

COLLIER COUNTY

BOARD OF COUNTY COMMISSIONERS

and

COMMUNITY REDEVELOPMENT AGENCY BOARD (CRAB)



AGENDA

September 29, 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

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.)**

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

- A. 20 Year Attendees**
 - 1. James Maulden, Solid Waste**
- B. 25 Year Attendees**
 - 1. John Augustyn, Water Department**
 - 2. Judi Bodine, County Manager's Office**

4. PROCLAMATIONS

- A. Proclamation designating October 3, 2009 as Collier County Branch NAACP 27th Freedom Fund and National NAACP Centennial Day. To be accepted by Diane Haynes, Chair, Freedom Fund Dinner, Harold Weeks, President, NAACP, Rhonda Cummings, Membership Chair, NAACP.**
- B. Proclamation designating the week of October 10, 2009 as National Wildlife Refuge Week. To be accepted by Layne Hamilton, Project Leader, U.S. Fish and Wildlife Service.**
- C. Proclamation designating October 7, 2009 as International Walk to School Day. To be accepted by David Buchheit, Nancy Frye, Stacy Revay, Jeff Stauring, Charles Benson and Joe Bonness.**
- D. Proclamation designating October 10, 2009 as Put The Brakes On Fatalities Day. To be accepted by Gene Calvert, David Buchheit, Charles Benson, Sgt. Chris Gonzalez, Susan Vivonetto, Sgt. Dave Contessa and Lt. Greg Gaffney.**
- E. Proclamation designating October, 2009 as Domestic Violence Awareness Month. To be accepted by Linda Oberhaus, Executive Director, The Shelter for Abused Women & Children.**
- F. Proclamation recognizing the spirit of charitable giving in Collier County by individuals who commit themselves to raising money by various endeavors and for one such person designating September 30, 2009 as Michael Pagliccia Endeavor Day. To be accepted by Michael Pagliccia.**
- G. Proclamation recognizing Naples Big Cypress Market Place as a public attraction for Collier County. To be accepted by Keith Basik.**
- H. Proclamation supporting public access to the Big Cypress National Preserve Addition and opposing the proposed wilderness designation. To be accepted by Captain Franklin Adams, Brian McMahan, Frank Denninger, Lyle McCandless and members of the Big Cypress Sportsmen Alliance.**

5. PRESENTATIONS

- A. Dr. Robert Tober, recipient of the Florida State EMS Medical Director of the Year Award to be presented by Dr. Joe Nelson, State of Florida EMS Medical Director.**
- B. Presentation Regarding the H1N1 Immunization Campaign to be presented by Dr. Joan Colfer, Collier County Health Department Director.**
- C. Report from the Productivity Committee on their study of Charter Government.**

- D. Freedom Memorial construction update
- E. Recommendation to recognize Sandra Lea, Executive Aide, Board of County Commissioners Office as Employee of the Month for September 2009.

6. PUBLIC PETITIONS

- A. Public petition request by Mark Teaters to discuss non-financial support of a new program called "Golden Gate Estates as a World Class Rural Community".
- B. Public petition request by Joey Smith to discuss water usage at 1815 Downing Court.
- C. Public petition request by Robert Caulfield to discuss water bill discrepancy.
- D. Public petition request to discuss use of parking lot at Vineyards Park by Ave Maria Law Students.
- E. Public petition request by Gisela Rowley to discuss Domestic Animal Services Mission Statement.

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. CUR-PL2009-44 SR 846 Land Trust, represented by R. Bruce Anderson of Roetzel and Andress LPA; and Margaret Perry, AICP, of Wilson Miller, Inc., requesting a Conditional Use Re-review (CUR) of the property commonly referred to as Jones Mine. The conditional use (CU-2004-AR-6904) was approved on September 25, 2007 and in accordance with condition #3, the Conditional Use approval shall be reviewed by staff and brought back to the BZA on the first anniversary of approval and again one year after the first anniversary review. The subject property is located at 16000 Immokalee Road, Sections 35 & 36, Township 47 South, Range 27 East; and Sections 1 & 2, Township 48 South, Range 27 East, Collier County, Florida.

