

COLLIER COUNTY

BOARD OF COUNTY COMMISSIONERS

and

COMMUNITY REDEVELOPMENT AGENCY BOARD (CRAB)



AGENDA

January 15, 2008

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. Pastor Steve McGraw, New Hope Ministries**

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. November 20, 2007 - Value Adjustment Board Special Magistrate Pelletier**
- C. November 27, 2007 - BCC/Regular Meeting**
- D. November 29, 2007 - Value Adjustment Board Special Magistrate Watson**
- E. November 30, 2007 - Value Adjustment Board Special Magistrate Watson**
- F. November 30, 2007 - Value Adjustment Board Special Magistrate Mazur**
- G. December 3, 2007 - Value Adjustment Board Special Magistrate Pelletier**
- H. December 4, 2007 - BCC/GMP Meeting**
- I. December 5, 2007 - Value Adjustment Board Special Magistrate Watson**
- J. December 11, 2007 - BCC/Regular Meeting**
- K. December 12, 2007 - BCC/Regular Meeting-Continuation of December 11 Meeting**
- L. December 17, 2007 - Value Adjustment Board Regular Meeting**
- M. December 17, 2007 - Value Adjustment Board Special Magistrate Cunningham**

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

4. PROCLAMATIONS

- A. Proclamation for "Empowering Positive Change" to be accepted by Anthony Denson, President of the Collier County Branch of the NAACP; Rhonda Cummings, Co-chair of the MLK Day Parade Committee; and Dianna Perryman, Co-chair of the MLK Parade Committee.**
- B. Proclamation for Support Our Troops Fighting the Global War on Terrorism Day January 15, 2008 to be accepted by Homer Helter.**
- C. Proclamation designating January 21-27, 2008 as Purple Martin Week. To be accepted by William "Bill" Dietrich.**
- D. Proclamation to recognize and congratulate Dan Summers, Collier County Emergency Services Director, on receiving the Presidential Citation from the International Association of Emergency Managers. To be accepted by Dan Summers.**
- E. Proclamation for Jean Merritt Recognition Day to be accepted by Jean Merritt.**

5. PRESENTATIONS

- A. Presentation for the Waste Reduction Awards Program, the WRAP award, to recognize businesses and institutions for enhanced and innovative recycling programs to Naples Tomato.**
- B. Presentation of awards received from the Florida Government Communicators Association. (Commissioner Coyle)**
- C. Selection of Chairman and Vice Chairman.**

- D. Presentation by the Affordable Housing Commission on the Impact Fee Deferral Program as directed by the Board of County Commissioners on 9/11/07.
- E. This item to be heard at 9:30 a.m. Presentation by Paul Mattausch and Clarence Tears on the Phase III Water Restrictions.
- F. Contractor Presentation - Collier County Sheriffs Special Operations Building, Project 52002; Vanderbilt Bay Construction, Inc.

6. PUBLIC PETITIONS

- A. Public petition request by Jorge Trincado to discuss permitting of the Martial Arts Academy at Immokalee Road and Randall Boulevard.
- B. Public petition request by Frank Civale to discuss citation for guest house, carport and shed.
- C. Public petition request by Jim Dupre, Prime Homebuilders, to discuss The Reserve at The Falls of Portofino, a Workforce Housing Project.
- D. Public petition request by Alan Fariior to discuss recovery of performance bond for final layer of asphalt at Laurel Lakes.
- E. Public petition request to discuss water surcharge for Crystal Lake Resort.
- F. Public petition request by Robert and Theresa Parent to discuss Vanderbilt Beach Road Extension. (Exhibits are available for review in the Office of the County Manager.)

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. VA-2007-AR-12129 James and Ruth Calvin, represented by Antonio Faga, requesting after-the-fact square-footage and separation Variances for an existing guest house in the Estates Zoning District. The 2.52-acre property is located at 5801 Cedar Tree Lane, in Section 20, Township 49 South, Range 26 East of Collier County, Florida.

8. ADVERTISED PUBLIC HEARINGS

- A. This item requires that all participants be sworn in and ex parte disclosure be provided by Commission members. PUDZ-2006-AR-10376 Radio Road Joint Venture, represented by Michael R. Fernandez of Planning Development Incorporated, is requesting a rezone from the Industrial (I) zoning district to the Commercial Planned Unit Development (CPUD) zoning district for the Lane Park CPUD to allow development of a maximum of 50,000 square feet of commercial uses. The subject property, consisting of 5.27 acres, is located at the northwest corner of Radio Road and Livingston Road, in Section 36, Township 49 South, Range 25 East, Collier County, Florida.

9. BOARD OF COUNTY COMMISSIONERS

- A. Appointment of member to the Isles of Capri Fire Control District Advisory Committee.
- B. Appointment of member to the Collier County Coastal Advisory Committee.
- C. Appointment of members to the Habitat Conservation Plan Ad Hoc Committee.

- D. Appointment of members to the Collier County Productivity Committee.
- E. Appointment of members to the Development Services Advisory Committee.
- F. Appointment of member to the Ochopee Fire Control District Advisory Committee.
- G. Appointment of members to the Golden Gate Community Center Advisory Committee.
- H. Appointment of member to the Collier County Planning Commission.

