

**COLLIER COUNTY**  
**Board of County Commissioners**  
**Community Redevelopment Agency Board (CRAB)**  
**Airport Authority**



**AGENDA**

Board of County Commission Chambers  
Collier County Government Center  
3299 Tamiami Trail East, 3<sup>rd</sup> Floor  
Naples FL 34112

**February 24, 2015**

**9:00 AM**

**Commissioner Tim Nance, District 5 – BCC Chair**  
**Commissioner Donna Fiala, District 1 – BCC Vice Chair; CRA Chair**  
**Commissioner Georgia Hiller, District 2 – Community & Economic Development Chair**  
**Commissioner Tom Henning, District 3 – PSCC Chair**  
**Commissioner Penny Taylor, District 4 – TDC Chair; CRA Vice Chair**

**NOTICE:** All persons wishing to speak on Agenda items must register *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. **Rabbi Ammos Chorny - Beth Tikvah Synagogue** Pg. 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. **January 27, 2015 - BCC/Regular Meeting**
  - 2.C. **February 3, 2015 - BCC/Library Workshop**
  
3. **SERVICE AWARDS**
  - 3.A. **EMPLOYEE**
    - 3.A.1. **20 Year Attendees**
      - 3.A.1.a. **Jerry Tharp-Risk Management** Pg. 2
    - 3.A.2. **25 Year Attendees**
      - 3.A.2.a. **Karen Kocses-Library, Lisa Taylor-Transportation Administration** Pg. 3
    - 3.A.3. **30 Year Attendees**
      - 3.A.3.a. **Jean Jourdan-Community Redevelopment Agency; Richard Winans-Road Maintenance** Pg. 4
  
4. **PROCLAMATIONS**
  - 4.A. **Proclamation designating February 2015 as Literacy Month in Collier County and recognizing the "Bring a Book, Bring a Friend" program of the K is for Kids Foundation which provides books to children in need. To be accepted by Karen Clawson, K is for Kids Founder and Executive Director, volunteers and students.** Pg. 5
  - 4.B. **Proclamation designating March 2015 as Women's History Month and recognizing the unique role of women throughout history. To be accepted by Annette Smith, Kathleen Mayo, Lisa Freund and Lovi Holland of the Naples/Ft. Myers Chapter of National Organization for Women.** Pg. 8
  - 4.C. **Proclamation recognizing all Publix Supermarkets in Collier County for their efforts in recycling and reducing waste, with a special recognition of Publix store #1458 (Kings Lake) as the recipient of Collier County Hazardous and Solid Waste Department's Waste Reduction Awards Program (WRAP) Award. To be accepted by Scot Oehmigen, Publix Store #1458 Manager and Kim Brunson, Publix Recycling and Solid Waste Program Manager.** Pg. 11

- 4.D. Proclamation recognizing and honoring the work of the PACE Center for Girls of Collier County. To be accepted by Claudine Leger-Wetzels, Marianne Kearns, Angelina Spencer, Libby Fero and Stacey Herring. Pg. 14

5. PRESENTATIONS

- 5.A. Recommendation to recognize Kurt Vega, Wastewater Department Instrumentation & Electrical Technician, as the Employee of the Month for January 2015. Pg. 16
- 5.B. Presentation of the 2014 Domestic Wastewater Plant Operations Excellence Award to the North County Wastewater Reclamation Facility, in recognition of outstanding treatment plant operations, maintenance, and compliance. To be presented by Jon Iglehart, District Director, Florida Department of Environmental Protection, and accepted by Dr. George Yilmaz, Director, Collier County Public Utilities Department and Beth Johnssen, Division Director, Collier County Wastewater. Pg. 18
- 5.C. Recognition of Ron Jamro, Director of the Collier County Museum, for being selected as the winner of the 2014 "Star in the Arts" award bestowed by the United Arts Council of Collier County. Pg. 19

6. PUBLIC PETITIONS

- 6.A. Public Petition request from Ms. Jennifer Wallace requesting the establishment of the Birdsong Lane Municipal Service Benefit Unit (MSBU) and Municipal Service Taxing Unit (MSTU). The purpose of the MSBU would be to perform a one-time upgrade to Birdsong Lane and the purpose of the MSTU would be to maintain the upgraded Birdsong Lane. Pg. 21

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.

