

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 08, 2016

9:00 AM

Commissioner Donna Fiala, District 1 – BCC Chair
Commissioner Tim Nance, District 5 – BCC Vice-Chair; CRAB Chair
Commissioner Georgia Hiller, District 2 – Community & Economic Development Chair
Commissioner Tom Henning, District 3 – PSCC Representative
Commissioner Penny Taylor, District 4 – CRAB Vice-Chair; TDC 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. Pastor Jim Thomas - East Naples United Methodist 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. February 9, 2016 - BCC/Regular Meeting Minutes

3. SERVICE AWARDS

4. PROCLAMATIONS

4.A. Proclamation designating March 19, 2016 as Save the Florida Panther Day in Collier County. To be accepted by Tom Trotta, Amber Crooks and Mac Hatcher, representing the Friends of the Florida Panther Refuge; and Jess Sutt representing the Florida Panther National Wildlife Refuge. Pg. 2

4.B. Proclamation designating March 17- 27, 2016 as the 40th Annual Collier County Fair and 4-H Show & Auction Days. To be accepted by Pat Cookson, Lou Hoegsted, Shannon Hubbel, and Nico Vitale. Pg. 4

4.C. Proclamation designating March 13-19, 2016 as Sunshine Week in Collier County and declaring our commitment to open and accessible government. To be accepted by Mike Sheffield, representing Collier County Government; Crystal Kinzel, representing the Collier County Clerk of Courts; Andrea Lewis representing the Collier County Sheriff's Office; Vickie Downs representing the Collier County Property Appraiser; Rob Stoneburner, representing the Collier County Tax Collector; and Melissa Blazier, representing the Collier County Supervisor of Elections. Pg. 6

4.D. Proclamation designating March 2016 as Bicycle Awareness and Safety Month in Collier County. To be accepted by members of the Naples Pathway Coalition. Pg. 8

4.E. Proclamation honoring the North Collier Fire Training Center for its excellence in preparing fire and emergency service personnel and its service to the citizens of Collier County. To be accepted by Deputy Chief Eloy Ricardo, Director of the North Collier Fire Training Center and Captain Michael Jimenez, Program Coordinator. Pg. 10

4.F. Proclamation honoring Arthrex and CEO Reinhold Schmieding and congratulating them for 25 years of innovation and growth in Collier County. To be accepted by Reinhold Schmieding. Pg. 14

4.G. Proclamation honoring the work and contributions of those medical businesses and organizations in Collier County that are dedicated to making Collier County a destination for medical tourism. To be accepted by Dr. Allen Weiss, CEO of the NCH Healthcare System, Reinhold Schmieding, founder and CEO of Arthrex and Scott Pg. 16

Lowe, CEO of Physicians Regional Healthcare System.

5. PRESENTATIONS

- 5.A. Presentation of the Collier County Business of the Month for March 2016 to Arthrex, Inc. To be accepted by Reinhold Schmieding, Founder and President, Arthrex, Inc. and Arthrex Manufacturing; Arthrex staff; Michel Dalby, President and CEO, the Greater Naples Chamber of Commerce; Kristi Bartlett, Vice President, Opportunity Naples, the Greater Naples Chamber of Commerce; and Andrea Sturzenegger, Vice President, Marketing & Membership, the Greater Naples Chamber of Commerce. Pg. 19**
- 5.B. Recommendation to recognize Rheannon Ketover, Chemist, Growth Management Department, as Employee of the Month January 2016. Pg. 20**

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.

10. BOARD OF COUNTY COMMISSIONERS

- 10.A. Recommendation that the Board of County Commissioners (Board) appoint a committee of ten (10) voting members to provide local input to the Florida Fish and Wildlife Commission (FWC) on proposed changes to the manatee protection zones in Collier County. Pg. 23**

11. COUNTY MANAGER'S REPORT

- 11.A. Recommendation to award Invitation to Bid (ITB) No. 16-6573 to DEC Contracting Group, Inc. in the amount of \$2,512,853 for the construction of CCSO Orangetree Substation, and authorize the Chairman to execute the attached contract. (Hank Jones, Facilities Management Principal Project Manager) Pg. 68**
- 11.B. Recommendation to authorize the creation of sixteen (16) additional Full-Time Equivalent positions in the Growth Management Department in response to increased customer demand. The proposed positions will be funded with current user fee reserves, require no additional fees, and have no impact on the General Fund. (Jamie French, Growth Management Deputy Department Head) Pg. 106**
- 11.C. Recommendation to approve a resolution superseding Resolution 2015-123, providing for updates to the Collier County Growth Management Department Pg. 127**

Development Services Fee Schedule with an effective date of April 1, 2016, decreasing fees for building permit development-related application, processing, review, and inspection fees, and related engineering re-inspection fees. (Jamie French, Growth Management Deputy Department Head)