10. COUNTY MANAGER'S REPORT

- A. Recommendation to Endorse Code Enforcement Board and Special Magistrate Rules and Regulations. (Michelle Arnold, Code Enforcement Director)
- B. This item to be heard at 2:30 p.m. To provide the Board of County Commissioners with a complete summary of the stormwater issues in the Willow West neighborhood and to fully explain staffs recommended plan of action. (Gerry Kurtz, Transportation/Stormwater Management)
- C. This item to be heard no earlier than 4:00 p.m. A discussion by the Board of County Commissioners with representatives of agencies that might be affected by a possible change in the BCC Resolution to reflect an amendment to Florida Statutes regarding the use of All Terrain Vehicles (ATVs) on certain unpaved roads in Collier County. (Bob Tipton, Transportation/Taffic Ops)
- D. Review the recently completed Vanderbilt Recreational Pier Feasibility Study and obtain direction from the Board of County Commissioners on how to proceed. (Gary McAlpin, Coastal Zone Management Director)
- E. Recommendation that the Board of County Commissioners adopts a resolution recommending Prime Homebuilders, Inc., in a private-public partnership with Collier County, as an applicant for the "Representative Mike Davis Community Workforce Housing Innovation Pilot Program" (CWHIP) for the 2008 application cycle. (Marcy Krumbine, Housing and Human Services Director)
- F. This item to be heard at 3:30 p.m. Recommendation that the Board of County Commissioners provide direction to staff to develop Delasol Neighborhood Park. (Barry Williams, Parks and Recreation Director)

11. PUBLIC COMMENTS ON GENERAL TOPICS

12. COUNTY ATTORNEY'S REPORT

- A. This item to be heard at 11:00 a.m. Investigative Report by Outside Counsel, Lawrence A. Farese, Esq., of the firm Robins, Kaplan, Miller & Ciresi, L.L.P., to the Board of County Commissioners Regarding the Olde Cypress PUD.

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 grant final approval of the roadway (private) and drainage improvements for the final plat of Santorini Villas at Olde Cypress. The roadway and drainage improvements will be privately maintained.**
- 2. Recommendation to grant final approval of the roadway (private) and drainage improvements for the final plat of Mustang Island(Lely Resort PUD), roadway and drainage improvements will be privately maintained.**
- 3. Recommendation to grant final approval of the roadway (private) and drainage improvements for the final plat of Majors Phase One, (Lely Resort PUD), roadway and drainage improvements will be privately maintained.**
- 4. Recommendation to grant final approval of the roadway (private) and drainage improvements for the final plat of Majors Phase Two, (Lely Resort PUD), roadway and drainage improvements will be privately maintained.**
- 5. Recommendation to grant final approval of the roadway (private) and drainage improvements for the final plat of Majors Phase Three, (Lely Resort PUD), roadway and drainage improvements will be privately maintained.**
- 6. Recommendation to grant final approval of the roadway (private) and drainage improvements for the final plat of Classics Plantation Estates Phase Two, (Lely Resort PUD). The roadway and drainage improvements will be privately maintained.**
- 7. To accept final and unconditional conveyance of the water utility facility for St. John The Evangelist Catholic Church.**
- 8. Recommendation to approve final acceptance of the water and sewer utility facilities for Classic Plantation Estates, Phase 2B**
- 9. Recommendation to approve final acceptance of the water and sewer utility facilities for Mango Cay.**
- 10. Recommendation that the Board of County Commissioners approve a second one-year extension of the required time frame for job creation for Lucy Hair Salon, an approved participant in the Fee Payment Assistance Program and the Job Creation Investment Program and specify this as the final time extension for creating the required jobs.**
- 11. Recommendation that the Board of County Commissioners authorize payment of invoices to Wm. J. Varian Construction Company, Incorporated in the amount of \$20,403 for work performed at the Development Services Center.**
- 12. Recommendation that the Board of County Commissioners approve an impact fee reimbursement for Benderson Development Company, Incorporated and WR-1 Associates, Limited totaling \$354,434.84, due to the overpayment of Transportation Impact Fees.**
- 13. Recommendation that the Board of County Commissioners approve the attached three-party agreement between the First Assembly of God of Naples Florida, Inc., MDG Fountain Lakes, LLC, and Collier County, Florida, agreeing to a 24-month temporary use permit for four temporary care units to be relocated to property owned by First Assembly within the First Assembly of God PUD.**

14. 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 Saturnia Falls Plat One, approval of the standard form Construction and Maintenance Agreement and approval of the amount of the performance security.
15. 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 Millbrook at Fiddlers Creek
16. This item requires that ex parte disclosure be provided by Commission Members. Should a hearing be held on this item, all participants are required to be sworn in. Recommendation to approve for recording the final plat of Wal-Mart at Artesia Pointe PUD.
17. 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. This is a recommendation to approve for recording the final plat of Ave Maria Unit 17.
18. 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 Brooks Village
19. Authorization to transfer .25 FTE from Fund 113 to Fund 111 to allow two 35-hour positions (.875 FTE) in Code Enforcement to be full-time 40-hour employees

