

**COLLIER COUNTY**  
**BOARD OF COUNTY COMMISSIONERS**  
**COMMUNITY REDEVELOPMENT AGENCY BOARD (CRAB)**



**AGENDA**

September 11, 2007

9:00 AM

Jim Coletta, BCC Chairman, District 5; CRAB Vice-Chairman

Tom Henning, BCC Vice-Chairman, District 3

Donna Fiala, BCC Commissioner, District 1; CRAB Chairman

Frank Halas, BCC Commissioner, District 2

Fred W. Coyle, BCC Commissioner, District 4

**NOTICE: ALL PERSONS WISHING TO SPEAK ON ANY AGENDA ITEM MUST REGISTER PRIOR TO SPEAKING. SPEAKERS MUST REGISTER WITH THE COUNTY MANAGER PRIOR TO THE 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."**

**ANY PERSON WHO DECIDES TO APPEAL A DECISION OF THIS BOARD WILL NEED A RECORD OF THE PROCEEDINGS 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, TO THE PROVISION OF CERTAIN ASSISTANCE. PLEASE CONTACT THE COLLIER COUNTY FACILITIES MANAGEMENT DEPARTMENT LOCATED AT 3301 EAST TAMiami TRAIL, NAPLES, FLORIDA, 34112, (239) 774-8380; 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. Captain Alejandro Castillo, Salvation Army**

## **2. AGENDA AND MINUTES**

- A. Approval of today's regular, consent and summary agenda as amended. (Ex Parte Disclosure provided by Commission members for consent and summary agenda.)**
- B. July 24, 2007 - BCC/Regular Meeting**
- C. July 25, 2007 - BCC/Regular Meeting (Continuation of July 24, 2007 BCC Meeting)**
- D. July 25, 2007 - Value Adjustment Board Meeting**

## **3. SERVICE AWARDS: (EMPLOYEE AND ADVISORY BOARD MEMBERS)**

- A. Advisory Committee Service Awards: 5-Year Recipients: Lowell Lam - Utility Authority Jerry Morgan - Utility Authority Sheri Barnett - Utility Authority Robert Mulhere - Development Services Advisory Committee Ann Keller - Contractors Licensing Board**

## **4. PROCLAMATIONS**

- A. Proclamation for Patriot Day to be accepted by Greg Speers, Kevin Rambosk, Jim Elson, Peter Kraley and Don Peacock.**
- B. Proclamation Mr. Peter Thomas Day, to honor Mr. Peter Thomas for his unselfish dedication and service to the community. To be accepted by Mr. Peter Thomas.**
- C. Proclamation for Collier County Firefighter Appreciation Week to be accepted by Angelique Flynn, Program Coordinator, Muscular Dystrophy Association**
- D. Proclamation NAACP Freedom Fund Day to be accepted by Anthony Denson, President, NAACP and Cheryl Seals-Gonzalez, Freedom Fund Dinner Chair.**
- E. Proclamation for National Preparedness Week to be accepted by Rick Zyvolski, Emergency Management Coordinator and Joe Frazier, Homeland Security Coordinator.**
- F. Proclamation for Industry Appreciation Week to be accepted by Tammie Nemecek, Julie Schmelzle and Dick Grant**
- G. Proclamation for Water Reuse Week to be accepted by Dr. George Yilmaz, Dale Waller, Jon Pratt, Millie Kelley and Ray Ognibene.**

## **5. PRESENTATIONS**

- A. Provide the Board of County Commissioners with an update of the progress of the East of County Road 951 Infrastructure and Services Horizon Study Public Participation Master Committee**
- B. Santa Barbara Boulevard - the expansion and improvement of Santa Barbara Boulevard from four (4) lanes to six (6) lanes for 4.0 miles and Radio Road from two (2) lanes to four (4) lanes for 1.22 miles.**
- C. Recommendation to recognize Michele Mosca, Principal Planner, Comprehensive Planning, as Employee of the Month for August 2007.**

## **6. PUBLIC PETITIONS**

- A. Public petition request by Freeman & Freeman Construction, Inc. to discuss rezone fees for 428 and 432 13th Street, Immokalee, FL.**
- B. Public petition request by Alex Brown to discuss the lack of solar power sources.**
- C. Public petition request by James King to discuss storm/wastewater drainage on Captains Cove.**
- D. Public petition request by Richard Eckstein to discuss the distribution of a chemical free fertilizer in Collier County.**
- E. Public petition request by Jim Kramer to discuss removal of traffic control signs upon completion of construction.**
- F. Public petition request by Jim Schulze to discuss the TDR Conservation Program.**
- G. Public petition request by Joe Hamilton to discuss Collier Conservation purchase of Hamilton property.**

**Item 7 and 8 to be heard no sooner than 1:00 p.m., unless otherwise noted.**

## **7. BOARD OF ZONING APPEALS**

- A. This item requires that all participants be sworn in and ex parte disclosure be provided by Commission members. PE-2006-AR-10551, DeVoe Family Limited Partnership II, represented by Sandra Bottcher of Q. Grady Minor & Associates, P.A., is requesting a parking exemption for the DeVoe Suzuki dealership. The exemption seeks approval of an off-site employee parking area on a residentially-zoned lot to serve the DeVoe Suzuki dealership in the adjacent commercially-zoned district. The subject property, consisting of 0.23 acres, is located at 1397 Trail Terrace Drive, on the northwest corner of 14th Street North and Trail Terrace Drive, approximately 500 feet south of Solana Road, in Section 22, Township 49 South, Range 25 East Collier County, Florida.**

