

# COLLIER COUNTY

BOARD OF COUNTY COMMISSIONERS

and

COMMUNITY REDEVELOPMENT AGENCY BOARD (CRAB)



## AGENDA

March 23, 2010

9:00 AM

Fred W. Coyle, BCC Chairman Commissioner, District 4  
Frank Halas, BCC Vice-Chairman Commissioner, District 2  
Jim Coletta, BCC Commissioner, District 5; CRAB Chairman  
Donna Fiala, BCC Commissioner, District 1; CRAB Vice-Chairman  
Tom Henning, BCC Commissioner, District 3

**NOTICE: ALL PERSONS WISHING TO SPEAK ON AGENDA ITEMS 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." PUBLIC PETITIONS ARE LIMITED TO THE PRESENTER, WITH A MAXIMUM TIME OF TEN MINUTES.**

**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 Ron Coulter - Gulfside Christian 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. February 23, 2010 - BCC/Regular Meeting
- C. March 2, 2010 - BCC/Foreclosure Task Force Workshop

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

- A. 20 Year Attendees
  - 1. Gary Kessler, Parks and Recreation
  - 2. Pamela Moore, Library
  - 3. Peg Ruby, Parks and Recreation

**4. PROCLAMATIONS**

- A. Proclamation to honor in memoriam Aubrey Rogers who died peacefully on the 10th of March. To be accepted by Cpl. Dan Rogers and Sheriff Kevin Rambosk. Sponsored by the Board of County Commissioners.
- B. Proclamation designating April as Water Conservation Month. To be accepted by Clarence Tears, Jr., Director of the South Florida Water Management District's Big Cypress Basin, Pam Libby, Water Department Operations Manager, Danette Huff, Irrigation Quality Water Manager, and Joe Bellone, Utility Billing and Customer Service Manager. Sponsored by Commissioner Halas.
- C. Proclamation designating April 10, 2010 as Paint Our County Purple Day and recognizing Relay for Life Days in Golden Gate City and other dates throughout Collier County. To be accepted by Ann Gardner and Michelle Wilson. Sponsored by Commissioner Henning.
- D. Proclamation designating the week of March 22 through March 26, 2010 as The 30th Anniversary of Know Your County Government Week. To be accepted by Alex Bethune and Rosana Sandoval. Sponsored by Commissioner Coletta.
- E. Proclamation designating March 27, 2010 as League of Women Voters of Collier County Day. To be accepted by Sandy Parker, President, League of Women Voters of Collier County. Sponsored by Commissioner Fiala.
- F. Proclamation designating April 10, 2010 as Bay Days / Great American Clean Up Day. To be accepted by Rory Admunson, President of the Keep Collier Beautiful Board of Directors, Cher Compton, Executive Director of Keep Collier Beautiful and Larry Berg, Sr. District Manager of Waste Management of Collier County. Sponsored by Commissioner Fiala.

**5. PRESENTATIONS**

- A. Recommendation to recognize Samantha Moran, Training Coordinator, Human Resources Department as the Employee of the Month for March 2010.
- B. Presentation of the Collier County "Business of the Month" award to Pelican Wire Company for March 2010.

## 6. PUBLIC PETITIONS

- A. Public Petition request by Mr. D.E. Smylie regarding funding for sidewalk extension.
- B. Public Petition request by Mr. Kenneth Thompson regarding various neighborhood issues.

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-PL2009-405: Collier County Alternative Transportation Modes Department represented by Abra Horne, AICP, of Wilbur Smith Associates is requesting a Conditional Use in the Gallman Olds PUD Zoning District to add a Government Facility, limited to a Bus Transfer Station pursuant to LDC Section 2.01.03.G.1.e, Essential Services. The subject 10.04 acre property is located on the south side of Radio Road extending to Davis Boulevard, approximately 1,000 feet from the Radio Road and Davis Boulevard intersection in Section 3, Township 50 South, Range 26 East, Collier County, Florida. (CTS)

## 8. ADVERTISED PUBLIC HEARINGS

- A. *This agenda item was advertised for consideration by the BCC on March 9, 2010. At the direction of the County Manager this item has been moved to the BCC Agenda for March 23, 2010.* Recommendation to adopt amendments to the Capital Improvement Element of the Collier County Growth Management Plan.

