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

January 22, 2013
9:00 AM

Georgia Hiller - BCC Chairwoman; BCC Commissioner, District 2
Tom Henning - BCC Vice-Chairman; BCC Commissioner, District 3
Donna Fiala - BCC Commissioner, District 1; CRAB Chairman
Fred W. Coyle - BCC Commissioner, District 4
Tim Nance - BCC Commissioner, District 5; CRAB Vice-Chairman

NOTICE: All persons wishing to speak on Agenda items must register prior to speaking. Speakers must register with the Executive Manager to the BCC 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 County Commissioners’ Office.

Lunch Recess scheduled for 12:00 Noon to 1:00 P.M
1. INVOCATION AND PLEDGE OF ALLEGIANCE
   A. Pastor Michael Bannon - Crossroads Community Church of Naples

2. AGENDA AND MINUTES
   A. Approval of today's regular agenda as amended.
   B. Approval of today's consent agenda as amended (Ex Parte Disclosure provided by Commission members for consent agenda.)
   C. Approval of today's summary agenda as amended (Ex Parte Disclosure provided by Commission members for summary agenda.)
   D. December 11-12, 2012 BCC/Regular Meeting

3. SERVICE AWARDS

4. PROCLAMATIONS
   A. Proclamation recognizing January 27, 2013 as International Holocaust Remembrance Day. To be accepted by Jack Nortman, Vice President, Holocaust Museum & Education Center of Southwest Florida Board. Sponsored by Commissioner Coyle.
   B. Proclamation designating February 2013 as Literacy Month in Collier County and recognizing the "Bring a Book, Bring a Friend" program of the K is for Kids Foundation which provides books to children in need. To be accepted by Karen Clawson, K is for Kids Founder and Executive Director and volunteers. Sponsored by the Board of County Commissioners.

5. PRESENTATIONS
   A. Recommendation to recognize Judy Puig, Operations Analyst, Operations and Regulatory Management Department, as the Employee of the Year for 2012.

6. PUBLIC PETITIONS

7. PUBLIC COMMENTS ON GENERAL TOPICS

8. BOARD OF ZONING APPEALS
   Item 8 to be heard no sooner than 1:00 pm unless otherwise noted.

9. ADVERTISED PUBLIC HEARINGS
   Item 9 to be heard no sooner than 1:00 pm unless otherwise noted.

10. BOARD OF COUNTY COMMISSIONERS
    A. Appointment of member to the Collier County Coastal Advisory Committee.
B. Request the Board to set the balloting date for the recommendation of members to the Pelican Bay Services Division Board by record title owners of property within Pelican Bay.

C. Recommendation to waive all permit, building inspection, and site development fees associated with the City of Everglades needed additions to its water treatment facility, and to reimburse the associated enterprise funds. (Commissioner Nance)

D. Recommendation that the Collier County Community Redevelopment Agency (CRA) approve and execute an amendment to the employment agreement between the CRA and Penny S. Phillippi, the Immokalee CRA Executive Director, extending the term of employment three years, make certain changes to the contract, and authorize the Chairman to sign. (This item was approved for reconsideration at the December 11, 2012 BCC Meeting.)

E. Recommendation that the Collier Community Redevelopment Agency (CRA) Board designates the Immokalee Community Redevelopment Agency Executive Director as the Special District Registered Agent for the Collier County CRA. (This item was approved for reconsideration at the December 11, 2012 BCC Meeting.)

F. Recommendation to the Board of County Commissioners acting as the Community Redevelopment Agency (CRA) to authorize the continued operation of the Immokalee Business Development Center (IBDC) under the auspice of the Immokalee Community Redevelopment Agency (CRA) exclusive of the partnership with the Collier County Airport Authority and the Immokalee Airport. (This item was approved for reconsideration at the December 11, 2012 BCC Meeting.)

G. Recommendation that the Board of County Commissioners acting as the Community Redevelopment Agency (CRA) to approve amending the Immokalee Business Development Center’s (IBDC) Proposal, IBDC Application, and IBDC Policies and Procedures Handbook. (This item was approved for reconsideration at the December 11, 2012 BCC Meeting.)