## **8. ADVERTISED PUBLIC HEARINGS**

- A. Recommend Adoption of an Ordinance of Collier County, Florida, Amending the Collier County Noise Ordinance, Ordinance Number 90-17, as Amended; Changing Six Definitions; Clarifying Two Exceptions; Deleting References to ASA and ANSI Standards; Authorizing Regulation of Two Types of Noise Without use of Testing Equipment Except when such Noise Is Commonly Emitted from a Permitted Business, Profession or Occupation; Providing for Conflict and Severability; Providing for Inclusion in the Code of Laws and Ordinances; Providing the Effective Date.**

## **9. BOARD OF COUNTY COMMISSIONERS**

- A. THIS ITEM TO BE HEARD WEDNESDAY, SEPTEMBER 12, 2007 AT 9:00 A.M. Board of County Commissioners to interview County Attorney Recruitment Search Firms.**
- B. Appointment of member to the Contractors Licensing Board.**
- C. Appointment of members to the Fire Review Task Force.**
- D. Appointment of members to the Rural Lands Stewardship Area (RLSA) Review Committee.**
- E. Appointment of members to the Collier County Airport Authority.**
- F. Appointment of member to the Isles of Capri Fire Control District Advisory Committee.**
- G. To appoint a Commissioner and an Alternate to serve on the County Canvassing Board for the 2008 Elections.**

- H. Appointment of members to the Affordable Housing Commission.
- I. Appointment of members to the Housing Finance Authority.
- J. Appointment of member to the Emergency Medical Services Advisory Council.
- K. Recommendation for the Board of County Commissioners to approve filling a vacant position in the Board's Office.

#### 10. COUNTY MANAGER'S REPORT

- A. Receive and approve the Progress Report for the Year 2006, Collier County Floodplain Management Plan, Section 7 of the Collier County Hazard Mitigation Plan. (Robert Wiley, Principal Project Manager, Engineering Services Department)
- B. Recommendation that the Board of County Commissioners direct staff to amend the Conservation Collier Ordinance No. 2002-63 in order to make various procedure related changes so that efficiency and cost effectiveness will be increased, and to make various non-substantial changes for consistency and clarification. (Alex Sulecki, Principal Environmental Specialist, Facilities Management)
- C. This item to be heard at 11:00 a.m. immediately following Item 14A. Recommendation for the Collier County Board of Commissioners (BCC) to approve a Resolution authorizing the Collier County Community Redevelopment Agency (CRA) to enter into a \$9,000,000 Revolving Line of Credit Agreement with Wachovia Bank; approving the actions taken by the CRA with respect to its approval of the Line of Credit Agreement; and authorize all necessary budget amendments. (David Jackson, Executive Director, Bayshore Gateway Triangle CRA)
- D. This item to be heard on or about 11:00 a.m. A Resolution of the Board of County Commissioners of Collier County, Florida, acting as the Governing Body of Collier County, Florida and the Forest Lakes Roadway and Drainage Municipal Service Taxing Unit, authorizing the issuance of not exceeding \$6,250,000 in aggregate principal amount of Collier County, Florida Limited General Obligation Bonds (Forest Lakes Roadway and Drainage Municipal Service Taxing Unit), Series 2007, to finance the costs of certain roadway lighting, roadway-related drainage and roadway restoration within the Forest Lakes MSTU and to pay certain costs and expenses incurred with the issuance of the Series 2007 Bonds; Providing for the payment of said Bonds from ad valorem taxation levied in an amount which shall not exceed four mills on all taxable property within the boundaries of the MSTU; Making certain covenants and agreements in connection therewith; Providing for the rights of the holders of such bonds; authorizing the awarding of said Series 2007 Bonds pursuant to a public bid; Delegating certain authority to the Chair for the award of the Series 2007 Bonds and the approval of the terms and details of said Series 2007 Bonds; Authorizing the publication of a notice of sale for the Series 2007 Bonds or a summary thereof; Appointing the paying agent and registrar for said Series 2007 Bonds; Authorizing the distribution of a preliminary official statement and the execution and delivery of an official statement with respect to the Series 2007 Bonds; Authorizing the execution and delivery of a continuing disclosure certificate with respect to the Series 2007 Bonds; Authorizing municipal bond insurance for the Series 2007 Bonds; and providing an effective date. (Mike Smykowski, Director, Office of Management and Budget)
- E. Recommendation to award contract #07-4176, South Regional Library to DeAngelis Diamond Construction for the construction of the South Regional Library, project 54003, in the amount of \$6,519,813 and approve the necessary commercial paper loan and budget amendments. (Hank Jones, Senior Project Manager, Facilities Management)
- F. Recommendation that the Board of County Commissioners considers and directs staff to make changes to the County-Wide Impact Fee Deferral Program. (Jeff Klatzkow, Assistant County Attorney)

- G. Recommendation to award RFP #07-4126, Janitorial Services to OneSource Facility Services, Inc. (\$2,144,446.68) (Damon Gonzales, Facilities Manager, Facilities Management)
- H. Recommendation to accept the Report on Review of Bid No. 07-4127 "Office Supplies," submitted by the Collier County Office of Management and Budget. (Laura Davisson, Budget Analyst, Office of Management and Budget)
- I. That the Board of County Commissioners approves the award Bid 07-4127 for Office Supplies to Corporate Express. (Steve Carnell, Director, Purchasing Department)
- J. Recommendation to award Bid No. 07-4179 Marco Island Recycling Center to Vanderbilt Bay Construction, Inc. in the amount of \$1,299,975 for construction of the new Marco Island Recycling Center, Project Number 59003. (Dan Rodriguez, Director, Solid Waste)
- K. Recommendation to award Bid # 07-4173 Gordon River Water Quality Park in the amount of \$9,852,655.04 to Kraft Construction Company, Inc. and allocate \$9,852,655.04 to construct the Freedom Park (aka Gordon River Water Quality Park), Project Number 510185, Bid No. 07-4173. (Norman Feder, Administrator, Transportation Services)