## 9. BOARD OF COUNTY COMMISSIONERS

- A. Appointment of members to the Haldeman Creek Maintenance Dredging Advisory Committee.
- B. Appointment of member to the Collier County Citizens Corps.
- C. Appointment of members to the Pelican Bay Services Division Board.
- D. Appointment of member to the Collier County Code Enforcement Board.
- E. Appointment of member to the Radio Road Beautification Advisory Committee.

## 10. COUNTY MANAGER'S REPORT

- A. Recommendation to award a construction contract (Bid #10-5446) to D.N. Higgins, Inc., in the amount of \$8,683,000.00; award a pre-negotiated direct purchase odor control package in the amount of \$1,310,229.00 to Siemens; amend engineering services Work Order HS-FT-3785-07-03 for initial construction engineering and inspection services in the time and materials not to exceed amount of \$300,000.00; and authorize the necessary budget amendment for the North County Water Reclamation Facility Compliance Assurance project, Project Number 73950.1. (Jim DeLony, Public Utilities Administrator)
- B. Recommendation to accept the first annual report on the Impact Fee Program for Existing Commercial Redevelopment. (Amy Patterson, Manager Impact Fees & EDC, CDES)

- C. Recommendation to approve foreclosure-related guiding principles as provided by members of the Collier County Foreclosure Task Force upon request of the Board of County Commissioners in addressing any foreclosure legislation considered in the Florida Legislature. (Debbie Wight, Assistant to the County Manager)

**11. PUBLIC COMMENTS ON GENERAL TOPICS**

**12. COUNTY ATTORNEY'S REPORT**

**13. OTHER CONSTITUTIONAL OFFICERS**

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

- A. Election or reelection of the Collier County Community Redevelopment Agency (CRA) Chair and Vice-Chair for 2010.
- B. Recommendation to the Board of County Commissioners acting as the Community Redevelopment Agency (CRA) to approve the purchase of a vacant lot on the corner of South 9th Street and Boston Avenue as part of the Immokalee CRA Public Realm Plan and Town Design for the Immokalee Central Business District (CBD), and to approve payment from the Immokalee CRA Fund 186 in the amount of \$232,500 plus costs and expenses to complete the sale, and approve a budget amendment of \$250,000 from Immokalee CRA Reserves.

**15. STAFF AND COMMISSION GENERAL COMMUNICATIONS**

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

- 1. Recommendation to approve final acceptance of the water utility facility for Traci Office Building.
- 2. Recommendation to approve final acceptance of the water and sewer utility facilities for Mediterra Parcel 112.
- 3. Recommendation to approve final acceptance of the water utility facility for North Collier Hospital, Phase 2 Expansion.
- 4. Recommendation for approval of a perpendicular dock configuration and angled boat dock configuration for the Stella Maris subdivision in the Port of the Isles.
- 5. 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 Veronawalk Phase 4A, Verducci Court Replat.

6. Recommendation to approve the Release and Satisfaction of Lien for the Code Enforcement Action entitled Board of County Commissioners vs. Steven B. Johnson, Code Enforcement CEB Case No. 2003-057, relating to property located at 128 Flicker Lane, Everglades City, Florida.
7. 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 Veronawalk Phase 4B, Palermo and Querce Court Replat.
8. Recommendation to approve Amendment Number 1 to the Second Memorandum of Agreement and Support relating to the Revenue Distribution Approach for Rural Areas of Critical Economic Concern (RACEC) Catalyst Project For Economic Development South Central Florida RACEC and authorize the Chairman to sign the Agreement on behalf of Collier County.

