

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



AGENDA

November 13, 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

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. October 10, 2007 - BCC/PUD Audit Workshop**
- C. October 11, 2007 - BCC/LDC Meeting**
- D. October 12, 2007 - Value Adjustment Board Regular Meeting**
- E. October 16, 2007 - BCC/LDC Special Meeting**
- F. October 17, 2007 - Value Adjustment Board Special Magistrate**
- G. October 18, 2007 - Value Adjustment Board Special Magistrate**
- H. October 19, 2007 - Value Adjustment Board Special Magistrate Meeting with Special Magistrate Bush**
- I. October 19, 2007 - Value Adjustment Board Special Magistrate Meeting with Special Magistrate Pelletier**

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

4. PROCLAMATIONS

- A. Proclamation for the Collier County Medical Society. To be accepted by Michael G. Caputo, MD**
- B. Proclamation for Farm-City Week to be accepted by: Bart Zino, BBQ Co-Chair and Cecil and Rita Howell.**
- C. Proclamation for America Recycles Day in Collier County to be received by Dan Rodriguez, Director, Solid Waste and John Yonkosky, Director, Utility Billing and Customer Service.**
- D. Proclamation for National Hunger and Homelessness Awareness Week to be accepted by Vann Ellison, Chairman of the Collier County Hunger and Homeless Coalition.**
- E. Proclamation for Naples Unchained Day to be accepted by Lisa Boet, Founder and President of Naples Originals.**

5. PRESENTATIONS

- A. Contractor Presentation - Collier County Emergency Services Center; Project 52160; Kraft Construction CM at Risk Contract**

6. PUBLIC PETITIONS

- A. Public petition request to discuss Code Enforcement Order to demolish home at 1318 South Pear Street, Immokalee.**
- B. Public Petition request from Pastor William A. Kirlaw to seek an impact fee credit.**
- C. Public Petition request from Susan L. Thompson to discuss the amended Willow West Stormwater Improvement Project.**
- D. Public Petition request from William L. Klohn to address recommendation of the Affordable Housing Commission.**

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

7. BOARD OF ZONING APPEALS

8. ADVERTISED PUBLIC HEARINGS

- A. This item requires that all participants be sworn in and ex parte disclosure be provided by Commission members. PUDA-2007-AR-11283 (NG) Wing South, Inc., represented by Heidi Williams, AICP of Q. Grady Minor and Associates, P.A., requesting an amendment of the ShadowWood Planned Unit Development (PUD) Ordinance No. 82-49 to increase the number of single family dwelling units from 11 units to a maximum of 16 units by increasing the Single Family Residential (Tract B) from 3.7 acres to 5.68 acres and reducing the acreage of the Private Air Park district (Tract C) from 37.8 acres to 35.82 acres. The subject property is located along the north side of Rattlesnake-Hammock Road, approximately one mile west of Collier Boulevard (CR 951), northeast of the intersection of Rattlesnake-Hammock Road and Skyway Drive, in Section 16, Township 50 South, Range 26 East, Collier County, Florida.
- B. This item requires that all participants be sworn in and ex parte disclosure be provided by Commission members. PUDZ-A-2006-AR-9374 Naples Reserve, LLC, represented by Dwight Nadeau, of RWA, Inc., and Richard D. Yovanovich, of Goodlette, Coleman & Johnson, P.A. requesting a rezone from a Planned Unit Development (PUD) to a Residential Planned Unit Development (RPUD) for a project known as the Naples Reserve Golf Club RPUD in order to add 602 units to the previously approved maximum of 552 units, for a total of 1154 residential units, eliminating the commercial acreage and 18 holes of the 36 hole golf course. The subject property, consisting of 688.1 acres, is located one mile north of US 41 and 1 1/2 miles east of CR 951 at 10097 Greenway Road, in Section 1, Township 51 South, Range 26 East, Collier County, Florida. (Companion to Item 10C)
- C. This item requires that all participants be sworn in and ex parte disclosure be provided by Commission members. PUDA-2006-AR-10333, Stock Development LLC, represented by Richard D. Yovanovich of Goodlette, Coleman and Johnson, P.A., is requesting an amendment to the Lely, A Resort Community PUD to affect Phase 1 Tract 4 only. The amendment proposes a strike thru and underline of the existing PUD document to (1) amend Section 2.07: Permitted Variations of Dwelling Units - to exceed a variation of 20 percent of unit types, and (2) amend Section 5.02: Permitted Uses and Structures, to add up to 175 residential dwelling units, C-2 and C-3 uses, in order to (3) provide for a mixed-use project. The subject property is located at the intersection of Triangle Boulevard and Tamiami Trail (US 41), in Section 34, Township 50, Range 26, Naples, Collier County, Florida.
- D. This item requires that all participants be sworn in and ex parte disclosure be provided by Commission members. Petition: PUDZ-2006-AR-9577 Page VI, LLC, represented by Tim Hancock, AICP of Davidson Engineering, Inc., is requesting a Planned Unity Development (PUD) Rezone for the Della Rosa RPUD. The rezoning request is to rezone from Rural Agriculture (A) and Special Treatment (ST) Overlay zoning district to the Residential Planned Unit Development (RPUD) zoning district. The proposed RPUD is located within the Urban Mixed Use District which allows for a base residential density of 4 units an acre and the Growth Management Plan (GMP) infill provision allows for a maximum of three (3) additional units an acre. The RPUD proposes a density of up to seven (7) units an acre, for a total maximum of 107 multi-family residential dwelling units. The subject property consist of 15.38 acres and is located on the east side of Livingston Road, approximately 2 miles north of Immokalee Rd, in Section 13, Township 48 South, Range 25 East, Collier County, Florida.

