

COLLIER COUNTY

BOARD OF COUNTY COMMISSIONERS

and

COMMUNITY REDEVELOPMENT AGENCY BOARD (CRAB)



AGENDA

February 26, 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 Chuck Cary, Moorings Presbyterian Church

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 22, 2008 - BCC/LDC Meeting
- C. January 25, 2008 - BCC/CRA Advisory Board Workshop
- D. January 29, 2008 - BCC/Regular Meeting

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

4. PROCLAMATIONS

- A. Proclamation recognizing the continued support for Drug Free Collier and supporting "The Adolescent Mind and High Risk Behaviors" presentation scheduled for Wednesday, February 27, 2008 by Michael Nerney. To be accepted by Maria Victoria Delgado of Drug Free Collier.
- B. Proclamation to recognize Golden Gate Fire Chief Donald R. Peterson for 27 years of dedicated service to Collier County. To be accepted by Chief Don Peterson.
- C. Proclamation to offer our appreciation and thanks to the volunteer drivers, office staff, and their families for their efforts in making the quality of life better for the veterans in our community. To be accepted by Jim Elson, President, Collier County Veterans Council and Don Peacock, Treasurer, Collier County Veterans Council.

5. PRESENTATIONS

- A. Construction briefing on six lanes of new roadway including new signals and street lighting on Collier Boulevard from Golden Gate Boulevard to 7th Ave North and from Mission Hills to Immokalee Road. Also includes bridge improvements at Tree Farm Road and new roadway on Tree Farm Road. In addition building a new multiuse pathway on the east side of the canal parallel to Collier Boulevard from Vanderbilt Beach Road to Immokalee Road.
- B. This item to be heard at 9:30 a.m. Presentation by the Collier County Fire Chiefs Association regarding the Consolidation Report.
- C. Recommendation to recognize Mary-Jo Brock, Executive Secretary, County Managers Office, as Employee of the Month for January 2008.

6. PUBLIC PETITIONS

- A. Public petition request by Michael and Tammy McEndree to discuss the Santa Barbara Extension Project and a sound barrier wall on the east side of Polly Avenue.
- B. Public petition request by Donald Kennedy to discuss clearing of Hurricane Wilma debris from Rock Creek.
- C. Public petition request by Gregory Pellechia to discuss Johnnycake Drive portion of the Willow West Stormwater Improvement Project #510776.

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. CU-2007-AR-11977 Big Corkscrew Island Fire Control Rescue District, represented by Robert L. Duane, AICP, of Hole Montes, Inc., requesting a Conditional Use allowed in the Estates (E) zoning district pursuant to Table 2, Section 2.04.03 of the Land Development Code (LDC). The 6.5 acre (E) zoned site is proposed for a Fire Station not to exceed 17,642 square feet. The subject site is located on 6.5 acres in the north east corner of Desoto Boulevard North and the proposed 22nd Avenue N.E., Golden Gate Estates Unit 72, Section 28, Township 48 South, Range 28 East, Collier County, Florida.**
- B. This item has been continued from the February 12, 2008 BCC Meeting. This item requires that all participants be sworn in and ex parte disclosure be provided by Commission members. Petition: VA-2006-AR-10092 Mohammed M. Rahman, represented by Stephen J. Fleming, P.E., requesting a before-the-fact variance from Section 5.05.05.B. of the LDC to reduce the lot width along the north and south property line from the required 150 feet to 135 feet, and to reduce the side yard setback along the west property line from the required 40 feet to 25 feet to permit an automobile service station. The subject property is located at 2393 Lake Trafford Road, Section 32, Township 46 South, Range 29 East, Collier County, Florida.**