#### **B. TRANSPORTATION SERVICES**

1. Recommendation to approve a Resolution authorizing the execution and filing of Federal Transit Administration (FTA) grant applications; the execution of grants and cooperative agreements; and the filing with applications the annual certification and assurances as required.
2. Recommendation to approve payment to Collier Development Corporation for purchase of drainage easements necessary for construction of two segments of the Lely Area Stormwater Improvement Project (Project No. 51101) located within the Sabal Bay Development in the amount of \$987,345.
3. Recommendation to pay attorney fees in the amount of \$3,250 to the firm of Roetzel and Andress for their assistance in counseling property owners John Kappeyne and Maria Bettencourt, for helping the parties reach agreement on the sale of a portion of the owners land to Collier County for the Vanderbilt Beach Road Extension project, and for clearing title by obtaining a Partial Release of Mortgage from the mortgage holder. Project No. 60168. (Fiscal Impact: \$3,250)
4. Recommendation to pay attorney fees and real estate appraisal fees in the amount of \$5,000 to the firm of Roetzel and Andress for their assistance in counseling property owners Larry F. Greenberg and Ellen F. Greenberg, for helping the parties reach agreement on the sale of a portion of the owners land to Collier County for the Vanderbilt Beach Road Extension project, and for clearing title by obtaining a Partial Release of Mortgage from the mortgage holder. Project No. 60168. (Fiscal Impact: \$5,000)

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

1. Approve the Satisfaction for a certain Water and/or Sewer Impact Fee Payment Agreement. Fiscal impact is \$92.50 to record the Satisfactions of Lien.
2. Approve, execute and record a Satisfaction of a Notice of Claim of Lien for Sanitary Sewer System Impact Fee. Fiscal impact is \$18.50 to record the Satisfaction of Lien.
3. Recommendation to accept a South Florida Water Management District Alternative Water Supply Grant in the amount of \$488,000 for partial funding of the construction of the Irrigation Quality Water Booster Pump Station, Project 74076, and Irrigation Quality Water Pond Liner, Project 73950.
4. Authorize submission of Amendment One (1) to the State Revolving Fund Loan Agreement (WW597180) through the Florida Department of Environmental Protection (FDEP) for the Reclaimed Water ASR, Project 74030.

5. Recommendation to approve the submittal of a letter representing Collier Countys comments on the United States Environmental Protection Agency (EPA) proposed Numeric Nutrient Rule, Docket ID No. EPA-HQ-OW-2009-0596 during the EPAs established public comment period.
6. Recommendation to approve conveyance of an Easement to Florida Power & Light Company for providing interconnection services for the construction of the landfill gas-to-energy facility at the Collier County Landfill, at no cost to the County.
7. Recommendation to exempt from formal competition and approve Contract #10-5466 with de la Parte & Gilbert, P.A., for General Legal Services for the Public Utilities Division. Project No. 71058, Water Legal Services.
8. Recommendation to approve AshBritt Environmental, Inc., (contract 05-3661) as the initial debris removal contractor in operational readiness for the upcoming 2010 Hurricane Season.