- 11.D. Recommendation for the Board to direct the Clerk to the Board of County Commissioners, pursuant to the scope of services enumerated in the Interlocal Agreement between the Board of County Commissioners and the Clerk of the Circuit Court, to prepare and submit a payables report in the format and content specified by the Board. (Leo E. Ochs, Jr., County Manager)** Pg. 172

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

15. STAFF AND COMMISSION GENERAL COMMUNICATIONS

- 15.A. Current BCC Workshop Schedule.** Pg. 235

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 water and sewer facilities for Covenant Presbyterian Church, Phase 1B, PL20140001481, accept unconditional conveyance of a portion of the water facilities, 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 \$9,460.50 to the Project Engineer or the Developer's designated agent.** Pg. 237
- 16.A.2. Recommendation to approve final acceptance and unconditional conveyance of the water and sewer utility facilities for Isles of Collier Preserve, Phase 1 Multi-Family, PL20130002469, 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 \$35,958.63 to the Project Engineer or the Developer's designated agent.** Pg. 250
- 16.A.3. Recommendation to approve final acceptance of the water and sewer utility facilities for Vyne House at Talis Park (FKA Tuscan Reserve Clubhouse), PL20130002208, and to authorize the County Manager, or his designee, to** Pg. 265

release the Utilities Performance Security (UPS) and Final Obligation Bond in the total amount of \$7,809.20 to the Project Engineer or the Developer's designated agent.

- 16.A.4. Recommendation to approve final acceptance and unconditional conveyance of the water and sewer utility facilities for Bella Firenze, PL20140000190, 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. 275
- 16.A.5. Recommendation to approve final acceptance and unconditional conveyance of the water and sewer utility facilities for Coquina Circle at The Quarry, PL20130000980, 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. 284
- 16.A.6. Recommendation to approve the release of a code enforcement lien with an accrued value of \$38,726.48 for payment of \$450, in the code enforcement action entitled Board of County Commissioners v. Ramiro E. Llerena and Martha R. Llerena, Code Enforcement Board Case No. CESD20140012087, relating to property located at 11263 Tamiami Trail E., Unit D, Naples, Collier County, Florida. Pg. 293
- 16.A.7. Recommendation to approve the release of a code enforcement lien with an accrued value of \$135,564.64 for payment of \$2,000, in the code enforcement action entitled Board of County Commissioners v. Real Estate Holdings of Tienda Mexicana, Inc., Code Enforcement Board Case No. CESD20120006666, relating to property located at 217 N. 15th Street, Immokalee, Collier County, Florida. Pg. 303
- 16.A.8. Recommendation to authorize the Clerk of Courts to release a Performance Bond in the amount of \$87,000 which was posted as a guaranty for Excavation Permit Number 60.104 (PL20090000028) for work associated with The Arlington of Naples. Pg. 311
- 16.A.9. Recommendation to accept the Fee Simple conveyance of portions of the existing Livingston Road right-of-way located in Sections 24 and 25, Township 49 South, Range 25 East. Pg. 320
- 16.A.10. 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 Hacienda Boulevard Phase One, (Application Number PPL-PL20130001954) approval of the standard form Construction and Maintenance Agreement and approval of the amount of the performance security. Pg. 327
- 16.A.11. Recommendation to grant final approval of the private roadway and drainage improvements for the final plat of Regal Acres Phase One (Application Number PL20110001516) with the roadway and drainage Pg. 351

improvements being privately maintained and authorizing the release of the maintenance security.

- 16.A.12. 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 Lane Park, (Application Number PL20130001482); approval of the standard form Construction and Maintenance Agreement and approval of the amount of the performance security. Note: This is a companion item to 16D9 that recommends acceptance of a land donation and maintenance fees to Conservation Collier in lieu of on-site preserve requirements. Pg. 368
- 16.A.13. 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 Esplanade Golf and Country Club of Naples Benvenuto Court, (Application Number PL20150002533) approval of the standard form Construction and Maintenance Agreement and approval of the amount of the performance security. Pg. 382
- 16.A.14. Recommendation to notify the Florida Department of Agriculture and Consumer Services - Forestry Division of Collier County's intent to terminate the lease of Tract 126, Golden Gate Estates Unit No. 23 (SW corner of 8th Street NE and Randall Boulevard). (No fiscal impact.) Pg. 397

16.B. COMMUNITY REDEVELOPMENT AGENCY

16.C. PUBLIC UTILITIES DEPARTMENT

- 16.C.1. Recommendation to approve a \$586,432 work order under Request For Quotation 14-6213-54 to Douglas N. Higgins, Inc., for Project Number 71065, "Tamiami Wellfield Raw Water Main Valves & Meter Replacement," at the South County Regional Water Treatment Plant; and approve budget amendments in the total amount of \$350,000. Pg. 465