**11. PUBLIC COMMENTS ON GENERAL TOPICS**

**12. COUNTY ATTORNEY’S REPORT**

**13. OTHER CONSTITUTIONAL OFFICERS**

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

- A. This item to be heard at 11:00 a.m. Recommendation that the Collier County Community Redevelopment Agency (CRA) approve selection of Wachovia Bank to provide a \$9,000,000 Revolving Line of Credit to purchase real property and finance various capital improvement projects within the Bayshore Gateway Triangle CRA; approve a Resolution approving the form of a Line of Credit Agreement and Master Note; authorize the CRA Chairman to sign other documents in connection therewith and make draws against the Line of Credit as needed; pledge Bayshore Gateway Triangle CRA Tax Increment Funds (TIF) and other legally available moneys as the loan repayment source; and authorize all necessary budget amendments (Companion to Item 10C) (David Jackson, Executive Director, Bayshore Gateway Triangle CRA)

**15. STAFF AND COMMISSION GENERAL COMMUNICATIONS**

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**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.**

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**A. COMMUNITY DEVELOPMENT & ENVIRONMENTAL SERVICES**

- 1. Recommendation to approve final acceptance of the water and sewer utility facilities for Park Central North
- 2. Recommendation to approve final acceptance of the water and sewer utility facilities for Saturnia Lakes, Phase 2
- 3. Recommendation to approve final acceptance of the water and sewer utility facilities for Saturnia Lakes, Phase 1B

4. Recommendation to approve final acceptance of the water and sewer utility facility for Saturnia Lakes, Phase 3
5. Recommendation to approve final acceptance of the water and sewer utility facilities for Addison Reserve
6. Recommendation to approve final acceptance of the water and sewer utility facilities for Saturnia Lakes, Phase 1A
7. Recommendation to approve final acceptance of the water and sewer utility facilities for Oakridge Middle School
8. Recommendation to grant final approval of the roadway (private) and drainage improvements for the final plat of Wilshire Lakes, Phase Two, the roadway and drainage improvements will be privately maintained.
9. Recommendation to grant final approval of the roadway (private) and drainage improvements for the final plat of Charlee Estates. The roadway and drainage improvements will be privately maintained.
10. Recommendation to grant final approval of the roadway (private) and drainage improvements for the final plat of Charlee Estates Phase Two. The roadway and drainage improvements will be privately maintained.
11. 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 Tracts S-1 and S-2, Vineyards Unit 3, Replat
12. Recommendation to approve the Release and Satisfaction of Lien for payments received for the following Code Enforcement actions.
13. Recommendation to award Bid #06-4013 -- Background Check Annual Contract to Sterling Testing Systems, Inc. and Ad-VANCE Screening Solutions, Inc. for an estimated annual expenditure of \$75,000.00.
14. Recommendation to approve the Release and Satisfactions of Lien for payments received for the following Code Enforcement actions: Circle K Corporation.
15. Recommendation to approve final acceptance of the water and sewer utility facilities for Classics Plantation Estates, Phase 2A.
16. Recommendation to approve final acceptance of the water and sewer utility facilities for Remington Reserve.
17. Recommendation to grant final approval of the roadway (private) and drainage improvements for the final plat of Grey Oaks Unit Seventeen. The roadway and drainage improvements will be privately maintained.
18. Recommendation to grant final approval of the roadway (private) and drainage improvements for the final plat of Grey Oaks Unit Eighteen. The roadway and drainage improvements will be privately maintained.
19. 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 Biscayne Bay at Heritage Bay Unit Four, approval of the standard form Construction and Maintenance Agreement and approval of the amount of the performance security.
20. Recommendation that the Board of County Commissioners approves, and authorizes its Chairman to sign, an Easement Use Agreement which would allow construction of improvements over a portion of a drainage easement held by Collier County at 140 Via Napoli Drive.

21. 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 Silver Lakes Phase Two-G
22. Recommendation that the Board of County Commissioners of Collier County, Florida, approve the subordination of an existing lien held by the County pursuant to Collier County Ordinance No. 2003-61.
23. Recommendation that the Board of County Commissioners authorize the County Manager or his designee to create two (2) permanent Full Time Equivalent (FTE) positions within the Community Development and Environmental Services (CDES) Division to replace the existing two State of Florida Department of Environmental Protection FTEs who provide enhanced environmental resource permitting assistance currently employed by the Florida Department of Environmental Protection, South District Office.
24. 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 Ave Maria Unit 11, Del Webb at Ave Maria Parcels 106, 110, 112, 113 & 115, approval of the standard form Construction and Maintenance Agreement and approval of the amount of the performance security.
25. Recommendation to award a professional service retainer contract 07- 4150 for Grant Writing & Project Management Oversight Services.
26. To receive the Board of County Commissioners approval to award a contract to White & Smith, LLC Planning and Law Group to work with staff to update and re-write identified sections of the Land Development Code. The contract amount of \$150,000 would be funded from previously Board approved and budgeted capital funding within CDES, specifically the Zoning Department.
27. Recommendation that the Board of County Commissioners of Collier County, Florida approve an agreement between Collier County and the Economic Development Council of Collier County (EDC) for continuation of the Economic Diversification Program by providing a contribution to the EDC of up to \$400,000 for Fiscal Year 2008, and authorizing the Chairman of the Board of County Commissioners to sign the agreement on behalf of Collier County.
28. Authorize the Chairman or his designee to sign a letter of support for the updated Comprehensive Economic Development Strategy (CEDS) prepared by the Southwest Florida Regional Planning Council's Economic Development Strategy Committee.

