

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

March 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. Pastor Jim Thomas - East Naples United Methodist Church

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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. February 24, 2015 - BCC/Regular Meeting

2.C. March 3, 2015 - BCC/Affordable Workforce Housing Workshop

3. SERVICE AWARDS

4. PROCLAMATIONS

4.A. Proclamation designating April 2015 as Children's Advocacy Center month. To be accepted by representatives from the Children's Advocacy Center of Collier County: Jackie Stephens, CEO; Kerry Geroy, Board Chair; Bryan Lee, Director of Development; and Beth Sterchi, staff member.

Pg. 2

5. PRESENTATIONS

6. PUBLIC PETITIONS

6.A. Public Petition request from Alyssa Cameron, on behalf of the Ave Maria Stewardship Community District, requesting that the Board designates District roadways for golf cart use.

Pg. 4

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. *This item to be heard at 9:30 a.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. Recommendation to approve an Ordinance of the Board of County Commissioners of Collier County, Florida amending Ordinance Number 2000-88, the Cocohatchee Bay Residential Planned Unit Development, as amended by settlement agreement dated June 9, 2008, by increasing the permissible number of dwelling units from 590 to 652; by increasing the development area; by amending Ordinance Number 2004-41, the Collier County Land Development Code, to amend the appropriate zoning atlas map or maps by changing the zoning classification of an additional 93.52± acres of land zoned Residential Single Family (RSF-3) and Residential Single Family with a Special Treatment Overlay (RSF-3-ST) to the Cocohatchee Bay RPUD, being added thereto as preservation lands; by removing the Golf Course "GC" tract and replacing with Residential "R2" tract; by changing the residential development area to Residential "R1" and "R2" development tracts to allow high-rise, low-rise and single-story multi-family dwellings in "R1" and single family detached dwellings in "R2"; by creating an Amenity/Recreation "AR" tract; by allowing recreational amenities to be available to residents, club members and their guests; by adding deviations; by restricting placement of docks to within the water management lakes located within the RPUD; by adding a private road cross section; by adding a Sidewalk Master Plan; by revising the Development Standards; by amending the Master Plan; by revising Developer Commitments; and by providing an effective date. The property is located on the northwest and northeast corners of Wiggins Pass Road and Vanderbilt Drive in Sections 8, 16, 17 and 20, Township 48 South, Range 25 East, Collier County, Florida, consisting of 625.61± acres [Petition PUDZ-PL20130001813] This is a companion item to Item 12A and is to be heard concurrently with that item. Pg. 8

10. BOARD OF COUNTY COMMISSIONERS

- 10.A.** Recommendation to reconstitute the Collier County Hispanic Affairs Advisory Board and direct the County Attorney to bring back an enabling ordinance. (Commissioner Fiala) Pg. 103
- 10.B.** Recommendation to approve the proposed Capital Investment for Diversification Incentive (CID) Program. (Commissioner Hiller) Pg. 106

11. COUNTY MANAGER'S REPORT

- 11.A.** Recommendation to approve the purchase of property insurance effective April 1, 2015 in the estimated amount of \$3,027,599, a reduction of \$281,449. (Jeff Walker, Risk Management Division Director) Pg. 113

12. COUNTY ATTORNEY'S REPORT

- 12.A. *This item to be heard at 9:30 a.m.* Recommendation that the Board of County Commissioners consider the amendment to Settlement Agreement and Release proposed by Lodge/Abbott Associates, LLC and Lodge/Abbott Investments Associates LLC (owners of the Cocohatchee Bay Planned Unit Development) to allow the Cocohatchee Planned Unit Development to be amended. This is a companion item to Item 9A and is to be heard concurrently with that item.** Pg. 122

13. OTHER CONSTITUTIONAL OFFICERS

14. AIRPORT AUTHORITY AND/OR COMMUNITY REDEVELOPMENT AGENCY

14.A. AIRPORT

14.B. COMMUNITY REDEVELOPMENT AGENCY

- 14.B.1. Recommendation to comply with Department of Housing and Urban Development (HUD) and Community and Human Services Division (CHS) determinations to reimburse federal funds in the amount of \$268,901.37 for Community Development Block Grant (CDBG) projects subawarded to support the work of the Immokalee Business Development Center (IBDC), to authorize the transfer of necessary funds with the requisite budget amendments, and to waive Resolution 2013-228.** Pg. 252

