

COLLIER COUNTY

BOARD OF COUNTY COMMISSIONERS

and

COMMUNITY REDEVELOPMENT AGENCY BOARD (CRAB)



AGENDA

April 28, 2009

9:00 AM

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

Fred W. Coyle, BCC Vice- Chairman Commissioner, District 4

Jim Coletta, BCC Commissioner, District 5; CRAB Chairman

Frank Halas, BCC Commissioner, District 2

Tom Henning, BCC Commissioner, District 3

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 Dennis Harten, St. Elizabeth Seton Catholic 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. March 10, 2009 - BCC/Regular Meeting**
- C. Amendment to the previously approved March 10, 2009 minutes to correct the transcript to comments made by Laurie Mitchell during public comment that read on two occasions: "My neighbor seems unstable" that should read "My neighbor seems unstoppable."**
- D. March 24, 2009 - BCC/Regular Meeting**
- E. March 27, 2009 - BCC/Airport Authority Workshop**

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

4. PROCLAMATIONS

- A. Proclamation congratulating Mario Lanciani, CEO; Jack Morgan, Project Manager; Clay Cross, Project Engineer; Carla Morgan, and all the staff of Astaldi Construction Corporation for their outstanding green business practices and continued efforts to promote waste reduction and recycling. Their green team promotes environmental awareness and sets a positive example for others. Their initiatives will have a significant effect on sustaining the usable life of the Collier County Landfill and protecting the environment.**
- B. Proclamation designating May, 2009 as Motorcycle Safety Awareness Month. To be accepted by Russ Ueeck, President, Gator Alley Chapter, Darrin Brooks, Secretary and Legislative Trustee, Gator Alley Chapter, Tina Loy, State Delegate, Gator Alley Chapter, Rick Loy, State Delegate, Gator Alley Chapter and Dave Rich, PR Trustee, Gator Alley Chapter.**
- C. Proclamation designating April 28, 2009 as Norman Nadel Day, in celebration of Older Americans Month. To be accepted by Norman Nadel.**
- D. Proclamation congratulating Collier County Health Department and Collier County CDES Departments for their exemplary efforts in striving to make the Immokalee Housing Initiative the success it has been. To be accepted by Dr. Joan Colfer, Nancy Frees, Kitchell Snow and the team from Immokalee Code Enforcement, Alamar Finnegan, and Wanda Warren.**
- E. Proclamation designating May 8, 2009 as the 85th anniversary of the date Collier County was created. To be accepted by Browns and Roberts Family members from Immokalee, Storters from Everglades, John Morgan, Marco Island, Collier family representatives from Mile's side and Judy's side, Sam Colding for HWY 29, Lavern Norris Gaynor, and Mary Watkins, NBYH Ambassador honoring these pioneering families.**
- F. Proclamation designating May 3rd through May 9th, 2009 as Collier County Firefighter Appreciation Week. To be accepted by Jim Squitteri, MDA Coordinator, Golden Gate Fire Department.**
- G. Proclamation designating May 6 through May 12, 2009 as National Nurses Week 2009. To be accepted by Karleen Hanna, Carolyn Kloosterhouse, Pat Market, Denise McNulty, Judy Nuland, Jackie Perrine and Elaine Wade.**
- H. Proclamation designating May 17 through May 23, 2009 as National Association of Insurance Women Week. To be accepted by Belinda Zivich.**

- I. Proclamation designating May, 2009 as Jill and Dan Burzynski Month in recognition of their unique scholarship program linking Naples High School students with area assisted living facility residents. To be accepted by Jill and Dan Burzynski.
- J. Proclamation designating Tourism Week in Collier County. To be accepted by Jack Wert.
- K. Proclamation designating April 26, 2009 through May 2, 2009 as Collier County Crime Victims' Rights Week. To be accepted by Lorie Eash, Collier County Sheriff's Office, Shaina Hicks, Project Help and Betty Ardaya, State Attorney's Office.

5. PRESENTATIONS

- A. Project Manager, Jack Morgan of Astaldi Construction Corporation will provide updated information on the construction of a new 6-lane highway between Rattlesnake Hammock Road and Davis Blvd. linking Polly Avenue to the existing Santa Barbara Boulevard. Project includes roadwork, utility lines, streetlighting, sidewalks, drainage ponds, and LASIP canal work.

