

COLLIER COUNTY

BOARD OF COUNTY COMMISSIONERS

and

COMMUNITY REDEVELOPMENT AGENCY BOARD (CRAB)



AGENDA

October 28, 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) 252-8380; 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 Mark Koch, Naples First Church of Nazarene

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. September 23, 2008 - BCC/Regular Meeting
- C. September 24, 2008 - BCC/LDC Meeting
- D. September 29, 2008 - BCC/Horizon Study Workshop
- E. October 7, 2008 - BCC/LDC Amendments
- F. October 10, 2008 - Value Adjustment Board Meeting

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

- A. 20 Year Attendees
 - 1. Victor Philogene, Traffic Operations
 - 2. Kurt Jokela, Facilities Management
 - 3. Toni Mott, Real Property Management
 - 4. Mariam Ocheltree, CDES Operations
- B. 25 Year Attendees
 - 1. Wanda Warren, Building Review and Permitting

4. PROCLAMATIONS

- A. Proclamation acknowledging United Way of Collier County Agency for their outstanding contributions to the community and wishing them yet another year of great success for the 2008/2009 season. To be accepted by Ernie Bretzmann, Executive Director, United Way of Collier County.
- B. Proclamation designating November 15, 2008 as America Recycles Day in Collier County. To be accepted by Dan Rodriguez, Solid Waste Management Department and Joe Bellone, Revenue Manager for the Utility Billing and Customer Service Department.
- C. Proclamation designating November, 2008 as Smart Growth Awareness Month. To be accepted by Deb Milsap, Health Promotion Co-Chairwoman, Kelly Robinson, Health Promotion Coalition Member, Sheila Sheridan, Health Promotion Coalition Member, David Buchheit, Chairman of CTST and Ross Muller, Community Traffic Safety Team Member.
- D. Proclamation recognizing the 300,000th Habitat House in the world! To be accepted by Rev. Lisa Lefkow and Mr. Nick Kouloheras, Habitat for Humanity of Collier County.

5. PRESENTATIONS

- A. This item to be heard at 9:30 a.m. Presentation of a check to the Board of County Commissioners for the unused fees distribution. Presented by Guy Carlton, Tax Collector.
- B. Contractor Presentation by Kraft Construction, Inc. on the construction status of the new Emergency Services Center.

- C. Presentation by Rita Greenberg, President of the Collier County Fire Chiefs Association, presenting their final report on consolidation.

6. PUBLIC PETITIONS

- A. Public petition request by John Barlow to discuss legislating via checkbook.
- B. Public petition request by Holly Daye to discuss Correct Work Order for Permit #2007111739.
- C. Public petition request by Kenny Brown to discuss a resolution supporting relief for local businesses.
- D. Public petition request by Jenny Mitchell to discuss property at 755 27th Street NW and the impending Vanderbilt Beach Road Extension Project.

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-2008-AR-13201: VI Ltd, Limited Partnership and Collier County Parks and Recreation, represented by Richard D. Yovanovich of Goodlette, Coleman, Johnson, Yovanovich & Koester, P.A., is requesting a Conditional Use in the Residential Tourist (RT) zoning district and the Vanderbilt Beach Resort Tourist Overlay district (VBRTO) and the RMF-16 Zoning District, pursuant to Land Development Code Section 2.01.03.G.1.e, to allow for public facilities (limited to public restroom facilities) that will be constructed within the public right-of-way and partially within the Moraya Bay Beach Club property. The subject property is located in Section 29, Township 48 South, Range 25 East, Collier County, Florida. (CTS)