8. ADVERTISED PUBLIC HEARINGS

- A. This item requires that all participants be sworn in and ex parte disclosure be provided by Commission members. PUDZ-2007-AR-11100 Highland Properties of Lee and Collier, Ltd., represented by D. Wayne Arnold, AICP of Q. Grady Minor and Associates, P.A., and Richard Yovanovich of Goodlette, Yovanovich and Koester, P.A., is requesting a rezone from the Rural Agricultural (A) zoning district with a Special Treatment (ST) overlay to the Mixed Use Planned Unit Development (MPUD) Zoning District for a project to be known as the Taormina Reserve MPUD, to allow construction of a maximum of 528 residential dwelling units and up to 262,000 square feet of commercial uses on approximately 82.51 acres. The subject property is located in the southeastern quadrant of the Santa Barbara Boulevard Extension and Davis Boulevard (SR 84) intersection, in Section 9, Township 50 South, Range 26 East, Collier County, Florida.
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9. BOARD OF COUNTY COMMISSIONERS

- A. Appointment of members to the Lely Golf Estates Beautification Advisory Committee.

10. COUNTY MANAGER'S REPORT

- A. Recommendation to consider the Habitat Conservation Plan Advisory Committees Habitat Conservation Plan application for red-cockaded woodpeckers. (Laura Roys Gibson, Sr. Environmental Specialist, Engineering and Environmental Services Department, CDES)
- B. Recommendation that the Board of County Commissioners direct the County Manager or his designee to initiate all prudent and sufficient measures including the processing of all necessary FY 2010 budget amendments to ensure that the Boards General Fund (001) has sufficient cash available and on hand at October 1, 2009 to meet Collier Countys operational expense obligations until such time when the first ad valorem property tax receipts are received. (Mark Isackson, Office of Management and Budget)
- C. This item to be heard at 10:15 a.m. Presentation by designated stakeholder organizations recommending that the Board of County Commissioners review an ordinance creating a mandatory code inspection of foreclosed and vacant single family residences which requires owners of vacant single family residential property who have acquired title through foreclosure or through a deed in lieu of foreclosure to obtain an inspection report relating to the subject propertys existing zoning and the permitted uses of said zoning, and confirm that all existing structures on said property have the necessary permits and are in compliance with permitting requirements, and to disclose the report prior to subsequent sale, consistent with the Board of County Commissioners previous direction. (Joe Schmitt, Community Development Administrator)
- D. This item to be heard at 11:00 a.m. The Annual Performance Appraisal for the County Manager. (Jim Mudd, County Manager)
- E. This item to be heard immediately following Item 10D. Review and approve the FY2010 Annual Work Plan for the County Manager. (Jim Mudd, County Manager)
- F. This item to be heard at 3:00 p.m. A presentation to the Board of County Commissioners regarding the Collier County Intersection Safety Ordinance (Ord. 2008-22) and resultant use of Red Light Running Cameras for enforcement. Presentation to be made by BCC staff from the Traffic Operations Department and the Collier County Sheriff's Office. (Time certain requested by Commissioner Coletta) (Norman Feder, Transportation Services Administrator)

11. PUBLIC COMMENTS ON GENERAL TOPICS

12. COUNTY ATTORNEY'S REPORT

- A. The annual performance appraisal for the County Attorney.
- B. Recommendation that the Board of County Commissioners reviews and approves the proposed FY 2009-2010 Action Plan for Jeffrey A. Klatzkow, County Attorney.

13. OTHER CONSTITUTIONAL OFFICERS

14. AIRPORT AUTHORITY AND/OR COMMUNITY REDEVELOPMENT AGENCY

15. STAFF AND COMMISSION GENERAL COMMUNICATIONS

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

A. COMMUNITY DEVELOPMENT & ENVIRONMENTAL SERVICES

- 1. Recommendation to approve final acceptance of the water and sewer utility facilities for Mediterra Parcel 111.**
- 2. This item requires that ex parte disclosure be provided by Commission Members. Should a hearing be held on this item, all participants are required to be sworn in. This is a recommendation to approve for recording the final plat of Regal Acres, approval of the standard form Construction and Maintenance Agreement and approval of the amount of the performance security.**
- 3. Recommendation that the Board of County Commissioners approve the first amendment to the agreement between Collier County and the Economic Development Council of Collier County for continuation of the Economic Diversification Program by providing a contribution to the EDC of up to \$400,000 for Fiscal Year 2010, and authorizing the Chairman of the Board of County Commissioners to sign the amendment on behalf of Collier County.**
- 4. Recommendation to accept a Proposed Settlement providing for Compromise and Release of Liens in the Code Enforcement Action entitled Everardo G. Guzman and Graciela Guzman, Case No. 2007030278 relating to property located at 510 Auto Ranch Road, Naples, Florida.**