6. PUBLIC PETITIONS

- A. Public petition request by Jane Billings of the Leadership Council on Aging, and Kathleen Passidomo of the Senior Friendship Center, to discuss lease of the Golden Gate Library.
- B. This item to be heard in conjunction with Item 8C. Public petition request by Linda Griffin to discuss permitting requirements for as-builts of underground facilities.

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

7. BOARD OF ZONING APPEALS

8. ADVERTISED PUBLIC HEARINGS

- A. This item requires that all participants be sworn in and ex parte disclosure be provided by Commission members. PUDA-2007-AR-11546 Longshore Lake Foundation, Inc., represented by Robert L. Duane, AICP of Hole Montes, Inc., requesting a Planned Unit Development (PUD) Amendment to Longshore Lake PUD Ordinance No. 93-3, Section 3.2 B. to allow an off premise sign for Saturnia Falls (aka Terafina PUD) in Longshore Lake Unit 5C, Tract B; or, in the alternative to allow the off-site premise sign to become an on-site premise sign for Longshore Lake; to reinsert partially omitted Traffic Requirements: Section 5.2, Stipulations subsection 2; to reinsert omitted Traffic Requirements: Section 5.2, Stipulations subsections 3 and 4; and to add Section 8: Deviations. The subject sign is located on a .5 acre property located on the southeast corner of the Longshore Lake PUD, at the northwest corner of the intersection of Immokalee Road (CR 846) and Logan Boulevard in Section 20, Township 48 South, Range 26 East, Collier County, Florida. (CTS)

- B. This item requires that all participants be sworn in and ex parte disclosure be provided by Commission members: PUDZ-A-2007-AR-12046: IM Collier Joint Venture, represented by Richard D. Yovanovich, Esq., of Goodlette, Coleman, Johnson, Yovanovich & Koester, P.A., and Wayne Arnold, of Q. Grady Minor and Associates, is requesting a rezone of the Mirasol PUD from the Planned Unit Development (PUD) zoning district to the Residential Planned Unit Development zoning district (RPUD) to remedy the sunsetted status of the project in compliance with LDC Section 10.02.13.D.6. The number of dwelling units originally approved, 799 dwelling units, is not proposed to change. Ordinance No. 01-20 will be repealed and a five acre tract will revert to Agricultural zoning. The subject 1,543 acre tract is located on the north side of Immokalee Road, bordered on the east by Broken Back Road and future Collier Boulevard in Sections 10, 15 and 22, Township 48 South, Range 26 East, Collier County, Florida. (CTS)
- C. This item to be heard in conjunction with Item 6B. Recommendation that the Board of County Commissioners approve amending Ordinance No. 2003-37 (Construction in the Public Rights-of-Way), as amended.

9. BOARD OF COUNTY COMMISSIONERS

- A. Appointment of members to the Health Facilities Authority.
- B. Appointment of members to the Collier County Coastal Advisory Committee.
- C. Appointment of member to the Collier County Code Enforcement Board.
- D. Appointment of member to the Haldeman Creek Maintenance Dredging Advisory Committee.
- E. Appointment of members to the Horizon Study Oversight Committee.
- F. Appointment of members to the Land Acquisition Advisory Committee.
- G. Appointment of member to the Water and Wastewater Authority.
- H. Appointment of member to the Library Advisory Board.

10. COUNTY MANAGER'S REPORT

11. PUBLIC COMMENTS ON GENERAL TOPICS

12. COUNTY ATTORNEY'S REPORT

13. OTHER CONSTITUTIONAL OFFICERS

14. AIRPORT AUTHORITY AND/OR COMMUNITY REDEVELOPMENT AGENCY

- A. Recommendation for the Community Redevelopment Agency (CRA) to approve the purchase of an assemblage of commercial property located in the Gateway Triangle Redevelopment Area; authorize the CRA Chairman to execute the real estate contract; authorize the Executive Director to coordinate with appropriate entities to secure and structure financing to complete the sale of subject property. Site address: 6.29 acres within the Gateway mini-triangle.(Fiscal Impact \$7,500,000)(Jean Jourdan,Project Manager,Bayshore Gateway Triangle).

