

# COLLIER COUNTY

BOARD OF COUNTY COMMISSIONERS

and

COMMUNITY REDEVELOPMENT AGENCY BOARD (CRAB)



## AGENDA

January 29, 2008

9:00 AM

Tom Henning, BCC Chairman Commissioner, District 3

Donna Fiala, BCC Vice- Chairman Commissioner, District 1; CRAB Chairman

Jim Coletta, BCC Commissioner, District 5; CRAB Vice-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 Les Wicker, First Congregational Church of Naples

**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. January 8, 2008 - BCC/EDC Workshop
- C. January 10, 2008 - Value Adjustment Board Meeting

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

**A. 20 Year Attendees**

- 1. William Craig, Water
- 2. Kevin Hendricks, TECM
- 3. Russell Muller, Engineering Services
- 4. Juan Ortega, EMS
- 5. Judy Puig, CDES Administration
- 6. Marjorie Student-Stirling, County Attorney Office
- 7. Valerie Thorsen, EMS

**B. 25 Year Attendees**

- 1. Gregorio Flores, Utility Billing
- 2. Gary Hamm, Road and Bridge

**4. PROCLAMATIONS**

- A. During the week of February 3-9, 2008, the Florida Division of Emergency Management together with the National Weather Service and the Collier County Bureau of Emergency Services will urge residents to take measures to make themselves and their families better prepared for hazardous weather conditions.
- B. Proclamation for "Turn It Off Days! We're Counting Every Drop." To be accepted by Lynne Hixon-Holley.

**5. PRESENTATIONS**

- A. Recommendation to recognize Christopher Atchley, Craftsman, Facilities Management, as Employee of the Year for 2007.
- B. Recommendation to recognize Murdo Smith, Regional Manager, Parks and Recreation, as Supervisor of the Year for 2007.

## 6. PUBLIC PETITIONS

- A. Public petition request by Stephen D. Kreynus to discuss paving of Desoto Road.
- B. Public petition request by Patrick White to discuss Orders Finding Violation relating to property owned by Jerry and Kimberlea Blocker.
- C. Public Petition request from Mr. Don Beach to discuss reserving library meeting room.
- D. Public Petition Request from Leeanne W. Graziani regarding eminent domain for Santa Barbara Boulevard.

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 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 deny approval of Petition AVPLAT-2006-AR-10970, Lot 400, Indigo Preserve, to vacate the Countys and the Publics interest in a portion of a platted drainage easement running through the westerly (rear) portion of Lot 400, Indigo Preserve, a subdivision located in Section 27, Township 48 South, Range 26 East, as recorded in Plat Book 40, Pages 54-57 of the Public Records of Collier County, Florida, and being more particularly described in Exhibit A
- B. This item requires that all participants be sworn in and ex parte disclosure be provided by Commission members. PUDZ-2003-AR-3601, Tim Hancock, of Davidson Engineering, Inc., requesting a rezone from Rural Agricultural (A) with a provisional use for a church authorized by Resolution #91-3 and the Neapolitan Park Planned Unit Development (PUD) approved as Ordinance #90-6, to a new Community Facility Planned Unit Development (CFPUD) district to be known as the New Hope Ministries CFPUD. This project consists of 37.95 acres and will consist of expanding the existing church facility. The property is located on the north side of Davis Boulevard and east of Santa Barbara Boulevard at 7675 Davis Boulevard, in Section 4, Township 50 South, Range 26 East, Collier County Florida.

## 9. BOARD OF COUNTY COMMISSIONERS

- A. This item to be heard at 10:00 a.m. Presentation by Andrea B. Sims of The Waters-Oldani Executive Recruitment, a division of The Waters Consulting Group, Inc., regarding candidates applying for County Attorney position.
- B. Appointment of members to the Collier County Code Enforcement Board.
- C. Appointment of members to the Land Acquisition Advisory Committee.
- D. Appointment of members to the Development Services Advisory Committee.