B. TRANSPORTATION SERVICES

1. Recommendation to approve the grant of five Temporary Easements across approximately 155.082 acres of right of way along Oil Well Road and Camp Keais Road conveyed to Collier County pursuant to a Developer Contribution Agreement previously approved by the Board of County Commissioners (Fiscal Impact: None)
2. Recommendation to approve the purchase of one (1) para-transit vehicle through the 5310 grant that only require a 10% match through the County. (\$8,928.70)
3. Recommendation to award bid #08-5018 Vanderbilt Drive Pedestrian Bridges 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 to Thomas Marine Construction, Inc. in the amount of \$607,790.00. (Project #600331).
4. Recommendation to award Bid #08-5014 Golden Gate Pedestrian Bridges for the purchase and installation of prefabricated pedestrian bridges crossing the Santa Barbara Canal on both sides of Golden Gate Parkway within the existing right-of-way to Quality Enterprises USA, Inc. in the amount of \$389,576.20.
5. Recommendation for the Board of County Commissioners to approve a budget amendment to move unspent General Fund dollars that rolled from fiscal year 2007 into fiscal year 2008 within the Transportation Disadvantaged Fund (427) to the Bridge Repair/Rehabilitation Program in the amount of \$700,000.
6. Recommendation to approve a Stipulated Final Judgment for Parcels 130FEE, 131FEE, 132FEE and 133FEE in the lawsuit styled Collier County v. Emmanuel Evangelical Lutheran Church of Naples, Inc., et al., Case No. 07-3228-CA (Oil Well Road Project No. 60044). (Fiscal Impact \$54,767.50)
7. Recommendation to approve a Stipulated Final Judgment for Parcel 207FEE, in the lawsuit styled Collier County v. Joseph Noel, et al., Case No. 07-3200-CA and a Stipulated Final Judgment for Parcel 208FEE in the lawsuit styled Collier County v. Pablo M. Sardinias, et al., Case No. 07-2824-CA (Oil Well Road Project No. 60044). (Fiscal Impact \$399,700)

8. Recommendation to approve the extension of commitment deadlines in three Developer Contribution Agreements (DCAs), the Davis Blvd. Projects DCA recorded at O.R. Book 4187, Page 2189 for 150 days, Heritage Bay Commons DCA recorded at O.R. Book 4162, Page 2725 for 90 days and the Mystique DCA recorded at O.R. Book 4187, Page 2310 for 90 days.
9. Recommendation to approve General Planning Contracts with AIM Engineering, Inc. and Dyer, Riddle, Mills & Precourt, Inc. (DRMP) for Contract #07-4198 for Fixed Term MPO General Planning Services.
10. Recommendation to approve Change Order No. 1 to Contract No. 07-4161 to Haskins Inc. for the Cypress Way East and Ibis Way Crossing Stormwater Improvements, Project No. 510141, in the amount of \$195,316.
11. Recommendation to award Bid #08-5015 Davis Blvd. Phase II (Airport Road to County Barn Road) M.S.T.D Roadway Grounds Maintenance Contract to Caribbean Lawn & Garden of SW Naples Fl, Inc. in the amount of \$71,354.00 (Fund 111 Cost Centers 163841).
12. Recommendation that the Board of County Commissioners approve the selection committees ranking of a Qualified Firm and award a Contract under RFP 08-5006 for Professional Consulting Services for the I-75 and Everglades Boulevard Interchange Justification Report (IJR), in the amount of \$639,819.50
13. Recommendation to authorize the County Attorney to file a lawsuit to evict Maureen Moran, Inc., its principals, affiliate entities or persons, or any combination thereof, from County owned premises identified in Lease Agreement dated November 4, 1997, including but not limited to, the pursuit of holdover rent, damages, and costs due and owing to Collier County under the Lease Agreement and as otherwise provided by law.
14. Recommendation to approve three (3) funding agreements with the South Florida Water Management District for a total amount of \$1,500,000 providing assistance with construction of three (3) Stormwater Improvement Projects.
15. Recommendation to approve a Settlement Agreement and Release between Collier County and Magnum Construction Management Corp. d/b/a MCM Corp. MCM) to resolve all claims and disputes arising from Collier County Bid/Contract No. 04-3653 entered into with MCM to build the Golden Gate Grade Separated Overpass and for the Chair of the Board of County Commissioners to execute the agreement on behalf of the Board (Fiscal Impact \$190,589.35).
16. Recommendation To Reject RFP No. 08-4199 For Construction Manager at Risk for Oil Well Road and authorize staff to re-solicit the project, Project # 60044.

C. PUBLIC UTILITIES

1. Recommendation to Award Bid Number 07-4186 for the furnishing and delivery of potassium permanganate to Univar USA Incorporated in the estimated amount of \$200,000.
2. Recommendation to Award Bid Number 08-5005 for the purchase of backflow prevention assemblies and associated materials to Ferguson Enterprises, Incorporated as the primary vendor and Mainline Supply Company as the secondary vendor in the estimated amount of \$540,089.64.
3. Recommendation to reject the result of Bid No. 07-4193, attained by International Baler Corporation to Furnish and Install a Horizontal Baler, for Naples Airport Recycling Center Project Number 590031.
4. Recommendation to award RFQ #2007-0920b Collier County seasonal and year-round business How to Recycle videos to The Naples Studio in the amount of \$51,800.