8. ADVERTISED PUBLIC HEARINGS

- A. Request for the Board to consider a proposed amendment to section 1.04.04, Reduction of Required Site Design Requirements, of the Collier County Land Development Code as part of the Special Land Development Code (LDC) amendment cycle for 2008 as previously approved by the Board.**
- B. This item has been continued to the March 11, 2008 Meeting. This item requires that all participants be sworn in and ex parte disclosure be provided by Commission members. Petition: PUDZ-2006-AR-10171 Eastbourne Bonita, LLC, represented by Laura Spurgeon, of Johnson Engineering, Inc., and Patrick G. White, Atty. of Porter, Wright, Morris & Arthur, LLP., requesting a rezone from the Agricultural (A) and Special Treatment (ST) Overlay Zoning District to the Residential Planned Unit Development (RPUD) Zoning District for project known as Brandon RPUD, for the development of 204 single-family and multi-family residential units. The subject property, consisting of 51.1 acres, is located on the southeast corner of the intersection of Livingston Road and Veterans Memorial Boulevard, Section 13, Township 48 South, Range 25 East, Collier County, Florida.**

9. BOARD OF COUNTY COMMISSIONERS

- A. This item to be heard at 10:00 a.m. Presentation to the Board of County Commissioners by Andrea Sims, Waters-Oldani Executive Recruitment, a Division of the Waters Consulting Group, Inc. and consideration of the recommended five finalists for the Collier County Attorney position.**
- B. Appointment of member to the Pelican Bay Services Division Board.**
- C. This item to be heard at 3:00 p.m. To provide information on the status of the Southwest Florida Expressway Authority (SWFEA) activities and the ongoing Toll Feasibility Studies for I-75 and to take action to support or deny the attached resolution. (Commissioner Coletta)**
- D. Appointment of members to the Radio Road Beautification Advisory Committee.**
- E. Appointment of members to the Bayshore Beautification MSTU Advisory Committee.**

10. COUNTY MANAGER'S REPORT

- A. Discussion on the history and application of the Land Development Code regulations concerning the rear yard setback requirements for accessory structures in the Golden Gate Estates Zoning District. (Susan M. Istenes, AICP, Director, Zoning & Land Development, CDES)
- B. Recommendation to grant final approval of the roadway (private) and drainage improvements for the final plat of Olde Cypress Unit One (Olde Cypress PUD). The roadway and drainage improvements will be privately maintained. (Stan Chrzanowski, Sr. Engineer, Engineering & Environmental Services Department, CDES)
- C. Recommendation that the Board of County Commissioners evaluate the feasibility of a Rural Fringe Mixed-Use District Transfer of Development Rights program applicant proposal relative to severance eligibility in relation to the attainment of the Environmental Restoration & Maintenance and Conveyance bonus credit to a CDD. (Joe Thompson, Senior Planner, Comprehensive Planning Department, CDES)
- 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, CDES)
- E. Recommendation to adopt FY09 Budget Policy. (John Yonkosky, Director, Office of Management and Budget)
- F. Recommendation to amend the FY08 Emergency Medical Services Department budget by reducing personnel, operating and capital expenditures to offset anticipated ambulance fee revenue shortfalls. (Jeff Page, EMS Chief)

11. PUBLIC COMMENTS ON GENERAL TOPICS

12. COUNTY ATTORNEY'S REPORT

- A. This item to be heard at 4:00 p.m. Discussion regarding Richland PUD (Pebblebrooke)

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. Request approval by the Board of County Commissioners for the proposed schedule for the Land Development Code (LDC) Amendment Cycle for 2008.
- 2. Recommendation to approve final acceptance of the sewer utility facility for Botanical Place

3. To accept final and unconditional conveyance of the water utility facility for Treviso Bay Temporary Sales Facility.
4. Recommendation to approve final acceptance of the water and sewer utility facilities for VeronaWalk, Phase 3A
5. Recommendation to approve final acceptance of the water and sewer utility facilities for Mediterra, Parcel 106
6. Recommendation to award Bid No. 08-4197 Nuisance Abatement Services to Ecosystem Technologies, Inc. and Environmental Mowing, Inc.
7. Recommendation to approve the Release and Satisfaction of Code Enforcement Liens for payments received
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 Mediterra Parcel 125, Replat of Lots 44 - 47
9. 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 Alligator Alley Commerce Center Phase One.
10. Recommendation to grant final approval of the roadway (private) and drainage improvements for the final plat of Mediterra Parcel 103 with the roadway and drainage improvements being privately maintained.
11. Recommendation to grant final approval of the roadway (private) and drainage improvements for the final plat of Classics Plantation Estates Phase One, (Lely Resort PUD), the roadway and drainage improvements will be privately maintained.
12. Recommendation to grant final approval of the roadway (private) and drainage improvements for the final plat of Augusta at Pelican Marsh (Pelican Marsh PUD) with the roadway and drainage improvements being privately maintained.