## 10. COUNTY MANAGER'S REPORT

- A. Recommendation to approve Exhibit E, Amendment #2 to Contract #06-3914, Construction Management at Risk Services for the Collier County Fleet Facilities with Wright Construction Corp. in the amount of \$9,272,848.00 for the Fleet Facility, project 52009, Phase 3, which includes the construction of the new Sheriff's Fleet Management Department Facility and the replacement of the existing Fuel Facility that is shared by both the County and Sheriff's Fleet Departments. (Hank Jones, Senior Project Manager)

- B. This item to be heard at 2:30 p.m. Recommendation that the Board of County Commissioners approve the application by Inovo, Incorporated for the Job Creation Investment Program and the Advanced Broadband Infrastructure Investment Program and provide direction on the request by the Economic Development Council of Collier County related to the payment of an additional \$1,000 per job for 49 existing jobs to be retained in Collier County and the development of a Job Retention Program Ordinance for future consideration by the Board of County Commissioners (Amy Patterson, Impact Fee/EDC Manager, Business Management & Budget Department, CDES)
- C. Recommendation that the Board of County Commissioners evaluate and consider the Planning Commissions policy recommendation in support of continually upholding the current programmatic prohibition of Transfer of Development Rights (TDR) severance from illegal Sending Land property within the Rural Fringe Mixed-Use District (RFMUD) (Joe Thompson, Senior Planner, Comprehensive Planning, CDES)
- D. Recommendation to adopt a Resolution of the Board of County Commissioners of Collier County, Florida, to amend and clarify the Countys Stormwater Funding Policy; Funding of Stormwater Management; Findings and Purpose; Capital and Operating Budget; Definitions; superseding Board Resolution No. 2005-115; and providing an effective date. (Norman Feder, Transportation Services Administrator)
- E. To provide the Board of County Commissioners with an update on petition CPSP-2007-6, an amendment to the Potable Water Sub-Element of the Public Facilities Element of the Growth Management Plan, to add reference in Policy 1.7 to the proposed Collier County 10-Year Water Supply Facilities Work Plan, in order to be consistent with the remedial amendments to the Capital Improvement Element, Ordinance 89-05, as amended; and to have the BCC authorize the Chairman to execute and forward a letter to the Department of Community Affairs (DCA) in reference to the adoption timeline of the aforementioned GMP amendment. (Randy Cohen, Comprehensive Planning Director)
- F. This item to be heard at 3:00 p.m. Recommendation for the approval of the fifth Conservation Collier Active Acquisition List and direction for the County Manager or his designee to actively pursue projects recommended within the A-Category. (Alex Sulecki, Senior Environmental Specialist)
- G. 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 Mockingbird Crossing, approval of the standard form Construction and Maintenance Agreement and approval of the amount of the performance security. (Stan Chrzanowski, Senior Engineer)
- H. Recommendation that the Board of County Commissioners establish a Voluntary Separation Incentive Program, empower the County Manager to implement the program and authorize the Chairman to sign the enabling Resolution. (Len Price, Administrative Services Administrator)
- I. Recommend Approval of Change Order #4 in the amount of \$97,186 on Contract 05-3772 with Miles Media Group for enhancements to the Tourism Department Website. (Jack Wert, Tourism Director)

## 11. PUBLIC COMMENTS ON GENERAL TOPICS

## 12. COUNTY ATTORNEY'S REPORT

**13. OTHER CONSTITUTIONAL OFFICERS**

- A. To obtain Board approval for disbursements for the period of December 29, 2007 through January 04, 2008 and for submission into the official records of the Board.

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

**15. STAFF AND COMMISSION GENERAL COMMUNICATIONS**

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- 16. CONSENT AGENDA - All matters listed under this item are considered to be routine and action will be taken by one motion without separate discussion of each item. If discussion is desired by a member of the Board, that item(s) will be removed from the Consent Agenda and considered separately.**
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**A. COMMUNITY DEVELOPMENT & ENVIRONMENTAL SERVICES**

- 1. Recommendation that the Board of County Commissioners adopt a Resolution pursuant to Section 288.106, Florida Statutes, recommending that the Governors Office of Tourism, Trade and Economic Development approve Inovo, Incorporated as a qualified target industry business, confirming that the commitments of local financing necessary to support this target industry are in place, and appropriating a total of \$25,600 as local participation in the Qualified Target Industry Tax Refund Program (QTI) for Fiscal Years 2009-2012
- 2. This is a recommendation to grant final approval of the roadway (private) and drainage improvements for the final plat of Heritage Greens, the roadway and drainage improvements will be privately maintained by the Heritage Greens Community Development District
- 3. Recommendation to grant final approval of the roadway (private) and drainage improvements for the final plat of Grey Oaks Unit Nineteen. The roadway and drainage improvements will be privately maintained.
- 4. This item continued from the January 15, 2008 BCC Meeting. 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.
- 5. This item continued from the January 15, 2008 BCC Meeting. 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.
- 6. 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.