H. Recommendation to award Agreement No. 12-5896 for Design Construction Documents, Civil Site Design (SDP Permitting), Permit and Bid Services and Construction Administration and Related Services for the First Street Zocalo for Immokalee to David Corban Architect, Inc.; Fiscal Impact $113,450. (This item was approved for reconsideration at the December 11, 2012 BCC Meeting.)

I. Recommendation to reconsider the 2012 combined Annual Update and Inventory Report (AUIR) on Public Facilities and Capital Improvements Element (CIE) amendment as provided for in Chapter 6.02.02 of the Collier County Land Development Code and Section 163.3177(3)(b), Florida Statutes. (This item was approved for reconsideration at the December 11, 2012 BCC Meeting.)

J. Recommendation to approve the final beach access sign renderings for installation throughout the Gulf Shore Drive corridor for direct public beach access via county easements. (This item was approved for reconsideration at the December 11, 2012 BCC Meeting.)
11. COUNTY MANAGER’S REPORT

A. Recommendation to accept the Atkins North America peer review of the Coastal Planning and Engineering volume design for the 2013/14 beach renourishment project and approve the proposed project bid form and bidding approach. (Gary McAlpin, Coastal Zone) Pg. 407 - 468

B. Recommendation to approve a work plan for the permitting, design, and construction of bathrooms at Vanderbilt Beach Park and approve the rehabilitation and retention of the existing bathrooms. (Barry Williams, Parks and Recreation Director) Pg. 469 - 472

C. Recommendation to review the permitting history of the landscape changes approved for the Riverchase shopping center, the current applicable code for landscaping requirements and provide direction to the County Manager or his designee relating to options on amending the code. (Mike Bosi, Growth Management Division Interim Planning and Zoning Director) Pg. 473 - 486

D. Recommendation to a) approve a Utility Work by Highway Contractor Agreement with the Florida Department of Transportation; b) approve a Florida Department of Transportation standard form resolution authorizing the Chairman of the Board of County Commissioners to execute the agreement; c) approve a Memorandum of Agreement with the Florida Department of Transportation and Florida Department of Financial Services, Division of Treasury to establish an interest bearing escrow account; and, d) authorize a budget amendment in the amount of $963,000. (Tom Chmelik, Public Utilities Planning and Project Management Director) Pg. 487 - 507

E. Recommendation to review and approve the recommendations from the 2012 Bus Shelter Design report for the Collier Area Transit bus shelter. (Michelle Arnold, Alternative Transportation Modes Director) Pg. 508 - 518

F. Recommendation to review the Growth Management Division's (GMD) progress implementing an electronic plan submittal and digital plan review system and further; to authorize one additional Full Time Employee (FTE) to manage the system. (James French, Growth Management Division Operations and Regulatory Management Director) Pg. 519 - 538

G. Recommendation to accept the 2012 countywide affordable housing inventory report. (Michele Mosca, Growth Management Division Principal Planner) Pg. 539 - 561

12. COUNTY ATTORNEY’S REPORT

13. OTHER CONSTITUTIONAL OFFICERS

A. This item continued from the January 8, 2013 BCC Meeting. Request by the Clerk for additional funding for pay plan adjustments and/or COLA increases consistent with the County Pay Plan. Pg. 562 - 563

14. AIRPORT AUTHORITY AND/OR COMMUNITY REDEVELOPMENT AGENCY
A. AIRPORT

B. COMMUNITY REDEVELOPMENT AGENCY

1. Recommendation for the Collier County Community Redevelopment Agency (CRA) to accept an offer of purchase for five (5) CRA owned mobile home lots; authorize the CRA Interim Director to work with the County Attorney’s Office and Real Estate Services Department to prepare all necessary documents to facilitate the purchase, subject to the CRA’s final review.

15. STAFF AND COMMISSION GENERAL COMMUNICATIONS

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.

A. GROWTH MANAGEMENT DIVISION

1. Recommendation to approve and authorize a modification to subgrant agreement HMGP 1785-027-R between the Division of Emergency Management and Collier County to add construction funding for the Lely Area Stormwater Improvement Project (LASIP) Haldeman Creek Stormwater Improvement and Lock Louise Weir Reconstruction project in the amount of $452,365 and approve all necessary budget amendments recognizing revenue for the project.

2. 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 adopt a Resolution to hold a public hearing to consider removing Collier County’s interest in an existing Drainage Easement, being a part of Tract “A” of 3500 Corporate Plaza, Plat Book 44, pages 23 through 24 of the Public Records of Collier County, Florida, Application No. VAC-PL20120002591.