B. TRANSPORTATION SERVICES

1. Recommendation to award Bid #08-5016 On Call Landscape and Irrigation Service by category to various vendors for an estimated yearly cost of \$500,000 (Fund 111).

C. PUBLIC UTILITIES

1. 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 1991, 1995, and 1996 Solid Waste Collection and Disposal Services Special Assessment. Fiscal impact is \$68.50 to record the Satisfactions of Lien.
2. Recommendation to approve, execute and record a Satisfaction of a Notice of Claim of Lien for Sanitary Sewer System Impact Fee. Fiscal impact is \$10.00 to record the Satisfaction of Lien.
3. Recommendation to adopt a Resolution amending the Collier County Administrative Code Fee Schedule of development related review and processing fees as provided for in Code of Laws Section 2-11 to include a \$1,000.00 fee to cover the cost of performing hydraulic modeling and analysis necessary to ensure concurrency for water and wastewater services.
4. Approve a budget amendment to recognize funds provided by South Florida Water Management District Grants in the amount of \$450,000 and approve the necessary budget amendment for the Reclaimed Water Aquifer Storage and Recovery Project 74030.

D. PUBLIC SERVICES

- 1. Recommendation that the Board of County Commissioners approves, and authorizes the Chairman to sign, a lien agreement with Margarita Del Socorro Escobar (Owner) for deferral of 100% of Collier County impact fees for an owner-occupied affordable housing unit located at Lot 165, Trail Ridge, East Naples.**
- 2. Recommendation that the Board of County Commissioners approves, and authorizes the Chairman to sign, a lien agreement with Esaie Foreste and Lyla Foreste (Owners) for deferral of 100% of Collier County impact fees for an owner-occupied affordable housing unit located at Lot 161, Trail Ridge, East Naples.**
- 3. Recommendation that the Board of County Commissioners approves, and authorizes the Chairman to sign, a lien agreement with Antoinette Laguerre (Owner) for deferral of 100% of Collier County impact fees for an owner-occupied affordable housing unit located at Lot 163, Trail Ridge, East Naples.**
- 4. Recommendation that the Board of County Commissioners approves, and authorizes the Chairman to sign, a lien agreement with Antoine Joseph and Saintherese Joseph (Owners) for deferral of 100% of Collier County impact fees for an owner-occupied affordable housing unit located at Lot 3, Block 14, Naples Manor Addition, East Naples.**
- 5. Recommendation that the Board of County Commissioners approves, and authorizes the Chairman to sign, a lien agreement with Danielle Alexandre (Owner) for deferral of 100% of Collier County impact fees for an owner-occupied affordable housing unit located at Lot 162, Trail Ridge, East Naples.**
- 6. Recommendation that the Board of County Commissioners approves, and authorizes the Chairman to sign, a lien agreement with Jose J. Rosas Arroyo and Maria E. Rosas (Owners) for deferral of 100% of Collier County impact fees for an owner-occupied affordable housing unit located at Lot 160, Trail Ridge, East Naples.**
- 7. Recommendation that the Board of County Commissioners approves, and authorizes the Chairman to sign, a lien agreement with Gabince Fanfan and Monique Willien (Owners) for deferral of 100% of Collier County impact fees for an owner-occupied affordable housing unit located at Lot 49, Trail Ridge, East Naples.**
- 8. Recommendation that the Board of County Commissioners approves, and authorizes the Chairman to sign, a lien agreement with Zilana Marc (Owner) for deferral of 100% of Collier County impact fees for an owner-occupied affordable housing unit located at Lot 51, Trail Ridge, East Naples.**
- 9. Recommendation that the Board of County Commissioners approves, and authorizes the Chairman to sign, a lien agreement with Lunel Napoleon (Owner) for deferral of 100% of Collier County impact fees for an owner-occupied affordable housing unit located at Lot 52, Trail Ridge, East Naples.**
- 10. Recommendation that the Board of County Commissioners approves, and authorizes the Chairman to sign, a lien agreement with Vida Trainie Baltazard (Owner) for deferral of 100% of Collier County impact fees for an owner-occupied affordable housing unit located at Lot 164, Trail Ridge, East Naples.**
- 11. Recommendation that the Board of County Commissioners approves, and authorizes the Chairman to sign, a lien agreement with Jacqueline Jules (Owner) for deferral of 100% of Collier County impact fees for an owner-occupied affordable housing unit located at Lot 142, Independence II-A, Immokalee.**
- 12. Recommendation that the Board of County Commissioners approves, and authorizes the Chairman to sign, a lien agreement with Jose Angel Olvera and Nora Beatriz Olvera (Owners) for deferral of 100% of Collier County impact fees for an owner-occupied affordable housing unit located at Lot 19, Liberty Landing, Immokalee.**

