

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

January 27, 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. Reverend Kirt Anderson - Naples Community 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.)

3. SERVICE AWARDS

4. PROCLAMATIONS

4.A. Proclamation designating January 27, 2015 as Peter Thomas Day in Collier County, in recognition of his service to Collier County and our country. To be accepted by Reverend Kirt Anderson. Sponsored by Commissioner Hiller. Pg. 2

4.B. Proclamation recognizing the World's Largest Swimming Lesson. To be accepted by Paula DiGrigoli, Bradie Allen, Dr. John Ryan, Wyn Saunier, Carolyn Rambosk, Konnie Purcell, Sgt. Jason Wroblewski, Chief Bobby Allen, Jeanine McPherson, Rich DeGalan, Patricia Rosen, Brian Owen and Derrick Renauld. Sponsored by Commissioner Hiller. Pg. 4

4.C. Proclamation designating January 31 - February 6, 2015 as Collier County Republican Women's Week. To be accepted by Litha Berger, Irina Cooper, Erika Donalds, Jan Face Glassman, Judith Friedland, Priscilla Grannis, Joan Hathaway, Ron Kezeske, Lavigne Kirkpatrick, Kelly Lichter, Cindy Lyster, Mike Lyster, Carol Manning, Charlina McGee, Michelle Morgenstern, Rep. Kathleen Passidomo, Barbara Stang, Christine Sutherland, Connie Thomas, and Diane Van Parys. Sponsored by Commissioner Fiala. Pg. 6

4.D. Proclamation honoring the memory of Arthur Chase and recognizing his contributions to the community. To be accepted by Elaine Chase, Ted Raia, Stephen Gregerson, Annice Gregerson, Jeanne Findletter, and Linda Roth. Sponsored by Commissioner Hiller. Pg. 8

4.E. Proclamation designating February 20, 2015 as Freedom Memorial Fundraising Day. To be accepted by Freedom Memorial Foundation representatives Naples Mayor John Sorey and Jerry Sanford. Pg. 10

5. PRESENTATIONS

5.A. Presentation of the State Surgeon General Healthy Weight Community Champion 2015 certification to the Collier County Board of County Commissioners for implementing a variety of policies that have been shown to increase physical activity and improve nutrition. To be presented by Stephanie Vick, Administrator, Collier County Department Of Health.

6. PUBLIC PETITIONS

- 6.A. Public Petition request from Holly Parkes, representing 74 households in the East Naples area, requesting that the Board designate a parcel of county owned land on Whitaker Road for a fenced dog park, and authorize the supporters of the proposed dog parks to begin fundraising efforts. Pg. 12**

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 determines if the County Managers Ordinance meets the Florida Statutes Sec. 125.74(k) and if determined necessary directs the County Attorney to amend the County Manager's Ordinance to require the County Manager to bring all Department Directors before the Board of County Commissioners for confirmation, to advertise the proposed amendment, and to bring the amended ordinance back to the Board for consideration and potential enactment. (Commissioner Henning) Pg. 48**
- 10.B. Recommendation to appoint two Commissioners to the Southwest Florida Regional Planning Council. Pg. 59**
- 10.C. Recommendation to adopt a Resolution petitioning the District School Board of Collier County, the Florida Legislature, and Governor Rick Scott to reclaim Florida's educational sovereignty and return control of educational standards, curriculum, and student assessments to the local county school districts. (Commissioner Henning) Pg. 82**

11. COUNTY MANAGER'S REPORT

- 11.A. Recommendation to authorize the County Manager, or his designee, and the County Attorney to advertise for future consideration an ordinance amending Chapter 74 of the Collier County Code of Laws and Ordinances, which is the Collier County Consolidated Impact Fee Ordinance, providing for the incorporation by reference of three impact fee studies; amending the Road Impact Fee rate schedule, which is Schedule One of Appendix A, the Water and Wastewater Impact Fee rate schedule, which is Schedule Two of Appendix A, and the Correctional Facilities Impact Fee rate schedule, which is Schedule Four of Appendix A; providing for updates to definitions for compliance with the update studies and methodology; providing that impact fees are assessed using the rates in effect (1) when the building permit application is submitted, or (2) at the time of the issuance of a certificate of occupancy or certificate of completion for the development, whichever is less; correcting a date used for terms of deferrals; amending provisions related to the imposition of Water and Wastewater Impact Fees to comply with the study and methodology updates; and providing for an effective date of February 17, 2015 for all rate categories that are decreasing and a delayed effective date of May 11, 2015 for all rate categories that are increasing, in accordance with the 90-day notice requirements set forth in Section 163.31801(3)(d), Florida Statutes. (Amy Patterson, Impact Fee and EDC Manager)** **Pg. 87**
- 11.B. Recommendation to accept and approve the completed Parks and Recreation Department Fee Study conducted by Public Resources Management Group, Inc.** **Pg. 122**