8. ADVERTISED PUBLIC HEARINGS

- A. This item requires that all participants be sworn in and ex parte disclosure be provided by Commission members. Petition: PUDZ-2006-AR-10294 Naples Church of Christ, Inc., represented by D. Wayne Arnold, AICP, of Q. Grady Minor and Associates, Inc., and Richard D. Yovanovich, Esq. of Goodlette, Coleman, Johnson, Yovanovich and Koester, P.A., is requesting rezoning from the Rural Agricultural zoning district (A) to the Mixed Use Planned Unit Development (MPUD) zoning district to allow development of a maximum of a 1,000 member religious facility, 150 student cumulative enrollment preschool and kindergarten through 8th grade elementary schools, 2 single-family dwelling units, and 200 assisted living units, in a project known as the Naples Church of Christ Mixed Use Planned Unit Development (MPUD). The subject property, consisting of 19.1 acres, is located on the east side of Livingston Road approximately 0.6 miles south of Pine Ridge Road, in Section 18, Township 49 South, Range 26 East, Collier County, Florida. (CTS)
- B. DRICLO-2008-AR-13181, John J. Agnelli of Power Corporation represented by Dwight Nadeau of RWA, Inc., is requesting a close-out of the Berkshire Lakes Development of Regional Impact (DRI). The subject property has a zoning designation of Planned Unit Development (PUD) known as the Berkshire Lakes PUD, and is located at the Northwest corner of Davis Boulevard (SR-84) and Santa Barbara Boulevard, in Sections 32 and 33, Township 49 South, Range 26 East, and Section 5, Township 50 South, Range 26 East, Collier County, Florida. (CTS)

- 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 a resolution of the Board of County Commissioners of Collier County, Florida, which designates the Close-Out of fifteen (15) approved Planned Unit Developments (PUDs) which have fully completed development pursuant to their development orders constructing to the authorized density and/or intensity and have been found by county staff to be compliant with their specific developer commitments.

9. BOARD OF COUNTY COMMISSIONERS

- A. Appointment of member to the Water and Wastewater Authority.
- B. Appointment of member to the Collier County Coastal Advisory Committee.
- C. Appointment of member to the Emergency Medical Services Advisory Council.
- D. Appointment of members to the Clam Bay Advisory Committee.
- E. Appointment of member to the Development Services Advisory Committee.
- F. Appointment of member to the Ochopee Fire Control District Advisory Committee.
- G. Appointment of members to the Environmental Advisory Council.
- H. Resolution supporting local camping businesses to compete in the bidding process with the National Park Service in Big Cypress Preserve National Park. Companion with Item 6C, Public Petition for Kenny Brown (Commissioner Coletta's request)
- I. Discussion Regarding Findings by Clerk of Court's Office reference John Barlow's public petition from the October 14, 2008 BCC meeting.
- J. To discuss interlocal agreement between City of Naples and Clerk of Courts along with Tax Collector regarding interlocal agreement.
- K. This item to be heard at 11:00 a.m. Request for Board to discuss ongoing issues with Vita Tuscana.

10. COUNTY MANAGER'S REPORT

- A. Recommendation that the Board of County Commissioners consider options pertaining to remedies for past due and expiring impact fee deferrals and provide direction to the County Manager, or his designee, related to the impact fee deferral for Brittany Bay Phase I and policy direction to be applied to similar impact fee deferrals with future expirations. (Amy Patterson, Impact Fee/EDC Manager, Business Management & Budget Dept. CDES)
- B. Recommendation that the Board of County Commissioners approve a Locally Funded Agreement between FDOT and Collier County for construction of a new bridge over the Cocohatchee River on County Road 901 (Vanderbilt Drive), a Memorandum of Agreement between those parties and the State Department of Financial Services establishing an escrow account to deposit funds related to that project, and a Resolution approving those agreements and authorizing the Chairman to execute both agreements. (Norman Feder, Transportation Services Administrator)
- C. Recommendation to review and approve the proposed Collier County 2009 State Legislative Priorities which then will be discussed next at a joint Board of County Commissioners and Collier County Legislative Delegation Pre-2009 Legislative Session Workshop scheduled on November 14, 2008. (Debbie Wight, Assistant to the County Manager)
- D. Recommendation to Reject Bid No. 08-5087 for Bridge Repair and Maintenance. (Norman Feder, Transportation Services Administrator)

- E. Recommendation to consider agenda topics proposed by the Marco Island City Manager on behalf of the Marco Island City Council for a joint workshop requested with the Board of County Commissioners scheduled December 4, 2008. (Jim Mudd, County Manager)
- F. Recommendation to approve the FY 09 contract between Collier County and the State of Florida Department of Health for operation of the Collier County Health Department in the amount of \$1,445,300. (Marla Ramsey, Public Services Administrator)
- G. Recommendation to approve an amended and restated US41 Developers consortium (Consortium) Developer Contribution Agreement (DCA), recorded in O.R. Book 4303, Page 2349. (CTS). Due to the size of Exhibit 1 and 2, copies are available at the County Managers office. (Nick Casalanguida, Transportation Planning Director)