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

1. Recommendation to approve and authorize the Chairman to sign a Release of Declaration of Restriction with Immokalee Senior Housing, Ltd for the infrastructure construction on 2.33 acres in Immokalee, Florida to enable Immokalee Senior Housing, Ltd to construct thirty (30) new one- and two-bedroom rental units targeted to very low-income elderly residents.
2. Recommendation to approve and authorize the Chairman to sign two (2) lien agreements for deferral of 100% of Collier County impact fees for owner occupied affordable housing dwelling units located in Collier County. Approval of this item will transfer previously approved deferral agreements from developer to owner occupants with a continuing fiscal impact of \$37,817.56.
3. Recommendation to approve and authorize the Chairman to sign an agreement between the Area Agency on Aging for Southwest Florida, Inc. and Collier County, and approve associated budget amendments to reflect an increase of \$143,747 in the Older Americans Act grant program.
4. Recommendation to approve and authorize the Chairman to sign a renewal grant agreement between the U.S. Department of Housing and Urban Development (HUD) and the Collier County Board of Commissioners (BCC) to accomodate HUD approved budget changes for SAWCC.
5. Recommendation to approve an Amendment to the Real Estate Conveyance Agreement (Amendment) with the David Lawrence Mental Health Center, Inc. for conveyance of a portion of County owned land located at 425 1st Street North, Immokalee, at no additional cost to the County.
6. Recommendation to approve and authorize the Chairman to sign an amendment to the State of Florida, Department of Children and Families (DCF) Challenge Grant. The amendment is being requested by DCF in order to comply with Section 504 of the Rehabilitation Act of 1973, and the Americans with Disabilities Act of 1990 (Support to the Deaf and Hard of Hearing).
7. Recommendation to accept a revised list of equipment to be purchased with the Health Care and Other Facilities Special Congressional Initiative earmark from the United States Department of Health and Human Services accepted by the Board of County Commissioners on September 29, 2009, Agenda Item 16D6.
8. Recommend to approve and authorize the Chairman to sign the Interlocal Agreement between Collier County and the City of Marco Island, the Hideaway Beach District and the Hideaway Beach Association, Inc., for the provision of a public restroom and erosion control structures in the Hideaway Beach section of Marco Island.

9. Recommendation to approve and authorize the Chairman to sign a sub-recipient agreement between Collier County and The City of Naples for Community Development Block Grant-Recovery (CDBG-R) funding providing American Recovery and Reinvestment Act (ARRA) funds for a landscaping improvements project to assist low and moderate income citizens in the Anthony Park Community located within the City of Naples in the amount of \$30,365.

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

1. Recommendation to authorize the sale of Collier County surplus property on April 24, 2010.
2. Recommendation to award Bid No. 10-5407, Employment Physicals and Drug Testing to Anchor Health Centers at an estimated annual cost of \$11,600 per year.
3. Recommendation to award ITB 10-5437 for Temporary Clerical Services to Academy Design and Technical Services, Inc., Compass Medical Staffing, and Juristaff, Inc., in no particular order. Estimated annual expenses are \$110,000.
4. Report the sale of four (4) pick-up trucks associated with the County surplus on-line auction held February 15, 2010, resulting in gross revenues of \$16,550.
5. Recommendation to approve an Agreement for Sale and Purchase with Bruce and Lucille Kirby for 1.0 acre under the Conservation Collier Land Acquisition Program, at a cost not to exceed \$31,675.
6. Recommendation to approve the purchase of property insurance effective April 1, 2010 in the amount of \$3,430,400, a reduction of \$604,735 and authorize the County Manager or designee to execute any applications or other documents necessary to bind coverage and service.
7. Recommendation to authorize the chairman to sign a \$250,000 Florida Department of Environmental Protection (FDEP) Office of Greenways and Trails Recreational Trails Program (RTP) Grant Application to partially fund the construction of the Gordon River Greenway Park boardwalk and pedestrian bridge.
8. Recommendation to approve a Budget Amendment in the amount of \$307,400 to fund the interior reconfiguration of the Supervisor of Elections building at 3300 Santa Barbara Boulevard in order to maximize the efficiency of the space including the creation of a combination training/call center room in preparation for the upcoming 2010 elections.

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

1. Recommendation to adopt a resolution approving amendments (appropriating grants, donations, contributions or insurance proceeds) to the Fiscal Year 2009-10 Adopted Budget.
2. Recommendation to approve and authorize the Chairman to accept the Volunteer Fire Assistance Grant Award to Ochopee Fire Control District in the amount of \$4,705 with a required match of \$4,705 for a total of \$9,410 to purchase VHF mobile radios, pagers, harnesses, foam and approve the necessary budget amendments.
3. Recommendation to approve a Certificate of Public Convenience and Necessity for NCH Healthcare System for non-emergency ambulance service and approve a Budget Amendment recognizing and appropriating the \$250 annual renewal fee.
4. Recommendation to approve budget amendments.
5. Recommendation to approve and authorize the Chairman to sign a Memo of Understanding (MOU) with the Greater Naples Chamber of Commerce to support funding of a new Visitor Information Center Specialist position at an annual cost of up to \$65,000 payable with TDC funding.