3. Recommendation to approve final acceptance of the water utility facilities for The Quarry – Club House-Tract U (PL-20120000596), Golf Course and Amenities (PL-2011000013) and to release the Utilities Performance Security (UPS) in the total amount of $14,695.31 and the Final Obligation Bond in the total amount of $8,000 to the Project Engineer or the Developers Designated Agent.

4. Recommendation to approve final acceptance of the water and sewer utility facilities for The Quarry Block E Re-Plat, Phase 1 (PL-20110000015) and to authorize the County Manager, or his designee, to release the Utilities Performance Security (UPS) in the amount of $5,769.60 to the Project Engineer or the Developer’s Designated Agent.

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 adopt a Resolution to hold a public hearing to
consider vacating a portion of a 12 foot wide Drainage & Utility Easement, being a part of Lots 30 and 31, Block 217 of Golden Gate Unit 6, Plat Book 5, Pages 124 through 134 of the Public Records of Collier County, Florida. Application No. VAC-PL20120002673.

6. Recommendation to approve the release of two liens with a combined value of $514,933.41 for payment of $1,633.41, in the Code Enforcement Action entitled Board of County Commissioners vs. Alexander and Joanka C. Diaz Dominguez Code Enforcement Case Numbers CESD20090015779 and CEPM20090015776, relating to property located at 669 99th Ave N, Collier County, Florida. Application No. VAC-PL20120002673.

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 adopt a Resolution authorizing a public hearing to consider vacating a portion of the southerly 10 feet of an existing 20-foot drainage easement located in Tracts D and E, Northbrooke Plaza, as recorded in Plat Book 31, Pages 65 through 66, of the Public Records of Collier County, Florida. - Application No. AVPLAT-PL20120002420.

8. Recommendation to uphold the County Manager’s decision and deny the protest objection by Amera-Tech, Inc. dba Florida Evergreen Landscape and Lawncare, Inc.; award Invitation to Bid (ITB) #13-6002 for Radio Road MSTD Maintenance (Santa Barbara and Airport Pulling Road) to Affordable Landscaping Service & Design, LLC; authorize the Chairperson to execute the attached contract.

9. Recommendation to execute a public utility easement in favor of the City of Marco Island to permit the City to maintain an existing wastewater line in Palm Avenue, Goodland, in connection with the turnover of privately owned utility facilities to the City.

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 adopt a Resolution to hold a public hearing to consider vacating the unimproved Davila Street Right-of-Way, Recorded in Official Record Book 144, pages 634-635, Official Record Book 183, page 359, and that part of Davila Street as shown on the plat of Green Heron Acres, recorded in Plat Book 22, page 70 of the Public Records of Collier County, Florida. All being a part of the Buttonwood Preserve RPUD. Application No. VAC-PL20120002180.

11. Recommendation to accept the specific past staff clarifications of the Land Development Code (LDC) attached to this Executive Summary.

12. Recommendation to approve the proposed adoption schedule for the Collier County Administrative Code and to direct the County Manager or designee to develop a new land use petition type to address redevelopment in an expedient and cost efficient manner.

13. Recommendation to approve Agreement No. 4600002771 with the South

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Pg. 700 - 711

Pg. 712 - 802

Pg. 803 - 814

Pg. 815 - 823

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Pg. 880 - 908
Florida Water Management District in the amount of $75,000 for the continued collection of ground water quality samples in Collier County.

14. Recommendation to approve the release of lien in the amount of $48,080.57 for payment of $530.57, in the Code Enforcement Action entitled Board of County Commissioners vs. Herbert A. Salgat Jr., Code Enforcement Case Number CESD20100002534, relating to property located at 5941 Cedar Tree Lane, Collier County, Florida.

15. Recommendation to approve the waiving of the Right-Of-Way Permit fee for two events held by the Immokalee Chamber of Commerce annually and for as long as these events are held. The two events are the "Community Friendship Day Block Party" and the "Christmas Around The World Parade and Gala".

16. 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 Lantana, (PL20120001529), approval of the standard form Construction and Maintenance Agreement and approval of the amount of the performance security.