11. PUBLIC COMMENTS ON GENERAL TOPICS

12. COUNTY ATTORNEY'S REPORT

- A. This item to be heard at 12:00 noon. Notice is hereby given that pursuant to Section 286.011(8), Fla. Stat., the County Attorney desires advice from the Board of County Commissioners in closed attorney-client session on TUESDAY, OCTOBER 28, 2008, at a time certain of 12:00 noon in the Commission conference room, 3rd Floor, W. Harmon Turner Building, Collier County Government Center, 3301 East Tamiami Trail, Naples, Florida. In addition to Board members, County Manager James Mudd, County Attorney Jeffrey A. Klatzkow, and Litigation Section Chief Jacqueline Williams Hubbard will be in attendance. The Board in executive session will discuss: Settlement negotiations and strategy related to litigation expenditures in the pending litigation case of Jerry and Kimberlea Blocker v. Collier County, et al., Case No. 08-0066-CA, now pending in the Twentieth Judicial Circuit in and for Collier County, Florida.
- B. This item to be heard at 1:00 p.m. For the Board of County Commissioners to provide direction to the County Attorney regarding settlement negotiations and strategy related to litigation expenditures in the pending litigation case of Jerry and Kimberlea Blocker v. Collier County, et al., Case No. 08-0066-CA, now pending in the Twentieth Judicial Circuit in and for Collier County, Florida.

13. OTHER CONSTITUTIONAL OFFICERS

14. AIRPORT AUTHORITY AND/OR COMMUNITY REDEVELOPMENT AGENCY

- A. Recommendation for the Collier County Community Redevelopment Agency (CRA) to reject the Wachovia Bank Bid #07-4177 for a \$9,000,000 Line of Credit; to give direction to the Bayshore Gateway Triangle CRA Executive Director to coordinate with all appropriate entities to secure and structure a new loan from a commercial lender selected via RFP to purchase certain real property within the Bayshore Gateway Triangle CRA; and to authorize the Executive Director to negotiate real estate contracts in the CRA area and return to the CRA Board for approval. (David Jackson, Executive Director, Bayshore Gateway Triangle CRA)
- B. Community Redevelopment Agency FY2008 annual performance appraisal review for the Bayshore Gateway Triangle CRA Executive Director.

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. 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 VeronaWalk Model Center Replat.
2. Recommendation to accept a settlement offer, providing for release of a code enforcement lien and dismissal of a pending appeal, in relation to the code enforcement case, Collier County v. Donald E. Gray, CEB No. 2004-005, on property located at 267 3rd Street West Collier County, Florida.
3. Recommendation to approve final acceptance of the water and sewer facilities for Fiddler's Creek, Phase 4 Unit 2.
4. Recommendation to approve final acceptance of the water and sewer utility facilities for Fiddler's Creek, Phase 5 Unit 1.
5. Recommendation to approve final acceptance of the water and sewer facility for Fiddler's Creek, Phase 4 Unit 1.
6. Recommendation to approve final acceptance of the water and sewer utility facilities for VeronaWalk, Phase 3B.
7. To accept final and unconditional conveyance of the water utility facility for VeronaWalk South Entrance Water Main Extension.
8. Recommendation to approve final acceptance of the water and sewer facilities for Wildflower Way-Lely High School Boulevard.
9. Recommendation to grant final approval of the roadway (private) and drainage improvements for the final plat of Fiddlers Creek Parkway Extension, Phase Three with the roadway and drainage improvements being privately maintained.
10. Recommendation to grant final approval of the roadway (private) and drainage improvements for the final plat of Fiddlers Creek Phase Four, Unit One. The roadway and drainage improvements will be privately maintained by the Fiddlers Creek Community Development District.
11. Recommendation to approve a Settlement Agreement and Release relative to Sapphire Lakes Unit 3C.
12. Recommendation that the Board of County Commissioners provide staff direction related to a proposed assignment agreement vehicle between the County and the Florida Department of Environmental Protection (FDEP), to allow for the issuance of conveyance bonus credit applications specified by the Rural Fringe Mixed-Use Sub-District of the Future Land Use Element of the Growth Management Plan and Section 2.03.08 of the Land Development Code. (Naples Reserve)

B. TRANSPORTATION SERVICES

1. Recommendation to approve and authorize the Transportation Services Division to assist the Collier County SO Crime Prevention Programs by providing, without reimbursement, use of the VMS to alert motorists to crime prevention measures.