**B. TRANSPORTATION SERVICES**

- 1. Recommendation to obtain approval to convey a Construction, Operation, and Maintenance Easement to Florida Power and Light Corporation (FPL) for the purpose of replacing power poles to facilitate construction of the Gateway Triangle Stormwater Improvements Phase 1, Collier County Capital Project #51803. (\$31,660.84)
- 2. Recommendation to award Bid No. 08-5025 to Stahlman England Irrigation Inc. for the Palm River Estates Unit 5 Imperial Golf Estates Unit 4 Stormwater Improvements, Project Number 510143 with the base amount being \$312,097.89, plus the alternative of \$5,583.90, for a total amount of \$317,681.79

3. Recommendation to approve and execute the attached five-year Joint Participation Agreement (JPA) Contract Number AOW89 with Florida Department of Transportation in the amount of \$408,790, including a local match of \$204,395 for FY 2007/2008, to provide Federal Pass-through Section 5311 operational, administrative and managerial funding for the provision of public transportation services in Collier Countys non-urbanized areas as identified in Collier Countys annual grant application on file with the Florida Department of Transportation.
4. Recommendation to approve and execute the attached five-year Joint Participation Agreement (JPA) with Florida Department of Transportation in the amount of \$804,464, under State Transit Block Grant Program Contract Number AOW93 providing for State funding for eligible Collier County public fixed-route transit operational and capital expenses in the amount of \$402,232 as well as a FY2007-2008 local match in the amount of \$402,232.
5. Recommendation to approve an Agreement for the donation of school property required to construct improvements to Oil Well Road. Project #60044. (Estimated fiscal impact \$208.50.)
6. Recommendation to approve award of Bid #07-4195, Traffic Operations Signal Components to multiple vendors (item-by-item basis).
7. Recommendation to award Contract(s) #07-4168, Fixed Term Professional Environmental Consulting Services to the following firms: Johnson Engineering, Inc., Passarella and Associates, Inc. and Scheda Ecological Associates, Inc. Estimated annual contract amount is \$500,000.
8. Recommendation to approve selection of PBS&J Inc., a qualified firm and award a Contract Under RFP #07-4174, FPL Trail Feasibility Study in Collier and Lee Counties, for Project Number 601203 in the total amount of \$307,610.00 available in the Transportation Supported Gas Tax Fund 313, FPL Trail Feasibility Study, Project #601203.
9. Recommendation to recognize and accept revenue for Collier Area Transit in the amount of \$7,000 and to approve needed budget amendments.
10. Recommendation that the Board of County Commissioners approve a Resolution certifying the dedication and acceptance of a portion of Westclox Street, west of Carson Road, in Immokalee, to Collier County pursuant to Section 95.361, Florida Statutes, by virtue of the Countys continuous and uninterrupted maintenance of the roadway, and authorize the filing of the appropriate map(s) with the Clerk of the Circuit Court.
11. Recommendation to award Bid #08-5033 Immokalee Road Streetscape Beautification Project to Vila & Son in the amount of \$827,769.56 with 10% contingency of \$82,776.96 for a total of \$910,546.52 (Project #660424).

#### **C. PUBLIC UTILITIES**

1. Recommendation to approve the acquisition of a 3,000 square foot Utility Easement near the southwest corner of 3891 White Boulevard for a public water supply well site easement, at a total cost not to exceed \$14,900, Project Number 701582.
2. Recommendation to approve the acquisition of additional easement area for an Access Easement to Lift Station 302.09 at a total cost not to exceed \$4,520, Project Number 730841.
3. Recommendation to approve, execute and record a Satisfaction of a Notice of Claim of Lien for Sanitary Sewer System Impact Fee. Fiscal impact is \$18.50 to record the Satisfaction of Lien.
4. Recommendation to adopt a Resolution to approve the Satisfactions of Lien for Solid Waste residential accounts wherein the County has received payment and said Liens are satisfied in full for the 1992, 1994, 1995, and 1996 Solid Waste Collection and Disposal Services Special Assessment. Fiscal impact is \$98.50 to record the Satisfactions of Lien.

5. Recommendation to approve a budget amendment for \$11,446,766.41 to transfer funds for South County Regional Water Treatment Plant (SCRWTP) Well field Expansion project 708921 Water Impact Fee capital projects fund to a 2006 Revenue Bond Proceeds Fund.

