

**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

**February 14, 2017**

**9:00 AM**

**Commissioner Penny Taylor, District 4 – BCC Chair**  
**Commissioner Andy Solis, District 2 – BCC Vice-Chair**  
**Commissioner Donna Fiala, District 1; CRAB Co-Chair**  
**Commissioner Burt Saunders, District 3**  
**Commissioner William L. McDaniel, Jr., District 5; CRAB Co-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. Invocation by Pastor Michael Smith of New Hope Ministries**
- 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 AND SUMMARY AGENDA.)**
  - 2.B. January 10, 2017 - BCC/Regular Meeting Minutes**
  - 2.C. January 24, 2017 BCC/Regular Meeting Minutes**
- 3. SERVICE AWARDS**
  - 3.A. EMPLOYEE**
  - 3.B. ADVISORY BOARD MEMBERS**
  - 3.C. RETIREES**
- 4. PROCLAMATIONS**
  - 4.A. Proclamation designating the week of February 19-25, 2017 as Engineers Week in Collier County, in recognition of the engineers who live and work in Collier County and who practice the profession of engineering. To be accepted by Norm Trebilcock, Ralph Verrastro, Marlene Messam, Alison Bickett and Wes Kayne.**
  - 4.B. Proclamation designating February 19, 2017 as "Stuff the Bus Day," in recognition of a community effort to "Stuff the Bus" with non-perishable food to replenish the local food bank and feed the hungry in Collier County. To be accepted by Steve Carnell, Public Services Department Head; Michelle Arnold, Public Transit and Neighborhood Engagement Division Director; Omar Deleon, Collier County Public Transit Senior Planner and Karole Davis, Engagement Manager with the Harry Chapin Food Bank.**
  - 4.C. Proclamation recognizing John Harris Spilker for achieving the Boy Scouts of America's Eagle Scout rank and for being selected by his peers for the Order of the Arrow. To be accepted by John Harris Spilker.**
- 5. PRESENTATIONS**
  - 5.A. Recommendation to recognize Chris D'Arco, Senior Environmental Specialist, as the January 2017 Employee of the Month.**
  - 5.B. Presentation of the Collier County Business of the Month for February 2017 to Pickle Pro LLC. To be accepted by Tom Watson, Operations Manager, Pickle Pro, LLC; Susan Kuhar, Account Executive, Greater Naples Chamber of Commerce; and Bethany Sawyer, Membership Engagement Specialist, Greater Naples Chamber of Commerce.**

**6. PUBLIC PETITIONS**

- 6.A. Public Petition request from Mr. Christopher Flint regarding yard waste pickup for larger land owners.**

**7. PUBLIC COMMENTS ON GENERAL TOPICS NOT ON THE CURRENT OR FUTURE AGENDA**

Item 7 to be heard no sooner than 1:00 pm unless otherwise noted.

**8. BOARD OF ZONING APPEALS**

Item 8 to be heard no sooner than 1:30 pm unless otherwise noted.

**9. ADVERTISED PUBLIC HEARINGS**

Item 9 to be heard no sooner than 1:30 pm unless otherwise noted.

- 9.A. Recommendation to adopt an ordinance that will implement a twelve month moratorium on new applications for gas stations, car washes, pawn shops and self-storage facilities in all commercial zoning districts that list these uses as permitted uses, but allow for these uses to be processed as conditional uses while staff brings forward Land Development Code amendments to require the conditional use process for the identified uses. This moratorium is geographically limited to both sides of U.S. 41 from the Palm Street/Commercial Drive/U.S.41 intersection to the Price Street/U.S.41 intersection and is not applicable to existing Planned Unit Developments (PUD)s that have satisfied Chapter 5 of the Collier County Land Development Code regarding Supplemental Standards for those specific uses subject to the moratorium, nor to any application for a development order that would be otherwise subject to this moratorium where there has at least been a pre-application meeting prior to December 13, 2016.**

**10. BOARD OF COUNTY COMMISSIONERS**

- 10.A. Recommendation to authorize the County Attorney to advertise an ordinance for future Board consideration that would institute term limits on Commissioners whereby an individual shall not be eligible for election as a Commissioner for more than three consecutive four-year terms.**

