

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



AGENDA

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

May 12, 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.

Public Comment on General Topics not on the Current or Future Agenda to be heard no sooner than 1:00 p.m., or at the conclusion of the agenda; whichever occurs first.

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.

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.

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 Division 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 Division.

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

1. INVOCATION AND PLEDGE OF ALLEGIANCE

1.A. Reverend Edward Gleason - Trinity By The Cove Episcopal Church 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. April 14, 2015 - BCC/Regular Meeting

3. SERVICE AWARDS

4. PROCLAMATIONS

4.A. Proclamation designating May 18-24 as Water Reuse Week in Collier County. To be accepted by Dr. George Yilmaz, Public Utilities Department Head; Lisa Koehler, Big Cypress Basin Administrator; Lizabeth Johnssen, Wastewater Division Director; and Joseph Bellone, Public Utilities Operations Support Director. Pg. 2

4.B. Proclamation designating May 17-23 as Emergency Medical Services Week in Collier County, in recognition of the dedication of all emergency medical professionals serving in a variety of roles. To be accepted by Walter Kopka, Chief, Collier County EMS. Pg. 4

4.C. Proclamation recognizing the Collier County Procurement Services Division for receiving the Outstanding Agency Accreditation Achievement Award by the National Institute of Governmental Purchasing. To be accepted by Joanne Markiewicz, Division Director, Collier County Procurement Services and staff. Pg. 6

4.D. Proclamation designating May 11-17 as Salvation Army Week in Collier County. To be accepted by Major Francina Proctor, Associate Regional Coordinator, Salvation Army of Collier County and Alisa Marie Coccari, Communications, Salvation Army of Collier County. Pg. 9

4.E. Proclamation designating May 2015 as National Drug Court Awareness Month in Collier County. To be accepted by The Honorable Janeice Martin, Presiding Judge; Ashley Swan, Case Manager; members of the Drug Court team and many participants. Pg. 11

4.F. Proclamation designating May 2015 as Motor Cycle Safety Month and to promote motorcycle awareness and safety in Collier County. To be accepted by representatives of American Bikers Aimed Toward Education - ABATE of Florida Inc - Gator Alley Chapter: Lynn Corr, Legislative Trustee; Laurajo Smith, Communications; and William "Riffraff" Breen, Safety Director. Pg. 13

4.G. Proclamation designating May 17- 23 as International Association of Insurance Professionals Week in Collier County. To be accepted by Belinda Zivich, President of Insurance Professionals of Collier County. Pg. 15

5. PRESENTATIONS

- 5.A. Presentation of the Collier County Business of the Month for May 2015 to NCH Healthcare Systems. To be accepted by Dr. Allen Weiss, President and CEO; Dr. Frank Astor, Chief Medical Officer; Renee Thigpen, Associate Chief Human Resources Officer; Michelle Zech, Director of Human Resources; Vicki Thompson, HR Business Partner II; Donna Wisniewski, HR Business Partner; and Kristi Bartlett, Vice President, Business Development, the Greater Naples Chamber of Commerce. Pg. 17

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. *This item to be heard at 9:30 a.m.* Recommendation to deny the single, 2014 Cycle 1 Growth Management Plan Amendment petition PL20140000113/CP-2014-2 specific to the San Marino Planned Unit Development. (Adoption Hearing) (Companion to rezone petition PUDA-PL20140000100, San Marino Planned Unit Development) Pg. 20

- 9.B. *This item to be heard immediately following Item 9A.* 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 2000-10, the San Marino Planned Unit Development, by increasing the maximum dwelling units from 352 to 650; by removing the Golf Course Uses; by establishing two Development Parcels as Parcel A and Parcel B; by adding Permitted Uses for Parcel B; by adding Development Standards for Parcel B; by adding Deviations; by revising the Master Plan; by revising Developer Commitments for the PUD located on the east side of CR 951 approximately 1.5 miles south of Davis Boulevard in Section 11, Township 50 South, Range 26 East, Collier County Florida consisting of 235± acres; and by providing an effective date (Petition PUDA-PL20140000100) [Companion to CP-2014-2/PL20140000113]. Pg. 92

- 9.C. *This item has been continued from the April 28, 2015 BCC meeting, and is further continued to the May 26, 2015 BCC meeting.* Recommendation to deny the single, 2013 Cycle 3 Growth Management Plan Amendment specific to the Vincentian Mixed Use Subdistrict petition. (Adoption Hearing) (Companion to rezone petition PUDZ-PL20130001726, Vincentian Village Mixed Use Planned Unit Development) Pg. 201