D. PUBLIC SERVICES

- 1. Recommendation to approve Grant Agreement No. 07071 in the amount of \$80,000 from the Florida Boating Improvement Program Grant Program to remove derelict vessels; and approve all necessary budget amendments.**
- 2. Recommendation that the Board of County Commissioners approves, and authorizes the Chairman to sign, a lien agreement with Alexis DeJesus and Rebecca DeJesus (Owners) for deferral of 100% of Collier County impact fees for an owner-occupied affordable housing unit located at Vista III at Heritage Bay, Unit 1503, North Naples.**
- 3. Recommendation that the Board of County Commissioners approves, and authorizes the Chairman to sign, a lien agreement with Gilberto Sanchez and Aura Sanchez (Owners) for deferral of 100% of Collier County impact fees for an owner-occupied affordable housing unit located at Vista III at Heritage Bay, Unit 1507, North Naples.**
- 4. Recommendation that the Board of County Commissioners approves, and authorizes the Chairman to sign, a lien agreement with Frangile Blanc and Ginine Blanc (Owners) for deferral of 100% of Collier County impact fees for an owner-occupied affordable housing unit located at Lot 25, Trail Ridge, East Naples.**
- 5. Recommendation that the Board of County Commissioners approves, and authorizes the Chairman to sign, a lien agreement with Enrique Perez Santos and Maday Enriquez (Owners) for deferral of 100% of Collier County impact fees for an owner-occupied affordable housing unit located at Lot 22, Trail Ridge, East Naples.**
- 6. Recommendation that the Board of County Commissioners approves, and authorizes the Chairman to sign, a lien agreement with Edwin Santaella and Rafaela Delgado (Owners) for deferral of 100% of Collier County impact fees for an owner-occupied affordable housing unit located at Lot 9, Trail Ridge, East Naples.**
- 7. Recommendation that the Board of County Commissioners approves, and authorizes the Chairman to sign, a lien agreement with Michel Perez Perez and Alis Hernandez Pizat (Owners) for deferral of 100% of Collier County impact fees for an owner-occupied affordable housing unit located at Lot 30, Trail Ridge, East Naples.**
- 8. Recommendation that the Board of County Commissioners approves, and authorizes the Chairman to sign, a lien agreement with Karla Campos (Owner) for deferral of 100% of Collier County impact fees for an owner-occupied affordable housing unit located at Lot 12, Trail Ridge, East Naples.**
- 9. Recommendation that the Board of County Commissioners approves, and authorizes the Chairman to sign, a lien agreement with Irma Roman (Owner) for deferral of 100% of Collier County impact fees for an owner-occupied affordable housing unit located at Lot 11, Trail Ridge, East Naples.**
- 10. Recommendation that the Board of County Commissioners approves, and authorizes the Chairman to sign, a lien agreement with Patricia Saint Germain and Faubert Coriolan (Owners) for deferral of 100% of Collier County impact fees for an owner-occupied affordable housing unit located at Lot 126, Trail Ridge, East Naples.**
- 11. Recommendation to approve a Florida Clean Vessel Act Grant Agreement in the amount of \$31,316.00 for development of a Vessel Pump Out Station at Cocohatchee River Park and necessary Budget Amendments**
- 12. Recommendation that the Board of County Commissioners approves, and authorizes the Chairman to sign, a lien agreement with Maria Tomas Francisco (Owner) for deferral of 100% of Collier County impact fees for an owner-occupied affordable housing unit located at Lot 21, Liberty Landing, Immokalee.**