9. BOARD OF COUNTY COMMISSIONERS

- A. Discussion by the Board members to consider delaying the increase in impact fees for approximately 6 months from January 2008. This request originates from correspondence received November 2, 2007 from The Greater Naples Chamber of Commerce President, Michael Reagen. The delay may benefit the current struggling building industry and provide incentive for the county's economy. (Commissioner Tom Henning)
- B. Appointment of member to the Environmental Advisory Council.
- C. Recommendation to declare 2 vacancies on the Immokalee Master Plan and Visioning Committee.
- D. Confirmation of appointment to the Collier County Planning Commission.
- E. Appointment of member to the Parks and Recreation Advisory Board.
- F. Board discussion regarding Commissioner Henning's resignation from the Canvassing Board of the Special Election.
- G. This item to be heard at 10:00 a.m. To initiate a discussion with the Board to get further direction and clarification regarding the County Attorney Recruitment Service Contract.

10. COUNTY MANAGER'S REPORT

- A. Recommendation to award Bid No. 07-4187 to D.N. Higgins, Inc., for the purchase and installation of two sand separator units for the North and South County Regional Water Treatment Plants (NCRWTP and SCRWTP) in the base bid amount of \$1,442,800 and to approve the necessary Budget Amendment, Project 71052. (Oscar Martinez, Sr. Project Manager, Public Utilities)
- B. Recommendation to adopt a resolution authorizing the acquisition by gift or purchase of right-of-way and related easements necessary for the construction of roadway, drainage and utility improvements required for the expansion of Collier Boulevard from the Golden Gate Main Canal to Golden Gate Boulevard and portions east on White Boulevard and west on Pine Ridge Road. Project No. 68056. Estimated fiscal impact: \$8,927,000.00. (Jay Ahmad, Transportation/ECM Director)
- C. Recommendation to approve a Developers Contribution Agreement (DCA) between Naples Reserve, LLC, Kite Eagle Creek II, LLC, KRG Eagle Creek IV, LLC, KRG 951 & 41, LLC, Tousa Homes, Inc., Naples Golf Development, LLC, ABC Liquors, Inc., Naples South, LLC, NBC RV, LLC, NBC Land Holdings, LLC, Naples Big Cypress Market Place Limited Partnership, LLLP, Southern Development Company, Inc., RealtyNet Real Estate, LLC, Habitat for Humanity of Collier County, Inc., and MCKK Property Acquisitions, LLC (The Developers) and Collier County to construct improvements to the intersection of US41 with SR-CR951 and to construct a four lane road from this intersection continuing east on US41 for approximately two miles. (Companion to Item 8D) (Nick Casalanguida, Transportation/Planning Director and Jeff Klatzkow, Assistant County Attorney)
- D. Recommendation that the Board of County Commissioners provide direction to the County Attorney and the County Manager, or his designee, related to desired changes to the Charitable Organization Impact Fee Deferral Program (Amy Patterson, Impact Fee/EDC Manager, Community Development & Environmental Services Division)
- E. Recommendation to approve a Professional Services Agreement with HDR Engineering Inc., in the amount of \$1,497,100.00 pursuant to RFP #07-4144 for engineering design and construction oversight services related to the construction of the North County Regional Water Treatment Plant 2-MGD Reverse Osmosis Expansion, Project Number 710022. (Tom Chmelik, Sr. Project Manager, Public Utilities)

11. PUBLIC COMMENTS ON GENERAL TOPICS

12. COUNTY ATTORNEY'S REPORT

- A. Recommendation that the Board of County Commissioners consider adoption of a Resolution Superseding Resolution No. 98-498 Establishing a Uniform Policy Imposing Fees for the Inspection, Examination and Duplication of Public Records Pursuant to Section 119.07, Florida Statutes.
- B. This item to be heard at 4:00 p.m. Recommendation that the Board of County Commissioners approve a request from Mayor Hamilton and Ivey House of Everglades City for a Festival / Camping Permit to allow for a two-day camping and tourism event in the vicinity of Everglades City from December 16 17, 2007.