9.D. *This item has been continued from the April 28, 2015 BCC meeting, and is further continued to the May 26, 2015 BCC meeting.* 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 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 Planned Unit Development (PUD) zoning district to a Mixed Use Planned Unit Development (MPUD) zoning district for a project to be known as the Vincentian Village MPUD, to allow construction of a maximum of 224 multifamily residential dwelling units, up to 250,000 gross square feet of commercial land uses, and a hotel limited to 150 rooms and an assisted living facility (ALF) at 0.6 FAR. The commercial uses are subject to conversions and limitations if the project is developed as mixed use or if a hotel or ALF is constructed. The subject property is located at the southeast corner of Southwest Boulevard and U.S. 41 in Section 32, Township 50 South, Range 26 East, Collier County, Florida, consisting of 30.68+/- acres; providing for the repeal of Ordinance Number 99-37, the Vincentian PUD; and by providing an effective date. [PUDZ-PL20130001726. This is a companion item to the Growth Management Plan Amendment establishing the Vincentian Mixed Use Subdistrict, PL20130001767/CP-2013-10].

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10. BOARD OF COUNTY COMMISSIONERS

10.A. Recommendation to consider setting a time certain in Board of County Commissioner meetings of 1:00 pm for public comment for items not on the agenda and, in addition, when a Board of County Commission meeting ends before 1:00 pm, it will reconvene at 1:00 pm for the purpose of hearing public comments. (Commissioner Taylor)

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10.B. Recommendation to authorize the County Attorney to advertise for future consideration an ordinance amending Ordinance No. 2005-54 with direction to include revision to Section Nineteen to meet updated market standards for landscape recycling. (Commissioner Henning)

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11. COUNTY MANAGER'S REPORT

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) accept Staff and the MSTU Advisory Board's response to Mr. Bob Messmer's public comments at the April 28, 2015 BCC meeting. Pg. 255**

15. STAFF AND COMMISSION GENERAL COMMUNICATIONS

- 15.A. Current BCC Workshop Schedule. Pg. 371**

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 DEPARTMENT

- 16.A.1. Recommendation to approve final acceptance of the sewer utility facility for Torino and Miramonte at Grey Oaks AR-11363 and to authorize the County Manager, or his designee, to release the Final Obligation Bond in the total amount of \$4,000 to the Project Engineer or the Developer's designated agent. Pg. 373**
- 16.A.2. Recommendation to approve final acceptance of the water utility facility for Hacienda Lakes, PL20130002446, 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 \$27,881.46 to the Project Engineer or the Developer's designated agent. Pg. 382**
- 16.A.3. Recommendation to accept a Resolution Amending Exhibit "A" to Resolution No. 2013-239, the list of speed limits on County maintained roads, to establish a speed limit of forty (40) mph for Hacienda Boulevard (f/k/a Benfield Road), approximately 1-mile east of Collier Boulevard (CR 951) from Rattlesnake Hammock Road to a point approximately 1.5 miles north. Pg. 392**
- 16.A.4. Recommendation to approve selection committee rankings and authorize staff to enter into contract negotiations with the number one ranked firm, High Spans Engineering, Inc., for RFP 15-6372 for "Verification Testing for Golden Gate Blvd. Design Build," Project # 60040. Pg. 444**
- 16.A.5. Recommendation to approve payment for a Joint Coastal Permit in the amount of \$22,970 for the 15-year FDEP permit under DEP File No. 0311817-001-JC for beach renourishment, authorize all necessary budget amendments, and make a finding that this item promotes tourism (Project No. 80165). Pg. 531**

- 16.A.6. Recommendation to approve a waiver in accordance with the guidelines set forth in the Advance Street Name Sign Guidelines policy and Resolution Number 2012-114 for the placement of advance street name guide signs along Collier Boulevard (CR 951) at the approaches to Naples Lake Boulevard. Pg. 535
- 16.A.7. Recommendation to approve the ranked list of design professionals for Request for Proposal (RFP) 15-6382, "Grant Funded Professional Services for Coastal Zone Management," authorize staff to negotiate contracts with the top ranked firms for subsequent Board approval and make a finding that this item promotes tourism. Pg. 545
- 16.A.8. Recommendation to authorize a budget amendment totaling \$176,000 within the Stormwater Capital Fund 325, moving \$161,000 from Project Number 60094, Secondary System Repair and \$15,000 from Project Number 51144, Stormwater Feasibility and Preliminary Design, to fund Project Number 60140, the Kirkwood Alley Stormwater Management project. Pg. 594
- 16.A.9. Recommendation to approve the release of a code enforcement lien with an accrued value of \$8,643.89 for payment of \$593.89, in the code enforcement action entitled Board of County Commissioners v. Cindy Yablonowski, Code Enforcement Board Case No. CEVR20130009048, relating to property located at 6508 Trail Blvd., Collier County, Florida. Pg. 600
- 16.A.10. Recommendation to approve the release of a code enforcement lien with an accrued value of \$49,500 for payment of \$6,000, in the code enforcement action entitled Board of County Commissioners v. Jon R. and Denise T.C. Brimmer, Code Enforcement Board Case No. 2007090878, relating to property located at 561 7th St. NW, Collier County, Florida. Pg. 606
- 16.A.11. Recommendation to approve the release of a code enforcement lien with an accrued value of \$30,862.29 for payment of \$562.29, in the code enforcement action entitled Board of County Commissioners v. Christopher S. Cleary Est., Code Enforcement Special Magistrate Case No. CEP20130009214, relating to property located at 4951 18th Ct. SW, Collier County, Florida. Pg. 612
- 16.A.12. Recommendation to approve two releases of code enforcement liens with a combined accrued value of \$385,362.30, for payment of \$612.30, in the code enforcement actions entitled Board of County Commissioners v. Valorie K. Lojewski and Carol E. Nelson, Code Enforcement Board Case Nos. CESD20080014926 and CESD20080015799, relating to property located at 330 Wilson Blvd. S., Collier County, Florida. Pg. 618
- 16.A.13. Recommendation to approve the release of a code enforcement lien with an accrued value of \$106,731.43, for payment of \$1,597.93, in the code enforcement action entitled Board of County Commissioners v. Thu-Nhut Nguyen, Code Enforcement Board Case No. CEP20120001592, relating to property located at 480 8th St. NE, Collier County, Florida. Pg. 629