15. STAFF AND COMMISSION GENERAL COMMUNICATIONS

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

A. COMMUNITY DEVELOPMENT & ENVIRONMENTAL SERVICES

1. Recommendation to approve final acceptance of the water and sewer utility facilities for Bristol Pines, Phase 1.
2. Recommendation to adopt a Resolution amending the Collier County Administrative Code Fee Schedule of development-related review and processing fees as provided for in The Code of Laws and Ordinances, Section 2-11.
3. Recommendation to grant final approval of the roadway (private) and drainage improvements for the final plat of Ave Maria Unit Two, Park of Commerce with the roadway and drainage improvements being privately maintained.
4. Recommendation to award Bid # 09-5193, Nuisance Abatement Services, to Neals Lawn and Landscaping, Inc. and Environmental Mowing, Inc., in the estimated combined annual amount of \$100,000.

B. TRANSPORTATION SERVICES

1. Recommendation to approve the purchase of 2.5 acres of unimproved property which is required for the construction of a stormwater retention and treatment pond for Phase II of the Vanderbilt Beach Road Extension Project. Project No. 60168, Phase II (Fiscal Impact: \$69,544.00).
2. Recommendation that the Board of County Commissioners approve one (1) Adopt-A-Road Program Agreement with two (2) roadway recognition signs at a total cost of \$150.00.
3. Recommendation to award a construction contract to Engineer Controls System Corp., for Bid No. 09-5176 Goodland Bridge (030184) Repairs and Scour Remediation Project (CR 92 over Marco Channel), in the amount of \$542,998.20. Project 66066.
4. Recommendation that the Board of County Commissioners give after-the-fact approval for the attached Water Savings Incentive Program grant application that was submitted to the South Florida Water Management District (SFWMD) Agency for a Water Source Conversion Project from Potable to Irrigation Quality Water in the amount of \$158,733.75.
5. Request for authorization for the County Manager or his designee to bring to the Board a proposed amendment to Ordinance 91-107, as amended, which created the Forest Lakes Roadway and Drainage Municipal Service Taxing Unit (MSTU), to amend the MSTUs Ordinance to include providing for the installation of sidewalks and to address beautification within its boundaries.
6. Recommendation to approve a local governmental agreement with the South Florida Water Management District (SFWMD) involving a contribution of funds by the SFWMD totaling an amount not to exceed \$50,000.00 to provide assistance with construction of the Conservancy of Southwest Florida, Inc.s (Conservancy) filter marsh project, which is adjacent to the Gordon River Greenway Park, and to approve an agreement with the Conservancy whereby the County will act as an agent between the SFWMD and the Conservancy for disbursement of funds on the project and approve the necessary budget amendment.

C. PUBLIC UTILITIES

- 1. Recommendation to adopt a Resolution to approve the Satisfaction of Lien for the Solid Waste residential account wherein the County has received payment and said Lien is satisfied in full for the 1992 Solid Waste Collection and Disposal Services Special Assessment. Fiscal impact is \$28.50 to record the Satisfaction of Lien.**
- 2. Recommendation to approve the Identity Theft Prevention Program for the Collier County Water-Sewer District utility pursuant to a ruling by the Federal Trade Commission requiring water utilities among financial entities that must have a written plan in place by May 1, 2009.**
- 3. Recommendation to approve the purchase and installation of two clarifier mechanisms from Mitchell and Stark Company, Inc. in the amount of \$419,355.00 for the North County Water Reclamation Facility (NCWRF) Technical Support Project, Number 73968.**
- 4. Recommendation to approve Schedule B of the Master Agreement for Demand Side Management and Energy Efficiency Services Agreement with Florida Power & Light Company for the implementation of specific energy conservation options/measures, and to authorize the needed financing in the amount of \$351,812. Authorization is also requested for Public Utilities Division expanded partnering with Florida Power & Light Company; and the added participation in this program by other county divisions.**