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

1. Recommend to approve Resolution 2008- which supersedes Resolution 2007-33 to increase the annual, non-resident beach parking permit to \$50
2. Recommend Approval of Budget Amendment moving \$2,161.50 from Beach Access Landscape Project 902942 and \$112,000.00 from Vanderbilt Beach Walkway Project 900921 within Beach Park Facilities Capital Fund 183 for a total of \$114,161.50 to be place in Vanderbilt Pedestrian Access No. 3 Walkway Project 900451.
3. Recommendation to approve a \$374,407.54 budget amendment to fund the construction of a Boat Ramp at the Golden Gate Community Park, Project 800317.
4. Recommendation that the Board of County Commissioners approves, and authorizes the Chairman to sign, a lien agreement with Erika Trinidad (Owner) for deferral of 100% of Collier County impact fees for an owner-occupied affordable housing unit located at Lot 20, Liberty Landing, Immokalee.
5. Recommendation that the Board of County Commissioners approves, and authorizes the Chairman to sign, a lien agreement with Verdieu Petit Homme and Marie L. Petit Homme (Owners) for deferral of 100% of Collier County impact fees for an owner-occupied affordable housing unit located at Lot 11, Liberty Landing, Immokalee.
6. Approve change order #10 in the amount of \$35,945.00 for additional construction administration, SFWMD well permit and modeling study, site visits by electrical engineer, reduced water meter size, pool lighting & night use certification and one year warranty inspection to contract #99-2947, Implementation of a Master Plan for the North Naples Regional Park.
7. Recommendation that the Board of County Commissioners approves, and authorizes the Chairman to sign, a lien agreement with Marie Mongene (Owner) for deferral of 100% of Collier County impact fees for an owner-occupied affordable housing unit located at Lot 26, Trail Ridge, East Naples.
8. Recommendation that the Board of County Commissioners approves, and authorizes the Chairman to sign, a lien agreement with Begerl Chery and Mirna Chery (Owners) for deferral of 100% of Collier County impact fees for an owner-occupied affordable housing unit located at Lot 28, Trail Ridge, East Naples.
9. Recommendation that the Board of County Commissioners approves, and authorizes the Chairman to sign, a lien agreement with Guerline Fanfan (Owner) for deferral of 100% of Collier County impact fees for an owner-occupied affordable housing unit located at Lot 21, Trail Ridge, East Naples.
10. Recommendation that the Board of County Commissioners approves, and authorizes the Chairman to sign, a lien agreement with Juliette St Hilaire (Owner) for deferral of 100% of Collier County impact fees for an owner-occupied affordable housing unit located at Lot 31, Trail Ridge, East Naples.

11. Recommendation that the Board of County Commissioners approves, and authorizes the Chairman to sign, a lien agreement with Gasner Andre and Mathilde Andre (Owners) for deferral of 100% of Collier County impact fees for an owner-occupied affordable housing unit located at Lot 158, Trail Ridge, East Naples.
12. Recommendation that the Board of County Commissioners approves, and authorizes the Chairman to sign, a lien agreement with Ricardo Blanco and Anita Blanco (Owners) for deferral of 100% of Collier County impact fees for an owner-occupied affordable housing unit located at Lot 13, Block 6, Naples Manor Lakes, East Naples and authorizes a reimbursement of the fees paid by Habitat for Humanity of Collier County Inc on Building Permit 2007041984 in the amount of \$26,204.83.
13. Recommendation that the Board of County Commissioners approves, and authorizes the Chairman to sign, a lien agreement with Adiel Soler and Mirna Navarro (Owners) for deferral of 100% of Collier County impact fees for an owner-occupied affordable housing unit located at Lot 159, Trail Ridge, East Naples.
14. Recommendation that the Board of County Commissioners approves, and authorizes the Chairman to sign, a lien agreement with Dugue J. Grand Jean and Yolene Grand Jean (Owners) for deferral of 100% of Collier County impact fees for an owner-occupied affordable housing unit located at Lot 157, Trail Ridge, East Naples.
15. Recommendation that the Board of County Commissioners approves, and authorizes the Chairman to sign, a lien agreement with Esteban Racero Jimenez and Maria Gamez (Owners) for deferral of 100% of Collier County impact fees for an owner-occupied affordable housing unit located at Lot 23, Trail Ridge, East Naples.
16. Recommendation that the Board of County Commissioners approves, and authorizes the Chairman to sign, a lien agreement with Jean Eltinor (Owner) for deferral of 100% of Collier County impact fees for an owner-occupied affordable housing unit located at Lot 15, Liberty Landing, Immokalee.
17. Recommendation that the Board of County Commissioners approves, and authorizes the Chairman to sign, a lien agreement with Dollie Gallegos (Owner) for deferral of 100% of Collier County impact fees for an owner-occupied affordable housing unit located at Lot 14, Liberty Landing, Immokalee.
18. 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.
19. To recognize that there is no funding requirement for the Inter-local Agreement for multi-county Agricultural Extension Agents and the \$30,000 allocation to fund this agreement be utilized to assist in meeting budget reductions for the Collier County University Extension department.
20. Recommendation to approve an Agreement for Sale and Purchase to acquire a residential lot for expansion of parking facilities for the Countys Bayview Park at a cost not to exceed \$264,700, Project 800603.
21. Recommendation to approve an Interlocal Agreement with the District School Board of Collier County for leasing approximately three (3) acres of land adjacent to Elementary School K and approve a budget amendment for \$400,000 from Parks and Recreation Fee Fund (346) for Project #800911
22. Recommendation to approve an Interlocal Agreement with the District School Board of Collier County for leasing approximately three acres (3) of land adjacent to Elementary School J and approve necessary budget amendment of \$400,000 from Parks and Recreation Impact Fee Fund (346) for Project #800901