13. Recommendation that the Board of County Commissioners approves, and authorizes the Chairman to sign, a lien agreement with Melchior Antoine and Marie Antoine Moliere (Owners) for deferral of 100% of Collier County impact fees for an owner-occupied affordable housing unit located at Lot 27, Trail Ridge, East Naples.
14. Recommendation that the Board of County Commissioners approves, and authorizes the Chairman to sign, a lien agreement with Louise Novembre (Owner) for deferral of 100% of Collier County impact fees for an owner-occupied affordable housing unit located at Lot 10, Trail Ridge, East Naples.
15. Recommendation that the Board of County Commissioners approves, and authorizes the Chairman to sign, a lien agreement with Felipe Aguila Lopez and Lidia Najarro Bernal (Owners) for deferral of 100% of Collier County impact fees for an owner-occupied affordable housing unit located at Lot 24, Trail Ridge, East Naples.
16. Recommendation that the Board of County Commissioners approves, and authorizes the Chairman to sign, a lien agreement with Tehelyne Metellus (Owner) for deferral of 100% of Collier County impact fees for an owner-occupied affordable housing unit located at Lot 29, Trail Ridge, East Naples.
17. Recommendation that the Board of County Commissioners approves, and authorizes the Chairman to sign, a lien agreement with Jean Cramer (Owner) for deferral of 100% of Collier County impact fees for an owner-occupied affordable housing unit located at Vista III at Heritage Bay, Unit 1606, North Naples.
18. Recommendation that the Board of County Commissioners approves, and authorizes the Chairman to sign, a lien agreement with Lazaro Rua Jr. (Owner) for deferral of 100% of Collier County impact fees for an owner-occupied affordable housing unit located at Vista III at Heritage Bay, Unit 1607, North Naples.
19. Recommendation that the Board of County Commissioners approves, and authorizes the Chairman to sign, a lien agreement with Monique Diaz (Owner) for deferral of 100% of Collier County impact fees for an owner-occupied affordable housing unit located at Vista III at Heritage Bay, Unit 1508, North Naples.
20. Recommendation that the Board of County Commissioners approves, and authorizes the Chairman to sign, a lien agreement with Luis Garcia and Judith Parra (Owners) for deferral of 100% of Collier County impact fees for an owner-occupied affordable housing unit located at Vista III at Heritage Bay, Unit 1506, North Naples.
21. Recommendation that the Board of County Commissioners approves, and authorizes the Chairman to sign, a lien agreement with Kathy Hernandez (Owner) for deferral of 100% of Collier County impact fees for an owner-occupied affordable housing unit located at Vista III at Heritage Bay, Unit 1605, North Naples.
22. Recommendation that the Board of County Commissioners approves, and authorizes the Chairman to sign, a lien agreement with Jacob Hamilton and Sarah Hamilton (Owners) for deferral of 100% of Collier County impact fees for an owner-occupied affordable housing unit located at Vista III at Heritage Bay, Unit 1505, North Naples.
23. Recommendation that the Board of County Commissioners approves, and authorizes the Chairman to sign, a lien agreement with Angela Yvette Wilder (Owner) for deferral of 100% of Collier County impact fees for an owner-occupied affordable housing unit located at Lot 4, Liberty Landing, Immokalee.
24. Recommendation that the Board of County Commissioners approves, and authorizes the Chairman to sign, a lien agreement with Latoya Rene Shipman (Owner) for deferral of 100% of Collier County impact fees for an owner-occupied affordable housing unit located at Lot 18, Liberty Landing, Immokalee.

25. Recommendation that the Board of County Commissioners approves, and authorizes the Chairman to sign, a lien agreement with Christine Excellent (Owner) for deferral of 100% of Collier County impact fees for an owner-occupied affordable housing unit located at Lot 20, Trail Ridge, East Naples.
26. Recommendation that the Board of County Commissioners approves, and authorizes the Chairman to sign, a lien agreement with Joseph Previlus and Marie Previlus (Owners) for deferral of 100% of Collier County impact fees for an owner-occupied affordable housing unit located at Lot 12, Liberty Landing, Immokalee.
27. Recommendation to approve a budget amendment recognizing additional program income in the amount of \$126,766.75 for the State Housing Initiative Partnership (SHIP) Program.
28. Recommendation that the Board of County Commissioners approves, and authorizes its Chairman to sign amended project work plan schedules for Disaster Recovery Initiative (DRI) Projects and amendments to the Scope of Work for the County wide Rehabilitation portion of the DRI Grant.
29. Recommendation to approve a budget amendment in the amount of \$4,938.20 to recognize additional revenue received in the Services for Seniors program from the Area Agency on Aging for the State of Florida Alzheimers Disease Initiative program.
30. Recommendation for the Board of County Commissioners to approve and authorize the Chairman to sign an agreement between Collier County Board of County Commissioners and Senior Friendship Centers, Inc. to provide interim nutrition services for the Housing and Human Services Department, Services for Seniors Program.
31. Recommendation that the Board of County Commissioners approves, and authorizes the Chairman to sign, a lien agreement with Daniel Munoz and Rosalina T. Munoz (Owners) for deferral of 100% of Collier County impact fees for an owner-occupied affordable housing unit located at Lot 23, Liberty Landing, Immokalee.
32. Recommendation that the Board of County Commissioners approves, and authorizes the Chairman to sign, a lien agreement with Raul Mendoza Arroyo and Lidia Aguilar Mendoza (Owners) for deferral of 100% of Collier County impact fees for an owner-occupied affordable housing unit located at Lot 24, Liberty Landing, Immokalee.
33. Recommendation to approve the after-the-fact submittal of the attached Pre-Disaster Mitigation Program Grant for beach dune restoration in Barefoot Beach Preserve.
34. 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.
35. Recommendation to award Bid No. 08-5021 Expendable Veterinary Supplies Equipment to multiple vendors on a line-by-line basis and declare certain manufacturers sole sources for veterinary pharmaceuticals, with an estimated annual expenditure of \$80,000
36. Recommendation to approve the amended Barefoot Beach Preserve Park Land/Use Management Plan with the Board of Trustees of the Internal Improvement Trust Fund of the State of Florida.
37. Recommendation to authorize the Chairman to sign the agreements between Collier County Board of County Commissioners and the Area Agency on Aging of Southwest Florida and approve budget amendments to reflect actual grant award for nutrition services.