2. Recommendation to approve Change Order No. 2 to Professional Service Agreement No. 05-3865 in the amount of \$278,420 with CH2MHILL, Inc., for the design of Collier Boulevard Road Improvements from Golden Gate Boulevard to Golden Gate Main Canal, Project No. 68056.
3. Recommendation to approve a Resolution which authorizes the Chairman of the Board of County Commissioners to enter into a Joint Project Agreement with FDOT to provide for a coordinated arterial traffic signal retiming project. (\$300,000)
4. Recommendation to approve the October 2008 Collier County Transportation Disadvantaged Service Plan Major Update.
5. Recommendation for the Board of County Commissioners to recognize the revenue received for FY09 of a Florida Department of Transportation Service Development Program Award in the amount of \$95,175.00 and to approve a budget amendment.
6. Recommendation to approve and execute the Transportation Disadvantaged Shirley Conroy Rural Area Capital Assistance Support Grant Agreement FM#41065618401 for a total project cost of \$66,000.00 and approve all necessary budget amendments to purchase a paratransit vehicle.
7. Recommendation for the Board of County Commissioners to recognize FY08 Federal Transit Administration Section 5311 revenue in the amount of \$204,395.00; authorize the transfer of \$61,160.00 in currently budgeted grant dollars from the Transportation Disadvantaged Fund (427) to Collier Area Transit Fund (426) and approve the necessary budget amendments.
8. Recommendation for the Board of County Commissioners to approve a second amendment to the September 27, 2005, Agreement (the Agreement) entered into between McDonald Transit Associates, Inc. and Collier County, which provides for consolidated management for the Collier Area Transit and Paratransit Systems, to amend the Agreement to incorporate new compensation rates for the final two years of the Agreement that were negotiated during mediation between the parties on October 7, 2008.

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 1992, 1993, 1994, and 1995 Solid Waste Collection and Disposal Services Special Assessment. Fiscal impact is \$58.50 to record the Satisfactions of Lien.
2. Recommendation to approve FilterOne USA as the sole source authorized Parkson Service Center in the State of Florida, as affirmed by Parkson Corporation and to approve requisition No. 10134495 in the amount of \$98,795.00 to FilterOne USA, LLC, for the refurbishment of the Parkson Aqua Guard Screen at South County Water Reclamation Facility, Project 73969.
3. Recommendation to approve a Budget Amendment to the Fiscal Year 2009 Water Department Budget to correct a budgeting error. This correction increases personal services by \$131,038 to fund two previously existing Water/Sewer Fund 408 positions.

D. PUBLIC SERVICES

1. Recommendation to approve a sole source Agreement for Officiating Services with Collier Recreation Baseball/Softball Umpires Association (CRBSUA) for officials for adult softball games, with an anticipated Fiscal Year 2009 expenditure of \$60,000.
2. Recommendation that the Board of County Commissioners approves and authorizes the Chairman to sign a lien agreement with Habitat for Humanity of Collier County, Inc. (Developer) for deferral of 100% of Collier County impact fees for an owner-occupied affordable housing unit located at Lot 71, Trail Ridge, East Naples.