10. BOARD OF COUNTY COMMISSIONERS

- 10.A. *This item continued from the February 10, 2015 BCC Meeting.* Recommendation that the Board of County Commissioners recreates the Executive Director position for the Bayshore Gateway Triangle Community Redevelopment Agency (CRA) and appoints Jean Jourdan as its Executive Director, making her a direct report to the Collier County Redevelopment Agency, and direct the County Attorney to work with the Chair of the CRA and Ms. Jourdan on an employment agreement. (Commissioner Fiala) Pg. 51

**11. COUNTY MANAGER'S REPORT**

- 11.A. Recommendation to award Contract No. 14-6289, Design-Build Golden Gate Boulevard 4-Lane, East of Wilson Boulevard, to Ajax Paving Industries of Florida, LLC, in the amount of \$19,430,000, Project No. 60040. (Jay Ahmad, Transportation Engineering Director) Pg. 54**
- 11.B. Recommendation to authorize the creation of ten (10) additional Full Time Equivalent (FTE) positions in the Growth Management Division in response to increased customer demand. The proposed positions will be funded with current user fee reserves, require no additional fees, and have no fiscal impact on the General Fund. (James French, Growth Management Deputy Administrator) Pg. 59**
- 11.C. Recommendation to authorize the conversion of 20 job bank and four contract labor positions to create 24 Full Time Equivalent positions in the Public Utilities Division to respond to the growth in the demand for services. (George Yilmaz, Public Utilities Administrator) Pg. 64**
- 11.D. Recommendation to approve the attached agreement with Position Logic, LLC, an existing Collier County technology firm, providing for a Business Location Inducement Grant of \$117,600 as an incentive for this company to expand and maintain its operations in Collier County. (Bruce Register, Office of Business and Economic Development Director) Pg. 98**

**12. COUNTY ATTORNEY'S REPORT**

**13. OTHER CONSTITUTIONAL OFFICERS**

- 13.A. *This item to be heard at 10:00 a.m.* Presentation of the Comprehensive Annual Financial Report for the fiscal year ended September 30, 2014 and authorization to file the related State of Florida Annual Local Government Financial Report with the Department of Financial Services. Pg. 105**

**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. 126**

**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.

**GROWTH MANAGEMENT DIVISION**

**16.A.**

- 16.A.1. Recommendation to hear Land Development Code Amendment 5.05.05 Automobile Service Stations at two regularly scheduled daytime hearings and waive the night hearing requirement. This amendment proposes to add a conditional use to several zoning categories. Pg. 128**
- 16.A.2. Recommendation to award Invitation to Bid (ITB) 14-6247 for Purchase and Deliveries of Fungicides, Pesticides and Herbicides to multiple vendors, Aligare LLC, Crop Production Services, Inc., Helena Chemical Company, Red River Specialties, Inc., John Deere Landscapes, and Univar USA, Inc. Pg. 131**
- 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 minor final plat of Lipari - Ponziane, Block "B" Replat Application Number PL20140002796. Pg. 175**
- 16.A.4. Recommendation to approve an extension of two years for completion of subdivision improvements associated with Orange Blossom Ranch Phase 1A (AR-7186) and Orange Blossom Ranch Phase 1B (AR-7431). Pg. 182**
- 16.A.5. Recommendation to authorize the Clerk of Courts to release Performance Bond No. 105870794 in the amount of \$26,380 which was posted as a guaranty for Excavation Permit Number 59.902, (PL20130002701) for work associated with Arthrex Commerce Park. Pg. 192**
- 16.A.6. Recommendation to authorize the Clerk of Courts to release a Cash Bond in the amount of \$25,000 which was posted as a guaranty for Excavation Permit Number 60.088, (PL20130000154) for work associated with the Sabal Bay Commercial Plat - Phase Four. Pg. 200**
- 16.A.7. Recommendation to grant final approval of the private roadway and drainage improvements for the final plat of Bucks Run Reserve Application Number AR-7597 with the roadway and drainage improvements being privately maintained, authorizing the release of the maintenance security in the form of a cash bond in the amount of \$196,086.79 and acceptance of the plat dedications. Pg. 205**
- 16.A.8. Recommendation to approve an easement agreement for the purchase of a Road Right-of-Way, Drainage and Utility Easement (Parcel 277RDUE) required for the expansion of Golden Gate Boulevard from east of Wilson Boulevard to 20th Street East. Project No. 60040 (Estimated Fiscal Impact: \$59,100). Pg. 214**
- 16.A.9. Recommendation to approve and authorize the Chairman to sign a Collier County Landscape Maintenance Agreement (Agreement) between Collier County and the Winding Cypress Homeowners Association for a landscape planting within the Collier Blvd. (CR 951) Right-of-way. Pg. 225**