13. Recommendation that the Board of County Commissioners approves, and authorizes the Chairman to sign, a lien agreement with Islaine Georges (Owner) for deferral of 100% of Collier County impact fees for an owner-occupied affordable housing unit located at Lot 50, Trail Ridge, East Naples.
14. Recommendation that the Board of County Commissioners approves, and authorizes the Chairman to sign, a lien agreement with Minouche Carilus (Owner) for deferral of 100% of Collier County impact fees for an owner-occupied affordable housing unit located at Lot 26, Liberty Landing, Immokalee.
15. Recommendation that the Board of County Commissioners approves, and authorizes the Chairman to sign, a lien agreement with Samuel Trejo and Rebecca Castro (Owners) for deferral of 100% of Collier County impact fees for an owner-occupied affordable housing unit located at Lot 27, Liberty Landing, Immokalee.
16. Recommendation that the Board of County Commissioners approves, and authorizes the Chairman to sign, a lien agreement with Emmanuel Louimare (Owner) for deferral of 100% of Collier County impact fees for an owner-occupied affordable housing unit located at Lot 30, Liberty Landing, Immokalee.
17. Recommendation that the Board of County Commissioners approves, and authorizes the Chairman to sign, a lien agreement with Passiana Belizaire (Owner) for deferral of 100% of Collier County impact fees for an owner-occupied affordable housing unit located at Lot 35, Liberty Landing, Immokalee.
18. Recommendation that the Board of County Commissioners approves, and authorizes the Chairman to sign, a lien agreement with Jose Penalzoza Jasso and Aracely Penalzoza (Owners) for deferral of 100% of Collier County impact fees for an owner-occupied affordable housing unit located at Lot 31, Liberty Landing, Immokalee.
19. Recommendation that the Board of County Commissioners approves, and authorizes the Chairman to sign, a lien agreement with Miguel Angel Gaspar Francisco (Owner) for deferral of 100% of Collier County impact fees for an owner-occupied affordable housing unit located at Lot 22, Liberty Landing, Immokalee.
20. Recommendation that the Board of County Commissioners approves, and authorizes the Chairman to sign, a lien agreement with Jean Vital Astreide and Marie Astreide (Owners) for deferral of 100% of Collier County impact fees for an owner-occupied affordable housing unit located at Lot 10, Liberty Landing, Immokalee.
21. Recommendation that the Board of County Commissioners approves, and authorizes the Chairman to sign, a lien agreement with Freeman and Freeman, Inc. (Developer) for deferral of 100% of Collier County impact fees for an owner-occupied affordable housing unit located at Lot 20, Block 29, New Market, Immokalee.
22. Recommendation that the Board of County Commissioners approves, and authorizes the Chairman to sign, a lien agreement with Freeman and Freeman, Inc. (Developer) for deferral of 100% of Collier County impact fees for an owner-occupied affordable housing unit located at Lot 18, Pine Grove, Immokalee.
23. Recommendation that the Board of County Commissioners approves, and authorizes the Chairman to sign, a lien agreement with Robert Martinez and Juani Martinez (Owners) for deferral of 100% of Collier County impact fees for an owner-occupied affordable housing unit located at Lot 34, Liberty Landing, Immokalee.
24. Report 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.