3. Recommendation that the Board of County Commissioners approves and authorizes the Chairman to sign a lien agreement with Habitat for Humanity of Collier County, Inc. (Developer) for deferral of 100% of Collier County impact fees for an owner-occupied affordable housing unit located at Lot 72, Trail Ridge, East Naples.
4. Recommendation that the Board of County Commissioners approves and authorizes the Chairman to sign a lien agreement with Habitat for Humanity of Collier County, Inc. (Developer) for deferral of 100% of Collier County impact fees for an owner-occupied affordable housing unit located at Lot 73, Trail Ridge, East Naples.
5. Recommendation that the Board of County Commissioners approves and authorizes the Chairman to sign a lien agreement with Habitat for Humanity of Collier County, Inc. (Developer) for deferral of 100% of Collier County impact fees for an owner-occupied affordable housing unit located at Lot 74, Trail Ridge, East Naples.
6. Recommendation that the Board of County Commissioners approves and authorizes the Chairman to sign a lien agreement with Habitat for Humanity of Collier County, Inc. (Developer) for deferral of 100% of Collier County impact fees for an owner-occupied affordable housing unit located at Lot 75, Trail Ridge, East Naples.
7. Recommendation that the Board of County Commissioners approves and authorizes the Chairman to sign a lien agreement with Habitat for Humanity of Collier County, Inc. (Developer) for deferral of 100% of Collier County impact fees for an owner-occupied affordable housing unit located at Lot 76, Trail Ridge, East Naples.
8. Recommendation that the Board of County Commissioners approves and authorizes the Chairman to sign a lien agreement with Habitat for Humanity of Collier County, Inc. (Developer) for deferral of 100% of Collier County impact fees for an owner-occupied affordable housing unit located at Lot 77, Trail Ridge, East Naples.
9. Recommendation that the Board of County Commissioners approves and authorizes the Chairman to sign a lien agreement with Habitat for Humanity of Collier County, Inc. (Developer) for deferral of 100% of Collier County impact fees for an owner-occupied affordable housing unit located at Lot 78, Trail Ridge, East Naples.
10. Recommendation that the Board of County Commissioners approves and authorizes the Chairman to sign a lien agreement with Habitat for Humanity of Collier County, Inc. (Developer) for deferral of 100% of Collier County impact fees for an owner-occupied affordable housing unit located at Lot 79, Trail Ridge, East Naples.
11. Recommendation that the Board of County Commissioners approves and authorizes the Chairman to sign a lien agreement with Habitat for Humanity of Collier County, Inc. (Developer) for deferral of 100% of Collier County impact fees for an owner-occupied affordable housing unit located at Lot 80, Trail Ridge, East Naples.
12. Recommendation that the Board of County Commissioners approves and authorizes the Chairman to sign a lien agreement with Habitat for Humanity of Collier County, Inc. (Developer) for deferral of 100% of Collier County impact fees for an owner-occupied affordable housing unit located at Lot 81, Trail Ridge, East Naples.
13. Recommendation that the Board of County Commissioners approves and authorizes the Chairman to sign a lien agreement with Habitat for Humanity of Collier County, Inc. (Developer) for deferral of 100% of Collier County impact fees for an owner-occupied affordable housing unit located at Lot 82, Trail Ridge, East Naples.
14. Recommendation for the Board of County Commissioners to approve and authorize the Chairman to sign a Florida Fish and Wildlife Conservation Commission (FWC), Florida Boating Improvement Program (FBIP) Grant Agreement Contract No. 08064 for a Recreational Boating Characterization Study to the Coastal Zone Management Department that will provide grant funds in the amount of \$80,000.

15. Recommendation that the Board of County Commissioners approves and authorizes the electronic submittal of the attached Picturing America grant application to the National Endowment for the Humanities for a collection of historical reproduction posters to be placed on display in the Estates Branch Library in the amount of \$0.
16. Recommendation to accept the Health Information Technology Special Congressional Initiative earmark from the United States Department of Health and Human Services in the amount of \$323,911 and approve the necessary budget amendment to recognize the revenue.
17. Present to the Board of County Commissioners a summary of the Impact Fee Deferral Agreements recommended for approval in FY09, including the total number of Agreements approved, the total dollar amount deferred and the balance remaining for additional deferrals in FY09.
18. Recommend Approval to award Bid #08-5115 "Resurfacing of Parking Lots for Coastal Zone Management" in the total amount of \$55,437.50 and award contract to BQ Concrete.
19. Recommendation that the Board of County Commissioners approves and authorizes the Chairman to sign a subrecipient agreement providing for a \$78,632.00 Housing and Urban Development (HUD) grant to The Shelter for Abused Women and Children to fund the Gentlemen Against Domestic Violence Program.
20. Recommendation that the Board of County Commissioners approves and authorizes the Chairman to sign a subrecipient agreement providing for a \$24,916.00 Housing and Urban Development (HUD) grant to the Hunger and Homeless Coalition (HHC) to support the Homeless Management Information System (HMIS).
21. Recommendation that the Board of County Commissioners approves and authorizes the Chairman to sign a subrecipient agreement providing for a \$28,000.00 State Housing Initiatives Program (SHIP) grant to The Empowerment Alliance Corporation of SW Florida (EASF), to provide Homebuyer Education Counseling and Foreclosure Prevention Counseling to benefit persons earning less than 120% of Family Median Income of Collier County.
22. Recommendation that the Board of County Commissioners approve and authorize the Chairman to sign a subrecipient agreement providing for a \$35,000 State Housing Initiatives Program (SHIP) grant to the Collier County Housing Development Corporation (CCHDC), to provide Homebuyer Education Counseling and Foreclosure Prevention Counseling to benefit persons earning less than 120% of Family Median Income of Collier County.
23. Recommendation that the Board of County Commissioners approves and authorizes the Chairman to sign an agreement between the Collier County Board of County Commissioners and the Area Agency on Aging of Southwest Florida and approve a budget amendment to recognize the grant revenue in the amount of \$43,255.32 for the Nutrition Services Incentive Program (NSIP).
24. Recommendation to approve a budget amendment recognizing \$398,238 in revenue from the pre-payment of development expenses for shared infrastructure for the construction of the Childrens Museum of Naples.
25. Recommendation for the Board of County Commissioners to approve and authorize the Chairman to sign a Florida Fish and Wildlife Conservation Commission (FWC), Florida Boating Improvement Program (FBIP) Grant Agreement (contract no. 08079) for Bayview Park Boat Access Facility for the Coastal Zone Management Department that will provide grant funds in the amount of \$400,000 and approve the necessary budget amendment.
26. Recommendation that the Board of County Commissioners approves, and authorizes the Chairman to sign, a lien agreement with Juan Barrera (Owner) for deferral of 100% of Collier County impact fees for an owner-occupied affordable housing unit located at Lot 121, Block D, Arrowhead Reserve at Lake Trafford-Phase Two, Immokalee.