15. STAFF AND COMMISSION GENERAL COMMUNICATIONS

- 15.A. Current BCC Workshop Schedule.** Pg. 276

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 utility facility for Culvers Naples Airport Road, PL20130001819, 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 \$7,650.38 to the Project Engineer or the Developer's designated agent.** Pg. 278
- 16.A.2. Recommendation to authorize the Clerk of Courts to release Performance Bond No. 40094491 in the amount of \$97,500 which was posted as a guaranty for Excavation Permit Number 60.081, (PL20120000747) for work associated with Camden Lakes.** Pg. 289

- 16.A.3. Recommendation to authorize the Clerk of Courts to release a Cash Bond in the amount of \$12,030 which was posted as a development guaranty for work associated with Freedom Suites Site Development Plan, Early Work Authorization (EWA) PL20130000663. Pg. 296
- 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 approve for recording the final plat of Parklands - Plat One, (Application Number PL20140001253) approval of the standard form Construction and Maintenance Agreement and approval of the amount of the performance security. Pg. 301
- 16.A.5. 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 Golf Club of the Everglades Phase 1, (Application Number PL20140001653) approval of the standard form Construction and Maintenance Agreement and approval of the amount of the performance security. Pg. 339
- 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 for recording the final plat of Tuscany Pointe 2, (Application Number PL20140001338) approval of the standard form Construction and Maintenance Agreement and approval of the amount of the performance security. Pg. 354
- 16.A.7. Recommendation to award Invitation to Bid (ITB) No. 15-6369, Airport Road (US41 East to Cougar Drive) Maintenance to Florida Land Maintenance Inc. Pg. 364
- 16.A.8. Recommendation to approve a Resolution authorizing the Chairman to execute a revised Local Agency Program Agreement with the Florida Department of Transportation in place of a prior version originally approved by the Board on May 27, 2014, wherein Collier County will be reimbursed up to \$400,000 for the installation of advance intersection signs at various urban county sites. Pg. 455
- 16.A.9. Recommendation to approve and authorize the Chairman to execute a funding assistance letter to the United States Army Corps of Engineers (USACE) for shoreline protection within Collier County. Pg. 479
- 16.A.10. Recommendation to approve the First Amendment to Interlocal Agreement between the District School Board of Collier County, and Collier County, to extend the deadline for a traffic study for Elementary School L within Collier County. Pg. 483
- 16.A.11. Recommendation to award ITB #15-6394 for the Traffic Signal Upgrade at the intersection of Golden Gate Parkway and 44th Street SW to OnPower Services, LLC, in the amount of \$297,391.85 for Project #60172. Pg. 500

- 16.A.12. **Recommendation to award ITB #15-6393 for the Traffic Signal Upgrade at the intersection of Golden Gate Parkway and Tropicana Boulevard to Highway Safety Devices, Inc., in the amount of \$479,967.30 for Project #60172.** Pg. 511
- 16.A.13. **Recommendation to approve the release of a code enforcement lien with an accrued value of \$66,977.18, for payment of \$677.18, in the code enforcement action entitled Board of County Commissioners v. Ebed Guadarrama and Irma Guadarrama, Special Magistrate Case No. CESD20130004682, relating to property located at 831 Everglades Blvd. N., Collier County, Florida.** Pg. 517
- 16.A.14. **Recommendation to approve the partial release of 55 code enforcement liens with a combined accrued value of \$10,108.85 for payment of \$1,091.21, in the Code Enforcement actions entitled Board of County Commissioners vs. Capri International, Inc., Special Magistrate Case Nos. CENA20120012920, CENA20120012922, CENA20120012918, CENA20130003493, CENA20130003492, CENA20130003495, CENA20130007036, CENA20130007231, CENA20130007218 and CENA20130007230, relating to property known as 1410 Marion Lane, Collier County, Florida.** Pg. 524
- 16.A.15. **Recommendation to approve three releases of code enforcement liens with a combined accrued value of \$531,150 for payment of \$450, in the code enforcement actions entitled Board of County Commissioners v. Palm Lake, LLC., Code Enforcement Special Magistrate Case No. CEP20090017229 and Code Enforcement Board Case Nos. CENA20100002928 and CEV20100003082, relating to property located at 3131 Tamiami Trail East, Collier County, Florida.** Pg. 532
- 16.A.16. **Recommendation to approve and authorize the Chairman to sign a Second Amendment to Joint Participation Agreement between the Florida Department of Transportation and Collier County to receive reimbursement for Construction services on the FDOT resurfacing project on SR951 from Fiddler's Creek Parkway to South of SR 90, along with the County's US-41 and SR/CR-951 intersection project; to execute a Resolution memorializing the Board's action; and, to authorize the necessary budget amendment; Project 60116.** Pg. 545
- 16.A.17. **Recommendation to approve a Resolution authorizing the Chairman to execute a revised Local Agency Program Agreement with the Florida Department of Transportation, in place of a prior version originally approved by the Board on September 9, 2014, wherein Collier County will be reimbursed up to \$491,322 for the construction of various sidewalks in Golden Gate City (20th Ct. SW, 46th Terr. SW and 48th St. SW). The primary revision changes the grant expiration and construction completion date from December 31, 2017 to November 22, 2016, with no change in the amount of the grant award.** Pg. 554