## **B. TRANSPORTATION SERVICES**

1. Recommendation that the Board of County Commissioners approve the Landscape Maintenance Agreement between Collier County, Florida and the Ivy of Naples Grande Community Development District for landscaping within the right-of-way on Golden Gate Parkway.
2. Recommendation that the Board of County Commissioners approve the attached budget amendment and Reimbursement to Bayvest, LLC., and to authorize the Chairman of the Board of County Commissioners to execute said reimbursement to Bayvest, LLC. in which Collier County would be responsible for a total estimated cost of \$99,125.21 for design and construction of the pole relocation.
3. Recommendation to award Bid #07-4157 "Golden Gate Blvd. Phase 3 (13th Street SW to Wilson Blvd.)Landscape Maintenance Annual Contract" to Vila & Son Landscaping in the amount of \$54,276.10, Fund #111, Cost Center 163815.

4. Recommendation that the Board of County Commissioners adopt a Resolution approving, and authorize its chairman to execute, a supplemental agreement to amend a Local Agency Program (LAP) agreement previously entered into with the Florida Department of Transportation for construction of roadway lighting on State Road 84 (Davis Boulevard).
5. Approve the purchase of 2.51 acres (Parcel #215) of unimproved property which is required for the construction of a stormwater retention and treatment pond for the Oil Well Road widening project. Project No. 60044 (Fiscal Impact: \$251,755.00)
6. Recommendation to approve an amendment to the Development Agreement with Stock Development, LLC., (Developer) and Collier County (County) to provide options for access and circulation to the commercial parcels adjacent to Collier Boulevard and Grand Lely Drive.
7. Recommendation to approve an Interlocal Agreement between the School District of Collier County, collectively referred to as "District, and Collier County, herein referred to as County, to construct the traffic signal at the intersection of Veterans Memorial Boulevard and Livingston Road.
8. Recommendation to approve an Interlocal Agreement between the School District of Collier County collectively referred to as "District, and Collier County, herein referred to as County, for improvements at four elementary schools within Collier County.
9. Recommendation that the Board of County Commissioners approve a Resolution authorizing the Chairman of the Board of County Commissioners to execute a Local Agency Program Supplemental Agreement with the Florida Department of Transportation (FDOT), for the purchase and installation of prefabricated pedestrian bridges crossing the Cocohatchee River and one of its tributaries on the west side of Vanderbilt Drive within the existing right-of-way. (\$586,500)
10. Recommendation that the Board of County Commissioners approve a Resolution authorizing the Chairman of the Board of County Commissioners to execute a Local Agency Program Supplemental Agreement with the Florida Department of Transportation (FDOT), for the purchase and installation of two (2) prefabricated pedestrian bridges crossing the Santa Barbara Canal on both sides of Golden Gate Parkway within the existing right-of-way. (\$262,500)
11. Recommendation that the Board of County Commissioners approve a Resolution authorizing the Chairman of the Board of County Commissioners to execute a Local Agency Program Agreement with the Florida Department of Transportation (FDOT), in which Collier County would be reimbursed up to \$704,375 for the construction of sidewalks on Roberts Avenue from North 9th Street to North 18th Street (Dupree Drive) and on North 9th Street from State Route 29 to Immokalee Drive. (Project # 601202)
12. Recommendation that the Board of County Commissioners approve a Resolution authorizing the Chairman of the Board of County Commissioners to execute a Local Agency Program Agreement with the Florida Department of Transportation (FDOT) in which Collier County would be reimbursed up to \$170,625 for the construction of a sidewalk on North First Street from Roberts Avenue to State Route 29. (Project # 601202)
13. Approve the purchase of 2.81 acres of improved property which is required for road right-of-way for the Vanderbilt Beach Road Extension Project. Project No. 60168 (fiscal impact: \$384,792.50)
14. Recommendation to approve Change Order No. 2 to add \$605,379.00 for continuing Inspection Services for PBS&J under ITN 05-3583 "CEI Services for Collier County Road Projects" for Project No. 66042B - Immokalee Road six laning project from US41 to I-75.
15. Recommendation to approve a budget amendment in the amount of \$82,775 for a Work Oder to PBS&J to provide Professional Services for the Palm River Unit #8 Stormwater Improvements (Project No. 511361)



16. Recommendation to approve a reconveyance of a real property interest in accordance with Section 255.22, Florida Statutes (Fiscal Impact: None.)
17. Recommendation to Approve the FY 2007 Transit Development Plan (TDP) Annual Progress Report.
18. Recommendation to accept a funding agreement with the South Florida Water Management District to share in a portion of the construction costs of the Gateway Triangle Stormwater Improvement Project in the amount of \$100,000, Project 518031.
19. To present to the Collier County Board of County Commissioners for approval, the additional paratransit operator selected by McDonald Transit Management, Inc., operating as Collier Transit Management, Inc., d/b/a/ Collier Area Transit to perform paratransit services in Collier County.
20. Report to the Board of County Commissioners outlining the year end FY 2007 closure of certain MSTU Project Funds (Funds 132, 136, 150, 155, 156, and 160) which were identified within the approved FY 2006-2007 budget; request approval of all necessary FY 2007 Budget Amendments intended to close said project funds; and direct the Clerk of Courts Finance Section to transfer residual cash from each project fund to the corresponding MSTU cost center fund ( Either Fund 142, 153, 158, 159, 162 and 163) established within the approved FY 2007 budget.