6. Recommendation to approve a Resolution attesting that the Board of County Commissioners is authorized to administer the Countys affairs, and will be legally and financially responsible in the event there is any outstanding debt owed to Centers for Medicare and Medicaid Services as a result of the filing and receiving of payments associated with ambulance related claims.

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

1. Recommendation that the Collier County Community Redevelopment Agency review and approve the Bayshore Gateway Triangle CRA 2009 Annual Report, forward the report to the Board of County Commissioners and Clerk of Courts and publish public notice of the filing.
2. Recommendation to approve and execute a 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 (3300 Davis Boulevard, \$52,947.22).
3. Recommendation that the Collier County Community Redevelopment Agency approves the submittal of a Mixed-Used Planned Unit Development (MPUD) application to rezone CRA-owned land; approve the Chair to sign application documents; and authorize the Executive Director to complete and submit the application package and pay the application fee. (Fiscal Impact: \$15,275)
4. Recommendation to authorize budget amendments to allocate \$223,700 in Immokalee Infrastructure Fund 497 to permitting the next phase of development at the Immokalee Regional Airport.
5. Recommendation to approve and authorize the Chairman to execute the attached Resolution authorizing execution of Master Joint Participation Agreement 2010-A with the Florida Department of Transportation to fund projects at the Everglades Airpark, the Immokalee Regional Airport and Marco Island Airport, and authorize associated budget amendments.

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

1. Commissioner Henning requests Board approval for reimbursement regarding attendance at a function serving a Valid Public Purpose. Attended the EDC March Investor Meeting on March 2, 2010 at the Naples Daily News - Community Room - 1100 Immokalee Road. \$20.00 to be paid from Commissioner Henning's travel budget.
2. Commissioner Fiala requests Board approval for reimbursement regarding attendance at a function serving a Valid Public Purpose. Attended the Naples Press Club luncheon as a speaker on February 25, 2010 at the Bellasera Resort in Naples, FL. \$20.00 to be paid from Commissioner Fiala's travel budget.
3. Commissioner Fiala requests Board approval for reimbursement regarding attendance at a function serving a Valid Public Purpose. Attended the League Club in Naples Luncheon as a speaker on March 4, 2010 at the Port Royal Club in Naples, FL. \$30.00 to be paid from Commissioner Fiala's travel budget.
4. Commissioner Fiala requests Board approval for reimbursement regarding attendance at a function serving a Valid Public Purpose. Will attend the United Arts Council Stars in the Arts Awards Luncheon at the Naples Grande Resort in Naples, FL on March 26, 2010. \$95.00 to be paid from Commissioner Fiala's travel budget.
5. Commissioner Fiala requests Board approval for reimbursement regarding attendance at a function serving a Valid Public Purpose. Will attend The Cleveland Club of Southwest Florida Spring Dinner Party at the Cypress Woods Golf & Country Club in Naples, FL on March 28, 2010. \$30.00 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. Will attend the Naples Press Club Luncheon with Karna Bodman at Vergina on 5th Avenue South in Naples, FL on April 10, 2010. \$45.00 to be paid from Commissioner Fiala's travel budget.
7. Commissioner Fiala requests Board approval for reimbursement regarding attendance at a function serving a Valid Public Purpose. Will attend the Womens Philanthropic Network of the Community Foundation of Collier County 2010 Women of Initiative Awards Luncheon at the Naples Beach Hotel and Golf Club in Naples, FL on April 6, 2010. \$125.00 to be paid from Commissioner Fiala's travel budget.
8. A resolution by the Collier County Board of County Commissioners urging local retailers selling tobacco products to refrain from selling and marketing flavored tobacco products which tend to promote and influence underage and/or youthful consumption.