**11. COUNTY MANAGER'S REPORT**

- 11.A. Recommendation to direct the County Attorney to advertise and bring back to the Board of County Commissioners (Board) an Ordinance that will implement a temporary moratorium on cannabis dispensing businesses for six months to establish the appropriate Land Development Code Amendments. Note by County Attorney: Approval of this item will immediately commence the moratorium period pending future Board action on the Ordinance. (Mike Bosi, GMD Zoning Director)**
- 11.B. Recommendation to accept a report on the outreach and polling efforts that can be performed quickly to measure support for reauthorizing the ad valorem levy for continued acquisitions under the Conservation Collier program; review millage options; and provide guidance. (Barry Williams, Director, Parks and Recreation Division)**

- 11.C. Recommendation to award Contract Number 16-6622, Big Corkscrew Island Regional Park Design Services, to Q. Grady Minor and Associates, P.A., for professional engineering services in the amount of \$3,631,979, and authorize the Chairman to execute the attached contract. (Barry Williams, Director, Parks and Recreation Division)**
- 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**
- 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 the ranking of professional engineering consultants, to enter into negotiations with the top ranked firm of HNTB Corporation pursuant to Solicitation No. 16-6699 Eleven Bridge Replacements Project Number 66066 and in the event that an agreement cannot be reached with this firm, to continue negotiating with the remaining firms in the order ranked, with a proposed agreement brought to the Board for its consideration at a subsequent meeting.**
  - 16.A.2. Recommendation to approve and authorize the Chairman to sign an Amendment to Easement Agreement and Easement Relocation between Collier County (“County”) and Habitat for Humanity of Collier County, Inc. (“Habitat”) in order to allow relocation of a recorded access easement associated with the project called Vincent Acres, PL20150002012, that was previously conveyed to the County.**
  - 16.A.3. Recommendation to approve the release of a code enforcement lien with an accrued value of \$315,831.72 for payment of \$7,149.92 in the code enforcement actions entitled Board of County Commissioners v. Silvano O. Delgado and Jorge Chavez. Code Enforcement Board Case No. CESD20090010558 relating to property located at 2556 Randall Blvd., Collier County, Florida.**

- 16.A.4.** Recommendation to approve the release of a code enforcement lien with a value of \$91,329.06 for payment of \$84,228.11, received through proceeds from the tax sale of the property, in the code enforcement actions entitled Board of County Commissioners v. Ira Dilozir. Code Enforcement Board Case No. CEAU20140003887 relating to property located at 4301 20th Place SW, Collier County, Florida.
- 16.A.5.** Recommendation to approve the release of a code enforcement lien with a value of \$78,980.13 for payment of \$680.13 in the code enforcement actions entitled Board of County Commissioners v. Elsa Perdomo. Code Enforcement Board Case No. CEP20120001293 relating to property located at 5352 23rd Place SW, Collier County, Florida.
- 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 Isles of Collier Preserve Phase 10, (Application Number PL20160001842) approval of the standard form Construction and Maintenance Agreement and approval of the amount of the performance security.
- 16.A.7.** 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 Winding Cypress Phase 2 Replat, Application Number PL20160002410.
- 16.A.8.** \*\*\*This item has been continued from the January 10, 2017 BCC meeting.\*\*\* Recommendation to adopt a Resolution to hold a public hearing to consider vacating an unimproved 30-foot wide public right-of-way described as "Avenue B" and a portion of an unimproved 30-foot wide public right-of-way described as "First Street," according to the COL-LEE-CO TERRACE subdivision plat, as recorded in Plat Book 1, Page 32 of the Public Records of Collier County, Florida. The subject property is located on the south side of U.S. 41 between Frederick Street and Palm Street in Section 11, Township 50 South, Range 25 East, Collier County, Florida.
- 16.A.9.** Recommendation to approve an Adopt-a-Road Program Agreement with the volunteer group, John R. Wood, Inc. for the roadway segment of Pine Ridge Road between US 41 and Airport-Pulling Road, with two (2) recognition signs and two (2) Adopt-a-Road logo signs.
- 16.A.10.** Recommendation to approve and authorize the County Manager or his designee to execute an after the fact deductive Change Order No. 2 to Earth Tech Enterprises, 2016 Beach Renourishment under Contract No. 16-7009.
- 16.A.11.** Recommendation to review and approve the proposed projects list to be submitted for the FY2018 Big Cypress Basin Local Partnership Grants Program. (Fiscal Impact \$1,475,000)