13. OTHER CONSTITUTIONAL OFFICERS

14. AIRPORT AUTHORITY AND/OR COMMUNITY REDEVELOPMENT AGENCY

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. COMMUNITY DEVELOPMENT & ENVIRONMENTAL SERVICES

- 1. Recommendation to approve final acceptance of the water and utility facilities for Andalucia.
- 2. To accept final and unconditional conveyance of the water utility facility for The Meadows at Quail Creek.
- 3. Recommendation to approve final acceptance of the water and sewer utility facilities for Indigo Preserve.
- 4. Recommendation to approve final acceptance of the sewer utility facility for Regency Autohaus.
- 5. Recommendation to approve final acceptance of the water and sewer utility facilities for Heritage Bay Road and Sales Trailer
- 6. Recommendation to approve final acceptance of the water and sewer utility facilities for Gusto Bella Vita.
- 7. Recommendation to approve final acceptance of the water and sewer utility facilities for Santorini Villas.
- 8. 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 Sandalwood, approval of the standard form Construction and Maintenance Agreement and approval of the amount of the performance security.
- 9. Recommendation to approve the Release and Satisfactions of Lien for payments received for the following Code Enforcement actions.

10. Recommendation that the Board of County Commissioners approve the replacement of an existing Subordination Acknowledgement for a lien held by Collier County pursuant to Collier County Ordinance No. 2003-61 due to a change in lender.
11. Recommendation that the Board of County Commissioners approve an impact fee reimbursement for Davis Crossings VIII, LLC totaling \$302,326.84, due to the overpayment of Transportation Impact Fees
12. The petitioner, Irvine Dubow, is requesting approval of an Access Agreement to permit a 5.7-foot wide (tapering to 0.5 feet) encroachment into a ten-foot drainage easement in order to rebuild a screen cage enclosure for property located at 5901 Almaden Drive, described as the Vineyards Sonoma Lake subdivision, Unit 1, Lot 26, in Section 8, Township 49 South, Range 26 East, Collier County, Florida.

B. TRANSPORTATION SERVICES

1. Recommendation to approve Change Order #4 to add \$726,246.00 for continuing Inspection Services for Aim Engineering & Surveying, Inc. under ITN 04-3583 CEI Services for Collier County Road Projects for Project No. 63051 Vanderbilt Beach Road from Airport Road to Collier Boulevard.
2. Recommendation to Approve the purchase of 2.5 acres of improved property (Parcel No. 199) of which approximately 0.379 acres is required for the construction of the Vanderbilt Beach Road Extension Project No. 60168 (Fiscal Impact: \$406,600.00)
3. Recommendation to approve a Resolution which authorizes the Chairman to execute Amendment No. 1 to Florida Department of Transportation Joint Project Agreement FM #195403-2, increasing the funding available for Ethernet conversion and extending the project deadline to June 30, 2008.
4. Recommendation to approve release of 50% of retainage in exchange for dismissal with prejudice of the claim for retainage plus accrued interest and costs filed in the lawsuit entitled John Carlo, Inc., vs. Collier County, Florida, Case No. 07-2797-CA.
5. Recommendation to award Bid No. 08-5000, Victoria Park West Stormwater Outfall Improvements to Mitchell & Stark Construction Co. Inc. in the amount of \$427,310.00; Project 511371.
6. Recommendation to approve a design modification to the interchange of I-75 and Immokalee Road.
7. Recommendation to adopt a Resolution and approve submittal of a Highway Beautification Grant to the State of Florida Highway Beautification Council for landscaping on 951 (Manatee Road to Mainsail Drive) in unincorporated Collier County.