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

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

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

1. Recommendation to approve Change Order #9 to add \$79,200 to Contract #07-4152, Auditing Services for Collier County, with Ernst and Young LLP.
2. To approve a yield reduction payment in the amount of \$3,332.52, related to the Series 2005 Capital Improvement and Refunding Revenue Bonds.
3. To obtain board approval for disbursements for the period of February 27, 2010 through March 5, 2010 and for submission into the official records of the board.
4. To obtain board approval for disbursements for the period of March 6, 2010 through March 12, 2010 and for submission into the official records of the board.
5. Recommendation to approve a grant application for FY2010 Justice and Mental Health Collaboration Program in the amount of approximately \$250,000 over two years from the U.S. Department of Justice, Bureau of Justice Assistance. If awarded, request authorization for the Collier County Sheriff's Office to accept the grant, approve associated budget amendments and enter into memorandum of understanding with David Lawrence Center, National Alliance on Mental Illness (NAMI) of Collier County, Prison Health Services and other partner organizations.

#### **K. COUNTY ATTORNEY**

1. Recommendation to approve and accept as payment in full the settlement and settlement check received from the Farm Bureau Insurance of North Carolina on behalf of Leonardo Rodriguez and Maria Rodriguez in the amount of \$7,533.69 and authorize the County Manager or his designee to execute the required release.
2. Request for authorization to advertise an amendment to Ordinance No. 2009-02 to correct a scrivener's error pertaining to the repeal of ordinances and resolutions pertaining to various inactive taxing districts located within Collier County.
3. Recommendation that despite a potential conflict with Marcy Krumbine, that the County Attorneys Office continue to provide defense to Collier County and Physician Led Area Network (PLAN) in the lawsuit styled Deborah Dahlmanns v. PLAN and Marcy Krumbine, Case No. 09-7915-CA

**17. SUMMARY AGENDA - THIS SECTION IS FOR ADVERTISED PUBLIC HEARINGS AND MUST MEET THE FOLLOWING CRITERIA: 1) A RECOMMENDATION FOR APPROVAL FROM STAFF; 2) UNANIMOUS RECOMMENDATION FOR APPROVAL BY THE COLLIER COUNTY PLANNING COMMISSION OR OTHER AUTHORIZING AGENCIES OF ALL MEMBERS PRESENT AND VOTING; 3) NO WRITTEN OR ORAL OBJECTIONS TO THE ITEM RECEIVED BY STAFF, THE COLLIER COUNTY PLANNING COMMISSION, OTHER AUTHORIZING AGENCIES OR THE BOARD, PRIOR TO THE COMMENCEMENT OF THE BCC MEETING ON WHICH THE ITEMS ARE SCHEDULED TO BE HEARD; AND 4) NO INDIVIDUALS ARE REGISTERED TO SPEAK IN OPPOSITION TO THE ITEM. FOR THOSE ITEMS, WHICH ARE QUASI-JUDICIAL IN NATURE, ALL PARTICIPANTS MUST BE SWORN IN.**

- A. *This item requires that 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 Petition VAC-PL2009-1556, to disclaim, renounce and vacate the Countys and the Publics interest in an unopened and unused 20-foot wide alley along the rear line of Lots 1 through 9 and 11 through 21, Block 54, New Market Subdivision, according to the Plat thereof as recorded in Plat Book 1, Pages 104 and 105, of the Public Records of Collier County, Florida, situated in Section 3, Township 47 South, Range 29 East, Collier County, Florida, and being more specifically described in Exhibit A.**
- B. Recommendation to adopt two ordinances which amend Ordinance No. 76-57 (the general County Public Solicitors Ordinance), and Ordinance No. 87-60, as amended (which regulates solicitation in the public right-of-way), so as to prohibit public solicitors from misrepresenting that they are veterans of the military, or soliciting in military uniforms, when they are neither present nor former members of the military.**
- C. 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.**