E. ADMINISTRATIVE SERVICES

- 1. Recommendation to approve and execute a Resolution authorizing the Commission Chairman to execute Deed Certificates for the sale of burial plots at Lake Trafford Memorial Gardens Cemetery during the 2008 calendar year.**
- 2. To obtain approval from the Board of County Commissioners for the Final Management Plan for the Otter Mound Preserve and for the Board to give direction to the County Manager, or his designee, for its implementation.**
- 3. Recommendation to waive the formal competitive process and approve Paymetrics XiBuy software as a sole source solution to integrate purchasing card transactions into SAP.**
- 4. Recommendation to approve an Agreement for the conveyance of GAC Land Trust Reserved Lands to the District School Board of Collier County, Florida for the purpose of School Facilities.**
- 5. Report and Ratify Staff-Approved Change Orders and Changes to Work Orders to Board-Approved Contracts.**
- 6. Recommendation to approve a Second Amendment to Lease Agreement with Jeanne L. Noe, as Trustee of the James R. Noe II Revocable Trust, for the continued use of the maintenance garage and parking space on Arnold Avenue for the Sheriffs Office, at an annual rental of \$71,700.**
- 7. Recommendation to approve an Agreement for Sale and Purchase with Norma G. Hitt for 1.14 acres under the Conservation Collier Land Acquisition Program, at a cost not to exceed \$27,820.**
- 8. Recommendation to approve an Agreement for Sale and Purchase with Roxana Migenes for 1.14 acres under the Conservation Collier Land Acquisition Program, at a cost not to exceed \$27,820.**
- 9. Recommendation to approve an Agreement for Sale and Purchase with Miguel A. Torrico and Greysi E. Toro for 2 parcels totaling 2.73 acres under the Conservation Collier Land Acquisition Program, at a cost not to exceed \$65,290.**
- 10. Recommendation to approve an Agreement for Sale and Purchase with Robert E. Natsch III, Laura A. Natsch Lepper, Gregory C. Natsch, Patricia A. Natsch Eichholz, and Helen M. Natsch Markway for 1.59 acres under the Conservation Collier Land Acquisition Program, at a cost not to exceed \$38,170.**

F. COUNTY MANAGER

- 1. Recommendation to approve an Agreement between The Board of County Commissioners of Collier County and Zoll Medical Corporation for the purpose of conducting a retrospective analysis of cardiac arrest data originally collected for quality assurance purposes by Collier County Emergency Medical Services (EMS) for the period October 1, 2003 through September 30, 2007.**
- 2. Recommendation to approve the submittal of the attached Emergency Management, Preparedness and Assistance (EMPA) Trust Fund Project Application to the Florida Department of Community Affairs in the amount of \$95,796.00.**
- 3. Recommendation that the Board of County Commissioners of Collier County, Florida convey a Deed of Conservation Easement to the South Florida Water Management District for EMS Station 73 to be located at 790 Logan Boulevard, at a cost not to exceed \$86.50, Project Number 551501.**

4. Recommendation to approve a Budget Amendment reducing budget appropriations in the Clerk's Fund (011) consistent with the understanding of both the Board of County Commissioners and the Clerk of Courts that the Clerk is functioning as a Fee Officer in Fiscal Year 2008.

G. AIRPORT AUTHORITY AND/OR COMMUNITY REDEVELOPMENT AGENCY

1. Recommendation that the Community Redevelopment Agency approve a monetary sponsorship of \$5,000.00 to Bayshore Cultural Arts, Inc. for the 2008 Hearts In The Garden event from the Bayshore Gateway Triangle Trust Fund (Fund 187) FY08 Marketing & Promotions budget for event set-up costs, rentals, security, entertainment, printing and advertising expenses only, and declare the sponsorship serves a valid public purpose
2. To approve and execute a Site Improvement Grant Agreement(s) between the Collier County Community Redevelopment Agency (CRA) and a Grant Applicant(s) within the Bayshore Gateway Triangle Community Redevelopment area (3929 Bayshore Drive). (\$1,275.22)
3. To approve and execute a Site Improvement Grant Agreement(s) between the Collier County Community Redevelopment Agency (CRA) and a Grant Applicant(s) within the Bayshore Gateway Triangle Community Redevelopment area (2636 Bayview Drive). (\$4,932.51)

H. BOARD OF COUNTY COMMISSIONERS

1. Commissioner Fiala requests Board approval for reimbursement for attending a function serving a valid public purpose. Attended the United Arts Council Arts Forum Luncheon at the Von Liebig Arts Center, Naples; \$15.00 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 Naples Press Club Annual Holiday Meeting & Luncheon on Thursday, December 13, 2007, at the Collier Athletic Club; \$20.00 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 Kiwanis Club of Greater Collier's Luncheon on Wednesday, December 19, 2007, at Carrabba's; \$13.00 to be paid from Commissioner Fiala's travel budget.
4. Commissioner Fiala requests Board approval for reimbursement for attending a function serving a valid public purpose. Attended the League of Women Voters 2007 December Luncheon on Monday, December 17, 2007, at the Collier Athletic Club; \$20.00 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. Attended the East Naples Kiwanis Annual Banquet on Thursday, October 4, 2007 at the Grand Buffet; \$20.00 to be paid from Commissioner Fiala's travel budget.
6. Commissioner Fiala requests Board approval for reimbursement for attending a function serving a valid purpose. Attended the ENCA November Luncheon on Thursday, November 15, 2007, at Carrabba's; \$21.00 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 Galella/Sunrise Academy Lunch Meeting on Tuesday, November 20, 2007, at the Port Royal Club; \$25.00 to be paid from Commissioner Fiala's travel budget.