- 16.A.14. Recommendation to adopt a Resolution appointing membership to the Golden Gate Watershed Improvement Program Technical Advisory Ad Hoc Committee for 12 months. Pg. 638
- 16.A.15. Recommendation to authorize the Clerk of Courts to release Performance Bond No. 964119218 in the amount of \$302,000 which was posted as a development guaranty for work associated with Parklands - Plat One, Early Work Authorization (EWA) PL20140001253. Pg. 646
- 16.A.16. Recommendation to approve a Partnership Agreement (PA) with the Rotary Club of Marco Island, Florida Sunrise and Collier County; and to authorize Collier County to purchase two Multi-use Bus Stop Shelters for the Copeland area located at Panther Park and Lake Gloria. Pg. 653
- 16.A.17. Recommendation to approve and authorize the Chairman to execute a Letter of Intent to the United States Army Corps of Engineers for Collier County to serve as a non-Federal sponsor for a shoreline protection feasibility study within Collier County. Pg. 666
- 16.A.18. Recommendation to authorize a budget amendment for attorney's fees awarded by the Court for supplemental proceedings in the case of Collier County v. Andy Morgan, Case No. 07-4400-CA. (Santa Barbara Extension Project No. 60091). (Fiscal Impact: \$58,829) Pg. 675
- 16.A.19. Recommendation to approve a Temporary Use Agreement to permit the temporary use of a portion of the right-of-way previously acquired for the expansion of County Barn Road from two lanes to four lanes. Pg. 680

16.B. COMMUNITY REDEVELOPMENT AGENCY

16.C. PUBLIC UTILITIES DEPARTMENT

- 16.C.1. Recommendation to approve a \$365,690.30 work order to Quality Enterprises USA, Inc., under Request for Quotation 14-6213-20 for Underground Utility Contracting Services for the Bluebill Avenue Forcemain Replacement, Project Number 70044. Pg. 697

16.D. PUBLIC SERVICES DEPARTMENT

- 16.D.1. Recommendation to approve a transportation coordination agreement with Good Wheels, Inc. Pg. 711
- 16.D.2. Recommendation to approve substantial amendments to the U.S. Department of Housing and Urban Development Community Development Block Grant from FY2005-2006 through FY2014-2015 Annual Action Plans; amend a subrecipient agreement with Habitat for Humanity - Legacy Lakes; approve a subrecipient agreement with Naples Equestrian Challenge and increase or allocate project delivery for the following: Habitat for Humanity - Legacy Lakes, Boys & Girls Club of Collier County, Naples Equestrian Challenge and Direct Homeownership Assistance. Pg. 717

- 16.D.3. Recommendation to authorize a budget amendment to the Home Care for the Elderly agreement between Collier County and the Area Agency on Aging for Southwest Florida, Inc. by transferring funds between budget lines for FY 14-15. Pg. 789
- 16.D.4. Recommendation to approve an after-the-fact Amendment and Attestation Statement with Area Agency on Aging for Southwest Florida, Inc. for the Community Care for the Elderly program and budget amendment to ensure continuous funding for FY 2014/2015. Pg. 813
- 16.D.5. Recommendation to award Request for Proposal No. 14-6274, Parks and Recreation Activity Management Software Solution to the Active Network, LLC, authorize Chairman to execute Agreement, and authorize the necessary budget amendment. Pg. 849
- 16.D.6. Recommendation to approve a 20% discount on Collier County Parks and Recreation swimming lesson programs to all Collier County children (age 5 and under) and to authorize Parks and Recreation to promote the discount within the NCH Safe and Healthy Children's Coalition "Water Smart Prescription Booklet." Pg. 946