- 16.A.10. Recommendation to approve the release of a code enforcement lien with an accrued value of \$10,534.04, for payment of \$2,234.04, in the code enforcement action entitled Board of County Commissioners v. Gail A. Pandolfe, Code Enforcement Board Case No. CEP20140008527, relating to property located at 604 110th Avenue North, Collier County, Florida. Pg. 247
- 16.A.11. Recommendation to approve the release of a code enforcement lien with an accrued value of \$167,081.43, for payment of \$1,381.43, in the code enforcement action entitled Board of County Commissioners v. Doreen Bigica, Code Enforcement Board Case No. CESD20120004188, relating to property located at 2391 19th Street SW, Collier County, Florida. Pg. 254
- 16.A.12. Recommendation to approve the release of a code enforcement lien with an accrued value of \$14,719.03, for payment of \$1,669.03, in the code enforcement action entitled Board of County Commissioners v. Heather N. Green, Special Magistrate Case No. CEP20140001612, relating to property located at 2052 Crestview Way, Collier County, Florida. Pg. 262
- 16.A.13. Recommendation to approve the release of a code enforcement lien with an accrued value of \$119,000, for payment of \$450, in the code enforcement action entitled Board of County Commissioners v. Mark G. Martin, Code Enforcement Board Case No. CESD20090016590, relating to property located at 4834 Devon Circle, Collier County, Florida. Pg. 269
- 16.A.14. Recommendation to reject a request for a refund of \$42,050, in the code enforcement action entitled Board of County Commissioners v. Nell H. Efirid, Special Magistrate Case No. CEP20130004506, relating to property located at 541 100th Avenue N., Collier County, Florida. Pg. 278
- 16.A.15. Recommendation to approve the purchase of CityView's Electronic Plans Review (EPR) module to improve efficiency and eliminate redundancy in the submission and processing of electronically submitted plans for building and land development projects. Initial software implementation costs totaling \$115,974 and annual maintenance cost totaling \$8,565 will be funded with budgeted building industry user fees. Pg. 288
- 16.A.16. Recommendation to waive all applicable purchasing ordinance provisions and provide for the payment of services in the amount of \$49,975 to Preferred Materials Inc., for additional protective barriers requested during a recent road resurfacing project by the Pelican Bay Services Division. Pg. 310
- 16.A.17. Recommendation to award Invitation to Bid (ITB) 15-6363 for Storm Drain Maintenance to EnviroWaste Services Group, Inc., as the Primary Contractor and Shenandoah General Construction Company as the Secondary Contractor. Pg. 313

**16.B. COMMUNITY REDEVELOPMENT AGENCY**

**16.C. PUBLIC UTILITIES DIVISION**

- 16.C.1. Recommendation to approve the selection of Disney and Associates under Request for Proposal 14-6356, Redesign of the Northeast Recycling Drop-off Center, and direct staff to negotiate a contract for the Board of County Commissioners' approval at a future meeting. Pg. 413**