B. TRANSPORTATION SERVICES

- 1. Recommendation to adopt a resolution authorizing the condemnation of land and easements necessary for the construction of roadway, drainage and utility improvements required for the extension of Valewood Drive from Immokalee Road to Autumn Oaks Lane. (Northbrooke Drive/Valewood Drive Extension Phase 1, Project No. 60106.) Estimated fiscal impact: \$875,000.00.**
- 2. Recommendation to approve the October 2009 Collier County Transit Development Plan Annual Progress Report.**
- 3. Recommendation to approve the adoption of the Collier Metropolitan Planning Organizations (MPO) Public Involvement Participation Plan (PIP) as the Collier Area Transit (CAT) Public Involvement Participation process to be followed for all grants and major service modifications.**
- 4. Recommendation to approve award of Contract #09-5229 (Services for Collier County Signal Retiming Project) to Vanus, Inc. for development of coordinated arterial traffic signal intersection retiming on State Roadways in Collier County, at a fee of \$269,536.30 to be reimbursed through a Joint Project Agreement with the Florida Department of Transportation.**
- 5. Recommendation to approve the contract between Collier Metropolitan Planning Organization (MPO) and Tindale Oliver and Associates (TOA) for the Transit Development Plan (TDP) Major Update in an amount of \$129,550.**
- 6. Recommendation to terminate the contract awarded to Big Tree, Inc., for Bid #09-5194 Collier County Right-of-Way (ROW) and Median Mowing and Maintenance Annual Contract in the amount of \$124,240.00.**

7. Recommendation that the Board of County Commissioners approves the Line Relocation Cooperation Agreement with the Orange Tree Utility Company and authorize the Chairman to sign the Agreement. Project #60044.
8. Recommendation to award Bid #09-5207 Consulting Services for the Collier Area Transit (CAT) Program to CH2MHILL, PB Americas Inc., Renaissance Planning Group, Tindale-Oliver & Associates, Inc., and Wilbur Smith Associates to provide a variety of professional consulting services for Collier Area Transit.
9. Recommendation that the BCC approve Modification Number 8 with attached change orders in the amount of \$17,955.00 to contract 06-3962 Cityview software for CDES to include Transportation's ROW Permitting section.

C. PUBLIC UTILITIES

1. Recommendation to approve the Right of Entry form to document Collier Countys agreement with certain private property owners for improvement of private driveways for the purpose of providing turnarounds for Waste Management Inc. of Floridas trucks in areas that do not provide adequate turnaround access on public roads, as provided for in the Franchise Agreement between Collier County and Waste Management Inc. of Florida, at an estimated cost not to exceed \$4,000, Project 59001.
2. Recommendation to Award Bid No. 09-5258, the South County Water Reclamation Facility Odor Control Facilities Upgrades, to Douglas N. Higgins, Inc., in the base bid amount of \$474,332.00 for Project No. 73969.
3. Recommendation that the Board of County Commissioners, ex officio of the Collier County Water-Sewer District, approve and authorize the Chair to execute the attached inter-local agreement with the North Naples Fire Control and Rescue District for the Collier County Water-Sewer District to assume ownership of the fire hydrants now owned and maintained by the North Naples Fire Control and Rescue District (excluding any fire hydrants behind master meters), together with the ongoing responsibility for maintenance, repair, and replacement; and, authorize the County to accept a Bill of Sale.
4. Recommendation that Board of County Commissioners of Collier County, Florida as Ex-officio the Governing Board of the Water-Sewer District Approve a Resolution Approving An Amendment to the Collier County Water-Sewer Districts Utilities Standards Manual
5. Recommendation to 1) adopt a Supplemental Bond Resolution authorizing the Collier County Water-Sewer District (District) to incur a fixed interest rate, bank-qualified tax-exempt term loan (the "Term Loan") through the issuance of its Water and Sewer Refunding Revenue Bond, Series 2009 (the Bond) in the amount not to exceed \$12,000,000 in order to provide for the refunding of the Districts outstanding Water and Sewer Refunding Revenue Bonds, Series 1999B, 2) approve JPMorgan Chase Bank, N.A. as the qualified financial institution to provide the Term Loan and purchase the Bond and 3) approve necessary budget amendments.
6. Recommendation to approve the annual rate resolution to establish the fees, rates, and charges for the use of Collier County Solid Waste Facilities, including landfill tipping fees, recycling center fees, residential multi-family and commercial waste collection fees for FY10. This resolution adopts the rates that fund the FY10 budget for solid waste collection and disposal.