**16.B. COMMUNITY REDEVELOPMENT AGENCY**

- 16.B.1. Recommendation to approve an Interlocal Agreement with the City of Naples for a joint water line upgrade and the installation of Fire Hydrants on Peters Avenue, Collee Court and Gordon Street in the Bayshore Gateway Triangle Community Redevelopment Area and necessary budget amendment.**

**16.C. PUBLIC UTILITIES DEPARTMENT**

- 16.C.1. Recommendation to award Bid 16-6604 to Cummins Power South, in the amount of \$224,886, to replace a diesel generator unit at the South County Regional Water Plant, Project No. 70104.**
- 16.C.2. Recommendation to advise the Board of a \$25,000 contribution toward the purchase of a vehicle, from Florida Department of Environmental Protection as part of the acceptance of Task Assignment 11 and its associated revenue, under Contract GC-690 with Collier County.**

**16.D. PUBLIC SERVICES DEPARTMENT**

- 16.D.1. Recommendation to approve the submittal of an FY 2015/16 grant application for Federal Highway Administration Flexible Funding in the amount of \$80,000 for the purchase and installation of additional bus shelters through the Federal Transit Administration (FTA) Transit Award Management System.**
- 16.D.2. Recommendation to decline an offer to purchase the Bank of the Everglades Building for historic preservation and other public uses.**
- 16.D.3. Recommendation to approve a transportation coordination agreement with Good Wheels, Inc. to allow for limited Paratransit transportation service just north of the Lee/Collier County line.**
- 16.D.4. Recommendation to accept and ratify fee waivers granted by the Director of Domestic Animal Services for the period of May 1, 2016 through September 30, 2016 in accordance with the process established by Resolution No. 2016-125.**
- 16.D.5. Recommendation to increase the estimated annual expenditures on "Recreational Equipment" to Varsity Brands Holding Co, Inc. d/b/a BSN Sports, LLC, from \$50,000 to an amount up to \$100,000 per fiscal year.**
- 16.D.6. Recommendation to award Invitation to Bid No. 16-7028 to John R. Toscano, Inc., for the "Clam Pass Beach Park Electrical Upgrade," an expenditure in the amount of \$603,500, plus \$5,000 for county permitting fees for a total of \$608,500 using Tourist Development Tax Category A Beach Park Facilities funding, authorize the Chairman to execute the contract, and make a finding that this expenditure promotes tourism.**

- 16.D.7. Recommendation to award Invitation to Bid (ITB) 16-6683, for ADA related Bus Stop Improvements to Jafer Construction, Corp for an estimated \$275,690 and authorize the Chairman to sign the agreement.**
- 16.D.8. Recommendation to approve Amendment No. 4 to the Agreement with the Department of Children and Families for the Criminal Justice Mental Health Substance Abuse Grant, Amendment No. 3 with the Collier County Sheriff's Office, and reinstate National Alliance Mental Illness of Collier County's subagreement as well as approve the associated amended grant budget and application.**
- 16.D.9. Recommendation to approve the expenditure of Category "A" Beach Park Facility Tourist Tax funds for Beach Park Entrance Enhancement and Interpretive Signage at Tigertail Beach Park for \$23,459.71, award request for quote (RFQ) to Sign Pro of North Florida, Inc., and make a finding that this expenditure promotes tourism.**

**16.E. ADMINISTRATIVE SERVICES DEPARTMENT**

- 16.E.1. Recommendation to direct the County Attorney to advertise the repeal of Ordinance No. 1984-84, which created the Collier County Fire Control Municipal Service Taxing Unit.**
- 16.E.2. Recommendation to direct the County Attorney to advertise the repeal of Ordinance No. 2015-18, which created the Fiddlers Creek Municipal Rescue and Fire Services District.**
- 16.E.3. Recommendation to direct the County Attorney to advertise the repeal of Ordinance No. 1978-49, as amended, which created the Isles of Capri Municipal Fire Services Taxing District.**
- 16.E.4. Recommendation to adopt a Resolution and approve a Lease Agreement with State Representative Byron Donalds for use of County-owned office space.**
- 16.E.5. Recommendation to adopt a Resolution and approve a Lease Agreement with State Representative Bob Rommel for use of County-owned office space.**
- 16.E.6. Recommendation to reject the bid responses received from Invitation to Bid (ITB) 16-6686R Overhead Doors and Automatic Gates for Countywide use and to authorize County staff to re-solicit.**
- 16.E.7. Recommendation to reject bid responses received from Invitation to Bid (ITB) 16-6697 Maintenance and Minor Repairs for Countywide use and to authorize County staff to re-solicit.**
- 16.E.8. Recommendation to approve the administrative reports prepared by the Procurement Services Division for change orders, surplus property and other items as identified.**