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

1. Recommendation to award RFP #07-4148, Security Services & Equipment agreement between Collier County and Johnson Controls, Inc. on an as-needed basis. (Not to exceed \$150,000 per year)
2. Recommendation to ratify additions to and a deletion from the 2008 Fiscal Year Pay and Classification Plan made from October 2, 2007 through December 31, 2007
3. Report and ratify Property, Casualty, Workers Compensation and Subrogation Claims settled and/or closed by the Risk Management Director pursuant to Resolution # 2004-15 for the first quarter of FY 08.
4. Recommendation to approve an Agreement for Sale and Purchase with Raymond Bennett and Terry Bennett for 1.14 acres under the Conservation Collier Land Acquisition Program, at a cost not to exceed \$27,820.
5. Recommendation to approve a Lease Agreement with Collier Mosquito Control District for antenna space upon a County-owned communications tower.
6. Recommendation that the Board of County Commissioners approves an Agreement to provide a maximum expenditure of Fifty-Four Thousand Dollars (\$54,000) from the GAC Land Trust to the Golden Gate Fire Control and Rescue District to purchase six weather stations.

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

1. Recommendation to approve a Resolution providing for user fees for Collier County ambulance services, billing and collection procedure, hospital transport billing and up-dated fees to generate revenues of approximately \$103,750 which will help offset an anticipated shortfall for the FY 08 budget, adjustments of EMS user fees pursuant to Collier County Ordinance No. 96-36, waiver of EMS user fees for special events, and a procedure for approving hardship cases and payment plans; superseding Resolution No. 07-192; and providing for an effective date.
2. 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.
3. Recommendation to approve a \$99,000 budget amendment for Fiscal Year 2008 to make up for a shortfall of funds due to the Collier County Board of County Commissioners decision not to implement a proposed fee collection structure for Emergency Management Services.
4. Recommendation to approve a Certificate of Public Convenience and Necessity for NCH Healthcare System for non-emergency ambulance service and approve a budget amendment recognizing and appropriating the \$250 annual renewal fee.
5. Approve budget amendments.

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

1. Recommendation for the CRA to approve a memorandum of understanding between the CRA and Bayshore Cultural Arts (BCA) for a non-exclusive use of Bayshore Gateway Triangle CRA office space for BCA operations; to authorize the CRA Chairman to sign; and to accept a BCA additional insured certificate of insurance for the CRA.