#### C. PUBLIC UTILITIES

1. Recommendation to adopt a Resolution acknowledging: (1) certain specified actions related to the administration of low interest State Revolving Fund loans involving the exercise of independent judgment thereby requiring Collier County Board of Commissioner approval and (2) actions related thereto that are administrative or ministerial in nature and authorizing the County Manager or his designee to take appropriate action.
2. Recommendation to approve a Budget Amendment appropriating additional revenue received in the Mandatory Trash Collection Fund for trash collection services and Collier County Landfill tipping fees during FY 2007. Fiscal impact to Fund (473), Mandatory Trash Collection, is \$410,500.
3. Recommendation to approve the acquisition of a 4,113 square foot Utility and Access Easement near the southwest corner of 3811 7th Avenue SW for a public water supply well site easement, at a cost not to exceed \$25,500, Project Number 700661.
4. Reject the result of Bid #07-4147, attained by Jan Mac Construction, Inc., for Acoustical Improvements at the Carica Pump Station, Project Number 710081.
5. Recommendation to approve acquisition of Utility Easements required for the replacement and rehabilitation of the water distribution system serving Cypress and Dalton Mobile Home Parks on Auto Ranch Road at an estimated cost not to exceed \$2,200, Project Number 710103.
6. Recommendation to approve Change Order 4 to Contract 05-3766R with Douglas N. Higgins, Inc. for the construction of a Pigging Station for Immokalee Road 30-inch Force Main in the amount of \$135,594.00. Project 73943.
7. Approve an Assignment and Assumption Agreement between Immokalee Disposal Company, Inc. and Choice Environmental Services of Collier, Inc. to assign and transfer to Choice Environmental Services of Collier, Inc. all interest in the District II Franchisee Agreement for solid waste recyclable materials, and yard trash collection services with Collier County.
8. Approve payment of non-bid driveway related construction items to NR Contractors Incorporated under Bid #05-3872 Repair of Driveways.

#### **D. PUBLIC SERVICES**

- 1. Approval of Facility Use Agreements between Collier County Public Library and Collier County Supervisor of Elections for use of Naples Branch Library and East Naples Branch Library as polling precincts and authorization for Library Director to sign the agreements.**
- 2. Recommendation to approve the after-the-fact submittal of the attached Wildflower grant application to the Florida Wildflower Foundation to develop wildflower planting areas at Eagle Lakes Community Park.**
- 3. Recommendation to approve a budget amendment appropriating \$40,000 from 306 reserves for entry road lighting upgrades at East Naples Community Park.**
- 4. Recommendation to enter into an Interlocal Agreement with The School District of Collier County and to approve a project in the amount not to exceed \$400,000 to install lighting to improve existing facilities associated with property at Veterans Memorial Elementary School**
- 5. Recommendation to approve a Florida Recreation Development Assistance Program (FRDAP) Grant Agreement in the amount of \$200,000 for development of Delasol Neighborhood Park and necessary budget amendments.**
- 6. Recommendation to approve a Florida Recreation Development Assistance Program (FRDAP) Grant Agreement in the amount of \$200,000 for improvements to Golden Gate Community Park and necessary Budget Amendments.**
- 7. Recommendation to approve the after-the-fact submittal of the 2007 State of Florida Homeless Housing Assistance Grant known as HHAG application to the Department of Community Affairs Office on Homelessness.**
- 8. Recommendation to approve a Florida Clean Vessel Act Grant Agreement in the amount of \$30,379 for development of a Vessel Pump Out Station at Caxambas Park and necessary budget amendments.**
- 9. Recommendation to approve the after-the-fact submittal of the Community Libraries in Caring Program grant application to the Florida Department of State, State Library and Archives of Florida for a Immokalee Library Homework Help Grant, in the amount of \$10,000.**
- 10. Recommendation that the Board of County Commissioners approves, and authorizes its Chairman to sign, a Resolution amending the State Housing Initiative Partnership (SHIP) Local Housing Assistance Plan (LHAP) for Fiscal Years 2007-2008, 2008-2009 and 2009-2010, as required by the Florida Housing Finance Corporation.**
- 11. Recommendation to waive formal competition and to approve a contract with Whitewater West Industries for supply and installation of the 5th slide at Sun n Fun Lagoon in the amount of \$180,000.**
- 12. Recommendation for the Board to approve and authorize the Chairman to sign the U.S. Department of Housing and Urban Development (HUD) entitlement funding agreements for Community Development Block Grant (CDBG), HOME Investment Partnerships (HOME), American Dream Downpayment Initiative (ADDI) and Emergency Shelter Grant (ESG) funds for FY 2007-2008.**
- 13. Recommendation to provide after-the-fact approval of a Certification of Local Government Approval required for a Federal Emergency Shelter Grant as requested by the Shelter for Abused Women and Children.**
- 14. Recommendation to authorize the Chairman to sign the agreement between Collier County Board of County Commissioners and the Area Agency on Aging for Southwest Florida, Inc. and approve a budget amendment to reflect an increase of \$2,158 in the Alzheimers Disease Initiative program.**