B. COMMUNITY REDEVELOPMENT AGENCY

1. Recommendation to the Collier County Board of County Commissioners (BCC) acting in its capacity as the Community Redevelopment Agency (CRA) to award Contract No. 12-5970 - Immokalee Pavement Overlay to AJAX Paving Industries of Florida, LLC in the amount of $225,314.50 and authorize the Chairperson to sign the Contract after review by the Office of the County Attorney. This is the final task related to the Immokalee Downtown Stormwater Drainage Improvement Project.

C. PUBLIC UTILITIES DIVISION

1. Recommendation to modify the estimated annual expenditure under Bid No. 12-5902, “Sewage Hauling,” with Dixie Drainfields, Inc., and Southern Sanitation, Inc. by $90,000.

2. Recommendation to award Bid Number 12-5955 for purchase and delivery of cartridge filters for the North and South County Regional Water Treatment Plant to Tri-Dim Filter Corporation (Estimated Annual Expenditure is $200,000)

3. Recommendation to award Bid #12-5951, "Collier County Leachate Pipe," in the amount of $75,960 to Andrew Site Work, LLC, to install leachate pipe at the Collier County Landfill Project.

D. PUBLIC SERVICES DIVISION

1. Recommendation to approve an amendment to a Subrecipient agreement between Collier County and David Lawrence Center (DLC) to operate the Collier
County Drug Court Program and authorize staff to request a Grant Adjustment Notice (GAN) to initiate a budget amendment to the Drug Court Grant #2010-DC-BX-0016 to pay Collier County for administrative costs. There is a fiscal impact in the amount of $6,240.

2. Recommendation to approve an after-the-fact amendment between Collier County and the Area Agency on Aging for Southwest Florida, Inc. d/b/a Senior Choices of Southwest Florida for FY 11/12 to reflect additional grant funding in the amount of $10,482 and corresponding unit rate increase for the Nutritional Services Incentive Program (NSIP) and authorize the necessary Budget Amendment.

3. Recommendation to approve an amendment between Collier County and the Area Agency on Aging for Southwest Florida, Inc. d/b/a Senior Choices of Southwest Florida to reflect a unit rate increase per meal from $0.68 to $0.72 for each meal served in the Nutritional Services Incentive Program (NSIP) for FY 2012/2013.

4. Recommendation to approve a change order request for a zero dollar time extension for the contractor OAC, Inc. to complete the Tigertail Beach Boardwalk Replacement and New Dune Walkover Project No. 183-90093 and authorize the County Manager or his designee to execute the Change Order.

5. Recommendation to approve the Area Agency on Aging for Southwest Florida, Inc., dba Seniors Choices of Southwest Florida Standard Contract and Attestation Statement, and to authorize associated budget amendments for the FY13 Older Americans Act Title III Program in the amount of $706,053 and local match funding of $78,450.33.

6. Recommendation to approve a resolution superseding Resolution No. 2004-66 and all prior rate resolutions and schedules for the Collier County Health Department allowing the Collier County Health Department to establish the proposed Fee Schedule.

7. Recommendation to establish a Transit Advisory Committee.

E. ADMINISTRATIVE SERVICES DIVISION

1. Recommendation to increase the limits of aircraft liability insurance coverage on the Medflight helicopter from $20,000,000 to $30,000,000 per occurrence in order to comply with the CAMTS (Commission on Accreditation of Medical Transport Systems) accreditation requirements in the amount of $1,380.

2. Recommendation to authorize the sale of Collier County surplus property on March 23, 2013.

3. Recommendation to approve and authorize the Chairman to sign an Assumption Agreement from WilsonMiller, Inc. to Stantec Consulting Services, Inc. for Contract 09-5262-S “County-Wide Engineering Services.”
4. Recommendation to approve and authorize the Chairman to sign an Assumption Agreement from WilsonMiller, Inc. to Stantec Consulting Services, Inc. for Contract 09-5262 “County-Wide Engineering Services.”

5. Recommendation to approve and ratify the reinstatement of one classification specification, one reclassification and one new classification specification in the 2013 Fiscal Year Pay and Classification Plan made from October 1, 2012 through December 31, 2012.

6. *This item continued from the October 23, 2012 BCC Meeting.* Recommendation to deny the negligence claim of Liz Pfunder, Claim #22-02151201177 in the amount of $38,093.52.