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. 134**

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. 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 extension of one year for completion of subdivision improvements associated with Fiddler's Creek Phase 3, Unit One (AR-1607) pursuant to Section 10.02.05 C of the Collier County Land Development Code. Pg. 136
- 16.A.2. Recommendation to authorize the Clerk of Courts to release a Cash Bond in the amount of \$4,060, and a Performance Bond in the amount of \$19,640 which were posted as development guaranties for work associated with Haldeman's Landing, Early Work Authorization's (EWA) PL20140001581 and PL20140002326. Pg. 144
- 16.A.3. Recommendation to authorize the Clerk of Courts to release Performance Bond No. SEIFSU0401543 in the amount of \$1,000,000 which was posted as a guaranty for Excavation Permit Number 60.109, (PL20120001267) for work associated with the Bent Creek Preserve. Pg. 154
- 16.A.4. Recommendation to authorize the Clerk of Courts to release Performance Bond No. 41262906 in the amount of \$738,246.67 which was posted as a guaranty for Excavation Permit Number 59.982, (PL20130000727) for work associated with the Mockingbird Crossing. Pg. 160
- 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 minor final plat of Twineagles Grand Arbors Block 110 Replat, Application Number PL20140001445. Pg. 167
- 16.A.6. Recommendation to approve the release of a code enforcement lien with an accrued value of \$10,923.83 for payment of \$1,073.83, in the code enforcement action entitled Board of County Commissioners v. Avin Noel and Maria Chavanes, Code Enforcement Board Case No. 2004-038, relating to property located at 4818 Devon Circle, Collier County, Florida. Pg. 173
- 16.A.7. Recommendation to approve two releases of code enforcement liens with a combined accrued value of \$22,616.36 for payment of \$1,316.36, in the code enforcement actions entitled Board of County Commissioners v. Dennis Wolfe and Roberta Wolfe, Code Enforcement Special Magistrate Case Nos. CEP20100007875 and CEP20120006379, relating to property located at 2500 55th Street SW, Collier County, Florida. Pg. 180

- 16.A.8. Recommendation to approve the release of a code enforcement lien with an accrued value of \$206,586.43, for payment of \$536.43, in the code enforcement action entitled Board of County Commissioners v. Frank Paz, Code Enforcement Board Case No. 2006081159, relating to property located at 2864 10th Ave SE, Collier County, Florida. Pg. 191
- 16.A.9. Recommendation to approve seven releases of code enforcement liens with a combined accrued value of \$767,504.15 for payment of \$4,954.15, in the code enforcement actions entitled Board of County Commissioners v. Michael Hernandez and Adrianna Garcia and Board of County Commissioners v. Juan Hernandez and Adrianna Garcia, Code Enforcement Special Magistrate Case Nos. 2005020051, CEAU20110008432, CENA20110009062, CEV20110009199, CENA20120015717 and Code Enforcement Board Case Nos. 2006081209 and CEPM20130011083, relating to property located at 1521 Golden Gate Blvd. W., Collier County, Florida. Pg. 199
- 16.A.10. Recommendation to approve the release of code enforcement lien with an accrued value of \$156,976.35 for payment of \$676.35, in the code enforcement action entitled Board of County Commissioners v. Patrick Fevrier and Jacqueline Fevrier, Code Enforcement Special Magistrate Case No. CEPM20130012039, relating to property located at 6090 Everett Street, Collier County, Florida. Pg. 228
- 16.A.11. Recommendation to approve Contract No. 14-6246 in the amount of \$214,146 with VibEngineering Inc, for work in accordance with the FDOT local area project Traffic Network Study and Analysis FM No. 430868-1-18-01. Pg. 236
- 16.A.12. Recommendation to adopt a resolution endorsing collaborative development of a comprehensive, regional, water management strategy addressing water storage and treatment for all coastal community watersheds of Southwest Florida. Pg. 347
- 16.A.13. Recommendation to approve the termination of a 2005 Developer Agreement between Collier County and Naples Syndications, LLLP and approve a replacement Developer Agreement between the County and the new Developer, ARGO Warm Springs LLC, to among other things design, permit and construct of a portion of Woodcrest Drive. (Companion to Agenda item 17B). Pg. 352
- 16.B. COMMUNITY REDEVELOPMENT AGENCY
- 16.C. PUBLIC UTILITIES DIVISION
- 16.D. PUBLIC SERVICES DIVISION
- 16.D.1. Recommendation to approve an after-the-fact contract Amendment and Attestation Statement between the Area Agency on Aging for Southwest Florida, Inc. and Collier County to extend the grant period through February 28, 2015 for the Older Americans Act Programs. Pg. 377