25. Recommendation to cease implementation of the Collier County Lethal Yellowing Disease Ordinance 2004-11 suppression program due to funding constraints and lack of consistent evidence of program need.
26. Request to approve the renewal of Contract #03-3445, Vanderbilt Beach Concession with Day-Star Unlimited, Inc. d/b/a Cabana Dans.

E. ADMINISTRATIVE SERVICES

1. Recommendation to award bid # 08-5013, Safety Equipment and Supplies to a primary, secondary and tertiary vendor, based on the lowest and most qualified bids.
2. Recommendation to approve two Second Amendments to Lease Agreement with A&P Boole, LLC, for the continued use of the maintenance garage and parking space on Arnold Avenue for the Sheriffs Office, at a combined annual rental of \$92,248.80.
3. Recommendation to approve a Resolution authorizing the Chairman of the Board of County Commissioners, Collier County, Florida, to execute Agreements, Deeds, and other documents required for the sale of GAC Land Trust property during the 2008 calendar year.
4. That the Board of County Commissioners award RFP No. 08-5012 for Cellular Communications Services and Equipment to Sprint Solutions, Inc. and further authorize the chairman to sign the standard County Attorney approved contract. (\$320,000)

F. COUNTY MANAGER

1. Recommendation to approve a Fifth Amendment To Lease Agreement with Gulf Shore Associates, Limited Partnership, for the continued use of office space by the Pelican Bay Services Division at a first years annual rent and Common Area Maintenance fees of \$33,588.
2. Recommendation to approve the submittal of a Volunteer Fire Assistance grant application from the Isles of Capri Fire District to the Florida Division of Forestry for the purchase of wild land firefighting equipment and protective clothing.
3. Recommendation to approve the submittal of a Volunteer Fire Assistance grant application from the Ochopee Fire Rescue District to the Florida Division of Forestry for the purchase of wild land firefighting equipment and protective clothing.

G. AIRPORT AUTHORITY AND/OR COMMUNITY REDEVELOPMENT AGENCY

1. Recommendation for the Community Redevelopment Agency to approve an extension of Site Improvement Grant Agreement 05/2007 between the CRA and Phillip and Debra Pierce due to certain construction and permitting delays. (3144 Pine Tree Drive.)
2. Recommendation that the Collier County Board of County Commissioners approve a budget amendment in the amount of \$44,500 to fund mitigation at Rookery Bay to meet South Florida Water Management District and the Army Corps of Engineers mitigation requirements for the South Taxiway construction permit at Everglades Airpark.
3. Recommendation that the Collier County Board of County Commissioners accept additional funds from the Florida Department of Transportation in the amount of \$14,650 and provide a fifty percent (50%) match in the amount of \$14,650 for a total Budget Amendment of \$29,300 for security enhancements for the aviation fuel storage tank system (fuel farm) at the Marco Island Executive Airport.
4. To approve and execute Sweat Equity Grant Agreement(s) between the Collier County Community Redevelopment Agency and a Grant Applicant(s) within the Bayshore Gateway Triangle Community Redevelopment area. (2500 Lee Street)

5. To approve and execute Site Improvement Grant Agreement(s) between the Collier County Community Redevelopment Agency and a Grant Applicant(s) within the Bayshore Gateway Triangle Community Redevelopment area. (3043 Cottage Grove Avenue)