**16.D. PUBLIC SERVICES DIVISION**

- 16.D.1. Recommendation to approve a no cost transportation coordination agreement with Hope Hospice & Community Services, Inc. Pg. 418**
- 16.D.2. Recommendation to authorize a release of lien for deferral of 100 percent of a countywide impact fee for owner occupied affordable housing dwelling unit. Pg. 424**
- 16.D.3. Recommendation to award a work order using Contract No. 13-6164 to Coastal Engineering Consultants, Inc. for the Clam Pass Boardwalk Piling Inspection and make a finding that this expenditure promotes tourism. Pg. 434**
- 16.D.4. Recommendation to approve, an after-the-fact Standard Contract, a Verification of Emergency Preparedness Plan and Attestation Statement with Area Agency on Aging for Southwest Florida, Inc., and to authorize associated budget amendments for the FY15 Older Americans Act Title III Program in the amount of \$671,792 and local match funding of \$74,644. Pg. 441**
- 16.D.5. Recommendation to approve the Selection Committee's ranking of firms under RFP # 14-6322 (Collier Area Transit Program Engineering/Architectural Services) and direct staff to bring negotiated contracts to the Board for subsequent approval. Pg. 478**
- 16.D.6. Recommendation to accept and ratify fee waivers granted by the Director of Domestic Animal Services for the period of August 1, 2014 through December 31, 2014 in accordance with the process established by Resolution No. 2014-29. Pg. 546**
- 16.D.7. Recommendation to approve a no cost Modification to a Disaster Recovery Grant Agreement for disaster relief and long term recovery or mitigation with the Florida Department of Economic Opportunity. Pg. 550**
- 16.D.8. Recommendation to approve an agreement with Naples Community Health Care (NCH) System, in cooperation with the Safe and Healthy Children's Coalition of Collier County, to provide water safety instruction to Collier County youth identified with the SWIM Central Program. Pg. 566**
- 16.D.9. Recommendation to recognize carry forward from accrued interest in the amount of \$572.55 and appropriate those funds for expenditures on library materials, services, and equipment. Pg. 575**

**16.E. ADMINISTRATIVE SERVICES DIVISION**

- 16.E.1. Recommendation to approve a Resolution authorizing the Board of County Commissioners' Chairperson to execute Deed Certificates for the sale of burial plots at Lake Trafford Memorial Gardens Cemetery during the 2015 calendar year. Pg. 578**
- 16.E.2. Recommendation to approve and authorize the Chairman to sign the Assumption Agreement with Mother's Pharmacy, Inc. as it relates to Contract #14-6248 "Pharmacy Services". Pg. 582**

**16.F. COUNTY MANAGER OPERATIONS**

- 16.F.1. Recommendation to review information related to the use of General Government Buildings Impact Fees for the purchase of a building located at 3750 Enterprise Avenue to be used by the Supervisor of Elections. Pg. 621**
- 16.F.2. Recommendation to adopt a Resolution to support House Speaker Steve Crisafulli's setting of funding film, television and entertainment incentives as one of his legislative priorities; urging all Florida counties to join in this initiative with no fiscal impact to Collier County. Pg. 625**
- 16.F.3. Recommendation to adopt a resolution approving amendments (appropriating grants, donations, contributions or insurance proceeds) to the Fiscal Year 2014-15 Adopted Budget. Pg. 634**
- 16.F.4. Recommendation to adopt a resolution approving the Prospect #15-011, as a Qualified Applicant to Florida's Qualified Target Industries (QTI) Tax Refund Program, providing up to \$32,000 of local financial support for an expansion of an existing business management firm in Collier County that will create 40 new quality jobs and approve necessary budget amendment. Pg. 637**

**16.G. AIRPORT AUTHORITY**

- 16.G.1. Recommendation that the Board of County Commissioners, acting as the Airport Authority, approve a Site License Agreement with the Immokalee Chamber of Commerce, Inc. allowing use of non-aviation areas on the Southwest portion of the Immokalee Regional Airport on March 26-29, 2015 for the Celebrate Immokalee Event. Pg. 642**

**16.H. BOARD OF COUNTY COMMISSIONERS**

- 16.H.1. Commissioner Fiala requests Board approval for reimbursement regarding attendance at a function serving a Valid Public Purpose. Attending the Collier County 100 Club Annual Dinner Meeting on March 2, 2015. The sum of \$35 to be paid from Commissioner Fiala's travel budget. Pg. 669**