C. PUBLIC UTILITIES

1. Recommendation to approve as ex-officio the governing Board of the Collier County Water-Sewer, to subordinate its utility easement rights along U.S. 41, Section No. 03010-2542, to Florida Department of Transportation for purposes of road construction.
2. Recommendation to Award Bid # 07-4191 Annual Contract for Emergency & Scheduled Sewage Hauling to Southern Sanitation, Inc. in the Estimated Amount of \$70,000

3. Recommendation to approve a budget amendment to transfer funds in the amount of \$900,000 from East Central Water Reclamation Facility Project to the Northeast Irrigation Quality Pipeline Project, to fund a subsequent change order # 08 to Transportation contracts with APAC Southeast, Inc. # 02-3419 Immokalee Road Six Lane Widening from CR951 to 43rd Avenue NE and Johnson Engineering contract 04 -3583 Professional CEI Services for Immokalee Road Six Lane Widening from CR951 to 43rd Avenue NE to install 9,720 linear feet of Irrigation Quality pipe from Collier Boulevard to the east along Immokalee Road, Project 74311.
4. Recommendation to approve a Commercial Demand Reduction Rider (CDR) Agreement with Florida Power & Light Company (FP&L) for the electrical service to the South County Regional Water Treatment Plant (SCRWTP) reverse osmosis treatment system for a potential annual savings of more than \$70,000.
5. Recommendation to approve of the purchase and installation of four Allen-Bradley Variable Frequency Drives in the amount of \$464,585.00 for the Carica Pump Station VFD and Electrical System Upgrades, Project Number 710601.
6. Recommendation to award Bid No. 08-5010 to JWC Environmental for the purchase of two replacement channel screen systems at the South County Water Reclamation Facility in an amount not to exceed \$370,250.00 under Project No. 73969.

D. PUBLIC SERVICES

1. Recommendation that the Board of County Commissioners approves, and authorizes the Chairman to sign, a lien agreement with Marco Bay Homes, LLC (BUILDER) and Collier County Housing Development Corporation (DEVELOPER) for deferral of 100% of Collier County impact fees for an owner-occupied affordable housing unit located at Parcel 73 East, Copeland.
2. 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 131, Trail Ridge.
3. 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 132, Trail Ridge.
4. 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 133, Trail Ridge.
5. 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 134, Trail Ridge.
6. 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 135, Trail Ridge.
7. 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 136, Trail Ridge.

8. 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 137, Trail Ridge.
9. 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 138, Trail Ridge.
10. 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 155, Trail Ridge.
11. 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 156, Trail Ridge.
12. Recommendation to approve Change Order No. 1 in the amount of \$85,900 for additional design services for Big Corkscrew Island Regional Park (a/k/a Orangetree Regional Park) under Work Order No. WMI-FT-3290-06-03 to Wilson Miller.
13. To present to the Board of County Commissioners a summary of the Impact Fee Deferral Agreements recommended for approval in FY08, including the total number of Agreements approved, the total dollar amount deferred and the balance remaining for additional deferrals in FY08.
14. Recommendation that the Board of County Commissioners approves, and authorizes the Chairman to sign, a lien agreement with Lennar Homes LLC (Developers) for deferral of 100% of Collier County impact fees for an 8 unit owner-occupied affordable multi-family housing units located in a parcel of land in Section 23, Township 48 South, Range 26 East Collier County, Tract E, Heritage Bay Commons (9055 Gervais Circle) and authorizes a reimbursement of the fees paid by the developer on Building Permit 2007041638 in the amount of \$146,064.64.
15. Recommendation that the Board of County Commissioners approves, and authorizes the Chairman to sign, a lien agreement with Lennar Homes LLC (Developers) for deferral of 100% of Collier County impact fees for a 10 unit owner-occupied affordable multi-family housing units located in a parcel of land in Section 23, Township 48 South, Range 26 East Collier County, Tract E, Heritage Bay Commons (9051 Gervais Circle) and authorizes a reimbursement of the fees paid by the developer on Building Permit 2007061061 in the amount of \$184,888.18.
16. Recommendation that the Board of County Commissioners approves, and authorizes the Chairman to sign, a lien agreement with Leonardo Diaz Paret and Riselda Diaz Lujan (Owners) for deferral of 100% of Collier County impact fees for an owner-occupied affordable housing unit located at Lot 117, Trail Ridge.
17. Recommendation to approve and authorize the chairman to sign an agreement between Collier County Parks and Recreation and the Early Learning Coalition and to authorize the Director of Parks and Recreation to sign in subsequent years.
18. Recommendation to approve the submittal of the attached University of Florida Family Nutrition Program grant in the amount of \$208,895 to provide nutrition education throughout Collier County.