D. PUBLIC SERVICES

- 1. Recommendation to Award Bid 09-5168 Expendable Veterinary Supplies and Equipment to three vendors including Fort Dodge Animal Health Services, MWI Veterinary Supply and TW Medical Veterinary on a line-by-line basis with an estimated annual expenditure of \$151,400.**
- 2. Recommendation that the Board of County Commissioners approves and authorizes its Chairman to sign a modification to Disaster Recovery Grant Initiative Agreement #07DB-3V-09-21-01-Z01 between the Florida Department of Community Affairs (DCA) and Collier County. This modification will add new activities to utilize grant funds previously awarded St. Matthews house.**
- 3. Recommendation to approve a resolution adopting the Collier County HUD One Year Action Plan for FY 2009 - 2010 for Community Development Block Grant (CDBG), Home Investment Partnerships (HOME), American Dream Downpayment Initiative (ADDI) and Emergency Shelter Grant (ESG) Programs; authorize the BCC chairman to sign the approved resolution, contract templates required HUD Certifications, SF 424 Application for Federal Assistance, and submission to HUD.**
- 4. Recommendation that the Board of County Commissioners approve the after-the-fact submittal of a grant application for the East Naples Community Center to the Hazard Mitigation Grant Program.**
- 5. Recommendation that the Board of County Commissioners award bid #09-5221, Modular Homes for Housing and Human Services, to Idyll Construction, Inc. in the amount of \$344,259.00 to provide replacement homes using Disaster Recovery Initiative funds to four (4) households whose homes were severely damaged as a result of Hurricane Wilma.**
- 6. Recommendation for the Board of County Commissioners to approve budget amendments totaling \$77,999 to recognize additional funding awarded from the Area Agency on Aging under the Older Americans Act grant and authorize eligible expenditures prior to the execution of the amendment.**
- 7. Recommendation to approve budget amendments totaling \$18,465 to recognize additional revenue awarded in the Services for Seniors program from the Area Agency on Aging for the State of Florida General Revenue programs and authorize eligible expenditures prior to the execution of the amendment.**

E. ADMINISTRATIVE SERVICES

- 1. Recommendation to reject ITB 09-5191 for Court Reporting Services, and extend current Bid 04-3685 for 180 days or until a new bid is awarded.**
- 2. Recommendation that the Board of County Commissioners ratify a deletion from the 2009 Fiscal Year Pay and Classification Plan made from January 2, 2009 through March 31, 2009.**
- 3. Recommendation to award Request for Quote (RFQ) # 07-0358 for the installation and repair of fencing in various locations in Collier County.**
- 4. Recommendation to approve a letter authorizing Emergent Development Group, Inc. and Emergent Development Group II, LLC, to include a County-owned property in their application to amend the Countys Growth Management Plan to add property to the existing Randall Boulevard Commercial Subdistrict, Petition No. CP-2008-2.**
- 5. Recommendation that the Board of County Commissioners approves an Agreement to provide an expenditure not to exceed Fifty-Four Thousand and no/100 dollars (\$54,000.00) from the GAC Land Trust Fund to the Golden Gate Fire Control and Rescue District for the purchase of sixteen Mobile Data Terminals.**
- 6. Recommendation that the Board of County Commissioners approves an Agreement to provide an expenditure not to exceed Fifty thousand three hundred seventy and no/100 dollars (\$50,370.00) from the GAC Land Trust Fund to the Big Corkscrew Island Fire Control and Rescue District for the purchase of six Mobile Data Terminals.**
- 7. Report to the Board of County Commissioners concerning the sale and donation of items associated with the County surplus auction held on March 28, 2009, resulting in gross revenues of \$537,062.00.**

F. COUNTY MANAGER

- 1. Recommendation to approve and authorize the Chairman to sign a Modification to the Fiscal Year 2009 Emergency Management Preparedness and Assistance Grant accepting \$18,834 and approve a Budget Amendment to recognize and appropriate the revenue.**
- 2. Recommendation to adopt a resolution approving budget amendments (appropriating grants, donations, contributions or insurance proceeds) to the Fiscal Year 2008-09 Adopted Budget.**
- 3. Recommendation that the Board of County Commissioners give after-the-fact approval for Collier County Governments Participation in a Partner Agreement to be included with the Grant Proposal that was Submitted by the Collier County School District for a Readiness and Emergency Management for Schools Grant offered by the United States Department of Educations Office of Safe and Drug Free Schools.**
- 4. Approve budget amendments.**