16.D. PUBLIC SERVICES DEPARTMENT

- 16.D.1. Recommendation to approve an after-the-fact Amendment to the Master Contract and Attestation Statement with Area Agency on Aging of Southwest Florida, Inc. for Federal-and State-funded Services for Seniors programs (No Fiscal Impact). Pg. 478
- 16.D.2. Recommendation to approve an after-the-fact Amendment to the Older Americans Act Program Title III and Attestation Statement with Area Agency on Aging of Southwest Florida, Inc. for Services for Seniors programs (No Fiscal Impact). Pg. 531
- 16.D.3. Recommendation to approve after-the-fact Amendment to the Home Care for the Elderly Program and Attestation Statement with Area Agency on Aging for Southwest Florida, Inc. for Services for Seniors programs (No Fiscal Pg. 571

Impact).

- 16.D.4. Recommendation to approve release of lien for full payment of a deferral of 100 percent of a countywide impact fee for owner occupied affordable housing dwelling unit. Pg. 595
- 16.D.5. Recommendation to approve a satisfaction of mortgage for the Collier County HOME Investment Partnership Program for full payment in the amount of \$20,819.26. Pg. 610
- 16.D.6. Recommendation to approve six mortgage satisfactions for the State Housing Initiatives Partnership loan program in the combined amount of \$45,216.09. Pg. 619
- 16.D.7. Recommendation to approve a satisfaction of mortgage for the State Housing Initiatives Partnership loan program for full payment in the amount of \$20,000. Pg. 653
- 16.D.8. Recommendation to approve a budget amendment recognizing \$20,819.26 in revenue received under the HOME Investment Partnership Program. Pg. 663
- 16.D.9. Recommendation to approve a standard Donation Agreement that allows Radio Rd, LLC, a Florida limited liability company to donate a 1.14 acre parcel along with a management endowment of \$19,608, a portion of which is a donation, to the Conservation Collier Land Acquisition Program under the offsite vegetation retention provision of the Land Development Code LDC Section 3.05.07 H.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. Note: This is a companion item to 16A12 which recommends approval to record the final Plat of Lane Park. Pg. 666
- 16.D.10. Recommendation to accept a Federal Transit Administration Section 5310 Grant award in the amount of \$527,800, authorize the necessary budget amendments, and approve the purchase of six paratransit vehicles and radios using those funds. Pg. 678
- 16.D.11. Recommendation to authorize the advertisement of an Ordinance for future consideration establishing a Public Transit Advisory Committee. Pg. 683
- 16.D.12. Recommendation to approve a Release, Waiver & Refunding Agreement and Plan of Final Distribution for the Franz Pschibul Revocable Trust of 1996, to accept final distribution in the amount of \$295,264.82 to specifically benefit the Naples Regional Branch Library and authorize the Chairman to approve the required receipt and necessary budget amendment. Pg. 691
- 16.D.13. Recommendation to approve corrected pages to the Sections 5310, 5311 and 5339-Rural FY 2015/2016 grant applications for re-submittal to the Florida Department of Transportation (FDOT). Pg. 705
- 16.D.14. Recommendation to approve and authorize the Chairman to execute a Pg. 891

Landlord Payment Agreement, allowing the County to administer the Rapid Re-Housing and Homelessness Prevention Program through the Emergency Solutions Grant Program.

16.E. ADMINISTRATIVE SERVICES DEPARTMENT

- 16.E.1. Recommendation to adopt a Resolution and to approve a License Agreement with South Florida Water Management District to utilize space within the County-owned communications equipment shelter on Stockade Road, Immokalee. Pg. 897**
- 16.E.2. Recommendation to approve a budget amendment in the amount of \$222,360.60 to fund the cost of moving Collier County Information Technology fiber optic cabling in conjunction with Transportation project #60040. Pg. 909**
- 16.E.3. Recommendation to approve the conveyance of a Grant of Utility Easement to Comcast Cable Communications Management, LLC, to provide cable connections for use of the Locution System, Inc. (a fire and EMS station alerting system) within Collier EMS Station No. 76 at Vanderbilt/Logan. Pg. 915**
- 16.E.4. Recommendation to approve the administrative reports prepared by the Procurement Services Division for modifications to work orders, change orders, surplus property and other items as identified. Pg. 921**
- 16.E.5. Recommendation to retroactively waive formal competition for the purchases from contract 12-5886R for Road Maintenance urban mowing services (including aquatic mowing) from Superior Landscaping & Lawn Services Inc., during the competitive bidding process. Pg. 946**