F. COUNTY MANAGER OPERATIONS

G. AIRPORT AUTHORITY

H. BOARD OF COUNTY COMMISSIONERS

1. Commissioner Fiala requests Board approval for reimbursement regarding attendance at a function serving a Valid Public Purpose. Will attend the Marco Island Kiwanis Fashion Show Event on February 7, 2013. The sum of $55 to be paid from Commissioner Fiala’s travel budget.

2. Commissioner Fiala requests Board approval for reimbursement regarding attendance at a function serving a Valid Public Purpose. Will attend the Catholic Charities 45th Anniversary on January 30, 2013. The sum of $20 to be paid from Commissioner Fiala’s travel budget.

3. Commissioner Fiala requests Board approval for reimbursement regarding attendance at a function serving a Valid Public Purpose. Attended the United States Coast Guard Auxiliary Change of Watch Event on January 5, 2013. The sum of $50 to be paid from Commissioner Fiala’s travel budget.

4. Commissioner Fiala requests Board approval for reimbursement regarding attendance at a function serving a Valid Public Purpose. Attended the East Naples Civic Association Luncheon on December 20, 2012. The sum of $18 to be paid from Commissioner Fiala’s travel budget.

5. Commissioner Fiala requests Board approval for reimbursement regarding attendance at a function serving a Valid Public Purpose. Attended the East Naples Civic Association Annual Banquet on January 21, 2013. The sum of $40 to be paid from Commissioner Fiala’s travel budget.

I. MISCELLANEOUS CORRESPONDENCE

J. OTHER CONSTITUTIONAL OFFICERS

1. To obtain Board approval for disbursements for the period of December 22,
2012 through December 29, 2012 and for submission into the official records of
the Board.

2. To obtain Board approval for disbursements for the period of December 30,
2012 through January 4, 2013 and for submission into the official records of the
Board.

3. Recommendation to approve an increase of one-quarter (.25) Full-time
Equivalent (FTE) in Court Administration for an existing employee.

K. COUNTY ATTORNEY

1. Recommendation to approve Second Amendments to Agreements for Legal
Services relating to Contract No. 06-4047 Eminent Domain Legal Services with
the law firms of Fixel, Maguire & Willis and Bricklemyer, Smolker & Bolves
extending the expiration dates to April 22, 2015.

2. Recommendation to authorize an increase in the purchase order for Carlton
Fields, P.A., in the case of Collier County v. John Reynolds & Sons, Inc., et al., Case
No. 10-6658-CA (South Reverse Osmosis Raw Water Wellfield Pipeline Project
No. 70030) (Fiscal Impact an additional $200,000).

3. Recommendation that the Board approve, and authorize the Chairman to sign,
a Settlement Agreement and a Confidentiality Agreement with Ian Mitchell.

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.

A. 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 consider an Ordinance of the Board of County Commissioners of
Collier County, Florida, amending Ordinance Number 04-41, 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 Residential Planned Unit Development zoning
district (RPUD) to a RPUD zoning district, for a project known as the Buttonwood
Preserve RPUD (Petition Number PUDA-PL20120001105) to allow up to 220
residential dwelling units on property located southeast of the Immokalee Road (CR
846) and Collier Boulevard (CR 951) intersection on Tree Farm Road approximately
.7 miles east of Collier Boulevard in Section 35, Township 48 South, Range 26 East,
Collier County, Florida, consisting of 53.8± acres; providing for the repeal of
Ordinance Number 2007-42, the former Buttonwood Preserve RPUD; and by
providing an effective date.

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 a Resolution changing the name of Olde Cypress Boulevard to Logan Boulevard North. The subject roadway is located in Section 21, Township 48 South, Range 26 East, in Collier County, Florida.

C. Recommendation to adopt an ordinance which would amend Ordinance No. 2002-27, as amended, relating to the Pelican Bay Municipal Service Taxing and Benefit Unit.

D. This item continued from the December 11, 2012 BCC Meeting. Recommendation to adopt an ordinance which would establish limitations, in addition to those set forth in Chapter 538, Part I, Florida Statutes, on the sale and/or purchase of secondhand goods (secondhand dealers).

E. Recommendation to adopt a resolution approving amendments (appropriating carry forward, transfers and supplemental revenue) to the Fiscal Year 2012-13 Adopted Budget.

18. ADJOURN

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