D. PUBLIC SERVICES

1. Recommendation that the Board of County Commissioners award Bid #09-5279 in the amount of \$53,310 to Blossoms, Inc., for the Sport Field Renovation of Eagle Lakes Community Park and Golden Gate Community Park and to approve the necessary budget amendment.

2. Recommendation for the Board of County Commissioners to accept the donation of \$29,412 from the Pelican Bay Property Owners Association and the North Naples Community Alliance that provides funds to open the Vanderbilt Beach Branch Library on Fridays, from October 1, 2009 March 31, 2010, and approve the necessary budget amendment.
3. Recommend that the Board of County Commissioners approve and authorize Chairman to sign Interlocal Agreement Between Collier County and City of Naples for Clam Bay Water Quality Study for \$23,644 to fund the Development of a Water Quality Monitoring Program.
4. Recommendation that the Board of County Commissioners approves, and authorizes the Chairman to sign, a modification to Disaster Recovery Initiative Agreement #07DB-3V-09-21-01-Z01 between the Florida Department of Community Affairs and Collier County and associated contract amendments with subrecipients. This modification will update the current project work schedules and extend the grant periods.
5. Recommendation for the Board of County Commissioners to approve and authorize the Chairman to sign contract amendments with the Area Agency on Aging for State funded General Fund grant programs for Seniors, as it relates to the schedule for invoice and advance re-payments.
6. Recommendation to accept the Health Care and Other Facilities Special Congressional Initiative from the United States Department of Health and Human Services in the amount of \$141,570.00 and approve the necessary budget amendment to recognize the revenue.
7. Recommendation to award the Request for Quote (RFQ) # 09-5315 to Aylesworths Fish and Bait, Inc. for delivery of frozen bait for Collier County Marinas.

E. ADMINISTRATIVE SERVICES

1. Recommendation to approve the renewal of the Group Dental Insurance program through Cigna Dental Plan, Inc. for a one year period effective January 1, 2010.
2. Recommendation to implement a change to the Long Term Disability Insurance program to avoid the taxation of disability proceeds.
3. Recommendation to approve an Amendment to Agreement for Sale and Purchase (Amendment) with Mark Bain, Esquire/Personal Representative on Behalf of the Estate of Tessie Colluccio for 1.59 acres under the Conservation Collier Land Acquisition Program at no additional cost to the County.
4. Recommendation to approve an Interim Management Plan for the Pepper Ranch Preserve under the Conservation Collier Land Acquisition Program and direct the County Manager, or his designee, to implement the plan.
5. Recommendation that the Board of County Commissioners approves the United States Department of Energy (DOE) Energy Efficiency Conservation Block Grant award for American Recovery and Reinvestment Act (ARRA) funding in the amount of \$3,036,000.
6. Recommendation to approve the purchase of Liability, Automobile, Workers Compensation, Flood, Aircraft, and other insurance and related services for FY 2010 in the amount of \$1,826,930, a reduction of \$45,858 below the FY 2009 actual cost. (Jeff Walker, Risk Management Director)

F. COUNTY MANAGER

1. Recommendation to approve an Agreement between Collier County and Dr. Marta U. Coburn, M.D., Florida District Twenty Medical Examiner dba District Twenty Medical Examiner, Inc. to provide medical examiner services for Fiscal Year 2010 at a cost of \$1,093,500.