H. BOARD OF COUNTY COMMISSIONERS

1. Commissioner Henning requests Board approval for reimbursement for attending a function serving a valid public purpose. Attended the Economic Development Council's VIP Breakfast Meeting at The Hilton Naples on Thursday, February 7, 2008; \$20.00 to be paid from Commissioner Henning's travel budget.
2. Commissioner Henning requests Board approval for reimbursement for attending a function serving a valid public purpose. Is attending The Marine Industries Association of Collier County Members Meeting at the Elks Lodge on Tuesday, February 12th, 2008; \$25.00 to be paid from Commissioner Henning's travel budget.
3. Commissioner Halas requests Board approval for reimbursement regarding attendance at a function serving a valid public purpose. Attending the Economic Development Council of Collier County first Member Investor Meeting and Mixer for 2008 on Thursday, February 28, 2008, at the Naples Beach Hotel and Golf Club. \$40.00 to be paid from Commissioner Halas' travel budget.
4. Commissioner Fiala requests Board approval for reimbursement for attending a function serving a valid public purpose. Will be attending the Celebrate the Naples Launch of DayJet on Wednesday, February 13, 2008, at the Naples Municipal Airport. \$7.50 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 be attending the 2008 Women of Style Honorees on Friday, February 15, 2008, at the Naples Grande Resort & Club. \$125.00 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. To obtain Board approval for disbursements for the period of February 2, 2008 to February 8, 2008 and for submission into the official records of the Board.
2. To obtain Board approval for disbursements for the period of February 9, 2008 to February 15, 2008 and for submission into the official records of the Board.

K. COUNTY ATTORNEY

1. Recommendation to approve a Stipulated Final Judgment for Parcel Nos. 860 & 960 in the lawsuit styled CC v. J.S. Roath Corp., et al, Case No. 05-1093-CA (South County Regional Water Treatment Wellfield Project #70892). (Fiscal Impact-- \$114,900.00)
2. Recommendation that the Board approve and authorize the Chairman to execute a continuing retention agreement for services on an "as needed" basis with the law firm of Allen, Norton & Blue, P.A., to meet County Purchasing Policy contract requirements.

3. Recommendation to approve a Stipulated Final Judgment in the amount of \$42,000.00 for Parcels 126FEE and 126TDRE in the lawsuit styled Collier County, Florida v. Michael J. Crouch, et al., Case No. 07-3691-CA (Oil Well Road Project No. 60044). (Fiscal Impact \$17,762.05)
4. 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 in the amount of \$215,000.00 for the acquisition of Parcels 113A, 813 and 913 in the Lawsuit styled Collier County, Florida v. Delbert Ackerman, et al., Case No. 06-1124-CA (County Barn Road Project #60101). (Fiscal Impact: \$99,919.00)
5. Recommendation that the Board review and approve an Affidavit and Attorney Certification, as well as a Consent to certain mortgages made by the Assignee, Light Tower Wireless, LLC, of a certain lease heretofore entered into by the Board on April 13, 1999 by and between the County and Acme Towers, Inc.

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. Petition: CU-2007-AR-12384, Enterprise Leasing Company d/b/a Enterprise Rent-a-Car, applicant and owner, is requesting a Conditional Use pursuant to LDC Section 2.04.03 for a rental car agency within the General Commercial (C-4) Zoning District. The subject property is located at 13560 Tamiami Trail North, Suite 8, in Section 15, Township 48 South, Range 25 East, Collier County, Florida.
- B. Recommendation to approve Petition AVESMT-2006-AR-10754, to disclaim, renounce and vacate the Countys and the Publics interest in a 25 foot wide drainage easement over the south and east 25 feet of the north of the northeast of the northwest of the southwest of Section 24, Township 48 South, Range 25 East, Collier County, Florida, and being more specifically described in Exhibit A and accept the replacement drainage easement also shown on Exhibit A in place of the vacated easement.

18. ADJOURN

INQUIRIES CONCERNING CHANGES TO THE BOARD'S AGENDA SHOULD BE MADE TO THE COUNTY MANAGER'S OFFICE AT 252-8383.