16.F. COUNTY MANAGER OPERATIONS

- 16.F.1. Recommendation to approve the termination of Agreements between Fine & Dandy Service, Inc. (d/b/a NAPKING) and the Collier County Water-Sewer District for payment of Wastewater Impact Fees and Allowance for Funds Prudently Invested Fees related to building permit number 2010070017, and a debt write-off in the amount of \$13,839.69. Pg. 958**
- 16.F.2. Recommendation to approve Tourist Development Tax Category "B" funding to support the four upcoming FY16 Sports Events up to \$15,300 and make a finding that these expenditures promote tourism. Pg. 972**
- 16.F.3. Recommendation to approve an agreement between Collier County and Arthrex under the Capital Investment for Diversification Incentive ("CID") Program providing a grant in the amount of \$572,970 in support of Arthrex's planned 161,000 square foot medical device manufacturing facility expansion project at Ave Maria. Pg. 976**
- 16.F.4. Recommendation to authorize staff to work with the Florida Department of Environmental Protection (FDEP) to evaluate options for the County's future Pg. 986**

potential participation in the operation of the Everglades City utility.

- 16.F.5. Recommendation to authorize payment of the outstanding balance due for the purchase and installation of office furnishings and a modular wall system at the Naples Business Accelerator to Office Furniture and Design Concepts (OFDC) in the amount of \$195,328.28. Pg. 1013**

16.G. AIRPORT AUTHORITY

- 16.G.1. Recommendation to approve the attached Collier County Airport Authority (Authority) Standard Form Lease Agreement with RTH Enterprise, Inc., and associated Sublease Arrangement with West Coast Karting, Inc. Pg. 1019**

- 16.G.2. Recommendation that the Board of County Commissioners acting as the Airport Authority approve a Site License Agreement with the Immokalee Chamber of Commerce, Inc. approving the use of County-owned property for the purpose of holding the Harvest Festival Event at the Immokalee Regional Airport on April 22-24, 2016. Pg. 1023**

- 16.G.3. Recommendation that the Board of County Commissioners acting as the Airport Authority approve a T-Hangar Lease Agreement between the Collier County Airport Authority and Exec. Air, Inc., of Naples and High Soaring, Inc. Pg. 1034**

16.H. BOARD OF COUNTY COMMISSIONERS

- 16.H.1. Recommendation to appoint four members to the Affordable Housing Advisory Committee. Pg. 1047**

16.I. MISCELLANEOUS CORRESPONDENCE

- 16.I.1. Items for approval by the BCC for payment as provided for in Section 2c of the agreed upon order dated July 16, 2015 by Judge R. Shenko Pg. 1081**

16.J. OTHER CONSTITUTIONAL OFFICERS

- 16.J.1. To record in the minutes of the Board of County Commissioners, the check number (or other payment method), amount, payee, and purpose for which the referenced disbursements were drawn for the periods between February 11 and February 24, 2016 pursuant to Florida Statute 136.06. Pg. 1111**

16.K. COUNTY ATTORNEY

- 16.K.1. Recommendation to approve a Joint Motion and Stipulated Final Judgment in the total amount of \$41,749 for Parcels 118RDUE, 118DE, and 118TDRE, in the lawsuit captioned Collier County v. John C. Peebles, et al, Case No. 2015-CA-1957, required for the construction of a replacement bridge on White Boulevard over the Cypress Canal, Project No. 66066. (Fiscal Impact: \$7,049) Pg. 1223**

- 16.K.2. Recommendation to approve a Joint Motion and Final Judgment in the amount of \$8,000 for Parcel 227RDUE, in the lawsuit captioned Collier Pg. 1238**

County v. Arabel Subiaut, et al, Case No. 2014-CA-2762, required for the construction of roadway improvements to Golden Gate Boulevard Project No. 60040. (Fiscal Impact: \$6,025)

- 16.K.3. Recommendation to hire Hole Montes, Inc. for expert analysis and testimony in an amount not to exceed \$24,357, Wilcox Appraisal Services, Inc. for expert appraisal services and testimony in an amount not to exceed \$50,000, and Agnoli, Barber & Brundage, Inc. for expert analysis and testimony in an amount not to exceed \$35,000 for support in the eminent domain cases styled Collier County v. S.D. Corporation, Inc., Case No. 15-CA-1580, and Collier County v. April Chappell, et al., Case No. 10-3932-CA filed in the Lely Area Stormwater Improvement Project, No. 51101. (Fiscal Impact: \$109,357) Pg. 1252
- 16.K.4. Recommendation to approve hiring and authorize the expenditure to retain Robin Doyle of Doyle Conflict Resolution, Inc. to serve as Mediator for the Mediation with the North Collier Fire Control and Rescue District as required by the Ch. 164 Governmental Conflict Resolution Act. Pg. 1264
- 16.K.5. Recommendation to approve a Retention Agreement for Legal Services with Law Office of Brian Armstrong, PLLC. Pg. 1268

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.

18. ADJOURN

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