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

1. Commissioner Coletta requests Board approval for reimbursement serving a valid public purpose. Will attend Immokalee Rotary Spaghetti Dinner, February 8, 2008. \$100.00 to be paid from Commissioner Coletta's travel budget.
2. Commissioner Coletta requests Board approval for reimbursement serving a valid public purpose. Will attend the ULI 11th Annual Winter Institute on the Gulf & Pathfinder Awards Ceremony, February 21, 2008. \$65.00 to be paid from Commissioner Coletta's travel budget.
3. Commissioner Coletta requests Board approval for reimbursement serving a valid public purpose. Will attend Cub Scout Wolf Pack #210 Awards Dinner, February 21, 2008. \$20.00 to be paid from Commissioner Coletta's travel budget.
4. Commissioner Fiala requests Board approval for reimbursement for attending a function serving a valid public purpose. Will attend the Leadership Collier Alumni Challenge Celebration on Tuesday, February 5, 2008, at the home of Todd and Angela Gates; \$150.00 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 Naples Press Club First "Insider Breakfast of 2008" on Thursday, January 24, 2008, at the Bellasera Hotel; \$12.00 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. Attended The 58th Annual ENCA Banquet on Monday, January 21, 2008, at Naples Lakes Country Club; \$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. Will attend the Marco Island YMCA Stan Gober's Roast on Thursday, March 20, 2008, at the Marco Marriott Resort; \$150.00 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 Marco Island League Buccaneers Bash on Tuesday, January 29, 2008, at the Marco Island Yacht Club; \$50.00 to be paid from Commissioner Fiala's travel budget.
9. Recommendation for the Board of County Commissioners to approve filling a vacant position in the Board's Office as an exception to the current policy to not fill open or vacated general fund positions.

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

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

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

1. To obtain Board approval for disbursements for the period of January 05, 2008 through January 11, 2008 and for submission into the official records of the Board.

## **K. COUNTY ATTORNEY**

- 1. Recommendation to approve an Agreed Order for Payment of Expert Fees in connection with Parcel 134 in the lawsuit styled Collier County, Florida v. First National Bank of Naples, Inc., et al., Case No. 04-3587-CA (Immokalee Road Project No. 66042). (Fiscal Impact: \$51,000.00)**
- 2. Recommendation to approve a settlement agreement in the lawsuit entitled Virginia Devisse v. Board of County Commissioners, et al. filed in the Twentieth Judicial Circuit in and for Collier County, Florida, Case No. 05-807-Ca.**

**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. RZ-2006-AR-10422 Myers Enterprises of Naples, LLC, represented by Tm Hancock of Davidson Engineering., Myers Enterprises, request a rezone from the Industrial (I) zoning district to the Commercial district (C-4) for a 1.83 acre project known as Naples Mazda. The property is located on Southwest Corner of Airport Road and J & C Boulevard in Section 11, Township 49 South, Range 25 East, Collier County, Florida.**
- B. Recommendation to approve Remedial Amendments to the Capital Improvement Element of the Growth Management Plan, Ordinance 89-05, as amended, as set forth in the Compliance Agreement between the Department of Community Affairs and Collier County, including Petitioners-in-Intervention, and to transmit these Amendments to the Florida Department of Community Affairs**
- C. This item requires that all participants be sworn in and ex parte disclosure be provided by Commission members. Petition: PUDZ-2007-AR-11121, Chestnut Ridge, LLC, represented by William Hoover, of Hoover Planning and Development, Inc., is requesting a rezone of a 6.01-acre site from the Estates (E) Zoning District to the Mixed-Use Planned Unit Development (MPUD) Zoning District for a project known as Chestnut Place MPUD to allow 24,000 square feet of commercial and/or office space and 6,000 square feet of institutional space for property located at the southeast corner of Immokalee Road (CR-846) and Everglades Boulevard on tracts 113 and 114, in Section 29, Township 47 South, Range 28 East, of Collier County, Florida.**
- D. This item requires that all participants be sworn in and ex parte disclosure be provided by Commission members. VA-2007-AR-12232 John Hamilton, represented by Michael T. Traficante, Esq., requesting an after-the-fact Variance of approximately 1.4 feet. The 0.13-acre site contains a single-family dwelling with a 3.6-foot side yard setback instead of the 5-foot setback required when the house was constructed in 1973. The subject site is located at 85 Shores Avenue, in Section 22, Township 48 South, Range 25 East, Collier County, Florida.**

**E. This item requires that all participants be sworn in and ex parte disclosure be provided by Commission members. PUDZ-05-AR-8416 Pezzetino di Cielo RPUD, Distinctive Residential Development at Livingston, LLC, represented by D. Wayne Arnold, AICP, of Q. Grady Minor and Associates, P.A. and Richard Yovanovich, Esquire, of Goodlette, Coleman and Johnson, P.A., request a rezone from the Agricultural (A) zoning district to the Residential Planned Unit Development (RPUD) zoning district for project known as Pezzetino Di Cielo RPUD. The subject property, consisting of 17.52 acres, is located on the east side of Livingston Road, approximately 4.5 miles north of Immokalee Road and 5 miles south of the Lee County Line, Section 12, 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.**