G. AIRPORT AUTHORITY AND/OR COMMUNITY REDEVELOPMENT AGENCY

- 1. Recommendation to award RFP #09-5154 to RWA, Inc. for the purpose of updating the Bayshore Gateway Triangle CRA Redevelopment Plan and mixed use overlays (Fiscal Impact \$263,500)**
- 2. To approve and execute a Commercial Building Improvement Grant Agreement(s) between the Collier County Community Redevelopment Agency (CRA) and a Grant Applicant(s) within the Bayshore Gateway Triangle Community Redevelopment area (3185 Van Buren Avenue).**

3. Recommendation that the Collier County Board of County Commissioners approve and authorize its Chairman to execute a Resolution authorizing the Collier County Airport Authority to enter into Master Joint Participation Agreement 2009-A with the Florida Department of Transportation to fund projects at the Everglades Airpark, the Immokalee Regional Airport and Marco Island Airport, and approve associated budget amendments.
4. Recommendation that the Board of County Commissioners approve and authorize the Airport Authority to utilize \$140,700.99 from the Immokalee Infrastructure Fund 497 for the reconstruction of the T-hangar building at the Everglades Airpark damaged by Hurricane Wilma, and associated budget amendments. Federal Aviation Administration entitlement funds for Everglades Airpark will be transferred to the Immokalee Regional Airport for infrastructure projects to replace the funds used for hanger reconstruction at the Everglades Airpark.

H. BOARD OF COUNTY COMMISSIONERS

1. Commissioner Coletta requests Board approval for reimbursement regarding attendance at a function serving a valid public purpose. Attended the Boy Scouts toast for Leadership - Wine and Food Festival Fundraiser on Saturday, March 21, 2009, at the Bayfront in Naples, Florida. \$50.00 to be paid from Commissioner Coletta's travel budget.
2. Commissioner Coletta requests Board approval for reimbursement regarding attendance at a function serving a valid public purpose. Attended the Eastern Collier Chamber of Commerce Breakfast on Wednesday, April 1, 2009, at the Seminole Casino in Immokalee, Florida. \$20.00 to be paid from Commissioner Coletta's travel budget.
3. Commissioner Coletta requests Board approval for reimbursement regarding attendance at a function serving a valid public purpose. Attending and speaking at the Leadership Collier "Campaign for Leadership" on April 24-25, 2009 at The Greater Naples Chamber of Commerce Building in Naples, Florida. \$35.00 to be paid from Commissioner Coletta's travel budget.
4. Commissioner Coletta requests Board approval for reimbursement regarding attendance at a function serving a valid public purpose. Attended the Migrant Matrix X meeting on Friday, October 3, 2008, in Immokalee, Florida. \$25.00 to be paid from Commissioner Coletta's travel budget.
5. Commissioner Fiala requests Board approval for reimbursement regarding attendance at a function serving a Valid Public Purpose. Attended the Italian American Club Neapolitan Night on February 22, 2009 at the Italian American Club in Naples, FL. \$45.00 to be paid from Commissioner Fiala's travel budget.
6. Commissioner Fiala requests Board approval for reimbursement regarding attendance at a function serving a Valid Public Purpose. Attended the Rotary Club of Marco Island Spirit of Marco Island Awards on April 17, 2009 at the San Marco Catholic Church Parish Hall on Marco Island, FL. \$45.00 to be paid from Commissioner Fiala's travel budget.
7. Commissioner Halas requests Board approval for reimbursement regarding attendance at a function serving a valid public purpose. Attended a luncheon with members of the Pelican Bay Club Board of Directors on Tuesday, March 3, 2009, at the Pelican Bay Club in Naples, Florida. \$20.00 to be paid from Commissioner Halas' travel budget.
8. Commissioner Coletta requests Board approval for reimbursement regarding attendance at a function serving a valid public purpose. Attending the Annual Dinner Meeting and Installation of Collier County Medical Staff Officers on Saturday, May 9, 2009 at Grey Oaks Country Club in Naples, Florida. \$50.00 to be paid from Commissioner Coletta's travel budget.
9. Proclamation designating May 7, 2009 as National Day of Prayer.