- 16.D.2. 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 to ensure continuous funding for FY 2014/2015. Pg. 384**
- 16.D.3. Recommendation to approve three satisfactions of mortgage for the State Housing Initiatives Partnership loan program in the combined amount of \$56,000. Pg. 393**
- 16.D.4. Recommendation to approve Second Amendment to the State Housing Initiatives Partnership Program Subrecipient Agreement with Centro Campesino Farmworker Center, Inc. and to recognize a four month extension of the expenditure deadline on Fiscal Year 2011/2012 granted from the Florida Housing Finance Corporation. Pg. 417**
- 16.D.5. Recommendation to authorize the County Attorney's Office to advertise an amendment to Ordinance No. 89-11, as amended, removing "Key Island" from the attached list of barrier islands to provide consistent enforcement of activities on Key Island. Pg. 431**
- 16.D.6. Recommendation to authorize the Collier County Public Library Staff to waive fines and fees under specific circumstances. Pg. 465**
- 16.D.7. Recommendation to approve an agreement with the Physician Led Access Network to provide medical referral services for low-income residents in Collier County. Pg. 476**
- 16.D.8. Recommendation to approve an agreement with the Tax Collector and Property Appraiser to reimburse the Constitutional Officers for service rendered for the collection of assessment for the Platt Road MSBU. Pg. 490**
- 16.D.9. Recommendation to approve Third Amendment to the Home Investment Partnership Program Subrecipient Agreement with Community Assisted and Supported Living, Inc., for the Multi-Family Property Acquisition Project. Pg. 500**
- 16.D.10. Recommendation to approve the use of the previous awarded Invitation to Bid 14-6278RR "Aquatic Maintenance Support Services" with Tri-City Pools, Inc for budget approved capital and operating expenses. Pg. 508**
- 16.E. ADMINISTRATIVE SERVICES DIVISION**
- 16.E.1. Recommendation to accept the report referencing the sale, scrap and donation, and disbursement of funds associated with the County on-line auctions held in November and December 2014 and approve the correction of a minor Scrivener's error in the term of the award of Request for Proposal 14-6219 Full Service Auctioneer to Atkinson Realty and Auction, Inc. Pg. 514**

16.E.2.	Recommendation to approve additions, a deletion, and reclassifications to the 2015 Fiscal Year Pay and Classification Plan made from October 1, 2014 through December 31, 2014.	Pg. 526
16.E.3.	Recommendation to approve the Collier County Government Employee Benefit Plan Document, Dental Plan Document, Flexible Benefits Plan Document and Health Reimbursement Arrangement Document effective January 1, 2015.	Pg. 530
16.F. COUNTY MANAGER OPERATIONS		
16.F.1.	Recommendation to approve a report covering budget amendments impacting reserves and moving funds in an amount up to and including \$25,000 and \$50,000, respectively.	Pg. 766
16.F.2.	Recommendation to adopt a resolution approving amendments (appropriating grants, donations, contributions or insurance proceeds) to the Fiscal Year 2014-15 Adopted Budget.	Pg. 769
16.F.3.	Recommendation to adopt a Resolution to support House Speaker Steve Crisafulli's setting of funding film, television and entertainment incentives as one of his legislative priorities; urging all Florida counties to join in this initiative with no fiscal impact to Collier County.	Pg. 772
16.F.4.	Recommendation to award Invitation to Bid #15-6391 for Lake Aeration to Aquagenix as the lowest, qualified, responsive bidder.	Pg. 779
16.F.5.	Recommendation to approve an Agreement with the Southwest Florida Economic Development Alliance, Inc. ("Alliance") to assist the Alliance in its mission to market and attract new businesses to the region, in an annual estimated amount of \$100,000.	Pg. 816
16.F.6.	Recommendation to approve an Agreement with the Partnership for Collier's Future Economy, Inc. ("PCFE") for specified economic development services, consistent with the Board approved Economic Development Strategic Plan, at no cost to the County.	Pg. 844
16.G. AIRPORT AUTHORITY		
16.G.1.	Recommendation that the Board of County Commissioners, acting as the Collier County Airport Authority, approve a Budget Amendment from the General Fund in order for the Airport Authority to satisfy a Final Judgment for \$274,212.21 (plus statutory interest) in the case of Quality Enterprises USA, Inc. v. Collier County Airport Authority (Case No. 12-4345 CA).	Pg. 864
16.H. BOARD OF COUNTY COMMISSIONERS		
16.H.1.	Recommendation to reappoint members to the Library Advisory Board.	Pg. 869