15. Recommendation to authorize the Chairman to sign the agreement between Collier County Board of County Commissioners and the Area Agency on Aging for Southwest Florida, Inc. for the Home Care for the Elderly grant in the amount of \$115,329 and approve a budget amendment.
16. Recommendation to authorize the Chairman to sign the agreement between Collier County Board of County Commissioners and Area Agency on Aging for Southwest Florida, Inc. and approve budget amendments to reflect an overall increase of \$9,353 in the Community Care for the Elderly program.
17. Recommendation that the Board of County Commissioners approves, and authorizes the Chairman to sign, a lien agreement with Marie Alcime (Owner) for deferral of 100% of Collier County impact fees for an owner-occupied affordable housing unit located at Lot 138, Independence Phase II.
18. Recommendation that the Board of County Commissioners approves, and authorizes the Chairman to sign, a lien agreement with Habitat for Humanity of Collier County, Inc. (Developer) for deferral of 100% of Collier County impact fees for an owner-occupied affordable housing unit located at Lot 31, Trail Ridge.
19. Recommendation that the Board of County Commissioners approves, and authorizes the Chairman to sign, a lien agreement with Habitat for Humanity of Collier County, Inc. (Developer) for deferral of 100% of Collier County impact fees for an owner-occupied affordable housing unit located at Lot 32, Trail Ridge.
20. Recommendation that the Board of County Commissioners approves, and authorizes the Chairman to sign, a lien agreement with Habitat for Humanity of Collier County, Inc. (Developer) for deferral of 100% of Collier County impact fees for an owner-occupied affordable housing unit located at Lot 33, Trail Ridge.
21. Recommendation that the Board of County Commissioners approves, and authorizes the Chairman to sign, a lien agreement with Habitat for Humanity of Collier County, Inc. (Developer) for deferral of 100% of Collier County impact fees for an owner-occupied affordable housing unit located at Lot 34, Trail Ridge.
22. Recommendation that the Board of County Commissioners approves, and authorizes the Chairman to sign, a lien agreement with Habitat for Humanity of Collier County, Inc. (Developer) for deferral of 100% of Collier County impact fees for an owner-occupied affordable housing unit located at Lot 35, Trail Ridge.
23. Recommendation that the Board of County Commissioners approves, and authorizes the Chairman to sign, a lien agreement with Habitat for Humanity of Collier County, Inc. (Developer) for deferral of 100% of Collier County impact fees for an owner-occupied affordable housing unit located at Lot 36, Trail Ridge.
24. Recommendation that the Board of County Commissioners approves, and authorizes the Chairman to sign, a lien agreement with Habitat for Humanity of Collier County, Inc. (Developer) for deferral of 100% of Collier County impact fees for an owner-occupied affordable housing unit located at Lot 130, Trail Ridge.
25. Recommendation that the Board of County Commissioners approves, and authorizes the Chairman to sign, a lien agreement with Habitat for Humanity of Collier County, Inc. (Developer) for deferral of 100% of Collier County impact fees for an owner-occupied affordable housing unit located at Lot 168, Trail Ridge.
26. Recommendation that the Board of County Commissioners approves, and authorizes the Chairman to sign, a lien agreement with Habitat for Humanity of Collier County, Inc. (Developer) for deferral of 100% of Collier County impact fees for an owner-occupied affordable housing unit located at Lot 169, Trail Ridge.

27. Recommendation that the Board of County Commissioners approves, and authorizes the Chairman to sign, a lien agreement with Habitat for Humanity of Collier County, Inc. (Developer) for deferral of 100% of Collier County impact fees for an owner-occupied affordable housing unit located at Lot 170, Trail Ridge.
28. Recommendation that the Board of County Commissioners approves, and authorizes the Chairman to sign, a lien agreement with George Langkil Jr. (Owner) for deferral of 100% of Collier County impact fees for an owner-occupied affordable housing unit located at Lot 199, Trail Ridge Naples.
29. Recommendation that the Board of County Commissioners approves, and authorizes the Chairman to sign, the annual Certification for Implementation of Regulatory Reform Activities by the State Housing Initiatives Partnership (SHIP) Program.
30. Recommendation that the Board of County Commissioners approves, and authorizes the Chairman to sign, a lien agreement with Anthony McClain and Angelique McClain (Owners) for deferral of 100% of Collier County impact fees for an owner-occupied affordable housing unit located at Lot 201, Trail Ridge Naples.
31. Recommendation to approve a request to apply for a Florida Recreation Development Assistance Program Grant in the amount of \$200,000 for improvements to Immokalee Sports Complex.
32. Recommendation to authorize the Chairman to sign the agreement between Collier County Board of County Commissioners and the Area Agency on Aging of Southwest Florida, Inc. and approve budget amendments to reflect an overall increase of \$2,911 in the Older Americans Act program.

#### **E. ADMINISTRATIVE SERVICES**

1. Recommendation to adopt a resolution approving the FY'08 Pay/Classification Plan providing a wage adjustment & a merit increase on 10/1/07; to continue the creation/modification/deletion of classifications/assignment of pay ranges from the FY'08 Pay/Classification Plan.
2. Report and Ratify Staff-Approved Change Orders and Changes to Work Orders to Board-Approved Contracts.
3. Recommendation to approve Appendix 3 and 4 for the purchase of additional SAP licenses according to the terms of the SAP Public Services, Inc. Software End-User License Agreement. (\$290,891.25)
4. To authorize payment of invoices submitted by Sunshine Pharmacy, which were submitted out of alignment from the contract requirements.
5. Recommendation to award contract 07- 4142 Fixed Term Value Engineering Services to two firms.
6. Recommendation that the Board of County Commissioners authorize the Human Resources Department to research, draft, and advertise an amendment to the Collier County Fingerprinting Ordinance No. 04-52 to require fingerprinting for all Collier County employees and certain County contract employees as defined by 125.5801, Florida Statutes.
7. Recommend that the Board of County Commissioners approve purchase of Stertil-Koni mobile automotive lift systems from Heavy-Duty Lift and Equipment as a sole source distributor without the formal bid process in FY 2007 and FY 2008.

8. Recommendation to approve an Agreement for Sale and Purchase of Lots 11 and 12 in the North Naples Research and Technology Park to house an EMS Facility at a cost not to exceed \$690,375, Project Number 551701, and to approve commercial paper for the purchase of the land and associated expenses, including preconstruction costs for design modifications and civil engineering, in the net amount of \$875,000.