E. ADMINISTRATIVE SERVICES

- 1. Recommendation to approve the Assumption Agreement under Contract No. 08-5019, Fires Sprinkler Alarm Test, Inspection, Maintenance and Installation from Building Systems Evaluation, Inc. dba Fire Sprinkler Systems Company dba BSE by Cintas Corporation No. 2**
- 2. Recommendation to approve an Interim Management Plan for the Winchester Head multi-parcel project under the Conservation Collier Land Acquisition Program.**
- 3. Recommendation to approve an Agreement for Sale and Purchase with Glenda S. Beardsley for 1.14 acres under the Conservation Collier Land Acquisition Program, at a cost not to exceed \$18,700.**
- 4. Recommendation to approve an Agreement for Sale and Purchase with James A. Blake for 2.73 acres under the Conservation Collier Land Acquisition Program, at a cost not to exceed \$44,600.**
- 5. Recommendation to approve an Agreement for Sale and Purchase with Frank J. Celsnak and Marlene J. Celsnak, as Trustees of the Frank J. Celsnak & Marlene J. Celsnak Trust under Agreement dated December, 27 1991 for 1.59 acres under the Conservation Collier Land Acquisition Program, at a cost not to exceed \$26,000.**
- 6. Recommendation to approve an Agreement for Sale and Purchase with Jorge Flores for 4.32 acres under the Conservation Collier Land Acquisition Program, at a cost not to exceed \$69,800.**
- 7. Recommendation to approve an Agreement for Sale and Purchase with Allan Jones and Patricia Jones for 2.27 acres under the Conservation Collier Land Acquisition Program, at a cost not to exceed \$36,800.**
- 8. Recommendation to approve an Agreement for Sale and Purchase with Allan Jones and Patricia Jones for 1.59 acres under the Conservation Collier Land Acquisition Program, at a cost not to exceed \$30,000.**
- 9. Recommendation to approve an Agreement for Sale and Purchase with Warren N. Kissinger, Jr. for 1.59 acres under the Conservation Collier Land Acquisition Program, at a cost not to exceed \$26,000.**
- 10. Recommendation to approve an Agreement for Sale and Purchase with Migdalia Rosillo for 5.0 acres under the Conservation Collier Land Acquisition Program, at a cost not to exceed \$80,300.**
- 11. Recommendation to approve an Agreement for Sale and Purchase with Kathleen Sheckler for 2.27 acres under the Conservation Collier Land Acquisition Program, at a cost not to exceed \$36,800.**
- 12. Recommendation to approve an Agreement for Sale and Purchase with Milton T. Shryock for 1.14 acres under the Conservation Collier Land Acquisition Program, at a cost not to exceed \$18,700.**
- 13. Recommendation to approve an Agreement for Sale and Purchase with Frank G. Neri and Maria Neri for 4.48 acres under the Conservation Collier Land Acquisition Program, at a cost not to exceed \$71,900.**
- 14. Recommendation to approve an Agreement for Sale and Purchase with Bethany Jackson Vondran, formerly known as Bethany A. Jackson, Amy S. Jackson, Karen Ring, formerly known as Karen E. Teo, David P. Jackson, Katherine E. Ezis And Jenna Ezis King, formerly known as Jenna J. Ezis for 1.59 acres under the Conservation Collier Land Acquisition Program, at a cost not to exceed \$26,000.**