16.H.2.	Recommendation to reappoint a member to the Industrial Development Authority.	Pg. 883
16.H.3.	Recommendation to appoint members to the Pelican Bay Services Division Board.	Pg. 891
16.H.4.	Recommendation to appoint a member to Conservation Collier Land Acquisition Advisory Committee.	Pg. 910
16.H.5.	Commissioner Fiala requests Board approval for reimbursement regarding attendance at a function serving a Valid Public Purpose. Attended the U.S. Coast Guard Auxiliary Flotilla 95 Change of Watch ceremony on January 11, 2015. The sum of \$55 to be paid from Commissioner Fiala's travel budget.	Pg. 925
16.I.	MISCELLANEOUS CORRESPONDENCE	
16.J.	OTHER CONSTITUTIONAL OFFICERS	
16.J.1.	Request that the Board of County Commissioners approve the use of \$15,000 from the Confiscated Trust Funds to support the State of Florida Prescription Drug Monitoring Program.	Pg. 929
16.J.2.	Request that the Board of County Commissioners approve the use of \$5,000 from the Confiscated Trust Funds to support the Hazelden Betty Ford Foundation.	Pg. 932
16.J.3.	Request that the Board of County Commissioners approve the use of \$10,000 from the Confiscated Trust Funds to support the Marco and Naples Squadron(s) Civil Air Patrol.	Pg. 936
16.J.4.	Board declaration of expenditures serving a valid public purpose and approval of disbursements for the period of January 8 through January 14, 2015.	Pg. 941
16.J.5.	Board declaration of expenditures serving a valid public purpose and approval of disbursements for the period of January 15, 2015 through January 21, 2015.	Pg. 982
16.J.6.	To provide the Board of County Commissioners the Clerk of the Circuit Court's Office regarding Audit Report 2015-1 Library Department – Cash Review issued on January 21, 2015.	Pg. 1022
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. Recommendation to adopt an Ordinance dissolving the Parklands Collier Community Development District pursuant to Section 190.046(9), Florida Statutes. Pg. 1024
- 17.B. This item requires that ex parte disclosure be provided by Commission members. Should a hearing be held on this item, all participants are required to be sworn in. Recommendation to approve an Ordinance 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 to change the zoning classification of the herein described real property from a Residential Planned Unit Development (RPUD) to a RPUD for a project to be known as the Warm Springs RPUD to allow construction of a maximum of 400 residential dwelling units on property located east of Collier Boulevard (C.R. 951) and approximately one mile south of Immokalee Road (C.R. 846) in Section 26, Township 48 South, Range 26 East, Collier County, Florida, consisting of 114± acres; providing for the repeal of Ordinance Number 05-21, formerly the Warm Springs RPUD; and by providing an effective date [Petition PUDZ-A-PL20140000156] (Companion to Agenda Item 16.A.13). Pg. 1054
- 17.C. Recommendation to adopt Ordinances approving staff-proposed 2011 Evaluation and Appraisal Report-based amendments to the Collier County Growth Management Plan, Ordinance 89-05, as amended, to fix glitches related to previous 2011 EAR-Based amendments and revising for internal consistency, and furthermore recommending transmittal of the adopted amendments to the Florida Department of Economic Opportunity (Adoption Hearing). Pg. 1099
- 17.D. Recommendation to adopt a resolution approving amendments (appropriating carry forward, transfers and supplemental revenue) to the Fiscal Year 2014-15 Adopted Budget. Pg. 1196
- 17.E. Recommendation to adopt an amendment to the Collier County Litter, Weed, and Exotics Control Ordinance (Ordinance No. 2005-44, as amended) intended to define and regulate the composting of organic materials on residential properties. Pg. 1199

18. ADJOURN

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