8. Commissioner Halas requests Board approval for reimbursement regarding attendance at a function serving a valid public purpose. Attending the EDC VIP Breakfast meeting on Thursday, February 7, 2008, at The Naples Hilton in Naples, Florida. \$20.00 to be paid from Commissioner Halas' travel budget.
9. Commissioner Coletta requests Board approval for reimbursement serving a valid public purpose. Attended the December 3, 2007 Bus Trip to Sarasota Sr. Friendship Center. \$20.00 to be paid from Commissioner Coletta's travel budget.
10. Commissioner Coletta requests Board approval for reimbursement serving a valid public purpose. Participated in the Christmas Around the World Festival and Lighted Parade Snow Gala on December 8, 2007. \$5.00 to be paid from Commissioner Coletta's travel budget.
11. Commissioner Coletta requests Board approval for reimbursement serving a valid public purpose. Attended the David E. Bryant Annual Christmas Celebration on December 13, 2007. \$5.00 to be paid from Commissioner Coletta's travel budget.
12. Commissioner Coletta requests Board approval for reimbursement serving a valid public purpose. Attending as a Celebrity Auctioneer, the Foundation for the Developmentally Disabled 2008 Gala and Auction on Saturday, February 9, 2008. \$125.00 to be paid from Commissioner Coletta's travel budget.
13. Commissioner Fiala requests Board approval for reimbursement for repair of wiring at cigarette lighter to correct GPS usage in private vehicle; \$135.91 to be paid from Commissioner Fiala's travel budget.
14. Commissioner Fiala request Board approval for reimbursement for attending a function serving a valid public purpose. Attended the Conservancy of SW Florida: A Private Event on Sunday, January 13, 2008, at the Conservancy Nature Center; \$25.00 to be paid from Commissioner Fiala's travel budget.
15. Commissioner Fiala request Board approval for reimbursement for attending a function serving a valid public purpose. Attended the Kite Realty Luncheon on Wednesday, December 12, 2007, at Kings Lake Square; \$13.00 to be paid from Commissioner Fiala's travel budget.
16. Commissioner Fiala requests Board approval for reimbursement for attending a function serving a valid public purpose. Attended the Marco Island Chamber Installation of 2008 President Gary Elliott & Board Members Event on Sunday, January 13, 2008 at the Island Country Club; \$70.00 to be paid from Commissioner Fiala's travel budget.
17. Commissioner Fiala requests Board approval for reimbursement for attending a function serving a valid public purpose. Attended the Coastguard Auxiliary Change of the Watch Ceremony on Thursday, January 3, 2008, at The Hideaway Beach Club; \$50.00 to be paid from Commissioner Fiala's travel budget.

I. MISCELLANEOUS CORRESPONDENCE

1. Miscellaneous items to file for record with action as directed.

J. OTHER CONSTITUTIONAL OFFICERS

1. Recommend that the Board of County Commissioners designate the Sheriff as the Official Applicant and Program Point-of-Contact for a E911 Grant Application, approve the Collier County Sheriff's Office E911 State Grant Program application when completed, accept the Grant when awarded, and upon an award approve applicable budget amendments.
2. To obtain Board approval for disbursements for the period of December 1, 2007 through December 7, 2007 and for submission into the official records of the Board.

3. To obtain Board approval for disbursements for the period of December 8, 2007 through December 14, 2007 and for submission into the official records of the Board.
4. To obtain Board approval for disbursements for the period of December 15, 2007 through December 21, 2007 and for submission into the official records of the Board.
5. To obtain Board approval for disbursements for the period of December 22, 2007 through December 28, 2007 and for submission into the official records of the Board.
6. Recommend that the Board of County Commissioners approve the use of confiscated trust funds for drug abuse education and prevention. (\$20,000)