15. Recommendation to approve an Agreement for Sale and Purchase with John M. Less and Larry P. Less for 1.14 acres under the Conservation Collier Land Acquisition Program, at a cost not to exceed \$18,700.
16. Recommendation to approve an Agreement for Sale and Purchase with Jorge A. Toledo for 3.49 acres under the Conservation Collier Land Acquisition Program, at a cost not to exceed \$56,100.
17. Recommendation to approve the Second Amendment to the Community Health Partners, Inc. Managed Care Services Agreement effective October 1, 2008 to provide advocacy services to the Wellness Based Incentives Program.
18. Recommendation to waive formal competition and approve the sole source purchase of an Auger Monster System for the Naples Jail from JWC Environmental c/o Heyward Incorporated at a cost of \$98,856.
19. Recommendation to approve a Letter of Agreement with Quest Diagnostics, Inc. effective January 1, 2009 to provide onsite biometric and laboratory testing services in support of the Wellness Based Incentives Program.
20. Recommendation to approve an Interim Management Plan for the Freitas Property under the Conservation Collier Land Acquisition Program.
21. Recommendation to approve an agreement with CS STARS, Inc. for the lease of Risk Management Information Systems software services in the amount of \$107,060 annually.
22. Recommendation to approve an amendment of the Microsoft Enterprise Agreement to add telephony integration licensing for \$72,680.76.
23. Recommendation that the Board of County Commissioners approves an Agreement to provide a maximum expenditure of One Hundred Fifty Thousand and no/100 dollars (\$150,000.00) from the GAC Land Trust to the All Kids Play Foundation of Corkscrew Community for the purchase of equipment and materials to facilitate the construction of a Boundless Playground to be located at Big Corkscrew Elementary School and to serve the residents of Golden Gate Estates.
24. Recommendation for the Board of County Commissioners to authorize the Chairman to sign two Florida Division of Forestry (DOF) Agreements for conducting controlled burning and site preparation on the Conservation Collier Nancy Payton Preserve
25. 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 fourth quarter of FY 08.

F. COUNTY MANAGER

1. Recommendation to approve a Florida Emergency Medical Services County Grant Application, Grant Distribution Form and Resolution for the Funding of the EMS/Fire Consolidation Study, Training and Medical/Rescue Equipment and Supplies in the amount of \$170,111.00 and to approve a Budget Amendment.
2. Recommendation for the Board of County Commissioners to approve and authorize the Chairman to sign an Agreement between Collier County and the Florida Division of Emergency Management accepting \$101,573 for Emergency Management Program Enhancement.
3. Recommend that the Board of County Commissioners review and approve the proposed Tourism Strategic Plan for Fiscal Year 09.
4. Recommendation to adopt a resolution approving amendments (appropriating grants, donations, contributions or insurance proceeds) to the Fiscal Year 2008-09 Adopted Budget.

G. AIRPORT AUTHORITY AND/OR COMMUNITY REDEVELOPMENT AGENCY

1. Recommendation that the Collier CRA Board approve application for an Environmental Protection Agency (EPA) Community-Wide Brownfields Assessment Grant in the amount of \$650,000 to conduct environmental assessments in economically distressed areas within the Collier County CRA boundaries; and authorize the CRA Chairman to sign a support letter as a partner in the Collier County Brownfields Coalition.
2. Recommendation for the Collier County CRA to approve a CRA Resolution amending the Bayshore Gateway Triangle Site Improvement Grant Program for Fiscal Year 2009; approve the Grant Application process; and approve the form of the Grant Agreement.
3. To be heard immediately before Item 17A Recommendation for the CRA Board to recommend the Board of Collier County Commissioners adopt an ordinance amending Ordinance No. 2002-38, as amended, The Collier County Redevelopment Grant Program Ordinance to re-establish two existing grant programs and establish two new CRA grant programs for the Bayshore Gateway Triangle CRA (Companion Item to 17A)