19. Recommendation that the Board of County Commissioners approves, and authorizes the Chairman to sign, a lien agreement and Tri-Party agreement with Crestview Park II, Ltd. (Developer) for deferral of 100% of Collier County impact fees, in the amount of \$1,208,596.45, for a 96 unit multi-family affordable rental housing project located at Crestview Park Apartments, Phase II.
20. Recommendation that the Board of County Commissioners approves, and authorizes the Chairman to sign, a lien agreement with Dezilia Vital (Owner) for deferral of 100% of Collier County impact fees for an owner-occupied affordable housing unit located at Lot 19, Trail Ridge.
21. Recommendation to approve Conveyance Agreement with the School District of Collier County Florida and the Board of County Commissioners for construction of a utility building and chiller plant for the Immokalee Career Center (ICC).
22. Recommendation that the Board of County Commissioners approves, and authorizes the Chairman to sign, a lien agreement with Fresnel Gabriel and Solange Gabriel (Owners) for deferral of 100% of Collier County impact fees for an owner-occupied affordable housing unit located at Lot 125, Trail Ridge.
23. Recommendation that the Board of County Commissioners approves, and authorizes the Chairman to sign, a lien agreement with Vivian Alonso (Owner) for deferral of 100% of Collier County impact fees for an owner-occupied affordable housing unit located at Lot 127, Trail Ridge.
24. Recommendation that the Board of County Commissioners approves, and authorizes the Chairman to sign, a lien agreement with Lennar Homes LLC (Developer) for deferral of 100% of Collier County impact fees for an 8 unit owner-occupied affordable multi-family housing units located in a parcel of land in Section 23, Township 48 South, Range 26 East Collier County, Tract E, Heritage Bay Commons (9059 Gervais Circle).
25. This item continued from the October 23, 2007 BCC Meeting. Recommendation that the Board of County Commissioners approves, and authorizes its Chairman to sign, a Subrecipient Agreement providing Disaster Recovery Initiative(DRI) funding in the amount of \$415,000.00 to One by One Leadership Foundation for infill in order to support the construction of housing units.
26. This item was continued from the October 23, 2007 BCC Meeting. Recommendation that the Board of County Commissioners approves, and authorizes its Chairman to sign, a Subrecipient Agreement providing Disaster Recovery Initiative(DRI) funding in the amount of \$293,934.00 to St. Matthews House, Inc. for hurricane hardening of its shelter.
27. This item continued from the October 23, 2007 BCC Meeting. Recommendation that the Board of County Commissioners approves, and authorizes its Chairman to sign, a Subrecipient Agreement providing for a \$442,000 State Housing Initiative Program (SHIP) loan to Eden Gardens Apartments, Limited Partnership, A Florida Limited Partnership to assist in funding the construction of a 55 unit, multi-family rental housing complex for legal migrant and seasonal farmworkers in Immokalee.
28. This item was continued from the October 23, 2007 BCC Meeting. Recommendation that the Board of County Commissioners approves, and authorizes its Chairman to sign, a Home Investment Partnership Program (HOME) Subrecipient Agreement with Big Cypress Housing Corporation providing for a grant in the total amount of \$250,000.00 for the construction and/or installation of fire sprinklers for a 55-unit, multi-family rental housing complex (The Reserve at Eden Gardens) for legal migrant and seasonal farm workers in Immokalee.