I. MISCELLANEOUS CORRESPONDENCE

J. OTHER CONSTITUTIONAL OFFICERS

- 1. Recommend that the Board of County Commissioners approve a document for the Thirteenth Year State Criminal Alien Assistance Program (SCAAP) Grant Funds.**
- 2. Request that the Board of County Commissioners accepts and approves capital asset disposition records for time period October 1, 2008 through March 31, 2009.**
- 3. To obtain Board approval for disbursements for the period of April 4, 2009 through April 10, 2009 and for submission into the official records of the Board.**
- 4. To obtain Board approval for disbursements for the period of April 11, 2009 through April 17, 2009 and for submission into the official records of the Board.**

K. COUNTY ATTORNEY

- 1. Report on status of Board direction to initiate code enforcement proceedings against Milano Recreation Association, Inc., in relation to their refusal to allow residents of Imperial Golf Estates to access Livingston Road, as agreed to in the PUD rezoning for Royal Palm Academy PUD.**
- 2. Recommendation that the Board of County Commissioners waive the potential appearance of conflict in the retention of Gregory H. Woods, Esq., as lead counsel for Collier County in the case styled G.L. Homes of Naples Associates II, Ltd. vs. Collier County, Case No. 09-2451-CA, in the Twentieth Judicial Circuit in and for Collier County.**

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 that the Board of County Commissioners adopt an Ordinance amending Chapter 74 of the Collier County Code of Laws and Ordinances (The Collier County Consolidated Impact Fee Ordinance) providing for the incorporation by reference of the impact fee study entitled the Collier County Indexing Methodology Study, dated March 11, 2009, which is an amendment to the adopted Collier County Impact Fee Indexing Study; amending Schedules Five through Ten of Appendix A by applying the indexing percentages and thereby establishing the new impact fee rates and re-organizing the layout of the schedules to a user-friendly format; providing for re-organization of Schedules One, Three and Four in order to provide more user-friendly format; and providing for a delayed effective date of July 27, 2009, in accordance with the 90-day notice period required by Section 163.31801 (3)(d), Florida Statutes and the direction provided by the Board on March 24, 2009**

- B. This item requires that all participants be sworn in and ex parte disclosure be provided by Commission members. VA-2008-AR-14017 Merit Petroleum Company, represented by Bert Thomas, is requesting five Variances from the minimum 50-foot front yard setback requirement of Land Development Code (LDC) Subsection 5.05.05, Automobile Service Stations, for two gasoline pump dispenser islands and a canopy in the General Commercial (C-4) and Main Street Overlay Subdistrict (MSOSD) to allow a reduced setback along West Main Street to 48 feet and 31 feet for the dispenser islands and 38 feet for the canopy; and along 7th Street South to 33 feet for the westernmost dispenser island and 41 feet for the canopy. The 0.45-acre subject property is located at 617 West Main Street, in Section 4, Township 47 South, Range 29 East, Immokalee, Collier County, Florida. CTS**
- C. This item requires that all participants be sworn in and ex parte disclosure be provided by Commission members. VA-2008-AR-13977 Tim Chess of McDonalds USA, LLC, represented by Jeffrey Satfield of CPH Engineers, Inc., is requesting a Variance from the landscape requirements of Land Development Code Subsection 4.06.02, Buffer Requirements, in the General Commercial (C-4) and Gateway Triangle Mixed Use Subdistrict (GTMUD-MXD), to allow a modification of the required 7.5-foot wide buffer on the western side of the property; and to reduced buffer widths on the property's northern side from 15 feet to ten feet, the eastern side from 7.5 feet to five feet, and the southern side from 10 feet to five feet. The 0.86-acre subject property is located at 2886 Tamiami Trail East, in Section 11, Township 50 South, Range 25 East, Collier County, Florida.. CTS**
- D. Recommendation to adopt an Ordinance amending Ordinance No. 2001-43 as amended, which created the Vanderbilt Beach Municipal Service Taxing Unit (MSTU), to include providing underground trenching and burial of utility lines from the street or transformer to private residences and, as needed, arranging to locate the burial of such power lines alongside any existing utility easements but excluding the expenditure of MSTU funds for any additional wiring or installation of improvements or upgrades to connect service to residences required by current code or resulting from any other hardware nonconformity.**
- E. Recommendation to adopt a resolution approving budget amendments (appropriating carry forward, transfers and supplemental revenue) to the Fiscal Year 2008-09 Adopted Budget.**

18. ADJOURN

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