16.E. ADMINISTRATIVE SERVICES DEPARTMENT

- 16.E.1. Recommendation to approve a Memorandum of Understanding between Collier County and the Naples United Church of Christ in support of Emergency Management activities related to natural and manmade hazards emergency response. Pg. 949
- 16.E.2. Recommendation to ratify Property, Casualty, Workers' Compensation and Subrogation claim files settled and/or closed by the Risk Management Division Director pursuant to Resolution # 2004-15 for the second quarter of FY 15. Pg. 956
- 16.E.3. Recommendation to authorize the Chief of Emergency Medical Services to sign a Lee Memorial Health System Computer Access Request form(s) and Physician / Office Staff Security Agreement(s) to obtain medical records from Lee Memorial Hospital System. Pg. 984
- 16.E.4. Recommendation to approve the price list attachment dated June 12, 2013 from Con-Air Industries and to authorize payment of \$2,455.92 in outstanding invoices from 2013 and 2014. Pg. 989
- 16.E.5. Recommendation to accept reports and ratify staff-approved change orders and changes to work orders. Pg. 996
- 16.E.6. Recommendation that the Board affirms and confirms its prior authorization to purchase original equipment manufacturer (OEM) parts from local Ford dealerships until a new solicitation can be finalized, whether or not the expenditures exceed \$50,000, and to direct Finance to promptly pay all outstanding and future invoices that are otherwise appropriate. Pg. 1017

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. 1022

16.F.2. Recommendation pursuant to Collier County Resolution No. 95-632, that the Board of County Commissioners acknowledges the selection of outside counsel and approves payment of counsel identified in the back-up materials to this item to represent Leo Ochs and Joanne Markiewicz in the case styled Dwight E. Brock v. Leo E. Ochs, Jr., as Manager/Administrator of Collier County and Joanne Markiewicz, as Purchasing and General Services Division Director, Case No. 11-2015-CA-000595-0001-XX, in the Circuit Court of the Twentieth Judicial District in and for Collier County, Florida, and in addition to waive the Purchasing Policy to the extent it applies to the selection of outside counsel and/or otherwise exempt the selection of outside counsel from competition pursuant to Purchasing Ordinance Section Eleven Procurement of Professional Services. Pg. 1025

16.G. AIRPORT AUTHORITY

16.H. BOARD OF COUNTY COMMISSIONERS

16.H.1. Recommendation to appoint one member to the Code Enforcement Board, and upon such appointment, accept his resignation from the Contractor's Licensing Board. Pg. 1085

16.H.2. Recommendation to reappoint three members to the Contractors Licensing Board. Pg. 1097

16.H.3. Recommendation to appoint a member to the Historical Archaeological Preservation Board. Pg. 1114

16.H.4. Recommendation to reappoint two members to the Tourist Development Council Pg. 1127

16.I. MISCELLANEOUS CORRESPONDENCE

16.I.1. Miscellaneous Items to file for record with action as directed. Pg. 1152

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 April 23 through April 29, 2015. Pg. 1154

16.J.2. Board declaration of expenditures serving a valid public purpose and approval of disbursements for the period of April 30 through May 6, 2015. Pg. 1234

16.K. COUNTY ATTORNEY

17. SUMMARY AGENDA

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

- 17.A. This item requires that ex parte disclosure be provided by Commission members. Pg. 1295
Should a hearing be held on this item, all participants are required to be sworn in. A recommendation to consider an Ordinance 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 classification of the herein described real property from the Estates (E) zoning district to a Residential Planned Unit Development (RPUD) zoning district to be known as the Avalon of Naples RPUD to allow a maximum of 160 multi-family residential dwelling units, or 82 single-family residential dwelling units. The subject property, consisting of 22.83± acres, is located in the southeast quadrant of the intersection of Davis Boulevard (SR 84) and County Barn Road in Section 8, Township 50 South, Range 26 East, Collier County, Florida, and by providing an effective date [PUDZ-PL20140001179].
- 17.B. *This item has been continued from the April 14, 2015 BCC meeting, then again from the April 28, 2015 BCC meeting.* Pg. 1334
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 Petition VAC-PL20140000235, to vacate the 2.35-foot wide conservation easement as recorded in Official Record Book 4251, Pages 1007 through 1018, of the public records of Collier County, Florida, being a part of Tract M-1, Stella Maris, and approve an Amendment to the Settlement Agreement and General Release, dated June 26, 2007, as recorded in Official Record Book 4251, Pages 1019 through 1024.
- 17.C. Recommendation to adopt a resolution approving amendments (appropriating Pg. 1372
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.