29. This item was continued from the October 23, 2007 BCC Meeting. Recommendation that the Board of County Commissioners approves, and authorizes its Chairman to sign, a Subrecipient Agreement providing a Community Development Block Grant in the amount of \$250,000 to Fun Time Early Childhood Academy, Inc., for site development in preparation for construction of a new Fun Time Early Childhood Academy within the George Washington Carver and River Park communities in the City of Naples.
30. This item was continued from the October 23, 2007 meeting. Recommendation that the Board of County Commissioners approves, and authorizes its Chairman to sign, a Subrecipient Agreement providing Disaster Recovery Initiative(DRI) funding in the amount of \$664,000.00 to Immokalee Non-Profit Housing, Inc., for hurricane hardening to the Sanders Pines and Timber Ridge rental apartment complexes in Immokalee.
31. Recommendation that the Board of County Commissioners approves, and authorizes the Chairman to sign, a lien agreement with Marco Bay Homes, LLC (BUILDER) and CDJ Investments, LLC (DEVELOPER) for deferral of 100% of Collier County impact fees for an owner-occupied affordable housing unit located at West 75 of the East 150 of Tract 23, Unit 47, Golden Gate Estates.
32. Recommendation that the Board of County Commissioners approves, and authorizes the Chairman to sign, a lien agreement with Marco Bay Homes, LLC (BUILDER) and CDJ Investments, LLC (DEVELOPER) for deferral of 100% of Collier County impact fees for an owner-occupied affordable housing unit located at East 75 of the East 150 of Tract 40, Unit 79, Golden Gate Estates.
33. This item was continued from the October 23, 2007 BCC Meeting. Recommendation that the Board of County Commissioners approves, and authorizes its Chairman to sign, a Subrecipient Agreement providing Disaster Recovery Initiative (DRI) funding in the amount of \$374,545.00 to The Empowerment Alliance of Southwest Florida, Inc., for infrastructure to support construction of 15 single-family homes in Immokalee, to be known as Hatchers Preserve, intended for low income, first time homebuyers and families displaced by Hurricane Wilma.
34. This item continued from the October 23, 2007 BCC Meeting. Recommendation that the Board of County Commissioners approves, and authorizes its Chairman to sign, a Subrecipient Agreement providing a Community Development Block Grant in the amount of \$116,079.00 to the City of Naples to fund improvements to the George Washington Carver and River Park communities and the Fun Time Early Childhood Academy.
35. This item was contined from the October 23, 2007 BCC Meeting. Recommendation that the Board of County Commissioners approves, and authorizes its Chairman to sign, a Subrecipient Agreement providing a Community Development Block Grant in the amount of \$1,000,000 to Habitat for Humanity of Collier County, Inc., for installation of infrastructure to support 204 home sites for Kaicasa Phase I in Immokalee.
36. This item was continued from the October 23, 2007 BCC Meeting. Recommendation that the Board of County Commissioners approves, and authorizes its Chairman to sign, a Subrecipient Agreement providing Disaster Recovery Initiative (DRI) funding in the amount of \$124,923.00 to the Collier County Housing Development Corporation for purchase and installation of two back-up generators for the sewer lift station and the water treatment plant in Copeland.
37. Recommendation to approve a Domestic Animal Services Donation Trust Fund Budget Amendment in the amount of \$8,600 to Recognize Carryforward Revenues from FY2007

E. ADMINISTRATIVE SERVICES

- 1. Recommendation to approve a Lease Agreement with Palm Lake Investments for the State of Floridas Conflict Resolution Office with a first years rent of \$32,190.**
- 2. Recommendation to approve the entry into a Lease Agreement for the existing Confined Space Gas Monitor System Countywide that will result in a savings of approximately \$27,212.64 to the County, as compared to current program costs.**
- 3. Recommendation to approve a Hazard Mitigation Grant Program (HMGP) agreement between the State of Florida Division of Emergency Management and the County for a Multi-Structure Shutter Project and approve the associated budget amendment.**
- 4. Recommendation to amend the previously approved carry forward budget amendment to recognize \$555,035.85 in funds appropriated and encumbered for the purchase of three ambulances ordered, but not received in the 2007 fiscal year.**
- 5. Report and Ratify Staff-Approved Change Orders and Changes to Work Orders to Board-Approved Contracts.**
- 6. Recommendation to authorize the conveyance of an Easement to Florida Power and Light Company (FPL) for the installation of electric facilities to provide electric service for the Emergency Services Center and the South Regional Library located on Lely Cultural Parkway, at a cost not to exceed \$27.00, Projects 52160-3 and 54003-1.**

F. COUNTY MANAGER

- 1. That The Board Of County Commissioners Of Collier County, Florida, As The Governing Board of Isles of Capri Municipal Rescue and Fire Services Taxing District Adopt a Resolution Accepting a Donation of a 25-Foot Boston Whaler Challenger With Trailer From Capri Fire And Marine Rescue Benefactors Inc., a Nonprofit 501c3 Corporation, as a Valid Public Purpose.**
- 2. Recommendation to approve the necessary budget amendment in the amount of \$58,000 to purchase equipment to outfit fire apparatus.**
- 3. That the Board of County Commissioners, as the Governing Board of the Ochopee Fire Control District, adopt a Resolution accepting a donation in the amount of \$9,014.31, and any subsequent distributions, from the Estate and/or Trust of Della E. Reynolds on behalf of the Ochopee Fire Control District.**
- 4. Recommendation to adopt a resolution approving budget amendments (appropriating grants, donations, contributions or insurance proceeds) to the Fiscal Year 2006-07 Adopted Budget.**
- 5. Recommendation to adopt a Resolution authorizing the borrowing of an amount not to exceed \$1,323,000, 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 purchase of a radio location system; 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.**