2. Recommendation that the Board of County Commissioners approves a Cultural, Heritage and Nature Tourism Grant from the Florida Commission on Tourism and VISIT FLORIDA for development of a Cultural Arts and Heritage brochure for Collier County in the amount of \$5,000 and approves all necessary budget amendments.
3. Recommendation that the Board of County Commissioners approves and authorizes the Chairman to sign nine (9) FY 10 Tourist Development Tax Category C-2 Grant Agreements totaling \$571,000 subject to funding availability.
4. Recommendation that the Board of County Commissioners approves and authorizes the Chairman to sign two grant agreements for FY 10 Tourist Development Tax Category B Grants totaling \$49,000.
5. Recommendation to authorize cash amounts to be allocated on September 30, 2009 for the parity Debt Service Reserve Account associated with the Countys Capital Improvement Revenue Bonds (Series 2002/2003/2005) in an amount not exceeding \$11,543,806
6. Recommendation to adopt a resolution approving amendments (appropriating grants, donations, contributions or insurance proceeds) to the Fiscal Year 2009-10 Adopted Budget
7. Recommendation to adopt a resolution approving amendments (appropriating grants, donations, contributions or insurance proceeds) to the Fiscal Year 2008-09 Adopted Budget
8. Recommendation to approve budget amendments appropriating \$276,351,171.83 of unspent FY 2009 grant and project budgets into fiscal year 2010.

G. AIRPORT AUTHORITY AND/OR COMMUNITY REDEVELOPMENT AGENCY

1. To approve and execute Commercial Building Improvement Grant Agreement(s) between the Collier County Community Redevelopment Agency and a Grant Applicant(s) within the Bayshore Gateway Triangle Community Redevelopment area (1765 Commercial Drive).
2. Recommendation that the Community Redevelopment Agency (CRA) approve CRA staff attendance at Florida Brownfields Association 2009 Annual Conference; authorize payment of attendees registration, lodging, travel and per diem from the Bayshore Gateway Triangle Trust Fund (Fund 187) travel budget; and declare the training received as serving a valid public purpose.

H. BOARD OF COUNTY COMMISSIONERS

1. Commissioner Halas requests Board approval for reimbursement regarding attendance at a function serving a valid public purpose. Attending the Susan G. Komen for the Cure Breast Cancer Awareness Kickoff Reception on Thursday, October 1, 2009, in Naples, Florida. \$15.00 to be paid from Commissioner Halas' travel budget.
2. Commissioner Halas requests Board approval for reimbursement regarding attendance at a function serving a valid public purpose. Attending the United Way of Collier County 2009 Campaign Kick-off Breakfast meeting on Thursday, October 1, 2009, at the Hilton Naples. \$20.00 to be paid from Commissioner Halas' travel budget.
3. Recommendation to adopt a Resolution supporting the not-for-profit Immokalee Foundation in obtaining contributions to promote entrepreneurial and job development skills and opportunities for the youth of Immokalee through the Florida Office of Tourism, Trade and Economic Development Community Contribution Tax Credit Program.

I. MISCELLANEOUS CORRESPONDENCE

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

J. OTHER CONSTITUTIONAL OFFICERS

1. Recommendation that the Board of County Commissioners approve the use of Confiscated Trust Funds for improving conditions conducive to youth related programs held at Collier County Junior Deputies League's Camp Discovery.
2. To obtain Board approval for disbursements for the period of September 5, 2009 through September 11, 2009 and for submission into the official records of the Board.
3. To obtain board approval for disbursements for the period of September 12, 2009 through September 18, 2009 and for submission into the official records of the board.
4. Recommendation that the Board of County Commissioners authorize the Collier County Supervisor of Elections to accept federal election activities funds with a 15% matching contribution and that the Board direct its Chairman to sign the Certificate Regarding Matching Funds.