#### **F. COUNTY MANAGER**

1. Board ratification of Summary, Consent and Emergency Agenda Items approved by the County Manager during the Board's scheduled recess. (In Absentia Meeting dated August 14, 2007)
2. Board ratification of Summary, Consent and Emergency Agenda Items approved by the County Manager during the Board's scheduled recess. (In Absentia Meeting dated August 28, 2007)
3. Recommendation that the Board of County Commissioners approves an Agreement with American Medical Academy, Inc., which would allow paramedic students to participate in skill training and field experiences under the supervision of the Collier County Emergency Medical Services Department.
4. Recommendation that the Board of County Commissioners Award Bid #07-4158 in the amount of \$58,300 for the Purchase and Delivery of Pine Straw Mulch to Custom Pine Straw, Inc.
5. Recommendation to approve the annual five percent (5%) increase in Consultant Fees for the Medical Director of Emergency Medical Services as described in the Emergency Medical Services Medical Consultant Contract for a total of \$100,485 for FY 08.
6. Recommendation that the Board of County Commissioners approve budget amendments in the amounts of \$20,000 to reduce the transfer of excess funds from the Law Library Fund (640) to Court Innovations Fund (192); reduce reserves in Court Innovations Fund (192); and approve the purchase of books for the Law Library.
7. Recommendation to approve an Agreement between the Florida Department of Community Affairs and Collier County accepting \$8,403 for the preparation of Hazards Analysis Reports for facilities storing extremely hazardous substances within the County and approve the Budget Amendment necessary to recognize and appropriate \$8,403 as revenue.
8. Recommendation to approve the Interlocal Agreements between Collier County and East Naples Fire Control and Rescue District and Collier County and North Naples Fire Control and Rescue District for an Advanced Life Support Engine Partnership Program.
9. Recommendation to adopt a resolution approving amendments (appropriating grants, donations, contributions or insurance proceeds) to the Fiscal Year 2006-07 Adopted Budget.
10. Recommendation that the Board of County Commissioners approves the attached Interagency Agreement between Collier County and the Department of Juvenile Justice regarding confidentiality of records and authorizes the Chairman to execute said agreement.
11. Recommendation to approve a Lease Agreement with North Naples Fire Control and Rescue District for shared use of the Countys Heritage Bay Public Safety Facility at no annual cost.
12. Recommendation to adopt a Resolution authorizing the borrowing of an amount not to exceed \$16,500,000 from the Pooled Commercial Paper Loan Program of the Florida Local Government Finance Commission pursuant to the loan agreement between the Board of County Commissioners and the Commission in order to finance the construction of the Collier County Sheriff's Special Operations Building; authorizing the execution of a loan note or notes to evidence such borrowing; agreeing to secure such loan note or notes with a covenant to budget and appropriate legally available non-ad valorem revenues as provided in the loan agreement; authorizing the execution and delivery of such other documents as may be necessary to effect such borrowing; and providing an effective date.

#### **G. AIRPORT AUTHORITY AND/OR COMMUNITY REDEVELOPMENT AGENCY**

- 1. Recommendation for the Community Redevelopment Agency to approve the purchase of a residential (mobile home) lot in the Bayshore area of the CRA as part of a CRA residential infill project; to approve payment from and authorize the CRA Chairman to make a draw from the Bayshore Gateway Triangle CRA Wachovia Bank Line of Credit in the amount of \$90,000 plus cost and expenses to complete the sale of subject property; and approve any and all necessary budget amendments. Site address: 4000 Harvest Court (\$90,000).**

#### **H. BOARD OF COUNTY COMMISSIONERS**

- 1. Proclamation designating September 24, 2007 as Family Day - A Day to Eat Dinner with Your Children. To be mailed to Joseph A. Califano, Jr., National Center on Addiction and Substance Abuse at Columbia University.**
- 2. Commissioner Coletta requests approval for reimbursement for attending a function serving a valid public purpose. Commissioner paid in advance to attend the Blue Foundation Grant/Provider's Staff Appreciation Lunch on September 19, 2007 and is requesting reimbursement in the amount of \$15.00, to be paid from his travel budget.**
- 3. Commissioner Fiala requests Board approval for reimbursement for attending a function serving a valid public purpose. Will attend the Naples Press Club: Taxes, Terror & Trenchcoats Luncheon on Thursday, September 27, 2007 at the Collier Athletic Club; \$20.00 to be paid from Commissioner Fiala's travel budget.**
- 4. Commissioner Coletta requests approval for reimbursement for attending a function serving a valid public purpose. Commissioner paid in advance to attend and present awards at the EDC Amazing Place - 2007 Excellence in Industry Awards Evening Gala Celebration on September 13, 2007 and is requesting reimbursement in the amount of \$40.00, to be paid from his travel budget.**
- 5. Commissioner Coletta requests approval for reimbursement for attending a function serving a valid public purpose. Commissioner paid in advance to attend as Master of Ceremonies at the Southwest Florida Workforce Development Board Awards Dinner on September 14, 2007 and is requesting reimbursement in the amount of \$25.00, to be paid from his travel budget.**

#### **I. MISCELLANEOUS CORRESPONDENCE**

- 1. To file for record with action as directed.**

#### **J. OTHER CONSTITUTIONAL OFFICERS**

- 1. To obtain Board approval for disbursements for the period of July 07, 2007 through July 13, 2007 and for submission into the official records of the Board.**
- 2. To obtain board approval for disbursements for the period of July 14, 2007 through July 20, 2007 and for submission into the official records of the board.**
- 3. To obtain Board approval for disbursements for the period of July 21, 2007 through July 27, 2007 and for submission into the official records of the Board.**
- 4. To obtain Board approval for disbursements for the period of July 28, 2007 through August 03, 2007 and for submission into the official records of the Board.**
- 5. To obtain board approval for disbursements for the period of August 04, 2007 through August 10, 2007 and for submission into the official records of the board.**

6. To obtain Board approval for disbursements for the period of August 11, 2007 through August 17, 2007 and for submission into the official records of the Board.
7. To obtain Board approval for disbursements for the period of August 18, 2007 through August 24, 2007 and for submission into the official records of the Board.
8. Recommendation that the Board Of County Commissioners Approve an Agreement Authorizing the Collier County Sheriffs Office to have Traffic Control Jurisdiction over Private Roads within the Heritage Greens Subdivision.
9. Recommend that the Board Authorize the Extension of the Tax Roll Before Completion of the Value Adjustment Board Hearings Pursuant to Section 197.323, F.S. Tax Collector's Request.
10. Authorize the Chairman to execute the sales order with Election Systems and Software to purchase new voting system and to allow the recognition of revenue from the Department of State and to approve a budget amendment.
11. To obtain approval from the Board of County Commissioners to prepay Community Development and Environmental Services capital debt.
12. To obtain Board approval of EMS banking service fees associated with outsourced billing processes with ADPI.