6. Recommendation to adopt a Resolution authorizing the borrowing of an amount not to exceed \$4,509,000 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 upgrade to the 800 MHz Radio System; 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.
7. Recommendation to adopt a Resolution authorizing the borrowing of an amount not to exceed \$2,642,000 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 Fleet Facility; 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.
8. Recommendation to adopt a Resolution authorizing the borrowing of an amount not to exceed \$4,693,000 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 Golden Gate Library Expansion; 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.
9. Recommendation to officially approve Collier County's 2008 State Legislative Priorities and direct the Commission Chairman to present them to the Collier County Legislative Delegation on November 28, and direct the County Manager to provide them to the county's state lobbyist who will represent the county's interests in Tallahassee through the 2008 Legislative Session.
10. Recommendation to the Board of County Commissioners to authorize the preparation of a Capital Improvement Plan for the Immokalee Urban Designated Area. (Companion item to 16G1 and to be considered following action on 16G1)

G. AIRPORT AUTHORITY AND/OR COMMUNITY REDEVELOPMENT AGENCY

1. To obtain Community Redevelopment Agency approval of the recommendation of the Immokalee Master Plan and Visioning Committee and Immokalee Local Redevelopment Advisory Board to authorize the preparation of a capital improvement Plan (Companion to 16F10)

H. BOARD OF COUNTY COMMISSIONERS

1. Commissioner Fiala requests Board approval for reimbursement for attending a function serving a valid public purpose. Will attend The Friends of the Library's 50th Anniversary Gala Celebration on Friday, November 30th and Sunday, December 2, 2007, at the Collier County Library Headquarters; \$200.00 to be paid from Commissioner Fiala's travel budget.

2. Commissioner Fiala requests Board approval for reimbursement for attending a function serving a valid public purpose. Attended the 20th Anniversary Celebration & Conference of Dawn Litchfield and Dennis Nelson on Wednesday, November 7, 2007, at the Naples Beach Hotel; \$50.00 to be paid from Commissioner Fiala's travel budget.
3. Commissioner Fiala requests Board approval for reimbursement for attending a function serving a valid public purpose. Attended the League of Women Voters of Collier County October Luncheon on Monday, October 15, 2007, at the Collier Athletic Club; \$20.00 to be paid from Commissioner Fiala's travel budget.
4. Commissioner Fiala requests Board approval for reimbursement for a function serving a valid public purpose. Will attend The Salvation Army's Red Kettle Campaign 2007 Luncheon on Friday, November 16, 2007, at The Vineyards Country Club; \$35.00 to be paid from Commissioner Fiala's travel budget.
5. Commissioner Fiala requests Board approval for reimbursement for attending a function serving a valid public purpose. Will attend the EDC Pre-Legislative Lunch on Wednesday, November 28, 2007 at the Club at the Strand; \$40.00 to be paid from Commissioner Fiala's travel budget.
6. Commissioner Fiala requests Board approval for reimbursement for attending a function serving a valid public purpose. Will attend the Collier Citizen of the Year 2007 Dinner on Thursday, November 15, 2007, at the Elks Lodge; \$35.00 to be paid from Commissioner Fiala's travel budget.
7. Commissioner Fiala requests Board approval for reimbursement for attending a function serving a valid public purpose. Attended the United Arts Council Celebrate the Arts Month Kick off Party on Saturday, November 10, 2007, at the Club at Naples Bay Resort; \$50.00 to be paid from Commissioner Fiala's travel budget.
8. Commissioner Fiala requests Board approval for reimbursement for attending a function serving a valid public purpose. Will attend the 2007 Living Christmas Trees on Thursday, December 6, 2007, at the First Baptist Church Naples; \$7.50 to be paid from Commissioner Fiala's travel budget.
9. Commissioner Coletta requests Board approval for reimbursement regarding attendance at a function serving a valid public purpose. Attending the National Multiple Sclerosis Society (NMSS) Naples Holiday Part on December 11, 2007 at the Glades Country Club. \$18.95 to be paid from Commissioner Coletta's travel budget.
10. Commissioner Coletta requests Board approval for reimbursement regarding attendance at a function serving a valid public purpose. Will attend the EDC Pre-Legislative Lunch on Wednesday, November 28, 2007 at the Club at the Strand; \$40.00 to be paid from Commissioner Coletta's travel budget.

I. MISCELLANEOUS CORRESPONDENCE

1. To file for record with action as directed.

J. OTHER CONSTITUTIONAL OFFICERS

1. Request that the Board of County Commissioners Consider the Adoption of an Ordinance to Regulate Security of Certain Convenience Store Businesses to Protect the Physical Security of Convenience Business Retail Employees and Individuals who Patronize such Businesses.