H. BOARD OF COUNTY COMMISSIONERS

1. Commissioner Coletta requests Board approval for payment to attend a function serving a valid public purpose. Commissioner Coletta attended the Immokalee Migrant Matrix 5 on October 3, 2008. \$25.00 to be paid from Commissioner Coletta's travel budget.
2. Commissioner Coletta requests Board approval for payment to attend a function serving a valid public purpose. Commissioner Coletta attending the NAACP Freedom Fund Dinner and Awards Ceremony on October 18, 2008. \$65.00 to be paid from Commissioner Coletta's travel budget.
3. Commissioner Coletta requests Board approval for payment to attend a function serving a valid public purpose. Commissioner Coletta attending the Immokalee Chamber of Commerce Breakfast on on August 6, 2008. \$20.00 to be paid from Commissioner Coletta's travel budget.
4. Commissioner Coletta requests Board approval for payment to attend a function serving a valid public purpose. Commissioner Coletta attending the League of Women Voters Luncheon on October 20, 2008. \$25.00 to be paid from Commissioner Coletta'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 October 04, 2008 through October 10, 2008 and for submission into the official records of the Board.
2. To obtain Board approval for disbursements for the period of October 11, 2008 through October 17, 2008 and for submission into the official records of the Board.

K. COUNTY ATTORNEY

1. Recommendation that the Board of County Commissioners approve a Retention Agreement for legal services on an as needed basis with the law firm of Young van Assenderp, P.A., to meet County Purchasing Policy contract update requirements.

2. Recommendation to authorize an Offer of Judgment for Parcels 123 & 823 by Collier County to property owner Rose Somogyi, Individually and as Trustee, in the lawsuit styled CC v. John J. Yaklich, et al., Case No. 03-2259-CA (Golden Gate Parkway Project 60027) (Positive Fiscal Impact: If accepted, \$57,232.65).
3. Recommendation that the Board of County Commissioners approves a Retention Agreement for legal services on an as needed basis with the law firm of Carlton Fields, P.A., to meet County Purchasing Policy contract update requirements.
4. Recommendation to approve a Second Amended Declaration of Taking and Stipulated Order of Taking and Final Judgment in the amount of \$3,500.00 for Parcel 130 (to be redesignated as Parcels 130TSE and 130SW-U-SL-TSMPE) in the lawsuit styled Collier County v. Alexander G. Christou, et al., Case No. 07-4923-CA (Santa Barbara Boulevard Extension Project 60091). (Fiscal Impact \$3,500.00)
5. Recommendation to approve a Stipulated Final Judgment in the amount of \$32,000.00 for Parcel 151RDUE in the lawsuit styled Collier County v. Luz Matlin, et al., Case No. 07-2850-CA (Oil Well Road Project No. 60044). (Fiscal Impact \$12,900.00)
6. Recommendation to approve a Stipulated Final Judgment in the amount of \$238,225.00 for Parcels 120FEE, 120TDRE1, 120TDRE2, 124FEE, 124TDRE1, and 124TDRE2 in the lawsuit styled Collier County v. Terry Walsh, et al., Case No. 07-4030-CA (Oil Well Road Project 60044). (Fiscal Impact \$52,625.00)

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. Recommendation for the Board of County Commissioners to adopt an ordinance amending Ordinance No. 2002-38, as amended, The Collier County Redevelopment Grant Program Ordinance to reestablish two existing grant programs and establish two new CRA grant programs for the Bayshore Gateway Triangle CRA (Companion Item to 16G3)
- B. HD-2007-AR-11828, The Collier County Historical and Archaeological Preservation Board, requests a Historical Designation for the existing specimen plants and trees on Lot 5 of the Naples Zoo, and the Caribbean Gardens Gatehouse/Gift Shop and outhouse on Lot 5, which were part of the Dr. Nehrling tropical garden located on Collier County property and leased by the Naples Zoo. The current zoning of the parcel is C-3 and "A" Rural Agricultural, consisting of 13.35 acre and is located at 1590 Goodlette Road North, Section 27, Township 49 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 252-8383.