#### K. COUNTY ATTORNEY

1. Recommendation for the Board of County Commissioners to approve and ratify the payment of invoices from Garvin & Tripp for professional services rendered in the litigation cases Brock v. Collier County, et al., Case No. 04-941 consolidated with Case Nos. 05-953 and 05-1506; and Collier County v. Brock, Case No. 07-1056, now pending in the Twentieth Judicial Circuit.
2. Recommendation to Approve an Agreed Order Awarding Expert Fees and Costs Relating to Parcel 163 in the Case Styled Collier County v. Thomas F. Salzmann, et al., Case No. 03-2550-CA (Golden Gate Parkway Project #60027) (Fiscal Impact: \$4,000.00).
3. Recommendation to approve a Stipulated Final Judgment for Parcel Nos. 806 & 706 in the lawsuit styled CC v. James M. Brown, et al., Case No. 06-0525-CA (Santa Barbara Boulevard Project No. 62081). (Fiscal Impact \$16,607.55)
4. Recommendation to approve a Stipulated Final Judgment for Parcel 129 in the lawsuit styled CC v. West Coast Development Corporation of Naples, Inc., et al., Case No. 06-0708-CA (Santa Barbara Boulevard Project No. 62081). (Positive Fiscal Impact of \$19,314.35).
5. Recommendation to Approve a Stipulated Final Judgment in the Amount of \$15,000.00 for the Acquisition of Parcel 815 in the Lawsuit Styled Collier County v. Myrtle Preserve LLC, et al., Case No. 07-0463-CA (Lely Area Stormwater Improvement Project #511011). Fiscal Impact: \$6505.00)
6. Recommendation to approve a Mediated Settlement Agreement and Stipulated Final Judgment for Parcel Nos. 127, 827, 727A & 727B in the lawsuit styled CC v. Napoli Luxury Condominiums P.O.A., Inc., et al., Case No. 06-1299-CA (County Barn Road Project No. 60101). (Fiscal Impact \$204,888)
7. Recommendation to adopt a resolution approving the County Attorney Office 2008 Fiscal Year Pay and Classification Plan, providing for a general wage adjustment and merit increase effective on October 1, 2007 (the first day of the first pay period in Fiscal Year 2008).
8. Request by the Housing Finance Authority of Collier County for approval of a resolution authorizing the Lee County Housing Finance Authority to issue single-family mortgage revenue bonds to assist qualified buyers of single family homes in participating counties, including Collier County, and authorizing the Collier Authority to enter into an interlocal agreement with the Lee Authority.

**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 all participants be sworn in and ex parte disclosure be provided by Commission members. Recommendation to approve Petition AVPLAT-2007-AR-11897, to disclaim, renounce and vacate the Countys and the Publics interest in a 14 foot wide Fire Access Easement over Tract A4, Wilshire Lakes Phase Two, a subdivision as recorded in Plat Book 27, Pages 24 through 27 of the Public Records of Collier County, Florida, situated in Section 31, Township 48 South, Range 26 East, Collier County, Florida, and being more specifically described in Exhibit A.**
- B. Recommendation that the Board of County Commissioners adopt a Resolution revising the Collier County Water-Sewer District Utilities Standards Manual and adopt an Ordinance to amend the Collier County Utilities Standards and Procedures Ordinance.**
- C. This item requires that all participants be sworn in and ex parte disclosure be provided by Commission members. PUD-2005-AR-8894, I-75 Associates, LLC, represented by Fred Reischl, AICP, of Agnoli, Barber & Brundage, Inc., are requesting two 2-year PUD Extensions for the Golden Gate Commerce Park PUD. The subject project is located on the northwest quadrant of the intersection of Collier Boulevard (CR-951) and Magnolia Pond Drive, in Section 34, Township 49 South, Range 26 East, Collier County, Florida.**
- D. Recommendation to adopt resolutions approving the preliminary assessment rolls as the final assessment rolls and adopting same as the non-ad valorem assessment rolls for purposes of utilizing the uniform method of collection pursuant to Section 197.3632, Florida Statutes, for Solid Waste Municipal Service Benefit Units, Service District No. I and Service District No. II, Special Assessment levied against certain residential properties within the unincorporated area of Collier County pursuant to Collier County Ordinance 2005-54, as amended. Revenues are anticipated to be \$17,288,400.**
- E. This item requires that all participants be sworn in and ex parte disclosure be provided by Commission members. Recommendation to approve Petition AVESMT-2007-AR-11657, to disclaim, renounce and vacate the Countys and the Publics interest in a 20 foot wide Lake Maintenance Easement, Irrigation Easement & Drainage Easement over a portion of Lot 97, Lot 98, and Tract K, Marbella Lakes, a subdivision as recorded in Plat Book 46, Pages 77 through 82 of the Public Records of Collier County, Florida, situated in Section 19, Township 49 South, Range 26 East, Collier County, Florida, and being more specifically described in Exhibit A.**
- F. This item requires that all participants be sworn in and ex parte disclosure be provided by Commission members. Petition: PUD-2005-AR-7944 Victoria Estates, Ltd., represented by R. Bruce Anderson, of Roetzel & Andress and Ralph Abercia, represented by Richard Yovanovich, of Goodlette, Coleman & Johnson, are requesting two 2-year PUD extension of the Collier Boulevard Mixed Use Commerce Center PUD. The subject property, consisting of 70.2 acres, is located in the southwest quadrant of the intersection of Collier Boulevard and Magnolia Pond Drive, in Section 34, Township 49 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 774-8383.**