2. To obtain Board approval for disbursements for the period of September 29, 2007 through October 05, 2007 and for submission into the official records of the Board.
3. To obtain Board approval for disbursements for the period of October 06, 2007 through October 12, 2007 and for submission into the official records of the Board.
4. To obtain Board approval for disbursements for the period of October 13, 2007 through October 19, 2007 and for submission into the official records of the Board.
5. To obtain Board approval for disbursements for the period of October 20, 2007 through October 26, 2007 and for submission into the official records of the Board.
6. To obtain Board approval for disbursements for the period of October 27, 2007 through November 2, 2007 and for submission into the official records of the Board.
7. Request that the Board of County Commissioners accepts and approves capital asset disposition records for time period October 1, 2006 through September 30, 2007.
8. Recommend that the Collier County Commission endorse the United States Department of Justice/Department of Treasury Federal Equitable Sharing Annual Certification Report.
9. Recommendation to approve an Interlocal Agreement for Election Services between the City of Everglades, Collier County Board of County Commissioners and the Collier County Supervisor of Elections to provide services and voting equipment to be used by the City of Everglades for its election to be held on November 27, 2007, and for authorization for the Chairman of the Board of County Commissioners to sign.
10. Recommend that the Board of County Commissioners approve the use of Confiscated Trust Funds for Drug Abuse Education and Prevention.
11. Recommendation to Approve a Budget Amendment providing \$37,000 for the Clerk of Courts to provide Accounting/Financial Services for the Supervisor of Elections in FY 08.

K. COUNTY ATTORNEY

1. Recommendation for the Board of County Commissioners to Approve Amendment No. 1 to the Retention Agreement with the Law Firm of Garvin & Tripp, P.A. and ratify prior payments made under the original Agreement to Garvin & Tripp, P.A. for paralegal services.
2. Recommendation to approve a Stipulated Final Judgment in the amount of \$29,600.00 for the acquisition of Parcel 739 in the lawsuit styled Collier County v. First National Bank of Naples, Inc., et al., Case No. 04-3587-CA (Immokalee Road Project No. 66042). Fiscal Impact: \$61,454.70.
3. Recommendation that the Board of County Commissioners authorize the County Attorney's Office to make a business damage counteroffer to settle a claim for business damages by Santa Barbara Fuels, Inc. associated with the acquisition of Parcels 104 and 604 in the lawsuit styled Collier County v. Highland Properties of Lee and Collier Limited, et al., Case No. 06-0563-CA (Santa Barbara Boulevard Project #62081). (Fiscal Impact: \$70,000.00, if accepted).
4. Recommendation to Approve an Agreed Order for Payment of Expert Fees and Costs in Connection with Parcels 720, 820A, 820B and 920 in the Lawsuit Styled Collier County v. Elhanon Combs, et al., Case No. 03-2352-CA (Golden Gate Parkway, Project #60027) Fiscal Impact: \$27,500.00.

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. VA-2007-AR-11778 (JDM) Gene Silguero of GMC Home Builders, representing himself, requesting an after-the-fact Variance from the required minimum 25-foot front yard setback for the Residential Multifamily - 6 (RMF-6) Zoning District as provided for in Section 4.02.01.A. Table 2.1 of the LDC. The 0.34 acre site contains a single-family dwelling that is currently under construction and has a 23-foot, 9-inch front yard setback. The subject property is a corner lot located at 505 Madison Avenue, northwest of the intersection with Glades Street, New Market Subdivision, Lot 6, Block 19, Section 33, Township 46 South, Range 29 East, Immokalee, Collier County, Florida.**
- B. Recommendation that Board of County Commissioners approve an ordinance amending Section 6 of Ordinance No. 2004-62 by providing for a two-year extension of the term of the Immokalee Master Plan and Visioning Committee from December 31, 2007 to December 31, 2009.**
- C. This item to be continued to the December 4, 2007 BCC special meeting due to the continuance of this item by the Collier County Planning Commission to their November 1, 2007 meeting. CPSP-2007-7 Transmittal of the Public School Facilities Element and support document, Growth Management Plan amendments to the Capital Improvement Element and Intergovernmental Coordination Element and Interlocal Agreement for Public School Facility Planning and School Concurrency to the Florida Department of Community Affairs.**
- D. This item requires that all participants be sworn in and ex parte disclosure be provided by Commission members. This item continued from October 23, 2007 BCC meeting. Recommendation that the Board of County Commissioners amend Ordinance No. 2004-58 (the Collier County Property Maintenance Code); Amending Section Four, Definitions; Amending Section Seven, Rental Registration and Procedures; Amending Section Nine, Inspection of Structures and Premises; Providing for Inclusion in the Code of Laws and Ordinances; Providing for Conflict and Severability and Providing an Effective Date.**

18. ADJOURN

INQUIRIES CONCERNING CHANGES TO THE BOARD'S AGENDA SHOULD BE MADE TO THE COUNTY MANAGER'S OFFICE AT 774-8383.