**16.H.2. Recommendation to direct the County Manager, or his designee, to bring back a Partnership Agreement (PA) with the Sunrise Rotary Club of Marco Island, the residents of the Copeland Community, and the Copeland Church whereby the County purchases and installs two multi-use Bus Stop/Community Shelters for the Copeland area located at Panther Park and Lake Gloria** Pg. 673

**16.H.3. *This item continued from the February 10, 2015 BCC Meeting.* Recommendation to adopt a Resolution petitioning Governor Rick Scott and the Florida Legislature to enact legislation that will restore the local School Boards' control of educational standards, curriculum, and student assessments.** Pg. 680

**16.I. MISCELLANEOUS CORRESPONDENCE**

**16.J. OTHER CONSTITUTIONAL OFFICERS**

**16.J.1. Report to the Board regarding the investment of County funds as of the quarter ended December 31, 2014.** Pg. 683

**16.J.2. Board declaration of expenditures serving a valid public purpose and approval of disbursements for the period of February 5 through February 11, 2015.** Pg. 689

**16.J.3. Board declaration of expenditures serving a valid public purpose and approval of disbursements for the period of February 12 through February 18, 2015.** Pg. 740

**16.K. COUNTY ATTORNEY**

**16.K.1. Recommendation to approve Third Amendments to Agreements for Legal Services relating to Contract No. 06-4047 Eminent Domain Legal Services with the law firms of Fixel & Willis and Smolker Bartlett Schlosser Loeb & Hinds extending the expiration dates to April 22, 2017. There is no new fiscal impact associated with these Amendments.** Pg. 783

**16.K.2. Recommendation to accept a Proposal for Settlement offer by the Plaintiff in the lawsuit styled Linda Spence v. Collier County, pending in the Circuit Court of the Twentieth Judicial Circuit in and for Collier County, Florida, Case No. 14-0956-CA, for the sum of \$4,950 as full and final settlement of this claim.** Pg. 825

**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 amending Ordinance No. 2014-21, The Golf Club of the Everglades Residential Planned Unit Development within the Rural Fringe Mixed Use District Receiving Lands Overlay, and amending Ordinance No. 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 10± acres of land zoned rural Agricultural (A) to The Golf Club of the Everglades RPUD; by amending the Master Plan; and by providing an effective date. The subject property is located on Vanderbilt Beach Road Extension, just east of Collier Boulevard, in Section 31, Township 48 South, Range 27 East and Sections 25 and 36, Township 48 South, Range 26 East, Collier County, Florida consisting of 845.68± acres [PUDA-PL20140001511]. Pg. 829
- 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 consider a resolution of the Board of Zoning Appeals of Collier County, Florida providing for the establishment of a Conditional Use to allow Conditional Use #3, Private Clubs, and Conditional Use #5, Commercial and Private Parking Lots and Parking Garages, within the community commercial tract of the planned unit development pursuant to Section 6.2.C of Ordinance No. 95-33, the Briarwood Planned Unit Development, for property consisting of 15.97 acres located at the northeast corner of Livingston Road and Radio Road in Section 31, Township 49 South, Range 26 East, Collier County, Florida [Petition CU-PL20130002048]. Pg. 872
- 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. 893
- 17.D. Recommendation to: (1) adopt an Ordinance creating the Fiddler's Creek Municipal Rescue and Fire Services MSTU, (2) adopt an amendment to Ordinance No. 78-49, as amended, the Isles of Capri Municipal Fire Services Taxing District, to adjust its boundaries by removing the Fiddler's Creek area within the MSTU, (3) to approve an Interlocal Agreement with Greater Naples Fire Rescue District for providing fire services to properties within the Fiddler's Creek Municipal Rescue and Fire Services MSTU, and (4) to request that the Property Appraiser begin to levy the tax millage in the 2016 tax year once set by the Board of County Commissioners. Pg. 896
- 17.E. Recommendation to adopt an ordinance amending "Collier County Administrator's Ordinance" as authorized by the Board of County Commissioners at the February 10, 2015 BCC Meeting. Pg. 913

18. ADJOURN

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