authorize the Chairman to sign a Resolution and the Locally Funded Agreement. (Fiscal Impact (\$45,778)) Pg. 1301 - 1309

16.B. COMMUNITY REDEVELOPMENT AGENCY

16.C. PUBLIC UTILITIES DIVISION

16.C.1. Recommendation to award Invitation to Bid number 14-6340, "Small Meters Change Out," to Vanguard Utility Service, Inc., in the amount of \$363,648.22 for Project Number 70010, "Meter Renewal and Replacement Project." Pg. 1310 - 1382

16.C.2. Recommendation to approve a \$363,559 work order under Request for Quotation 14-6213-6 to Douglas N. Higgins, Inc., to install a new wastewater force main from Victoria Park to Goodlette Frank Road under North County Water Reclamation Facility Technical Support Project Number 73968. Pg. 1383 - 1396

16.D. PUBLIC SERVICES DIVISION

16.D.1. Recommendation to approve and authorize the Chairman to sign three Memorandums of Agreement with the Florida Fish and Wildlife Conservation Commission to allow youth hunts for Collier County residents at Pepper Ranch Preserve in November 2014, January 2015, and February 2015. Pg. 1397 - 1445

16.D.2. Recommendation to approve and authorize payment to Florida Power & Light Company in the amount of \$7,782 for a non refundable Engineering Deposit required for design plans for Phase IV of the Vanderbilt Beach Municipal Service Taxing Unit Aerial to Underground Conversion Project. Pg. 1446 - 1450

16.D.3. Recommendation to approve First Amendment to the Agreement for Child Advocacy Supervised Visitation with Collier County Child Advocacy Council, Inc. d/b/a Children's Advocacy Center funded by the Department of Justice Office of Violence Against Women. Pg. 1451 - 1461

16.D.4. Recommendation to approve two substantial amendments to the U.S. Department of Housing and Urban Development (HUD) Community Development Block Grant FY2011-2012 HUD Annual Action Plan. Pg. 1462 - 1467

16.D.5. Recommendation to approve and authorize the Chairman to sign a release of lien for Countywide impact fee deferral. Pg. 1468 - 1475

16.D.6. Recommendation to grant an exception to the suspension of the Short Sale Policy for a satisfaction of mortgage for State Housing Initiatives Partnership Program loan, accepting \$1,500 to satisfy the \$15,000 value of the initial mortgage. Pg. 1476 - 1487

- 16.D.7. Recommendation to award the Invitation To Bid No. 14-6248 "Pharmacy Services" to Woolley's Pharmacy, Inc. and Collier Health Services, Inc. Pg. 1488 - 1547
- 16.D.8. Recommendation to approve the MakerLab Club Application with 3D Systems Inc. in order for the Collier County Public Library to receive four 3D printers for public programming use with a value of \$4,000. Pg. 1548 - 1556
- 16.D.9. Recommendation to award RFP 14-6332 for Exotic Vegetation Removal to six firms (in no particular order): Collier Environmental Services; EarthBalance; Earth Tech Environmental, LLC; Environmental Restoration Consultants, Inc.; Kevin Erwin Consulting Ecologist, Inc.; and Sandhill Environmental Services, LLC and authorize the Chairman to execute a standard County contract. Pg. 1557 - 1681
- 16.D.10. Recommendation to appropriate \$36,000 from Museum Reserves to purchase and improve Vacant Lot #8374156004 in Everglades City, accept donation of \$30,000 from the Friends of the Museum of the Everglades towards acquisition of the property, approve all transaction documents, and approve the attached budget amendments. Pg. 1682 - 1716
- 16.D.11. Recommendation to approve the FY 14-15 contract with the State of Florida Department of Health for the operation of the Collier County Health Department in the amount of \$1,289,500. Pg. 1717 - 1739
- 16.E. ADMINISTRATIVE SERVICES DIVISION
- 16.E.1. Recommendation to approve the sale of and disposal of surplus assets per Resolution 2013-095. Pg. 1740 - 1773
- 16.E.2. 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 renew the North Naples Fire Control and Rescue District's Certificate of Public Convenience and Necessity for Advanced Life Support non-transport services for one year and authorize the Chairman to execute the Permit and Certificate. Pg. 1744 - 1796
- 16.F. COUNTY MANAGER OPERATIONS
- 16.F.1. Recommendation to adopt a resolution approving amendments (appropriating grants, donations, contributions or insurance proceeds) to the Fiscal Year 2014-15 Adopted Budget. Pg. 1797 - 1800
- 16.G. AIRPORT AUTHORITY
- 16.G.1. Recommendation to approve and execute an Amendment to Collier County Airport Authority Standard Form Lease for Salazar Machine & Steel, Inc. revising the liability insurance requirements. Pg. 1801 - 1820