16.A.18. Recommendation to enter into a "Deposit Account Agreement" with the Collier County Clerk of Courts (Clerk) to establish and maintain a deposit account used for payment to record Notices of Commencement by the Clerk that have been electronically forwarded by Collier County Growth Management Department staff as a convenience to its building permit customers. Pg. 577

16.A.19. Recommendation to approve an amendment to the Promotional Fund Grant Award Agreement, modifying the completion date to October 31, 2015 for the County's construction of artificial reefs and authorize the Chairman to sign the amended Agreement. Pg. 588

16.B. COMMUNITY REDEVELOPMENT AGENCY

16.C. PUBLIC UTILITIES DIVISION

16.C.1. Recommendation to approve a \$340,537 work order to Quality Enterprises USA, Inc., under Request for Quotation 14-6213-21 for Underground Utility Contracting Services for the Wastewater Pump Station 104.05 Rehabilitation Project, Project Number 70046. Pg. 607

16.C.2. Recommendation to approve a \$468,196 work order to Douglas N. Higgins, Inc., under Request for Quotation 14-6213-22 for Underground Utility Contracting Services for the Wastewater Pump Station 151.00 Rehabilitation Project, Project Number 70046; and, authorize the necessary budget amendment. Pg. 623

16.C.3. Recommendation to approve a \$495,140.95 work order to Quality Enterprises USA, Inc., under Request for Quotation 14-6213-23 for Underground Utility Contracting Services for the Wastewater Pump Station 147.00 Rehabilitation Project, Project Number 70046; and, authorize the necessary budget amendment. Pg. 644

16.D. PUBLIC SERVICES DIVISION

16.D.1. Recommendation to approve a budget amendment recognizing recovery of County funds in connection with a claim involving a Collier Area Transit bus shelter. Pg. 660

16.D.2. Recommendation to authorize the Chairman to execute a revised Federal Transit Administration Section 5339 FY2013/2014 application for Federal Assistance and transmittal to the Florida Department of Transportation (FDOT). Pg. 663

16.D.3. Recommendation to authorize execution of the 2013/2014 Federal Highway Administration Flexible Funds grant award for the purchase and installation of bus shelters in the amount of \$294,000 and appropriate a budget amendment. Pg. 668

- 16.D.4. Recommendation to authorize execution of the 2014/2015 Federal Highway Administration Flexible Funds grant award for the purchase and installation of bus shelters in the amount of \$287,124 and appropriate a budget amendment. Pg. 680
- 16.D.5. Recommendation to approve a standard Donation Agreement that allows Marco A. Espinar to donate a 2.26 acre parcel along with a management endowment of \$8,802.70 to the Conservation Collier Land Acquisition Program under the offsite vegetation retention provision of the Land Development Code LDC Sec 3.05.07H.1.f.iii. (b), at no cost to the County, and authorize the Chairman to sign the Donation Agreement and staff to take all necessary actions to close. Pg. 694
- 16.D.6. Recommendation to approve a Budget Amendment recognizing \$29,128.43 of State Housing Initiative Partnership Program program income for Fiscal Year 2013/2014. Pg. 707
- 16.D.7. Recommendation to approve a substantial amendment to the FY2013-2014 and FY2014-2015 U.S. Department of Housing and Urban Development Annual Action Plans authorizing Community and Human Services staff to administer a rental assistance program to prevent homelessness using Emergency Solutions Grant funds in the amount of \$96,226 and approve necessary budget amendments. Pg. 713
- 16.D.8. *This item continued from the March 10, 2015 BCC Meeting.* Recommendation to approve a resolution authorizing the submittal of an after-the-fact grant application for \$516,816 to fund the expansion of the Immokalee Sports Complex Fitness Center through the FY2015-2016 Housing and Urban Development (HUD) Community Development Block Grant (CDBG). Pg. 721