K. COUNTY ATTORNEY

1. Recommendation to authorize the County Attorney to file a lawsuit, on behalf of the Collier County Board of Commissioners, against Daniel W. Snook and/or Mary Nicole Meister in County Court Small Claims in and for Collier County, Florida, to recover repair costs incurred in the approximate amount of \$5,000.00.
2. Recommendation to approve the Statement of Insured Clients Rights wherein the County is authorizing National Interstate Insurance to retain David Howland, Esq. to represent the County in the lawsuit St. John, et al. v. Lyons Trans., et al., Case No. 07-752CA.
3. Recommendation to authorize the County Attorney to file a lawsuit, on behalf of the Collier County Board of Commissioners, against Edward Cafone, Jr., in County Court Small Claims in and for Collier County, Florida, to recover repair costs incurred in the approximate amount of \$1,500.00.
4. Recommendation to authorize the County Attorney to file a lawsuit, on behalf of the Collier County Board of Commissioners, against Joann Estelle Pino and/or Melanie Joanne Pino in the Twentieth Judicial County Court Small Claims, to recover repair costs incurred in the approximate amount of \$1,500.00.
5. Recommendation to authorize the County Attorney to file a lawsuit, on behalf of the Collier County Board of Commissioners, against Felipe Hernandez in the Twentieth Judicial County Small Claims in and for Collier County, Florida, to recover repair costs incurred in the approximate amount of \$3,000.00.
6. Recommendation that the Board of County Commissioners authorize the law firm of Henderson Franklin Starnes & Holt PA and J. Terrence Porter, Esq. to represent former County employee Bernice Forester in the matter entitled Darling Elie, et al. v. Collier County, et al.; Case No. 07-1463-CA.
7. Recommendation to approve a Mediated Settlement Agreement and a Stipulated Final Judgment to be drafted incorporating the same terms and conditions as the Mediated Settlement Agreement for the acquisition of Parcels 717R, 917, 718R and 918R in the lawsuit styled Collier County, Florida v. Duffield W. Matson, III, et al., Case No. 05-1054-CA (South County Regional Water Treatment Wellfield Project #70892). (Fiscal Impact:\$55,844.00)
8. Recommendation to approve a Stipulated Final Judgment in the amount of \$115,000.00 for Parcels 143FEE and 143RDUE in the lawsuit styled Collier County v. Rupert Terry Dupree aka R. Terry Dupree, et al., Case No. 07-3328-CA (Oil Well Road Project No. 60044). (Fiscal Impact \$77,750.00)
9. Recommendation to approve a Stipulated Final Judgment in the amount of \$85,000.00 for Parcel 141FEE in the lawsuit styled Collier County v. Carlos Alvarez, et al., Case No. 07-2882-CA (Oil Well Road Project No. 60044). (Fiscal Impact \$58,650)

10. Recommendation to authorize an Offer of Judgment for Parcels 134 and 135 by Collier County to property owners, Ronen and Leeanne Graziani in the lawsuit styled CC v. Ronen Graziani, et al., Case No. 06-0548-CA (Santa Barbara Boulevard Project No. 62081)(Fiscal Impact: If accepted, \$180,005).
 11. Recommendation to authorize an Offer of Judgment for Parcel 136 by Collier County to property owner, Vilma Patel in the lawsuit styled CC v. Ronen Graziani, et al., Case No. 06-0548-CA (Santa Barbara Boulevard Project No. 62081)(Fiscal Impact: If accepted, \$168,157).
 12. Recommendation to approve settlement prior to trial in the lawsuit entitled Collier County v. B & G Underground Inc., Case No. 07-1595-CC, in the Twentieth Judicial County in and for Collier County, Florida, in the amount of \$11,000.00.
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. SE-2007-AR-12491, DeVoe Family Limited Partnership II, represented by Sandra Bottcher of Q. Grady Minor & Associates, P.A., is requesting a Scrivener's Error correction for an approved Parking Exemption (PE-2005-AR-10551) to revise the Conditions of Approval to provide a four-foot wall instead of a six-foot wall along the southern boundary of the property. The 0.23 acres subject property's address is 1397 Trail Terrace Drive, which is located on the north side of Trail Terrace Drive, immediately west of its intersection with 14th Street North, in Section 22, Township 49 South, Range 25 East, of Collier County, Florida.
 - B. This item requires that ex parte disclosure be provided by Commission Members. Should a hearing be held on this item, all participants are required to be sworn in. Recommendation to approve Petition AVROW-2006-AR-10761, to disclaim, renounce and vacate the County's and the Public's interest in two 20 by 30 right-of-way areas along Alachua Street being originally a part of Monroe Avenue right-of-way as shown on the Plat known as Newmarket Subdivision, as recorded in Plat Book 1, Pages 104 & 105 of the Public Records Collier County, Florida being located within section 34, Township 46 South, Range 29 East, Collier County Florida being more specifically shown in Exhibit A.
 - C. 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 Petition AVPLAT-2007-AR-12379, Lot 9, Hawksridge, Unit One, to disclaim, renounce and vacate the County's and the Public's interest in a portion of the 10 foot wide drainage easement along the westerly line of Lot 9, Hawksridge, Unit One, a subdivision as recorded in Plat Book 18, Pages 67 and 68 of the Public Records of Collier County, Florida, situated in Section 23, Township 49 South, Range 25 East, Collier County, Florida, and being more particularly described in Exhibit A.
 - D. Recommendation that the Board of County Commissioners adopt an Ordinance amending Appendix A of Ordinance No. 2001-13, as amended, the Collier County Consolidated Impact Fee Ordinance, by providing for an amendment to Ordinance No. 2007-57 to correct a scrivener's error in the Correctional Facilities Impact Fee Rate Schedule

E. This item requires that all participants be sworn in and ex parte disclosure be provided by Commission members. VA-2007-AR-12005, Eugene and Nancy Zilavy, represented by Richard D. Yovanovich, Esquire, of Goodlette, Coleman, and Johnson, P.A., request a nine-foot rear yard setback Variance for a pool screen enclosure. The subject property is located at 480 Flamingo Avenue, Connor's Vanderbilt Beach Subdivision, Section 29, Township 48 South, Range 25 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.