K. COUNTY ATTORNEY

1. This item has been continued from the September 15, 2009 BCC Meeting. Request by staff for authorization to advertise and bring back for the Boards consideration a proposed amendment to Ordinance No. 08-47, which addresses requirements for non-consent law enforcement towing of vehicles, private property towing of vehicles, storage of vehicles and maximum chargeable fees by tow truck companies, to include provisions concerning the immobilization of vehicles (booting) on private property and to further clarify language in the ordinance based upon feedback and experience since its enactment in September 2008.
2. Recommendation to amend the Legal Services Contract the Board approved with de la Parte & Gilbert, P.A., for litigation related to Orange Tree Utility Co. v. Collier County, Case No. 07-2333 to clarify the Scope of Work to include providing specialized utility legal services in connection with Orange Trees recent appeal of an entry of summary judgment in favor of the County.
3. Authorize the making of an Offer of Judgment to Respondent, Jeanne Fields and Donald E. Fields, for Parcel No. 124FEE in the amount of \$711,301 in the lawsuit styled Collier County v. Pascal J. Murray, et al., Case No. 07-4784-CA (Santa Barbara Boulevard Extension Project No. 60091) (Fiscal Impact \$97,001).
4. Authorize the making of an Offer of Judgment to Respondent, Myrtle Cove, Inc., for Parcel No. 801 in the amount of \$2,000 in the lawsuit styled Collier County v. Myrtle Cove, Inc., et al., Case No. 07-5038 (Lely Area Stormwater Improvement Project No. 511011) (Fiscal Impact \$1,000).
5. Authorize the making of an Offer of Judgment to Respondent, Myrtle Preserve, LLC, for Parcel No. 809 in the amount of \$24,000 in the lawsuit styled Collier County v. Myrtle Preserve, LLC, et al., Case No. 07-463-CA (Lely Area Stormwater Improvement Project No. 51101) (Fiscal Impact \$4,400).
6. Recommendation to approve a Stipulated Final Judgment in the amount of \$30,000 for Parcel 142 in the lawsuit styled Collier County v. Charles R. Wilson, et al., Case No. 02-5164-CA (Immokalee Road Project No. 60018). (Fiscal Impact \$20,194)
7. Recommendation to authorize the County Attorney to advertise and bring back for Board consideration an amendment to Ordinance No. 91-65, as amended, relating to the Affordable Housing Advisory Committee, so as to remove the requirement for Committee review of all rezoning petitions.

8. Recommendation to authorize the County Attorney to advertise and bring back for Board consideration an amendment to Ordinance No. 2004-03, the Collier County Airport Authority Ordinance, to provide for the appointment of an alternate member.
 9. For the Board of County Commissioners to authorize the necessary budget amendments and approve the filing of a civil action with the Circuit Court of the Twentieth Judicial Circuit to recover in excess of three million dollars and defend against a nine million dollar claim from John Carlo, Inc. relating to deficiencies in the work performance on Contract 05-3876, the Rattlesnake Hammock Road Six Lane Improvements for Project No. 60169. Additionally, to authorize the Countys continued defense and pursuit of the Countys counterclaim in the Immokalee Road Litigation, Project No. 66042.
 10. Recommendation that the Board of County Commissioners approves and authorizes its Chairman to execute an Amendment to Collier County Airport Authority Executive Directors Employment Agreement.
 11. Recommendation to authorize the County Attorney to advertise and bring back for Board consideration an amendment to Ordinance No. 1975-16, as amended, relating to the procedure for reconsideration of matters by the Board of County Commissioners.
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 ex parte disclosure be provided by Commission Members. Should a hearing be held on this item, all participants are required to be sworn in. SNR-2009-AR-14379 Ave Maria University, Inc., represented by WilsonMiller, requesting to rename that portion of Assisi Avenue that is west of Ave Maria Blvd. to Dolan Street. The subject property is located in Section 5, Township 48 South, Range 29 East, in Collier County, Florida.
 - B. This item requires that ex parte disclosure be provided by Commission Members. Should a hearing be held on this item, all participants are required to be sworn in. SNR-2009-AR-14380 Ave Maria University, Inc., represented by WilsonMiller, requesting to rename the existing Cana Avenue to Kelleher Street. The subject property is located in Section 32, Township 47 South, Range 29 East, in Collier County, Florida.
 - 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. SNR-2009-AR-14381 Ave Maria University, Inc., represented by WilsonMiller, requesting to rename that portion of Avila Avenue that is west of Ave Maria Blvd. to Donahue Street. The subject property is located in Section 5, Township 48 South, Range 29 East, in Collier County, Florida.
 - D. This item to be re-scheduled to the October 27, 2009 BCC meeting. To conduct a public hearing to review and adopt revisions to amend the Land Development Code (Ordinance No. 04-41) to include provisions for temporary signs to complete the recent revisions to the Collier County Sign Code (Ordinance No. 09-43) adopted by the Board of County Commissioners at a public hearing on July 28, 2009.
 - E. Recommendation to adopt a resolution approving amendments (appropriating carry forward, transfers and supplemental revenue) to the Fiscal Year 2008-09 Adopted Budget.

F. Recommendation to adopt a resolution approving amendments (appropriating carry forward, transfers and supplemental revenue) to the Fiscal Year 2009-10 Adopted Budget.

18. ADJOURN

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