16.G.2.	Recommendation to approve and execute an Amendment to Collier County Airport Authority Standard Form Lease for Fletcher Flying Services, Inc. revising the liability insurance requirements related to the mobile office structure.	Pg. 1821 - 1838
16.H. BOARD OF COUNTY COMMISSIONERS		
16.H.1.	Recommendation to reappoint member to the Immokalee Beautification MSTU Advisory Committee.	Pg. 1839 - 1849
16.H.2.	Recommendation to reappoint one member to the Collier County Citizens Corps.	Pg. 1850 - 1860
16.H.3.	Recommendation to appoint two members to the Affordable Housing Advisory Committee.	Pg. 1861 - 1874
16.I. MISCELLANEOUS CORRESPONDENCE		
16.J. OTHER CONSTITUTIONAL OFFICERS		
16.J.1.	Board declaration of expenditures serving a valid public purpose and approval of disbursements for the period of October 9, 2014 through October 15, 2014.	Pg. 1875 - 1920
16.J.2.	Board declaration of expenditures serving a valid public purpose and approval of disbursements for the period of October 16, 2014 through October 22, 2014.	Pg. 1921 - 1969
16.J.3.	Recommendation to endorse the United States Department of Justice and United States Department of Treasury combined Equitable Sharing Agreement and Certification through September 2015.	Pg.1970 - 1976
16.K. COUNTY ATTORNEY		
16.K.1.	Recommendation to authorize an increase to the purchase order for Nabors, Giblin & Nickerson, P.A. ("Nabors Giblin") relating to legal services in the case of Collier County v. Orange Tree Utility Co., et al, Case No. 2014-CA-001434.	Pg. 1977 - 1978
16.K.2.	Recommendation to approve an Amendment to Agreement for Legal Services for the Retention Agreement with Baker, Donelson, Bearman, Caldwell & Berkowitz, P.C. by changing the date of the Agreement to be September 1, 2014 to September 1, 2016 and by amending Exhibit "A."	Pg. 1979 - 1984
16.K.3.	Recommendation to approve a Mediated Settlement Agreement in the amount of \$140,000 along with statutory attorney's fees for the acquisition of Parcel 116RDUE in the lawsuit styled Collier County v. Kaye Homes, Inc., et al, Case No. 10-CA-2680, for the Collier Boulevard expansion (Project No. 68056) (Fiscal Impact \$80,683.75).	Pg. 1985 - 1993

- 16.K.4. Recommendation to approve a Mediated Settlement Agreement in the amount of \$20,000 along with statutory attorneys fees for the acquisition of Parcel 117RDUE in the lawsuit styled Collier County v. Timothy Maloney, et al, Case No. 10-CA-2690, for the Collier Boulevard expansion (Project No. 68056) (Fiscal Impact \$14,783). Pg. 1994 - 2002
- 16.K.5. Recommendation to approve a Stipulated Final Judgment as to RTG, LLC, for Attorney's Fees and Expert Fees and Costs related to the Taking of Parcels 119FEE and 119TCE in the case styled Collier County v. RTG, LLC, et al., Case No. 13-CA-259, relating to the intersection improvements at SR 951 (Collier Blvd.) and US 41 (Project No. 60116) (Fiscal Impact \$16,000). Pg. 2003 - 2012
- 16.K.6. Recommendation to authorize the County Attorney's Office to make an Offer of Judgment to Party Defendant, Pinegate 135, LLC, in the amount of \$40,001 to settle any and all apportionment claims related to the taking of Parcels 150FEE, 150SE and 150TCE in the lawsuit styled Collier County v. LDJ Associates, Ltd., et al., Case No. 13-CA-1238 (Collier Boulevard Expansion Project No. 68056 from Green Boulevard to Golden Gate Boulevard). Fiscal Impact: \$40,001 plus attorney fees as may be awarded by the court in accordance with Section 73.092(2). Pg. 2013 - 2016
- 16.K.7. Recommendation to approve and authorize the Chairman to sign and record two (2) Satisfaction of Final Judgment forms in the case of Orange Tree Utility Co. ("OTU") v. Collier County, Case No. 2007-CA-002333, for the payment of Trial Level and Appellate Level Attorneys' Fees and Costs by OTU to Collier County in the total amount, including accrued interest, of \$302,938.25. Pg. 2017 - 2032

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 a resolution amending Development Order 84-1, as amended, for the Toll Gate Commercial Center Development of Regional Impact by providing for: Section One, Amendments to Development Order by extending the expiration date and the buildout date to August 1, 2021; Section Two, Findings of Fact; Section Three, Conclusions of Law; and Section Four, Effect of Previously Issued Development Orders, Transmittal to Department of Economic Opportunity and Effective Date. The subject property is located at the intersection of Collier Boulevard and Beck Boulevard in Section 35, Township 49 South, Range 26 East, and Section 2, Township 50 South, Range 26 East, Collier County, Florida [Petition DOA-PL20140000561]. Pg. 2033 - 2061

- 17.B. **This item requires that ex parte disclosure be provided by Commission members. Should a hearing be held on this item, all participants are required to be sworn in. Recommendation to approve an Ordinance amending Ordinance Number 2004-41, 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 changing the zoning classification of the herein described real property from a Commercial Professional and General Office zoning district within the Gateway Triangle Mixed Use Overlay - Mixed Use subdistrict (C-1-GTMUD-MXD) and a Residential Multi-Family-6 zoning district within the Gateway Triangle Mixed Use Overlay - Residential subdistrict (RMF-6-GTMUD-R) to a Residential Multi-Family-6 zoning district within the Gateway Triangle Mixed Use Overlay - Residential subdistrict (RMF-6-GTMUD-R) for the project known as Breeze of Calusa, located on three parcels just south of Calusa Avenue and west of Airport Pulling Road in Section 11, Township 50 South, Range 25 East, Collier County, Florida, consisting of 4.69+/- acres subject to conditions; and by providing an effective date [RZ-PL20130001752].** Pg. 2062 - 2130
- 17.C. **Recommendation to adopt a resolution approving amendments (appropriating carry forward, transfers and supplemental revenue) to the Fiscal Year 2014-15 Adopted Budget.** Pg. 2131 - 2133

18. ADJOURN

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