- 16.E.9. Recommendation to adopt a Resolution approving a revised set of Policies and Procedures to govern the operation of Lake Trafford Memorial Gardens.
- 16.E.10. Recommendation to authorize budget amendment, in the amount of \$333,085 to fully fund Project #50136: Building C-2 Alterations, for relocation of the Procurement Services Division.

**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 2016-17 Adopted Budget.
- 16.F.2. Recommendation to approve Tourist Development Council Grant Application Forms for Category B and C-2 and Sports Event Assistance requests for FY18 (October 1, 2017 - September 30, 2018) and make a finding that these expenditures promote tourism.
- 16.F.3. Recommendation to approve Tourist Development Tax Category B funding for change order #1 to Contract #15-6419 - Sports Facilities Assessment with Hunden Strategic Partners in an amount not to exceed \$16,800 and make a finding that these expenditures promote tourism.
- 16.F.4. Recommendation to approve Tourist Development Tax Category "B" funding to support the two upcoming FY17 Sports Events up to \$6,500 and make a finding that these expenditures promote tourism.
- 16.F.5. \*\*\*This item continued from the January 24, 2017 BCC Meeting.\*\*\* Recommendation to adopt the 2017 Strategic Plan with the inclusion of minor changes based upon direction received at the Board Workshop on January 3, 2017.

**16.G. AIRPORT AUTHORITY**

- 16.G.1. Recommendation to approve the attached Commercial Aviation Operations License Agreement with Aerial Banners, Inc. for banner towing operations at the Immokalee Regional Airport.

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

**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, 2016.
- 16.J.2. 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 January 12 and February 1, 2017 pursuant to Florida Statute 136.06.



**16.J.3. Pursuant to the Board's Purchasing Ordinance 2013-69, as amended, request that the Board approve and determine valid public purpose for invoices payable and purchasing card transactions as of February 8, 2017.**

**16.K. COUNTY ATTORNEY**

**16.K.1. Recommendation to reject Offer of Judgment in the amount of \$25,000 excluding all attorneys fees, expert witness fees and costs as full compensation for the taking of Parcel 401RDUE needed for the widening of Golden Gate Boulevard from 20th Street East to East of Everglades Boulevard, Project No. 60145. (Fiscal Impact: \$0)**

**16.K.2. Recommendation to reject Offer of Judgment in the amount of \$25,000 excluding all attorneys fees, expert witness fees and costs as full compensation for the taking of Parcel 399RDUE needed for the widening of Golden Gate Boulevard from 20th Street East to East of Everglades Boulevard, Project No. 60145. (Fiscal Impact: \$0)**

**16.K.3. Recommendation to approve and authorize the Chair to execute a Settlement Agreement and Mutual Release in the lawsuit styled Loretta Kane v. Collier County (Case No. 16-CA-00076), now pending in the Circuit Court of the Twentieth Judicial Circuit in and for Collier County, Florida.**

**16.K.4. Recommendation to approve a Final Judgment for Parcel 202RDUE in the case styled Collier County v. Baby Brothers Enterprises, Inc., et al., Case No. 15-CA-298, now pending in the Twentieth Judicial Circuit, Collier County, required for the widening of Golden Gate Boulevard (Project No. 60040). (Fiscal Impact: \$10,400)**

**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. Recommendation to approve Petition VAC-PL20160003082, to disclaim, renounce and vacate the County and the public interest in a portion of the 6-foot Public Utility Easement located along the northeasterly border of Lots 1 through 4, Block 1 of Trail Acres, recorded in Plat Book 3, Page 50 of the public records of Collier County, Florida. The subject property is located on the west side of Southwest Boulevard, just south of Tamiami Trail East, in Section 32, Township 50 South, Range 26 East, Collier County, Florida.**

**18. ADJOURN**

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