16.E. ADMINISTRATIVE SERVICES DIVISION

- 16.E.1. Recommendation to correct a scrivener's error in request for first year tax levy for the Fiddlers Creek Municipal Rescue and Fire Services MSTU, which should have read "2015 tax year" rather than "2016 tax year". Pg. 727
- 16.E.2. Recommendation to approve an Interlocal Agreement between Collier County and the Sheriff of Broward County, Department of Fire Rescue and Emergency Services for mutual aid services. Pg. 747
- 16.E.3. Recommendation to award RFP #14-6307 "Annual Contract for General Contractors Services" to the following firms: Bradanna, Inc., Surety Construction Company, Wright Construction Group, Inc., PBS Contractors, and Compass Construction, Inc. Pg. 758
- 16.E.4. Recommendation to remove the Goodland Fire District MSTU from consideration for alternative provision of fire service. Pg. 898

16.F. COUNTY MANAGER OPERATIONS

- 16.F.1. This item continued from the March 10, 2015 BCC Meeting. Recommendation to approve Tourist Development Tax Category "B" funding to support the Pro Watercross World Championships September 19-28, 2015, authorize the Chairman to execute the agreement and make a finding that this expenditure promotes tourism. Pg. 901**
- 16.F.2. Recommendation to adopt a resolution amending and restating Resolution No. 2015-36 in support of Prospect #15-011, as a Qualified Applicant to Florida's Qualified Target Industries (QTI) Tax Refund Program, providing up to \$48,000 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 any budget amendments necessary to process this transaction. Pg. 920**
- 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. 925**
- 16.F.4. Recommendation to approve a budget amendment transferring \$200,000 from Pelican Bay Services Division MSTBU Fund 109 Reserves to the Beautification Cost Center for additional tree trimming services. Pg. 928**

16.G. AIRPORT AUTHORITY

- 16.G.1. Recommendation to approve and execute a First Amendment to a Commercial Aviation Operations License Agreement between the Collier County Airport Authority and Career Flight Training and Aircraft Rental, Inc., at the Marco Island Executive Airport. Pg. 930**

16.H. BOARD OF COUNTY COMMISSIONERS

- 16.H.1. Recommendation to appoint one member to the Collier County Public Safety Authority. Pg. 942**
- 16.H.2. Recommendation to appoint one member to the Forest Lakes Roadway and Drainage Advisory Committee. Pg. 951**
- 16.H.3. Recommendation to appoint two members to the Industrial Development Authority. Pg. 960**
- 16.H.4. Recommendation to appoint seven members to the Immokalee Enterprise Zone Development Agency. Pg. 977**

- 16.H.5. Recommendation to approve a Resolution for the Collier County Board of County Commissioners to request that the Florida Legislature support the funding request for the University Of Florida Institute of Food and Agricultural Sciences Extension Services and Research and Education Centers, in support of local, regional, and statewide economic development and agribusiness industry, and to deliver the resolution to the Collier County Legislative Delegation and other elected state officials. Pg. 1015**
- 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 March 5 through March 11, 2015. Pg. 1020**
- 16.J.2. Board declaration of expenditures serving a valid public purpose and approval of disbursements for the period of March 12 through March 18, 2015. Pg. 1068**
- 16.K. COUNTY ATTORNEY**
- 16.K.1. Recommendation to approve a Stipulated Final Judgment in the amount of \$14,000 for Parcel 232DAME in the lawsuit styled Collier County v. John Lespade, et al., Case No. 14-CA-2316 (LASIP Project No. 51101 – Crews Road, Cope Lane and Sandy Lane/Wing South Interconnect). (Fiscal Impact \$7,270.) Pg. 1118**
- 16.K.2. Recommendation to approve tentative Settlement Agreements, in the case styled Collier County v. Vineyards Development Corporation, Debra Lee Gogan, Amelia Sosa, and Astrid Ramirez, which require Defendants to collectively reimburse the County for the full amount of damages, plus administrative costs, totaling \$26,800. Pg. 1126**

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. Pg. 1139
Should a hearing be held on this item, all participants are required to be sworn in. Recommendation to approve Petition VAC-PL20140002643 to disclaim, renounce and vacate the County and the public interest in a portion of the 20-foot utility and drainage easement running through the back yard of lot 10, Riviera Colony Golf Estates, Unit IV, as recorded in Plat Book 17, pages 88 and 89 of the public records of Collier County, Florida, located in Section 18, Township 50 South, Range 26 East, Collier County, Florida.
- 17.B. Recommendation to adopt an Ordinance amending Ordinance No. 89-11, adding Pg. 1149
criteria specifically for "Key Island" to provide for consistency in activities allowable by local law and Florida Administrative Code.
- 17.C. Recommendation to adopt a resolution approving amendments (appropriating Pg. 1158
carry forward, transfers and supplemental revenue) to the Fiscal Year 2014-15 Adopted Budget.

18. ADJOURN

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